

Tab 1 SPB 2500 by AP; Appropriations						
995001	A	S	FAV	AP, Gaetz, Hukill	02/04	06:14 PM
995008	A	S	WD	AP, Hays	02/04	06:14 PM
995045	SA	S	L WD	AP, Hays	02/04	06:14 PM
995003	A	S	WD	AP, Ring	02/04	06:14 PM
995046	A	S	L FAV	AP, Gaetz	02/04	06:14 PM
995010	A	S	FAV	AP, Hukill	02/04	06:14 PM
995004	A	S	WD	AP, Hukill	02/04	06:14 PM
995016	A	S	FAV	AP, Smith	02/04	06:14 PM
995019	A	S	L FAV	AP, Garcia	02/04	06:14 PM
995020	A	S	L FAV	AP, Garcia	02/04	06:14 PM
995000	A	S	FAV	AP, Garcia	02/04	06:14 PM
995005	A	S	L WD	AP, Smith	02/04	06:14 PM
995007	A	S	FAV	AP, Garcia	02/04	06:14 PM
995013	A	S	FAV	AP, Garcia	02/04	06:14 PM
995015	A	S	WD	AP, Hays	02/04	06:14 PM
995040	A	S	FAV	AP, Smith	02/04	06:14 PM
995006	A	S	FAV	AP, Negron	02/04	06:14 PM
995035	A	S	FAV	AP, Negron	02/04	06:14 PM
995042	A	S	L FAV	AP, Smith	02/04	06:14 PM
995023	A	S	FAV	AP, Negron	02/04	06:14 PM
995022	A	S	FAV	AP, Richter	02/04	06:14 PM
995024	A	S	FAV	AP, Flores	02/04	06:14 PM
995025	A	S	WD	AP, Negron	02/04	06:14 PM
995036	A	S	FAV	AP, Negron	02/04	06:14 PM
995029	A	S	FAV	AP, Negron	02/04	06:14 PM
995038	A	S	FAV	AP, Negron	02/04	06:14 PM
995039	A	S	FAV	AP, Smith	02/04	06:14 PM
995017	A	S	FAV	AP, Ring	02/04	06:14 PM
995011	A	S	FAV	AP, Latvala	02/04	06:14 PM
995012	A	S	FAV	AP, Latvala	02/04	06:14 PM
995014	A	S	FAV	AP, Latvala	02/04	06:14 PM
995021	A	S	L FAV	AP, Smith	02/04	06:14 PM
995028	A	S	FAV	AP, Latvala	02/04	06:14 PM
995044	AA	S	L FAV	AP, Latvala	02/04	06:14 PM
995030	A	S	FAV	AP, Latvala	02/04	06:14 PM
995031	A	S	FAV	AP, Hays	02/04	06:14 PM
995032	A	S	FAV	AP, Latvala	02/04	06:14 PM
995041	A	S	L FAV	AP, Latvala	02/04	06:14 PM
995043	A	S	FAV	AP, Latvala	02/04	06:14 PM
995009	A	S	FAV	AP, Hukill	02/04	06:14 PM
995047	A	S	L FAV	AP, Latvala	02/04	06:14 PM
995026	A	S	FAV	AP, Negron	02/04	06:14 PM
995027	A	S	FAV	AP, Latvala	02/04	06:14 PM
995018	A	S	FAV	AP, Hays	02/04	06:14 PM
995049	A	S	L WD	AP, Smith	02/04	06:14 PM
995048	A	S	L WD	AP, Smith	02/04	06:14 PM
995037	A	S	WD	AP, Sobel	02/02	06:21 PM
995033	A	S	WD	AP, Sobel	02/02	07:04 PM
995034	A	S	WD	AP, Sobel	02/02	07:04 PM
995002	A	S	WD	AP, Galvano, Gaetz	02/02	05:06 PM

Tab 2 SPB 2502 by AP; Implementing the 2016-2017 General Appropriations Act	
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Tab 3	SPB 2504 by AP; State Employees					
Tab 4	SB 7042 by GO; (Similar to H 5005) State-administered Retirement Systems					
Tab 5	SPB 2506 by AP; Compensation for Representation					
Tab 6	SPB 2508 by AP; Health Care Services					
Tab 7	SPB 2510 by AP; Alzheimer's Disease Research					
Tab 8	SPB 7060 by AP; Working Capital Trust Fund Within the Department of Children and Families/Operations and Maintenance Trust Fund Within the Department of Health					
440284	A	S	FAV	AP, Garcia	Delete L.34:	02/05 10:33 AM
Tab 9	SB 90 by Simpson; (Compare to CS/H 0285) Natural Gas Rebate Program					
311396	PCS	S	FAV	AP, AGG		02/04 01:31 PM
323716	PCS:A	S	RCS	AP, Hukill	Delete L.30 - 37:	02/04 01:31 PM
500770	PCS:A	S	RCS	AP, Hukill	Delete L.38 - 39:	02/04 01:31 PM
248866	A	S	L WD	AP, Hukill	Delete L.30 - 33:	02/01 05:49 PM
Tab 10	SB 100 by Simpson; (Similar to CS/H 0697) Petroleum Restoration Program					
705458	D	S	WD	AP, Hukill	Delete everything after	02/01 12:08 PM
334112	A	S	RCS	AP, Hukill	Delete L.89 - 395:	02/03 06:51 PM
222728	AA	S	RCS	AP, Hukill	Delete L.331 - 610:	02/03 06:51 PM
824416	AA	S	RCS	AP, Hukill	Delete L.570:	02/03 06:51 PM
Tab 11	SB 284 by Thompson; (Similar to CS/1ST ENG/H 0103) Commercial Transactions in Fresh Produce Markets					
Tab 12	SB 350 by Montford (CO-INTRODUCERS) Hutson, Gaetz, Soto; (Compare to CS/H 0305) Online Procurement					
814970	PCS	S	RCS	AP, AED		02/04 01:56 PM
541770	PCS:A	S	L RCS	AP, Ring	btw L.13 - 14:	02/04 01:56 PM
Tab 13	CS/SB 372 by JU, Lee; (Similar to CS/CS/CS/H 0183) Administrative Procedures					
278904	PCS	S	RCS	AP, AGG		02/04 02:05 PM
853154	PCS:A	S	RCS	AP, Lee	btw L.597 - 598:	02/04 02:05 PM
Tab 14	CS/SB 468 by ED, Ring (CO-INTRODUCERS) Brandes, Galvano; (Compare to CS/H 0887) Computer Coding Instruction					
140576	A	S	RCS	AP, Ring	Delete L.23:	02/04 01:17 PM
642728	A	S	RCS	AP, Ring	Delete L.29:	02/04 01:17 PM
480630	A	S	RCS	AP, Ring	Delete L.30 - 36:	02/04 01:17 PM
Tab 15	CS/SB 546 by EP, Simpson; (Similar to CS/H 0359) Sale or Exchange of Lands					
724450	PCS	S	RCS	AP		02/04 01:30 PM
442978	PCS:A	S	RCS	AP, Hukill	Delete L.72:	02/04 01:30 PM
644782	PCS:A	S	RCS	AP, Hukill	Delete L.86 - 87.	02/04 01:30 PM

Tab 16 CS/SB 756 by TR, Brandes; (Compare to H 1379) Department of Transportation							
566040	PCS	S	RCS	AP			02/04 01:34 PM
404078	PCS:A	S	RCS	AP, Galvano	btw L.1433 - 1434:		02/04 01:34 PM
Tab 17 CS/SB 772 by CM, Richter; (Similar to CS/CS/H 0641) Regulated Service Providers							
442032	PCS	S	RCS	AP			02/04 02:01 PM
150022	PCS:A	S	RCS	AP, Richter	Delete L.965 - 995:		02/04 02:01 PM
920060	PCS:A	S	RCS	AP, Garcia	Delete L.1051 - 1191:		02/04 02:01 PM
Tab 18 CS/SB 822 by BI, Stargel; (Similar to CS/CS/H 0431) Firesafety							
811910	PCS	S	RCS	AP, AGG			02/04 01:36 PM
Tab 19 SB 908 by Lee; (Similar to CS/H 0879) Organization of the Department of Financial Services							
Tab 20 SB 7008 by GO; (Similar to CS/H 0339) Housing Discrimination							
915996	A	S	RCS	AP, Ring	Delete L.147:		02/04 02:03 PM
Tab 21 SB 7012 by GO; (Similar to H 0087) Death Benefits under the Florida Retirement System							
Tab 22 SB 7028 by GO; State Board of Administration							
Tab 23 SB 7034 by CF; (Similar to CS/H 0943) Prenatal Services and Early Childhood Development							
469062	PCS	S	RCS	AP, AHS			02/04 02:09 PM
446630	PCS:A	S	RCS	AP, Garcia	Delete L.393:		02/04 02:09 PM
574824	PCS:A	S	RS	AP, Garcia	Delete L.414 - 423:		02/04 02:09 PM
599504	PCS:SA	S L	RCS	AP, Garcia	Delete L.408 - 429:		02/04 02:09 PM

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

APPROPRIATIONS
Senator Lee, Chair
Senator Benacquisto, Vice Chair

MEETING DATE: Wednesday, February 3, 2016

TIME: 9:00 a.m.—5:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

MEMBERS: Senator Lee, Chair; Senator Benacquisto, Vice Chair; Senators Altman, Flores, Gaetz, Galvano, Garcia, Grimsley, Hays, Hukill, Joyner, Latvala, Margolis, Montford, Negron, Richter, Ring, Simmons, and Smith

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
Consideration of proposed bill:			
1	SPB 2500	Appropriations; Providing moneys for the annual period beginning July 1, 2016, and ending June 30, 2017, and supplemental appropriations for the period ending June 30, 2016, to pay salaries and other expenses, capital outlay-buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing for contingent retroactive operation, etc.	Submitted as Committee Bill Yeas 19 Nays 0
Consideration of proposed bill:			
2	SPB 2502	Implementing the 2016-2017 General Appropriations Act; Incorporating by reference certain calculations of the Florida Education Finance Program; revising the method for allocating funds for exceptional student education programs; extending the date by which the Adults with Disabilities Workforce Education Pilot Program may operate; authorizing a university board of trustees to expend certain reserve or carry forward balances from a prior year for specified capital outlay projects if certain conditions are met, etc.	Submitted as Committee Bill Yeas 19 Nays 0
Consideration of proposed bill:			
3	SPB 2504	State Employees; Providing for the resolution of collective bargaining issues at impasse between the state and certified bargaining units of state employees, etc.	Submitted as Committee Bill Yeas 19 Nays 0
4	SB 7042 Governmental Oversight and Accountability (Similar H 5005, Compare H 5001, S 2500)	State-administered Retirement Systems; Revising required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System, etc. AP 02/03/2016 Favorable	Favorable Yeas 19 Nays 0
Consideration of proposed bill:			

COMMITTEE MEETING EXPANDED AGENDA

Appropriations

Wednesday, February 3, 2016, 9:00 a.m.—5:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
5	SPB 2506	Compensation for Representation; Revising compensation amounts for representation in a criminal proceeding, etc.	Submitted as Committee Bill Yeas 19 Nays 0
Consideration of proposed bill:			
6	SPB 2508	Health Care Services; Providing an exception to the prohibition against a private entity swiping an individual's driver license or identification card for certain entities for certain purposes; requiring appeals related to Medicaid programs directly administered by the Agency for Health Care Administration to be directed to the agency; providing eligibility for optional payments for medical assistance and related services for certain lawfully residing children, etc.	Submitted as Committee Bill Yeas 18 Nays 0
Consideration of proposed bill:			
7	SPB 2510	Alzheimer's Disease Research; Providing for the carryforward of any unexpended balance of an appropriation for the Ed and Ethel Moore Alzheimer's Disease Research Program, etc.	Submitted as Committee Bill Yeas 19 Nays 0
Consideration of proposed bill:			
8	SPB 7060	Working Capital Trust Fund Within the Department of Children and Families/Operations and Maintenance Trust Fund Within the Department of Health; Terminating the Working Capital Trust Fund within the Department of Children and Families and the Operations and Maintenance Trust Fund within the Department of Health; providing for the disposition of balances in, revenues of, and all outstanding appropriations of the trust funds; prescribing procedures for the termination of the trust funds, etc.	Submitted as Committee Bill Yeas 19 Nays 0
A proposed committee substitute for the following bill (SB 90) is available:			
9	SB 90 Simpson (Compare CS/H 285)	Natural Gas Rebate Program; Authorizing the Department of Agriculture and Consumer Services to receive additional applications from certain applicants; authorizing any remaining unencumbered funds to be used by the department to award additional rebates, etc. CU 11/03/2015 Favorable AGG 11/18/2015 Fav/CS AP 02/03/2016 Fav/CS	Fav/CS Yeas 18 Nays 0
With subcommittee recommendation – General Government			

COMMITTEE MEETING EXPANDED AGENDA

Appropriations

Wednesday, February 3, 2016, 9:00 a.m.—5:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
10	SB 100 Simpson (Similar CS/H 697)	Petroleum Restoration Program; Revising the eligibility requirements of the Abandoned Tank Restoration Program; deleting provisions prohibiting the relief of liability for persons who acquired title after a certain date; revising the conditions for eligibility and methods for payment of costs for the low-risk site initiative; revising the eligibility requirements for receiving rehabilitation funding; reducing the number of sites that may be proposed for certain advanced cleanup applications, etc. EP 10/07/2015 Favorable AGG 10/20/2015 Favorable AP 11/19/2015 Temporarily Postponed AP 02/03/2016 Fav/CS	Fav/CS Yeas 19 Nays 0
With subcommittee recommendation – General Government			
11	SB 284 Thompson (Similar CS/H 103)	Commercial Transactions in Fresh Produce Markets; Authorizing owners or operators of certain farmers' markets, community farmers' markets, flea markets, and other open-air markets to allow certain Food and Nutrition Service groups, associations, or third-party organizations to implement and operate an electronic benefits transfer system in such markets for the purpose of accepting SNAP benefits; requiring the owners or operators of such markets to reasonably accommodate such groups in the implementation and operation of an electronic benefits transfer system in the market, etc. AG 11/02/2015 Favorable AHS 11/18/2015 Favorable AP 02/03/2016 Favorable	Favorable Yeas 18 Nays 0
With subcommittee recommendation – Health and Human Services			
A proposed committee substitute for the following bill (SB 350) is available:			
12	SB 350 Montford (Compare CS/H 305)	Online Procurement; Revising the powers and duties of the district school board to authorize the adoption of rules regarding procurement practices; authorizing a district school board to use online procurement for certain services and purchases; authorizing each district school board, Florida College System board of trustees, and university board of trustees to make purchases through an online procurement system, etc. GO 11/02/2015 GO 11/17/2015 Favorable AED 12/03/2015 Fav/CS AP 02/03/2016 Fav/CS	Fav/CS Yeas 17 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Appropriations

Wednesday, February 3, 2016, 9:00 a.m.—5:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
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With subcommittee recommendation – Education

A proposed committee substitute for the following bill (CS/SB 372) is available:

13	CS/SB 372 Judiciary / Lee (Similar CS/CS/CS/H 183)	Administrative Procedures; Providing procedures for agencies to follow when initiating rulemaking after certain public hearings; providing for publication of notices of rule development and of rules filed for adoption; specifying legal authority to file a petition challenging an agency rule as an invalid exercise of delegated legislative authority, etc.	Fav/CS Yeas 18 Nays 0
		JU 11/17/2015 Fav/CS AGG 01/13/2016 Fav/CS AP 02/03/2016 Fav/CS	

With subcommittee recommendation – General Government

14	CS/SB 468 Education Pre-K - 12 / Ring (Compare CS/H 887)	Computer Coding Instruction; Requiring high schools to offer computer coding courses; requiring the Commissioner of Education to identify the computer coding courses that satisfy two credits of foreign language instruction under certain circumstances; requiring Florida College System institutions and state universities to recognize the credits as foreign language credits, etc.	Fav/CS Yeas 17 Nays 1
		ED 12/03/2015 Fav/CS AED 01/13/2016 Favorable AP 02/03/2016 Fav/CS	

With subcommittee recommendation – Education

A proposed committee substitute for the following bill (CS/SB 546) is available:

15	CS/SB 546 Environmental Preservation and Conservation / Simpson (Similar CS/H 359)	Sale or Exchange of Lands; Extending the timeframe within which a certified appraisal may be obtained for parcels of land to be sold as surplus; revising the procedures a water management district must follow for publishing a notice of intention to sell surplus lands; providing an exception from such notice requirements if a parcel of land is valued below a certain threshold; authorizing such parcels to be sold directly to the highest bidder; authorizing districts to include restrictions on future use of such parcels, etc.	Fav/CS Yeas 18 Nays 0
		EP 11/18/2015 Fav/CS AGG 01/21/2016 Fav/CS AP 02/03/2016 Fav/CS	

COMMITTEE MEETING EXPANDED AGENDA

Appropriations

Wednesday, February 3, 2016, 9:00 a.m.—5:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
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With subcommittee recommendation – General Government

A proposed committee substitute for the following bill (CS/SB 756) is available:

16	CS/SB 756 Transportation / Brandes (Compare H 1379, H 7027, CS/CS/H 7061, CS/S 1392, S 1508)	Department of Transportation; Increasing the minimum amount that must be made available annually from the State Transportation Trust Fund to fund the Florida Seaport Transportation and Economic Development Program; authorizing the department to enter into certain agreements related to the federal surface transportation project delivery program under certain federal law; creating a nonprofit corporation to be known as the "Florida Department of Transportation Financing Corporation"; authorizing the corporation to contract with the State Board of Administration to perform certain services, etc. TR 12/03/2015 Fav/CS ATD 01/21/2016 Fav/CS AP 02/03/2016 Fav/CS	Fav/CS Yeas 18 Nays 0
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With subcommittee recommendation – Transportation, Tourism, and Economic Development

A proposed committee substitute for the following bill (CS/SB 772) is available:

17	CS/SB 772 Commerce and Tourism / Richter (Similar CS/CS/H 641, Compare H 643, Linked CS/S 754)	Regulated Service Providers; Revising the composition of the Board of Professional Surveyors and Mappers; requiring the department to waive the initial registration fee for an intrastate mover for certain veterans, the spouses of such veterans, or certain business entities that have a majority ownership held by such veterans or spouses; exempting water-related amusement rides operated by lodging and food service establishments and membership campgrounds, amusement rides at private, membership-only facilities, and nonprofit permanent facilities from certain safety standards; authorizing certain tax collector offices, upon approval and confirmation of license issuance by the department, to print and deliver concealed weapon or firearm licenses, etc. CM 01/11/2016 Fav/CS AGG 01/21/2016 Fav/CS AP 02/03/2016 Fav/CS	Fav/CS Yeas 17 Nays 0
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With subcommittee recommendation – General Government

A proposed committee substitute for the following bill (CS/SB 822) is available:

COMMITTEE MEETING EXPANDED AGENDA

Appropriations

Wednesday, February 3, 2016, 9:00 a.m.—5:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
18	CS/SB 822 Banking and Insurance / Stargel (Similar CS/CS/H 431, Compare CS/CS/H 535, CS/S 704)	Firesafety; Revising provisions relating to certain structures located on agricultural property which are exempt from the Florida Fire Prevention Code; requiring that certain structures used for assembly, business, or mercantile activity be classified; specifying that certain structures are subject to annual inspection for classification; revising certain dimensions of a tent that is exempt from the code; authorizing a local fire official to consider a specified publication when identifying an alternative to a firesafety code, etc. BI 01/11/2016 Fav/CS AGG 01/21/2016 Fav/CS AP 02/03/2016 Fav/CS	Fav/CS Yeas 16 Nays 0
With subcommittee recommendation – General Government			
19	SB 908 Lee (Similar H 879)	Organization of the Department of Financial Services; Authorizing the Chief Financial Officer, rather than the Division of Accounting and Auditing, to audit and adjust accounts of officers and those indebted to the state; revising the divisions and the location of bureaus within the divisions; amending provisions relating to the transfer of certain functions to the Division of Investigative and Forensic Services; amending provisions relating to the renaming of the Bureau of Unclaimed Property, etc. BI 01/11/2016 Favorable AGG 01/21/2016 Favorable AP 02/03/2016 Favorable	Favorable Yeas 18 Nays 0
With subcommittee recommendation – General Government			
20	SB 7008 Governmental Oversight and Accountability (Similar CS/H 339)	Housing Discrimination; Removing housing discrimination as a cause of action for certain relief and damages stemming from violations of the Florida Civil Rights Act of 1992; authorizing, rather than requiring, a civil action to commence within 2 years after an alleged discriminatory housing practice; authorizing an aggrieved person to commence a civil action regardless of whether a specified complaint has been filed and regardless of the status of any such complaint, etc. JU 11/17/2015 Favorable AGG 01/13/2016 Favorable AP 02/03/2016 Fav/CS	Fav/CS Yeas 18 Nays 0
With subcommittee recommendation – General Government			

COMMITTEE MEETING EXPANDED AGENDA

Appropriations

Wednesday, February 3, 2016, 9:00 a.m.—5:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
21	SB 7012 Governmental Oversight and Accountability (Similar H 87, H 917)	Death Benefits under the Florida Retirement System; Authorizing payment of death benefits to the surviving spouse or children of a Special Risk Class member killed in the line of duty under specified circumstances; authorizing payment of death benefits to the surviving spouse or surviving children of a Special Risk Class member in the investment plan; requiring the State Board of Administration to transfer moneys to fund survivor benefit payments under specified circumstances, etc. AP 02/03/2016 Favorable	Favorable Yeas 19 Nays 0
22	SB 7028 Governmental Oversight and Accountability	State Board of Administration; Redefining the term “public fund”; requiring the board, rather than the public fund, to maintain a list of certain scrutinized companies rather than assembling the list by a certain time; deleting a condition that may no longer be used by the board in scrutinizing companies, relating to a specified declaration, etc. AGG 01/21/2016 Favorable AP 02/03/2016 Favorable With subcommittee recommendation – General Government	Favorable Yeas 19 Nays 0
A proposed committee substitute for the following bill (SB 7034) is available:			
23	SB 7034 Children, Families, and Elder Affairs (Similar CS/H 943)	Prenatal Services and Early Childhood Development; Revising the requirements for the Department of Health to maintain a clearinghouse of information for parents and health care providers and to increase public awareness on developmental evaluation and early intervention programs; renaming the “Infants and Toddlers Early Intervention Program” as the “Early Steps Program”; requiring the development of an individualized family support plan for each child served in the program, etc. AHS 01/13/2016 Fav/CS AP 02/03/2016 Fav/CS With subcommittee recommendation – Health and Human Services	Fav/CS Yeas 18 Nays 0
Other Related Meeting Documents			



Florida Senate - 2016

SPB2500

<u>Committee</u>	<u>Amendment</u>
AED	1

The Committee on Appropriations (Gaetz and Hukill) recommended the following amendment:

Section: 02	<u>EXPLANATION:</u>
On Page: 008	Transfers \$70,000 to the Adults with Disabilities Program at Daytona State College from the FSU-Panama City Campus Veteran's Resource Center.
Spec App: 33	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount	Positions & Amount
	DELETE	INSERT
EDUCATION, DEPARTMENT OF Vocational Rehabilitation 48160000		
33 In Section 02 On Page 008 Aid To Local Governments 050798 Grants And Aids - Adults With Disabilities Funds IOEB		
1000 General Revenue Fund CA 70,000 FSI1NR 70,000	6,171,576	6,241,576

Immediately following Specific Appropriation 33, DELETE:

Funds in Specific Appropriation 33 shall be allocated as follows:

Inclusive Transition and Employment Management Program (ITEM).....	1,000,000
Our Pride Academy.....	1,200,000
Flagler Adults with Disabilities.....	535,892
Jackson Adults with Disabilities Program.....	1,019,247
Miami-Dade Adults with Disabilities Program.....	1,125,208
Sumter Adults with Disabilities Program.....	42,500
Palm Beach Habilitation Center.....	225,000
Community Based Supported Employment.....	114,723
Adults with Disabilities - Helping People Succeed.....	109,006
Broward County Public Schools Adults with Disabilities.....	800,000

AND INSERT:

Funds in Specific Appropriation 33 shall be allocated as follows:

Inclusive Transition and Employment Management Program (ITEM).....	1,000,000
Our Pride Academy.....	1,200,000
Flagler Adults with Disabilities.....	535,892
Jackson Adults with Disabilities Program.....	1,019,247
Miami-Dade Adults with Disabilities Program.....	1,125,208
Sumter Adults with Disabilities Program.....	42,500
Palm Beach Habilitation Center.....	225,000
Community Based Supported Employment.....	114,723
Adults with Disabilities - Helping People Succeed.....	109,006
Broward County Public Schools Adults with Disabilities.....	800,000
Daytona State College Adults with Disabilities Program.....	70,000

Universities, Division Of
Program: Educational And General
Activities 48900100

142 In Section 02 On Page 038
Aid To Local Governments 052310
Grants And Aids - Education And General
Activities IOEB

1000 General Revenue Fund	1,947,708,418	1,947,638,418
CA -70,000 FSI1NR -70,000		

Following Specific Appropriation 142, DELETE:

Funds in Specific Appropriation 142 from the General Revenue Fund
shall be allocated as follows:

University of Florida.....	257,904,038
Florida State University.....	238,431,519
Florida A&M University.....	65,128,983
University of South Florida.....	159,097,663
University of South Florida, St. Petersburg.....	20,230,516
University of South Florida, Sarasota/Manatee.....	11,648,251
Florida Atlantic University.....	106,121,324
University of West Florida.....	85,211,673
University of Central Florida.....	195,714,022
Florida International University.....	149,646,161
University of North Florida.....	63,584,980
Florida Gulf Coast University.....	53,212,152
New College of Florida.....	15,464,614
Florida Polytechnic University.....	35,075,021
State University Performance Based Incentives.....	475,000,000
Board of Governors - Johnson Scholarships.....	1,237,500

Preeminent and Emerging Preeminent State Research Universities.....	15,000,000
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AND INSERT:

Funds in Specific Appropriation 142 from the General Revenue Fund shall be allocated as follows:

University of Florida.....	257,904,038
Florida State University.....	238,361,519
Florida A&M University.....	65,128,983
University of South Florida.....	159,097,663
University of South Florida, St. Petersburg.....	20,230,516
University of South Florida, Sarasota/Manatee.....	11,648,251
Florida Atlantic University.....	106,121,324
University of West Florida.....	85,211,673
University of Central Florida.....	195,714,022
Florida International University.....	149,646,161
University of North Florida.....	63,584,980
Florida Gulf Coast University.....	53,212,152
New College of Florida.....	15,464,614
Florida Polytechnic University.....	35,075,021
State University Performance Based Incentives.....	475,000,000
Board of Governors - Johnson Scholarships.....	1,237,500
Preeminent and Emerging Preeminent State Research Universities.....	15,000,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

<u>Committee</u>	<u>Amendment</u>
AED	3

The Committee on Appropriations (**Hays**) recommended the following amendment:

Section: 02 On Page: 036 Spec App: 132	<u>EXPLANATION:</u> Adds proviso to require that funds appropriated for Assessment and Evaluation be held in reserve until the Commissioner of Education provides a detailed explanation to the Appropriations Committee for the purpose of all negotiated student assessment contracts.
---	--

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount	Positions & Amount
	DELETE	INSERT
EDUCATION, DEPARTMENT OF State Board Of Education	48800000	
132 In Section 02 On Page 036 Special Categories	100147	
Assessment And Evaluation	IOEA	

At the end of existing proviso language, following Specific Appropriation 132, INSERT:

All funds provided in Specific Appropriation 132 shall be held in reserve until released by vote of the Appropriations Committee after the Commissioner of Education has appeared before such committee and explained why such contracts were negotiated and all questions regarding the purpose and reason for such contracts have been explained in detail. Further, the Department of Education is prohibited from expending any available funds from anywhere else in the department to fulfill any portion of these contracts until such meeting and vote occurs.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

Committee

AED

Amendment

3SA

The Committee on Appropriations (**Hays**) recommended the following
SUBSTITUTE AMENDMENT for 3 (995008):

Section: 02

On Page: 036

Spec App: 132

EXPLANATION:

Adds proviso to require that funds appropriated for Assessment and Evaluation be held in reserve until the Commissioner of Education or her designee provides a detailed explanation to the Senate Appropriations Committee for the purpose of all negotiated student assessment contracts.

NET IMPACT ON:

Total Funds

General Revenue

Trust Funds

Recurring -

0

0

0

Non-Recurring -

0

0

0

Positions & Amount

Positions & Amount

DELETE

INSERT

EDUCATION, DEPARTMENT OF
State Board Of Education 48800000

132 In Section 02 On Page 036
Special Categories 100147
Assessment And Evaluation IOEA

At the end of existing proviso language, following Specific
Appropriation 132, INSERT:

All funds provided in Specific Appropriation 132 shall be held in reserve until released by vote of the Senate Appropriations Committee after the Commissioner of Education or her designee has appeared before such committee and explained why such contracts were negotiated and all questions regarding the purpose and reason for such contracts have been explained in detail. Further, the Department of Education is prohibited from expending any available funds from anywhere else in the department to fulfill any portion of these contracts until such meeting and vote occurs.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

Committee

AED

Amendment

4

The Committee on Appropriations (**Ring**) recommended the following amendment:

Section: 02	<u>EXPLANATION:</u> Designates \$50,000 from general revenue funds provided for Contracted Services in the State Board of Education budget for outsourcing of the Florida Automated System for Transferring Electronic Records (FASTER) for student transcripts into a cloud-based solution.
On Page: 036	
Spec App: 134	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

EDUCATION, DEPARTMENT OF
State Board Of Education 48800000

134 In Section 02 On Page 036
Special Categories 100777
Contracted Services IOEA

Following Specific Appropriation 134, INSERT:

From the funds provided in Specific Appropriations 134, \$50,000 from the General Revenue Fund is provided for the complete outsourcing of FASTER (Florida Automated System for Transferring Electronic Records) into a cloud-based solution. The new solution must be a vendor hosted, web-based electronic transcript delivery solution that will enable transcript delivery for all public Florida High Schools to all public Florida higher education institutions as PDF and data, electronic student records exchange as PDF and data for all public schools in Florida and also have the ability to send transcripts to out-of-state or private in-state institutions.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

Committee

AED

Amendment

45

The Committee on Appropriations (**Gaetz**) recommended the following LATE FILED amendment:

Section: 02	<u>EXPLANATION:</u> Transfers \$50,000 from the Guiding Stars of Duval County and \$480,000 from the FSU-Panama City Campus Veterans Service Center to provide \$530,000 to Jacksonville University EPIC.
On Page: 015	
Spec App: 86	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

EDUCATION, DEPARTMENT OF

Early Learning

Program: Early Learning Services 48220400

In Section 02 On Page 015

Special Categories 103113

Grants And Aids - Partnership For School
Readiness IOEB

1000 General Revenue Fund

11,014,526

10,964,526

CA -50,000 FSI1 -50,000

In Section 02, on Page 15, DELETE the following:

From the funds in Specific Appropriation 86, \$1,000,000 from the General Revenue Fund is provided for Guiding Stars of Duval County.

AND INSERT:

From the funds in Specific Appropriation 86, \$950,000 from the General Revenue Fund is provided for Guiding Stars of Duval County.

Program: Private Colleges And
Universities 48190000

In Section 02 On Page 013

68 Special Categories 102130
 Grants And Aids - Private Colleges And
 Universities IOEB

1000	General Revenue Fund	10,000,000	10,530,000
	CA 530,000 FSI1 50,000 FSI1NR 480,000		

Immediately following Specific Appropriation 68, DELETE:

Funds in Specific Appropriation 68 shall be allocated as follows:

Embry Riddle - Aerospace Academy.....	3,000,000
Embry Riddle - Technology Park.....	5,000,000
Embry Riddle - Manufacturing Academy and Apprenticeship/ Internship Program.....	2,000,000

AND INSERT:

Funds in Specific Appropriation 68 shall be allocated as follows:

Embry Riddle - Aerospace Academy.....	3,000,000
Embry Riddle - Technology Park.....	5,000,000
Embry Riddle - Manufacturing Academy and Apprenticeship/ Internship Program.....	2,000,000
Jacksonville University - EPIC.....	530,000

Universities, Division Of
 Program: Educational And General
 Activities 48900100

142 In Section 02 On Page 038
 Aid To Local Governments 052310
 Grants And Aids - Education And General
 Activities IOEB

1000	General Revenue Fund	1,947,708,418	1,947,228,418
	CA -480,000 FSI1NR -480,000		

Following Specific Appropriation 142, DELETE:

Funds in Specific Appropriation 142 from the General Revenue Fund shall be allocated as follows:

University of Florida.....	257,904,038
Florida State University.....	238,431,519
Florida A&M University.....	65,128,983
University of South Florida.....	159,097,663
University of South Florida, St. Petersburg.....	20,230,516
University of South Florida, Sarasota/Manatee.....	11,648,251
Florida Atlantic University.....	106,121,324

University of West Florida.....	85,211,673
University of Central Florida.....	195,714,022
Florida International University.....	149,646,161
University of North Florida.....	63,584,980
Florida Gulf Coast University.....	53,212,152
New College of Florida.....	15,464,614
Florida Polytechnic University.....	35,075,021
State University Performance Based Incentives.....	475,000,000
Board of Governors - Johnson Scholarships.....	1,237,500
Preeminent and Emerging Preeminent State Research Universities.....	15,000,000

AND INSERT:

Funds in Specific Appropriation 142 from the General Revenue Fund shall be allocated as follows:

University of Florida.....	257,904,038
Florida State University.....	237,951,519
Florida A&M University.....	65,128,983
University of South Florida.....	159,097,663
University of South Florida, St. Petersburg.....	20,230,516
University of South Florida, Sarasota/Manatee.....	11,648,251
Florida Atlantic University.....	106,121,324
University of West Florida.....	85,211,673
University of Central Florida.....	195,714,022
Florida International University.....	149,646,161
University of North Florida.....	63,584,980
Florida Gulf Coast University.....	53,212,152
New College of Florida.....	15,464,614
Florida Polytechnic University.....	35,075,021
State University Performance Based Incentives.....	475,000,000
Board of Governors - Johnson Scholarships.....	1,237,500
Preeminent and Emerging Preeminent State Research Universities.....	15,000,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

Committee

AHS

Amendment

5

The Committee on Appropriations (Hukill) recommended the following amendment:

Section: 03	<u>EXPLANATION:</u> Reduces \$100,000 in nonrecurring general revenue funds from fixed capital outlay for Developmental Disability Centers and provides \$100,000 in nonrecurring general revenue funds for Easter Seals of Volusia and Flagler Counties to provide autism assessment and diagnostic services.
On Page: 059	
Spec App: 258	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

AGENCY FOR PERSONS WITH DISABILITIES

Program: Services To Persons With Disabilities

Home And Community Services 67100100

In Section 03 On Page 059

258 Special Categories 100778

Grants And Aids - Contracted Services IOEB

1000 General Revenue Fund

7,508,060

7,608,060

CA 100,000 FSI1NR 100,000

DELETE the proviso immediately following Specific Appropriation 258:

From the funds in Specific Appropriation 258, \$1,200,000 in nonrecurring funds from the General Revenue Fund is provided to Our Pride Academy to establish a child care training program for individuals with developmental disabilities.

From the funds in Specific Appropriation 258, \$2,000,000 from the General Revenue Fund is provided to the ARC of Florida for dental services to individuals with developmental disabilities.

From the funds in Specific Appropriation 258, \$1,616,060 in

nonrecurring funds from the General Revenue Fund is provided to the following projects:

Angels Reach Foundation, Inc.....	50,000
Area Stage Company (ASC) Developmental Disabilities	
Theater Program for Children.....	150,000
MACTown Fitness and Wellness Center.....	150,000
Mailman Center for Child Development.....	800,000
Operation Grow - Seminole County Work Opportunity Program...	316,060
The Arc Tampa Bay Foundation.....	150,000

AND INSERT:

From the funds in Specific Appropriation 258, \$1,200,000 in nonrecurring funds from the General Revenue Fund is provided to Our Pride Academy to establish a child care training program for individuals with developmental disabilities.

From the funds in Specific Appropriation 258, \$2,000,000 from the General Revenue Fund is provided to the ARC of Florida for dental services to individuals with developmental disabilities.

From the funds in Specific Appropriation 258, \$1,716,060 in nonrecurring funds from the General Revenue Fund is provided to the following projects:

Angels Reach Foundation, Inc.....	50,000
Area Stage Company (ASC) Developmental Disabilities	
Theater Program for Children.....	150,000
MACTown Fitness and Wellness Center.....	150,000
Easter Seals of Volusia and Flagler Counties.....	100,000
Mailman Center for Child Development.....	800,000
Operation Grow - Seminole County Work Opportunity Program...	316,060
The Arc Tampa Bay Foundation.....	150,000

Developmental Disability Centers - Civil
Program 67100400

285 In Section 03 On Page 063
Fixed Capital Outlay 080754
Agency For Persons With Disabilities
Fixed Capital Outlay Needs For Centrally
Managed Facilities IOEJ

1000	General Revenue Fund	2,600,000	2,500,000
CA -100,000	FSI1NR -100,000		

DELETE the proviso immediately following Specific Appropriation 285:

From the funds in Specific Appropriation 285, \$1,305,485 in

nonrecurring funds from the General Revenue Fund is provided for William "Billy Joe" Rish Recreational Park.

From the funds in Specific Appropriation 285, \$1,294,515 in nonrecurring funds from the General Revenue Fund is provided for Americans with Disabilities Act (ADA) accessibility modifications and other critical repairs to state facilities.

AND INSERT:

From the funds in Specific Appropriation 285, \$1,305,485 in nonrecurring funds from the General Revenue Fund is provided for William "Billy Joe" Rish Recreational Park.

From the funds in Specific Appropriation 285, \$1,194,515 in nonrecurring funds from the General Revenue Fund is provided for Americans with Disabilities Act (ADA) accessibility modifications and other critical repairs to state facilities.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

<u>Committee</u>	<u>Amendment</u>
AHS	6

The Committee on Appropriations (Hukill) recommended the following amendment:

Section: 03	<u>EXPLANATION:</u> Reduces \$250,000 in nonrecurring general revenue funds from fixed capital outlay for Developmental Disability Centers and provides \$250,000 in nonrecurring general revenue funds for Hope Therapy, Inc., to provide equine-assisted therapy for individuals with unique abilities.
On Page: 059	
Spec App: 258	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

		Positions & Amount	Positions & Amount
		DELETE	INSERT
AGENCY FOR PERSONS WITH DISABILITIES			
Program: Services To Persons With			
Disabilities			
Home And Community Services 67100100			
In Section 03 On Page 059			
258	Special Categories 100778		
	Grants And Aids - Contracted Services	IOEB	
1000	General Revenue Fund	7,508,060	7,758,060
CA 250,000 FSI1NR 250,000			

DELETE the proviso immediately following Specific Appropriation 258:

From the funds in Specific Appropriation 258, \$1,200,000 in nonrecurring funds from the General Revenue Fund is provided to Our Pride Academy to establish a child care training program for individuals with developmental disabilities.

From the funds in Specific Appropriation 258, \$2,000,000 from the General Revenue Fund is provided to the ARC of Florida for dental services to individuals with developmental disabilities.

From the funds in Specific Appropriation 258, \$1,616,060 in

nonrecurring funds from the General Revenue Fund is provided to the following projects:

Angels Reach Foundation, Inc.....	50,000
Area Stage Company (ASC) Developmental Disabilities	
Theater Program for Children.....	150,000
MACTown Fitness and Wellness Center.....	150,000
Mailman Center for Child Development.....	800,000
Operation Grow - Seminole County Work Opportunity Program...	316,060
The Arc Tampa Bay Foundation.....	150,000

AND INSERT:

From the funds in Specific Appropriation 258, \$1,200,000 in nonrecurring funds from the General Revenue Fund is provided to Our Pride Academy to establish a child care training program for individuals with developmental disabilities.

From the funds in Specific Appropriation 258, \$2,000,000 from the General Revenue Fund is provided to the ARC of Florida for dental services to individuals with developmental disabilities.

From the funds in Specific Appropriation 258, \$1,866,060 in nonrecurring funds from the General Revenue Fund is provided to the following projects:

Angels Reach Foundation, Inc.....	50,000
Area Stage Company (ASC) Developmental Disabilities	
Theater Program for Children.....	150,000
Hope Therapy, Inc.....	250,000
MACTown Fitness and Wellness Center.....	150,000
Mailman Center for Child Development.....	800,000
Operation Grow - Seminole County Work Opportunity Program...	316,060
The Arc Tampa Bay Foundation.....	150,000

Developmental Disability Centers - Civil
Program 67100400

285 In Section 03 On Page 063
Fixed Capital Outlay 080754
Agency For Persons With Disabilities
Fixed Capital Outlay Needs For Centrally
Managed Facilities IOEJ

1000	General Revenue Fund	2,600,000	2,350,000
CA -250,000	FSI1NR -250,000		

DELETE the proviso immediately following Specific Appropriation 285:

From the funds in Specific Appropriation 285, \$1,305,485 in

nonrecurring funds from the General Revenue Fund is provided for William "Billy Joe" Rish Recreational Park.

From the funds in Specific Appropriation 285, \$1,294,515 in nonrecurring funds from the General Revenue Fund is provided for Americans with Disabilities Act (ADA) accessibility modifications and other critical repairs to state facilities.

AND INSERT:

From the funds in Specific Appropriation 285, \$1,305,485 in nonrecurring funds from the General Revenue Fund is provided for William "Billy Joe" Rish Recreational Park.

From the funds in Specific Appropriation 285, \$1,044,515 in nonrecurring funds from the General Revenue Fund is provided for Americans with Disabilities Act (ADA) accessibility modifications and other critical repairs to state facilities.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

Committee

AHS

Amendment

7

The Committee on Appropriations (Smith) recommended the following amendment:

Section: 03	<u>EXPLANATION:</u> Reduces \$465,000 in nonrecurring general revenue funds from Grants and Aids - Community Mental Health Services, and provides \$465,000 in nonrecurring general revenue funds to Forever Family to expand its televised child safety and adoption awareness initiative.
On Page: 068	
Spec App: 330	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

CHILDREN AND FAMILIES, DEPARTMENT OF
Services

Program: Family Safety Program

Family Safety And Preservation Services 60910310

In Section 03 On Page 068

330 Special Categories 100778

Grants And Aids - Contracted Services IOEB

1000 General Revenue Fund

1,582,800

2,047,800

CA 465,000 FSI1NR 465,000

At the end of existing proviso language, following Specific
Appropriation 330, INSERT:

From the funds in Specific Appropriation 330, the nonrecurring sum of
\$465,000 from the General Revenue Fund is provided to Forever Family to
expand its televised child safety and adoption awareness initiative.

Program: Community Services

Community Substance Abuse And Mental

Health Services 60910950

In Section 03 On Page 075

383 Special Categories 100610
 Grants And Aids - Community Mental Health
 Services IOEB

1000	General Revenue Fund	208,925,864	208,460,864
CA	-465,000 FSI1NR -465,000		

DELETE the following proviso from Specific Appropriation 383:

From the Funds in Specific Appropriation 383, the nonrecurring sum of \$1,814,880 from the General Revenue Fund is provided for mental health transitional beds to move eligible individuals currently in the state mental health institutions to community settings as an alternative to more costly institutional placement. The Department of Children and Families shall contract directly with the three not-for-profit, comprehensive community mental health treatment facilities located in the northern, central, and southern regions of the state that are currently under contract with the department for this service and qualified to provide integrated healthcare, offer a full continuum of care including emergency, residential, and outpatient psychiatric services, and have immediate capacity for placement.

AND INSERT:

From the Funds in Specific Appropriation 383, the nonrecurring sum of \$1,349,880 from the General Revenue Fund is provided for mental health transitional beds to move eligible individuals currently in the state mental health institutions to community settings as an alternative to more costly institutional placement. The Department of Children and Families shall contract directly with the three not-for-profit, comprehensive community mental health treatment facilities located in the northern, central, and southern regions of the state that are currently under contract with the department for this service and qualified to provide integrated healthcare, offer a full continuum of care including emergency, residential, and outpatient psychiatric services, and have immediate capacity for placement.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

Committee

AHS

Amendment

8

The Committee on Appropriations (**Garcia**) recommended the following LATE FILED amendment:

Section: 03	<u>EXPLANATION:</u>
On Page: 077	Reduces \$50,000 in nonrecurring general revenue funds from Grants and Aids - Community Mental Health Services, and provides \$50,000 in nonrecurring general revenue funds to Personal Enrichment through Mental Health Services, Inc. for its Crisis Resolution Program.
Spec App: 388	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

CHILDREN AND FAMILIES, DEPARTMENT OF
Services

Program: Community Services
Community Substance Abuse And Mental
Health Services 60910950

In Section 03 On Page 077

388 Special Categories 100778
Grants And Aids - Contracted Services IOEB

1000	General Revenue Fund	4,874,378	4,924,378
CA 50,000	FSI1NR 50,000		

At the end of existing proviso language, following Specific Appropriation 388, INSERT:

From the funds in Specific Appropriation 388, the nonrecurring sum of \$50,000 from the General Revenue Fund is provided to Personal Enrichment through Mental Health Services, Inc. for its Crisis Resolution Program.

In Section 03 On Page 075

383 Special Categories 100610
Grants And Aids - Community Mental Health
Services IOEB

DELETE the following proviso from Specific Appropriation 383:

From the Funds in Specific Appropriation 383, the nonrecurring sum of \$1,814,880 from the General Revenue Fund is provided for mental health transitional beds to move eligible individuals currently in the state mental health institutions to community settings as an alternative to more costly institutional placement. The Department of Children and Families shall contract directly with the three not-for-profit, comprehensive community mental health treatment facilities located in the northern, central, and southern regions of the state that are currently under contract with the department for this service and qualified to provide integrated healthcare, offer a full continuum of care including emergency, residential, and outpatient psychiatric services, and have immediate capacity for placement.

AND INSERT:

From the Funds in Specific Appropriation 383, the nonrecurring sum of \$1,764,880 from the General Revenue Fund is provided for mental health transitional beds to move eligible individuals currently in the state mental health institutions to community settings as an alternative to more costly institutional placement. The Department of Children and Families shall contract directly with the three not-for-profit, comprehensive community mental health treatment facilities located in the northern, central, and southern regions of the state that are currently under contract with the department for this service and qualified to provide integrated healthcare, offer a full continuum of care including emergency, residential, and outpatient psychiatric services, and have immediate capacity for placement.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

<u>Committee</u>	<u>Amendment</u>
AHS	9

The Committee on Appropriations (**Garcia**) recommended the following LATE FILED amendment:

Section: 03	<u>EXPLANATION:</u>
On Page: 077	Reduces \$100,000 in nonrecurring general revenue funds from Grants and Aids - Community Mental Health Services, and provides \$100,000 in nonrecurring general revenue funds for the Veterans Alternative Retreat Program.
Spec App: 388	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount	Positions & Amount
	DELETE	INSERT
CHILDREN AND FAMILIES, DEPARTMENT OF Services Program: Community Services Community Substance Abuse And Mental Health Services 60910950		
388 In Section 03 On Page 077 Special Categories 100778 Grants And Aids - Contracted Services IOEB		
1000 General Revenue Fund CA 100,000 FSI1NR 100,000	4,874,378	4,974,378

At the end of existing proviso language, following Specific Appropriation 388, INSERT:

From the funds in Specific Appropriation 388, the nonrecurring sum of \$100,000 from the General Revenue Fund is provided for the Veterans Alternative Retreat Program.

383 In Section 03 On Page 075 Special Categories 100610 Grants And Aids - Community Mental Health Services IOEB

DELETE the following proviso from Specific Appropriation 383:

From the Funds in Specific Appropriation 383, the nonrecurring sum of \$1,814,880 from the General Revenue Fund is provided for mental health transitional beds to move eligible individuals currently in the state mental health institutions to community settings as an alternative to more costly institutional placement. The Department of Children and Families shall contract directly with the three not-for-profit, comprehensive community mental health treatment facilities located in the northern, central, and southern regions of the state that are currently under contract with the department for this service and qualified to provide integrated healthcare, offer a full continuum of care including emergency, residential, and outpatient psychiatric services, and have immediate capacity for placement.

AND INSERT:

From the Funds in Specific Appropriation 383, the nonrecurring sum of \$1,714,880 from the General Revenue Fund is provided for mental health transitional beds to move eligible individuals currently in the state mental health institutions to community settings as an alternative to more costly institutional placement. The Department of Children and Families shall contract directly with the three not-for-profit, comprehensive community mental health treatment facilities located in the northern, central, and southern regions of the state that are currently under contract with the department for this service and qualified to provide integrated healthcare, offer a full continuum of care including emergency, residential, and outpatient psychiatric services, and have immediate capacity for placement.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

Committee

AHS

Amendment

10

The Committee on Appropriations (**Garcia**) recommended the following amendment:

Section: 03	<u>EXPLANATION:</u>
On Page: 081	Reduces \$75,000 in nonrecurring general revenue funds from the Alzheimer's Community Care Association and provides \$75,000 in nonrecurring general revenue funds to the Ruth & Norman Rales Jewish Family Services for Holocaust Survivors Assistance.
Spec App: 413	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

ELDER AFFAIRS, DEPARTMENT OF
Program: Services To Elders Program
Home And Community Services 65100400

413 In Section 03 On Page 081
Special Categories 100604
Grants And Aids - Older Americans Act
Program IOEB

1000	General Revenue Fund	8,012,809	8,087,809
CA 75,000	FSI1NR 75,000		

Insert proviso immediately following Specific Appropriation 413:

Ruth & Norman Rales Jewish Family Services (JFS)..... 75,000

410 In Section 03 On Page 080
Special Categories 100041
Grants And Aids - Alzheimer's Disease
Initiative IOEB

1000	General Revenue Fund	21,930,317	21,855,317
CA -75,000	FSI1NR -75,000		

DELETE the proviso immediately following Specific Appropriation 410:

Alzheimer's Community Care Association..... 250,000

AND INSERT:

Alzheimer's Community Care Association..... 175,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

<u>Committee</u>	<u>Amendment</u>
AHS	11

The Committee on Appropriations (**Smith**) recommended the following LATE FILED amendment:

Section: 03 On Page: 080 Spec App: 410	<u>EXPLANATION:</u> Reduces \$50,000 in nonrecurring general revenue funds from the Alzheimer's Community Care Association and provides \$50,000 in nonrecurring general revenue funds to the Lauderdale Lakes Alzheimer's Care Center for adult day care services.
---	---

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount	Positions & Amount
	DELETE	INSERT
ELDER AFFAIRS, DEPARTMENT OF		
Program: Services To Elders Program		
Home And Community Services 65100400		
In Section 03 On Page 080		
410 Special Categories 100041		
Grants And Aids - Alzheimer's Disease		
Initiative IOEB		
1000 General Revenue Fund	21,930,317	21,930,317
CA 0		

Immediately following Specific Appropriation 410, DELETE:

Alzheimer's Community Care Association.....	250,000
---	---------

AND INSERT:

Alzheimer's Community Care Association.....	200,000
Lauderdale Lakes Alzheimer's Care Center	50,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

Committee

AHS

Amendment

12

The Committee on Appropriations (**Garcia**) recommended the following amendment:

Section: 3	<u>EXPLANATION:</u>
On Page: 088	Reduces \$200,000 in nonrecurring general funds from Nurse-Family Partnership model funding and provides
Spec App: 467	\$200,000 in nonrecurring general revenue funds for the Keys Area Health Education Center.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

HEALTH, DEPARTMENT OF
Program: Community Public Health
Community Health Promotion 64200100

467 In Section 3 On Page 088
Special Categories 100927
Grants And Aids - Healthy Start
Coalitions IOEB

1000 General Revenue Fund
CA -200,000 FSI1NR -200,000

20,656,426

20,456,426

DELETE the proviso immediately following Specific Appropriation 467:

From the funds in Specific Appropriation 467, \$681,250 in nonrecurring funds from the General Revenue Fund is provided to the Department of Health to fund designated Healthy Start Coalitions and federally qualified health centers to integrate the Nurse-Family Partnership model to provide intensive nurse visitation services for women and their infants. From these funds, the Department of Health shall use \$10,000 to contract with the Nurse-Family Partnership National Service Office for process and outcome data identification, management, and analysis. Any needed training and programmatic support will also be provided.

AND INSERT:

From the funds in Specific Appropriation 467, \$481,250 in nonrecurring funds from the General Revenue Fund is provided to the Department of Health to fund designated Healthy Start Coalitions and federally qualified health centers to integrate the Nurse-Family Partnership model to provide intensive nurse visitation services for women and their infants. From these funds, the Department of Health shall use \$10,000 to contract with the Nurse-Family Partnership National Service Office for process and outcome data identification, management, and analysis. Any needed training and programmatic support will also be provided.

In Section 3 On Page 087

466 Special Categories ¹⁰⁰⁷⁷⁸
Grants And Aids - Contracted Services IOEB

1000	General Revenue Fund	23,473,916	23,673,916
CA 200,000	FSI1NR 200,000		

DELETE the proviso immediately following Specific Appropriation 466:

From the funds in Specific Appropriation 466, \$2,500,000 from the General Revenue Fund is provided to the Florida Council Against Sexual Violence. At least 95 percent of the funds provided shall be distributed to certified rape crisis centers to provide services statewide for victims of sexual assault.

From the funds in Specific Appropriation 466, \$1,192,219 from the Federal Grants Trust Fund is provided to the Florida Council Against Sexual Violence to implement portions of the Violence Against Women Act STOP Formula Grant.

From the funds in Specific Appropriation 466, \$750,000 from the General Revenue Fund is provided to the Florida Heiken Children's Vision Program to provide free comprehensive eye examinations and eyeglasses to financially disadvantaged school children who have no other source for vision care.

From the funds in Specific Appropriation 466, \$1,000,000 from the General Revenue Fund is provided to VisionQuest to provide free comprehensive eye examinations and eyeglasses to financially disadvantaged school children who have no access to vision care. These services will be provided statewide and VisionQuest shall be reimbursed at current Medicaid rates for exams, refractions, and dispensing; and at a flat rate of \$48 for eyeglasses.

From the funds in Specific Appropriation 466, the following projects are funded with nonrecurring funds from the General Revenue Fund:

Miami Dade Health Action Network.....	250,000
---------------------------------------	---------

Teen Xpress.....	350,000
Mary Brogan Breast and Cervical Cancer Early Detection Program.....	300,000
Sant La Haitian Neighborhood Center.....	200,000
Banyan Community Health Center.....	500,000
St. John Bosco Clinic.....	200,000
FIU - Telemedicine and Student Health Services.....	250,000
Expanded Primary Care Access - Manatee, Sarasota and Desoto Counties.....	300,000
Andrews Institute Foundation - Eagle Fund.....	100,000
Hands of St. Lucie County.....	700,000
Florida Donated Dental Services.....	170,000
Community Water Fluoridation.....	200,000

From the funds in Specific Appropriation 466, \$450,000 from the General Revenue Fund is provided to the Florida State University College of Medicine - Immokalee.

From the funds in Specific Appropriation 466, \$9,500,000 from the General Revenue Fund, of which \$500,000 is nonrecurring, is provided to the Florida Association of Free and Charitable Clinics.

AND INSERT:

From the funds in Specific Appropriation 466, \$2,500,000 from the General Revenue Fund is provided to the Florida Council Against Sexual Violence. At least 95 percent of the funds provided shall be distributed to certified rape crisis centers to provide services statewide for victims of sexual assault.

From the funds in Specific Appropriation 466, \$1,192,219 from the Federal Grants Trust Fund is provided to the Florida Council Against Sexual Violence to implement portions of the Violence Against Women Act STOP Formula Grant.

From the funds in Specific Appropriation 466, \$750,000 from the General Revenue Fund is provided to the Florida Heiken Children's Vision Program to provide free comprehensive eye examinations and eyeglasses to financially disadvantaged school children who have no other source for vision care.

From the funds in Specific Appropriation 466, \$1,000,000 from the General Revenue Fund is provided to VisionQuest to provide free comprehensive eye examinations and eyeglasses to financially disadvantaged school children who have no access to vision care. These services will be provided statewide and VisionQuest shall be reimbursed at current Medicaid rates for exams, refractions, and dispensing; and at a flat rate of \$48 for eyeglasses.

From the funds in Specific Appropriation 466, the following projects

are funded with nonrecurring funds from the General Revenue Fund:

Miami Dade Health Action Network.....	250,000
Teen Xpress.....	350,000
Mary Brogan Breast and Cervical Cancer Early Detection Program.....	300,000
Sant La Haitian Neighborhood Center.....	200,000
Banyan Community Health Center.....	500,000
St. John Bosco Clinic.....	200,000
FIU - Telemedicine and Student Health Services.....	250,000
Expanded Primary Care Access - Manatee, Sarasota and Desoto Counties.....	300,000
Andrews Institute Foundation - Eagle Fund.....	100,000
Hands of St. Lucie County.....	700,000
Florida Donated Dental Services.....	170,000
Community Water Fluoridation.....	200,000
Keys Area Health Education Center.....	200,000

From the funds in Specific Appropriation 466, \$450,000 from the General Revenue Fund is provided to the Florida State University College of Medicine - Immokalee.

From the funds in Specific Appropriation 466, \$9,500,000 from the General Revenue Fund, of which \$500,000 is nonrecurring, is provided to the Florida Association of Free and Charitable Clinics.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

<u>Committee</u>	<u>Amendment</u>
AHS	13

The Committee on Appropriations (**Garcia**) recommended the following amendment:

Section: 3	<u>EXPLANATION:</u>
On Page: 091	Reduces \$200,000 from nonrecurring general revenue funds from the Hope & Health Center - Hug Me! Pediatric and Adolescent HIV Care Program and provides \$200,000 in nonrecurring general revenue funds for the Hospice Foundation of America to create an end of life curriculum.
Spec App: 492	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount	Positions & Amount
DELETE	INSERT

HEALTH, DEPARTMENT OF
Program: Community Public Health
Disease Control And Health Protection 64200200

492 In Section 3 On Page 091
Special Categories 100778
Grants And Aids - Contracted Services IOEB

DELETE the proviso immediately following Specific Appropriation 492:

From the funds in Specific Appropriation 492, \$1,000,000 from the General Revenue Fund is provided for Florida academic and research institutions designated as Centers for AIDS Research (CFAR) by the National Institutes of Health to enhance high quality HIV/AIDS research projects conducted in response to the health needs of Florida's citizens.

From the funds in Specific Appropriation 492, the following projects are funded with nonrecurring funds from the General Revenue Fund:

The Center of Central Florida.....	35,000
HIV/AIDS Outreach for Broward Health.....	350,000
Hope & Health Center - Hug Me! Pediatric and Adolescent HIV Care Program.....	710,000

AND INSERT:

From the funds in Specific Appropriation 492, \$1,000,000 from the General Revenue Fund is provided for Florida academic and research institutions designated as Centers for AIDS Research (CFAR) by the National Institutes of Health to enhance high quality HIV/AIDS research projects conducted in response to the health needs of Florida's citizens.

From the funds in Specific Appropriation 492, the following projects are funded with nonrecurring funds from the General Revenue Fund:

The Center of Central Florida.....	35,000
HIV/AIDS Outreach for Broward Health.....	350,000
Hope & Health Center - Hug Me! Pediatric and Adolescent	
HIV Care Program.....	510,000
Hospice Foundation of America.....	200,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

<u>Committee</u>	<u>Amendment</u>
AHS	14

The Committee on Appropriations (**Hays**) recommended the following amendment:

Section: 03 On Page: 102 Spec App: 575	<u>EXPLANATION:</u> Provides \$1,448,650 from the Operations and Maintenance Trust Fund for the initial design phase of an eighth State Veterans' Nursing Home in Marion County.
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<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount	Positions & Amount
	DELETE	INSERT
VETERANS' AFFAIRS, DEPARTMENT OF		
Program: Services To Veterans' Program		
Veterans' Homes 50100100		
In Section 03 On Page 102		
575 Special Categories 100777		
Contracted Services IOEA		

Following Specific Appropriation 575, INSERT:

From the funds in Specific Appropriation 575, \$1,448,650 from the Operations and Maintenance Trust Fund is provided, for Fiscal Year 2016-2017 only, to the Department of Veterans' Affairs to contract for the initial design phase of an eighth State Veterans' Nursing Home in Marion County.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

Committee

ACJ

Amendment

15

The Committee on Appropriations (Smith) recommended the following amendment:

Section: 04	<u>EXPLANATION:</u> Provides \$100,000 in nonrecurring general revenue funds to the Department of Corrections to support children of incarcerated inmates in Duval County.
On Page: 108	
Spec App: 633F	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

CORRECTIONS, DEPARTMENT OF
Program: Security And Institutional
Operations
Adult Male Custody Operations 70031100

633F In Section 04 On Page 108
Special Categories 100777
Contracted Services IOEA

1000 General Revenue Fund
CA 100,000 FSI1NR 100,000

6,377,696

6,477,696

At the end of existing proviso language, following Specific
Appropriation 633F, INSERT:

From funds in Specific Appropriation 633F, \$100,000 in nonrecurring
general revenue funds is provided for the Children of Inmates program to
support children of incarcerated inmates in Duval County.

JUVENILE JUSTICE, DEPARTMENT OF
Program: Juvenile Detention Program
Detention Centers 80400100

1105 In Section 04 On Page 167
Fixed Capital Outlay 080410
Department Of Juvenile Justice
Maintenance And Repair - State Owned

Buildings *IOEJ*

<i>1000</i>	General Revenue Fund	4,000,000	3,900,000
<i>CA -100,000</i>	<i>FSI1NR -100,000</i>		

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

Committee

ACJ

Amendment

16

The Committee on Appropriations (**Negron**) recommended the following amendment:

Section: 04	<u>EXPLANATION:</u>
On Page: 109	Provides \$1,000,000 in nonrecurring general revenue funds in the Department of Corrections for a prisoner tracking pilot program.
Spec App: 638	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

CORRECTIONS, DEPARTMENT OF
Program: Security And Institutional
Operations
Adult And Youthful Offender Female
Custody Operations 70031200

638 In Section 04 On Page 109
Special Categories 100777
Contracted Services IOEA

1000	General Revenue Fund	625,305	1,625,305
CA 1,000,000	FSI1NR 1,000,000		

Following Specific Appropriation 638, INSERT:

From the funds in Specific Appropriation 638, \$1,000,000 from nonrecurring general revenue funds is provided for the Department of Corrections to implement an inmate tracking pilot project at Lowell Correctional Institution. The pilot project must use a tracking system that includes technology, such as a radio frequency identification (RFID) tag embedded in clothing, to enable real-time identification of the location of inmates. Additionally, the tracking system used in the pilot project must include the capability to store and retrieve historical inmate location data.

JUVENILE JUSTICE, DEPARTMENT OF
Program: Juvenile Detention Program

Detention Centers 80400100

In Section 04 On Page 167

1105 Fixed Capital Outlay 080410

Department Of Juvenile Justice

Maintenance And Repair - State Owned

Buildings IOEJ

1000 General Revenue Fund

4,000,000

3,000,000

CA -1,000,000 FSI1NR -1,000,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

Committee

ACJ

Amendment

17

The Committee on Appropriations (Negron) recommended the following amendment:

Section: 04	<u>EXPLANATION:</u> Provides \$330,000 in nonrecurring general revenue funds for the Hope City Center to operate a reentry program for adult female offenders transitioning back into the Broward County community after incarceration in the Department of Corrections.
On Page: 121	
Spec App: 750	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

CORRECTIONS, DEPARTMENT OF
Program: Education And Programs
Adult Offender Transition, Rehabilitation
And Support 70450300

750 In Section 04 On Page 121
Special Categories 100777
Contracted Services IOEA

1000 General Revenue Fund
CA 330,000 FSI1NR 330,000

9,150,432

9,480,432

At the end of existing proviso language, following Specific Appropriation 750, INSERT:

From the funds in Specific Appropriation 750, \$330,000 in nonrecurring general revenue funds is provided to the Hope City Center for operation of a reentry program to assist adult female ex-offenders with successful transition back into the Broward County community after release from incarceration.

JUVENILE JUSTICE, DEPARTMENT OF
Program: Juvenile Detention Program
Detention Centers 80400100

In Section 04 On Page 167
Fixed Capital Outlay 080410
Department Of Juvenile Justice
Maintenance And Repair - State Owned
Buildings IOEJ

1105

1000 General Revenue Fund
CA -330,000 FSI1NR -330,000

4,000,000

3,670,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

Committee

ACJ

Amendment

18

The Committee on Appropriations (Smith) recommended the following LATE FILED amendment:

Section: 04	<u>EXPLANATION:</u>
On Page: 121	
Spec App: 750	Provides \$50,000 in nonrecurring general revenue funds in the Department of Law Enforcement for the City of Lauderdale Lakes to install emergency phones with fixed cameras in public place. Decreases funding by the same amount from the Broward County Sheriff Inmate Portal in the Department of Corrections.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

CORRECTIONS, DEPARTMENT OF
Program: Education And Programs
Adult Offender Transition, Rehabilitation
And Support 70450300

750 In Section 04 On Page 121
Special Categories 100777
Contracted Services IOEA

1000	General Revenue Fund	9,150,432	9,100,432
CA -50,000	FSI1NR -50,000		

In Section 04, on Page 121, DELETE the following:

From the funds in Specific Appropriation 750, \$500,000 in nonrecurring general revenue funds is provided for the Broward County Sheriff's Office inmate portal.

AND INSERT:

From the funds in Specific Appropriation 750, \$450,000 in nonrecurring general revenue funds is provided for the Broward County Sheriff's Office inmate portal.

LAW ENFORCEMENT, DEPARTMENT OF
Program: Investigations And Forensic
Science Program
Provide Investigative Services 71600200

In Section 04 On Page 180

1224 Special Categories 102009
Grants And Aids - Special Projects IOEB

1000	General Revenue Fund	7,100,000	7,150,000
CA 50,000	FSI1NR 50,000		

At the end of existing proviso language, following Specific
Appropriation 1224, INSERT:

From the funds in Specific Appropriation 1224, \$50,000 in nonrecurring
general revenue funds is provided to the City of Lauderdale Lakes for
installation of emergency phone towers with fixed cameras in public
places as part of the city's Virtual Policing Innovation Project.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

Committee

ACJ

Amendment

19

The Committee on Appropriations (**Negron**) recommended the following amendment:

Section: 04	<u>EXPLANATION:</u> Provides \$415,000 in nonrecurring general revenue funds for Appellate Public Defender workload issues in the 2nd, 7th, 10th and 15th circuits.
On Page: 159	
Spec App: 1023	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

JUSTICE ADMINISTRATION

Public Defenders Appellate Division

Program: Public Defenders Appellate -

Second Judicial Circuit 21650200

In Section 04 On Page 159

1023 Salaries And Benefits 010000 IOEA

1000 General Revenue Fund

2,746,410

2,850,160

CA 103,750 FSI1NR 103,750

Program: Public Defenders Appellate -

Seventh Judicial Circuit 21650700

1027 Salaries And Benefits 010000 IOEA

1000 General Revenue Fund

2,642,868

2,746,618

CA 103,750 FSI1NR 103,750

Program: Public Defenders Appellate -

Tenth Judicial Circuit 21651000

In Section 04 On Page 160

1031 Salaries And Benefits 010000 IOEA

1000 General Revenue Fund

3,644,029

3,747,779

CA 103,750 FSI1NR 103,750

**Program: Public Defenders Appellate -
Fifteenth Judicial Circuit** 21651500

1038 Salaries And Benefits 010000 IOEA

1000	General Revenue Fund	3,580,500	3,684,250
CA	103,750 FSI1NR 103,750		

**JUVENILE JUSTICE, DEPARTMENT OF
Program: Juvenile Detention Program
Detention Centers** 80400100

**1105 In Section 04 On Page 167
Fixed Capital Outlay** 080410
**Department Of Juvenile Justice
Maintenance And Repair - State Owned
Buildings** IOEJ

1000	General Revenue Fund	4,000,000	3,585,000
CA	-415,000 FSI1NR -415,000		

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

<u>Committee</u>	<u>Amendment</u>
ACJ	20

The Committee on Appropriations (**Richter**) recommended the following amendment:

Section: 07 On Page: 377 Spec App: 3158	<u>EXPLANATION:</u> Provides \$109,740 in nonrecurring general revenue funds for a Veterans' Court in Collier County.
--	---

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount DELETE	Positions & Amount INSERT
STATE COURT SYSTEM Program: Trial Courts Court Operations - Circuit Courts 22300100		
3158 In Section 07 On Page 377 Special Categories 103770 Veterans Court IOEA		
1000 General Revenue Fund CA 109,740 FSI1NR 109,740	2,225,000	2,334,740

At the end of existing proviso language, following Specific Appropriation 3158, INSERT:

Collier.....\$109,740

JUVENILE JUSTICE, DEPARTMENT OF Program: Juvenile Detention Program Detention Centers 80400100		
1105 In Section 04 On Page 167 Fixed Capital Outlay 080410 Department Of Juvenile Justice Maintenance And Repair - State Owned Buildings IOEJ		
1000 General Revenue Fund	4,000,000	3,890,260

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

<u>Committee</u>	<u>Amendment</u>
ACJ	21

The Committee on Appropriations (**Flores**) recommended the following amendment:

Section: 04	<u>EXPLANATION:</u>
On Page: 188	Provides \$100,000 in nonrecurring general revenue funds for the Cuban American Bar Association Pro Bono Project.
Spec App: 1297	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount	Positions & Amount
	DELETE	INSERT
LEGAL AFFAIRS, DEPARTMENT OF, AND ATTORNEY GENERAL Program: Office Of Attorney General Executive Direction And Support Services	41100500	
1297 In Section 04 On Page 188 Special Categories 100777 Contracted Services IOEA		
1000 General Revenue Fund CA 100,000 FSI1NR 100,000	653,240	753,240

At the end of existing proviso language, following Specific Appropriation 1297, INSERT:

From the funds in Specific Appropriation 1297, \$100,000 in nonrecurring general revenue funds is appropriated to the Cuban American Bar Association Pro Bono Project, Inc. to fund court costs, filing fees, litigation expenses, and direct administrative support for the free legal representation provided by the project throughout the state to individuals and families whose household income is within 125 percent of the Federal Poverty Guidelines on matters related to, but not limited to, human trafficking, domestic violence, guardianship, probate, consumer finance, and landlord tenant disputes. These funds may not be used to pay attorney fees or salaries and benefits.

JUVENILE JUSTICE, DEPARTMENT OF

Program: Juvenile Detention Program
Detention Centers 80400100

In Section 04 On Page 167

1105 Fixed Capital Outlay 080410
Department Of Juvenile Justice
Maintenance And Repair - State Owned
Buildings IOEJ

1000	General Revenue Fund	4,000,000	3,900,000
CA	-100,000 FSI1NR -100,000		

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

Committee

ACJ

Amendment

22

The Committee on Appropriations (Negron) recommended the following amendment:

Section: 04	<u>EXPLANATION:</u> Provides \$400,000 in nonrecurring general revenue funds to the Department of Law Enforcement as follows: \$150,000 for street lights to help reduce crime in the Liberia neighborhood of the City of Hollywood; \$150,000 for street lights to help reduce crime in the Washington Park neighborhood of the City of Hollywood; and \$100,000 for the Hollywood Police Department to help seniors avoid identity theft.
On Page: 180	
Spec App: 1224	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

LAW ENFORCEMENT, DEPARTMENT OF
Program: Investigations And Forensic
Science Program
Provide Investigative Services 71600200

1224 In Section 04 On Page 180
Special Categories 102009
Grants And Aids - Special Projects IOEB

1000	General Revenue Fund	7,100,000	7,500,000
CA 400,000 FSI1NR 400,000			

At the end of existing proviso language, following Specific Appropriation 1224, INSERT:

From the funds in Specific Appropriation 1224, \$150,000 in nonrecurring general revenue funds is provided to the City of Hollywood to install, operate, and maintain street lights in the Liberia neighborhood to enhance security and reduce criminal activity.

From the funds in Specific Appropriation 1224, \$150,000 in nonrecurring

general revenue funds is provided to the City of Hollywood to install, operate, and maintain street lights in the Washington Park neighborhood to enhance security and reduce criminal activity.

From the funds in Specific Appropriation 1224, \$100,000 in nonrecurring general revenue funds is provided to the Hollywood Police Department for the purpose of teaching seniors how to avoid identity theft and to protect seniors from victimization by identity thieves through enforcement.

JUVENILE JUSTICE, DEPARTMENT OF
Program: Juvenile Detention Program
Detention Centers 80400100

1105 In Section 04 On Page 167
Fixed Capital Outlay 080410
Department Of Juvenile Justice
Maintenance And Repair - State Owned
Buildings IOEJ

1000	General Revenue Fund	4,000,000	3,600,000
CA	-400,000 FSI1NR -400,000		

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

Committee

ACJ

Amendment

23

The Committee on Appropriations (Negron) recommended the following amendment:

Section: 04	<u>EXPLANATION:</u> Provides \$350,000 in nonrecurring general revenue funds for the Family Impressions program in the Department of Juvenile Justice to expand prevention and intervention services.
On Page: 174	
Spec App: 1170	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

JUVENILE JUSTICE, DEPARTMENT OF
Program: Prevention And Victim Services
Delinquency Prevention And Diversion 80900100

1170 In Section 04 On Page 174
Special Categories 100778
Grants And Aids - Contracted Services IOEB

1000	General Revenue Fund	3,629,522	3,979,522
CA 350,000	FSI1NR 350,000		

At the end of existing proviso language, following Specific Appropriation 1170, INSERT:

From the funds in Specific Appropriation 1170, \$350,000 in nonrecurring general revenue funds is appropriated to the Family Impressions Foundation for the Youth Success 101 program. The program focuses on at-risk youth aged 13-18 in North Miami and North Miami Beach and is designed to reduce juvenile delinquency, improve parent and child relationships, and encourage and support obtaining college degrees.

Program: Juvenile Detention Program
Detention Centers 80400100

1105 In Section 04 On Page 167
Fixed Capital Outlay 080410

Department Of Juvenile Justice
Maintenance And Repair - State Owned
Buildings *IOEJ*

<i>1000</i>	General Revenue Fund	4,000,000	3,650,000
<i>CA -350,000</i>	<i>FSI1NR -350,000</i>		

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

Committee

ACJ

Amendment

24

The Committee on Appropriations (Negron) recommended the following amendment:

Section: 04	<u>EXPLANATION:</u>
On Page: 174	Provides \$100,000 in nonrecurring general revenue funds in the Department of Juvenile Justice for the Hillsborough County Public Schools to implement a pilot program to assist students at two underachieving alternative schools.
Spec App: 1170	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount	Positions & Amount
	DELETE	INSERT
JUVENILE JUSTICE, DEPARTMENT OF Program: Prevention And Victim Services Delinquency Prevention And Diversion 80900100		
In Section 04 On Page 174		
1170 Special Categories 100778		
Grants And Aids - Contracted Services IOEB		
1000 General Revenue Fund	3,629,522	3,729,522
CA 100,000 FSI1NR 100,000		

At the end of existing proviso language, following Specific Appropriation 1170, INSERT:

From the funds in Specific Appropriation 1170, \$100,000 in nonrecurring general revenue funds is appropriated to the Hillsborough County Public Schools to work with Justice Works YouthCare in implementing an Alternative School Pilot Program at two underachieving alternative schools. The program is designed to reduce truancy rates, negative incidents, arrests, suspensions, and expulsions, and to improve graduation rates and success after high school.

Program: Juvenile Detention Program
Detention Centers 80400100

In Section 04 On Page 167
Fixed Capital Outlay 080410
Department Of Juvenile Justice
Maintenance And Repair - State Owned
Buildings IOEJ

1105

1000 General Revenue Fund
CA -100,000 FSI1NR -100,000

4,000,000

3,900,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

Committee

ACJ

Amendment

25

The Committee on Appropriations (Negron) recommended the following amendment:

Section: 04	<u>EXPLANATION:</u>
On Page: 174	Provides \$250,000 in nonrecurring general revenue funds in the Department of Juvenile Justice for the City of West Park to provide services to school-aged youth to help reduce truancy and involvement in criminal activity.
Spec App: 1170	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

JUVENILE JUSTICE, DEPARTMENT OF
Program: Prevention And Victim Services
Delinquency Prevention And Diversion 80900100

1170 In Section 04 On Page 174
Special Categories 100778
Grants And Aids - Contracted Services IOEB

1000	General Revenue Fund	3,629,522	3,879,522
CA 250,000	FSI1NR 250,000		

At the end of existing proviso language, following Specific Appropriation 1170, INSERT:

From the funds in Specific Appropriation 1170, \$250,000 in nonrecurring general revenue funds is appropriated to the City of West Park to provide services to school-aged youth in order to reduce truancy and involvement in criminal activity. The services must include academic assistance and enhancement activities as well as opportunities for positive engagement in the community.

Program: Juvenile Detention Program
Detention Centers 80400100

In Section 04 On Page 167

1105 **Fixed Capital Outlay** 080410
 Department Of Juvenile Justice
 Maintenance And Repair - State Owned
 Buildings IOEJ

1000	General Revenue Fund	4,000,000	3,750,000
CA	-250,000 FSI 1NR -250,000		

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

Committee

ACJ

Amendment

26

The Committee on Appropriations (Smith) recommended the following amendment:

Section: 04	<u>EXPLANATION:</u> Provides \$100,000 in nonrecurring general revenue funds to the Department of Juvenile Justice for a juvenile sex offender day treatment program in Duval County.
On Page: 174	
Spec App: 1170	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

JUVENILE JUSTICE, DEPARTMENT OF
Program: Prevention And Victim Services
Delinquency Prevention And Diversion 80900100

1170 In Section 04 On Page 174
Special Categories 100778
Grants And Aids - Contracted Services IOEB

1000	General Revenue Fund	3,629,522	3,729,522
CA 100,000	FSI1NR 100,000		

At the end of existing proviso language, following Specific Appropriation 1170, INSERT:

From the funds in Specific Appropriation 1170, \$100,000 in nonrecurring general revenue funds is appropriated to the Department of Juvenile Justice for a day treatment program for juvenile sexual offenders in Duval County.

Program: Juvenile Detention Program
Detention Centers 80400100

1105 In Section 04 On Page 167
Fixed Capital Outlay 080410
Department Of Juvenile Justice
Maintenance And Repair - State Owned

Buildings*IOEJ**1000***General Revenue Fund****4,000,000****3,900,000***CA -100,000 FSI1NR -100,000*

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

<u>Committee</u>	<u>Amendment</u>
ATD	27

The Committee on Appropriations **(Ring)** recommended the following amendment:

Section: 05 On Page: 252 Spec App: 1895	<u>EXPLANATION:</u> Provides \$400,000 from the State Transportation Trust Fund in the Arterial Highway Construction Fixed Capital Outlay category for the City of Tamarac, Bikeway Project Phases 5 and 6.
--	---

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount	Positions & Amount
	DELETE	INSERT
TRANSPORTATION, DEPARTMENT OF Transportation Systems Operations Program: Highway Operations 55150200		
1895 In Section 05 On Page 252 Fixed Capital Outlay 088717 Arterial Highway Construction IOEK		

At the end of existing proviso language, following Specific Appropriation 1895, INSERT:

City of Tamarac, Bikeway Project Phase 5 and 6.....400,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

<u>Committee</u>	<u>Amendment</u>
ATD	28

The Committee on Appropriations (**Latvala**) recommended the following amendment:

Section: 05 On Page: 253 Spec App: 1906	<u>EXPLANATION:</u> Provides \$750,000 from the State Transportation Trust Fund in the Fixed Capital Outlay - Economic Development Transportation Projects - Road Fund category for the City of Miami Beach Intelligent Transportation System (ITS) and Smart Parking System (SPS).
--	---

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount	Positions & Amount
DELETE	INSERT

TRANSPORTATION, DEPARTMENT OF
Transportation Systems Operations
Program: Highway Operations 55150200

1906 In Section 05 On Page 253
Fixed Capital Outlay 088865
Economic Development Transportation
Projects - Road Fund IOEK

At the end of existing proviso language, following Specific
Appropriation 1906, INSERT:

Miami Beach Intelligent Transportation System and Smart
Parking System.....750,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

<u>Committee</u>	<u>Amendment</u>
ATD	29

The Committee on Appropriations (**Latvala**) recommended the following amendment:

Section: 05 On Page: 253 Spec App: 1906	<u>EXPLANATION:</u> Provides \$450,000 from the State Transportation Trust Fund in the Fixed Capital Outlay - Economic Development Transportation Projects - Road Fund category for the 15th Street Beautification Project in Riviera Beach.
--	--

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount	Positions & Amount
DELETE	INSERT

TRANSPORTATION, DEPARTMENT OF
Transportation Systems Operations
Program: Highway Operations 55150200

1906 In Section 05 On Page 253
Fixed Capital Outlay 088865
Economic Development Transportation
Projects - Road Fund IOEK

At the end of existing proviso language, following Specific
Appropriation 1906, INSERT:

15th Street Beautification Project, Riviera Beach450,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

<u>Committee</u>	<u>Amendment</u>
ATD	30

The Committee on Appropriations (**Latvala**) recommended the following amendment:

Section: 05 On Page: 253 Spec App: 1906	<u>EXPLANATION:</u> Provides \$1,000,000 from the State Transportation Trust Fund in the Fixed Capital Outlay - Economic Development Transportation Projects - Road Fund category for roadway redesign and storm water improvements to Blind Pass Road in the City of St. Pete Beach.
--	---

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount	Positions & Amount
DELETE	INSERT

TRANSPORTATION, DEPARTMENT OF
Transportation Systems Operations
Program: Highway Operations 55150200

1906 In Section 05 On Page 253
Fixed Capital Outlay 088865
Economic Development Transportation
Projects - Road Fund IOEK

At the end of existing proviso language, following Specific
Appropriation 1906, INSERT:

Blind Pass Road Redesign, City of St. Pete Beach1,000,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

<u>Committee</u>	<u>Amendment</u>
ATD	31

The Committee on Appropriations (**Smith**) recommended the following LATE FILED amendment:

Section: 05 On Page: 253 Spec App: 1906	<u>EXPLANATION:</u> Provides \$50,000 from the State Transportation Trust Fund in the Economic Development Transportation Projects/Road Fund category for the Education Corridor - MLK Boulevard Streetscape Improvements (Phase III).
--	--

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount	Positions & Amount
	DELETE	INSERT
TRANSPORTATION, DEPARTMENT OF Transportation Systems Operations Program: Highway Operations 55150200		
1906 In Section 05 On Page 253 Fixed Capital Outlay 088865 Economic Development Transportation Projects - Road Fund IOEK		

At the end of existing proviso language, following Specific Appropriation 1906, INSERT:

Education Corridor - MLK Boulevard Streetscape Improvements
Phase III.....\$50,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

<u>Committee</u>	<u>Amendment</u>
ATD	32

The Committee on Appropriations (**Latvala**) recommended the following amendment:

Section: 06	<u>EXPLANATION:</u> Consolidates funding for the Goodwill Association.
On Page: 280	
Spec App: 2177A	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

		<u>Positions & Amount</u>	<u>Positions & Amount</u>
		DELETE	INSERT
ECONOMIC OPPORTUNITY, DEPARTMENT OF Program: Workforce Services Workforce Development 40200100			
In Section 06 On Page 280			
2177A	Special Categories 100274 Grants And Aids - Workforce Projects IOEA		
2041	State Economic Enhancement And Development Trust Fund	1,350,000	750,000
CA -600,000 FSI1NR -600,000			
2648	Special Employment Security Administration Trust Fund	1,879,233	2,479,233
CA 600,000 FSI1NR 600,000			

DELETE a portion of the proviso immediately following Specific Appropriation 2177A:

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

Florida Goodwill Association.....	600,000
Louise Graham Regeneration Center, Inc. - Pinellas County...	279,233
United Way of NE Florida - Financial Literacy and Prosperity Program.....	1,000,000

The nonrecurring funds provided in Specific Appropriation 2177A from the State Economic Enhancement and Development Trust Fund shall be allocated as follows:

Eco-Tech Job Training Program.....	250,000
Goodwill Manasota.....	600,000
Home Builder's Institute (PACT).....	500,000

AND INSERT:

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

Florida Goodwill Association.....	1,200,000
Louise Graham Regeneration Center, Inc. - Pinellas County...	279,233
United Way of NE Florida - Financial Literacy and Prosperity Program.....	1,000,000

The nonrecurring funds provided in Specific Appropriation 2177A from the State Economic Enhancement and Development Trust Fund shall be allocated as follows:

Eco-Tech Job Training Program.....	250,000
Home Builder's Institute (PACT).....	500,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

<u>Committee</u>	<u>Amendment</u>
ATD	32AA

The Committee on Appropriations (**Latvala**) recommended the following
AMENDMENT TO AMENDMENT 32 (995028):

Section: 06	<u>EXPLANATION:</u> Changes the title of a workforce development project to reflect the statewide nature of the program.
On Page: 280	
Spec App: 2177A	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount	Positions & Amount
	DELETE	INSERT
ECONOMIC OPPORTUNITY, DEPARTMENT OF		
Program: Workforce Services		
Workforce Development 40200100		
In Section 06 On Page 280		
2177A Special Categories 100274		
Grants And Aids - Workforce Projects IOEA		

DELETE a portion of the proviso immediately following Specific
Appropriation 2177A:

United Way of NE Florida - Financial Literacy and Prosperity Program.....	1,000,000
--	-----------

AND INSERT:

United Way of Florida - Financial Literacy and Prosperity Program.....	1,000,000
---	-----------

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

<u>Committee</u>	<u>Amendment</u>
ATD	33

The Committee on Appropriations (**Latvala**) recommended the following amendment:

Section: 06	<u>EXPLANATION:</u>
On Page: 290	Reduces \$500,000 of State Economic Enhancement and Development trust funds allocated for the Bethune Cookman University Entrepreneurship Institute and allocates those funds to the National Cyber Partnership.
Spec App: 2234	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

		<u>Positions & Amount</u>	<u>Positions & Amount</u>
		DELETE	INSERT
ECONOMIC OPPORTUNITY, DEPARTMENT OF Program: Strategic Business Development Strategic Business Development 40400100			
In Section 06 On Page 290			
2234	Special Categories 100562		
	Economic Development Projects IOEA		
2041	State Economic Enhancement And Development Trust Fund	13,620,900	13,120,900
CA -500,000 FSI1NR -500,000			

DELETE a portion of the proviso immediately following Specific Appropriation 2234:

The nonrecurring funds provided in Specific Appropriation 2234 from the State Economic Enhancement and Development Trust Fund are allocated as follows:

All Children's Research Zone.....	1,000,000
Bethune Cookman University Entrepreneurship Institute.....	500,000
City of Surfside - Business Environment Improvement Plan....	150,000
Collier County Immokalee/Naples Business Accelerator Program	2,000,000
FIU Small Business Development Center.....	500,000
Florida Atlantic University Tech Runway.....	1,000,000

International Consortium for Advanced Manufacturing Research	2,500,000
Scripps Florida Biotech Partnership.....	1,000,000
South Bay Park of Commerce - Inland Logistics Center.....	470,900
Tallahassee International Airport.....	1,000,000
Tampa Innovation Alliance.....	1,000,000
The Idea Center at Miami-Dade College.....	1,000,000
Urban League of Broward County.....	1,000,000

AND INSERT:

The nonrecurring funds provided in Specific Appropriation 2234 from the State Economic Enhancement and Development Trust Fund are allocated as follows:

All Children's Research Zone.....	1,000,000
City of Surfside - Business Environment Improvement Plan....	150,000
Collier County Immokalee/Naples Business Accelerator Program	2,000,000
FIU Small Business Development Center.....	500,000
Florida Atlantic University Tech Runway.....	1,000,000
International Consortium for Advanced Manufacturing Research	2,500,000
Scripps Florida Biotech Partnership.....	1,000,000
South Bay Park of Commerce - Inland Logistics Center.....	470,900
Tallahassee International Airport.....	1,000,000
Tampa Innovation Alliance.....	1,000,000
The Idea Center at Miami-Dade College.....	1,000,000
Urban League of Broward County.....	1,000,000

Program: Workforce Services
Workforce Development 40200100

In Section 06 On Page 280

2177A Special Categories 100274
Grants And Aids - Workforce Projects IOEA

2041	State Economic Enhancement And Development Trust Fund	1,350,000	1,850,000
	CA 500,000 FSI1NR 500,000		

DELETE a portion of the proviso immediately following Specific Appropriation 2177A:

The nonrecurring funds provided in Specific Appropriation 2177A from the State Economic Enhancement and Development Trust Fund shall be allocated as follows:

Eco-Tech Job Training Program.....	250,000
Goodwill Manasota.....	600,000
Home Builder's Institute (PACT).....	500,000

AND INSERT:

The nonrecurring funds provided in Specific Appropriation 2177A from the State Economic Enhancement and Development Trust Fund shall be allocated as follows:

Eco-Tech Job Training Program.....	250,000
Goodwill Manasota.....	600,000
Home Builder's Institute (PACT).....	500,000
National Cyber Partnership.....	500,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

Committee

ATD

Amendment

34

The Committee on Appropriations (**Hays**) recommended the following amendment:

Section: 06	<u>EXPLANATION:</u>
On Page: 285	Reduces \$250,000 of general revenue funds allocated for the Riverwalk Boardwalk and Westmoreland River Park Extension Design and allocates those funds to the Center for Advanced Manufacturing at Lake Tech.
Spec App: 2216	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

ECONOMIC OPPORTUNITY, DEPARTMENT OF
Program: Community Development
Housing And Community Development 40300200

2216 In Section 06 On Page 285
Special Categories 100931
Grants And Aids - Housing And Community
Development Projects IOEB

1000	General Revenue Fund	8,433,600	8,183,600
CA -250,000	FSI1NR -250,000		

DELETE a portion of the proviso immediately following Specific Appropriation 2216:

The nonrecurring funds provided in Specific Appropriation 2216 from the General Revenue Fund are allocated as follows:

Baywalk - Miami Downtown Development Authority.....	400,000
Bergeron Rodeo Arena Refurbishment - Town of Davie.....	100,000
City of Bradenton Tournament Sports Park.....	1,000,000
City of Lauderdale Lakes - Sidewalk Repairs and Replacement.	100,000
City of North Lauderdale - Energy Efficient Street Lights...	100,000
DeSoto County Public Safety Building.....	750,000
Elderly Housing Assistance Program - City of North Miami....	200,000
Glades County Regional Training Center.....	1,000,000

Historic Hampton - Land Restoration.....	300,000
Lauderdale Lakes - Comprehensive Park Improvement Project...	250,000
McTyre Oak Cultural Center - City of West Park.....	250,000
Miami Design District - Public Infrastructure Projects.....	1,000,000
Nathan Benderson Park.....	2,000,000
Orange Blossom Revitalization Project.....	500,000
Riverwalk Boardwalk and Westmoreland River Park Extension Design.....	250,000
Village of Miami Shores - Electric Car Charging Station.....	33,600
Washington Park Security Upgrades - City of Hollywood.....	50,000
Washington Park Street Light Improvements - City of Hollywood.....	150,000

AND INSERT:

The nonrecurring funds provided in Specific Appropriation 2216 from the General Revenue Fund are allocated as follows:

Baywalk - Miami Downtown Development Authority.....	400,000
Bergeron Rodeo Arena Refurbishment - Town of Davie.....	100,000
City of Bradenton Tournament Sports Park.....	1,000,000
City of Lauderdale Lakes - Sidewalk Repairs and Replacement.	100,000
City of North Lauderdale - Energy Efficient Street Lights...	100,000
DeSoto County Public Safety Building.....	750,000
Elderly Housing Assistance Program - City of North Miami....	200,000
Glades County Regional Training Center.....	1,000,000
Historic Hampton - Land Restoration.....	300,000
Lauderdale Lakes - Comprehensive Park Improvement Project...	250,000
McTyre Oak Cultural Center - City of West Park.....	250,000
Miami Design District - Public Infrastructure Projects.....	1,000,000
Nathan Benderson Park.....	2,000,000
Orange Blossom Revitalization Project.....	500,000
Village of Miami Shores - Electric Car Charging Station.....	33,600
Washington Park Security Upgrades - City of Hollywood.....	50,000
Washington Park Street Light Improvements - City of Hollywood.....	150,000

Program: Strategic Business Development
Strategic Business Development 40400100

In Section 06 On Page 290

2234 Special Categories 100562
Economic Development Projects IOEA

1000	General Revenue Fund	1,000,000	1,250,000
CA 250,000 FSI1NR 250,000			

DELETE a portion of the proviso immediately following Specific Appropriation 2234:

The nonrecurring general revenue funds provided in Specific Appropriation 2234 are allocated to the International Consortium for Advanced Manufacturing Research.

AND INSERT:

From the nonrecurring general revenue funds provided in Specific Appropriation 2234, \$1,000,000 is allocated to the International Consortium for Advanced Manufacturing Research and \$250,000 is allocated to the Center for Advanced Manufacturing at Lake Tech.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

Committee

ATD

Amendment

35

The Committee on Appropriations (**Latvala**) recommended the following amendment:

Section: 06	<u>EXPLANATION:</u>
On Page: 318	Reduces \$1,660,000 of general revenue funds allocated for Contracted Services in the Division of Emergency Management and allocates those funds to the South Florida Hurricane Evacuation Clearance Time Initiative (\$160,000), the South Florida Economic Development District's Statewide Industry Cluster Analysis (\$1,000,000) and the Palmetto Bay Mixed-Use Facility (\$500,000).
Spec App: 2546	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

GOVERNOR, EXECUTIVE OFFICE OF THE
Program: Emergency Management
Emergency Prevention, Preparedness And
Response 31700100

2546 In Section 06 On Page 318
Special Categories 100777
Contracted Services IOEA

1000	General Revenue Fund	3,500,000	1,840,000
CA	-1,660,000 FSI1NR	-1,660,000	

ECONOMIC OPPORTUNITY, DEPARTMENT OF
Program: Community Development
Housing And Community Development 40300200

2216 In Section 06 On Page 285
Special Categories 100931
Grants And Aids - Housing And Community
Development Projects IOEB

1000	General Revenue Fund	8,433,600	9,093,600
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DELETE a portion of the proviso immediately following Specific Appropriation 2216:

The nonrecurring funds provided in Specific Appropriation 2216 from the General Revenue Fund are allocated as follows:

Baywalk - Miami Downtown Development Authority.....	400,000
Bergeron Rodeo Arena Refurbishment - Town of Davie.....	100,000
City of Bradenton Tournament Sports Park.....	1,000,000
City of Lauderdale Lakes - Sidewalk Repairs and Replacement...	100,000
City of North Lauderdale - Energy Efficient Street Lights...	100,000
DeSoto County Public Safety Building.....	750,000
Elderly Housing Assistance Program - City of North Miami....	200,000
Glades County Regional Training Center.....	1,000,000
Historic Hampton - Land Restoration.....	300,000
Lauderdale Lakes - Comprehensive Park Improvement Project...	250,000
McTyre Oak Cultural Center - City of West Park.....	250,000
Miami Design District - Public Infrastructure Projects.....	1,000,000
Nathan Benderson Park.....	2,000,000
Orange Blossom Revitalization Project.....	500,000
Riverwalk Boardwalk and Westmoreland River Park Extension Design.....	250,000
Village of Miami Shores - Electric Car Charging Station.....	33,600
Washington Park Security Upgrades - City of Hollywood.....	50,000
Washington Park Street Light Improvements - City of Hollywood.....	150,000

AND INSERT:

The nonrecurring funds provided in Specific Appropriation 2216 from the General Revenue Fund are allocated as follows:

Baywalk - Miami Downtown Development Authority.....	400,000
Bergeron Rodeo Arena Refurbishment - Town of Davie.....	100,000
City of Bradenton Tournament Sports Park.....	1,000,000
City of Lauderdale Lakes - Sidewalk Repairs and Replacement...	100,000
City of North Lauderdale - Energy Efficient Street Lights...	100,000
DeSoto County Public Safety Building.....	750,000
Elderly Housing Assistance Program - City of North Miami....	200,000
Glades County Regional Training Center.....	1,000,000
Historic Hampton - Land Restoration.....	300,000
Lauderdale Lakes - Comprehensive Park Improvement Project...	250,000
McTyre Oak Cultural Center - City of West Park.....	250,000
Miami Design District - Public Infrastructure Projects.....	1,000,000
Nathan Benderson Park.....	2,000,000
Orange Blossom Revitalization Project.....	500,000
Riverwalk Boardwalk and Westmoreland River Park Extension Design.....	250,000

Village of Miami Shores - Electric Car Charging Station.....	33,600
Washington Park Security Upgrades - City of Hollywood.....	50,000
Washington Park Street Light Improvements - City of Hollywood.....	150,000
South Florida Hurricane Evacuation Clearance Time Initiative	160,000
Palmetto Bay Mixed-Use Facility.....	500,000

Program: Strategic Business Development
Strategic Business Development 40400100

In Section 06 On Page 290

2234 Special Categories 100562
Economic Development Projects IOEA

1000 General Revenue Fund	1,000,000	2,000,000
CA 1,000,000 FSI1NR 1,000,000		

DELETE a portion of the proviso immediately following Specific
Appropriation 2234:

The nonrecurring general revenue funds provided in Specific
Appropriation 2234 are allocated to the International Consortium for
Advanced Manufacturing Research.

AND INSERT:

From the nonrecurring general revenue funds provided in Specific
Appropriation 2234, \$1,000,000 is allocated to the International
Consortium for Advanced Manufacturing Research and \$1,000,000 is
allocated for the South Florida Economic Development District's
Statewide Industry Cluster Analysis.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

Committee

ATD

Amendment

37

The Committee on Appropriations (**Latvala**) recommended the following LATE FILED amendment:

Section: 06	<u>EXPLANATION:</u>
On Page: 318	Reduces \$337,500 of general revenue funds allocated for Contracted Services in the Division of Emergency Management and allocates those funds to the St. Augustine Lighthouse and Maritime Museum.
Spec App: 2546	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

GOVERNOR, EXECUTIVE OFFICE OF THE
Program: Emergency Management
Emergency Prevention, Preparedness And
Response 31700100

2546 In Section 06 On Page 318
Special Categories 100777
Contracted Services IOEA

1000	General Revenue Fund	3,500,000	3,162,500
CA	-337,500 FSI1NR -337,500		

ECONOMIC OPPORTUNITY, DEPARTMENT OF
Program: Community Development
Housing And Community Development 40300200

2216 In Section 06 On Page 285
Special Categories 100931
Grants And Aids - Housing And Community
Development Projects IOEB

1000	General Revenue Fund	8,433,600	8,771,100
CA	337,500 FSI1NR 337,500		

DELETE a portion of the proviso immediately following Specific
Appropriation 2216:

The nonrecurring funds provided in Specific Appropriation 2216 from the General Revenue Fund are allocated as follows:

Baywalk - Miami Downtown Development Authority.....	400,000
Bergeron Rodeo Arena Refurbishment - Town of Davie.....	100,000
City of Bradenton Tournament Sports Park.....	1,000,000
City of Lauderdale Lakes - Sidewalk Repairs and Replacement.	100,000
City of North Lauderdale - Energy Efficient Street Lights...	100,000
DeSoto County Public Safety Building.....	750,000
Elderly Housing Assistance Program - City of North Miami....	200,000
Glades County Regional Training Center.....	1,000,000
Historic Hampton - Land Restoration.....	300,000
Lauderdale Lakes - Comprehensive Park Improvement Project...	250,000
McTyre Oak Cultural Center - City of West Park.....	250,000
Miami Design District - Public Infrastructure Projects.....	1,000,000
Nathan Benderson Park.....	2,000,000
Orange Blossom Revitalization Project.....	500,000
Riverwalk Boardwalk and Westmoreland River Park Extension Design.....	250,000
Village of Miami Shores - Electric Car Charging Station.....	33,600
Washington Park Security Upgrades - City of Hollywood.....	50,000
Washington Park Street Light Improvements - City of Hollywood.....	150,000

AND INSERT:

The nonrecurring funds provided in Specific Appropriation 2216 from the General Revenue Fund are allocated as follows:

Baywalk - Miami Downtown Development Authority.....	400,000
Bergeron Rodeo Arena Refurbishment - Town of Davie.....	100,000
City of Bradenton Tournament Sports Park.....	1,000,000
City of Lauderdale Lakes - Sidewalk Repairs and Replacement.	100,000
City of North Lauderdale - Energy Efficient Street Lights...	100,000
DeSoto County Public Safety Building.....	750,000
Elderly Housing Assistance Program - City of North Miami....	200,000
Glades County Regional Training Center.....	1,000,000
Historic Hampton - Land Restoration.....	300,000
Lauderdale Lakes - Comprehensive Park Improvement Project...	250,000
McTyre Oak Cultural Center - City of West Park.....	250,000
Miami Design District - Public Infrastructure Projects.....	1,000,000
Nathan Benderson Park.....	2,000,000
Orange Blossom Revitalization Project.....	500,000
Riverwalk Boardwalk and Westmoreland River Park Extension Design.....	250,000
Village of Miami Shores - Electric Car Charging Station.....	33,600
Washington Park Security Upgrades - City of Hollywood.....	50,000
Washington Park Street Light Improvements - City of Hollywood.....	150,000

St. Augustine Lighthouse and Maritime Museum..... 337,500

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

<u>Committee</u>	<u>Amendment</u>
ATD	38

The Committee on Appropriations (**Latvala**) recommended the following amendment:

Section: 06	<u>EXPLANATION:</u> Adds proviso language for Forward March and About Face Programs and National Guard Financial Assistance.
On Page: 355	
Spec App: 2952	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

		<u>Positions & Amount</u>	<u>Positions & Amount</u>
		DELETE	INSERT
MILITARY AFFAIRS, DEPARTMENT OF			
Program: Readiness And Response			
Federal/State Cooperative Agreements		62050500	
In Section 06 On Page 355			
2952	Special Categories	100777	
	Contracted Services	IOEA	

Immediately following Specific Appropriation 2952, INSERT:

From the recurring general revenue funds in Specific Appropriation 2952, \$750,000 is provided for the Forward March Program and \$1,250,000 is provided for the About Face Program.

From the nonrecurring general revenue funds in Specific Appropriation 2952, \$500,000 is provided to the National Guard Foundation to be used exclusively to support National Guard members and their immediate families in circumstances of exceptional financial need.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

Committee

ATD

Amendment

39

The Committee on Appropriations (**Hukill**) recommended the following amendment:

Section: 06	<u>EXPLANATION:</u>
On Page: 370	Reduces general revenue funding within the
Spec App: 3108A	Department of State for the advertisement of
	proposed constitutional amendments by \$175,000 and
	increases general revenue funding by \$175,000 to
	provide funding for a Cultural Facilities Program
	grant for the New Smyrna Beach East Coast Surf
	Museum.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

STATE, DEPARTMENT OF
Program: Cultural Affairs
Cultural Affairs 45500300

3108A In Section 06 On Page 370
Grants And Aids To Local Governments And 140015
Nonstate Entities - Fixed Capital Outlay
Grants And Aids - Special Categories -
Cultural Facilities Program IOEM

1000	General Revenue Fund	13,140,751	13,315,751
CA 175,000 FSI1NR 175,000			

Immediately following Specific Appropriation 3108A, INSERT:

New Smyrna Beach East Coast Surf Museum.....\$175,000

Program: Elections
Elections 45100200

3056 In Section 06 On Page 364
Special Categories 100077
Advertising Of Proposed Amendments To The

Constitution*IOEA**1000***General Revenue Fund****659,043****484,043***CA -175,000 FSI1NR -175,000*

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

Committee

ATD

Amendment

46

The Committee on Appropriations (**Latvala**) recommended the following LATE FILED amendment:

Section: 06	<u>EXPLANATION:</u>
On Page: 287	Reduces \$5,440,000 of Local Government Housing trust funds allocated for the Florida Housing Finance Corporation's Affordable Housing Programs and allocates those funds to the City of Hollywood for a First-Time Homeowner Purchase Assistance program.
Spec App: 2223	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

ECONOMIC OPPORTUNITY, DEPARTMENT OF
Program: Community Development
Florida Housing Finance Corporation

40300600

In Section 06 On Page 287

2223 Special Categories 105035
Grants And Aids - Housing Finance
Corporation (Hfc) - Affordable Housing
Programs IOED

2250 Local Government Housing Trust
Fund

36,200,000

30,760,000

CA -5,440,000 FSI1NR -5,440,000

Housing And Community Development

40300200

In Section 06 On Page 285

2216 Special Categories 100931
Grants And Aids - Housing And Community
Development Projects IOEB

2250 Local Government Housing Trust
Fund

5,440,000

CA 5,440,000 FSI1NR 5,440,000

Immediately before the last paragraph of proviso following Specific Appropriation 2216, INSERT:

The nonrecurring funds from the Local Government Housing Trust Fund provided in Specific Appropriation 2216 are allocated to the City of Hollywood for a First-Time Homeowner Purchase Assistance program.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

Committee

AGG

Amendment

40

The Committee on Appropriations (Negron) recommended the following amendment:

Section: 05	<u>EXPLANATION:</u>
On Page: 220	Reallocates \$750,000 from the Department of Agriculture and Consumer Services' Land Management appropriation and \$6,750,000 from the Department of Environmental Protection State Park Facility Improvements appropriation to provide \$750,000 in recurring funds and \$6,750,000 in nonrecurring funds from the Land Acquisition Trust Fund to the South Florida Water Management District Dispersed Water program.
Spec App: 1586	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Program: Water Policy And Ecosystems
Restoration

Water Policy And Ecosystems Restoration 37200100

In Section 05 On Page 220

1586 Special Categories 105021

Transfer To The South Florida Water
Management District - Dispersed Water
Storage IOEH

2423	Land Acquisition Trust Fund	5,000,000	12,500,000
CA 7,500,000 FSI1 750,000 FSI1NR 6,750,000			

Immediately following Specific Appropriation 1586, INSERT:

From the funds in Specific Appropriation 1586, \$750,000 in recurring funds and \$6,750,000 in nonrecurring funds from the Land Acquisition Trust Fund is provided to the South Florida Water Management District to expand the Caulkins Water Farming pilot project. Funds will provide additional acres of water storage to prevent overflows and discharges

into the St. Lucie River and Estuary, and the Caloosahatchee River.

AGRICULTURE AND CONSUMER SERVICES,
DEPARTMENT OF, AND COMMISSIONER OF
AGRICULTURE
Program: Forest And Resource Protection
Florida Forest Service 42110400

1381 In Section 05 On Page 197
Special Categories 100718
Land Management IOEA

2423	Land Acquisition Trust Fund	6,886,703	6,136,703
CA -750,000 FSI1 -750,000			

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Program: Recreation And Parks
State Park Operations 37500300

1692 In Section 05 On Page 231
Fixed Capital Outlay 080039
State Park Facility Improvements IOEJ

2423	Land Acquisition Trust Fund	22,480,000	15,730,000
CA -6,750,000 FSI1NR -6,750,000			

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

Committee

AGG

Amendment

41

The Committee on Appropriations (**Latvala**) recommended the following amendment:

Section: 05	<u>EXPLANATION:</u>
On Page: 202	Reallocates \$350,000 of nonrecurring general revenue from the Department of Agriculture and Consumer Services' Transfer to the Agricultural Emergency Eradication Trust Fund category to the Department of Environmental Protection, Water Management Districts Fixed Capital Outlay Relocation Assistance category. Inserts proviso language to specify that funds are for implementation of the South Florida Water Management District 50-year capital improvement plan.
Spec App: 1424A	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

AGRICULTURE AND CONSUMER SERVICES,
DEPARTMENT OF, AND COMMISSIONER OF
AGRICULTURE
Program: Agricultural Economic
Development
Fruits And Vegetables Inspection And
Enforcement 42170100

1424A In Section 05 On Page 202
Special Categories 100242
Transfer To Agricultural Emergency
Eradication Trust Fund IOEA

1000 General Revenue Fund
CA -350,000 FSI1NR -350,000

14,680,000

14,330,000

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Program: Water Policy And Ecosystems
Restoration
Water Policy And Ecosystems Restoration 37200100

In Section 5 On Page 220

1590A Grants And Aids To Local Governments And 141123
Nonstate Entities - Fixed Capital Outlay
Grants And Aids - Water Management
Districts - Local Government Fixed
Capital Outlay Relocation Assistance IOEM

1000 General Revenue Fund 350,000
CA 350,000 FSI1NR 350,000

Following Specific Appropriation 1590A, INSERT:

From the funds in Specific Appropriation 1590A, \$350,000 in nonrecurring funds from the General Revenue Fund is provided for engineering and design assistance for local governments that are required to relocate roads, bridges, or other access structures as a result of the implementation of the South Florida Water Management District 50-year capital improvement plan. Priority funding shall be given to access relocation projects that are part of the rehabilitation of Central and South Florida Flood Control Project structures that have been evaluated and determined to no longer provide sufficient levels of service for either flood protection or water supply and are deemed to be well past their life expectancy.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

<u>Committee</u>	<u>Amendment</u>
AGG	44

The Committee on Appropriations (**Hays**) recommended the following amendment:

Section: 06	<u>EXPLANATION:</u> Revises proviso language relating to options that support voice and data requirements for public safety personnel for the Law Enforcement Radio System.
On Page: 346	
Spec App: 2838	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount	Positions & Amount
DELETE	INSERT

MANAGEMENT SERVICES, DEPARTMENT OF
Program: Technology Program
Wireless Services 72900200

2838 In Section 06 On Page 346
Special Categories 100777
Contracted Services IOEA

DELETE the proviso immediately following Specific Appropriation 2838:

From the funds in Specific Appropriation 2838, \$500,000 of nonrecurring trust funds from the Law Enforcement Radio System Trust Fund is provided to the Department of Management Services to contract with an independent third party consulting firm to perform a feasibility study. The feasibility study shall evaluate the technical options to support the voice and data communication requirements of public safety personnel in Florida. The evaluation should, at a minimum; a) identify the technical solutions that are anticipated to be available by 2021 that support mission critical, secure communication with adequate coverage for public safety personnel; b) provide the advantages and disadvantages of each option; c) identify the economic, schedule, and operational impacts of each option; and d) the assumptions, considerations, and time frames necessary to implement each option proposed. The evaluation shall include, at a minimum, the following options: the current Statewide Law Enforcement Radio System recommendations from the Department of Highway Safety and Motor Vehicles

Statewide Law Enforcement Radio System: Analysis and Recommendation Report published on December 2, 2013, the Statewide Law Enforcement Radio System Business Case recommendation published January 28, 2015, and the First Responder Network Authority Request for Proposal issued January 13, 2016. The feasibility study shall be a competitive procurement and be submitted to the Governor, President of the Senate, and Speaker of the House of Representatives by January 31, 2017.

From the funds in Specific Appropriation 2838, \$933,800 of nonrecurring funds from the Law Enforcement Radio System Trust Fund is provided for the Department of Management Services to acquire and maintain the necessary staff augmentation support and subject matter experts to assist the department in the competitive solicitation and providing other services as determined necessary by the department for procuring a land mobile radio support system that includes a Project 25 Phase II delivery methodology. The system will provide communication services for state and local public safety agencies. The procurement shall accomplish, but not be limited to: improved coverage, audio clarity, interoperability, and enhanced system features including GPS location service, text messaging, and central device management. The scope of the services provided by the staff augmentation support and subject matter experts should include, but not be limited to, assisting the department in completing the following tasks identified in the study referenced in Specific Appropriation 2904A of Chapter 2014-51, Laws of Florida: (1) project planning and management; (2) consultation and providing technical expertise to the department; (3) assist department as requested in the evaluation of responses; and (4) negotiation with procurement respondents as requested by the department. The award of this procurement shall not be scheduled to occur until after March 31, 2017.

The department shall provide quarterly updates on the progress of the competitive solicitation to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee, and the Governor's Office of Policy and Budget.

AND INSERT:

From the funds in Specific Appropriation 2838, \$933,800 of nonrecurring funds from the Law Enforcement Radio System Trust Fund is provided for the Department of Management Services to acquire and maintain the necessary staff augmentation support and subject matter experts to assist the department in the competitive solicitation and providing other services as determined necessary by the department for procuring a land mobile radio support system based upon a Project 25 Phase II delivery methodology. The system will provide communication services for state and local public safety agencies. The procurement shall accomplish, but not be limited to: improved coverage, audio clarity, interoperability, and enhanced system features including GPS location service, text messaging, and central device management. The

scope of the services provided by the staff augmentation support and subject matter experts should include, but not be limited to, assisting the department in completing the following tasks identified in the study referenced in Specific Appropriation 2904A of Chapter 2014-51, Laws of Florida: (1) project planning and management; (2) consultation and providing technical expertise to the department; (3) assist department as requested in the evaluation of responses; and (4) negotiation with procurement respondents as requested by the department. Additionally, staff augmentation and subject matter experts shall consult with the Joint Task Force on State Agency Law Enforcement Communication and the Department of Highway Safety and Motor Vehicles in its capacity as the designated Point of Contact to the First Responder Network Authority (FirstNet) and as Chair of the FloridaNet Executive Committee in order to evaluate any additional technical options to support the voice and data communication requirements of public safety personnel in Florida. The award of this procurement shall not be scheduled to occur until after March 31, 2017.

The department shall provide quarterly updates on the progress of the competitive solicitation to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee, and the Governor's Office of Policy and Budget.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

Committee

AGG

Amendment

47

The Committee on Appropriations (Smith) recommended the following LATE FILED amendment:

Section: 05	<u>EXPLANATION:</u>
On Page: 220	Reduces \$9,533,250 from the Land Acquisition Trust Fund for Everglades Restoration and provides an increase in the Beach Projects appropriation for the Port Everglades Inlet Bypass project.
Spec App: 1590	

NET IMPACT ON:	Total Funds	General Revenue	Trust Funds
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount	Positions & Amount
	DELETE	INSERT
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
Program: Water Policy And Ecosystems		
Restoration		
Water Policy And Ecosystems Restoration	37200100	
1590 In Section 05 On Page 220		
Grants And Aids To Local Governments And	141117	
Nonstate Entities - Fixed Capital Outlay		
Everglades Restoration IOEM		
2423 Land Acquisition Trust Fund	32,000,000	22,466,750
CA -9,533,250 FSI1NR -9,533,250		

In Section 05, on Page 220, DELETE the following:

From the funds in Specific Appropriation 1590, \$32,000,000 from the Land Acquisition Trust Fund is provided for the Restoration Strategies Regional Water Quality Plan.

AND INSERT:

From the funds in Specific Appropriation 1590, \$22,466,750 from the Land Acquisition Trust Fund is provided for the Restoration Strategies Regional Water Quality Plan.

Program: Water Restoration Assistance

Water Restoration Assistance 37220100

In Section 05 On Page 222

1602 Grants And Aids To Local Governments And 140126
Nonstate Entities - Fixed Capital Outlay
Beach Projects - Statewide IOEM

2423	Land Acquisition Trust Fund	28,140,270	37,673,520
CA 9,533,250 FSI1NR 9,533,250			

At the end of existing proviso language, following Specific
Appropriation 1602, INSERT:

Of the funds in Specific Appropriation 1602, \$9,533,250 is provided for
the Port Everglades Inlet Bypass project.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2016

SPB2500

Committee

AGG

Amendment

48

The Committee on Appropriations (**Smith**) recommended the following LATE FILED amendment:

Section: 05	<u>EXPLANATION:</u> Proviso language to provide \$400,000 for the City of Hollywood Water Main Replacement project from the Water Projects appropriation in the Department of Environmental Protection.
On Page: 227	
Spec App: 1645A	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Program: Water Resource Management
Water Resource Management 37350400

In Section 05 On Page 227
1645A Grants And Aids To Local Governments And 140047
Nonstate Entities - Fixed Capital Outlay
Grants And Aids - Water Projects IOEM

Immediately following Specific Appropriation 1645A, INSERT:

From the funds in Specific Appropriation 1645A, \$400,000 is provided to the City of Hollywood Water Main Replacement project.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.

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A bill to be entitled

An act making appropriations; providing moneys for the annual period beginning July 1, 2016, and ending June 30, 2017, and supplemental appropriations for the period ending June 30, 2016, to pay salaries and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing for contingent retroactive operation; providing effective dates.

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

The moneys contained herein are appropriated from the named funds for Fiscal Year 2016-2017 to the state agency indicated, as the amounts to be used to pay the salaries, other operational expenditures, and fixed capital outlay of the named agencies, and are in lieu of all moneys appropriated for these purposes in other sections of the Florida Statutes.

SECTION 1 - EDUCATION ENHANCEMENT "LOTTERY" TRUST FUND

The moneys contained herein are appropriated from the Education Enhancement "Lottery" Trust Fund to the state agencies indicated.

EDUCATION, DEPARTMENT OF

Funds provided in sections 1 and 2 of this act as Grants and Aids-Special Categories or as Grants and Aids-Aid to Local Governments may be advanced quarterly throughout the fiscal year based on projects, grants, contracts, and allocation conference documents. Of the funds provided in Specific Appropriations 65, 69, 69A, 70 through 78, and 151, 60 percent of general revenue shall be released at the beginning of the first quarter and the balance at the beginning of the third quarter.

PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY

1	FIXED CAPITAL OUTLAY	
	CLASSROOMS FIRST AND 1997 SCHOOL CAPITAL	
	OUTLAY BOND PROGRAMS - OPERATING FUNDS AND	
	DEBT SERVICE	
	FROM EDUCATIONAL ENHANCEMENT TRUST	
	FUND	155,786,420

Funds in Specific Appropriation 1 are for the cash and debt service requirements of the Classrooms First and 1997 School Capital Outlay Bond programs established in chapter 97-384, Laws of Florida.

Funds in Specific Appropriation 1 shall be transferred using nonoperating budget authority into the Lottery Capital Outlay and Debt Service Trust Fund, pursuant to section 1013.71, Florida Statutes, for the payment of debt service and projects. There is appropriated from the Lottery Capital Outlay and Debt Service Trust Fund, an amount sufficient to enable the payment of debt service and projects resulting from these transfers.

2	FIXED CAPITAL OUTLAY	
	DEBT SERVICE - CLASS SIZE REDUCTION	
	LOTTERY CAPITAL OUTLAY PROGRAM	
	FROM EDUCATIONAL ENHANCEMENT TRUST	
	FUND	151,265,624

Funds in Specific Appropriation 2 shall be transferred using nonoperating budget authority into the Lottery Capital Outlay and Debt Service Trust Fund, pursuant to section 1013.71, Florida Statutes, for the payment of debt service. There is appropriated from the Lottery Capital Outlay and Debt Service Trust Fund, an amount sufficient to enable the payment of debt service resulting from these transfers.

Funds in Specific Appropriation 2 are for Fiscal Year 2016-2017 debt service on all bonds authorized pursuant to section 1013.737, Florida Statutes, for class size reduction, including any other continuing payments necessary or incidental to the repayment of the bonds. These funds may be used to refinance any or all bond series if it is in the best interest of the state as determined by the Division of Bond Finance.

SECTION 1 - EDUCATION ENHANCEMENT

3 FIXED CAPITAL OUTLAY
EDUCATIONAL FACILITIES
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 6,650,622

Funds in Specific Appropriation 3 for educational facilities are provided for debt service requirements associated with bond proceeds from the Lottery Capital Outlay and Debt Service Trust Fund included in Specific Appropriations 17 and 17A of chapter 2012-118, Laws of Florida, authorized pursuant to section 1013.737, Florida Statutes.

Funds in Specific Appropriation 3 shall be transferred, using nonoperating budget authority, to the Lottery Capital Outlay and Debt Service Trust Fund. There is hereby appropriated from the Lottery Capital Outlay and Debt Service Trust Fund an amount sufficient to enable the payment of debt service resulting from these transfers.

TOTAL: PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY
FROM TRUST FUNDS 313,702,666

TOTAL ALL FUNDS 313,702,666

OFFICE OF STUDENT FINANCIAL ASSISTANCE

PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE

4 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA'S BRIGHT FUTURES
SCHOLARSHIP PROGRAM
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 217,300,000

From the funds in Specific Appropriation 4, the Bright Futures award per credit hour or credit hour equivalent for the 2016-2017 academic year shall be as follows:

Academic Scholars
4-Year Institutions.....\$103
2-Year Institutions.....\$ 63
Upper-Division Programs at Florida Colleges....\$ 71
Career/Technical Centers.....\$ 52

Medallion Scholars
4-Year Institutions.....\$ 77
2-Year Institutions.....\$ 63
Upper-Division Programs at Florida Colleges....\$ 53
Career/Technical Centers.....\$ 39

Gold Seal Vocational Scholars
Career Certificate Program.....\$ 39
Applied Technology Diploma Program.....\$ 39
Technical Degree Education Program.....\$ 48

The additional stipend for Top Scholars shall be \$44 per credit hour.

5 SPECIAL CATEGORIES
FIRST GENERATION IN COLLEGE MATCHING GRANT
PROGRAM
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 5,308,663

From the funds provided in Specific Appropriation 5, \$1,327,166 shall be allocated to First Generation in College Matching Grant Programs at Florida colleges for need-based financial assistance as provided in section 1009.701, Florida Statutes. If required matching funds are not raised by participating Florida colleges or state universities by December 1, 2016, the remaining funds shall be reallocated to First Generation in College Matching Grant Programs at Florida colleges or state universities that have remaining unmatched private contributions.

6 FINANCIAL ASSISTANCE PAYMENTS
STUDENT FINANCIAL AID
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 57,558,579

Funds in Specific Appropriation 6 are allocated in Specific

SECTION 1 - EDUCATION ENHANCEMENT

Appropriation 76. These funds are provided for Florida Student Assistance Grant (FSAG) public full-time and part-time programs.

TOTAL: PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE
FROM TRUST FUNDS 280,167,242

TOTAL ALL FUNDS 280,167,242

PUBLIC SCHOOLS, DIVISION OF

PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP

The calculations of the Florida Education Finance Program (FEFP) for the 2016-2017 fiscal year are incorporated by reference in SPB 2502. The calculations are the basis for the appropriations made in the General Appropriations Act in Specific Appropriations 7, 8, 9, 94, and 95.

7 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FLORIDA EDUCATIONAL
FINANCE PROGRAM
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 259,743,050

Funds provided in Specific Appropriation 7 are allocated as provided in Specific Appropriation 94.

8 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - CLASS SIZE REDUCTION
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 103,776,356

Funds in Specific Appropriations 8 and 95 are provided to implement the requirements of sections 1003.03 and 1011.685, Florida Statutes. The class size reduction allocation factor for grades prekindergarten to grade 3 shall be \$1,323.31, for grades 4 to 8 shall be \$902.63, and for grades 9 to 12 shall be \$904.81. The class size reduction allocation shall be recalculated based on enrollment through the October 2016 FTE survey except as provided in section 1003.03(4), Florida Statutes. If the total class size reduction allocation is greater than the appropriation in Specific Appropriations 8 and 95, funds shall be prorated to the level of the appropriation based on each district's calculated amount. The Commissioner of Education may withhold disbursement of these funds until a district is in compliance with reporting information required for class size reduction implementation.

9 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - DISTRICT LOTTERY AND
SCHOOL RECOGNITION PROGRAM
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 134,582,877

Funds in Specific Appropriation 9 are provided for the Florida School Recognition Program to be allocated as awards of up to \$100 per student to qualified schools pursuant to section 1008.36, Florida Statutes.

If there are funds remaining after payment to qualified schools, the balance shall be allocated as discretionary lottery funds to all school districts based on each district's K-12 base funding. From these funds, school districts shall allocate up to \$5 per unweighted student to be used at the discretion of the school advisory council pursuant to section 24.121(5), Florida Statutes. If funds are insufficient to provide \$5 per student, the available funds shall be prorated.

TOTAL: PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP
FROM TRUST FUNDS 498,102,283

TOTAL ALL FUNDS 498,102,283

PROGRAM: WORKFORCE EDUCATION

10 AID TO LOCAL GOVERNMENTS
WORKFORCE DEVELOPMENT
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 85,765,146

Funds in Specific Appropriation 10 are allocated in Specific Appropriation 122. These funds are provided for school district

SECTION 1 - EDUCATION ENHANCEMENT

workforce education programs as defined in section 1004.02(25), Florida Statutes.

FLORIDA COLLEGES, DIVISION OF

PROGRAM: FLORIDA COLLEGES

12 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FLORIDA COLLEGE SYSTEM
PROGRAM FUND
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 265,345,335

The funds in Specific Appropriation 12 shall be allocated as follows:

Eastern Florida State College.....	10,004,629
Broward College.....	20,111,989
College of Central Florida.....	5,286,608
Chipola College.....	3,059,788
Daytona State College.....	12,019,724
Florida SouthWestern State College.....	7,317,666
Florida State College at Jacksonville.....	18,075,220
Florida Keys Community College.....	1,545,029
Gulf Coast State College.....	5,064,972
Hillsborough Community College.....	13,691,024
Indian River State College.....	11,107,776
Florida Gateway College.....	3,143,611
Lake-Sumter State College.....	3,130,218
State College of Florida, Manatee-Sarasota.....	5,358,950
Miami Dade College.....	40,789,974
North Florida Community College.....	1,710,202
Northwest Florida State College.....	4,486,481
Palm Beach State College.....	13,313,362
Pasco-Hernando State College.....	6,503,363
Pensacola State College.....	8,112,471
Polk State College.....	6,418,889
Saint Johns River State College.....	4,208,432
Saint Petersburg College.....	16,179,031
Santa Fe College.....	8,387,026
Seminole State College of Florida.....	9,098,533
South Florida State College.....	3,713,876
Tallahassee Community College.....	7,419,112
Valencia College.....	16,087,379

UNIVERSITIES, DIVISION OF

PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES

Funds in Specific Appropriations 13 through 17 shall be expended in accordance with operating budgets which must be approved by each university's board of trustees.

13 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - EDUCATION AND GENERAL
ACTIVITIES
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 268,103,757

Funds in Specific Appropriation 13 shall be allocated as follows:

University of Florida.....	49,297,590
Florida State University.....	41,188,087
Florida A&M University.....	15,552,660
University of South Florida.....	36,747,708
University of South Florida, St. Petersburg.....	1,622,751
University of South Florida, Sarasota/Manatee.....	1,380,749
Florida Atlantic University.....	21,855,585
University of West Florida.....	8,247,225
University of Central Florida.....	37,711,928
Florida International University.....	32,240,331
University of North Florida.....	13,429,438
Florida Gulf Coast University.....	7,461,953
New College of Florida.....	1,083,510
Florida Polytechnic University.....	284,242

SECTION 1 - EDUCATION ENHANCEMENT

14 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - IFAS (INSTITUTE OF FOOD
AND AGRICULTURAL SCIENCE)
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 12,533,877

15 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - UNIVERSITY OF SOUTH
FLORIDA MEDICAL CENTER
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 9,349,672

16 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - UNIVERSITY OF FLORIDA
HEALTH CENTER
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 5,796,416

17 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FLORIDA STATE UNIVERSITY
MEDICAL SCHOOL
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 605,115

TOTAL: PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES
FROM TRUST FUNDS 296,388,837

TOTAL ALL FUNDS 296,388,837

TOTAL OF SECTION 1

FROM TRUST FUNDS 1,739,471,509

TOTAL ALL FUNDS 1,739,471,509

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

SPECIFIC
APPROPRIATION

The moneys contained herein are appropriated from the named funds to the Department of Education as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay.

EDUCATION, DEPARTMENT OF

PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY

The Legislature hereby finds and determines that the items and sums designated in Specific Appropriations 19 through 23, 26, 27, and 28 from the Public Education Capital Outlay and Debt Service Trust Fund constitute authorized capital outlay projects within the meaning and as required by section 9(a)(2), Article XII of the State Constitution, as amended, and any other law. In accordance therewith, the moneys in the following items are authorized to be expended for the enumerated authorized capital outlay projects.

The sum designated for each project is the maximum sum to be expended for each specified phase of the project from funds accruing under section 9(a)(2), Article XII of the State Constitution. The scope of each project shall be planned so that the amounts specified shall not be exceeded, or any excess in costs shall be funded by sources other than this appropriation. Such excess costs may be funded from the Public Education Capital Outlay and Debt Service Trust Fund only as a result of fund transfers pursuant to section 216.292 (4)(c), Florida Statutes. Each project shall be constructed on the site specified. If existing facilities and acquisition of new sites are a part of these projects, each such building and site must be certified to be free of contamination, asbestos, and other hazardous materials before the facility or site may be acquired. The provisions of section 216.301 (2), Florida Statutes, shall apply to all capital outlay funds appropriated from the Public Education Capital Outlay and Debt Service Trust Fund for the Fiscal Year 2016-2017 in Specific Appropriations 19 through 23, 26, 27 and 28.

The Governor's Office of Policy and Budget shall establish Fixed Capital Outlay budget authority within appropriate accounts to enable expenditure of funds appropriated for the state universities, the Florida School for the Deaf and the Blind, the Division of Blind Services, public broadcasting, public school districts and Florida colleges.

18	FIXED CAPITAL OUTLAY	
	STATE UNIVERSITY SYSTEM CAPITAL	
	IMPROVEMENT FEE PROJECTS	
	FROM CAPITAL IMPROVEMENTS FEE	
	TRUST FUND	35,000,000

Funds in Specific Appropriation 18 shall be allocated by the Board of Governors to the universities on a pro rata distribution basis in accordance with the Board of Governors Legislative Budget Request for funding from the Capital Improvements Fee Trust Fund, as approved November 5, 2015. Each board of trustees shall report to the Board of Governors the funding it allocates to each specific project.

19	FIXED CAPITAL OUTLAY	
	MAINTENANCE, REPAIR, RENOVATION, AND	
	REMODELING	
	FROM PUBLIC EDUCATION CAPITAL	
	OUTLAY AND DEBT SERVICE TRUST FUND	157,960,038

Funds in Specific Appropriation 19 shall be allocated as follows:

Public Schools.....	50,000,000
University Maintenance.....	61,804,669
Florida Colleges Maintenance.....	46,155,369

Funds in Specific Appropriation 19 for colleges and universities shall be distributed in accordance with section 1013.64(1), Florida Statutes.

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

20	FIXED CAPITAL OUTLAY	
	SURVEY RECOMMENDED NEEDS - PUBLIC SCHOOLS	
	FROM PUBLIC EDUCATION CAPITAL	
	OUTLAY AND DEBT SERVICE TRUST FUND	5,293,588

Funds in Specific Appropriation 20 shall be distributed among the lab schools approved pursuant to section 1002.32, Florida Statutes, based upon full-time equivalent student membership.

21	FIXED CAPITAL OUTLAY	
	FLORIDA COLLEGE SYSTEM PROJECTS	
	FROM PUBLIC EDUCATION CAPITAL	
	OUTLAY AND DEBT SERVICE TRUST FUND	55,318,902

22	FIXED CAPITAL OUTLAY	
	STATE UNIVERSITY SYSTEM PROJECTS	
	FROM PUBLIC EDUCATION CAPITAL	
	OUTLAY AND DEBT SERVICE TRUST FUND	73,166,168

23	FIXED CAPITAL OUTLAY	
	SPECIAL FACILITY CONSTRUCTION ACCOUNT	
	FROM PUBLIC EDUCATION CAPITAL	
	OUTLAY AND DEBT SERVICE TRUST FUND	64,672,919

Funds in Specific Appropriation 23 shall be allocated in accordance with section 1013.64(2), Florida Statutes, to the following projects:

Washington (3rd and final year)	9,226,361
Levy County (3rd and final year).....	11,471,707
Calhoun (3rd and final year).....	8,419,842
Holmes (3rd and final year).....	18,733,115
Dixie (3rd and final year).....	6,693,200
Hamilton (2nd of 3 years).....	10,128,694

24	FIXED CAPITAL OUTLAY	
	DEBT SERVICE	
	FROM CAPITAL IMPROVEMENTS FEE	
	TRUST FUND	16,143,859
	FROM PUBLIC EDUCATION CAPITAL	
	OUTLAY AND DEBT SERVICE TRUST FUND	875,910,285
	FROM SCHOOL DISTRICT AND COMMUNITY	
	COLLEGE DISTRICT CAPITAL OUTLAY	
	AND DEBT SERVICE TRUST FUND	62,000,467

Funds in Specific Appropriation 24 from the School District and Community College District Capital Outlay and Debt Service Trust Fund are for Fiscal Year 2016-2017 debt service on bonds authorized pursuant to the School Capital Outlay Amendment, subsection (d), section 9, Article XII of the State Constitution, and any other continuing payments necessary or incidental to the repayment of the bonds. These funds may be used to refinance any or all series if it is in the best interest of the state as determined by the Division of Bond Finance. If the debt service appropriated for this program in Specific Appropriation 24 is insufficient due to interest rate changes, issuance timing, or other circumstances, the amount of the insufficiency is appropriated from the School District and Community College District Capital Outlay and Debt Service Trust Fund.

25	FIXED CAPITAL OUTLAY	
	GRANTS AND AIDS - SCHOOL DISTRICT AND	
	COMMUNITY COLLEGE	
	FROM SCHOOL DISTRICT AND COMMUNITY	
	COLLEGE DISTRICT CAPITAL OUTLAY	
	AND DEBT SERVICE TRUST FUND	60,000,000

26	FIXED CAPITAL OUTLAY	
	FLORIDA SCHOOL FOR THE DEAF AND BLIND -	
	CAPITAL PROJECTS	
	FROM PUBLIC EDUCATION CAPITAL	
	OUTLAY AND DEBT SERVICE TRUST FUND	9,074,268

Funds in Specific Appropriations 26, are provided to the Florida School for the Deaf and the Blind as follows:

Preventative Maintenance.....	3,003,828
Gore Hall Renovation.....	3,807,754

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

Roadway Maintenance and Bulkhead.....	2,262,686
27 FIXED CAPITAL OUTLAY	
DIVISION OF BLIND SERVICES - CAPITAL PROJECTS	
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND DEBT SERVICE TRUST FUND	310,000
Funds in Specific Appropriation 27 are provided for repair and maintenance projects at the Division of Blind Services' Daytona and Tampa Facilities.	
28 FIXED CAPITAL OUTLAY	
PUBLIC BROADCASTING PROJECTS	
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND DEBT SERVICE TRUST FUND	3,142,555
Funds in Specific Appropriation 28 are provided for the following projects to correct health and safety issues at public broadcasting stations:	
WGU-TV/FM, Ft. Meyers - Transmission Tower Replacement.....	1,795,000
WQCS-FM, Ft. Pierce - Replacement of HVAC System.....	1,250,000
WJCT-TV/FM, Jacksonville - Update Elevators to Include Fire Department Controls.....	97,555
TOTAL: PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY	
FROM TRUST FUNDS	1,417,993,049
TOTAL ALL FUNDS	1,417,993,049

VOCATIONAL REHABILITATION

For funds in Specific Appropriations 30 through 44 for the Vocational Rehabilitation Program, the Department of Education is the designated state agency for purposes of compliance with the Federal Rehabilitation Act of 1973, as amended.

If the department identifies additional resources that may be used to maximize federal matching funds for the Vocational Rehabilitation Program, the department shall submit a budget amendment prior to the expenditure of the funds, in accordance with the provisions of chapter 216, Florida Statutes.

APPROVED SALARY RATE	34,898,207
30 SALARIES AND BENEFITS POSITIONS 884.00	
FROM GENERAL REVENUE FUND	9,740,255
FROM ADMINISTRATIVE TRUST FUND	209,659
FROM FEDERAL REHABILITATION TRUST FUND	37,183,777
31 OTHER PERSONAL SERVICES	
FROM FEDERAL REHABILITATION TRUST FUND	1,467,459
32 EXPENSES	
FROM GENERAL REVENUE FUND	6,686
FROM FEDERAL REHABILITATION TRUST FUND	10,401,716
33 AID TO LOCAL GOVERNMENTS	
GRANTS AND AIDS - ADULTS WITH DISABILITIES FUNDS	
FROM GENERAL REVENUE FUND	6,171,576

Funds in Specific Appropriation 33 shall be allocated as follows:

Inclusive Transition and Employment Management Program (ITEM).....	1,000,000
Our Pride Academy.....	1,200,000
Flagler Adults with Disabilities.....	535,892
Jackson Adults with Disabilities Program.....	1,019,247
Miami-Dade Adults with Disabilities Program.....	1,125,208
Sumter Adults with Disabilities Program.....	42,500
Palm Beach Habilitation Center.....	225,000
Community Based Supported Employment.....	114,723
Adults with Disabilities - Helping People Succeed.....	109,006

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

Broward County Public Schools Adults with Disabilities.....	800,000
Funds provided in Specific Appropriation 33 for the Inclusive Transition and Employment Management Program (ITEM) shall be used to provide young adults with disabilities who are between the ages of 16 and 28 with transitional skills, education, and on-the-job experience to allow them to acquire and retain permanent employment.	
34 AID TO LOCAL GOVERNMENTS	
GRANTS AND AIDS - FLORIDA ENDOWMENT FOUNDATION FOR VOCATIONAL REHABILITATION FROM GENERAL REVENUE FUND	549,823
35 OPERATING CAPITAL OUTLAY	
FROM FEDERAL REHABILITATION TRUST FUND	480,986
36 SPECIAL CATEGORIES	
CONTRACTED SERVICES	
FROM GENERAL REVENUE FUND	618,015
FROM FEDERAL REHABILITATION TRUST FUND	17,258,886
37 SPECIAL CATEGORIES	
GRANTS AND AIDS - INDEPENDENT LIVING SERVICES	
FROM GENERAL REVENUE FUND	1,232,004
FROM FEDERAL REHABILITATION TRUST FUND	4,814,789

Funds provided in Specific Appropriation 37 shall be allocated to the Centers for Independent Living and shall be distributed according to the formula in the 2005-2007 State Plan for Independent Living. From the Federal Rehabilitation Trust Fund allocation, \$3,472,193 shall be funded from Social Security reimbursements (program income) provided that the Social Security reimbursements are available.

The State Plan for Independent Living may include provisions related to financial needs testing and financial participation of consumers, as agreed upon by all signatories to the plan.

38 SPECIAL CATEGORIES	
PURCHASED CLIENT SERVICES	
FROM GENERAL REVENUE FUND	31,226,986
FROM FEDERAL REHABILITATION TRUST FUND	94,090,741
39 SPECIAL CATEGORIES	
RISK MANAGEMENT INSURANCE	
FROM FEDERAL REHABILITATION TRUST FUND	401,073
40 SPECIAL CATEGORIES	
TENANT BROKER COMMISSIONS	
FROM FEDERAL REHABILITATION TRUST FUND	97,655
41 SPECIAL CATEGORIES	
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT	
FROM GENERAL REVENUE FUND	69,689
FROM ADMINISTRATIVE TRUST FUND	1,047
FROM FEDERAL REHABILITATION TRUST FUND	250,711
42 DATA PROCESSING SERVICES	
OTHER DATA PROCESSING SERVICES	
FROM GENERAL REVENUE FUND	154,316
FROM FEDERAL REHABILITATION TRUST FUND	515,762
43 DATA PROCESSING SERVICES	
EDUCATION TECHNOLOGY AND INFORMATION SERVICES	
FROM FEDERAL REHABILITATION TRUST FUND	227,308

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

44 DATA PROCESSING SERVICES
NORTHWEST REGIONAL DATA CENTER (NWRDC)
FROM FEDERAL REHABILITATION TRUST
FUND 265,959

The funds provided in Specific Appropriation 44 shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.

TOTAL: VOCATIONAL REHABILITATION
FROM GENERAL REVENUE FUND 49,769,350
FROM TRUST FUNDS 167,667,528

TOTAL POSITIONS 884.00
TOTAL ALL FUNDS 217,436,878

BLIND SERVICES, DIVISION OF

APPROVED SALARY RATE 10,091,309

45 SALARIES AND BENEFITS POSITIONS 289.75
FROM GENERAL REVENUE FUND 4,224,359
FROM ADMINISTRATIVE TRUST FUND 336,093
FROM FEDERAL REHABILITATION TRUST
FUND 9,374,651

46 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 151,524
FROM FEDERAL REHABILITATION TRUST
FUND 301,749
FROM GRANTS AND DONATIONS TRUST
FUND 10,441

47 EXPENSES
FROM GENERAL REVENUE FUND 415,191
FROM ADMINISTRATIVE TRUST FUND 40,774
FROM FEDERAL REHABILITATION TRUST
FUND 2,473,307
FROM GRANTS AND DONATIONS TRUST
FUND 44,395

48 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - COMMUNITY REHABILITATION
FACILITIES
FROM GENERAL REVENUE FUND 847,347
FROM FEDERAL REHABILITATION TRUST
FUND 4,522,207

49 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 54,294
FROM FEDERAL REHABILITATION TRUST
FUND 235,198

50 FOOD PRODUCTS
FROM FEDERAL REHABILITATION TRUST
FUND 200,000

51 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM FEDERAL REHABILITATION TRUST
FUND 100,000

52 SPECIAL CATEGORIES
GRANTS AND AIDS - CLIENT SERVICES
FROM GENERAL REVENUE FUND 10,562,902
FROM FEDERAL REHABILITATION TRUST
FUND 13,481,496
FROM GRANTS AND DONATIONS TRUST
FUND 252,746

Funds in Specific Appropriation 52 shall be allocated as follows:

Lighthouse for the Blind and Visually Impaired -
Pasco/Hernando 100,000
Lighthouse for the Blind and Visually Impaired - Miami 150,000
Lighthouse for the Blind and Visually Impaired - Orange 250,000
Florida Association of Agencies Serving the Blind 1,000,000

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

53 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 56,140
FROM FEDERAL REHABILITATION TRUST
FUND 725,000

54 SPECIAL CATEGORIES
GRANTS AND AIDS - INDEPENDENT LIVING
SERVICES
FROM FEDERAL REHABILITATION TRUST
FUND 35,000

55 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 44,875
FROM FEDERAL REHABILITATION TRUST
FUND 159,519

56 SPECIAL CATEGORIES
LIBRARY SERVICES
FROM GENERAL REVENUE FUND 89,735
FROM GRANTS AND DONATIONS TRUST
FUND 100,000

57 SPECIAL CATEGORIES
VENDING STANDS - EQUIPMENT AND SUPPLIES
FROM FEDERAL REHABILITATION TRUST
FUND 4,675,000
FROM GRANTS AND DONATIONS TRUST
FUND 595,000

58 SPECIAL CATEGORIES
TENANT BROKER COMMISSIONS
FROM FEDERAL REHABILITATION TRUST
FUND 18,158

59 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 3,968
FROM ADMINISTRATIVE TRUST FUND 3,014
FROM FEDERAL REHABILITATION TRUST
FUND 96,576

60 DATA PROCESSING SERVICES
STATE DATA CENTER - AGENCY FOR STATE
TECHNOLOGY (AST)
FROM FEDERAL REHABILITATION TRUST
FUND 369

61 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM FEDERAL REHABILITATION TRUST
FUND 686,842

62 DATA PROCESSING SERVICES
EDUCATION TECHNOLOGY AND INFORMATION
SERVICES
FROM FEDERAL REHABILITATION TRUST
FUND 224,762

63 DATA PROCESSING SERVICES
NORTHWEST REGIONAL DATA CENTER (NWRDC)
FROM FEDERAL REHABILITATION TRUST
FUND 315,000

The funds provided in Specific Appropriation 63 shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

TOTAL: BLIND SERVICES, DIVISION OF		
FROM GENERAL REVENUE FUND	16,450,335	
FROM TRUST FUNDS		39,007,297
 TOTAL POSITIONS	289.75	
TOTAL ALL FUNDS		55,457,632

PROGRAM: PRIVATE COLLEGES AND UNIVERSITIES

Prior to the disbursement of funds from Specific Appropriations 64, 66, 67, 68, and 69A, each institution shall submit a proposed expenditure plan to the Department of Education pursuant to the requirements of section 1011.521, Florida Statutes.

Institutions receiving funds from Specific Appropriations 65, 66, and 69 must submit an annual report to the Department of Education detailing the following metrics for Florida resident students: entrance requirements for the year; percentage of students receiving Pell Grants, Bright Futures, and other academic aid; graduation rates; job placement rates, and job placement rates in-field up to 120 days past graduation. The report shall also include information for each institution on the total federal loan amounts disbursed and the total number of students who received federal loans. The report must be submitted by September 1, 2016 and reflect prior academic year statistics.

64 SPECIAL CATEGORIES	
GRANTS AND AIDS - MEDICAL TRAINING AND	
SIMULATION LABORATORY	
FROM GENERAL REVENUE FUND	4,000,000

65 SPECIAL CATEGORIES	
ABLE GRANTS (ACCESS TO BETTER LEARNING AND	
EDUCATION)	
FROM GENERAL REVENUE FUND	5,056,500

Funds in Specific Appropriation 65 are provided to support 3,371 qualified Florida resident students at \$1,500 per student for tuition assistance pursuant to section 1009.891, Florida Statutes.

The Office of Student Financial Assistance may prorate the award in the second term and provide a lesser amount if the funds appropriated are insufficient to provide a full award to all eligible students. The Office of Student Financial Assistance may also reallocate funds between institutions if an eligible institution fails to reach its 2016-2017 enrollment.

66 SPECIAL CATEGORIES	
GRANTS AND AIDS - HISTORICALLY BLACK	
PRIVATE COLLEGES	
FROM GENERAL REVENUE FUND	13,141,543

Funds in Specific Appropriation 66 shall be allocated as follows:

Bethune-Cookman University.....	4,960,111
Edward Waters College.....	3,929,526
Florida Memorial University.....	3,532,048
Library Resources.....	719,858

Funds provided in Specific Appropriation 66 shall only be expended for student access and retention or direct instruction purposes.

Funds provided in Specific Appropriation 66 for library resources shall be used for the purchase of books, electronic library resources, online journals, other related library materials and other technology upgrades needed to support institutional academic programs pursuant to section 1006.59, Florida Statutes. Funds for library resources shall be allocated equally to Bethune-Cookman University, Edward-Waters College, and Florida Memorial University.

67 SPECIAL CATEGORIES	
GRANTS AND AIDS - ACADEMIC PROGRAM	
CONTRACTS	
FROM GENERAL REVENUE FUND	250,000

Funds in Specific Appropriation 67 shall be allocated as follows:

Beacon College - Tuition Assistance.....	250,000
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SECTION 2 - EDUCATION (ALL OTHER FUNDS)

68 SPECIAL CATEGORIES	
GRANTS AND AIDS - PRIVATE COLLEGES AND	
UNIVERSITIES	
FROM GENERAL REVENUE FUND	10,000,000

Funds in Specific Appropriation 68 shall be allocated as follows:

Embry Riddle - Aerospace Academy.....	3,000,000
Embry Riddle - Technology Park.....	5,000,000
Embry Riddle - Manufacturing Academy and Apprenticeship/	
Internship Program.....	2,000,000

69 SPECIAL CATEGORIES	
FLORIDA RESIDENT ACCESS GRANT	
FROM GENERAL REVENUE FUND	115,260,000

Funds in Specific Appropriation 69 are provided to support 38,420 qualified Florida resident students at \$3,000 per student for tuition assistance pursuant to section 1009.89, Florida Statutes.

The Office of Student Financial Assistance may prorate the award in the second term and provide a lesser amount if the funds appropriated are insufficient to provide a full award to all eligible students. The Office of Student Financial Assistance may also reallocate funds between institutions if an eligible institution fails to reach its 2016-2017 enrollment.

69A SPECIAL CATEGORIES	
GRANTS AND AIDS - LECOM / FLORIDA - HEALTH	
PROGRAMS	
FROM GENERAL REVENUE FUND	1,691,010

Funds in Specific Appropriation 69A shall be used to support Florida residents who are enrolled in the Osteopathic Medicine or the Pharmacy Program at the Lake Erie College of Osteopathic Medicine/Bradenton. The college shall submit enrollment information for Florida residents to the Department of Education prior to January 1, 2017.

TOTAL: PROGRAM: PRIVATE COLLEGES AND UNIVERSITIES	
FROM GENERAL REVENUE FUND	149,399,053

TOTAL ALL FUNDS	149,399,053
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OFFICE OF STUDENT FINANCIAL ASSISTANCE

PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE

70 SPECIAL CATEGORIES	
GRANTS AND AIDS - FLORIDA NATIONAL MERIT	
SCHOLARS INCENTIVE PROGRAM	
FROM GENERAL REVENUE FUND	12,926,139

71 SPECIAL CATEGORIES	
PREPAID TUITION SCHOLARSHIPS	
FROM GENERAL REVENUE FUND	7,000,000

72 SPECIAL CATEGORIES	
FLORIDA ABLE, INCORPORATED	
FROM GENERAL REVENUE FUND	2,166,000

73 SPECIAL CATEGORIES	
GRANTS AND AIDS - MINORITY TEACHER	
SCHOLARSHIP PROGRAM	
FROM GENERAL REVENUE FUND	1,000,000

74 SPECIAL CATEGORIES	
GRANTS AND AID - NURSING STUDENT LOAN	
REIMBURSEMENT/ SCHOLARSHIPS	
FROM NURSING STUDENT LOAN	
FORGIVENESS TRUST FUND	1,134,006

75 FINANCIAL ASSISTANCE PAYMENTS	
MARY MCLEOD BETHUNE SCHOLARSHIP	
FROM GENERAL REVENUE FUND	160,500
FROM STATE STUDENT FINANCIAL	
ASSISTANCE TRUST FUND	160,500

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

76	FINANCIAL ASSISTANCE PAYMENTS	
	STUDENT FINANCIAL AID	
	FROM GENERAL REVENUE FUND	88,788,023
	FROM STATE STUDENT FINANCIAL ASSISTANCE TRUST FUND	97,099
	FROM STUDENT LOAN OPERATING TRUST FUND	9,688,263

From the funds in Specific Appropriations 6 and 76, the sum of \$156,131,964 is provided pursuant to the following guidelines:

Florida Student Assistance Grant - Public Full & Part Time..	114,614,631
Florida Student Assistance Grant - Private.....	18,444,354
Florida Student Assistance Grant - Postsecondary.....	12,883,854
Florida Student Assistance Grant - Career Education.....	2,501,237
Children/Spouses of Deceased/Disabled Veterans.....	4,861,219
Florida Work Experience.....	1,569,922
Rosewood Family Scholarships.....	256,747
Honorably Discharged Graduate Assistance Program.....	1,000,000

Funds in Specific Appropriation 76 for the Honorably Discharged Graduate Assistance Program are provided for supplemental need-based veteran educational benefits. Funds shall be used to assist in the payment of living expenses during holiday and semester breaks for active duty and honorably discharged members of the Armed Forces who served on or after September 11, 2001. To ensure students in public, as well as private institutions have an opportunity to receive funding, allocations to institutions shall be prorated based on the number of total eligible students at eligible institutions.

From the funds provided in Specific Appropriations 6 and 76, the maximum grant to any student from the Florida Public, Private, Career Education, and Postsecondary Assistance Grant Programs shall be \$2,610.

Institutions that received state funds in Fiscal Year 2015-2016 for student scholarships or grants administered by the Office of Student Financial Assistance shall report federal loan information to the Department of Education (DOE) prior to September 1, 2016, in a format prescribed by DOE. This information shall include, by institution, the total federal loan amounts disbursed and total number of students who received federal loans. Additionally, in a format prescribed by DOE, each institution shall report all grants, scholarships, and awards to students who apply for and/or receive state-funded tuition assistance and aid.

77	FINANCIAL ASSISTANCE PAYMENTS	
	JOSE MARTI SCHOLARSHIP CHALLENGE GRANT	
	FROM GENERAL REVENUE FUND	50,000
	FROM STATE STUDENT FINANCIAL ASSISTANCE TRUST FUND	71,541
78	FINANCIAL ASSISTANCE PAYMENTS	
	TRANSFER TO THE FLORIDA EDUCATION FUND	
	FROM GENERAL REVENUE FUND	3,000,000
TOTAL: PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE		
	FROM GENERAL REVENUE FUND	115,090,662
	FROM TRUST FUNDS	11,151,409
	TOTAL ALL FUNDS	126,242,071
PROGRAM: STUDENT FINANCIAL AID PROGRAM - FEDERAL		
79	FINANCIAL ASSISTANCE PAYMENTS	
	STUDENT FINANCIAL AID	
	FROM FEDERAL GRANTS TRUST FUND	100,000
80	FINANCIAL ASSISTANCE PAYMENTS	
	TRANSFER DEFAULT FEES TO THE STUDENT LOAN	
	GUARANTY RESERVE TRUST FUND	
	FROM STUDENT LOAN OPERATING TRUST FUND	5,000

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

TOTAL: PROGRAM: STUDENT FINANCIAL AID PROGRAM - FEDERAL	
FROM TRUST FUNDS	105,000
TOTAL ALL FUNDS	105,000

EARLY LEARNING

PROGRAM: EARLY LEARNING SERVICES

From the funds in Specific Appropriations 81 through 93, 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 agency head or a designee shall 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 shall be the responsibility of any entity to which such funds are appropriated to obtain the required certification prior to any expenditure of funds.

APPROVED SALARY RATE	5,712,450	
81	SALARIES AND BENEFITS	
	POSITIONS	100.00
	FROM GENERAL REVENUE FUND	4,242,961
	FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND	3,496,084
82	OTHER PERSONAL SERVICES	
	FROM GENERAL REVENUE FUND	2,078
	FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND	90,414
83	EXPENSES	
	FROM GENERAL REVENUE FUND	888,621
	FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND	993,048
	FROM WELFARE TRANSITION TRUST FUND	265,163
84	OPERATING CAPITAL OUTLAY	
	FROM GENERAL REVENUE FUND	5,785
	FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND	15,000
85	SPECIAL CATEGORIES	
	GRANTS AND AIDS - CONTRACTED SERVICES	
	FROM GENERAL REVENUE FUND	1,242,097
	FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND	1,752,885
86	SPECIAL CATEGORIES	
	GRANTS AND AIDS - PARTNERSHIP FOR SCHOOL READINESS	
	FROM GENERAL REVENUE FUND	11,014,526
	FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND	37,797,260
	FROM FEDERAL GRANTS TRUST FUND	10,714
	FROM WELFARE TRANSITION TRUST FUND	1,400,000

From the funds in Specific Appropriation 86 in the Child Care and Development Block Grant Trust Fund, \$3,000,000 is provided for the Teacher Education and Compensation Helps Program (T.E.A.C.H.).

From the funds in Specific Appropriation 86, \$1,400,000 is provided for the Home Instruction Program for Pre-School Youngsters (HIPPY) from the Welfare Transition Trust Fund.

From the funds in Specific Appropriation 86, \$15,000,000 is provided for the Child Care Executive Partnership, of which \$4,393,695 is from the General Revenue Fund and \$10,606,305 is from the Child Care and Development Block Grant Trust Fund. The funds shall be used for the

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

Child Care Executive Partnership Program, as defined in section 1002.94, Florida Statutes, as match to expand the provision of services to low income families at or below 200 percent of the federal poverty level. Funds for this program shall be used to match funds for statewide contracts.

From the funds in Specific Appropriation 86, \$12,100,000 is provided to the Redlands Christian Migrant Association (RCMA) of which \$3,508,331 is from the General Revenue Fund, \$8,580,955 is from the Child Care and Development Block Grant Trust Fund, and \$10,714 is from the Federal Grants Trust Fund. The funds are provided for the RCMA to provide direct services to children eligible for the School Readiness program.

From the funds in Specific Appropriation 86, \$110,000 from the Child Care and Development Block Grant Trust Fund is provided for the Literacy Jump Start Program in St. Lucie County to provide at-risk academically challenged pre-school children, residing within high risk federally subsidized housing, a chance at success. The children will be immersed with a strong support system and an instructional approach designed to foster emergent literacy skills. This will be accomplished via (a) early literacy development in participating children; (b) parent engagement and literacy development; and (c) care coordination to ensure a smooth transition to voluntary prekindergarten and kindergarten.

From the funds in Specific Appropriation 86, \$15,500,000 from the Child Care and Development Block Grant Trust Fund is provided for Year 3 of an Early Learning Performance Funding Pilot Project as set forth in Budget Amendment EOG #B2014-B0042 and approved by the Legislative Budget Commission on September 10, 2014.

From the funds in Specific Appropriation 86, \$100,000 from the General Revenue Fund is provided to the Florida Developmental Disabilities Council to expand the Help Me Grow Florida Network. The network shall be expanded to connect children and families with information, resources, and developmental services to enhance the health, behavior, learning and development of young children.

From the funds in Specific Appropriation 86, \$504,250 from the General Revenue Fund is provided for the Miami Children's Museum's to establish the Professional Development School Readiness Institute for teaching early learning professionals effective engagement strategies for economically disadvantaged preschool children and their families.

From the funds in Specific Appropriation 86, \$350,000 from the General Revenue Fund is provided for the Business & Leadership Institute for Early Learning to: (1) expand and market an early learning childcare industry training program for early learning center and home-based business owners, operators and administrators and (2) develop an on-line curriculum and education program, including a platform for business planning, which includes the essentials necessary to open and operate a quality childcare center or home-based childcare business in Florida.

From the funds in Specific Appropriation 86, \$297,250 from the General Revenue Fund is provided for the Paradise Christian School for Head Start Federal Match. These funds shall be used to continue Head Start services for children with a disability or from households in poverty.

From the funds in Specific Appropriation 86, \$1,000,000 from the General Revenue Fund is provided for Guiding Stars of Duval County.

From the funds in Specific Appropriation 86, \$861,000 from the General Revenue Fund is provided for Hollywood Childcare Scholarships to provide childcare scholarships to families whose household income is at or below 80 percent of the Area Median Income (AMI) by family size.

87 SPECIAL CATEGORIES	
GRANTS AND AIDS - SCHOOL READINESS	
SERVICES	
FROM GENERAL REVENUE FUND	136,967,679
FROM CHILD CARE AND DEVELOPMENT	
BLOCK GRANT TRUST FUND	331,457,836
FROM FEDERAL GRANTS TRUST FUND . . .	489,286
FROM WELFARE TRANSITION TRUST FUND .	96,612,427

Funds in Specific Appropriation 87 require a match from local sources for working poor eligible participants of six percent on child care slots. In-kind match is allowable provided there is not a reduction in the number of slots or level of services from the provision of

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

in-kind match. The Office of Early Learning may adopt a policy to grant a waiver of the six percent match requirement to a rural county that demonstrates a significant hardship in meeting the match requirement. Progress towards meeting this requirement shall be monitored by the Office of Early Learning, and shall be considered satisfactorily attained if the six percent requirement is met on a statewide basis.

For the funds in Specific Appropriation 87, expenditures for Gold Seal Quality Expenditure payments shall be reported as Direct Services. The Office of Early Learning shall have the authority to reclassify Gold Seal Quality Expenditure payments by the Early Learning coalitions and statewide contractors to meet targeted federal requirements for improving the quality of infant and toddler child care to the extent allowable in the state's approved Child Care and Development Fund Plan.

Funds in Specific Appropriation 87 are provided for the School Readiness Program and are allocated to early learning coalitions as follows:

Alachua.....	9,658,649
Bay, Calhoun, Gulf, Franklin, Washington, Holmes, Jackson...	11,579,273
Brevard.....	17,318,264
Broward.....	42,054,381
Charlotte, DeSoto, Highlands, Hardee.....	8,509,180
Columbia, Hamilton, Lafayette, Union, Suwannee.....	6,950,868
Dade, Monroe.....	108,728,813
Dixie, Gilchrist, Levy, Citrus, Sumter.....	7,714,671
Duval.....	28,524,256
Escambia.....	13,549,276
Hendry, Glades, Collier, Lee.....	19,709,211
Hillsborough.....	42,527,423
Lake.....	6,789,327
Leon, Gadsden, Jefferson, Liberty, Madison, Wakulla, Taylor.	16,213,349
Manatee.....	8,853,440
Marion.....	9,257,257
Martin, Okeechobee, Indian River.....	7,531,955
Okaloosa, Walton.....	7,532,828
Orange.....	36,230,529
Osceola.....	6,302,753
Palm Beach.....	34,161,020
Pasco, Hernando.....	13,855,499
Pinellas.....	28,938,896
Polk.....	18,900,271
St. Johns, Putnam, Clay, Nassau, Baker, Bradford.....	14,866,329
St. Lucie.....	8,375,453
Santa Rosa.....	3,673,697
Sarasota.....	5,097,532
Seminole.....	8,352,823
Volusia, Flagler.....	13,770,005

From the funds in Specific Appropriation 87, the Office of Early Learning shall have the ability to reallocate funds for school readiness services as funds are available or in the instance that a coalition does not have eligible children on its waiting list and has met its expenditure cap pursuant to section 1002.89(6), Florida Statutes.

87A SPECIAL CATEGORIES	
GRANTS AND AIDS - DATA SYSTEMS FOR SCHOOL	
READINESS	
FROM GENERAL REVENUE FUND	240,595
FROM CHILD CARE AND DEVELOPMENT	
BLOCK GRANT TRUST FUND	656,242
88 SPECIAL CATEGORIES	
GRANTS AND AIDS- EARLY LEARNING STANDARDS	
AND ACCOUNTABILITY	
FROM GENERAL REVENUE FUND	3,458,892

The funds in Specific Appropriation 88 shall be used to purchase and implement the Voluntary Prekindergarten research-based pre- and post-assessment. The instrument must assess all domains as identified in the 2011 "Florida Early Learning and Developmental Standards for Four-Year-Olds", to the maximum extent possible, and provide valid and reliable data to measure student learning gains.

In addition, the funds in Specific Appropriation 88 are provided to the Office of Early Learning to implement Voluntary Prekindergarten accountability standards, as required by section 1002.67, Florida

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

Statutes, including the maintenance of the website. These funds shall also be distributed to Voluntary Prekindergarten providers, early learning coalitions and school districts to support the continued implementation of the Voluntary Prekindergarten Progress Monitoring Assessment developed by the Department of Education in collaboration with the Florida Center for Reading Research and for professional development opportunities and online training for Voluntary Prekindergarten providers with a focus on emergent literacy and mathematical thinking.

89 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 7,920
FROM CHILD CARE AND DEVELOPMENT
BLOCK GRANT TRUST FUND 48,208

90 SPECIAL CATEGORIES
GRANTS AND AIDS - VOLUNTARY
PREKINDERGARTEN PROGRAM
FROM GENERAL REVENUE FUND 395,180,396

Funds in Specific Appropriation 90 are provided for the Voluntary Prekindergarten Education Program as provided in sections 1002.51 through 1002.79, Florida Statutes, and shall be initially allocated to Early Learning Coalitions as indicated below. Pursuant to the provisions of section 1002.71(3)(a), Florida Statutes, for Fiscal Year 2016-2017, the base student allocation per full-time equivalent student for the school year program shall be \$2,437 and the base student allocation for the summer program shall be \$2,080. The allocation includes four percent in addition to the base student allocation to fund administrative and other program costs of the early learning coalitions related to the Voluntary Prekindergarten Education Program.

The funds in Specific Appropriation 90 shall be allocated as follows:

Alachua.....	4,421,610
Bay, Calhoun, Gulf, Franklin, Washington, Holmes, Jackson...	4,750,654
Brevard.....	11,484,335
Broward.....	40,209,473
Charlotte, DeSoto, Highlands, Hardee.....	4,630,853
Columbia, Hamilton, Lafayette, Union, Suwannee.....	2,533,478
Dade, Monroe.....	58,762,769
Dixie, Gilchrist, Levy, Citrus, Sumter.....	4,217,104
Duval.....	23,618,217
Escambia.....	5,030,291
Hendry, Glades, Collier, Lee.....	19,705,874
Hillsborough.....	29,210,949
Lake.....	5,627,617
Leon, Gadsden, Jefferson, Liberty, Madison, Wakulla, Taylor.	6,605,818
Manatee.....	6,657,090
Marion.....	5,334,948
Martin, Okeechobee, Indian River.....	5,684,342
Oakalosa, Walton.....	5,801,303
Orange.....	29,661,723
Osceola.....	7,544,669
Palm Beach.....	27,612,671
Pasco, Hernando.....	12,689,180
Pinellas.....	15,719,611
Polk.....	10,663,392
St. Johns, Putnam, Clay, Nassau, Baker, Bradford.....	13,212,836
St. Lucie.....	5,982,542
Santa Rosa.....	2,699,883
Sarasota.....	4,748,773
Seminole.....	10,163,262
Volusia, Flagler.....	10,195,129

91 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 26,058
FROM CHILD CARE AND DEVELOPMENT
BLOCK GRANT TRUST FUND 8,497

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92 DATA PROCESSING SERVICES
EDUCATION TECHNOLOGY AND INFORMATION
SERVICES
FROM GENERAL REVENUE FUND 1,321,918
FROM CHILD CARE AND DEVELOPMENT
BLOCK GRANT TRUST FUND 1,650,000

93 DATA PROCESSING SERVICES
NORTHWEST REGIONAL DATA CENTER (NWRDC)
FROM GENERAL REVENUE FUND 105,910
FROM CHILD CARE AND DEVELOPMENT
BLOCK GRANT TRUST FUND 308,240

The funds provided in Specific Appropriation 93 shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.

93A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
FACILITY REPAIRS MAINTENANCE AND
CONSTRUCTION
FROM GENERAL REVENUE FUND 3,000,000

The funds in Specific Appropriation 93A are provided to the Arc Gateway for construction of the Pearl Nelson Child Development Center to meet the educational and therapeutic needs of children who are identified as having developmental delays or a disability.

TOTAL: PROGRAM: EARLY LEARNING SERVICES
FROM GENERAL REVENUE FUND 557,705,436
FROM TRUST FUNDS 477,051,304

TOTAL POSITIONS 100.00
TOTAL ALL FUNDS 1,034,756,740

PUBLIC SCHOOLS, DIVISION OF

PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP

The calculations of the Florida Education Finance Program (FEFP) for the 2016-2017 fiscal year are incorporated by reference in SPB 2502. The calculations are the basis for the appropriations made in the General Appropriations Act in Specific Appropriations 7, 8, 9, 94, and 95.

94 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FLORIDA EDUCATIONAL
FINANCE PROGRAM
FROM GENERAL REVENUE FUND 7,473,958,065
FROM STATE SCHOOL TRUST FUND 126,438,902

Funds provided in Specific Appropriations 7 and 94 shall be allocated using a base student allocation of \$4,235.79 for the FEFP.

Funds provided in Specific Appropriations 7 and 94 for the supplemental allocation for juvenile justice education programs shall be allocated pursuant to the formula provided in section 1011.62(10), Florida Statutes. The allocation factor shall be \$1,245.15.

From the funds provided in Specific Appropriations 7 and 94, juvenile justice education programs shall receive funds as provided in section 1003.52(13), Florida Statutes. Up to \$341 per student may be used for high school equivalency examination fees for juvenile justice students who pass the high school equivalency exam in full, or in part, while in a juvenile justice education program and may be used for students in juvenile justice education programs to support equipment, specially designed curricula, and industry credentialing testing fees, for students enrolled in career and technical education (CTE) courses that lead to industry recognized certifications.

The district cost differential (DCD) for each district shall be calculated pursuant to the provisions of section 1011.62(2), Florida Statutes.

From the funds provided in Specific Appropriations 7 and 94, \$52,800,000 is provided for the Sparsity Supplement as defined in section 1011.62(7), Florida Statutes, for school districts of 24,000 and fewer FTE in the 2016-2017 fiscal year.

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

Total Required Local Effort for Fiscal Year 2016-2017 shall be \$8,039,839,565. The total amount shall include adjustments made for the calculation required in section 1011.62(4)(a) through (c), Florida Statutes.

The maximum nonvoted discretionary millage which may be levied pursuant to the provisions of section 1011.71(1), Florida Statutes, by district school boards in Fiscal Year 2016-2017 shall be 0.748 mills. This millage shall be used to calculate the discretionary millage compression supplement as provided in section 1011.62(5), Florida Statutes. To be eligible for the supplement, a district must levy the maximum.

Funds provided in Specific Appropriations 7 and 94 are based upon program cost factors for Fiscal Year 2016-2017 as follows:

1. Basic Programs
 - A. K-3 Basic.....1.103
 - B. 4-8 Basic.....1.000
 - C. 9-12 Basic.....1.001
2. Programs for Exceptional Students
 - A. Support Level 4.....3.607
 - B. Support Level 5.....5.376
3. English for Speakers of Other Languages1.194
4. Programs for Grades 9-12 Career Education.....1.001

From the funds in Specific Appropriations 7 and 94, \$1,055,569,941 is provided to school districts as an Exceptional Student Education (ESE) Guaranteed Allocation as authorized by law to provide educational programs and services for exceptional students. Funds provided for gifted educational programs and services must primarily be focused on advanced mathematics and science curriculum and enrichment with instruction provided by an in-field teacher. The ESE Guaranteed Allocation funds are provided in addition to the funds for each exceptional student in the per FTE student calculation. School districts that provided educational services in 2015-2016 for exceptional students who are residents of other districts shall not discontinue providing such services without the prior approval of the Department of Education. Expenditure requirements for the ESE Guaranteed Allocation shall be as prescribed in section 1010.20(3), Florida Statutes, for programs for exceptional students.

From the funds provided in Specific Appropriations 7 and 94, the value of 43.35 weighted FTE students is provided to supplement the funding for severely handicapped students served in ESE programs 254 and 255 when a school district has less than 10,000 FTE student enrollment and less than three FTE eligible students per program. The Commissioner of Education shall allocate the value of the supplemental FTE based on documented evidence of the difference in the cost of the service and the amount of funds received in the district's FEFP allocations for the students being served. The supplemental value shall not exceed three FTE.

The Declining Enrollment Supplement shall be calculated based on 25 percent of the decline between the prior year and current year unweighted FTE students pursuant to section 1011.62(8), Florida Statutes.

From the funds in Specific Appropriations 7 and 94, \$64,456,019 is provided for Safe Schools activities and shall be allocated as follows: \$62,660 shall be distributed to each district, and the remaining balance shall be allocated as follows: two-thirds based on the latest official Florida Crime Index provided by the Department of Law Enforcement and one-third based on each district's share of the state's total unweighted student enrollment. Safe Schools activities include: (1) after school programs for middle school students; (2) middle and high school programs for correction of specific discipline problems; (3) other improvements to enhance the learning environment, including implementation of conflict resolution strategies; (4) behavior driven intervention programs that include anger and aggression management strategies; (5) alternative school programs for adjudicated youth that may include a web-based virtual system that results in mastery and certification, competency or credentials in the following inter-related counseling disciplines necessary for success in education and the work environment, including adjustment, educational, employment and optimal mental health

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

areas that will include, but are not limited to, anger and impulse control, depression and anxiety, self-esteem, respect for authority, personal behavior, goal setting, time and stress management, social and workplace adjustment, substance use and abuse, workplace soft skills, communication skills, work ethic, the importance of timeliness, attendance and the self-marketing skills for future educational and/or employment opportunities; (6) suicide prevention programs; (7) bullying prevention and intervention; (8) school resource officers; and (9) detection dogs. Each district shall determine, based on a review of its existing programs and priorities, how much of its total allocation to use for each authorized Safe Schools activity. The Department of Education shall monitor compliance with reporting procedures contained in section 1006.147, Florida Statutes. If a district does not comply with these procedures, the district's funds from the Safe Schools allocation shall be withheld and reallocated to the other school districts. Each school district shall report to the Department of Education the amount of funds expended for each of the nine activities.

From the funds in Specific Appropriations 7 and 94, \$709,826,848 is for Supplemental Academic Instruction to be provided throughout the school year pursuant to section 1011.62 (1)(f), Florida Statutes. From these funds, at least \$75,000,000, together with funds provided in the district's research-based reading instruction allocation and other available funds, shall be used by districts with one or more of the 300 lowest performing elementary schools based on the statewide, standardized English Language Arts assessment to provide an additional hour of instruction beyond the normal school day for each day of the entire school year for intensive reading instruction for the students in each of these schools. This additional hour of instruction must be provided by teachers or reading specialists who are effective in teaching reading, or by a K-5 mentoring reading program that is supervised by a teacher who is effective at teaching reading. Students enrolled in these schools who have level 5 reading assessment scores may choose to participate in the additional hour of instruction on an optional basis. ESE centers shall not be included in the 300 schools.

The Department of Education shall provide guidance to school districts for documentation of the expenditures for the additional hour of instruction to ensure that all local, state, and federal funds are maximized for the total instructional program and that the funds used for the additional hour of instruction in these 300 schools do not supplant federal funds. School districts shall submit a report to the Department of Education in a format prepared by the department that includes summary information, including funding sources, expenditures and student outcomes for each of the participating schools that shall be submitted to the Speaker of the House of Representatives, President of the Senate, and Governor by September 30, 2016. Pursuant to section 1008.32, Florida Statutes, the State Board of Education shall withhold funds from a school district that fails to comply with this requirement.

The funds provided for the Supplemental Academic Instruction allocation shall consist of a base amount that shall have a workload adjustment based on changes in FTE. In addition, an additional amount is provided for districts with schools on the list of the 300 lowest-performing elementary schools. District allocations from these additional funds shall be based on the 2014-2015 reported total expenditures for the program, each district's level of per student funding in the reading instruction allocation and the supplemental academic instruction categorical fund, and on the total FTE for each of the schools. The categorical funding shall be recalculated once during the fiscal year following an updated designation of the 300 lowest-performing elementary schools and shall be based on actual student membership from the October FTE survey. If the recalculated total allocation is greater than the amount provided in the General Appropriations Act, the allocation shall be prorated to the level of the appropriation, based on each district's share of the total.

From the funds in Specific Appropriations 7 and 94, \$130,000,000 is provided for a K-12 comprehensive, district-wide system of research-based reading instruction. The amount of \$115,000 shall be allocated to each district and the remaining balance shall be allocated based on each district's proportion of the total K-12 base funding. From these funds, at least \$15,000,000 shall be used to provide an additional hour of intensive reading instruction beyond the normal school day for each day of the entire school year for the students in the 300 lowest performing elementary schools based on the statewide, standardized English Language Arts assessment pursuant to sections 1008.22(3) and 1011.62(9), Florida Statutes. This additional hour of instruction must

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be provided by teachers or reading specialists who are effective in teaching reading. Students enrolled in these schools who have level 5 reading assessment scores may choose to participate in the additional hour of instruction on an optional basis. ESE centers shall not be included in the 300 schools. Pursuant to section 1008.32, Florida Statutes, the State Board of Education shall withhold funds from a school district that fails to comply with this requirement.

From the funds provided in Specific Appropriations 7 and 94, \$228,722,195 is provided for Instructional Materials including \$12,077,767 for Library Media Materials, \$3,301,257 for the purchase of science lab materials and supplies, \$10,239,019 for dual enrollment instructional materials, and \$3,087,704 for the purchase of digital instructional materials for students with disabilities. The growth allocation per FTE shall be \$301.03 for the 2016-2017 fiscal year. School districts shall pay for instructional materials used for the instruction of public high school students who are earning credit toward high school graduation under the dual enrollment program as provided in section 1011.62(1)(i), Florida Statutes.

From the funds provided for Instructional Materials, \$165,000,000 shall be available to school districts to purchase instructional content as well as electronic devices and technology equipment and infrastructure. The purchases made in the 2016-2017 fiscal year must comply with the minimum or recommended requirements for instructional content, hardware, software, networking, security and bandwidth and the number of students per device as developed and published by the Department of Education. Prior to release of the funds by the department to the school districts, each school district shall certify to the Commissioner of Education an expenditure plan for the purchase of instructional content and technology. If the district intends to use any portion of the funds for technology, the district must certify that it has the instructional content necessary to provide instruction aligned to the adopted statewide benchmarks and standards. If the district intends to use the funds for technology the district must include an expenditure plan for the purchase of electronic devices and technology equipment and infrastructure that demonstrates the alignment of devices and equipment with the minimum or recommended requirements. The department shall provide a report to the Legislature on or before March 1, 2017, that summarizes the district expenditures for these funds.

From funds provided in Specific Appropriations 7 and 94, \$435,031,211 is provided for Student Transportation as provided in section 1011.68, Florida Statutes.

From funds provided in Specific Appropriations 7 and 94, \$45,286,750 is provided for the Teachers Classroom Supply Assistance Program and shall be given to teachers pursuant to section 1012.71, Florida Statutes. The allocation shall not be recalculated during the school year.

From the funds provided in Specific Appropriation 7 and 94, \$12,208,418 is provided for a Federally Connected Student Supplement to be calculated to support the education of students connected with federally-owned military installations, National Aeronautics and Space Administration (NASA) property, and Indian lands. The supplement shall be the sum of a student allocation and an exempt property allocation. To participate, districts must be eligible for federal Impact Aid funding under Section 8003, Title VIII of the Elementary and Secondary Education Act of 1965.

The student allocation shall be based on the total number of students, including students with disabilities, reported for federal impact aid who: 1) reside with a parent on active duty in the uniformed services or who is an accredited foreign government official and military officer, 2) reside on eligible Indian lands, or 3) reside with a civilian parent who lives or works on eligible federal property connected with a military installation or NASA. This third category shall be multiplied by a factor of 0.5. Students with disabilities shall also be counted separately for the first two categories. The total number of federally-connected students and the total number of students with disabilities shall be multiplied by 3 percent and 10.5 percent of the base student allocation, respectively. The exempt property allocation shall be equal to the tax-exempt value of federal impact aid lands reserved as military installations, real property owned by NASA, or eligible federally-owned Indian lands located in the district, multiplied by the millage authorized and levied under section 1011.71(2), Florida Statutes.

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For the 2016-2017 fiscal year, this allocation shall be derived from the data reported by school districts to the Department of Education for the federal Impact Aid Program, Section 8003, Title VIII of the Elementary and Secondary Education Act, for the 2016 federal fiscal year. The Department of Education shall establish a process to collect student enrollment for this allocation during the student surveys for application in subsequent fiscal years. Each district's Federally Connected Student Supplement for the 2016-2017 appropriation shall not be recalculated during the fiscal year.

Funds provided in Specific Appropriations 7 and 94 for the Virtual Education Contribution shall be allocated pursuant to the formula provided in section 1011.62(11), Florida Statutes. The contribution shall be based on \$5,230 per FTE.

Districts may charge a fee for grades K-12 voluntary, non-credit summer school enrollment in basic program courses. The amount of any student's fee shall be based on the student's ability to pay and the student's financial need as determined by district school board policy.

95	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - CLASS SIZE REDUCTION		
	FROM GENERAL REVENUE FUND	2,884,080,742	
	FROM STATE SCHOOL TRUST FUND		86,161,098

Funds in Specific Appropriations 8 and 95 are provided to implement the requirements of sections 1003.03 and 1011.685, Florida Statutes. The class size reduction allocation factor for grades prekindergarten to grade 3 shall be \$1,323.31, for grades 4 to 8 shall be \$902.63, and for grades 9 to 12 shall be \$904.81. The class size reduction allocation shall be recalculated based on enrollment through the October 2015 FTE survey except as provided in section 1003.03(4), Florida Statutes. If the total class size reduction allocation is greater than the appropriation in Specific Appropriations 8 and 95, funds shall be prorated to the level of the appropriation based on each district's calculated amount. The Commissioner of Education may withhold disbursement of these funds until a district is in compliance with reporting information required for class size reduction implementation.

TOTAL:	PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP		
	FROM GENERAL REVENUE FUND	10,358,038,807	
	FROM TRUST FUNDS		212,600,000
	TOTAL ALL FUNDS		10,570,638,807

PROGRAM: STATE GRANTS/K-12 PROGRAM - NON FEFP

Of the funds provided for regional education consortium programs and school district matching grants in Specific Appropriations 102 and 108, 60 percent shall be released to the Department of Education at the beginning of the first quarter and the balance at the beginning of the third quarter. The Department of Education shall disburse the funds to eligible entities within 30 days of release.

Funds provided in Specific Appropriations 96 through 114A, excluding 105, shall only be used to serve Florida students.

96	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - INSTRUCTIONAL MATERIALS		
	FROM GENERAL REVENUE FUND	1,141,704	

Funds in Specific Appropriation 96 are provided for the Learning Through Listening program.

96A	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - AFTER CARE AND MENTORING		
	PROGRAM		
	FROM GENERAL REVENUE FUND	30,000,000	

Funds in Specific Appropriation 96A are for competitive grants to provide funding to non-profit, voluntary organizations that provide after-school and school-supplement programs to Florida children up to 18 years of age that promote academic growth, personal responsibility and citizenship as well as professionally-supported one-on-one relationships, leadership development and character development.

Organizations qualified to compete for grants in this category must have

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501(c) (3) status granted by the Internal Revenue Service, be organized as Florida non-profit corporations in good standing with boards of directors comprised of Florida citizens, meet all requirements of federal and local law pertaining to their activities and governance, and not be listed on the Florida Department of Management Services' convicted, suspended or discriminatory vendor lists established in s. 287.134, Florida Statutes, or the federal government excluded list.

Grants will be awarded on a non-recurring basis for proposals that meet the following standards: (1) Demonstrated favorable return-on-investment and low administrative overhead; (2) Emphasis on low-income children, children with low academic performance or children with unique abilities; (3) Emphasis on mentoring or individual/team relationships that result in academic and social growth; (4) Extensive use of unpaid community volunteers; (5) Ongoing demonstrated financial or in-kind support for the organization from the community as opposed to a disproportionate reliance on government funding; and (6) Competent and accountable financial management of the organization and comprehensive, accurate reporting of the uses and impact of any grants received under this program.

Grants will be awarded by an Aftercare and Mentoring Award Committee comprised of individuals appointed by the Governor, President of the Senate, and Speaker of the House of Representatives, and shall include the Commissioner of Education, and the Secretary of the Department of Children and Families, or their designees.

The committee will establish procedures for its operations. Meetings will be conducted in the Sunshine consistent with s. 286.011, Florida Statutes. The Commissioner of Education shall provide administrative support for the Committee and its operations.

97 SPECIAL CATEGORIES
GRANTS AND AIDS - ASSISTANCE TO LOW
PERFORMING SCHOOLS
FROM GENERAL REVENUE FUND 4,000,000

Funds in Specific Appropriation 97 may be used to contract for the operation of the Florida Partnership for Minority and Underrepresented Student Achievement and to achieve the partnership's mission as provided in section 1007.35, Florida Statutes. The funds shall be expended for professional development for Advanced Placement classroom teachers.

100 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA DIAGNOSTIC AND
LEARNING RESOURCES CENTERS
FROM GENERAL REVENUE FUND 2,700,000

Funds provided in Specific Appropriation 100 shall be allocated to the Multidisciplinary Educational Services Centers as follows:

University of Florida.....	450,000
University of Miami.....	450,000
Florida State University.....	450,000
University of South Florida.....	450,000
University of Florida Health Science Center at Jacksonville.	450,000
Keiser University.....	450,000

Each center shall provide a report to the Department of Education by September 1, 2016, for the 2015-2016 fiscal year that shall include the following: (1) the number of children served, (2) the number of parents served, (3) the number of persons participating in in-service education activities, (4) the number of districts served, and (5) specific services provided.

102 SPECIAL CATEGORIES
GRANTS AND AIDS - SCHOOL DISTRICT MATCHING
GRANTS PROGRAM
FROM GENERAL REVENUE FUND 4,000,000

Funds in Specific Appropriation 102 are provided as challenge grants to public school district education foundations for programs that serve low-performing students, technical career education, literacy initiatives, Science, Technology, Engineering, Math (STEM) Education initiatives, increased teacher quality and/or increased graduation rates. The amount of each grant shall be equal to the private contribution made to a qualifying public school district education foundation. In-kind contributions shall not be considered for matching

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purposes. Administrative costs for the program shall not exceed five percent.

Before any funds provided in Specific Appropriation 102 may be disbursed to any public school district education foundation, the public school district foundation must certify to the Commissioner of Education that the private cash has actually been received by the public school education foundation seeking matching funds. The Consortium of Florida Education Foundations shall be the fiscal agent for this program.

104 SPECIAL CATEGORIES EDUCATOR PROFESSIONAL LIABILITY INSURANCE FROM GENERAL REVENUE FUND	1,200,000	
105 SPECIAL CATEGORIES TEACHER AND SCHOOL ADMINISTRATOR DEATH BENEFITS FROM GENERAL REVENUE FUND	18,000	
106 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND	473,837	49,058
107 SPECIAL CATEGORIES GRANTS AND AIDS - AUTISM PROGRAM FROM GENERAL REVENUE FUND	9,000,000	

Funds provided in Specific Appropriation 107 shall be allocated as follows:

Florida Atlantic University.....	1,011,807
Florida State University (College of Medicine).....	1,171,922
University of Central Florida.....	1,648,378
University of Florida (College of Medicine).....	1,032,025
University of Florida (Jacksonville).....	1,027,084
University of Miami (Department of Psychology) including \$375,000 for activities in Broward County through Nova Southeastern University.....	1,725,506
University of South Florida/Florida Mental Health Institute.	1,383,278

Autism Centers shall provide appropriate nutritional information to parents of children served through funds provided in Specific Appropriation 107. Summaries of outcomes for the prior fiscal year shall be submitted to the Department of Education by September 1, 2016.

108 SPECIAL CATEGORIES GRANTS AND AIDS - REGIONAL EDUCATION CONSORTIUM SERVICES FROM GENERAL REVENUE FUND	1,445,390
109 SPECIAL CATEGORIES TEACHER PROFESSIONAL DEVELOPMENT FROM GENERAL REVENUE FUND	9,719,426

Funds provided from the General Revenue Fund in Specific Appropriation 109 shall be allocated as follows:

Florida Association of District School Superintendents Training.....	500,000
Principal of the Year.....	29,426
School Related Personnel of the Year.....	370,000
Teacher of the Year.....	770,000
Administrator Professional Development.....	7,000,000
Teacher of the Year Summit.....	50,000
STEM Business Partnership Summer Residency Program.....	1,000,000

From the funds provided in Specific Appropriation 109 for the Teacher of the Year Program, \$770,000 is provided for financial awards, in conjunction with any private donations, resulting in district participants receiving a total award amount of \$10,000; the selected finalists receiving a total award of \$15,000; and the Teacher of the Year receiving a total award amount of \$20,000.

Funds in Specific Appropriation 109 for the School Related Personnel of the Year Program are provided for financial awards in the amount of \$5,000 for participants of the program.

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Funds provided in Specific Appropriation 109 for Principal, Teacher, or School Related Personnel of the Year may be disbursed to districts, schools, or individuals.

From the funds in Specific Appropriation 109 for Administrator Professional Development, \$7,000,000 is provided for professional development for principals and other district administrators in instructional and human resource leadership, including the use of teacher evaluations to improve instruction, aligning instruction with the district's curriculum and state standards, best financial practices, and other leadership responsibilities that support student achievement through job-embedded delivery and through either regional, local, or digital formats. Funds shall be provided to each district after the district has submitted its training plan to the Commissioner. All of the \$7,000,000 shall be allocated to districts based on each district's share of unweighted FTE and districts with 10,000 or fewer FTE shall be provided a minimum allocation of \$5,000.

Funds provided in Specific Appropriation 109 for the STEM Business Partnership Summer Residency Program shall be provided to the Department of Education to implement the program and partner with high-tech, private-sector companies that will offer highly effective STEM teachers across the state an opportunity to have in-house experiences during the summer. Selected teachers will receive a stipend of \$10,000 from the state. Participating companies will be encouraged to provide additional compensation to participating teachers.

110 SPECIAL CATEGORIES
GRANTS AND AIDS - STRATEGIC STATEWIDE
INITIATIVES
FROM GENERAL REVENUE FUND 700,000

Funds in Specific Appropriation 110 are provided for Advancement Via Individual Determination (AVID) and shall be used to implement a program to reward success of students in need of assistance to become college ready and enrolled in the AVID elective class who performed in rigorous coursework during the 2015-2016 school year. School districts shall report student enrollments from the 2015-2016 school year in the AVID elective during the October student membership survey. Each school district shall be rewarded \$325 per full-time equivalent student enrolled in the AVID elective who also receives a score of 4 or higher on an International Baccalaureate subject examination; score of 5 or higher on an Advanced International Certificate of Education subject examination; score of 3 or higher on the College Board Advanced Placement Examination; or, for students in grades 6-8, receives a passing score on the algebra end of course examination. Each school district shall allocate the funds received from this bonus award funding to the school whose students generate the funds. Funds shall be expended solely for the payment of costs associated with the school's AVID system which include annual membership fees; professional development and training for program coordinators, teachers, and tutors; and compensation for tutors. Funds shall be awarded to the school districts no later than January 1, 2017. If the total bonus amount is greater than the funds provided in this appropriation, then each district's amount shall be prorated based on the number of students who earned qualifying scores in each district.

110A SPECIAL CATEGORIES
GRANTS AND AIDS - CAPE ACADEMY STARTUP
GRANTS
FROM GENERAL REVENUE FUND 7,556,425

Funds in Specific Appropriation 110A are provided for competitive start-up grants for Career and Professional Education (CAPE) Academies sponsored by public high schools, including charter schools. Funds may be used for first year non-recurring start-up costs, including equipment, instructional materials, teacher training and planning.

Applicants for grants must demonstrate: (1) Direct relationship of the academy to future high-demand regional workforce needs, as projected and confirmed by the Department of Economic Opportunity and local workforce board; (2) Joint planning and agreements for curriculum, instruction and mentorships between the sponsor and companies which would be the employers of graduates of the academy; (3) Matching funding from the sponsor and commitment from the sponsor to fund the academy beyond the start-up year; (4) Curriculum tied directly to and resulting in national industry certifications, as recognized by the Department of Economic Opportunity; (5) Articulation agreements with higher education

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

institutions to provide for articulation to college or university credits; (6) Inclusion of developmentally or physically disabled students; and (7) No significant finding as a result of an audit conducted under s. 218.39, Florida Statutes.

Competitive grants shall be awarded on a non-recurring, annual basis by a panel comprised of one representative each from Enterprise Florida, the Division of Workforce Education of the Department of Education and Career Source Florida.

111 SPECIAL CATEGORIES
GRANTS AND AIDS - SCHOOL AND INSTRUCTIONAL
ENHANCEMENTS
FROM GENERAL REVENUE FUND 17,419,342

To extend the unique means for better educating students, funds in Specific Appropriation 111 shall be allocated as follows:

Academic Tourney.....	132,738
African American Task Force.....	100,000
Florida Holocaust Museum.....	300,000
Holocaust Memorial Miami Beach.....	66,501
Holocaust Task Force.....	100,000
Jobs for Florida's Graduates.....	3,000,000
Knowledge is Power Program (KIPP) Jacksonville.....	1,224,000
Lauren's Kids.....	3,800,000
Mourning Family Foundation.....	500,000
Project to Advance School Success (PASS).....	508,983
The SEED School of Miami.....	4,681,440
YMCA Youth in Government.....	150,000
Earn to Learn Program.....	201,680
Pinellas Education Foundation Career Planning.....	500,000
Palm Beach County On-line Tutor Assistance.....	74,000
Summer Job Skills and Coding Internship Program.....	50,000
South Florida Tech Tutorial School.....	105,000
Coral Gables Museum Green City Program.....	200,000
Specialty Children's Hospital Patient Academics Program.....	200,000
Moore-Mickens Education Vocation Center.....	250,000
Northmore Literacy Improvement Program.....	104,000
Boys Choir of Tallahassee.....	71,000
Breakthrough Miami.....	1,000,000
Duval County K-5 Coding Curriculum.....	100,000

112 SPECIAL CATEGORIES
GRANTS AND AIDS - EXCEPTIONAL EDUCATION
FROM GENERAL REVENUE FUND 3,667,018
FROM FEDERAL GRANTS TRUST FUND 2,333,354

Funds in Specific Appropriation 112 from the General Revenue Fund shall be allocated as follows:

Auditory-Oral Education Grants.....	600,000
Challenge Grants.....	60,000
Communication/Autism Navigator.....	1,353,292
Family Cafe.....	450,000
Florida Diagnostic and Learning Resources System Associate Centers.....	577,758
Florida Instructional Materials Center for the Visually Impaired.....	108,119
Multi-Agency Service Network for Students with Severe Emotional/Behavioral Disturbance.....	247,849
Portal to Exceptional Education Resources.....	20,000
Special Olympics.....	250,000

Funds in Specific Appropriation 112 from the Federal Grants Trust Fund shall be allocated as follows:

Florida Instructional Materials Center for the Visually Impaired.....	270,987
Multi-Agency Service Network for Students with Severe Emotional/Behavioral Disturbance.....	750,322
Portal to Exceptional Education Resources.....	786,217
Resource Materials Technology Center for Deaf/ Hard-of-Hearing.....	191,828
Very Special Arts.....	334,000

Funds in Specific Appropriation 112 for Family Cafe are supplemental and shall not be used to replace or supplant current funds awarded for

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the Family Cafe Project.

Funds provided in Specific Appropriation 112 for Communication/Autism Navigator shall be awarded to the Florida State University College of Medicine for statewide implementation of an exceptional student education communication/autism navigator that includes core strategies and interventions through the Early Steps Program to increase the number of full integration placements of exceptional students into the standard classroom.

Funds provided in Specific Appropriation 112 for Auditory-Oral Education Grants shall only be awarded to Florida public or private nonprofit school programs serving deaf children in multiple counties, from birth to age seven, including rural and underserved areas. These schools must solely offer auditory-oral education programs, as defined in section 1002.391, Florida Statutes, and have a supervisor and faculty members who are credentialed as Certified Listening and Spoken Language Specialists.

The amount of the grants shall be based on the specific needs of each eligible student. Each eligible school that has insufficient public funds to provide the educational and related services specified in the Individual Education Plan (IEP) or Individual Family Service Plan (IFSP) of eligible students aged birth to seven years may submit grant applications to the Department of Education. Applications must include an itemized list of total costs, the amount of public funds available for those students without the grant, and the additional amount needed for the services identified in each students' respective IEP or IFSP. The department shall develop an appropriate application, provide instructions and administer this grant program to ensure minimum delay in providing the IEP or IFSP services for all eligible students. Each school shall be accountable for assuring that the public funds received are expended only for services for the eligible student as described in the application and shall provide a report documenting expenditures for the 2016-2017 fiscal year to the Department of Education by September 30, 2017.

113	SPECIAL CATEGORIES		
	FLORIDA SCHOOL FOR THE DEAF AND THE BLIND		
	FROM GENERAL REVENUE FUND	45,703,627	
	FROM ADMINISTRATIVE TRUST FUND		460,565
	FROM FEDERAL GRANTS TRUST FUND		2,271,077
	FROM GRANTS AND DONATIONS TRUST FUND		1,753,666

From the funds in Specific Appropriation 113, the school shall contract for health, medical, pharmaceutical and dental screening services for students. The school shall develop a collaborative service agreement for medical services and shall maximize the recovery of all legally available funds from Medicaid and private insurance coverage. The school shall report to the Legislature by June 30, 2017, information describing the agreement, services provided, budget and expenditures, including the amounts and sources of all funding used for the collaborative medical program and any other student health services during the 2016-2017 fiscal year.

114	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	219,842	
	FROM ADMINISTRATIVE TRUST FUND		42,404

114A	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY FACILITY REPAIRS MAINTENANCE AND CONSTRUCTION		
	FROM GENERAL REVENUE FUND	2,485,000	

Funds in Specific Appropriation 114A shall be allocated as follows:

National Flight Academy.....	1,500,000
Margate Blount Archaeological Site.....	285,000
Pinellas Education Foundation Career Planning.....	500,000
Holocaust Documentation and Education Center.....	100,000
Holocaust Memorial.....	100,000

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TOTAL: PROGRAM: STATE GRANTS/K-12 PROGRAM - NON FEFP	
FROM GENERAL REVENUE FUND	141,449,611
FROM TRUST FUNDS	6,910,124
TOTAL ALL FUNDS	148,359,735

PROGRAM: FEDERAL GRANTS K/12 PROGRAM

115	AID TO LOCAL GOVERNMENTS	
	GRANTS AND AIDS - PROJECTS, CONTRACTS AND GRANTS	
	FROM GRANTS AND DONATIONS TRUST FUND	3,999,420

116	AID TO LOCAL GOVERNMENTS	
	GRANTS AND AIDS - FEDERAL GRANTS AND AIDS	
	FROM ADMINISTRATIVE TRUST FUND	353,962
	FROM FEDERAL GRANTS TRUST FUND	1,646,939,699

117	SPECIAL CATEGORIES	
	DOMESTIC SECURITY	
	FROM FEDERAL GRANTS TRUST FUND	5,409,971

TOTAL: PROGRAM: FEDERAL GRANTS K/12 PROGRAM	
FROM TRUST FUNDS	1,656,703,052
TOTAL ALL FUNDS	1,656,703,052

PROGRAM: EDUCATIONAL MEDIA & TECHNOLOGY SERVICES

118	SPECIAL CATEGORIES	
	CAPITOL TECHNICAL CENTER	
	FROM GENERAL REVENUE FUND	200,000

119	SPECIAL CATEGORIES	
	GRANTS AND AIDS - PUBLIC BROADCASTING	
	FROM GENERAL REVENUE FUND	9,714,053

The funds provided in Specific Appropriation 119 shall be allocated as follows:

Florida Channel Closed Captioning.....	390,862
Florida Channel Satellite Transponder Operations.....	800,000
Florida Channel Statewide Governmental and Cultural Affairs Programming.....	497,522
Florida Channel Year Round Coverage.....	2,562,588
Public Radio Stations.....	1,300,000
Public Television Stations.....	3,996,811
Florida Public Radio Emergency Network Storm Center.....	166,270

From the funds provided in Specific Appropriation 119, "Governmental Affairs for Public Television" shall be produced by the same contractor selected by the Legislature to produce "The Florida Channel".

From the funds provided in Specific Appropriation 119 for Public Television Stations, \$307,447 shall be allocated to each public television station recommended by the Commissioner of Education. Public Radio Stations shall be allocated \$100,000 per station.

From the funds provided in Specific Appropriation 119 for the Florida Channel Satellite Transponder Operations, the Florida Channel shall contract for the leasing, management and operation of the state transponder with the same public broadcasting station that produces the Florida Channel.

TOTAL: PROGRAM: EDUCATIONAL MEDIA & TECHNOLOGY SERVICES	
FROM GENERAL REVENUE FUND	9,914,053

TOTAL ALL FUNDS	9,914,053
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PROGRAM: WORKFORCE EDUCATION

120	AID TO LOCAL GOVERNMENTS	
	PERFORMANCE BASED INCENTIVES	
	FROM GENERAL REVENUE FUND	6,000,000

From the funds in Specific Appropriation 120, \$6,000,000 shall be

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

provided by the Department of Education to district workforce education programs for students who earn industry certifications during the 2016-2017 fiscal year. Funding shall be based on students who earn industry certifications in the following occupational areas: health science to include surgical technology, orthopedic technology, dental assisting technology, practical nursing, medical coder/biller, medical assisting, certified nursing assistant, emergency medical technician and paramedic, clinical lab technician, EKG technician, pharmacy technician, and clinical hemodialysis technician; automotive service technology; auto collision repair and refinishing; medium/heavy duty truck technician; cyber security; cloud virtualization; network support services; computer programming; computer-aided drafting; advanced manufacturing; electrician; plumbing; public safety; welding; Federal Aviation Administration airframe mechanics and power plant mechanics; and heating, ventilation and air conditioning technician. On June 1, 2017, if any funds remain, the balance shall be allocated for performance in adult general education programs based on student performance as measured by learning gains, placements, and special populations served indexed to the proportional share of the funds available. These performance funds shall not be awarded for certifications earned through continuing workforce education programs.

Industry certifications earned by students enrolled in the 2015-2016 academic year which were eligible to be included in the funding allocation for the 2015-2016 fiscal year and were not included in the final disbursement due to the early data reporting deadline may be reported by districts and included in the Department of Education's allocation of funds for the 2016-2017 fiscal year.

School districts shall maintain documentation for student attainment of industry certifications that are eligible for performance funding. The Auditor General shall verify compliance with this requirement during scheduled operational audits of the school districts. If a district is unable to comply, the district shall refund the performance funding to the state.

121	AID TO LOCAL GOVERNMENTS	
	GRANTS AND AIDS - ADULT BASIC EDUCATION	
	FEDERAL FLOW-THROUGH FUNDS	
	FROM FEDERAL GRANTS TRUST FUND . . .	41,552,472
122	AID TO LOCAL GOVERNMENTS	
	WORKFORCE DEVELOPMENT	
	FROM GENERAL REVENUE FUND	279,279,342

From the funds in Specific Appropriation 10 from the Educational Enhancement Trust Fund and Specific Appropriation 122 from the General Revenue Fund, \$365,044,488 is provided for school district workforce education programs as defined in section 1004.02(25), Florida Statutes, and is allocated as follows:

Alachua.....	314,847
Baker.....	149,837
Bay.....	2,911,601
Bradford.....	938,307
Brevard.....	3,900,590
Broward.....	70,877,907
Calhoun.....	83,514
Charlotte.....	2,171,192
Citrus.....	2,609,016
Clay.....	760,449
Collier.....	8,453,604
Columbia.....	374,202
Miami-Dade.....	79,645,318
DeSoto.....	641,170
Dixie.....	66,951
Escambia.....	4,350,186
Flagler.....	1,662,341
Franklin.....	73,341
Gadsden.....	358,725
Glades.....	76,492
Gulf.....	153,605
Hamilton.....	71,103
Hardee.....	234,225
Hendry.....	203,156
Hernando.....	564,929
Hillsborough.....	26,680,977
Indian River.....	1,096,256

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Jackson.....	296,068
Jefferson.....	86,043
Lafayette.....	70,751
Lake.....	4,404,498
Lee.....	9,718,682
Leon.....	6,298,644
Liberty.....	114,804
Madison.....	70,271
Manatee.....	9,316,260
Marion.....	3,899,424
Martin.....	1,258,458
Monroe.....	798,678
Nassau.....	604,860
Okaloosa.....	2,194,696
Orange.....	32,367,022
Osceola.....	6,180,178
Palm Beach.....	17,116,285
Pasco.....	2,935,794
Pinellas.....	27,642,055
Polk.....	8,583,794
Saint Johns.....	4,295,854
Santa Rosa.....	2,075,112
Sarasota.....	7,123,624
Sumter.....	123,065
Suwannee.....	889,478
Taylor.....	798,655
Union.....	91,617
Wakulla.....	137,736
Walton.....	742,308
Washington.....	2,903,105
Washington Sp.....	64,583
DOB Workforce Student Information System.....	2,418,245

The funds allocated in Specific Appropriation 122 for the Department of Education Workforce Education Student Information System are provided for continued implementation of the system during the 2016-17 fiscal year. The department shall determine districts to participate in the system based on the highest priority of need. The department is authorized to select a school district to serve as the coordinator of the system for assistance in development and deployment of the student information system in districts chosen by the department to participate. The system shall include student registration and reporting and tracking of instructional hours, student achievement levels, and industry credentials. Additional features of the system shall provide an on-line student registration with debit/credit card payment capability; case-management of all students enrolling, including time on task and achievement benchmarks; case management for awarding and tracking student financial assistance; integrated electronic gradebook and student attendance components, including a student progression system to track student progress by course / program; an email system; capability to custom design multi-functional dashboards for use by administrators, teachers, and counselors; and standardized data reports that can be used to improve and enhance student achievement and school performance.

For programs leading to a career certificate or an applied technology diploma, and for adult general education programs, tuition and fees shall be assessed in accordance with section 1009.22, Florida Statutes.

Funds collected from standard tuition and out-of-state fees shall be used to support school district workforce education programs as defined in section 1004.02(25), Florida Statutes, and shall not be used to support K-12 programs or district K-12 administrative indirect costs.

The funds provided in Specific Appropriations 10, 120, and 122 shall not be used to support K-12 programs or district K-12 administrative indirect costs. The Auditor General shall verify compliance with this requirement during scheduled audits of these institutions.

Pursuant to the provisions of section 1009.26(1), Florida Statutes, school districts may grant fee waivers for programs funded through Workforce Development Education appropriations for up to eight percent of the fee revenues that would otherwise be collected.

From the funds provided in Specific Appropriations 10 and 122, each school district shall report enrollment for adult general education programs identified in section 1004.02, Florida Statutes, in accordance with the Department of Education instructional hours reporting procedures. The Auditor General shall verify compliance with this

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

requirement during scheduled operational audits of the school districts.

District superintendents shall certify that workforce education enrollment and performance data used for funding allocations to districts is accurate and complete in accordance with reporting timelines established by the Department of Education. Upon certification, the district data shall be considered final for purposes of use in state funding formulas. After the final certification, the Department of Education may request a supplemental file in the event that a district has reported a higher level of enrollment or performance than was actually achieved by the district.

123 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - VOCATIONAL FORMULA FUNDS
FROM FEDERAL GRANTS TRUST FUND . . . 72,144,852

124 SPECIAL CATEGORIES
GRANTS AND AIDS - SCHOOL AND INSTRUCTIONAL
ENHANCEMENTS
FROM GENERAL REVENUE FUND 975,000

The funds in Specific Appropriation 124 shall be allocated as follows:

Lotus House Women's Shelter.....	100,000
Urban Crafts Training.....	125,000
AMskills Program.....	500,000
Hispanic Federation Adult Education Program.....	250,000

124A SPECIAL CATEGORIES
GRANTS AND AIDS - RAPID RESPONSE EDUCATION
AND TRAINING PROGRAM
FROM GENERAL REVENUE FUND 20,000,000

From the funds provided in Specific Appropriation 124A for the Rapid Response Grant Program, the Department of Education shall award grants to education and training providers, public or private, on a competitive basis for the creation or expansion of high-demand postsecondary workforce education programs that serve specific workforce needs and train students for industry certifications identified on the CAPE Postsecondary Industry Certification Funding List created pursuant to section 1008.44(2), Florida Statutes.

(1) Funds awarded for a Rapid Response Grant must be used for instructional equipment, laboratory equipment, supplies, personnel, student services, or other expenses associated with the creation or expansion of a postsecondary workforce education program as defined in section 1001.44, Florida Statutes. Expansion of a program may include the expansion of enrollments in an existing program, expansion into new areas of specialization within a program, or development of new programs. No grant funds may be used to supplant current funds or for indirect costs.

(2) Each provider applying for a grant must submit an application to the Department of Education in the format prescribed by the department. The application must include, but is not limited to, program expansion or development details, projected enrollment, and projected costs. Each provider that is awarded a grant under this program must submit quarterly reports to the department in the format prescribed by the department.

124B GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
FACILITY REPAIRS MAINTENANCE AND
CONSTRUCTION
FROM GENERAL REVENUE FUND 4,418,714

Funds in Specific Appropriation 124B shall be provided for the following:

First Coast Technical College - Putnam County Campus.....	1,000,000
Haney Technical Center - LPN Building Renovation.....	970,000
Glades West Tech HVAC Training.....	1,471,714
Fort Walton Firefighter Training.....	977,000

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

TOTAL: PROGRAM: WORKFORCE EDUCATION
FROM GENERAL REVENUE FUND 310,673,056
FROM TRUST FUNDS 113,697,324
TOTAL ALL FUNDS 424,370,380

FLORIDA COLLEGES, DIVISION OF

PROGRAM: FLORIDA COLLEGES

125 AID TO LOCAL GOVERNMENTS
PERFORMANCE BASED INCENTIVES
FROM GENERAL REVENUE FUND 10,000,000

Funds in the amount of \$10,000,000 are provided in Specific Appropriation 125 to colleges for students who earn industry certifications during the 2015-2016 academic year. Funding shall be based on students who earn industry certifications in the following occupational areas: public safety, health sciences, automotive service technology, auto collision repair and refinishing, cyber security, cloud virtualization, network support services, computer programming, advanced manufacturing, electrician, welding, Federal Aviation Administration airframe mechanics, power plant mechanics, pharmacy technicians, and heating, ventilation and air conditioning technicians. The Department of Education shall distribute the awards by June 1, 2017, and establish procedures and timelines for colleges to report earned certifications for funding. The Department of Education may allocate any funds not obligated by June 1, 2017, to schools who have earned awards, based on the percentage of earned certifications. By October 31, 2016, the Chancellor of the Florida College System shall identify the associated industry certifications and shall prepare a report for each certification to include cost, percent employed, and average salary of graduates. These performance funds shall not be awarded for certifications earned through continuing workforce education programs.

Industry certifications earned by students enrolled in the 2015-2016 academic year which were eligible to be included in the funding allocation for the 2015-2016 fiscal year and were not included in the final disbursement due to the early data reporting deadline may be reported by colleges and included in the allocation of funds for the 2016-2017 fiscal year. Colleges shall maintain documentation for student attainment of industry certifications that are eligible for performance funding. The Auditor General shall verify compliance with this requirement during scheduled operational audits of the colleges. If a college is unable to comply, the college shall refund the performance funding to the state.

126 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FLORIDA COLLEGE SYSTEM
PROGRAM FUND
FROM GENERAL REVENUE FUND 951,413,693

Funds provided in Specific Appropriation 126 are provided for operating funds and approved baccalaureate programs, and shall be allocated as follows:

Eastern Florida State College.....	32,324,704
Broward College.....	67,548,659
College of Central Florida.....	16,615,299
Chipola College.....	8,301,874
Daytona State College.....	39,459,238
Florida SouthWestern State College.....	24,103,318
Florida State College at Jacksonville.....	57,943,767
Florida Keys Community College.....	5,285,785
Gulf Coast State College.....	17,050,098
Hillsborough Community College.....	51,075,179
Indian River State College.....	36,647,487
Florida Gateway College.....	9,961,246
Lake-Sumter State College.....	11,111,373
State College of Florida, Manatee-Sarasota.....	20,191,304
Miami Dade College.....	131,133,785
North Florida Community College.....	5,836,545
Northwest Florida State College.....	14,333,053
Palm Beach State College.....	46,047,206
Pasco-Hernando State College.....	23,924,744
Pensacola State College.....	26,123,991
Polk State College.....	21,937,820

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

Saint Johns River State College.....	14,346,346
Saint Petersburg College.....	52,062,589
Santa Fe College.....	28,609,989
Seminole State College of Florida.....	32,005,999
South Florida State College.....	11,847,613
Tallahassee Community College.....	25,171,645
Valencia College.....	60,413,037
Performance Based Incentives.....	60,000,000

Prior to the disbursement of funds in Specific Appropriations 12 and 126, colleges shall submit an operating budget for the expenditure of these funds as provided in section 1011.30, Florida Statutes. The operating budget shall clearly identify planned expenditures for baccalaureate programs and shall include the sources of funds.

For advanced and professional, postsecondary vocational, developmental education, educator preparation institute programs, and baccalaureate degree programs, tuition and fees shall be assessed in accordance with section 1009.23, Florida Statutes.

For programs leading to a career certificate or an applied technology diploma, and for adult general education programs, tuition and fees shall be assessed in accordance with section 1009.22, Florida Statutes.

Pursuant to the provisions of section 1009.26(1), Florida Statutes, Florida colleges may grant fee waivers for programs funded through Workforce Development Education appropriations for up to eight percent of the fee revenues that would otherwise be collected.

From the funds in Specific Appropriations 12 and 126, each Florida college shall report enrollment for adult general education programs identified in section 1004.02, Florida Statutes, in accordance with the Department of Education instructional hours reporting procedures. The Auditor General shall verify compliance with this requirement during scheduled operational audits of the Florida colleges.

Each Florida college board of trustees is given flexibility to make necessary adjustments to its operating budget. If any board reduces individual programs or projects within the Florida college by more than 10 percent during the 2016-2017 fiscal year, written notification shall be made to the Executive Office of the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Department of Education.

From the funds provided in Specific Appropriation 126 for Performance Based Incentives, \$30,000,000 is included as the state investment in performance funding and \$30,000,000 is redistributed from the base budget of the institutions in the Florida College system as the institutional investment in performance funding.

127 SPECIAL CATEGORIES	
COMMISSION ON COMMUNITY SERVICE	
FROM GENERAL REVENUE FUND	683,182

TOTAL: PROGRAM: FLORIDA COLLEGES	
FROM GENERAL REVENUE FUND	962,096,875

TOTAL ALL FUNDS	962,096,875
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STATE BOARD OF EDUCATION

From the funds provided in Specific Appropriations 128 through 140, the Commissioner of Education shall prepare and provide to the chair of the Senate Committee on Appropriations, the chair of the House of Representatives Appropriations Committee, and the Executive Office of the Governor on or before October 1, 2016, a report containing the following: the federal indirect cost rate(s) approved to be used for the 12 month period of the 2016-2017 fiscal year and the data on which the rate(s) was established; the estimated amount of funds the approved rate(s) will generate; the proposed expenditure plan for the amount generated; and the June 30, 2016, balance of all unexpended federal indirect cost funds.

From the funds provided in Specific Appropriations 128 through 140, the Department of Education shall publish on the Florida Department of Education website by December 31, 2016, from each school district's Annual Financial Report, expenditures on a per FTE basis for the following fund types: General Fund, Special Revenue Fund, Debt Service

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

Fund, Capital Project Fund and a Total. Fiduciary funds, enterprise funds, and internal service funds shall not be included. This funding information shall also be published in the same format on each school district's website by December 31, 2016.

Funds provided in Specific Appropriations 128 through 140 for the Working Capital Trust Fund shall be cost-recovered from funds used to pay data processing services provided in accordance with section 216.272, Florida Statutes.

From the funds provided in Specific Appropriations 138, 139, and 140, the Department of Education shall pay for data center services based on the actual direct and indirect costs to the Department of Education. These funds shall not be used to subsidize another entity's costs.

APPROVED SALARY RATE		49,835,015	
128	SALARIES AND BENEFITS POSITIONS	989.00	
	FROM GENERAL REVENUE FUND	19,529,210	
	FROM ADMINISTRATIVE TRUST FUND		7,334,831
	FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		4,937,510
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		2,804,152
	FROM FEDERAL GRANTS TRUST FUND		14,547,051
	FROM INSTITUTIONAL ASSESSMENT TRUST FUND		2,433,155
	FROM STUDENT LOAN OPERATING TRUST FUND		7,982,438
	FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND		70,344
	FROM OPERATING TRUST FUND		277,715
	FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND		378,104
	FROM WORKING CAPITAL TRUST FUND		5,690,660
129	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	236,469	
	FROM ADMINISTRATIVE TRUST FUND		140,310
	FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		93,531
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		41,570
	FROM FEDERAL GRANTS TRUST FUND		529,247
	FROM INSTITUTIONAL ASSESSMENT TRUST FUND		219,011
	FROM STUDENT LOAN OPERATING TRUST FUND		259,811
	FROM OPERATING TRUST FUND		5,000
	FROM WORKING CAPITAL TRUST FUND		57,658
130	EXPENSES		
	FROM GENERAL REVENUE FUND	2,384,263	
	FROM ADMINISTRATIVE TRUST FUND		1,456,375
	FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		819,523
	FROM EDUCATIONAL MEDIA AND TECHNOLOGY TRUST FUND		133,426
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		868,681
	FROM FEDERAL GRANTS TRUST FUND		2,188,663
	FROM GRANTS AND DONATIONS TRUST FUND		48,433
	FROM INSTITUTIONAL ASSESSMENT TRUST FUND		587,433
	FROM STUDENT LOAN OPERATING TRUST FUND		2,021,981
	FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND		39,050
	FROM OPERATING TRUST FUND		371,667
	FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND		91,350
	FROM WORKING CAPITAL TRUST FUND		706,077

From the funds provided in Specific Appropriation 130, \$42,813 from

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

the General Revenue Fund is provided to the Department of Education to pay the state's dues to the Interstate Commission on Educational Opportunity for Military Children for the 2016-2017 fiscal year.

131	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	45,970	
	FROM ADMINISTRATIVE TRUST FUND		144,428
	FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		7,440
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		15,000
	FROM FEDERAL GRANTS TRUST FUND		241,756
	FROM INSTITUTIONAL ASSESSMENT TRUST FUND		16,375
	FROM STUDENT LOAN OPERATING TRUST FUND		518,200
	FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND		6,000
	FROM OPERATING TRUST FUND		5,000
	FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND		3,150
	FROM WORKING CAPITAL TRUST FUND		47,921
132	SPECIAL CATEGORIES ASSESSMENT AND EVALUATION		
	FROM GENERAL REVENUE FUND	52,413,496	
	FROM ADMINISTRATIVE TRUST FUND		2,315,367
	FROM FEDERAL GRANTS TRUST FUND		40,153,877
	FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND		13,783,900
133	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
	FROM GENERAL REVENUE FUND	370,159	
134	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	694,366	
	FROM ADMINISTRATIVE TRUST FUND		739,054
	FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		3,072,567
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		238,200
	FROM FEDERAL GRANTS TRUST FUND		1,699,970
	FROM GRANTS AND DONATIONS TRUST FUND		50,000
	FROM INSTITUTIONAL ASSESSMENT TRUST FUND		310,280
	FROM STUDENT LOAN OPERATING TRUST FUND		10,105,478
	FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND		19,893
	FROM OPERATING TRUST FUND		298,193
	FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND		7,350
	FROM WORKING CAPITAL TRUST FUND		943,604
135	SPECIAL CATEGORIES EDUCATIONAL FACILITIES RESEARCH AND DEVELOPMENT PROJECTS		
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		200,000
136	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	99,464	
	FROM ADMINISTRATIVE TRUST FUND		46,403
	FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		30,582
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		12,658
	FROM FEDERAL GRANTS TRUST FUND		85,091

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

	FROM INSTITUTIONAL ASSESSMENT TRUST FUND		6,226
	FROM STUDENT LOAN OPERATING TRUST FUND		74,494
	FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND		375
	FROM OPERATING TRUST FUND		3,216
	FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND		1,567
	FROM WORKING CAPITAL TRUST FUND		27,626
137	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	133,756	
	FROM ADMINISTRATIVE TRUST FUND		24,111
	FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		20,047
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		13,100
	FROM FEDERAL GRANTS TRUST FUND		82,608
	FROM INSTITUTIONAL ASSESSMENT TRUST FUND		9,554
	FROM STUDENT LOAN OPERATING TRUST FUND		49,588
	FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND		342
	FROM OPERATING TRUST FUND		3,220
	FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND		2,006
	FROM WORKING CAPITAL TRUST FUND		29,704
138	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST)		
	FROM GENERAL REVENUE FUND	110,046	
	FROM ADMINISTRATIVE TRUST FUND		4,106
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		11,617
	FROM FEDERAL GRANTS TRUST FUND		23,332
	FROM STUDENT LOAN OPERATING TRUST FUND		101,704
	FROM WORKING CAPITAL TRUST FUND		915
139	DATA PROCESSING SERVICES EDUCATION TECHNOLOGY AND INFORMATION SERVICES		
	FROM GENERAL REVENUE FUND	4,737,114	
	FROM ADMINISTRATIVE TRUST FUND		1,665,528
	FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		1,138,101
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		280,324
	FROM FEDERAL GRANTS TRUST FUND		2,732,567
	FROM INSTITUTIONAL ASSESSMENT TRUST FUND		282,574
	FROM STUDENT LOAN OPERATING TRUST FUND		2,220,205
	FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND		16,155
	FROM OPERATING TRUST FUND		91,083
	FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND		67,344
	FROM WORKING CAPITAL TRUST FUND		1,195,645
140	DATA PROCESSING SERVICES NORTHWEST REGIONAL DATA CENTER (NWRDC)		
	FROM GENERAL REVENUE FUND	1,689,241	
	FROM ADMINISTRATIVE TRUST FUND		10,286
	FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		72,085
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		2,083

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

FROM FEDERAL GRANTS TRUST FUND . . .	28,223
FROM STUDENT LOAN OPERATING TRUST FUND	705,650
FROM WORKING CAPITAL TRUST FUND . .	3,687,253

The funds provided in Specific Appropriation 140 shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.

TOTAL: STATE BOARD OF EDUCATION	
FROM GENERAL REVENUE FUND	82,443,554
FROM TRUST FUNDS	146,937,058
TOTAL POSITIONS	989.00
TOTAL ALL FUNDS	229,380,612

UNIVERSITIES, DIVISION OF

PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES

Funds in Specific Appropriations 13 through 17 and 141 through 153 are provided as grants and aids to support the operation of state universities. Funds provided to each university are contingent upon that university following the provisions of chapters 1000 through 1013, Florida Statutes, which relate to state universities. Any withholding of funds pursuant to this provision shall be subject to the approval of the Legislative Budget Commission.

141 AID TO LOCAL GOVERNMENTS	
GRANTS AND AIDS - MOFFITT CANCER CENTER	
AND RESEARCH INSTITUTE	
FROM GENERAL REVENUE FUND	10,576,930

The funds in Specific Appropriation 141 shall be transferred to the Moffitt Cancer Center to support the operations of this state university system entity. Funds in Specific Appropriation 141 may be transferred to the Agency for Health Care Administration and used as state matching funds for Moffitt to adjust the Medicaid inpatient reimbursement and outpatient trend adjustments applied to the H. Lee Moffitt Cancer Center and Research Institute and other Medicaid reductions to its reimbursements up to the actual Medicaid inpatient and outpatient costs. In the event that enhanced Medicaid funding is not implemented by the Agency for Health Care Administration, these funds shall remain appropriated to the H. Lee Moffitt Cancer Center and Research Institute to continue the original purpose of providing research and education related to cancer.

142 AID TO LOCAL GOVERNMENTS	
GRANTS AND AIDS - EDUCATION AND GENERAL	
ACTIVITIES	
FROM GENERAL REVENUE FUND	1,947,708,418
FROM EDUCATION AND GENERAL STUDENT	
AND OTHER FEES TRUST FUND	1,803,681,051
FROM PHOSPHATE RESEARCH TRUST FUND .	5,071,736

The funds provided in Specific Appropriations 142 through 150 from the Education and General Student and Other Fees Trust Fund are the only budget authority provided in this act for the 2016-2017 fiscal year to the named universities to expend tuition and fees that are collected during the 2016-2017 fiscal year and carried forward from the prior fiscal year and that are appropriated into local accounts pursuant to section 1011.4106, Florida Statutes. The expenditure of tuition and fee revenues from local accounts by each university shall not exceed the authority provided by these specific appropriations, unless approved pursuant to the provisions of chapter 216, Florida Statutes.

General revenue funds provided in Specific Appropriations 142 through 150 to each of the named universities are contingent upon each university complying with the tuition and fee policies established in Part II of chapter 1009, Florida Statutes. However, the funds appropriated to a specific university shall not be affected by the failure of another university to comply with this provision.

Funds in Specific Appropriations 13 through 17 and 142 through 153 shall be expended in accordance with operating budgets that must be approved by each university's board of trustees.

Funds in Specific Appropriation 142 from the General Revenue Fund

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

shall be allocated as follows:

University of Florida.....	257,904,038
Florida State University.....	238,431,519
Florida A&M University.....	65,128,983
University of South Florida.....	159,097,663
University of South Florida, St. Petersburg.....	20,230,516
University of South Florida, Sarasota/Manatee.....	11,648,251
Florida Atlantic University.....	106,121,324
University of West Florida.....	85,211,673
University of Central Florida.....	195,714,022
Florida International University.....	149,646,161
University of North Florida.....	63,584,980
Florida Gulf Coast University.....	53,212,152
New College of Florida.....	15,464,614
Florida Polytechnic University.....	35,075,021
State University Performance Based Incentives.....	475,000,000
Board of Governors - Johnson Scholarships.....	1,237,500
Preeminent and Emerging Preeminent State Research Universities.....	15,000,000

Funds in Specific Appropriation 142 from the Education and General Student and Other Fees Trust Fund shall be allocated as follows:

University of Florida.....	340,500,302
Florida State University.....	238,310,768
Florida A&M University.....	67,801,614
University of South Florida.....	206,348,108
University of South Florida, St. Petersburg.....	26,216,811
University of South Florida, Sarasota/Manatee.....	8,999,637
Florida Atlantic University.....	136,074,256
University of West Florida.....	61,126,485
University of Central Florida.....	302,637,031
Florida International University.....	263,389,167
University of North Florida.....	89,884,501
Florida Gulf Coast University.....	69,063,276
New College of Florida.....	6,783,402
Florida Polytechnic University.....	6,545,693

Undergraduate tuition shall be assessed in accordance with section 1009.24, Florida Statutes. Tuition for graduate and professional programs and out-of-state fees for all programs shall be established pursuant to section 1009.24, Florida Statutes. No state university may receive general revenue funding associated with the enrollment of out-of-state students.

Each university board of trustees is given flexibility to make necessary adjustments to its operating budget. If any board reduces individual programs or projects within the university by more than 10 percent during the 2016-2017 fiscal year, written notification shall be made to the Executive Office of the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Board of Governors.

Pursuant to section 1011.90, Florida Statutes, the development of these appropriations was based on the planned enrollment for each university as submitted by the Board of Governors on January 25, 2016.

Funds in Specific Appropriation 142 from the Phosphate Research Trust Fund are provided for the Florida Polytechnic University.

From the funds in Specific Appropriation 142 provided to the University of West Florida, \$2,535,616 shall be released to the Florida Academic Library Services Cooperative at the University of West Florida at the beginning of the first quarter and \$4,317,400 shall be released at the beginning of the second quarter in addition to the normal releases. The additional release is provided to maximize cost savings through centralized purchases of subscription-based electronic resources.

From the funds in Specific Appropriation 142 for the Florida Academic Library Services Cooperative and the Complete Florida Plus Program at the University of West Florida, administrative costs shall not exceed five percent.

From the general revenue funds in Specific Appropriation 142, the Board of Governors Foundation shall distribute \$1,237,500 to state universities for Johnson Scholarships in accordance with section 1009.75 Florida Statutes. Sixty percent of such funds shall be released at the

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

beginning of the first quarter and the balance at the beginning of the third quarter.

143	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - FLORIDA AGRICULTURAL AND MECHANICAL UNIVERSITY AND FLORIDA STATE UNIVERSITY COLLEGE OF ENGINEERING FROM GENERAL REVENUE FUND	13,241,710	
144	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - IFAS (INSTITUTE OF FOOD AND AGRICULTURAL SCIENCE) FROM GENERAL REVENUE FUND	145,946,363	
145	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - UNIVERSITY OF SOUTH FLORIDA MEDICAL CENTER FROM GENERAL REVENUE FUND FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND	63,767,672	58,297,620
146	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - UNIVERSITY OF FLORIDA HEALTH CENTER FROM GENERAL REVENUE FUND FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND	103,810,483	38,463,434
147	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - FLORIDA STATE UNIVERSITY MEDICAL SCHOOL FROM GENERAL REVENUE FUND FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND	34,379,583	13,019,086
148	AID TO LOCAL GOVERNMENTS UNIVERSITY OF CENTRAL FLORIDA MEDICAL SCHOOL FROM GENERAL REVENUE FUND FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND	25,980,367	15,082,296
149	AID TO LOCAL GOVERNMENTS FLORIDA INTERNATIONAL UNIVERSITY MEDICAL SCHOOL FROM GENERAL REVENUE FUND FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND	31,618,328	18,657,406
150	AID TO LOCAL GOVERNMENTS FLORIDA ATLANTIC UNIVERSITY MEDICAL SCHOOL FROM GENERAL REVENUE FUND FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND	14,693,918	9,931,879
151	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - STUDENT FINANCIAL ASSISTANCE FROM GENERAL REVENUE FUND	7,140,378	

A minimum of 75 percent of the funds provided in Specific Appropriation 151 shall be allocated for need-based financial aid.

Funds in Specific Appropriation 151 shall be allocated as follows:

University of Florida.....	1,737,381
Florida State University.....	1,467,667
Florida A&M University.....	624,417
University of South Florida	801,368
Florida Atlantic University.....	399,658
University of West Florida.....	157,766
University of Central Florida.....	858,405
Florida International University.....	540,666
University of North Florida.....	200,570
Florida Gulf Coast University.....	98,073
New College of Florida.....	204,407
Florida Polytechnic University.....	50,000

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

152	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - INSTITUTE FOR HUMAN AND MACHINE COGNITION FROM GENERAL REVENUE FUND	2,739,184	
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The funds in Specific Appropriation 152 shall be transferred to the Institute for Human and Machine Cognition to support the operations of this state university system entity.

153	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM PHOSPHATE RESEARCH TRUST FUND .	20,460,280	2,878
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TOTAL:	PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES FROM GENERAL REVENUE FUND FROM TRUST FUNDS	2,422,063,614	1,962,207,386
	TOTAL ALL FUNDS		4,384,271,000

BOARD OF GOVERNORS

APPROVED SALARY RATE	4,734,791
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154	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND	63.00 5,631,851	699,518
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From the funds provided in Specific Appropriation 154, the state funded portion of salaries for each employee of the Board of Governors shall not exceed \$200,000.

155	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	51,310	15,589 5,196
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156	EXPENSES FROM GENERAL REVENUE FUND FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	715,329	259,799 12,000
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157	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND	11,782	5,950
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158	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	309,341	20,000 3,000
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159	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	11,937	
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160	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND	17,351	4,385
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SECTION 2 - EDUCATION (ALL OTHER FUNDS)

161 DATA PROCESSING SERVICES
 NORTHWEST REGIONAL DATA CENTER (NWRDC)
 FROM GENERAL REVENUE FUND 140,288

The funds provided in Specific Appropriation 161 shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.

TOTAL: BOARD OF GOVERNORS
 FROM GENERAL REVENUE FUND 6,889,189
 FROM TRUST FUNDS 1,025,437

 TOTAL POSITIONS 63.00
 TOTAL ALL FUNDS 7,914,626

TOTAL OF SECTION 2

FROM GENERAL REVENUE FUND 15,181,983,595
 FROM TRUST FUNDS 6,213,055,968

 TOTAL POSITIONS 2,325.75
 TOTAL ALL FUNDS 21,395,039,563

TOTAL: EDUCATION, DEPARTMENT OF (SECTIONS 1 AND 2)

EDUCATION/EARLY LEARNING
 FROM GENERAL REVENUE FUND 557,705,436
 FROM TRUST FUNDS 477,051,304
 EDUCATION/PUBLIC SCHOOLS
 FROM GENERAL REVENUE FUND 10,820,075,527
 FROM TRUST FUNDS 2,573,777,929
 EDUCATION/FL COLLEGES
 FROM GENERAL REVENUE FUND 962,096,875
 FROM TRUST FUNDS 265,345,335
 EDUCATION/UNIVERSITIES
 FROM GENERAL REVENUE FUND 2,422,063,614
 FROM TRUST FUNDS 2,258,596,223
 EDUCATION/OTHER
 FROM GENERAL REVENUE FUND 420,042,143
 FROM TRUST FUNDS 2,377,756,686

 EDUCATION RECAP
 FROM GENERAL REVENUE FUND 15,181,983,595
 FROM TRUST FUNDS 7,952,527,477

 TOTAL POSITIONS 2,325.75
 TOTAL ALL FUNDS 23,134,511,072
 TOTAL APPROVED SALARY RATE 105,271,772

SECTION 3 - HUMAN SERVICES

SPECIFIC
 APPROPRIATION

The moneys contained herein are appropriated from the named funds to the Agency for Health Care Administration, Agency for Persons with Disabilities, Department of Children and Families, Department of Elder Affairs, Department of Health, and the Department of Veterans' Affairs as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

AGENCY FOR HEALTH CARE ADMINISTRATION

PROGRAM: ADMINISTRATION AND SUPPORT

	APPROVED SALARY RATE	12,779,178		
162	SALARIES AND BENEFITS	POSITIONS	256.00	
	FROM GENERAL REVENUE FUND		2,895,876	
	FROM ADMINISTRATIVE TRUST FUND			14,102,856
163	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND		81,049	
	FROM ADMINISTRATIVE TRUST FUND			748,659
164	EXPENSES			
	FROM GENERAL REVENUE FUND		150,680	
	FROM ADMINISTRATIVE TRUST FUND			3,180,436
165	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND		180,923	
	FROM ADMINISTRATIVE TRUST FUND			514,701
166	LUMP SUM			
	LITIGATION EXPENSES			
	FROM ADMINISTRATIVE TRUST FUND			3,228,318
167	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND		230,010	
	FROM ADMINISTRATIVE TRUST FUND			18,706,964
168	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND		34,202	
	FROM ADMINISTRATIVE TRUST FUND			256,118
169	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND		18,346	
	FROM ADMINISTRATIVE TRUST FUND			194,832
170	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT			
	SERVICES - HUMAN RESOURCES SERVICES			
	PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND		22,408	
	FROM ADMINISTRATIVE TRUST FUND			70,708
171	DATA PROCESSING SERVICES			
	STATE DATA CENTER - AGENCY FOR STATE			
	TECHNOLOGY (AST)			
	FROM ADMINISTRATIVE TRUST FUND			1,727,319
TOTAL:	PROGRAM: ADMINISTRATION AND SUPPORT			
	FROM GENERAL REVENUE FUND		3,613,494	
	FROM TRUST FUNDS			42,730,911
	TOTAL POSITIONS	256.00		
	TOTAL ALL FUNDS			46,344,405

PROGRAM: HEALTH CARE SERVICES

CHILDREN'S SPECIAL HEALTH CARE

172 SPECIAL CATEGORIES

SECTION 3 - HUMAN SERVICES

GRANTS AND AIDS - FLORIDA HEALTHY KIDS CORPORATION			
FROM GENERAL REVENUE FUND	8,908,757		
FROM MEDICAL CARE TRUST FUND		198,328,346	
Funds in Specific Appropriations 172 and 175 are provided to the Agency for Health Care Administration to contract with the Florida Healthy Kids Corporation to provide comprehensive health insurance coverage, including dental services, to Title XXI children eligible under the Florida KidCare Program and pursuant to section 624.91, Florida Statutes. The corporation shall use local funds to serve non-Title XXI children that are eligible for the program pursuant to section 624.91(3)(b), Florida Statutes. The corporation shall return unspent local funds collected in Fiscal Year 2015-2016 to provide premium assistance for non-Title XXI eligible children based on a formula developed by the corporation.			
173 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND	153,443		
FROM GRANTS AND DONATIONS TRUST FUND		671,278	
FROM MEDICAL CARE TRUST FUND		3,414,978	
174 SPECIAL CATEGORIES			
GRANTS AND AIDS - CONTRACTED SERVICES - FLORIDA HEALTHY KIDS ADMINISTRATION			
FROM GENERAL REVENUE FUND	675,091		
FROM MEDICAL CARE TRUST FUND		15,007,987	
175 SPECIAL CATEGORIES			
GRANTS AND AIDS - FLORIDA HEALTHY KIDS CORPORATION DENTAL SERVICES			
FROM GENERAL REVENUE FUND	1,259,280		
FROM MEDICAL CARE TRUST FUND		24,777,181	
Funds in Specific Appropriation 175 are provided to the Agency for Health Care Administration for Florida Healthy Kids dental services to be paid a monthly premium of no more than \$15.17 per member per month.			
From the funds in Specific Appropriation 175, \$81,748 in nonrecurring funds from the General Revenue Fund and \$127,917 in nonrecurring funds from the Medical Care Trust Fund is provided to DentaQuest to cover costs associated with the Health Insurance Tax on Managed Care rates as mandated by the Affordable Care Act.			
From the funds in Specific Appropriation 175, \$73,962 in nonrecurring funds from the General Revenue Fund and \$115,733 in nonrecurring funds from the Medical Care Trust Fund is provided to MCNA Dental to cover costs associated with the Health Insurance Tax on Managed Care rates as mandated by the Affordable Care Act.			
176 SPECIAL CATEGORIES			
MEDIKIDS			
FROM GENERAL REVENUE FUND	1,582,723		
FROM GRANTS AND DONATIONS TRUST FUND		13,919,352	
FROM MEDICAL CARE TRUST FUND		35,197,761	
177 SPECIAL CATEGORIES			
CHILDREN'S MEDICAL SERVICES NETWORK			
FROM GENERAL REVENUE FUND	3,863,069		
FROM GRANTS AND DONATIONS TRUST FUND		1,564,364	
FROM MEDICAL CARE TRUST FUND		85,840,980	
TOTAL: CHILDREN'S SPECIAL HEALTH CARE			
FROM GENERAL REVENUE FUND	16,442,363		
FROM TRUST FUNDS		378,722,227	
TOTAL ALL FUNDS		395,164,590	

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 29,490,960

SECTION 3 - HUMAN SERVICES

178	SALARIES AND BENEFITS POSITIONS	647.00	
	FROM GENERAL REVENUE FUND	2,579,709	
	FROM MEDICAL CARE TRUST FUND		37,928,806
179	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	914,855	
	FROM MEDICAL CARE TRUST FUND		6,601,687
180	EXPENSES		
	FROM GENERAL REVENUE FUND	899,820	
	FROM MEDICAL CARE TRUST FUND		6,819,791
181	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	45,391	
	FROM MEDICAL CARE TRUST FUND		221,266
183	SPECIAL CATEGORIES		
	PHARMACEUTICAL EXPENSE ASSISTANCE		
	FROM GENERAL REVENUE FUND	50,000	
184	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
	FROM GENERAL REVENUE FUND	39,638	
	FROM MEDICAL CARE TRUST FUND		39,638
185	SPECIAL CATEGORIES		
	CONTRACT NURSING HOME AUDIT PROGRAM		
	FROM GENERAL REVENUE FUND	827,653	
	FROM MEDICAL CARE TRUST FUND		1,129,095
186	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	15,858,456	
	FROM GRANTS AND DONATIONS TRUST FUND		3,070,535
	FROM MEDICAL CARE TRUST FUND		69,808,387
From the funds in Specific Appropriation 186, \$2,935,000 in nonrecurring funds from the Medical Care Trust Fund is provided to the Agency for Health Care Administration to continue the Public Benefits Integrity Data Analytics and Information Sharing Initiative which will detect and deter fraud, waste, and abuse in Medicaid and other public benefit programs within the state.			
From the funds in Specific Appropriation 186, \$500,000 in nonrecurring funds from the Medical Care Trust Fund is provided to the Agency for Health Care Administration to contract with an independent consultant to develop a plan to convert Medicaid payments for nursing home services from a cost based reimbursement methodology to a prospective payment system. The study shall identify steps necessary for the transition to be completed in a budget neutral manner. The report shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives.			
From the funds in Specific Appropriation 186, \$480,000 from the Medical Care Trust Fund is provided to the Agency for Health Care Administration to contract for the development of a single platform to manage and oversee contracted Statewide Medicaid Managed Care (SMMC) health plans.			
From the funds in Specific Appropriation 186, \$8,721,370 in nonrecurring funds from the Medical Care Trust Fund is provided to the Agency for Health Care Administration for the Florida Medicaid Management Information System/Decision Support System/Fiscal Agent (FMMIS/DSS/FA) procurement project. Of these funds, \$7,168,828 shall be placed in reserve. The Agency for Health Care Administration is authorized to submit budget amendments for the release of these funds pursuant to the provisions of chapter 216, Florida Statutes. Release is contingent upon the submission of a comprehensive operational work plan reflecting all project tasks; and detailed spend plan reflecting estimated and actual costs that comply with the requirements prescribed and funding approved by the Centers for Medicare and Medicaid Services.			
From the funds in Specific Appropriation 186, \$150,250 in nonrecurring funds from the General Revenue Fund and \$600,750 in			

SECTION 3 - HUMAN SERVICES

nonrecurring funds from the Medical Care Trust Fund is provided to expand the scope of evaluations for Medicaid waivers up for renewal as required by the Centers for Medicare and Medicaid (CMS).

187	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	250,000	
	FROM GRANTS AND DONATIONS TRUST FUND		3,000,000
	FROM MEDICAL CARE TRUST FUND		3,000,000

From the funds in Specific Appropriation 187, \$3,000,000 from the Grants and Donations Trust Fund and \$3,000,000 from the Medical Care Trust Fund may be used by the Agency for Health Care Administration to contract with the Florida Medical Schools Quality Network created under section 409.975(2), Florida Statutes.

From the funds in Specific Appropriation 187, \$250,000 in nonrecurring funds from the General Revenue Fund is provided to the Agency for Health Care Administration to competitively procure a contract for enhanced Medicaid fraud prevention services in Miami-Dade County at the point of service. The vendor selected for this project must be capable of applying unique technical procedures including analytics, biometrics and use of photographic images to ensure that Medicaid services are provided to eligible recipients. In support of the contract, the agreement between the agency and the Department of Highway Safety and Motor Vehicles pursuant to section 322.143(10), Florida Statutes, shall allow the contractor electronic access to the driver's license and photographic database, provided that such access does not include record retention.

188	SPECIAL CATEGORIES		
	MEDICAID FISCAL CONTRACT		
	FROM GENERAL REVENUE FUND	18,897,264	
	FROM MEDICAL CARE TRUST FUND		53,608,493
	FROM REFUGEE ASSISTANCE TRUST FUND		135,144
189	SPECIAL CATEGORIES		
	MEDICAID PEER REVIEW		
	FROM GENERAL REVENUE FUND	1,093,903	
	FROM MEDICAL CARE TRUST FUND		4,403,348
190	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	325,867	
	FROM MEDICAL CARE TRUST FUND		541,561
191	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	26,165	
	FROM MEDICAL CARE TRUST FUND		179,063
192	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	86,407	
	FROM MEDICAL CARE TRUST FUND		164,394
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES		
	FROM GENERAL REVENUE FUND	41,895,128	
	FROM TRUST FUNDS		190,651,208
	TOTAL POSITIONS	647.00	
	TOTAL ALL FUNDS		232,546,336

MEDICAID SERVICES TO INDIVIDUALS

From the funds in Specific Appropriations 192A through 237, the Agency for Health Care Administration shall provide a quarterly reconciliation report of all Medicaid service appropriation expenditures and fund sources. The reconciliation shall compare actual expenditures paid through each specific appropriation category by fund either through the Florida Medicaid Management Information System (FMMIS) or the Agency for Health Care Administration to expenditure estimates forecasted through the Social Services Estimating Conference Medicaid services forecasting

SECTION 3 - HUMAN SERVICES

model, as directed in section 216.136(6), Florida Statutes. The comparison shall include fund source detail for each comparison. For any category where a variance is identified, the Agency for Health Care Administration shall submit a written corrective action plan to address each variance by category and fund source. The reconciliation shall be submitted to the Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than 30 days after the close of each quarter. The Agency for Health Care Administration may submit budget amendments to the Legislative Budget Commission to realign appropriation categories based on the reconciliation pursuant to the provisions of chapter 216, Florida Statutes.

192A	SPECIAL CATEGORIES		
	GRANTS AND AIDS - GRANT PROGRAM FOR COMMUNITY PRIMARY CARE SERVICES		
	FROM GENERAL REVENUE FUND		14,275,470

From the funds in Specific Appropriation 192A, \$14,275,470 in nonrecurring General Revenue funds is provided to increase access to primary care services in the state and to reduce and prevent unnecessary emergency room visits and inpatient hospitalizations. In developing a plan to increase access to primary care services and the funding of these primary care services, the agency shall solicit proposals from county health departments, community health care clinics, and Federally Qualified Health Centers in order to expand primary care clinic services for the uninsured and underinsured. The agency shall solicit grant proposals and award grants to those programs most capable of reducing health spending while improving the health status of uninsured and underinsured persons in their communities. Programs receiving these grants shall reduce unnecessary emergency room visits and preventable hospitalizations by providing disease management; improving patient compliance; and coordinating services, such as needed physician, dental, nurse practitioner, and pharmaceutical services. There is a cap of \$1,500,000 per grant proposal. The agency shall evaluate grant proposals and develop reporting requirements for grant recipients to measure the effectiveness of the grant-funded programs. The specific reporting requirements shall be incorporated into the competitive solicitation which will also identify the evaluation methodology and establish a timetable for publishing results.

193	SPECIAL CATEGORIES		
	ADULT DENTAL, VISUAL AND HEARING SERVICES		
	FROM GENERAL REVENUE FUND	3,035,203	
	FROM MEDICAL CARE TRUST FUND		4,749,365
	FROM REFUGEE ASSISTANCE TRUST FUND		307,319
194	SPECIAL CATEGORIES		
	CASE MANAGEMENT		
	FROM GENERAL REVENUE FUND	2,716,654	
	FROM MEDICAL CARE TRUST FUND		4,255,134

From the funds in Specific Appropriation 194, \$1,154,142 from the Medical Care Trust Fund is provided to the Agency for Health Care Administration for Medicaid reimbursable services that support children enrolled in contracted medical foster care programs under the Department of Health. This funding is contingent upon the availability of state matching funds in the Department of Health in Specific Appropriation 541.

195	SPECIAL CATEGORIES		
	COMMUNITY MENTAL HEALTH SERVICES		
	FROM GENERAL REVENUE FUND	39,401,655	
	FROM MEDICAL CARE TRUST FUND		62,019,599

From the funds in Specific Appropriations 195 and 196, the Agency for Health Care Administration in consultation with the Department of Children and Families may seek approval from the federal Centers for Medicare and Medicaid Services to implement a certified public expenditure or similar mechanism to increase reimbursement rates for services reimbursed to community behavioral health care providers.

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196	SPECIAL CATEGORIES COMMUNITY MENTAL HEALTH SERVICES-MANAGED MEDICAL ASSISTANCE		
	FROM GENERAL REVENUE FUND	9,987,175	
	FROM MEDICAL CARE TRUST FUND		16,846,692
	FROM REFUGEE ASSISTANCE TRUST FUND		48,857
197	SPECIAL CATEGORIES DEVELOPMENTAL EVALUATION AND INTERVENTION/ PART C		
	FROM MEDICAL CARE TRUST FUND		14,017,120
Funds in Specific Appropriation 197 are contingent on the availability of state match being provided in Specific Appropriation 547.			
198	SPECIAL CATEGORIES CHILDREN'S HEALTH SCREENING SERVICES		
	FROM GENERAL REVENUE FUND	2,909,607	
	FROM MEDICAL CARE TRUST FUND		4,715,332
	FROM REFUGEE ASSISTANCE TRUST FUND		1,800
199	SPECIAL CATEGORIES GRANTS AND AIDS - RURAL HOSPITAL FINANCIAL ASSISTANCE PROGRAM		
	FROM GENERAL REVENUE FUND	1,220,185	
	FROM GRANTS AND DONATIONS TRUST FUND		3,534,825
	FROM MEDICAL CARE TRUST FUND		5,505,183

Funds in Specific Appropriation 199 are provided for a federally matched Rural Hospital Disproportionate Share program and a state funded Rural Hospital Financial Assistance program as provided in section 409.9116, Florida Statutes.

From the funds in Specific Appropriation 199, the calculations of the Medicaid Hospital Funding Program for the 2016-2017 fiscal year are incorporated by reference in SPB 2502. The calculations are the basis for the appropriations made in the General Appropriations Act.

200	SPECIAL CATEGORIES FAMILY PLANNING		
	FROM GENERAL REVENUE FUND	310,135	
	FROM MEDICAL CARE TRUST FUND		2,791,218
	FROM REFUGEE ASSISTANCE TRUST FUND		6,748
201	SPECIAL CATEGORIES GRANTS AND AIDS - SHANDS TEACHING HOSPITAL		
	FROM GENERAL REVENUE FUND	8,673,569	
	FROM GRANTS AND DONATIONS TRUST FUND		500,000

The funds in Specific Appropriation 201 shall be primarily designated for transfer to the Agency for Health Care Administration's Grants and Donations Trust Fund for use in the Medicaid program. Should the Agency for Health Care Administration be unable to use the full amount of these designated funds as Medicaid match, the remaining funds may be used secondarily for payments to Shands Teaching Hospital to continue the original purpose of providing health care services to indigent patients through Shands Healthcare System.

From the funds in Specific Appropriation 201, \$500,000 in nonrecurring funds from the Grants and Donations Trust Fund is provided to Shands Teaching Hospital.

202	SPECIAL CATEGORIES HEALTHY START SERVICES		
	FROM GENERAL REVENUE FUND	16,053,258	
	FROM MEDICAL CARE TRUST FUND		25,119,499
203	SPECIAL CATEGORIES HOME HEALTH SERVICES		
	FROM GENERAL REVENUE FUND	6,181,428	
	FROM MEDICAL CARE TRUST FUND		9,700,898

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	FROM REFUGEE ASSISTANCE TRUST FUND		29,592
204	SPECIAL CATEGORIES HOSPICE SERVICES		
	FROM GENERAL REVENUE FUND	2,287,967	
	FROM HEALTH CARE TRUST FUND		4,840,597
	FROM GRANTS AND DONATIONS TRUST FUND		1,650,384
	FROM MEDICAL CARE TRUST FUND		13,754,970

From the funds in Specific Appropriations 204 and 232, \$15,726,441 from the Grants and Donations Trust Fund and \$24,608,109 from the Medical Care Trust Fund are provided to buy back hospice rate reductions, effective on or after January 1, 2008, and are contingent on the nonfederal share being provided through nursing home quality assessments. Authority is granted to buy back rate reductions up to, but no higher than, the amounts available under the budgeted authority in this Specific Appropriation. In the event that the funds are not available in the Grants and Donations Trust Fund, the State of Florida is not obligated to continue reimbursements at the higher amount.

205	SPECIAL CATEGORIES GRADUATE MEDICAL EDUCATION		
	FROM GENERAL REVENUE FUND	31,192,000	
	FROM GRANTS AND DONATIONS TRUST FUND		38,990,000
	FROM MEDICAL CARE TRUST FUND		109,818,000

From the funds in Specific Appropriation 205, \$31,192,000 from the General Revenue Fund, \$38,990,000 from the Grants and Donations Trust Fund and \$109,818,000 from the Medical Care Trust Fund are provided to fund the Statewide Medicaid Residency Program and the Graduate Medical Education Startup Bonus Program. Of these funds \$80,000,000 shall be used to fund the Statewide Medicaid Residency Program in accordance with section 409.909(3), Florida Statutes. Of these funds, \$42,262,976 shall be distributed to the two hospitals with the largest number of graduate medical residents in statewide supply/demand deficit. The remaining funds shall be used to fund the Graduate Medical Education Startup Bonus Program in accordance with section 409.909(5), Florida Statutes, and are provided for the following physician specialties and subspecialties, both adult and pediatric, that are in statewide supply/demand deficit: allergy or immunology; anesthesiology; cardiology; endocrinology; family medicine; general surgery; hematology; oncology; infectious diseases; nephrology; neurology; obstetrics/gynecology; ophthalmology; orthopedic surgery; otolaryngology; psychiatry; pulmonary; radiology; rheumatology; thoracic surgery; and urology. Funding for the Graduate Medical Education Startup Bonus Program is contingent on the nonfederal share being provided through intergovernmental transfers in the Grants and Donations Trust Fund.

206	SPECIAL CATEGORIES HOSPITAL INPATIENT SERVICES		
	FROM GENERAL REVENUE FUND	133,768,252	
	FROM HEALTH CARE TRUST FUND		42,300,000
	FROM GRANTS AND DONATIONS TRUST FUND		15,956,327
	FROM MEDICAL CARE TRUST FUND		375,689,358
	FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND		47,450,732
	FROM REFUGEE ASSISTANCE TRUST FUND		1,196,819

Funds in Specific Appropriation 206 are contingent upon the state share being provided through grants and donations from state, county or other governmental funds. In the event the state share provided through grants and donations in the Grants and Donations Trust Fund is not available, the Agency for Health Care Administration may submit a revised hospital reimbursement plan to the Legislative Budget Commission for approval.

From the funds in Specific Appropriation 206, the calculations of the Medicaid Hospital Funding Program for the 2016-2017 fiscal year are incorporated by reference in SPB 2502. The calculations are the basis for the appropriations made in the General Appropriations Act.

From the funds in Specific Appropriation 206, the Agency for Health Care Administration may establish a global fee for bone marrow

SECTION 3 - HUMAN SERVICES

transplants and the global fee payment shall be paid to approved bone marrow transplant providers that provide bone marrow transplants to Medicaid beneficiaries.

Any hospital that was exempt from the inpatient reimbursement ceiling in the prior state fiscal year, due to their charity care and Medicaid days as a percentage to total adjusted hospital days equaling or exceeding 11 percent, but no longer meets the 11 percent threshold, because of updated audited Disproportionate Share (DSH) data, shall remain exempt from the inpatient reimbursement ceilings for a period of two years.

From the funds in Specific Appropriations 206 and 216, \$2,867,658 from the Grants and Donations Trust Fund and \$4,487,197 from the Medical Care Trust Fund are provided to make Medicaid payments for multi-visceral transplants and intestine transplants in Florida. The Agency for Health Care Administration shall establish a global fee for these transplant procedures and the payments shall be used to pay approved multi-visceral transplant and intestine transplant facilities a global fee for providing these transplant services to Medicaid beneficiaries. Payment of the global fee is contingent upon the nonfederal share being provided through grants and donations from state, county or other governmental funds. The agency is authorized to seek any federal waiver or state plan amendment necessary to implement this provision.

From the funds in Specific Appropriation 206, the Agency for Health Care Administration shall apply a six percent adjustment for anticipated case mix increases from improved documentation and coding through the implementation of Diagnosis Related Grouping (DRG). The agency shall also apply a one percent adjustment for real case mix change. By February 28, 2017, the agency shall perform a reconciliation and apply positive or negative adjustments to the reimbursements comparing actual to predicted case mix in aggregate. Actual case mix will be measured using admissions between April 1, 2015, and March 31, 2016, from both the fee-for-service and managed care programs. Actual case mix in state fiscal year 2016-2017 will be assumed to be higher than measured case mix by between zero and three percent based on case mix trending. Effective March 1, 2017, adjustments will be performed prospectively to the fee-for-service DRG payment parameters and will be applied for the remainder of the fiscal year. Adjustments applied must maintain budget neutrality for the fiscal year. No recalculation of managed care capitation payments will be made based upon these adjustments.

From the funds in Specific Appropriation 206, the Agency for Health Care Administration shall continue a Diagnosis Related Grouping reimbursement methodology for hospital inpatient services as directed in section 409.905 (5)(c), Florida Statutes.

Base Rate - \$3,237.45
Neonates Service Adjustor Severity Level 1 - 1.00
Neonates Service Adjustor Severity Level 2 - 1.60
Neonates Service Adjustor Severity Level 3 - 1.80
Neonates Service Adjustor Severity Level 4 - 2.00
Pediatrics Service/Age Adjustor - 1.30
Free Standing Rehabilitation Provider Adjustor - 2.709
Rural Provider Adjustor - 2.088
Long Term Acute Care (LTAC) Provider Adjustor - 2.113
High Medicaid and High Outlier Provider Adjustor - 2.303
Outlier Threshold - \$60,000
Marginal Cost Percentage - 60%/80%
Marginal Cost Percentage for Pediatric Claims Severity Levels 3 or 4 - 80%
Marginal Cost Percentage for Neonates Claims Severity 3 or 4 - 80%
Documentation and Coding Adjustment - 7%
Level I Trauma Add On - 17%
Level II or Level III and Pediatric Add On - 11%
Pediatric Trauma Add On - 4%

Funds in Specific Appropriation 206 reflect an increase of \$935,762 in nonrecurring funds from the General Revenue Fund and \$1,464,246 in nonrecurring funds from the Medical Care Trust Fund for sole community hospitals that meet the definition of "rural hospital" under section 395.602(2)(e), Florida Statutes, to be recognized as rural hospitals in the Agency for Health Care Administration's Diagnosis Related Group (DRG) reimbursement methodology services for hospital inpatient.

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207	SPECIAL CATEGORIES		
	REGULAR DISPROPORTIONATE SHARE		
	FROM GENERAL REVENUE FUND	7,295,351	
	FROM GRANTS AND DONATIONS TRUST		
	FUND		87,562,687
	FROM MEDICAL CARE TRUST FUND		148,954,120

Funds in Specific Appropriation 207 shall be used for a Disproportionate Share Hospital Program and are contingent on the state share being provided through grants and donations from state, county, or other government entities.

From the funds in Specific Appropriation 207, the calculations of the Medicaid Hospital Funding Program for the 2016-2017 fiscal year are incorporated by reference in SPB 2502. The calculations are the basis for the appropriations made in the General Appropriations Act.

208	SPECIAL CATEGORIES		
	LOW INCOME POOL		
	FROM GENERAL REVENUE FUND	450,000	
	FROM GRANTS AND DONATIONS TRUST		
	FUND		236,541,144
	FROM MEDICAL CARE TRUST FUND		370,834,308

From the funds in Specific Appropriation 208, the calculations of the Medicaid Hospital Funding Program for the 2016-2017 fiscal year are incorporated by reference in SPB 2502. The calculations are the basis for the appropriations made in the General Appropriations Act.

From the funds in Specific Appropriation 208, in the event the amount of approved nonfederal share of matching funds is not provided by local governmental entities, the agency may adjust low-income pool funds between programs described within this specific appropriation as necessary to ensure sufficient nonfederal matching funds. Any modification, under this provision, shall be consistent with the model, methodology and framework utilized by the Legislature.

From the funds in Specific Appropriation 208, the Agency for Health Care Administration may make low-income pool Medicaid payments in an accelerated manner that is more frequent than on a quarterly basis subject to the availability of state, local and federal funds.

Funds provided in Specific Appropriation 208, are contingent upon the nonfederal share being provided through grants and donations from state, county or other governmental funds.

209	SPECIAL CATEGORIES		
	MEDICAID CROSSOVER SERVICES		
	FROM GENERAL REVENUE FUND	4,547,398	
	FROM MEDICAL CARE TRUST FUND		7,115,587

209A	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CHILDREN'S SPECIALTY		
	HOSPITALS		
	FROM GENERAL REVENUE FUND	800,000	

Of the funds in Specific Appropriation 209A, \$800,000 is provided for children's specialty hospitals in the following manner:

Shriners Hospital for Children.....	400,000
Nemours Children's Health System.....	400,000

210	SPECIAL CATEGORIES		
	HOSPITAL INSURANCE BENEFITS		
	FROM GENERAL REVENUE FUND	29,538,138	
	FROM MEDICAL CARE TRUST FUND		46,220,103

211	SPECIAL CATEGORIES		
	HOSPITAL OUTPATIENT SERVICES		
	FROM GENERAL REVENUE FUND	57,114,938	
	FROM GRANTS AND DONATIONS TRUST		
	FUND		10,617,692
	FROM MEDICAL CARE TRUST FUND		138,522,201
	FROM PUBLIC MEDICAL ASSISTANCE		
	TRUST FUND		20,768,022

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FROM REFUGEE ASSISTANCE TRUST FUND . 615,859

From the funds in Specific Appropriation 211, the calculations of the Medicaid Hospital Funding Program for the 2016-2017 fiscal year are incorporated by reference in SPB 2502. The calculations are the basis for the appropriations made in the General Appropriations Act.

From the funds in Specific Appropriations 211 and 218, \$25,123,536 from the Grants and Donations Trust Fund and \$39,312,309 from the Medical Care Trust Fund are provided so that the Agency for Health Care Administration may amend its current facility fees and physician services to allow for payments to hospitals providing primary care to low-income individuals and participating in the Primary Care Disproportionate Share Hospital (DSH) program in Fiscal Year 2003-2004, provided such hospital implements an emergency room diversion program so that non-emergent patients are triaged to lesser acute settings; or a public hospital assumed the fiscal and operating responsibilities for one or more primary care centers previously operated by the Florida Department of Health or the local county government. Any payments made to qualifying hospitals because of this change shall be contingent on the state share being provided through grants and donations from counties, local governments, public entities, or taxing districts, and federal matching funds. This provision shall be contingent upon federal approval of a state plan amendment.

212 SPECIAL CATEGORIES
OTHER LAB AND X-RAY SERVICES
FROM GENERAL REVENUE FUND 8,340,880
FROM MEDICAL CARE TRUST FUND 13,063,664
FROM REFUGEE ASSISTANCE TRUST FUND . 271,423

213 SPECIAL CATEGORIES
OTHER FEE FOR SERVICE
FROM GENERAL REVENUE FUND 761,806
FROM MEDICAL CARE TRUST FUND 1,192,044

Funds in Specific Appropriation 213 are for the inclusion of freestanding dialysis clinics in the Medicaid program. The Agency for Health Care Administration shall limit payment to \$125.00 per visit for each dialysis treatment. Freestanding dialysis facilities may obtain, administer and submit claims directly to the Medicaid program for End-Stage Renal Disease pharmaceuticals subject to coverage and limitations policy. All pharmaceutical claims for this purpose must include National Drug Codes (NDC) to permit the invoicing for federal and/or state supplemental rebates from manufacturers. Claims for drug products that do not include NDC information are not payable by Florida Medicaid unless the drug product is exempt from federal rebate requirements.

From the funds in Specific Appropriation 213, the Agency for Health Care Administration shall work with dialysis providers, managed care organizations, and physicians to ensure that all Medicaid patients with End Stage Renal Disease (ESRD) are educated and assessed by their physician and dialysis provider to determine their suitability for peritoneal dialysis (PD) as a modality choice. Further, the agency shall consult with the dialysis community concerning suitable voluntary reporting to the state Medicaid program on members' PD suitability.

214 SPECIAL CATEGORIES
PATIENT TRANSPORTATION
FROM GENERAL REVENUE FUND 4,924,579
FROM MEDICAL CARE TRUST FUND 7,760,922
FROM REFUGEE ASSISTANCE TRUST FUND . 109,910

215 SPECIAL CATEGORIES
PERSONAL CARE SERVICES
FROM GENERAL REVENUE FUND 28,720,566
FROM MEDICAL CARE TRUST FUND 45,021,511

216 SPECIAL CATEGORIES
PHYSICIAN AND HEALTH CARE PRACTITIONER SERVICES
FROM GENERAL REVENUE FUND 52,358,084
FROM HEALTH CARE TRUST FUND 3,543,106
FROM TOBACCO SETTLEMENT TRUST FUND . 15,898,906
FROM GRANTS AND DONATIONS TRUST FUND 21,796,476

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FROM MEDICAL CARE TRUST FUND 157,775,388
FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND 7,114,334
FROM REFUGEE ASSISTANCE TRUST FUND . 990,920

From the funds in Specific Appropriation 216, the Agency for Health Care Administration is authorized to continue the physician lock-in program for recipients who participate in the pharmacy lock-in program.

From the funds in Specific Appropriations 216, \$5,000,000 in nonrecurring funds from the General Revenue Fund, \$21,524,652 in nonrecurring funds from the Grants and Donations Trust Fund and \$41,504,720 in nonrecurring funds from the Medical Care Trust Fund is provided for a differential fee schedule for payments for services provided by doctors of medicine and osteopathy as well as other licensed health care practitioners acting under the supervision of those doctors pursuant to existing statutes and written protocols employed by or under contract with a medical school in Florida. This provision shall be contingent upon the nonfederal share being provided through grants and donations from state, local or other governmental funds and federal approval of a state plan amendment.

217 SPECIAL CATEGORIES
THERAPY SERVICES
FROM GENERAL REVENUE FUND 4,977,765
FROM MEDICAL CARE TRUST FUND 7,844,755

218 SPECIAL CATEGORIES
PREPAID HEALTH PLANS
FROM GENERAL REVENUE FUND 3,538,752,181
FROM HEALTH CARE TRUST FUND 509,317,599
FROM TOBACCO SETTLEMENT TRUST FUND . 250,109,096
FROM GRANTS AND DONATIONS TRUST FUND 1,299,186,643
FROM MEDICAL CARE TRUST FUND 7,549,281,812
FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND 557,031,435
FROM REFUGEE ASSISTANCE TRUST FUND . 77,081,240

From the funds in Specific Appropriations 218 and 224, \$6,201,347 from the Grants and Donations Trust Fund and \$9,703,621 from the Medical Care Trust Fund are provided to buy back clinic services rate adjustments, effective on or after July 1, 2008, and are contingent on the nonfederal share being provided through grants and donations from state, county or other governmental funds. Authority is granted to buy back rate reductions up to, but not higher than, the amounts available under the authority appropriated in this Specific Appropriation. In the event that the funds are not available in the Grants and Donations Trust Fund, the State of Florida is not obligated to continue reimbursements at the higher amount.

From the funds in Specific Appropriation 218, the calculations of the Medicaid Hospital Funding Program for the 2016-2017 fiscal year are incorporated by reference in SPB 2502. The calculations are the basis for the appropriations made in the General Appropriations Act.

From the funds in Specific Appropriation 218, \$763,644 from the General Revenue Fund and \$3,054,576 from the Medical Care Trust Fund are provided for a rate increase for Critical Pediatric Neonatal Intensive Care Unit (NICU)/Pediatric Intensive Care Unit (PICU) services.

From the funds in Specific Appropriation 218, \$50,881,054 in nonrecurring funds from the from the Grants and Donations Trust Fund and \$79,616,648 in nonrecurring funds from the Medical Care Trust Fund may be used to pay prepaid Medicaid plans to support access to high quality care from statewide essential providers through a partial sub-capitation amount or equivalent payment based on historic utilization of services.

From the funds in Specific Appropriations 218 and 221, \$1,215,751 from the General Revenue Fund and \$1,902,359 from the Medical Care Trust Fund are provided for a rate increase for Private Duty Nursing services provided by Licensed Practical Nurses.

From the funds in Specific Appropriation 218 and 206, \$10,000 from the General Revenue Fund and \$15,648 from the Medical Care Trust Fund are provided for a rate increase for Labor and Delivery

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Anesthesiologists.

219	SPECIAL CATEGORIES PRESCRIBED MEDICINE/DRUGS		
	FROM GENERAL REVENUE FUND	36,161,487	
	FROM HEALTH CARE TRUST FUND		23,416,376
	FROM GRANTS AND DONATIONS TRUST FUND		294,444,275
	FROM MEDICAL CARE TRUST FUND		19,712,598
	FROM REFUGEE ASSISTANCE TRUST FUND		737,640
220	SPECIAL CATEGORIES MEDICARE PART D PAYMENT		
	FROM GENERAL REVENUE FUND	500,468,343	
221	SPECIAL CATEGORIES PRIVATE DUTY NURSING SERVICES		
	FROM GENERAL REVENUE FUND	8,453,949	
	FROM MEDICAL CARE TRUST FUND		13,228,401
222	SPECIAL CATEGORIES STATEWIDE INPATIENT PSYCHIATRIC SERVICES		
	FROM GENERAL REVENUE FUND	349,119	
	FROM MEDICAL CARE TRUST FUND		555,096

The funds in Specific Appropriation 222 are provided to the Agency for Health Care Administration for services for children in the Statewide Inpatient Psychiatric Program. The program shall be designed to permit prior authorization of services, monitoring and quality assurance, discharge planning, and continuing stay reviews of all children admitted to the program.

223	SPECIAL CATEGORIES SUPPLEMENTAL MEDICAL INSURANCE		
	FROM GENERAL REVENUE FUND	584,988,828	
	FROM MEDICAL CARE TRUST FUND		1,010,209,470
	FROM REFUGEE ASSISTANCE TRUST FUND		14,993
224	SPECIAL CATEGORIES CLINIC SERVICES		
	FROM GENERAL REVENUE FUND	64,345,327	
	FROM GRANTS AND DONATIONS TRUST FUND		724,605
	FROM MEDICAL CARE TRUST FUND		101,934,395
	FROM REFUGEE ASSISTANCE TRUST FUND		467,645

From the funds in Specific Appropriation 224, the Agency for Health Care Administration shall apply a recurring methodology to establish rates taking into consideration the reductions imposed on or after October 1, 2008, in the following manner: (1) the agency shall divide the total amount of each recurring reduction imposed by the number of visits originally used in the rate calculation for each rate setting period on or after October 1, 2008, which will yield a rate reduction per diem for each rate period; (2) the agency shall multiply the resulting rate reduction per diem for each rate setting period on or after October 1, 2008, by the projected number of visits used in establishing the current budget estimate which will yield the total current reduction amount to be applied to current rates; (3) in the event the total current reduction amount is greater than the historical reduction amount, the agency shall hold the rate reduction to the historical reduction amount.

225	SPECIAL CATEGORIES MEDICAID SCHOOL REFINANCING		
	FROM GENERAL REVENUE FUND	4,000,000	
	FROM MEDICAL CARE TRUST FUND		103,828,461

From the funds in Specific Appropriation 225, \$4,000,000 from the General Revenue Fund and \$6,259,041 from the Medical Care Trust Fund are provided for school-based services provided by private schools or charter schools that are not participating in the school district's certified match program under section 409.9072, Florida Statutes, to children younger than 21 years of age with specified disabilities who are eligible for Medicaid and part B or part H of the Individuals with Disabilities Act (IDEA), or the exceptional student education program,

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or who have an individualized educational plan.

226	QUALIFIED EXPENDITURE CATEGORY PREPAID HEALTH PLANS		
	FROM GENERAL REVENUE FUND	236,013,498	
	FROM MEDICAL CARE TRUST FUND		369,304,526

From the funds provided in Specific Appropriations 226, \$236,013,498 from the General Revenue Fund and \$369,304,526 from the Medical Care Trust Fund are provided to the Agency for Health Care Administration for payments to Medicaid prepaid health plans. The Agency for Health Care Administration is authorized to submit budget amendments to request release of these funds pursuant to the provisions of chapter 216, Florida Statutes. The budget amendments shall include a detailed spending plan justifying the need for this funding based upon the results of the Agency's capitation rate setting process. The amendments shall also include actuarial reports and studies to support the need for rate adjustments as well as detailed calculations in support of the need to access additional funding.

TOTAL: MEDICAID SERVICES TO INDIVIDUALS			
FROM GENERAL REVENUE FUND	5,445,374,795		
FROM TRUST FUNDS			14,336,517,756
TOTAL ALL FUNDS			19,781,892,551

MEDICAID LONG TERM CARE

227	SPECIAL CATEGORIES ASSISTIVE CARE SERVICES		
	FROM GENERAL REVENUE FUND	617,147	
	FROM MEDICAL CARE TRUST FUND		965,687

228	SPECIAL CATEGORIES HOME AND COMMUNITY BASED SERVICES		
	FROM GENERAL REVENUE FUND	6,162,977	
	FROM MEDICAL CARE TRUST FUND		1,060,741,383

From the funds in Specific Appropriation 228, \$4,000,000 from the General Revenue fund and \$6,259,041 from the Medical Care Trust Fund are provided for flexible services for persons with severe mental illness or substance abuse disorders, including, but not limited to, temporary housing assistance, subject to federal approval under section 409.906(13)(e), Florida Statutes.

From the funds in Specific Appropriation 228, \$2,000,000 from the General Revenue Fund and \$3,129,520 from the Medical Care Trust Fund is provided for home and community based services for individuals diagnosed with Phelan-McDermid Syndrome under section 409.9064, Florida Statutes, subject to federal approval. Financial eligibility for Medicaid benefits under this plan option will be determined in the same manner as the home and community based services waiver for persons with developmental disabilities.

229	SPECIAL CATEGORIES INTERMEDIATE CARE FACILITIES/ INTELLECTUALLY DISABLED - SUNLAND CENTER		
	FROM MEDICAL CARE TRUST FUND		78,376,293

From the funds in Specific Appropriations 229, 230 and 231, the Agency for Health Care Administration, in consultation with the Agency for Persons with Disabilities, is authorized to transfer funds, in accordance with the provisions of chapter 216, Florida Statutes, to Specific Appropriation 259 for the Developmental Disabilities Home and Community Based Waiver. Priority for the use of these funds will be given to the planning and service areas with the greatest potential for transition success.

230	SPECIAL CATEGORIES INTERMEDIATE CARE FACILITIES/ DEVELOPMENTALLY DISABLED COMMUNITY		
	FROM GENERAL REVENUE FUND	84,279,774	
	FROM GRANTS AND DONATIONS TRUST FUND		15,255,670
	FROM MEDICAL CARE TRUST FUND		155,749,100

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From the funds in Specific Appropriation 230, \$15,255,670 from the Grants and Donations Trust Fund and \$23,871,465 from the Medical Care Trust Fund are provided to buy back intermediate care facilities for the developmentally disabled rate reductions, effective on or after October 1, 2008 and are contingent on the nonfederal share being provided through intermediate care facilities for the developmentally disabled quality assessments. Authority is granted to buy back rate reductions up to, but not higher than, the amounts available under the budgeted authority in this Specific Appropriation. In the event that the funds are not available in the Grants and Donations Trust Fund, the State of Florida is not obligated to continue reimbursements at the higher amount.

The recurring methodology to be utilized by the Agency for Health Care Administration to establish rates taking into consideration the reductions imposed on or after October 1, 2008, shall be to compare the average unit appropriation with actual average unit cost as follows: 1) the average unit appropriation shall be determined by dividing the total appropriation in Specific Appropriation 230 by the total bed days for the past fiscal year; 2) the total actual cost as generated based on the July 1 rate setting shall be divided by the total bed days for the past fiscal year to determine the actual unit cost; 3) the actual unit cost shall be reduced to a Reduced Actual Unit Cost by the same percentage used to calculate the Legislative Appropriation to account for client participation contributions; 4) no negative adjustment to the rates paid to providers shall occur so long as the Reduced Actual Unit Cost is equal to or less than the average unit appropriation; and 5) in the event the Reduced Actual Unit Cost is greater than the average unit appropriation a prorated reduction shall be imposed on all rates after all Quality Assessment Fee funds have been exhausted to cover the rate reductions.

From the funds in Specific Appropriation 230, \$4,023,672 from the General Revenue Fund and \$6,296,081 from the Medical Care Trust Fund are provided for an Intermediate Care Facility for the Developmentally Disabled (ICF/DD) rate increase.

The Agency for Health Care Administration shall not pay any legal judgments, settlements, lawsuit damages or awards imposed by a court as the result of any legal proceeding relating to prior fiscal years without specific authority in the General Appropriations Act.

231	SPECIAL CATEGORIES		
	NURSING HOME CARE		
	FROM GENERAL REVENUE FUND	87,405,953	
	FROM HEALTH CARE TRUST FUND		21,729,472
	FROM GRANTS AND DONATIONS TRUST FUND		49,921,212
	FROM MEDICAL CARE TRUST FUND		248,885,493

From the funds in Specific Appropriation 231, the Agency for Health Care Administration, in consultation with the Department of Health, is authorized to transfer funds in accordance with the provisions of chapter 216, Florida Statutes, to Specific Appropriation 228 specifically for slots under the Model Waiver, Specific Appropriation 527A Brain and Spinal Cord Home and Community Based Services Waiver, and Specific Appropriation 232 Statewide Medicaid Managed Care Long-Term Care Waiver to transition the greatest number of appropriate eligible beneficiaries from skilled nursing facilities to community-based alternatives in order to maximize the reduction in Medicaid nursing home occupancy. Priority for the use of these funds will be given to the planning and service areas with the greatest potential for transition success.

From the funds in Specific Appropriations 231 and 232, \$403,982,869 from the Grants and Donations Trust Fund and \$632,136,313 from the Medical Care Trust Fund are provided to buy back nursing facility rate reductions, effective on or after January 1, 2008, and are contingent on the nonfederal share being provided through nursing home quality assessments. Authority is granted to buy back rate reductions up to, but not higher than the amounts available under the budgeted authority in this Specific Appropriation. In the event that the funds are not available in the Grants and Donations Trust Fund, the State of Florida is not obligated to continue reimbursements at the higher amount.

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232	SPECIAL CATEGORIES		
	PREPAID HEALTH PLAN/LONG TERM CARE		
	FROM GENERAL REVENUE FUND	838,477,449	
	FROM HEALTH CARE TRUST FUND		303,100,403
	FROM GRANTS AND DONATIONS TRUST FUND		369,919,314
	FROM MEDICAL CARE TRUST FUND		2,365,130,602

From the funds in Specific Appropriation 232, \$3,600,000 from the General Revenue Fund and \$5,633,137 from the Medical Care Trust Fund are provided to serve elders on the Medicaid Long Term Care waitlist who have been classified as a priority score of four or higher.

233	SPECIAL CATEGORIES		
	STATE MENTAL HEALTH HOSPITAL PROGRAM		
	FROM MEDICAL CARE TRUST FUND		7,381,925
234	SPECIAL CATEGORIES		
	MENTAL HEALTH HOSPITAL DISPROPORTIONATE SHARE		
	FROM MEDICAL CARE TRUST FUND		72,236,154
235	SPECIAL CATEGORIES		
	T.B. HOSPITAL DISPROPORTIONATE SHARE		
	FROM MEDICAL CARE TRUST FUND		2,443,885
236	SPECIAL CATEGORIES		
	PROGRAM OF ALL-INCLUSIVE CARE FOR THE ELDERLY (PACE)		
	FROM MEDICAL CARE TRUST FUND		40,525,725
237	QUALIFIED EXPENDITURE CATEGORY		
	PREPAID HEALTH PLANS - LONG TERM CARE		
	FROM GENERAL REVENUE FUND	38,664,030	
	FROM MEDICAL CARE TRUST FUND		60,499,935

From the funds provided in Specific Appropriation 237, \$38,664,030 from the General Revenue Fund and \$60,499,935 from the Medical Care Trust Fund are provided to the Agency for Health Care Administration for payments to Medicaid prepaid health plans. The Agency for Health Care Administration is authorized to submit budget amendments to request release of these funds pursuant to the provisions of chapter 216, Florida Statutes. The budget amendments shall include a detailed spending plan justifying the need for this funding based upon the results of the agency's capitation rate setting process. The amendments shall also include actuarial reports and studies to support the need for rate adjustments as well as detailed calculations in support of the need to access additional funding.

TOTAL: MEDICAID LONG TERM CARE			
FROM GENERAL REVENUE FUND	1,055,607,330		
FROM TRUST FUNDS			4,852,862,253
TOTAL ALL FUNDS			5,908,469,583

PROGRAM: HEALTH CARE REGULATION

HEALTH CARE REGULATION			
APPROVED SALARY RATE	28,407,309		
238 SALARIES AND BENEFITS POSITIONS	642.00		
FROM HEALTH CARE TRUST FUND			37,861,631
239 OTHER PERSONAL SERVICES			
FROM HEALTH CARE TRUST FUND			657,144
240 EXPENSES			
FROM HEALTH CARE TRUST FUND			6,635,224
241 OPERATING CAPITAL OUTLAY			
FROM HEALTH CARE TRUST FUND			87,054

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243	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM HEALTH CARE TRUST FUND	253,813
244	SPECIAL CATEGORIES CONTRACTED SERVICES FROM HEALTH CARE TRUST FUND FROM QUALITY OF LONG-TERM CARE FACILITY IMPROVEMENT TRUST FUND . .	7,532,511 1,000,000
245	SPECIAL CATEGORIES EMERGENCY ALTERNATIVE PLACEMENT FROM HEALTH CARE TRUST FUND	806,629
246	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM HEALTH CARE TRUST FUND	768,383
247	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM HEALTH CARE TRUST FUND	140,269
248	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM HEALTH CARE TRUST FUND	212,303
249	SPECIAL CATEGORIES STATE OPERATIONS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FROM HEALTH CARE TRUST FUND	652,990
250	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FROM HEALTH CARE TRUST FUND	115,390,787
TOTAL: HEALTH CARE REGULATION FROM TRUST FUNDS		171,998,738
	TOTAL POSITIONS	642.00
	TOTAL ALL FUNDS	171,998,738
TOTAL: AGENCY FOR HEALTH CARE ADMINISTRATION FROM GENERAL REVENUE FUND		6,562,933,110
	FROM TRUST FUNDS	19,973,483,093
	TOTAL POSITIONS	1,545.00
	TOTAL ALL FUNDS	26,536,416,203
	TOTAL APPROVED SALARY RATE	70,677,447

AGENCY FOR PERSONS WITH DISABILITIES

PROGRAM: SERVICES TO PERSONS WITH DISABILITIES

HOME AND COMMUNITY SERVICES

	APPROVED SALARY RATE	16,558,443
251	SALARIES AND BENEFITS POSITIONS	404.00
	FROM GENERAL REVENUE FUND	13,122,349
	FROM OPERATIONS AND MAINTENANCE TRUST FUND	7,586,063
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND	1,659,841
252	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	2,604,031
	FROM OPERATIONS AND MAINTENANCE TRUST FUND	2,333,762
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND	162,396

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253	EXPENSES FROM GENERAL REVENUE FUND	1,799,268
	FROM OPERATIONS AND MAINTENANCE TRUST FUND	1,008,740
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND	193,061
254	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	9,060
255	SPECIAL CATEGORIES GRANT AND AID INDIVIDUAL AND FAMILY SUPPORTS FROM GENERAL REVENUE FUND	3,080,000
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND	10,106,771
Funds in Specific Appropriation 255 expended for developmental training programs shall require a 12.5 percent match from local sources. In-kind match is acceptable provided there are no reductions in the number of persons served or level of services provided.		
From the funds in Specific Appropriation 255, \$500,000 in nonrecurring funds from the General Revenue Fund is provided for supported employment services for individuals on the waiting list for the Developmental Disabilities Medicaid Waiver program in Specific Appropriation 259. The supported employment services shall be provided in a manner consistent with the same rules and regulations governing these services in the Developmental Disabilities Medicaid Waiver program, and may additionally be used toward obtaining and maintaining paid or unpaid internships.		
256	SPECIAL CATEGORIES ROOM AND BOARD PAYMENTS FOR DEVELOPMENTALLY DISABLED FROM GENERAL REVENUE FUND	2,839,201
257	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	477,637
	FROM OPERATIONS AND MAINTENANCE TRUST FUND	529,072
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND	32,018
258	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM GENERAL REVENUE FUND	7,508,060
From the funds in Specific Appropriation 258, \$1,200,000 in nonrecurring funds from the General Revenue Fund is provided to Our Pride Academy to establish a child care training program for individuals with developmental disabilities.		
From the funds in Specific Appropriation 258, \$2,000,000 from the General Revenue Fund is provided to the ARC of Florida for dental services to individuals with developmental disabilities.		
From the funds in Specific Appropriation 258, \$1,616,060 in nonrecurring funds from the General Revenue Fund is provided to the following projects:		
	Angels Reach Foundation, Inc.....	50,000
	Area Stage Company (ASC) Developmental Disabilities	
	Theater Program for Children.....	150,000
	MACTown Fitness and Wellness Center.....	150,000
	Mallman Center for Child Development.....	800,000
	Operation Grow - Seminole County Work Opportunity Program...	316,060
	The Arc Tampa Bay Foundation.....	150,000
259	SPECIAL CATEGORIES HOME AND COMMUNITY BASED SERVICES WAIVER FROM GENERAL REVENUE FUND	402,718,767
	FROM OPERATIONS AND MAINTENANCE TRUST FUND	630,158,296
From the funds in Specific Appropriation 259, \$14,188,744 from the		

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General Revenue Fund and \$22,201,981 from the Operations and Maintenance Trust Fund are provided to expand the Individual Budget (iBudget) Waiver by removing the greatest number of individuals permissible under the additional funding.

Funds in Specific Appropriation 259 shall not be used for administrative costs. Funds for developmental training programs shall require a 12.5 percent match from local sources. In-kind match is acceptable provided there are no reductions in the number of persons served or level of services provided.

From the funds in Specific Appropriation 259, the Agency for Persons with Disabilities shall provide to the Governor, the President of the Senate, and the Speaker of the House of Representatives monthly surplus-deficit reports projecting the total Medicaid Waiver program expenditures for the fiscal year along with any corrective action plans necessary to align program expenditures with annual appropriations.

260	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	384,498	
261	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	93,168	64,307
261A	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY FIXED CAPITAL OUTLAY FOR PERSONS WITH DISABILITIES FROM GENERAL REVENUE FUND	600,000	
From the funds in Specific Appropriation 261A, \$600,000 in nonrecurring funds from the General Revenue Fund is provided to the City of Hialeah Gardens to provide water therapy for individuals with disabilities.			
261B	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY BRANDON SPORTS AND AQUATIC CENTER FOR INDIVIDUALS WITH UNIQUE ABILITIES FROM GENERAL REVENUE FUND	850,000	
From the funds in Specific Appropriation 261B, \$850,000 in nonrecurring funds from the General Revenue Fund is provided to the Brandon Sports and Aquatic Center for individuals with unique abilities.			
261C	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY PALM BEACH HABILITATION CENTER FACILITY MAINTENANCE, REPAIR, OR NEW CONSTRUCTION FROM GENERAL REVENUE FUND	649,111	
From the funds in Specific Appropriation 261C, \$166,511 in nonrecurring funds from the General Revenue Fund is provided to the Palm Beach Habilitation Center for roofing repairs or replacement.			
From the funds in Specific Appropriation 261C, \$482,600 in nonrecurring funds from the General Revenue Fund is provided to the Palm Beach Habilitation Center for the repair or replacement of fire safety and potable water systems.			
TOTAL: HOME AND COMMUNITY SERVICES			
	FROM GENERAL REVENUE FUND	436,735,150	
	FROM TRUST FUNDS		653,834,327
	TOTAL POSITIONS	404.00	
	TOTAL ALL FUNDS		1,090,569,477
PROGRAM MANAGEMENT AND COMPLIANCE			
	APPROVED SALARY RATE	9,526,784	

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262	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	162.00 8,165,796	5,333,843
263	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	325,451	212,459
264	EXPENSES FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	878,339	559,135
265	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	23,974	
266	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	78,505	2,178
267	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	686,493	512,738
268	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	1,988,073	1,043,094
269	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED PROFESSIONAL SERVICES FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	3,874	2,374
270	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	182,334	
271	SPECIAL CATEGORIES HOME AND COMMUNITY SERVICES ADMINISTRATION FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	2,670,194	4,542,485
From the funds in Specific Appropriation 271, \$1,881,929 in nonrecurring funds from the Operations and Maintenance Trust Fund shall be placed in reserve and is provided to the Agency for Persons with Disabilities to implement the Client Data Management System for the purpose of providing electronic verification of service delivery to recipients by providers, electronic billings for Developmental Disabilities Medicaid Waiver services, and electronic processing of claims. The agency is authorized to submit budget amendments requesting release of funds pursuant to the provisions of chapter 216, Florida Statutes. Any request for release of funds shall include a detailed operational work and spending plan.			
272	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	34,610	36,536

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274	DATA PROCESSING SERVICES		
	STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST)		
	FROM GENERAL REVENUE FUND	69,711	
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		280,779
TOTAL:	PROGRAM MANAGEMENT AND COMPLIANCE		
	FROM GENERAL REVENUE FUND	15,107,354	
	FROM TRUST FUNDS		12,525,621
	TOTAL POSITIONS	162.00	
	TOTAL ALL FUNDS		27,632,975

DEVELOPMENTAL DISABILITY CENTERS - CIVIL PROGRAM

From the funds provided in Specific Appropriations 275 through 285 to the Developmental Disability Centers - Civil Program, the Agency for Persons with Disabilities shall provide to the Governor, the President of the Senate, and the Speaker of the House of Representatives monthly surplus-deficit reports projecting the total civil program expenditures of the Developmental Disability Centers for the fiscal year along with any corrective action plans necessary to align program expenditures with annual appropriations.

	APPROVED SALARY RATE	56,085,324	
275	SALARIES AND BENEFITS POSITIONS	1,637.00	
	FROM GENERAL REVENUE FUND	29,664,116	
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		41,977,346
276	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	609,649	
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		878,799
277	EXPENSES		
	FROM GENERAL REVENUE FUND	2,002,916	
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		3,017,223
278	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	123,123	
279	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND	788,707	
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		1,110,220
280	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	553,118	
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		793,498
	FROM SOCIAL SERVICES BLOCK GRANT		
	TRUST FUND		33,480
281	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED PROFESSIONAL SERVICES		
	FROM GENERAL REVENUE FUND	1,604,279	
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		2,711,770
282	SPECIAL CATEGORIES		
	PRESCRIBED MEDICINE/DRUGS - NON-MEDICAID		
	FROM GENERAL REVENUE FUND	338,721	
283	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	2,049,843	
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		2,126,371

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284	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	285,645	
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		428,288
285	FIXED CAPITAL OUTLAY		
	AGENCY FOR PERSONS WITH DISABILITIES FIXED CAPITAL OUTLAY NEEDS FOR CENTRALLY MANAGED FACILITIES		
	FROM GENERAL REVENUE FUND	2,600,000	

From the funds in Specific Appropriation 285, \$1,305,485 in nonrecurring funds from the General Revenue Fund is provided for William "Billy Joe" Rish Recreational Park.

From the funds in Specific Appropriation 285, \$1,294,515 in nonrecurring funds from the General Revenue Fund is provided for Americans with Disabilities Act (ADA) accessibility modifications and other critical repairs to state facilities.

TOTAL:	DEVELOPMENTAL DISABILITY CENTERS - CIVIL PROGRAM		
	FROM GENERAL REVENUE FUND	40,620,117	
	FROM TRUST FUNDS		53,076,995
	TOTAL POSITIONS	1,637.00	
	TOTAL ALL FUNDS		93,697,112

DEVELOPMENTAL DISABILITY CENTERS - FORENSIC PROGRAM

From the funds provided in Specific Appropriations 286 through 296 to the Developmental Disability Centers - Forensic Program, the Agency for Persons with Disabilities shall provide to the Governor, the President of the Senate, and the Speaker of the House of Representatives monthly surplus-deficit reports projecting the total forensic program expenditures of the Developmental Disability Centers for the fiscal year along with any corrective action plans necessary to align program expenditures with annual appropriations.

	APPROVED SALARY RATE	16,488,988	
286	SALARIES AND BENEFITS POSITIONS	508.50	
	FROM GENERAL REVENUE FUND	23,273,579	
287	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	279,845	
288	EXPENSES		
	FROM GENERAL REVENUE FUND	1,249,744	
289	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	96,844	
290	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND	556,200	
291	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	571,137	
292	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED PROFESSIONAL SERVICES		
	FROM GENERAL REVENUE FUND	350,122	
293	SPECIAL CATEGORIES		
	PRESCRIBED MEDICINE/DRUGS - NON-MEDICAID		
	FROM GENERAL REVENUE FUND	807,202	
294	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	917,931	

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295	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	18,751	
296	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	143,336	
TOTAL:	DEVELOPMENTAL DISABILITY CENTERS - FORENSIC PROGRAM FROM GENERAL REVENUE FUND	28,264,691	
	TOTAL POSITIONS	508.50	
	TOTAL ALL FUNDS		28,264,691
TOTAL:	AGENCY FOR PERSONS WITH DISABILITIES FROM GENERAL REVENUE FUND	520,727,312	
	FROM TRUST FUNDS		719,436,943
	TOTAL POSITIONS	2,711.50	
	TOTAL ALL FUNDS		1,240,164,255
	TOTAL APPROVED SALARY RATE	98,659,539	
CHILDREN AND FAMILIES, DEPARTMENT OF ADMINISTRATION			
PROGRAM: EXECUTIVE LEADERSHIP			
EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	APPROVED SALARY RATE	33,608,054	
297	SALARIES AND BENEFITS FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND FROM FEDERAL GRANTS TRUST FUND FROM WELFARE TRANSITION TRUST FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND	618.00 28,998,227 14,021,754 1,453,484 260,682 283,152 61,248	
298	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND FROM FEDERAL GRANTS TRUST FUND FROM WELFARE TRANSITION TRUST FUND FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND	321,585 54,551 93,033 9,531 2,132	
299	EXPENSES FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND FROM FEDERAL GRANTS TRUST FUND FROM WELFARE TRANSITION TRUST FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND	4,189,140 859,747 206,799 14,868 69,480 7,118	
300	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND	27,616 106,950	
301	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM ADMINISTRATIVE TRUST FUND		20,000
302	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM GENERAL REVENUE FUND		312,373

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303	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND FROM FEDERAL GRANTS TRUST FUND FROM WELFARE TRANSITION TRUST FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND	912,215 405,883 778	311,178 14,538 1,120
304	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND	815,062 103,432	
305	SPECIAL CATEGORIES STATE INSTITUTIONAL CLAIMS FROM GENERAL REVENUE FUND	40,498	
306	SPECIAL CATEGORIES TENANT BROKER COMMISSIONS FROM ADMINISTRATIVE TRUST FUND		132,912
307	SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND	6,520 2,272	
308	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND FROM FEDERAL GRANTS TRUST FUND FROM WELFARE TRANSITION TRUST FUND FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND	157,174 17	54,877 3,775 495
309	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM WELFARE TRANSITION TRUST FUND	3,373,309 564,435 251	
312	PAYMENTS FOR CLAIMS BILLS AND RELIEF ACTS RELIEF/JORGE AND DEBBIE GARCIA-BENGOCHEA FROM FEDERAL GRANTS TRUST FUND		950,000
313	PAYMENTS FOR CLAIMS BILLS AND RELIEF ACTS RELIEF - MARISSA AMORA FROM GENERAL REVENUE FUND	1,700,000	
314	FIXED CAPITAL OUTLAY DEPARTMENT OF CHILDREN AND FAMILY SERVICES FIXED CAPITAL NEEDS FOR CENTRALLY MANAGED FACILITIES FROM GENERAL REVENUE FUND	3,590,434	
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM GENERAL REVENUE FUND FROM TRUST FUNDS	44,444,153 20,070,492	
	TOTAL POSITIONS	618.00	
	TOTAL ALL FUNDS		64,514,645

PROGRAM: SUPPORT SERVICES

INFORMATION TECHNOLOGY

From the funds in Specific Appropriations 315 through 321B, the Department of Children and Families shall provide a report to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee by December 1, 2016, that categorizes the funding and full-time equivalency positions supporting the Florida Safe Family Network (FSFN), the Florida Online Recipients Integrated Data

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Access (FLORIDA), or other department applications. The report data must identify funds by the budget entity, program component, appropriation category, fund, and fund source identifier levels.

	APPROVED SALARY RATE	12,935,221		
315	SALARIES AND BENEFITS	POSITIONS	238.00	
	FROM GENERAL REVENUE FUND		6,043,628	
	FROM ADMINISTRATIVE TRUST FUND		6,256,883	
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		20,385	
	FROM FEDERAL GRANTS TRUST FUND		4,547,787	
	FROM WELFARE TRANSITION TRUST FUND		220,012	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		127,494	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		163,764	
316	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND	126,105		
	FROM ADMINISTRATIVE TRUST FUND		208,000	
	FROM FEDERAL GRANTS TRUST FUND		129,228	
317	EXPENSES			
	FROM GENERAL REVENUE FUND	2,324,550		
	FROM ADMINISTRATIVE TRUST FUND		248,821	
	FROM FEDERAL GRANTS TRUST FUND		1,070,487	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		5,218	
318	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND	40,599		
	FROM FEDERAL GRANTS TRUST FUND		8,299	
319	SPECIAL CATEGORIES			
	COMPUTER RELATED EXPENSES			
	FROM GENERAL REVENUE FUND	2,333,889		
	FROM ADMINISTRATIVE TRUST FUND		118,466	
	FROM FEDERAL GRANTS TRUST FUND		313,937	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		71,808	
319A	SPECIAL CATEGORIES			
	FLORIDA SAFE FAMILIES NETWORK (FSFN)			
	INFORMATION TECHNOLOGY SYSTEM			
	FROM GENERAL REVENUE FUND	5,178,349		
	FROM FEDERAL GRANTS TRUST FUND		1,783,123	
	FROM WELFARE TRANSITION TRUST FUND		3,808,161	
<p>From the funds in Specific Appropriation 319A, the nonrecurring sums of \$2,126,194 from the General Revenue Fund, \$1,066,914 from the Federal Grants Trust Fund, and \$3,504,902 from the Welfare Transition Trust Fund are provided to the Department of Children and Families to procure contracted services support to enhance the Florida Safe Families Network (FSFN) application. The FSFN enhancements shall include, but not be limited to: a) refinements to the Child Welfare Safety Methodology Practice Model; b) data reporting improvements to support the Community-Based Care providers and management reporting; and c) align the FSFN system processes to recent policy revisions. The enhancements shall be developed and deployed through the department's Software Development Life Cycle. These funds shall be placed in reserve. The department may submit budget amendments, which include a detailed operational work plan and project spending plan, pursuant to chapter 216, Florida Statutes, for the release of these funds.</p>				
<p>The department shall provide quarterly updates on the progress of the FSFN enhancements to the chair of the Senate Appropriations Committee, the chair of the House Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget.</p>				
319B	SPECIAL CATEGORIES			
	FLORIDA ONLINE RECIPIENTS INTEGRATED DATA ACCESS (FLORIDA) TECHNOLOGY SYSTEM FOR PUBLIC BENEFIT ELIGIBILITY DETERMINATION			
	FROM GENERAL REVENUE FUND	1,841,197		
	FROM FEDERAL GRANTS TRUST FUND		2,647,042	

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320	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND		49,028	
	FROM FEDERAL GRANTS TRUST FUND			453
321	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND		19,791	
321A	QUALIFIED EXPENDITURE CATEGORY			
	SUBSTANCE ABUSE AND MENTAL HEALTH FINANCIAL AND SERVICES ACCOUNTABILITY MANAGEMENT SYSTEM			
	FROM GENERAL REVENUE FUND		2,000,000	
<p>From the funds in Specific Appropriation 321A, the nonrecurring sum of \$2,000,000 from the General Revenue Fund is provided to the Department of Children and Families for the continued development and implementation of a uniform management information and fiscal accounting system for use by providers of community substance abuse and mental health services. The department is authorized to submit budget amendments requesting release of these funds pursuant to the provisions of chapter 216, Florida Statutes.</p>				
321B	DATA PROCESSING SERVICES			
	STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST)			
	FROM GENERAL REVENUE FUND		11,019,705	
	FROM ADMINISTRATIVE TRUST FUND			1,731,085
	FROM FEDERAL GRANTS TRUST FUND			9,823,011
	FROM WELFARE TRANSITION TRUST FUND			3
	FROM OPERATIONS AND MAINTENANCE TRUST FUND			10,567
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND			10,897
<p>From the funds in Specific Appropriation 321B, the nonrecurring sums of \$730,783 from the General Revenue Fund and \$802,786 from the Federal Grants Trust Fund are provided to the Department of Children and Families for the nonrecurring costs associated with the replacement of the mainframe infrastructure supporting the Florida On-Line Recipient Integrated Data Access (FLORIDA) and Florida Safe Families Network (FSFN) applications. The mainframe replacement shall provide increased processing capacity to ensure an acceptable system performance for the users of the FLORIDA and FSFN applications, and support the anticipated system growth based on the department's requested enhancements to the FSFN application. The mainframe replacement shall be physically located at the Southwood Shared Resource Center.</p>				
TOTAL: INFORMATION TECHNOLOGY				
	FROM GENERAL REVENUE FUND		30,976,841	
	FROM TRUST FUNDS			33,324,931
	TOTAL POSITIONS	238.00		
	TOTAL ALL FUNDS			64,301,772
SERVICES				
PROGRAM: FAMILY SAFETY PROGRAM				
FAMILY SAFETY AND PRESERVATION SERVICES				
	APPROVED SALARY RATE	148,364,426		
322	SALARIES AND BENEFITS	POSITIONS	3,536.00	
	FROM GENERAL REVENUE FUND		83,759,714	
	FROM DOMESTIC VIOLENCE TRUST FUND			15,509
	FROM FEDERAL GRANTS TRUST FUND			32,536,808
	FROM WELFARE TRANSITION TRUST FUND			70,066,874
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND			25,071,788
323	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND	2,223,043		
	FROM FEDERAL GRANTS TRUST FUND			4,128,037
	FROM GRANTS AND DONATIONS TRUST FUND			46,935

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	FROM WELFARE TRANSITION TRUST FUND	2,645,305	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND	1,087,951	
324	EXPENSES		
	FROM GENERAL REVENUE FUND	14,381,266	
	FROM CHILD WELFARE TRAINING TRUST FUND	8,394	
	FROM DOMESTIC VIOLENCE TRUST FUND	11,645	
	FROM FEDERAL GRANTS TRUST FUND	6,016,469	
	FROM GRANTS AND DONATIONS TRUST FUND	9,886	
	FROM WELFARE TRANSITION TRUST FUND	11,915,962	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND	3,914,954	
325	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	54,475	
	FROM FEDERAL GRANTS TRUST FUND	42,941	
	FROM WELFARE TRANSITION TRUST FUND	11,590	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND	7,671	
326	LUMP SUM		
	SHARED RISK FUND FOR COMMUNITY BASED PROVIDERS OF CHILD WELFARE SERVICES		
	FROM GENERAL REVENUE FUND	5,000,000	
	The funds provided in Specific Appropriation 326 are available to community-based care lead agencies pursuant to the provisions of section 409.990, Florida Statutes.		
327	SPECIAL CATEGORIES		
	HOME CARE FOR DISABLED ADULTS		
	FROM GENERAL REVENUE FUND	1,987,544	
328	SPECIAL CATEGORIES		
	GRANTS AND AIDS - COMMUNITY CARE FOR DISABLED ADULTS		
	FROM GENERAL REVENUE FUND	2,041,955	
329	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	5,467,567	
	FROM CHILD WELFARE TRAINING TRUST FUND	2,815	
	FROM FEDERAL GRANTS TRUST FUND	3,759,083	
	FROM GRANTS AND DONATIONS TRUST FUND	13,180	
	FROM WELFARE TRANSITION TRUST FUND	786,634	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND	607,155	
	From the funds in Specific Appropriation 329, the nonrecurring sum of \$750,000 from the General Revenue Fund is provided to the Department of Children and Families to continue contracting for the analytics and predictive analysis initiative within the child welfare system.		
	From the funds in Specific Appropriation 329, the nonrecurring sum of \$500,000 from the General Revenue Fund shall be placed in reserve and is provided to the Department of Children and Families for the continuation of the Child Welfare Results Oriented Accountability System as described in section 409.997, Florida Statutes. The department is authorized to request the release of funds pursuant to the provisions of chapter 216, Florida Statutes.		
	From the funds in Specific Appropriation 329, the nonrecurring sum of \$250,000 from the General Revenue Fund shall be placed in reserve and is provided to the Department of Children and Families for mobile technology enhancements for field investigators, inspectors, and caseworkers in the child welfare system. The department is authorized to request the release of funds pursuant to the provisions of chapter 216, Florida Statutes.		
330	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,582,800	
	From the funds in Specific Appropriation 330, the nonrecurring sum of		

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	\$1,382,800 from the General Revenue fund is provided for the following projects:	
	Camillus House - Human Trafficking Recovery Program.....	250,000
	Kristi House - Drop-in Center for sexually exploited adolescent girls.....	200,000
	Devereux, Inc. - Services to sexually exploited youth.....	359,000
	Victory For Youth, Inc. - Share Your Heart Program.....	373,800
	His House Children's Home - Residential Program.....	100,000
	Breaking the Cycle Institute - Child to Parent Domestic Violence Family Program.....	100,000
	From the funds in Specific Appropriation 330, the nonrecurring sum of \$200,000 from the General Revenue Fund is provided to the City of Hollywood Community Development Department for day care scholarships for the Liberia and Washington Park neighborhoods.	
331	SPECIAL CATEGORIES	
	GRANTS AND AIDS - GRANTS TO SHERIFFS FOR PROTECTIVE INVESTIGATIONS	
	FROM GENERAL REVENUE FUND	36,830,066
	FROM WELFARE TRANSITION TRUST FUND	9,392,840
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND	9,589,500
	The funds in Specific Appropriation 331 shall be used by the Department of Children and Families to award grants to the sheriffs of the following counties to conduct child protective investigations as mandated in section 39.3065, Florida Statutes. The funds shall be allocated as follows:	
	Broward County Sheriff.....	15,054,474
	Hillsborough County Sheriff.....	13,430,952
	Manatee County Sheriff.....	4,719,787
	Pasco County Sheriff.....	6,241,374
	Pinellas County Sheriff.....	11,828,667
	Seminole County Sheriff.....	4,537,152
332	SPECIAL CATEGORIES	
	GRANTS AND AIDS - DOMESTIC VIOLENCE PROGRAM	
	FROM GENERAL REVENUE FUND	11,964,596
	FROM DOMESTIC VIOLENCE TRUST FUND	7,897,064
	FROM FEDERAL GRANTS TRUST FUND	12,395,658
	FROM WELFARE TRANSITION TRUST FUND	7,750,000
	From the funds in Specific Appropriation 332, \$11,964,596 from the General Revenue Fund, \$7,897,064 from the Domestic Violence Trust Fund, \$10,799,061 from the Federal Grants Trust Fund and \$7,750,000 from the Welfare Transition Trust Fund shall be provided to the Florida Coalition Against Domestic Violence for implementation of programs and the management and delivery of services of the state's domestic violence program including implementation of statutory directives contained in chapter 39, Florida Statutes, implementation of special projects, coordinate a strong families and domestic violence campaign, expansion of the child welfare and domestic co-location projects, conduct training and provide technical assistance to certified domestic violence centers and allied professionals, and administration of contracts designated under this appropriation.	
	From the funds in Specific Appropriation 332, \$208,391 from the Federal Grants Trust Fund is provided to the Florida Coalition Against Domestic Violence to implement portions of the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program.	
	From the funds in Specific Appropriation 332, \$195,987 from the Federal Grants Trust Fund is provided to the Florida Coalition Against Sexual Violence to implement portions of the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program.	
	From the funds in Specific Appropriation 332, \$1,192,219 from the Federal Grants Trust Fund shall be transferred to the Department of Health to contract with the Florida Council Against Sexual Violence to implement portions of the Violence Against Women Act STOP Formula Grant.	

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333	SPECIAL CATEGORIES GRANTS AND AIDS - CHILD ABUSE PREVENTION AND INTERVENTION		
	FROM GENERAL REVENUE FUND	19,114,251	
	FROM FEDERAL GRANTS TRUST FUND		1,488,375
	FROM WELFARE TRANSITION TRUST FUND . .		7,777,637

Funds provided in Specific Appropriation 333 shall be provided for the Healthy Families Program.

334	SPECIAL CATEGORIES GRANTS AND AIDS - CHILD PROTECTION		
	FROM GENERAL REVENUE FUND	13,226,231	
	FROM CHILD WELFARE TRAINING TRUST FUND		285,993
	FROM FEDERAL GRANTS TRUST FUND		23,674,020
	FROM GRANTS AND DONATIONS TRUST FUND		130,000
	FROM WELFARE TRANSITION TRUST FUND . .		1,717,587
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		530,696
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		1,999,116

335	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	3,557,083	

336	SPECIAL CATEGORIES TEMPORARY EMERGENCY SHELTER SERVICES		
	FROM GENERAL REVENUE FUND	435,843	

337	SPECIAL CATEGORIES GRANTS AND AIDS - RESIDENTIAL GROUP CARE		
	FROM GENERAL REVENUE FUND	1,641,215	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		115,836
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		929,958

338	SPECIAL CATEGORIES SPECIAL NEEDS ADOPTION INCENTIVES		
	FROM GENERAL REVENUE FUND	3,000,000	

The funds provided in Specific Appropriation 338, are provided for state employee adoption benefits pursuant to section 409.1664, Florida Statutes.

339	SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS		
	FROM GENERAL REVENUE FUND	4,920	
	FROM FEDERAL GRANTS TRUST FUND		4,427
	FROM WELFARE TRANSITION TRUST FUND . .		1,684
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		1,713

340	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	345,275	
	FROM FEDERAL GRANTS TRUST FUND		208,554
	FROM WELFARE TRANSITION TRUST FUND . .		247,526
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		112,721

341	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	43,729	
	FROM FEDERAL GRANTS TRUST FUND		26,433
	FROM WELFARE TRANSITION TRUST FUND . .		58,918
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		11,057

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342	SPECIAL CATEGORIES GRANTS AND AIDS - COMMUNITY BASED CARE FUNDS FOR PROVIDERS OF CHILD WELFARE SERVICES		
	FROM GENERAL REVENUE FUND	322,931,910	
	FROM CHILD WELFARE TRAINING TRUST FUND		2,531,893
	FROM FEDERAL GRANTS TRUST FUND		248,195,924
	FROM WELFARE TRANSITION TRUST FUND . .		45,321,027
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		8,979,209
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		41,078,586

From the funds provided in Specific Appropriation 342, \$2,500,000 from the General Revenue Fund is provided for adoption incentive awards to community-based care lead agencies or their subcontractors, pursuant to section 409.1662, Florida Statutes.

342A	SPECIAL CATEGORIES GRANTS AND AIDS - ADOPTION ASSISTANCE PAYMENTS AND MAINTENANCE SUBSIDIES		
	FROM GENERAL REVENUE FUND	89,192,096	
	FROM FEDERAL GRANTS TRUST FUND		87,510,384
	FROM WELFARE TRANSITION TRUST FUND . .		14,377,342

Funds provided in Specific Appropriation 342A, are provided to community-based care lead agencies for the payment of adoption assistance subsidies pursuant to section 409.166, Florida Statutes.

By February 15, 2017, the Department of Children and Families shall provide to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee, a report providing the total number of finalized adoptions occurring from July 1, 2016 through January 31, 2017. For each lead agency during this period, the report must include the number of adoptions finalized, the average subsidy amount, the number of adoptees receiving an enhanced subsidy, and the average enhanced subsidy amount. The report must also include a year-end projection of the total funding need for adoption assistance subsidies based upon, but not limited to, the aforementioned data requirements.

By April 30, 2017, the department shall perform a reconciliation of the funding appropriated and the projected expenditures for adoption assistance subsidies for each lead agency. Any projected year-end surplus of funding shall either revert or, if necessary, be re-allocated to lead agencies that are projecting a year-end deficit.

TOTAL: FAMILY SAFETY AND PRESERVATION SERVICES			
FROM GENERAL REVENUE FUND	618,785,579		
FROM TRUST FUNDS			697,049,264
TOTAL POSITIONS	3,536.00		
TOTAL ALL FUNDS			1,315,834,843

PROGRAM: MENTAL HEALTH PROGRAM

MENTAL HEALTH SERVICES

	APPROVED SALARY RATE	117,051,958	
343	SALARIES AND BENEFITS POSITIONS	3,033.50	
	FROM GENERAL REVENUE FUND		91,656,261
	FROM FEDERAL GRANTS TRUST FUND		53,671,788
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		6,263,302
344	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	965,805	
345	EXPENSES		
	FROM GENERAL REVENUE FUND	12,970,305	
	FROM FEDERAL GRANTS TRUST FUND		738,318
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		413,664
346	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	619,164	

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	FROM FEDERAL GRANTS TRUST FUND . . .		1,683,100
347	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND	3,437,538	
348	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	5,060,964	
349	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	31,086,562	
350	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED PROFESSIONAL SERVICES		
	FROM GENERAL REVENUE FUND	99,652,426	
	FROM FEDERAL GRANTS TRUST FUND . . .		14,620,079
From the funds in Specific Appropriation 350, \$1,211,727 from the General Revenue Fund is provided to contract with a mental health facility for no less than 11 additional secure forensic flex beds to ensure capacity for forensic individuals being admitted within 15 days of a court order as required by chapter 916, Florida Statutes.			
351	SPECIAL CATEGORIES		
	PRESCRIBED MEDICINE/DRUGS - NON-MEDICAID		
	FROM GENERAL REVENUE FUND	8,788,410	
	FROM FEDERAL GRANTS TRUST FUND . . .		1,900,961
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		876,992
352	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	7,477,579	
	FROM FEDERAL GRANTS TRUST FUND . . .		963,605
353	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	90,969	
354	SPECIAL CATEGORIES		
	DEFERRED-PAYMENT COMMODITY CONTRACTS		
	FROM GENERAL REVENUE FUND	716,733	
355	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	348,888	
	FROM FEDERAL GRANTS TRUST FUND . . .		20,446
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,973
356	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	23,944	
TOTAL:	MENTAL HEALTH SERVICES		
	FROM GENERAL REVENUE FUND	262,895,548	
	FROM TRUST FUNDS		81,154,228
	TOTAL POSITIONS	3,033.50	
	TOTAL ALL FUNDS		344,049,776
PROGRAM: ECONOMIC SELF SUFFICIENCY PROGRAM			
ECONOMIC SELF SUFFICIENCY SERVICES			
	APPROVED SALARY RATE	161,416,687	
357	SALARIES AND BENEFITS	4,355.00	
	POSITIONS		
	FROM GENERAL REVENUE FUND	92,312,170	
	FROM FEDERAL GRANTS TRUST FUND . . .		99,144,460
	FROM GRANTS AND DONATIONS TRUST FUND		4,516,181
	FROM WELFARE TRANSITION TRUST FUND .		7,299,483

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358	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	1,441,392	
	FROM FEDERAL GRANTS TRUST FUND . . .		2,604,791
	FROM WELFARE TRANSITION TRUST FUND .		141,420
359	EXPENSES		
	FROM GENERAL REVENUE FUND	11,641,741	
	FROM FEDERAL GRANTS TRUST FUND . . .		16,847,488
	FROM WELFARE TRANSITION TRUST FUND .		1,067,102
360	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	2,998	
	FROM FEDERAL GRANTS TRUST FUND . . .		25,594
	FROM WELFARE TRANSITION TRUST FUND .		474
361	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CHALLENGE GRANTS FROM GRANTS AND DONATIONS TRUST FUND		3,800,000
Funds in Specific Appropriation 361, which have been transferred from the Department of Economic Opportunity, Specific Appropriation 2224, shall be used to provide services to homeless persons according to the provisions of section 420.622, Florida Statutes.			
362	SPECIAL CATEGORIES		
	GRANTS AND AIDS - FEDERAL EMERGENCY SHELTER GRANT PROGRAM		
	FROM FEDERAL GRANTS TRUST FUND . . .		6,160,320
	FROM WELFARE TRANSITION TRUST FUND .		852,507
363	SPECIAL CATEGORIES		
	GRANTS AND AIDS - HOMELESS HOUSING ASSISTANCE GRANTS		
	FROM GENERAL REVENUE FUND	3,000,000	
From the funds in Specific Appropriation 363, the recurring sum of \$2,700,000 and the nonrecurring sum of \$300,000 from the General Revenue Fund are provided to the local homeless coalitions throughout the state.			
364	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	15,863,436	
	FROM FEDERAL GRANTS TRUST FUND . . .		19,961,507
	FROM WELFARE TRANSITION TRUST FUND .		595,294
From the funds in Specific Appropriation 364, the nonrecurring sums of \$250,000 from the General Revenue Fund and \$250,000 from the Federal Grants Trust Fund are provided for enrollment assistance for individuals age sixty and over that are eligible, but are not enrolled in the Supplemental Nutrition Assistance Program.			
365	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	576,801	
	FROM FEDERAL GRANTS TRUST FUND . . .		11,708,995
	FROM WELFARE TRANSITION TRUST FUND .		166,494
366	SPECIAL CATEGORIES		
	GRANTS AND AIDS - LOCAL SERVICES PROGRAM		
	FROM FEDERAL GRANTS TRUST FUND . . .		64,742,633
367	SPECIAL CATEGORIES		
	PUBLIC ASSISTANCE FRAUD CONTRACT		
	FROM FEDERAL GRANTS TRUST FUND . . .		3,406,033
	FROM WELFARE TRANSITION TRUST FUND .		689,593
368	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	1,432,669	
	FROM FEDERAL GRANTS TRUST FUND . . .		1,200,901
	FROM WELFARE TRANSITION TRUST FUND .		76,129
369	SPECIAL CATEGORIES		
	SERVICES TO REPATRIATED AMERICANS		
	FROM FEDERAL GRANTS TRUST FUND . . .		40,380

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370	SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM WELFARE TRANSITION TRUST FUND	5,935	8,322 545
371	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM WELFARE TRANSITION TRUST FUND	424,578	611,231 39,110
372	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND FROM WELFARE TRANSITION TRUST FUND	750	26,644 28,714 640
373	FINANCIAL ASSISTANCE PAYMENTS CASH ASSISTANCE FROM GENERAL REVENUE FUND FROM WELFARE TRANSITION TRUST FUND	127,459,723	31,432,356
374	FINANCIAL ASSISTANCE PAYMENTS NONRELATIVE CARE GIVER FROM GENERAL REVENUE FUND	4,800,000	
375	FINANCIAL ASSISTANCE PAYMENTS OPTIONAL STATE SUPPLEMENTATION PROGRAM FROM GENERAL REVENUE FUND	6,918,700	
376	FINANCIAL ASSISTANCE PAYMENTS PERSONAL CARE ALLOWANCE FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	4,555,139	28,017
377	FINANCIAL ASSISTANCE PAYMENTS REFUGEE/ENTRANT ASSISTANCE FROM FEDERAL GRANTS TRUST FUND		29,607,836
TOTAL:	ECONOMIC SELF SUFFICIENCY SERVICES FROM GENERAL REVENUE FUND FROM TRUST FUNDS	270,436,032	306,831,194
	TOTAL POSITIONS TOTAL ALL FUNDS	4,355.00	577,267,226
PROGRAM: COMMUNITY SERVICES			
COMMUNITY SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES			
	APPROVED SALARY RATE	5,142,367	
378	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND FROM FEDERAL GRANTS TRUST FUND	92.00 3,725,008	30 2,922,589 204,505
379	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND FROM FEDERAL GRANTS TRUST FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	535,096	484,864 1,155,711 258,557
380	EXPENSES FROM GENERAL REVENUE FUND FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND	1,091,036	753,055

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	FROM FEDERAL GRANTS TRUST FUND FROM WELFARE TRANSITION TRUST FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	286,292 3,723 101,980
381	SPECIAL CATEGORIES GRANTS AND AIDS - PUBLIC SAFETY, MENTAL HEALTH, AND SUBSTANCE ABUSE LOCAL MATCHING GRANT PROGRAM FROM GENERAL REVENUE FUND	9,000,000
	From the funds in Specific Appropriation 381, the recurring sum of \$6,000,000 from the General Revenue Fund is provided to expand the Criminal Justice, Mental Health and Substance Abuse Reinvestment Grant Program.	
382	SPECIAL CATEGORIES CHILDREN'S ACTION TEAMS FOR MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES FROM GENERAL REVENUE FUND	17,250,000
	From the funds provided in Specific Appropriation 382, the sum of \$13,500,000 from the General Revenue Fund shall be used by the Department of Children and Families to contract directly with each of the following providers for a total of \$750,000 each for the operation of Community Action Treatment (CAT) teams that provide community-based services to children ages 11 to 21 with a mental health diagnosis or co-occurring substance abuse diagnosis with accompanying characteristics such as: being at-risk for out-of-home placement as demonstrated by repeated failures at less intensive levels of care; having two or more hospitalizations or repeated failures; involvement with the Department of Juvenile Justice or multiple episodes involving law enforcement; or, poor academic performance and/or suspensions. Children younger than 11 may be candidates if they meet two or more of the aforementioned characteristics.	
	The department shall fund the following contracts:	
	SalusCare (Lee Mental Health) - Lee Manatee Glens - Sarasota, Desoto Circles of Care - Brevard Life Management Center - Bay David Lawrence Center - Collier Child Guidance Center - Duval Institute for Child and Family Health - Miami-Dade Mental Health Care - Hillsborough Personal Enrichment Mental Health Services - Pinellas Peace River Center - Polk, Highlands, Hardee COPE Center - Walton Lifestream Behavioral Center - Sumter and Lake Family Preservation Services of Florida - Treasure Coast Lakeside Behavioral Healthcare - Orange Citrus Health Network - Miami-Dade Manatee Glens - Manatee Lakeview Center - Escambia Sinfonia - Alachua	
	From the funds in Specific Appropriation 382, the recurring sum of \$3,750,000 from the General Revenue Fund is provided for five additional Community Action Treatment teams in the areas of greatest need, as determined by the Department of Children and Families.	
383	SPECIAL CATEGORIES GRANTS AND AIDS - COMMUNITY MENTAL HEALTH SERVICES FROM GENERAL REVENUE FUND FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND FROM FEDERAL GRANTS TRUST FUND FROM WELFARE TRANSITION TRUST FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	208,925,864 32,726,272 27,008,169 6,948,619 445,370
	From the funds in Specific Appropriation 383, the sum of \$455,000 from the General Revenue Fund shall continue to be provided to the Citrus Health Network for behavioral health services.	
	From the Funds in Specific Appropriation 383, the nonrecurring sum of	

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\$1,814,880 from the General Revenue Fund is provided for mental health transitional beds to move eligible individuals currently in the state mental health institutions to community settings as an alternative to more costly institutional placement. The Department of Children and Families shall contract directly with the three not-for-profit, comprehensive community mental health treatment facilities located in the northern, central, and southern regions of the state that are currently under contract with the department for this service and qualified to provide integrated healthcare, offer a full continuum of care including emergency, residential, and outpatient psychiatric services, and have immediate capacity for placement.

From the funds in Specific Appropriation 383, the recurring sum of \$3,260,000 from the General Revenue Fund is provided for the creation of five pilot community forensic multidisciplinary teams designed to divert individuals from secure forensic commitment by providing community-based services. The teams will be placed in the areas of greatest need, as determined by the Department of Children and Families.

384	SPECIAL CATEGORIES		
	GRANTS AND AIDS - BAKER ACT SERVICES		
	FROM GENERAL REVENUE FUND	72,738,856	
385	SPECIAL CATEGORIES		
	GRANTS AND AIDS - COMMUNITY SUBSTANCE		
	ABUSE SERVICES		
	FROM GENERAL REVENUE FUND	103,338,212	
	FROM ALCOHOL, DRUG ABUSE AND		
	MENTAL HEALTH TRUST FUND	122,418,776	
	FROM FEDERAL GRANTS TRUST FUND	2,554,954	
	FROM WELFARE TRANSITION TRUST FUND	5,850,004	
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND	1,992,695	

From the funds in Specific Appropriation 385, the recurring sum of \$10,000,000 from the General Revenue Fund shall continue to be provided for the expansion of substance abuse services for pregnant women, mothers, and their affected families. These services shall include the expansion of residential treatment, outpatient treatment with housing support, outreach, detoxification, child care and post-partum case management supporting both the mother and child consistent with recommendations from the Statewide Task Force on Prescription Drug Abuse and Newborns. Priority for services shall be given to counties with the greatest need and available treatment capacity.

From the funds in Specific Appropriation 385, \$750,000 from the General Revenue Fund is provided to the Department of Children and Families to continue contracting directly with Informed Families of Florida for the purpose of providing a statewide program for the prevention of child and adolescent substance abuse.

From the funds in Specific Appropriation 385, \$7,400,000 from the General Revenue Fund shall continue to be provided to implement the Family Intensive Treatment (FIT) team model that is designed to provide intensive team-based, family-focused, comprehensive services to families in the child welfare system with parental substance abuse. Treatment shall be available and provided in accordance with the indicated level of care required and providers shall meet program specifications. Funds shall be targeted to select communities with high rates of child abuse cases.

From the funds in Specific Appropriation 385, the recurring sum of \$2,800,000 from the General Revenue Fund is provided to expand the Family Intensive Treatment team model in the areas of greatest need, as determined by the Department of Children and Families.

From the funds in Specific Appropriation 385, \$278,100 from the General Revenue Funds shall continue to be provided to First Steps of Sarasota, Inc., for the Drug Free Babies Program.

From the funds in Specific Appropriation 385, the recurring sum of \$200,000 and the nonrecurring sum of \$300,000 from the General Revenue Fund shall be provided to Here's Help, Inc.

From the funds in Specific Appropriation 385, \$250,000 from the General Revenue Fund shall continue to be provided to the Drug Abuse Comprehensive Coordinating Office (DACCO).

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386	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CENTRAL RECEIVING		
	FACILITIES		
	FROM GENERAL REVENUE FUND	20,000,000	

The funds in Specific Appropriation 386 are provided for a statewide initiative to fund centralized receiving systems. A central receiving system consists of a designated central receiving facility and other service providers that serve as a single point or a coordinated system of entry for individuals needing evaluation or stabilization under section 394.463 or section 397.675, Florida Statutes, or crisis services as defined in subsections 394.67(17)-(18), Florida Statutes. Centralized receiving systems provide a single point or a coordinated system of entry for an array of behavioral health services, conduct initial assessments and triage, and provide case management and related services, including jail diversion programs for individuals with mental health or substance abuse disorders. The Department of Children and Families shall administer a matching grant program to provide funding for the start-up or on-going costs of a centralized receiving system. Each award, including awards granted by the department in Fiscal Year 2015-2016, may be granted for a period of up to five years, and shall require a local match of at least 50 percent of the state award. The department shall work with local agencies to encourage and support the development of centralized receiving systems.

387	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	4,846,877	
	FROM ALCOHOL, DRUG ABUSE AND		
	MENTAL HEALTH TRUST FUND	1,206,192	
	FROM FEDERAL GRANTS TRUST FUND	1,133,961	
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND	37,599	

From the funds in Specific Appropriation 387, the sum of \$1,500,000 from the General Revenue Fund shall continue to be provided to contract with a nonprofit organization for the distribution and associated medical costs of naltrexone extended-release injectable medication to treat alcohol and opioid dependency.

388	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	4,874,378	
	FROM ALCOHOL, DRUG ABUSE AND		
	MENTAL HEALTH TRUST FUND	452,312	
	FROM FEDERAL GRANTS TRUST FUND	5,604,931	

From the funds in Specific Appropriation 388, the nonrecurring sum of \$3,293,000 from the General Revenue fund is provided for the following projects:

Gracepoint - Crisis stabilization units.....	848,000
Meridian Behavioral Healthcare, Inc. - Health home for individuals with severe mental illnesses and substance use disorders.....	410,000
Directions for Living.....	400,000
Citrus Health Network - Graduate Medical Education residency program in psychiatry.....	350,000
Camillus House - Behavioral health services.....	200,000
Florida Certification Board - Expansion of training center..	300,000
Florida Certification Board - Credentialing Program for Recovery Residence Administrators.....	100,000
BayCare Behavioral Health - Veteran Intervention Program....	485,000
Florida Psychological and Associated Healthcare - Behavioral health services.....	100,000
Starting Point Behavioral Healthcare - Behavioral health services.....	100,000

From the funds in Specific Appropriation 388, the sum of \$100,000 from the General Revenue Fund is provided to the David Lawrence Center for behavioral health services.

From the funds in Specific Appropriation 388, the sum of \$100,000 from the General Revenue Fund is provided to the Ft. Myers Salvation Army for behavioral health services.

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389	SPECIAL CATEGORIES GRANTS AND AIDS - PURCHASE OF THERAPEUTIC SERVICES FOR CHILDREN FROM GENERAL REVENUE FUND	8,911,958	
390	SPECIAL CATEGORIES GRANTS AND AIDS - INDIGENT PSYCHIATRIC MEDICATION PROGRAM FROM GENERAL REVENUE FUND	6,780,276	
391	SPECIAL CATEGORIES GRANTS AND AIDS - PURCHASED RESIDENTIAL TREATMENT SERVICES FOR EMOTIONALLY DISTURBED CHILDREN AND YOUTH FROM GENERAL REVENUE FUND	2,201,779	
392	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	132,230	130
393	SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		1,129
394	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND FROM FEDERAL GRANTS TRUST FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	36,481 24,912 209 4,632	
395	SPECIAL CATEGORIES CONTRACTED SERVICES - SUBSTANCE ABUSE AND MENTAL HEALTH ADMINISTRATION FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM WELFARE TRANSITION TRUST FUND . .	19,951,914 701,418 731,355	
Funds in Specific Appropriation 395 are provided for the administration costs of the seven regional managing entities that deliver behavioral health care through local network providers.			
396	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	4,306 1,455 600	
396A	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GATEWAY COMMUNITY SERVICES FROM GENERAL REVENUE FUND	200,000	
From the funds in Specific Appropriation 396A, the nonrecurring sum of \$200,000 is provided to Gateway Community Services for the construction and renovation of buildings and patient rooms.			
TOTAL:	COMMUNITY SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES FROM GENERAL REVENUE FUND FROM TRUST FUNDS TOTAL POSITIONS TOTAL ALL FUNDS	484,544,271 92.00 700,561,271	216,017,000

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TOTAL:	CHILDREN AND FAMILIES, DEPARTMENT OF FROM GENERAL REVENUE FUND FROM TRUST FUNDS	1,712,082,424 1,354,447,109	
	TOTAL POSITIONS TOTAL ALL FUNDS TOTAL APPROVED SALARY RATE	11,872.50 3,066,529,533 478,518,713	
ELDER AFFAIRS, DEPARTMENT OF PROGRAM: SERVICES TO ELDERS PROGRAM COMPREHENSIVE ELIGIBILITY SERVICES			
	APPROVED SALARY RATE	10,320,036	
397	SALARIES AND BENEFITS FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	272.50 6,130,198 10,776,299	
From the funds in Specific Appropriations 397 through 404, \$3,288,197 from the General Revenue Fund is provided to the Department of Elder Affairs to fund the state portion of the Non-Preadmission Screening Resident Review activities. These funds are contingent upon federal approval of the state's submission of the amended Public Assistance Cost Allocation Plan that identifies the services provided by the Department of Elder Affairs' Comprehensive Assessment and Review for Long-Term Care Services (CARES) program for Medicaid-related activities for individuals seeking nursing or community-based services. These funds shall be held in reserve until official approval of the cost allocation plan is received from the federal Centers for Medicare and Medicaid Services by the state. Once official approval has been received, the department is authorized to submit budget amendments for the release of these funds and the placement of trust funded budget equal to the match in reserve, in accordance with chapter 216, Florida Statutes.			
398	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	469,648 970,316	
399	EXPENSES FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	857,340 1,669,679	
400	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	17,885 34,178	
401	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	89,803 124,014	
402	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	83,521 137,986	
403	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	60,611 89,483	
404	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	39,049	

SECTION 3 - HUMAN SERVICES

FROM OPERATIONS AND MAINTENANCE TRUST FUND		70,761
TOTAL: COMPREHENSIVE ELIGIBILITY SERVICES		
FROM GENERAL REVENUE FUND	7,748,055	
FROM TRUST FUNDS		13,872,716
TOTAL POSITIONS	272.50	
TOTAL ALL FUNDS		21,620,771

HOME AND COMMUNITY SERVICES

APPROVED SALARY RATE	3,071,903	
405 SALARIES AND BENEFITS POSITIONS	64.50	
FROM GENERAL REVENUE FUND	1,554,475	
FROM FEDERAL GRANTS TRUST FUND		2,047,253
FROM OPERATIONS AND MAINTENANCE TRUST FUND		972,575
406 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	260,220	
FROM ADMINISTRATIVE TRUST FUND		59,598
FROM FEDERAL GRANTS TRUST FUND		825,349
FROM OPERATIONS AND MAINTENANCE TRUST FUND		230,105
407 EXPENSES		
FROM GENERAL REVENUE FUND	403,089	
FROM ADMINISTRATIVE TRUST FUND		5,958
FROM FEDERAL GRANTS TRUST FUND		1,085,024
FROM OPERATIONS AND MAINTENANCE TRUST FUND		450,427
408 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	5,905	
FROM FEDERAL GRANTS TRUST FUND		5,000
FROM OPERATIONS AND MAINTENANCE TRUST FUND		5,000
409 SPECIAL CATEGORIES		
AGING AND ADULT SERVICES TRAINING AND EDUCATION		
FROM FEDERAL GRANTS TRUST FUND		119,493
410 SPECIAL CATEGORIES		
GRANTS AND AIDS - ALZHEIMER'S DISEASE INITIATIVE		
FROM GENERAL REVENUE FUND	21,930,317	

From the funds in Specific Appropriation 410, the following projects are funded from nonrecurring general revenue funds:

Easter Seals of South Florida.....	101,850
Alzheimer's Community Care Association.....	250,000

From the funds in Specific Appropriation 410, \$1,700,000 from the General Revenue Fund is provided for Alzheimer's respite care services to serve individuals on the waitlist statewide.

411 SPECIAL CATEGORIES		
GRANTS AND AIDS - COMMUNITY CARE FOR THE ELDERLY		
FROM GENERAL REVENUE FUND	63,026,080	
FROM FEDERAL GRANTS TRUST FUND		269,851
FROM OPERATIONS AND MAINTENANCE TRUST FUND		3,038,969

From the funds in Specific Appropriation 411, \$2,000,000 from the General Revenue Fund is provided to serve elders on the waitlist.

From the funds in Specific Appropriation 411, \$650,000 from the General Revenue Fund and \$650,000 from the Operations and Maintenance Trust Fund are provided to the Area Agencies on Aging related to the Statewide Medicaid Managed Care Long Term Care program.

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412 SPECIAL CATEGORIES		
GRANTS AND AIDS - HOME ENERGY ASSISTANCE		
FROM FEDERAL GRANTS TRUST FUND		5,963,764
413 SPECIAL CATEGORIES		
GRANTS AND AIDS - OLDER AMERICANS ACT PROGRAM		
FROM GENERAL REVENUE FUND	8,012,809	
FROM FEDERAL GRANTS TRUST FUND		96,743,728

From the funds in Specific Appropriation 413, the following projects are funded from nonrecurring general revenue funds:

City of Hialeah Gardens - Hot Meals.....	200,000
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414 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	239,710	
FROM ADMINISTRATIVE TRUST FUND		33,131
FROM FEDERAL GRANTS TRUST FUND		458,925
FROM GRANTS AND DONATIONS TRUST FUND		22,700
FROM OPERATIONS AND MAINTENANCE TRUST FUND		178,564

415 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	2,753,545	
FROM ADMINISTRATIVE TRUST FUND		31,397
FROM FEDERAL GRANTS TRUST FUND		9,135,359
FROM OPERATIONS AND MAINTENANCE TRUST FUND		796,511

From the funds in Specific Appropriation 415, \$50,000 in nonrecurring funds from the General Revenue fund is provided to the Villa Serena Group in Miami-Dade County to provide a consumer referral program for indigent persons needing a placement in an assisted living facility. The program will provide information and referral to assisted living facilities in Miami-Dade County and shall provide a report by July 1, 2017 to the Executive Office of the Governor. President of the Senate and Speaker of the House of Representatives to document the program's activities and make recommendations to assist indigent person's needing care in an assisted living facility.

From the funds in Specific Appropriation 415, \$500,000 in nonrecurring funds from the General Revenue Fund is provided for United Home Care Assisted Living Facility - Miami Dade to provide subsidized residency to low-income elders.

From the funds in Specific Appropriation 415, \$200,000 in nonrecurring funds from the General Revenue Fund is provided to American Communities for Assisted Living Facility Housing for low income individuals in Miami - Dade County.

416 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	47,785	

417 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND	9,639	
FROM FEDERAL GRANTS TRUST FUND		6,635
FROM OPERATIONS AND MAINTENANCE TRUST FUND		6,182

418 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	8,729	
FROM FEDERAL GRANTS TRUST FUND		12,293
FROM OPERATIONS AND MAINTENANCE TRUST FUND		4,952

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419	SPECIAL CATEGORIES PROGRAM OF ALL-INCLUSIVE CARE FOR THE ELDERLY (PACE) FROM GENERAL REVENUE FUND	15,420,606	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		24,129,549
419A	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AIDS - ALZHEIMER'S COMMUNITY CARE AND SERVICES FROM GENERAL REVENUE FUND	60,037	
	From the funds in Specific Appropriation 419A, \$60,037 in nonrecurring funds from the General Revenue Fund to Easter Seals South Florida.		
419B	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AIDS - SENIOR CITIZEN CENTERS FROM GENERAL REVENUE FUND	100,000	
	From the funds in Specific Appropriation 419B, \$100,000 in nonrecurring funds from the General Revenue Fund is provide provided to Violeta Duenas Senior Center.		
TOTAL:	HOME AND COMMUNITY SERVICES FROM GENERAL REVENUE FUND	113,832,946	
	FROM TRUST FUNDS		146,638,292
	TOTAL POSITIONS	64.50	
	TOTAL ALL FUNDS		260,471,238
EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	APPROVED SALARY RATE	3,461,762	
420	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	64.50	
	FROM ADMINISTRATIVE TRUST FUND	1,795,910	
	FROM FEDERAL GRANTS TRUST FUND		1,692,489
			1,306,737
421	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	89,463	
	FROM ADMINISTRATIVE TRUST FUND		515,613
	FROM FEDERAL GRANTS TRUST FUND		643,883
422	EXPENSES FROM GENERAL REVENUE FUND	233,611	
	FROM ADMINISTRATIVE TRUST FUND		384,307
	FROM FEDERAL GRANTS TRUST FUND		801,228
423	OPERATING CAPITAL OUTLAY FROM FEDERAL GRANTS TRUST FUND		2,000
424	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM GENERAL REVENUE FUND	5,452	
425	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	67,285	
	FROM ADMINISTRATIVE TRUST FUND		112,789
	FROM FEDERAL GRANTS TRUST FUND		205,789
426	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	110,603	
	FROM ADMINISTRATIVE TRUST FUND		4,058
	FROM FEDERAL GRANTS TRUST FUND		73,406
427	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	5,022	
	FROM ADMINISTRATIVE TRUST FUND		4,159
	FROM FEDERAL GRANTS TRUST FUND		7,016

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428	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	10,705	
	FROM ADMINISTRATIVE TRUST FUND		16,942
429	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM GENERAL REVENUE FUND	28,518	
	FROM ADMINISTRATIVE TRUST FUND		48,472
	FROM FEDERAL GRANTS TRUST FUND		166,582
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		333,879
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM GENERAL REVENUE FUND	2,346,569	
	FROM TRUST FUNDS		6,319,349
	TOTAL POSITIONS	64.50	
	TOTAL ALL FUNDS		8,665,918
CONSUMER ADVOCATE SERVICES			
	APPROVED SALARY RATE	1,402,221	
430	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	32.00	
	FROM FEDERAL GRANTS TRUST FUND	431,023	
			1,489,508
431	OTHER PERSONAL SERVICES FROM ADMINISTRATIVE TRUST FUND		153,825
	FROM FEDERAL GRANTS TRUST FUND		405,633
432	EXPENSES FROM GENERAL REVENUE FUND	126,361	
	FROM ADMINISTRATIVE TRUST FUND		109,973
	FROM FEDERAL GRANTS TRUST FUND		107,427
433	SPECIAL CATEGORIES PUBLIC GUARDIANSHIP CONTRACTED SERVICES FROM GENERAL REVENUE FUND	5,687,527	
	FROM ADMINISTRATIVE TRUST FUND		154,816
	From the funds in Specific Appropriation 433, \$750,000 in nonrecurring funds from the General Revenue Fund is provided for additional Public Guardianship services.		
434	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	6,760	
	FROM ADMINISTRATIVE TRUST FUND		149,000
435	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	48,327	
436	SPECIAL CATEGORIES LONG TERM CARE OMBUDSMAN COUNCIL FROM GENERAL REVENUE FUND	872,350	
	FROM FEDERAL GRANTS TRUST FUND		626,020
437	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	50,092	
438	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	4,667	
	FROM FEDERAL GRANTS TRUST FUND		9,012

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TOTAL: CONSUMER ADVOCATE SERVICES		
FROM GENERAL REVENUE FUND	7,227,107	
FROM TRUST FUNDS		3,205,214
TOTAL POSITIONS	32.00	
TOTAL ALL FUNDS		10,432,321
TOTAL: ELDER AFFAIRS, DEPARTMENT OF		
FROM GENERAL REVENUE FUND	131,154,677	
FROM TRUST FUNDS		170,035,571
TOTAL POSITIONS	433.50	
TOTAL ALL FUNDS		301,190,248
TOTAL APPROVED SALARY RATE	18,255,922	

HEALTH, DEPARTMENT OF

PROGRAM: EXECUTIVE DIRECTION AND SUPPORT

ADMINISTRATIVE SUPPORT

APPROVED SALARY RATE	19,358,623	
439 SALARIES AND BENEFITS POSITIONS	387.50	
FROM GENERAL REVENUE FUND	3,180,167	
FROM ADMINISTRATIVE TRUST FUND		21,602,065
440 OTHER PERSONAL SERVICES		
FROM ADMINISTRATIVE TRUST FUND		1,514,768
FROM FEDERAL GRANTS TRUST FUND		117,600
441 EXPENSES		
FROM GENERAL REVENUE FUND	1,915,516	
FROM ADMINISTRATIVE TRUST FUND		8,061,504
FROM FEDERAL GRANTS TRUST FUND		17,400
442 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - MINORITY HEALTH		
INITIATIVES		
FROM GENERAL REVENUE FUND	3,134,044	
443 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	63,408	
FROM ADMINISTRATIVE TRUST FUND		2,573,137
443A LUMP SUM		
DISASTER RECOVERY SERVICES		
FROM GENERAL REVENUE FUND	1,570,484	

Funds in Specific Appropriation 443A are provided for the Department of Health to obtain a managed disaster recovery service that does not require the purchase of hardware. The department is authorized to submit budget amendments for the release of the lump sum appropriation pursuant to the provisions of chapter 216, Florida Statutes. Requests for release of funds shall include a detailed implementation plan and project spend plan.

444 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE		
HEARINGS		
FROM ADMINISTRATIVE TRUST FUND		33,245
445 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	1,222,032	
FROM ADMINISTRATIVE TRUST FUND		4,340,408
FROM FEDERAL GRANTS TRUST FUND		74,019
446 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	94,388	
FROM ADMINISTRATIVE TRUST FUND		250,669
447 SPECIAL CATEGORIES		
TENANT BROKER COMMISSIONS		
FROM ADMINISTRATIVE TRUST FUND		738,731

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448 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND	10,397	
FROM ADMINISTRATIVE TRUST FUND		67,336
449 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	34,990	
FROM ADMINISTRATIVE TRUST FUND		101,295
450 DATA PROCESSING SERVICES		
STATE DATA CENTER - AGENCY FOR STATE		
TECHNOLOGY (AST)		
FROM GENERAL REVENUE FUND	1,362,947	
FROM ADMINISTRATIVE TRUST FUND		5,017,623
451 DATA PROCESSING SERVICES		
CHILDREN AND FAMILIES DATA CENTER		
FROM ADMINISTRATIVE TRUST FUND		1,282,859
452 DATA PROCESSING SERVICES		
NORTHWOOD SHARED RESOURCE CENTER (NSRC)		
DEPRECIATION FEDERAL SHARE BILLINGS		
FROM ADMINISTRATIVE TRUST FUND		17,011
TOTAL: ADMINISTRATIVE SUPPORT		
FROM GENERAL REVENUE FUND	12,588,373	
FROM TRUST FUNDS		45,809,670
TOTAL POSITIONS	387.50	
TOTAL ALL FUNDS		58,398,043

PROGRAM: COMMUNITY PUBLIC HEALTH

COMMUNITY HEALTH PROMOTION

The Florida Hospital/Sanford-Burnham Translational Research Institute is designated as a State of Florida resource for research in diabetes diagnosis, prevention and treatment. The Florida Hospital/Sanford-Burnham Translational Research Institute may coordinate with the Department of Health on activities and grant opportunities in relation to research in diabetes diagnosis, prevention and treatment.

APPROVED SALARY RATE	10,687,438	
453 SALARIES AND BENEFITS POSITIONS	223.50	
FROM GENERAL REVENUE FUND	1,850,092	
FROM ADMINISTRATIVE TRUST FUND		255,085
FROM RAPE CRISIS PROGRAM TRUST		
FUND		40,943
FROM TOBACCO SETTLEMENT TRUST FUND		316,778
FROM EPILEPSY SERVICES TRUST FUND		66,775
FROM FEDERAL GRANTS TRUST FUND		9,679,698
FROM GRANTS AND DONATIONS TRUST		
FUND		61,969
FROM MATERNAL AND CHILD HEALTH		
BLOCK GRANT TRUST FUND		1,187,299
FROM PREVENTIVE HEALTH SERVICES		
BLOCK GRANT TRUST FUND		550,402
From the funds in Specific Appropriation 453, \$316,778 and four		
positions are provided to implement the Comprehensive Statewide Tobacco		
Education and Prevention Program in accordance with Section 27, Article		
X of the State Constitution.		
454 OTHER PERSONAL SERVICES		
FROM FEDERAL GRANTS TRUST FUND		662,340
FROM GRANTS AND DONATIONS TRUST		
FUND		114,390
FROM MATERNAL AND CHILD HEALTH		
BLOCK GRANT TRUST FUND		147,829
FROM PREVENTIVE HEALTH SERVICES		
BLOCK GRANT TRUST FUND		67,086

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455	EXPENSES		
	FROM GENERAL REVENUE FUND	155,572	
	FROM ADMINISTRATIVE TRUST FUND . . .		36,074
	FROM RAPE CRISIS PROGRAM TRUST FUND		35,000
	FROM EPILEPSY SERVICES TRUST FUND		31,044
	FROM BIOMEDICAL RESEARCH TRUST FUND		2,047
	FROM FEDERAL GRANTS TRUST FUND	2,662,761	
	FROM GRANTS AND DONATIONS TRUST FUND		41,478
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		447,752
	FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		292,504
456	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - FAMILY PLANNING SERVICES		
	FROM GENERAL REVENUE FUND	4,245,455	
	FROM FEDERAL GRANTS TRUST FUND		1,067,783
457	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - EPILEPSY SERVICES		
	FROM GENERAL REVENUE FUND	2,668,230	
	FROM EPILEPSY SERVICES TRUST FUND		152,181
458	AID TO LOCAL GOVERNMENTS CONTRIBUTION TO COUNTY HEALTH UNITS		
	FROM GENERAL REVENUE FUND	3,455,424	
459	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - PRIMARY CARE PROGRAM		
	FROM GENERAL REVENUE FUND	19,221,512	
460	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - FLUORIDATION PROJECT		
	FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		150,000
461	AID TO LOCAL GOVERNMENTS SCHOOL HEALTH SERVICES		
	FROM GENERAL REVENUE FUND	10,909,412	
	FROM FEDERAL GRANTS TRUST FUND		6,125,846
	From the funds in Specific Appropriations 461 and 476, \$5,000,000 from the Federal Grants Trust Fund is provided for school health services using Title XXI administrative funding.		
462	OPERATING CAPITAL OUTLAY		
	FROM FEDERAL GRANTS TRUST FUND		69,350
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		25,000
463	SPECIAL CATEGORIES GRANTS AND AIDS - OUNCE OF PREVENTION		
	FROM GENERAL REVENUE FUND	1,900,000	
464	SPECIAL CATEGORIES GRANTS AND AIDS - CRISIS COUNSELING		
	FROM GENERAL REVENUE FUND	4,000,000	
	From the funds in Specific Appropriation 464, \$2,000,000 from the General Revenue Fund is provided to the Florida Pregnancy Support Services Program. These funds must be used to provide wellness services, including but not limited to, high blood pressure screening, flu vaccines, anemia testing, thyroid screening, cholesterol screening, diabetes screening, assistance with smoking cessation, and tetanus vaccines.		
	From the funds in Specific Appropriation 464, a minimum of 85 percent of the appropriated funds shall be spent on direct client services, program awareness, and communications.		
	The Department of Health shall award a contract to the current Florida Pregnancy Support Services Program contract management provider for this Specific Appropriation. The contract shall provide for payments to such provider of \$400 per month per sub-contracted direct service provider		

SECTION 3 - HUMAN SERVICES

for contract oversight, to include technical and educational support. The department is authorized to spend no more than \$50,000 for agency program oversight activities.

465	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	109,642	
	FROM ADMINISTRATIVE TRUST FUND		20,000
	FROM RAPE CRISIS PROGRAM TRUST FUND		10,000
	FROM FEDERAL GRANTS TRUST FUND		1,614,446
	FROM GRANTS AND DONATIONS TRUST FUND		5,740
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		13,000
	FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		305,500
466	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	23,473,916	
	FROM ADMINISTRATIVE TRUST FUND		100,000
	FROM RAPE CRISIS PROGRAM TRUST FUND		1,645,666
	FROM FEDERAL GRANTS TRUST FUND		9,172,189
	FROM GRANTS AND DONATIONS TRUST FUND		1,866,445
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		2,075,773
	FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		532,095

From the funds in Specific Appropriation 466, \$2,500,000 from the General Revenue Fund is provided to the Florida Council Against Sexual Violence. At least 95 percent of the funds provided shall be distributed to certified rape crisis centers to provide services statewide for victims of sexual assault.

From the funds in Specific Appropriation 466, \$1,192,219 from the Federal Grants Trust Fund is provided to the Florida Council Against Sexual Violence to implement portions of the Violence Against Women Act STOP Formula Grant.

From the funds in Specific Appropriation 466, \$750,000 from the General Revenue Fund is provided to the Florida Heiken Children's Vision Program to provide free comprehensive eye examinations and eyeglasses to financially disadvantaged school children who have no other source for vision care.

From the funds in Specific Appropriation 466, \$1,000,000 from the General Revenue Fund is provided to VisionQuest to provide free comprehensive eye examinations and eyeglasses to financially disadvantaged school children who have no access to vision care. These services will be provided statewide and VisionQuest shall be reimbursed at current Medicaid rates for exams, refractions, and dispensing; and at a flat rate of \$48 for eyeglasses.

From the funds in Specific Appropriation 466, the following projects are funded with nonrecurring funds from the General Revenue Fund:

Miami Dade Health Action Network.....	250,000
Teen Xpress.....	350,000
Mary Brogan Breast and Cervical Cancer Early Detection Program.....	300,000
Sant La Haitian Neighborhood Center.....	200,000
Banyan Community Health Center.....	500,000
St. John Bosco Clinic.....	200,000
FIU - Telemedicine and Student Health Services.....	250,000
Expanded Primary Care Access - Manatee, Sarasota and Desoto Counties.....	300,000
Andrews Institute Foundation - Eagle Fund.....	100,000
Hands of St. Lucie County.....	700,000
Florida Donated Dental Services.....	170,000
Community Water Fluoridation.....	200,000

From the funds in Specific Appropriation 466, \$450,000 from the General Revenue Fund is provided to the Florida State University College of Medicine - Immokalee.

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From the funds in Specific Appropriation 466, \$9,500,000 from the General Revenue Fund, of which \$500,000 is nonrecurring, is provided to the Florida Association of Free and Charitable Clinics.

467 SPECIAL CATEGORIES
GRANTS AND AIDS - HEALTHY START COALITIONS
FROM GENERAL REVENUE FUND 20,656,426
FROM MATERNAL AND CHILD HEALTH
BLOCK GRANT TRUST FUND 6,542,389

From the funds in Specific Appropriation 467, \$681,250 in nonrecurring funds from the General Revenue Fund is provided to the Department of Health to fund designated Healthy Start Coalitions and federally qualified health centers to integrate the Nurse-Family Partnership model to provide intensive nurse visitation services for women and their infants. From these funds, the Department of Health shall use \$10,000 to contract with the Nurse-Family Partnership National Service Office for process and outcome data identification, management, and analysis. Any needed training and programmatic support will also be provided.

468 SPECIAL CATEGORIES
TRANSFER TO BIOMEDICAL RESEARCH TRUST FUND
FROM GENERAL REVENUE FUND 7,850,000

469 SPECIAL CATEGORIES
JAMES AND ESTHER KING BIOMEDICAL RESEARCH
PROGRAM
FROM BIOMEDICAL RESEARCH TRUST
FUND 10,000,000

470 SPECIAL CATEGORIES
WILLIAM G. "BILL" BANKHEAD, JR., AND DAVID
COLEY CANCER RESEARCH PROGRAM
FROM BIOMEDICAL RESEARCH TRUST
FUND 10,000,000

From the funds in Specific Appropriation 470, \$500,000 from the Biomedical Research Trust Fund is provided to maintain the statewide Brain Tumor Registry Program at the McKnight Brain Institute.

471 SPECIAL CATEGORIES
HEALTH EDUCATION RISK REDUCTION PROJECT
FROM PREVENTIVE HEALTH SERVICES
BLOCK GRANT TRUST FUND 12,686

472 SPECIAL CATEGORIES
FLORIDA CONSORTIUM OF NATIONAL CANCER
INSTITUTE CENTERS PROGRAM
FROM GENERAL REVENUE FUND 45,000,000
FROM BIOMEDICAL RESEARCH TRUST
FUND 15,000,000

Funds in Specific Appropriation 472 are provided for the Florida Consortium of National Cancer Institute (NCI) Centers Program established in section 381.915, Florida Statutes.

Cancer centers are eligible for Tier 1, Tier 2 and Tier 3 designation to participate in the Florida Consortium of National Cancer Institute (NCI) Centers Program as follows: H. Lee Moffitt Cancer Center and Research Institute is eligible for Tier 1 designation as a NCI-designated comprehensive cancer center; and the University of Miami Sylvester Comprehensive Cancer Center and the University of Florida Health Shands Cancer Hospital are eligible for Tier 3 designation in the Florida Consortium of NCI Centers Program.

472A SPECIAL CATEGORIES
BIOMEDICAL RESEARCH
FROM GENERAL REVENUE FUND 250,000
FROM BIOMEDICAL RESEARCH TRUST
FUND 2,600,000

From the funds in Specific Appropriation 472A, \$2,600,000 from the Biomedical Research Trust Fund is provided to the Sanford-Burnham Medical Research Institute.

From the funds in Specific Appropriation 472A, \$250,000 in

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nonrecurring funds from the General Revenue Fund is provided to the Torrey Pines Institute for Molecular Studies.

473 SPECIAL CATEGORIES
ENDOWED CANCER RESEARCH
FROM GENERAL REVENUE FUND 2,000,000

Funds in Specific Appropriation 473 are provided to the Mayo Clinic Cancer Center of Jacksonville to fund an endowed cancer research chair pursuant to section 381.922(4), Florida Statutes.

474 SPECIAL CATEGORIES
ALZHEIMER RESEARCH
FROM GENERAL REVENUE FUND 3,000,000

Funds in Specific Appropriation 474 are provided for the Ed and Ethel Moore Alzheimer's Disease Research Program established in section 381.82, Florida Statutes.

475 SPECIAL CATEGORIES
GRANTS AND AIDS - FEDERAL NUTRITION
PROGRAMS
FROM FEDERAL GRANTS TRUST FUND 269,242,843

476 SPECIAL CATEGORIES
FULL SERVICE SCHOOLS - INTERAGENCY
COOPERATION
FROM GENERAL REVENUE FUND 6,000,000
FROM FEDERAL GRANTS TRUST FUND 2,500,000

477 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 124,709
FROM FEDERAL GRANTS TRUST FUND 1,777

478 SPECIAL CATEGORIES
WOMEN, INFANTS AND CHILDREN (WIC)
FROM FEDERAL GRANTS TRUST FUND 253,434,235

479 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM FEDERAL GRANTS TRUST FUND 13,822
FROM PREVENTIVE HEALTH SERVICES
BLOCK GRANT TRUST FUND 1,526

480 SPECIAL CATEGORIES
COMPREHENSIVE STATEWIDE TOBACCO PREVENTION
AND EDUCATION PROGRAM
FROM TOBACCO SETTLEMENT TRUST FUND 67,752,019

Funds in Specific Appropriation 480 shall be used to implement the Comprehensive Statewide Tobacco Education and Prevention Program in accordance with Section 27, Article X of the State Constitution as adjusted annually for inflation, using the Consumer Price Index as published by the United States Department of Labor. The appropriation shall be allocated as follows:

State & Community Interventions.....	11,202,740
State & Community Interventions - AHEC.....	5,607,264
Health Communications Interventions.....	22,561,422
Cessation Interventions.....	13,366,084
Cessation Interventions - AHEC.....	7,602,298
Surveillance & Evaluation.....	6,040,199
Administration & Management.....	1,372,012

From the funds in Specific Appropriation 480, the Department of Health may use nicotine replacements and other treatments approved by the federal Food and Drug Administration as part of smoking cessation interventions.

All contracts awarded through this Specific Appropriation shall include performance measures and measurable outcomes. The Department of Health shall establish specific performance and accountability criteria for all intervention and evaluation contracts. The criteria shall be based on best medical practices, past smoking cessation experience, the federal Centers for Disease Control and Prevention Best Practices for Comprehensive Tobacco Control Programs, and the ability to impact the broadest population.

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481	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT	14,268	1,077
	FROM GENERAL REVENUE FUND		
	FROM ADMINISTRATIVE TRUST FUND		538
	FROM RAPE CRISIS PROGRAM TRUST FUND		52,947
	FROM FEDERAL GRANTS TRUST FUND		366
	FROM GRANTS AND DONATIONS TRUST FUND		
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		6,069
	FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		1,925
481A	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY		
	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	3,000,000	
	From the funds in Specific Appropriation 481A \$3,000,000 in nonrecurring funds from the General Revenue Fund is provided to the Mount Sinai Medical Center.		
481B	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY		
	RURAL HOSPITALS		
	FROM GENERAL REVENUE FUND	2,000,000	
	From the funds in Specific Appropriation 481B, \$2,000,000 in nonrecurring funds from the General Revenue Fund is provided for the Rural Hospital Capital Improvement Program and shall be allocated in accordance to the grant process in section 395.6061, Florida Statutes.		
TOTAL:	COMMUNITY HEALTH PROMOTION		
	FROM GENERAL REVENUE FUND	161,884,658	
	FROM TRUST FUNDS		678,814,487
	TOTAL POSITIONS	223.50	
	TOTAL ALL FUNDS		840,699,145
	DISEASE CONTROL AND HEALTH PROTECTION		
	APPROVED SALARY RATE	22,831,473	
482	SALARIES AND BENEFITS POSITIONS	542.50	
	FROM GENERAL REVENUE FUND	7,820,719	
	FROM ADMINISTRATIVE TRUST FUND		2,115,803
	FROM FEDERAL GRANTS TRUST FUND		13,014,405
	FROM GRANTS AND DONATIONS TRUST FUND		2,048,356
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		59,404
	FROM PLANNING AND EVALUATION TRUST FUND		5,106,327
	FROM RADIATION PROTECTION TRUST FUND		299,618
483	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	52,386	
	FROM ADMINISTRATIVE TRUST FUND		71,060
	FROM FEDERAL GRANTS TRUST FUND		1,186,763
	FROM GRANTS AND DONATIONS TRUST FUND		57,197
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		20,505
	FROM PLANNING AND EVALUATION TRUST FUND		129,707
484	EXPENSES		
	FROM GENERAL REVENUE FUND	1,460,419	
	FROM ADMINISTRATIVE TRUST FUND		964,928
	FROM FEDERAL GRANTS TRUST FUND		10,666,892
	FROM GRANTS AND DONATIONS TRUST FUND		368,658

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	FROM OPERATIONS AND MAINTENANCE TRUST FUND		727,934
	FROM PLANNING AND EVALUATION TRUST FUND		12,508,954
	FROM RADIATION PROTECTION TRUST FUND		60,615
485	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - AIDS PATIENT CARE		
	FROM GENERAL REVENUE FUND	12,609,807	
	FROM FEDERAL GRANTS TRUST FUND		7,560,522
486	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - RYAN WHITE CONSORTIA		
	FROM FEDERAL GRANTS TRUST FUND		20,754,358
	Funds in Specific Appropriation 486 from the Federal Grants Trust Fund are contingent upon sufficient state matching funds being identified to qualify for the federal Ryan White grant award. The Department of Health and the Department of Corrections shall collaborate in determining the amount of general revenue funds expended by the Department of Corrections for AIDS-related activities and services that qualify as state matching funds for the Ryan White grant.		
487	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - STATEWIDE ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS) NETWORKS		
	FROM GENERAL REVENUE FUND	10,463,853	
488	AID TO LOCAL GOVERNMENTS		
	CONTRIBUTION TO COUNTY HEALTH UNITS		
	FROM GENERAL REVENUE FUND	14,662,823	
	FROM ADMINISTRATIVE TRUST FUND		427,426
	FROM GRANTS AND DONATIONS TRUST FUND		2,194,571
489	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	52,500	
	FROM ADMINISTRATIVE TRUST FUND		15,000
	FROM FEDERAL GRANTS TRUST FUND		410,024
	FROM PLANNING AND EVALUATION TRUST FUND		100,000
491	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,291,055	
	FROM ADMINISTRATIVE TRUST FUND		335,165
	FROM FEDERAL GRANTS TRUST FUND		6,479,690
	FROM GRANTS AND DONATIONS TRUST FUND		966,838
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		609,948
	FROM PLANNING AND EVALUATION TRUST FUND		2,458,489
	FROM RADIATION PROTECTION TRUST FUND		1,500
	From the funds in Specific Appropriation 491, \$450,000 from the General Revenue Fund is provided to the Birth Defects Registry.		
492	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	4,280,026	
	FROM FEDERAL GRANTS TRUST FUND		11,896,717
	From the funds in Specific Appropriation 492, \$1,000,000 from the General Revenue Fund is provided for Florida academic and research institutions designated as Centers for AIDS Research (CFAR) by the National Institutes of Health to enhance high quality HIV/AIDS research projects conducted in response to the health needs of Florida's citizens.		
	From the funds in Specific Appropriation 492, the following projects are funded with nonrecurring funds from the General Revenue Fund:		
	The Center of Central Florida.....		35,000
	HIV/AIDS Outreach for Broward Health.....		350,000
	Hope & Health Center - Hug Me! Pediatric and Adolescent		

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HIV Care Program.....		710,000	
493 SPECIAL CATEGORIES			
GRANTS AND AIDS - CONTRACTED PROFESSIONAL SERVICES			
FROM GENERAL REVENUE FUND	1,995,141		
FROM OPERATIONS AND MAINTENANCE TRUST FUND		3,000,000	
494 SPECIAL CATEGORIES			
GRANTS AND AIDS - ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS) INSURANCE CONTINUATION PROGRAM			
FROM GENERAL REVENUE FUND	6,454,951		
FROM FEDERAL GRANTS TRUST FUND		8,516,293	
495 SPECIAL CATEGORIES			
PURCHASED CLIENT SERVICES			
FROM GENERAL REVENUE FUND	498,687		
FROM OPERATIONS AND MAINTENANCE TRUST FUND		252,395	
496 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND	221,283		
FROM PLANNING AND EVALUATION TRUST FUND		149,190	
497 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM GENERAL REVENUE FUND	31,674		
FROM ADMINISTRATIVE TRUST FUND		1,748	
FROM FEDERAL GRANTS TRUST FUND		35,702	
FROM PLANNING AND EVALUATION TRUST FUND		45,320	
498 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
FROM GENERAL REVENUE FUND	87,326		
FROM ADMINISTRATIVE TRUST FUND		9,730	
FROM FEDERAL GRANTS TRUST FUND		90,244	
FROM GRANTS AND DONATIONS TRUST FUND		11,265	
FROM PLANNING AND EVALUATION TRUST FUND		27,603	
FROM RADIATION PROTECTION TRUST FUND		1,346	
499 SPECIAL CATEGORIES			
OUTREACH FOR PREGNANT WOMEN			
FROM GENERAL REVENUE FUND	500,000		
TOTAL: DISEASE CONTROL AND HEALTH PROTECTION			
FROM GENERAL REVENUE FUND	62,482,650		
FROM TRUST FUNDS		115,758,210	
TOTAL POSITIONS	542.50		
TOTAL ALL FUNDS		178,240,860	
COUNTY HEALTH DEPARTMENTS LOCAL HEALTH NEEDS			
APPROVED SALARY RATE	417,667,667		
501 SALARIES AND BENEFITS POSITIONS	9,962.07		
FROM COUNTY HEALTH DEPARTMENT TRUST FUND		523,254,632	
502 OTHER PERSONAL SERVICES			
FROM COUNTY HEALTH DEPARTMENT TRUST FUND		54,149,586	
503 EXPENSES			
FROM COUNTY HEALTH DEPARTMENT TRUST FUND		125,957,059	

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504 AID TO LOCAL GOVERNMENTS			
CONTRIBUTION TO COUNTY HEALTH UNITS			
FROM GENERAL REVENUE FUND		118,543,260	
505 AID TO LOCAL GOVERNMENTS			
COMMUNITY HEALTH INITIATIVES			
FROM GENERAL REVENUE FUND		2,105,274	
FROM COUNTY HEALTH DEPARTMENT TRUST FUND			500,000
506 OPERATING CAPITAL OUTLAY			
FROM COUNTY HEALTH DEPARTMENT TRUST FUND			10,235,802
507 LUMP SUM			
COUNTY HEALTH DEPARTMENTS POSITIONS	50.00		
508 SPECIAL CATEGORIES			
ACQUISITION OF MOTOR VEHICLES			
FROM COUNTY HEALTH DEPARTMENT TRUST FUND			1,809,253
509 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM COUNTY HEALTH DEPARTMENT TRUST FUND			78,559,007
510 SPECIAL CATEGORIES			
GRANTS AND AIDS - CONTRACTED SERVICES			
FROM COUNTY HEALTH DEPARTMENT TRUST FUND			27,500
511 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM COUNTY HEALTH DEPARTMENT TRUST FUND			6,305,145
512 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM COUNTY HEALTH DEPARTMENT TRUST FUND			3,809,117
513 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
FROM COUNTY HEALTH DEPARTMENT TRUST FUND			2,955,879
514 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY MAINTENANCE AND REPAIR OF COUNTY HEALTH DEPARTMENTS			
FROM GENERAL REVENUE FUND		3,319,219	
FROM COUNTY HEALTH DEPARTMENT TRUST FUND			7,533,960
TOTAL: COUNTY HEALTH DEPARTMENTS LOCAL HEALTH NEEDS			
FROM GENERAL REVENUE FUND		123,967,753	
FROM TRUST FUNDS			815,096,940
TOTAL POSITIONS	10,012.07		
TOTAL ALL FUNDS			939,064,693
STATEWIDE PUBLIC HEALTH SUPPORT SERVICES			
APPROVED SALARY RATE	19,906,515		
515 SALARIES AND BENEFITS POSITIONS	439.00		
FROM GENERAL REVENUE FUND		1,894,933	
FROM ADMINISTRATIVE TRUST FUND			1,078,157
FROM EMERGENCY MEDICAL SERVICES TRUST FUND			2,488,206
FROM FEDERAL GRANTS TRUST FUND			7,196,290
FROM GRANTS AND DONATIONS TRUST FUND			701,335

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	FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND	2,381,308	
	FROM PLANNING AND EVALUATION TRUST FUND	5,769,163	
	FROM RADIATION PROTECTION TRUST FUND	5,914,297	
516	OTHER PERSONAL SERVICES		
	FROM ADMINISTRATIVE TRUST FUND . . .	10,000	
	FROM EMERGENCY MEDICAL SERVICES TRUST FUND	607,471	
	FROM FEDERAL GRANTS TRUST FUND . . .	167,657	
	FROM GRANTS AND DONATIONS TRUST FUND	64,047	
	FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND	598,329	
	FROM PLANNING AND EVALUATION TRUST FUND	711,689	
	FROM RADIATION PROTECTION TRUST FUND	42,246	
517	EXPENSES		
	FROM GENERAL REVENUE FUND	253,070	
	FROM ADMINISTRATIVE TRUST FUND . . .	250,408	
	FROM EMERGENCY MEDICAL SERVICES TRUST FUND	770,404	
	FROM FEDERAL GRANTS TRUST FUND . . .	1,617,520	
	FROM GRANTS AND DONATIONS TRUST FUND	272,116	
	FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND	632,117	
	FROM PLANNING AND EVALUATION TRUST FUND	715,822	
	FROM RADIATION PROTECTION TRUST FUND	1,647,943	
518	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - LOCAL HEALTH COUNCILS		
	FROM GENERAL REVENUE FUND	500,000	
	FROM GRANTS AND DONATIONS TRUST FUND	1,006,000	
	From the funds in Specific Appropriation 518, \$500,000 in nonrecurring funds from the General Revenue Fund is provided to the Health Council of South Florida.		
519	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - EMERGENCY MEDICAL SERVICES COUNTY GRANTS		
	FROM EMERGENCY MEDICAL SERVICES TRUST FUND	2,696,675	
520	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - EMERGENCY MEDICAL SERVICES MATCHING GRANTS		
	FROM EMERGENCY MEDICAL SERVICES TRUST FUND	3,181,461	
521	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	3,693	
	FROM ADMINISTRATIVE TRUST FUND . . .	1,300	
	FROM EMERGENCY MEDICAL SERVICES TRUST FUND	16,932	
	FROM FEDERAL GRANTS TRUST FUND . . .	61,466	
	FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND	9,000	
	FROM PLANNING AND EVALUATION TRUST FUND	28,302	
	FROM RADIATION PROTECTION TRUST FUND	56,997	
521A	LUMP SUM		
	COMMUNITY HEALTH CENTERS		
	FROM GENERAL REVENUE FUND	18,276,256	

The release of nonrecurring funds in Specific Appropriation 521A is contingent upon the Department of Health submitting a budget amendment, in accordance with the provisions of chapter 216, Florida Statutes,

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	detailing the distribution of funds to eligible Federally Qualified Health Centers.		
522	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM RADIATION PROTECTION TRUST FUND		210,856
523	SPECIAL CATEGORIES		
	GRANTS AND AIDS - STRENGTHENING DOMESTIC SECURITY - BIOTERRORISM ENHANCEMENTS - HEALTH AND HOSPITALS		
	FROM FEDERAL GRANTS TRUST FUND . . .		21,143,607
524	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	561,692	
	FROM ADMINISTRATIVE TRUST FUND . . .		240,623
	FROM EMERGENCY MEDICAL SERVICES TRUST FUND		515,458
	FROM FEDERAL GRANTS TRUST FUND . . .		1,352,941
	FROM GRANTS AND DONATIONS TRUST FUND		100,781
	FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND		242,075
	FROM PLANNING AND EVALUATION TRUST FUND		1,769,980
	FROM RADIATION PROTECTION TRUST FUND		148,500
	From the funds in Specific Appropriation 524, \$500,000 from the General Revenue Fund is provided to the Department of Health to support the Florida Prescription Drug Monitoring Program.		
525	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,495,536	
	FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND		1,321,507
	From the funds in Specific Appropriation 525, \$250,000 in nonrecurring funds from the General Revenue Fund is provided to the Bitner/Plante Amyotrophic Lateral Sclerosis Initiative of Florida.		
526	SPECIAL CATEGORIES		
	DRUGS, VACCINES AND OTHER BIOLOGICALS		
	FROM GENERAL REVENUE FUND	23,977,280	
	FROM FEDERAL GRANTS TRUST FUND . . .		119,154,984
	FROM GRANTS AND DONATIONS TRUST FUND		21,316,023
	Funds in Specific Appropriation 526 from the Federal Grants Trust Fund are contingent upon sufficient state matching funds being identified to qualify for the federal Ryan White grant award. The Department of Health and the Department of Corrections shall collaborate in determining the amount of state general revenue funds expended by the Department of Corrections for AIDS-related activities and services that qualify as state matching funds for the Ryan White grant.		
527	SPECIAL CATEGORIES		
	GRANTS AND AIDS - RURAL HEALTH NETWORK GRANTS		
	FROM GENERAL REVENUE FUND	500,000	
	FROM FEDERAL GRANTS TRUST FUND . . .		799,305
527A	SPECIAL CATEGORIES		
	BRAIN AND SPINAL CORD HOME AND COMMUNITY BASED SERVICES WAIVER		
	FROM GENERAL REVENUE FUND	4,058,397	
	FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND		12,775,425
	From the funds in Specific Appropriation 527A, \$389,032 from the General Revenue Fund and \$608,743 from the Brain and Spinal Cord Injury Program Trust Fund are provided to expand the current Traumatic Brain Injury/Spinal Cord Injury Medicaid Waiver to serve an additional 25 individuals. The funding shall be used to reduce the current waitlist for those individuals that are at the greatest risk for		

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	institutionalization or developing secondary complications requiring hospitalization.		
527B	SPECIAL CATEGORIES CYSTIC FIBROSIS HOME AND COMMUNITY BASED SERVICES WAIVER FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	963,486	1,507,628
528	SPECIAL CATEGORIES PURCHASED CLIENT SERVICES FROM GENERAL REVENUE FUND FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND	1,000,000	1,676,352
529	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM PLANNING AND EVALUATION TRUST FUND FROM RADIATION PROTECTION TRUST FUND	2,405,027	51,657 14,575
530	SPECIAL CATEGORIES GRANTS AND AIDS - STATE AND FEDERAL DISASTER RELIEF OPERATIONS FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	150,000	1,000,000
	From the funds in Specific Appropriation 530, \$150,000 in nonrecurring funds from the General Revenue Fund is provided to Florida International University's Disaster Medical Response Program to enhance the deployment capabilities of the university's disaster medical response teams.		
531	SPECIAL CATEGORIES GRANTS AND AIDS - TRAUMA CARE FROM EMERGENCY MEDICAL SERVICES TRUST FUND		12,093,747
532	SPECIAL CATEGORIES GRANTS AND AIDS - SPINAL CORD RESEARCH FROM GENERAL REVENUE FUND FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND	200,000	4,000,000
	From the funds in Specific Appropriation 532, \$200,000 in nonrecurring funds from the General Revenue Fund is provided to the Miami Project to Cure Paralysis.		
533	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND FROM EMERGENCY MEDICAL SERVICES TRUST FUND FROM FEDERAL GRANTS TRUST FUND FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND FROM PLANNING AND EVALUATION TRUST FUND FROM RADIATION PROTECTION TRUST FUND	3,837	1,639 55,064 400 47,576 52,241 3,052
534	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND FROM EMERGENCY MEDICAL SERVICES TRUST FUND FROM FEDERAL GRANTS TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND	17,202	3,634 17,535 38,469 4,882 16,482

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	FROM PLANNING AND EVALUATION TRUST FUND		33,453
	FROM RADIATION PROTECTION TRUST FUND		29,448
535	SPECIAL CATEGORIES MEDICALLY FRAGILE ENHANCEMENT PAYMENT FROM GENERAL REVENUE FUND	610,020	
536	FIXED CAPITAL OUTLAY HEALTH FACILITIES REPAIR AND MAINTENANCE - STATEWIDE FROM RADIATION PROTECTION TRUST FUND		402,150
536A	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY FROM GENERAL REVENUE FUND	270,000	
	From the funds in Specific Appropriation 536A, \$200,000 in nonrecurring funds from the General Revenue Fund are provided to the West Pembroke Pines Clinic.		
	From the funds in Specific Appropriation 536A, \$70,000 in nonrecurring funds from the General Revenue Fund is provided to Florida International University's Disaster Medical Response Program to enhance the deployment capabilities of the university's disaster medical response teams.		
TOTAL: STATEWIDE PUBLIC HEALTH SUPPORT SERVICES			
	FROM GENERAL REVENUE FUND	57,140,429	
	FROM TRUST FUNDS		242,836,707
	TOTAL POSITIONS	439.00	
	TOTAL ALL FUNDS		299,977,136
PROGRAM: CHILDREN'S MEDICAL SERVICES			
CHILDREN'S SPECIAL HEALTH CARE			
	From the funds in Specific Appropriations 537 through 549, the Department of Health shall provide to the Governor, the President of the Senate, and the Speaker of the House of Representatives monthly surplus-deficit reports projecting the total Children's Medical Services expenditures, by program, for the fiscal year along with any corrective action plans necessary to align program expenditures with annual appropriations.		
	APPROVED SALARY RATE	28,223,051	
537	SALARIES AND BENEFITS POSITIONS	614.00	
	FROM GENERAL REVENUE FUND	14,282,912	
	FROM DONATIONS TRUST FUND		14,911,151
	FROM FEDERAL GRANTS TRUST FUND		6,430,980
538	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM DONATIONS TRUST FUND FROM FEDERAL GRANTS TRUST FUND	140,466	89,063 401,805
539	EXPENSES FROM GENERAL REVENUE FUND FROM DONATIONS TRUST FUND FROM FEDERAL GRANTS TRUST FUND	1,312,787	3,590,549 2,672,081
540	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND FROM DONATIONS TRUST FUND FROM FEDERAL GRANTS TRUST FUND	29,319	35,629 106,825
541	SPECIAL CATEGORIES GRANTS AND AIDS - CHILDREN'S MEDICAL SERVICES NETWORK FROM GENERAL REVENUE FUND FROM DONATIONS TRUST FUND FROM FEDERAL GRANTS TRUST FUND	28,671,967	159,393,674 553,738

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FROM GRANTS AND DONATIONS TRUST FUND	300,400
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND	8,258,090
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND	1,613,263

Funds in Specific Appropriation 541 shall not be used to support continuing education courses or training for health professionals or staff employed by the Children's Medical Services (CMS) Network or under contract with the Department of Health. This limitation shall include but not be limited to: classroom instruction, train the trainer, or web-based continuing education courses that may be considered professional development, or that results in continuing education credits that may be applied towards the initial or subsequent renewal of a health professional's license. This does not preclude the CMS Network from providing information on treatment methodologies or best practices to appropriate CMS Network health professionals, staff, or contractors.

From the funds in Specific Appropriation 541, \$1,000,000 in nonrecurring funds from the General Revenue Fund is provided to the St. Joseph's Children's Hospital Chronic-Complex Clinic.

541A SPECIAL CATEGORIES
GRANTS AND AIDS - SAFETY NET PROGRAM
FROM GENERAL REVENUE FUND 5,000,000

The funds in Specific Appropriation 541A shall be used by the Department of Health Children's Medical Services Program to provide benefits authorized in section 391.0315, Florida Statutes, for children with chronic and serious medical conditions who do not qualify for Medicaid or Title XXI of the Social Security Act. Children eligible for assistance using these funds must be uninsured, or insured but not covered for medically necessary services, or unable to access services due to lack of providers or lack of financial resources regardless of insurance status. The Department may serve children on a first-come, first-serve basis until the appropriated funds are fully obligated. Receiving services through the Safety Net Program does not constitute an entitlement for coverage or services when funds appropriated for this purpose are exhausted.

542 SPECIAL CATEGORIES
GRANTS AND AIDS - MEDICAL SERVICES FOR ABUSED/NEGLECTED CHILDREN
FROM GENERAL REVENUE FUND 15,155,434
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 5,763,295

543 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM DONATIONS TRUST FUND 1,982,067
FROM FEDERAL GRANTS TRUST FUND 82,405
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND 281,710

544 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 2,603,495

From the funds in Specific Appropriation 544, \$250,000 in nonrecurring funds from the General Revenue Fund is provided for the Department of Health and the Information Clearinghouse on Developmental Disabilities Advisory Council to work in collaboration with internal and external stakeholders, including but not limited to, the Children's Medical Services Program, Local Early Steps providers, Area Health Education Centers, the Agency for Health Care Administration, the Agency for Persons with Disabilities, and the Department of Education to conduct a statewide marketing campaign to promote Bright Expectations - the Information Clearinghouse on Developmental Disabilities - established pursuant to section 383.141, Florida Statutes. The statewide marketing campaign shall be designed to educate the broadest population permissible under the funds provided in this Specific Appropriation and shall include, but not be limited to, social media, print, radio, and the proliferation of informational pamphlets in all health care settings where the target market receives health care services.

From the funds in Specific Appropriation 544, the following projects

SECTION 3 - HUMAN SERVICES

are funded with nonrecurring funds from the General Revenue Fund:

Guardian Hands Foundation.....	50,000
Islet Cell Transplantation to Cure Diabetes.....	321,668
Sertoma Speech and Hearing Foundation of FL.....	223,326

From the funds in Specific Appropriation 544, \$300,000 from the General Revenue Fund is provided to A Safe Haven for Newborns.

From the funds in Specific Appropriation 544, \$400,000 in nonrecurring funds from the General Revenue Fund is provided to the Division of Community Health Promotion Bureau of Chronic Disease for grants to auditory-oral early intervention programs serving deaf children in multiple counties including rural and underserved areas. These early intervention programs must solely offer auditory-oral educational habilitation and services, as defined in section 1002.391, Florida Statutes, and have a supervisor and faculty members who are credentialed as Certified Listening and Spoken Language Specialists.

545 SPECIAL CATEGORIES
POISON CONTROL CENTER
FROM GENERAL REVENUE FUND 5,264,498

546 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 848,985

547 SPECIAL CATEGORIES
GRANTS AND AIDS - DEVELOPMENTAL EVALUATION AND INTERVENTION SERVICES/PART C
FROM GENERAL REVENUE FUND 43,175,141
FROM FEDERAL GRANTS TRUST FUND 23,853,779

From the funds in Specific Appropriation 547, \$3,783,221 from the General Revenue Fund is provided as the state match for Medicaid reimbursable early intervention services in Specific Appropriation 197.

From the funds in Specific Appropriation 547, at least 85 percent of funds distributed to Local Early Steps providers must be spent on direct client services.

548 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 82,009
FROM DONATIONS TRUST FUND 121,245
FROM FEDERAL GRANTS TRUST FUND 75,871

549 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 122,408
FROM DONATIONS TRUST FUND 88,092
FROM FEDERAL GRANTS TRUST FUND 36,428

TOTAL: CHILDREN'S SPECIAL HEALTH CARE
FROM GENERAL REVENUE FUND 116,689,421
FROM TRUST FUNDS 230,642,140

TOTAL POSITIONS 614.00
TOTAL ALL FUNDS 347,331,561

PROGRAM: HEALTH CARE PRACTITIONER AND ACCESS

MEDICAL QUALITY ASSURANCE

APPROVED SALARY RATE 21,926,923

550 SALARIES AND BENEFITS POSITIONS 570.00
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 30,921,006

551 OTHER PERSONAL SERVICES
FROM GRANTS AND DONATIONS TRUST FUND 238,222
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 5,453,615

SECTION 3 - HUMAN SERVICES

552	EXPENSES		
	FROM FEDERAL GRANTS TRUST FUND . . .	17,775	
	FROM GRANTS AND DONATIONS TRUST FUND	60,373	
	FROM MEDICAL QUALITY ASSURANCE TRUST FUND	7,017,286	
553	OPERATING CAPITAL OUTLAY		
	FROM MEDICAL QUALITY ASSURANCE TRUST FUND	57,604	
554	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM MEDICAL QUALITY ASSURANCE TRUST FUND	21,000	
555	SPECIAL CATEGORIES		
	UNLICENSED ACTIVITIES		
	FROM MEDICAL QUALITY ASSURANCE TRUST FUND	1,173,452	
556	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
	FROM MEDICAL QUALITY ASSURANCE TRUST FUND	278,038	
557	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM FEDERAL GRANTS TRUST FUND . . .	213,944	
	FROM GRANTS AND DONATIONS TRUST FUND	107,908	
	FROM MEDICAL QUALITY ASSURANCE TRUST FUND	13,825,119	
558	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM MEDICAL QUALITY ASSURANCE TRUST FUND	478,768	
559	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM MEDICAL QUALITY ASSURANCE TRUST FUND	339,364	
560	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GRANTS AND DONATIONS TRUST FUND	337	
	FROM MEDICAL QUALITY ASSURANCE TRUST FUND	186,806	
TOTAL:	MEDICAL QUALITY ASSURANCE		
	FROM TRUST FUNDS	60,390,617	
	TOTAL POSITIONS	570.00	
	TOTAL ALL FUNDS	60,390,617	
PROGRAM:	DISABILITY DETERMINATIONS		
DISABILITY BENEFITS DETERMINATION			
	APPROVED SALARY RATE	46,018,163	
561	SALARIES AND BENEFITS POSITIONS	1,053.00	
	FROM GENERAL REVENUE FUND	619,591	
	FROM FEDERAL GRANTS TRUST FUND . .	688,653	
	FROM U.S. TRUST FUND	66,281,804	
562	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	4,996	
	FROM FEDERAL GRANTS TRUST FUND . .	27,001	
	FROM U.S. TRUST FUND	29,228,411	

SECTION 3 - HUMAN SERVICES

563	EXPENSES		
	FROM GENERAL REVENUE FUND	139,839	
	FROM FEDERAL GRANTS TRUST FUND . . .		198,434
	FROM U.S. TRUST FUND		22,885,330
564	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	4,000	
	FROM FEDERAL GRANTS TRUST FUND . . .		4,000
	FROM U.S. TRUST FUND		1,212,620
565	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	135,331	
	FROM FEDERAL GRANTS TRUST FUND . . .		79,818
	FROM U.S. TRUST FUND		35,481,799
566	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	1,784	
	FROM FEDERAL GRANTS TRUST FUND . . .		1,784
	FROM U.S. TRUST FUND		334,840
567	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM FEDERAL GRANTS TRUST FUND . . .		1,000
	FROM U.S. TRUST FUND		2,334
568	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	3,357	
	FROM FEDERAL GRANTS TRUST FUND . . .		3,329
	FROM U.S. TRUST FUND		360,177
TOTAL:	DISABILITY BENEFITS DETERMINATION		
	FROM GENERAL REVENUE FUND	908,898	
	FROM TRUST FUNDS		156,791,334
	TOTAL POSITIONS	1,053.00	
	TOTAL ALL FUNDS		157,700,232
TOTAL:	HEALTH, DEPARTMENT OF		
	FROM GENERAL REVENUE FUND	535,662,182	
	FROM TRUST FUNDS		2,346,140,105
	TOTAL POSITIONS	13,841.57	
	TOTAL ALL FUNDS		2,881,802,287
	TOTAL APPROVED SALARY RATE	586,619,853	
VETERANS' AFFAIRS, DEPARTMENT OF			
PROGRAM:	SERVICES TO VETERANS' PROGRAM		
VETERANS' HOMES			
	APPROVED SALARY RATE	31,648,398	
569	SALARIES AND BENEFITS POSITIONS	978.00	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		46,675,792
570	OTHER PERSONAL SERVICES		
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		3,133,234
571	EXPENSES		
	FROM GRANTS AND DONATIONS TRUST FUND		66,700
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		16,852,223
572	OPERATING CAPITAL OUTLAY		
	FROM GRANTS AND DONATIONS TRUST FUND		25,000
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,207,694

SECTION 3 - HUMAN SERVICES

	FROM STATE HOMES FOR VETERANS TRUST FUND	253,600	
573	FOOD PRODUCTS FROM OPERATIONS AND MAINTENANCE TRUST FUND	3,226,561	
574	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM OPERATIONS AND MAINTENANCE TRUST FUND	81,500	
575	SPECIAL CATEGORIES CONTRACTED SERVICES FROM OPERATIONS AND MAINTENANCE TRUST FUND	9,381,854	
576	SPECIAL CATEGORIES RECREATIONAL EQUIPMENT AND SUPPLIES FROM GRANTS AND DONATIONS TRUST FUND	72,500	
577	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM OPERATIONS AND MAINTENANCE TRUST FUND	2,654,824	
578	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM OPERATIONS AND MAINTENANCE TRUST FUND	355,460	
579	FIXED CAPITAL OUTLAY STATE NURSING HOME FOR VETERANS - DMS MGD FROM FEDERAL GRANTS TRUST FUND . . . FROM OPERATIONS AND MAINTENANCE TRUST FUND	4,389,624 2,363,644	

Funds in Specific Appropriation 579 are provided for the continued construction of a seventh State Veterans' Nursing Home in St. Lucie County.

580	FIXED CAPITAL OUTLAY MAINTENANCE AND REPAIR OF STATE-OWNED RESIDENTIAL FACILITIES FOR VETERANS FROM STATE HOMES FOR VETERANS TRUST FUND	2,000,000	
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Funds in Specific Appropriation 580 are provided to support the following maintenance and repair projects:

	Lake City State Veterans' Home.....	250,000	
	Daytona Beach State Veterans' Home.....	200,000	
	Land o' Lakes State Veterans' Home.....	450,000	
	Pembroke Pines State Veterans' Home.....	190,000	
	Panama City State Veterans' Home.....	220,000	
	Port Charlotte State Veterans' Home.....	490,000	
	St. Augustine State Veterans' Home.....	200,000	

TOTAL: VETERANS' HOMES FROM TRUST FUNDS	92,740,210	
TOTAL POSITIONS	978.00	
TOTAL ALL FUNDS	92,740,210	

EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE	1,662,877	
581	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	27.50 2,272,820	
582	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	21,315	

SECTION 3 - HUMAN SERVICES

583	EXPENSES FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	703,965 409,464	
584	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	120,512	
585	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	110,882 458,000	
586	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	2,984	
587	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	9,488 346	
588	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM GENERAL REVENUE FUND	10,614	
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM GENERAL REVENUE FUND FROM TRUST FUNDS	3,252,580	960,509	
	TOTAL POSITIONS	27.50	
	TOTAL ALL FUNDS	4,213,089	

VETERANS' BENEFITS AND ASSISTANCE

	APPROVED SALARY RATE	4,604,017	
589	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	101.00 4,267,692	
590	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	12,000 10,000	
591	EXPENSES FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	208,653 223,884	
592	OPERATING CAPITAL OUTLAY FROM OPERATIONS AND MAINTENANCE TRUST FUND	5,973	
593	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	2,569 4,000	
593A	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM GENERAL REVENUE FUND	200,000	

From the funds in Specific Appropriation 593A, the nonrecurring sum of \$75,000 from the General Revenue Fund is provided for a Veterans Adaptive Bowling Pilot Program.

From the funds in Specific Appropriation 593A, \$125,000 in nonrecurring funds from the General Revenue Fund is provided to Disabled

SECTION 3 - HUMAN SERVICES

Veterans Insurance Careers Inc., for career training and job placement.

594	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	14,642	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		14,509
595	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	27,116	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		8,560
TOTAL: VETERANS' BENEFITS AND ASSISTANCE			
	FROM GENERAL REVENUE FUND	4,732,672	
	FROM TRUST FUNDS		2,074,072
	TOTAL POSITIONS	101.00	
	TOTAL ALL FUNDS		6,806,744
VETERANS EMPLOYMENT AND TRAINING SERVICES			
596	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS ENTREPRENEUR TRAINING FROM GENERAL REVENUE FUND	500,000	
597	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS WORKFORCE TRAINING GRANTS FOR VETERANS FROM GENERAL REVENUE FUND	1,000,000	
598	AID TO LOCAL GOVERNMENTS FLORIDA IS FOR VETERANS, INC.-OPERATIONS FROM GENERAL REVENUE FUND	344,106	
TOTAL: VETERANS EMPLOYMENT AND TRAINING SERVICES			
	FROM GENERAL REVENUE FUND	1,844,106	
	TOTAL ALL FUNDS		1,844,106
TOTAL: VETERANS' AFFAIRS, DEPARTMENT OF			
	FROM GENERAL REVENUE FUND	9,829,358	
	FROM TRUST FUNDS		95,774,791
	TOTAL POSITIONS	1,106.50	
	TOTAL ALL FUNDS		105,604,149
	TOTAL APPROVED SALARY RATE	37,915,292	
TOTAL OF SECTION 3			
	FROM GENERAL REVENUE FUND	9,472,389,063	
	FROM TRUST FUNDS		24,659,317,612
	TOTAL POSITIONS	31,510.57	
	TOTAL ALL FUNDS		34,131,706,675

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

SPECIFIC
APPROPRIATION

The moneys contained herein are appropriated from the named funds to the Department of Corrections, Justice Administration, Department of Juvenile Justice, Florida Department of Law Enforcement, Department of Legal Affairs/Attorney General, and the Florida Commission on Offender Review as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

CORRECTIONS, DEPARTMENT OF

From the funds in Specific Appropriations 599 through 755, each provider contracting with the Department of Corrections must provide the department with a proposal prior to the release of funds that details the services that will be delivered, the expected results, and recommended performance measures. The department and each provider must execute a contract before the release of any funds, and the contract documents must include mutually agreed upon performance measures. Each provider must provide quarterly performance reports to the department. Funds shall only be released to providers whose performance reports indicate successful compliance with the performance measures described in the contract.

The Department of Corrections shall continue to submit an annual report on the state prison system to the Governor and to the Legislature using a uniform format and uniform methodologies. The report shall include a comprehensive plan for current facility use and any departures from planned facility use, including opening new facilities, renovating or closing existing facilities, and advancing or delaying the opening of new or renovated facilities. The report shall include the maximum capacity of currently operating facilities and the potential maximum capacity of facilities that the department could make operational within the fiscal year. The report shall also identify appropriate sites for future facilities and provide information to support specified locations, such as availability of personnel in local labor markets. Reports should include updated infrastructure needs for existing or future facilities. Each report should reconcile capacity figures to the immediately preceding report. For the purpose of this paragraph, maximum capacity shall be calculated and displayed pursuant to section 944.023(1)(b), Florida Statutes. The department may provide additional analysis of current and future bed needs based on such factors as deemed necessary by the Secretary. The next report shall be due January 1, 2017.

From the funds in Specific Appropriations 599 through 755, the Department of Corrections shall prepare a report detailing the amount of overtime expended per facility; the number of positions in overlap, with justification for each overlapped position; and identifying the number of unfunded positions that may be eliminated. The report shall be submitted to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee by January 1, 2017.

From the funds in Specific Appropriations 599 through 755, the Department of Corrections shall, before closing, substantially reducing the use of, or changing the purpose of any state correctional institution as defined in section 944.02, Florida Statutes, submit its proposal to the Governor's Office of Policy and Budget, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee for review.

From the funds in Specific Appropriations 599 through 755, the Department of Corrections may work within its existing budget, including applicable grants, to implement any corrective action plan developed as the result of a Prison Rape Elimination Act audit conducted in accordance with Title 23, Part 115 of the Code of Federal Regulations. The department may request additional resources required through the Legislative Budget Request process as defined in chapter 216, Florida Statutes.

PROGRAM: DEPARTMENT ADMINISTRATION

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 22,340,142

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

599	SALARIES AND BENEFITS	POSITIONS	475.00	
	FROM GENERAL REVENUE FUND		20,993,950	
	FROM ADMINISTRATIVE TRUST FUND			3,440,026
	FROM CRIMINAL JUSTICE STANDARDS			
	AND TRAINING TRUST FUND			87,808
600	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND	24,523		
	FROM ADMINISTRATIVE TRUST FUND		318,403	
601	EXPENSES			
	FROM GENERAL REVENUE FUND	1,025,958		
	FROM ADMINISTRATIVE TRUST FUND		875,320	
	FROM CRIMINAL JUSTICE STANDARDS			
	AND TRAINING TRUST FUND		1,083,200	
602	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND	20,227		
	FROM ADMINISTRATIVE TRUST FUND		30,160	
	FROM CRIMINAL JUSTICE STANDARDS			
	AND TRAINING TRUST FUND		240,600	
	FROM FEDERAL GRANTS TRUST FUND		101,840	
603	SPECIAL CATEGORIES			
	TRANSFER TO DIVISION OF ADMINISTRATIVE			
	HEARINGS			
	FROM GENERAL REVENUE FUND	53,970		
604	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND	535,016		
	FROM CRIMINAL JUSTICE STANDARDS			
	AND TRAINING TRUST FUND		200,000	
	FROM FEDERAL GRANTS TRUST FUND		347,650	
605	SPECIAL CATEGORIES			
	TRANSFER TO GENERAL REVENUE FUND			
	FROM FEDERAL GRANTS TRUST FUND		6,300,000	
Funds in Specific Appropriation 605 are from reimbursements from the United States Government for incarcerating aliens in Florida's prisons. If total reimbursements exceed \$6,300,000, the Department of Corrections shall submit a budget amendment in accordance with all applicable provisions of chapter 216, Florida Statutes, requesting additional budget authority to transfer the balance to the General Revenue Fund.				
606	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND	532,463		
607	SPECIAL CATEGORIES			
	TENANT BROKER COMMISSIONS			
	FROM ADMINISTRATIVE TRUST FUND		525,394	
608	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND	38,535		
609	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT			
	SERVICES - HUMAN RESOURCES SERVICES			
	PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND	7,348,284		
	FROM ADMINISTRATIVE TRUST FUND		49,766	
	FROM CORRECTIONAL WORK PROGRAM			
	TRUST FUND		102,636	
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	FROM GENERAL REVENUE FUND	30,572,926		
	FROM TRUST FUNDS		13,702,803	
	TOTAL POSITIONS	475.00		
	TOTAL ALL FUNDS		44,275,729	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

INFORMATION TECHNOLOGY				
	APPROVED SALARY RATE	8,041,253		
610	SALARIES AND BENEFITS	POSITIONS	161.50	
	FROM GENERAL REVENUE FUND		9,209,792	
	FROM ADMINISTRATIVE TRUST FUND			1,154,821
611	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND		13,500	
612	EXPENSES			
	FROM GENERAL REVENUE FUND		1,011,941	
	FROM ADMINISTRATIVE TRUST FUND			1,357,535
613	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND		127,720	
614	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND		2,084,778	
	FROM ADMINISTRATIVE TRUST FUND			7,812
615	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND		56,318	
616	SPECIAL CATEGORIES			
	DEFERRED-PAYMENT COMMODITY CONTRACTS			
	FROM GENERAL REVENUE FUND		45,329	
617	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND		1,270	
618	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT			
	SERVICES - HUMAN RESOURCES SERVICES			
	PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND		1,029	
619	DATA PROCESSING SERVICES			
	STATE DATA CENTER - AGENCY FOR STATE			
	TECHNOLOGY (AST)			
	FROM GENERAL REVENUE FUND		9,226,757	
	FROM ADMINISTRATIVE TRUST FUND			58,289
620	DATA PROCESSING SERVICES			
	OTHER DATA PROCESSING SERVICES			
	FROM ADMINISTRATIVE TRUST FUND			20,420
TOTAL:	INFORMATION TECHNOLOGY			
	FROM GENERAL REVENUE FUND		21,778,434	
	FROM TRUST FUNDS			2,598,877
	TOTAL POSITIONS	161.50		
	TOTAL ALL FUNDS			24,377,311

PROGRAM: SECURITY AND INSTITUTIONAL OPERATIONS

From the funds in Specific Appropriations 633K, 643 and 645K, a total of \$1,074,362 is provided as payment in lieu of ad valorem taxation for distribution to local government taxing authorities. Funding is provided as follows: \$269,324 for the Bay Correctional Facility, \$339,242 for the Moore Haven Correctional Facility, \$275,560 for the South Bay Correctional Facility, \$100,000 for the Gadsden Correctional Facility, and \$90,236 for the Lake City Correctional Facility. These funds may not be distributed if there are outstanding claims for ad valorem taxes due on the property at issue and may not be distributed until the property is reclassified on the real property and tangible personal property rolls as State Government property back to the date the finance corporation or other state entity acquired the title thereto. These distributions shall be adjusted, with respect to any facility, to reimburse the Department of Corrections for the total amounts expended by the state in resisting the imposition of such ad valorem tax claims, including all attorneys' fees and costs actually incurred by the state's agencies.

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

Funds and positions in Specific Appropriations 599 through 706 and 721 through 755 support the state's inmate population. These funds and positions are sufficient to provide housing and security for 98,948 inmates when fully annualized. Variable expenses, maintenance, and health services funds are provided for an average daily population of 99,112 inmates.

Funds and positions in Specific Appropriations 599 through 706 and 721 through 755 are provided to address security needs for the prison population expected in Fiscal Year 2016-2017, as projected by the Criminal Justice Estimating Conference.

ADULT MALE CUSTODY OPERATIONS

APPROVED SALARY RATE		344,617,114	
633A	SALARIES AND BENEFITS POSITIONS	8,835.00	
	FROM GENERAL REVENUE FUND	483,538,341	
	FROM FEDERAL GRANTS TRUST FUND		382,673
633B	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	6,952,855	
	FROM GRANTS AND DONATIONS TRUST FUND		91,000
633C	EXPENSES		
	FROM GENERAL REVENUE FUND	17,966,978	
	FROM FEDERAL GRANTS TRUST FUND		216,949
	FROM GRANTS AND DONATIONS TRUST FUND		240,389
From the funds in Specific Appropriation 633C, \$142,900 from recurring general revenue funds is provided to the City of Pahokee as a payment in lieu of taxes for the Sago Palm facility.			
633D	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	303,666	
	FROM FEDERAL GRANTS TRUST FUND		100,000
	FROM GRANTS AND DONATIONS TRUST FUND		250,000
633E	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND	40,890,048	
	FROM FEDERAL GRANTS TRUST FUND		83,421
633F	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	6,377,696	
	FROM FEDERAL GRANTS TRUST FUND		273,617
From funds in Specific Appropriation 633F, \$350,000 in nonrecurring general revenue funds is provided for the Children of Inmates program to support children of incarcerated inmates by expanding research-based programs to mitigate the traumas and challenges for Florida's children that result from parental incarceration. The Department of Corrections shall submit a report on the current status of the Children of Inmates program to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee. The report shall list all performance measures and indicate whether the contractor is meeting each measure and is due by January 1, 2017.			
633G	SPECIAL CATEGORIES		
	FOOD SERVICE AND PRODUCTION		
	FROM GENERAL REVENUE FUND	3,683,962	
	FROM FEDERAL GRANTS TRUST FUND		118,172
633H	SPECIAL CATEGORIES		
	OVERTIME		
	FROM GENERAL REVENUE FUND	8,023,270	
633I	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	18,146,826	
	FROM SALE OF GOODS AND SERVICES		
	CLEARING TRUST FUND		1,148,049

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

633J	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	4,280,949	
633K	SPECIAL CATEGORIES		
	PRIVATE PRISON OPERATIONS		
	FROM GENERAL REVENUE FUND	118,036,211	
	FROM PRIVATELY OPERATED INSTITUTIONS INMATE WELFARE TRUST FUND		1,300,586
From funds in Specific Appropriation 633K, \$109,350 from recurring general revenue funds is provided to the Department of Management Services, Bureau of Private Prison Monitoring, to pay for subject matter experts to conduct medical and mental health site visits of the medical department of private prisons and perform quality management audits no longer performed by the Department of Corrections.			
633L	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	517,746	
633M	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	339,074	
TOTAL:	ADULT MALE CUSTODY OPERATIONS		
	FROM GENERAL REVENUE FUND	709,057,622	
	FROM TRUST FUNDS		4,204,856
	TOTAL POSITIONS	8,835.00	
	TOTAL ALL FUNDS		713,262,478
ADULT AND YOUTHFUL OFFENDER FEMALE CUSTODY OPERATIONS			
APPROVED SALARY RATE		35,264,508	
634	SALARIES AND BENEFITS POSITIONS	813.00	
	FROM GENERAL REVENUE FUND	39,196,031	
	FROM GRANTS AND DONATIONS TRUST FUND		136,413
635	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	367,773	
	FROM GRANTS AND DONATIONS TRUST FUND		32,884
636	EXPENSES		
	FROM GENERAL REVENUE FUND	1,994,239	
	FROM GRANTS AND DONATIONS TRUST FUND		50,703
637	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND	2,406,265	
	FROM GRANTS AND DONATIONS TRUST FUND		15,841
638	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	625,305	
639	SPECIAL CATEGORIES		
	FOOD SERVICE AND PRODUCTION		
	FROM GENERAL REVENUE FUND	180,841	
	FROM GRANTS AND DONATIONS TRUST FUND		22,509
640	SPECIAL CATEGORIES		
	OVERTIME		
	FROM GENERAL REVENUE FUND	469,295	
641	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	4,234,102	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

642	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	341,923	
643	SPECIAL CATEGORIES PRIVATE PRISON OPERATIONS FROM GENERAL REVENUE FUND FROM PRIVATELY OPERATED INSTITUTIONS INMATE WELFARE TRUST FUND	24,664,194 597,359	
From funds in Specific Appropriation 643, \$22,800 from recurring general revenue funds is provided to the Department of Management Services, Bureau of Private Prison Monitoring, to pay for subject matter experts to conduct medical and mental health site visits of the medical department of private prisons and perform quality management audits no longer performed by the Department of Corrections.			
644	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	80,162	
645	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	8,462	
TOTAL:	ADULT AND YOUTHFUL OFFENDER FEMALE CUSTODY OPERATIONS FROM GENERAL REVENUE FUND FROM TRUST FUNDS	74,568,592 855,709	
	TOTAL POSITIONS	813.00	
	TOTAL ALL FUNDS	75,424,301	
MALE YOUTHFUL OFFENDER CUSTODY OPERATIONS			
	APPROVED SALARY RATE	13,334,465	
645A	SALARIES AND BENEFITS POSITIONS 102.00 FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	15,245,813	537,494
645B	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	277,640	
645C	EXPENSES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	117,143	24,336
645D	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	20,185	500,000
645E	FOOD PRODUCTS FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	1,334,376	483,667
645F	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	29,599	
645G	SPECIAL CATEGORIES FOOD SERVICE AND PRODUCTION FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	197,340	191,046
645H	SPECIAL CATEGORIES OVERTIME FROM GENERAL REVENUE FUND	486,977	
645I	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	2,488,239	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

645J	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	159,226	
645K	SPECIAL CATEGORIES PRIVATE PRISON OPERATIONS FROM GENERAL REVENUE FUND FROM PRIVATELY OPERATED INSTITUTIONS INMATE WELFARE TRUST FUND	19,216,164 195,403	
From funds in Specific Appropriation 645K, \$17,850 from recurring general revenue funds is provided to the Department of Management Services, Bureau of Private Prison Monitoring, to pay for subject matter experts to conduct medical and mental health site visits of the medical department of private prisons and perform quality management audits no longer performed by the Department of Corrections.			
645L	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	38,675	
645M	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	6,131	708
TOTAL:	MALE YOUTHFUL OFFENDER CUSTODY OPERATIONS FROM GENERAL REVENUE FUND FROM TRUST FUNDS	39,617,508 1,932,654	
	TOTAL POSITIONS	102.00	
	TOTAL ALL FUNDS	41,550,162	
SPECIALTY CORRECTIONAL INSTITUTION OPERATIONS			
	APPROVED SALARY RATE	191,575,351	
645N	SALARIES AND BENEFITS POSITIONS 5,008.00 FROM GENERAL REVENUE FUND	255,814,894	
645O	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	1,493,683	
645P	EXPENSES FROM GENERAL REVENUE FUND	3,772,421	
645Q	FOOD PRODUCTS FROM GENERAL REVENUE FUND	12,170,243	
645R	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	1,762,621	
645S	SPECIAL CATEGORIES FOOD SERVICE AND PRODUCTION FROM GENERAL REVENUE FUND	1,168,710	
645T	SPECIAL CATEGORIES OVERTIME FROM GENERAL REVENUE FUND	4,154,272	
645U	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	15,036,951	
645V	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	1,669,164	
645W	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	283,746	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

645X	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	80,445	
TOTAL:	SPECIALTY CORRECTIONAL INSTITUTION OPERATIONS FROM GENERAL REVENUE FUND	297,407,150	
	TOTAL POSITIONS	5,008.00	
	TOTAL ALL FUNDS		297,407,150
RECEPTION CENTER OPERATIONS			
	APPROVED SALARY RATE	74,249,259	
646	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	1,985.00 113,691,455	9,543
647	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	874,827	
648	EXPENSES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	3,914,923	31,090
649	OPERATING CAPITAL OUTLAY FROM FEDERAL GRANTS TRUST FUND		250,000
650	FOOD PRODUCTS FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	6,099,923	32,449
651	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	87,126	
652	SPECIAL CATEGORIES FOOD SERVICE AND PRODUCTION FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	363,768	46,893
653	SPECIAL CATEGORIES OVERTIME FROM GENERAL REVENUE FUND	1,799,643	
654	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	3,788,677	
655	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	678,193	
656	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	81,590	
657	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	15,275	
TOTAL:	RECEPTION CENTER OPERATIONS FROM GENERAL REVENUE FUND FROM TRUST FUNDS	131,395,400	369,975
	TOTAL POSITIONS	1,985.00	
	TOTAL ALL FUNDS		131,765,375

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

PUBLIC SERVICE WORKSQUADS AND WORK RELEASE TRANSITION			
	APPROVED SALARY RATE	39,099,853	
658	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM CORRECTIONAL WORK PROGRAM TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND	1,041.00 37,411,681	21,917,056 54,272
The general revenue funds provided in Specific Appropriation 658 are provided to the Department of Corrections to ensure all public worksquads currently funded with general revenue funds are maintained. The department shall, before eliminating any general revenue funded public workquad officer positions, submit its proposal to the Governor's Office of Policy and Budget, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee for review and approval.			
659	EXPENSES FROM GENERAL REVENUE FUND FROM CORRECTIONAL WORK PROGRAM TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND	678,772	731,792 32,776
660	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND FROM CORRECTIONAL WORK PROGRAM TRUST FUND	154,907	90,020
661	FOOD PRODUCTS FROM GENERAL REVENUE FUND	1,104,000	
662	LUMP SUM CORRECTIONAL WORK PROGRAMS POSITIONS FROM CORRECTIONAL WORK PROGRAM TRUST FUND	7.00	540,226
Funds and positions in Specific Appropriation 662 from the Correctional Work Program Trust Fund are provided for interagency contracted services funded by state agencies or local governments. These positions and funds shall be released as needed upon execution of interagency community service work squad contracts.			
663	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM CORRECTIONAL WORK PROGRAM TRUST FUND	22,862,654	284,315
From the funds in Specific Appropriation 663, no privately operated work release center may house more than 200 inmates at any given time. In addition, each facility with 100 or more inmates in its work release program must have at least one certified correctional officer on premises at all times. A person who was a certified correctional officer at the time of separating or retiring from the Department of Corrections in good standing is considered to be a certified correctional officer for this purpose unless his or her certification has been revoked for misconduct.			
664	SPECIAL CATEGORIES FOOD SERVICE AND PRODUCTION FROM GENERAL REVENUE FUND	203,504	
665	SPECIAL CATEGORIES OVERTIME FROM GENERAL REVENUE FUND	185,998	
666	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	1,269,719	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

667	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	308,420	
	FROM CORRECTIONAL WORK PROGRAM TRUST FUND		191,099
668	SPECIAL CATEGORIES ELECTRONIC MONITORING FROM GENERAL REVENUE FUND	4,600,000	
	From the funds provided in Specific Appropriation 668, \$1,500,657 from recurring general revenue funds is provided for the Department of Corrections to provide electronic monitoring for inmates in privately operated work release facilities while in the community under work release assignment. From such funds, the department shall also provide electronic monitoring for inmates in as many department-operated work release facilities as allowable under this Specific Appropriation, while such inmates are in the community under work release assignment.		
669	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	40,356	
670	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	2,269	
	FROM CORRECTIONAL WORK PROGRAM TRUST FUND		7,392
TOTAL: PUBLIC SERVICE WORKSQUADS AND WORK RELEASE TRANSITION			
	FROM GENERAL REVENUE FUND	68,822,280	
	FROM TRUST FUNDS		23,848,948
	TOTAL POSITIONS	1,048.00	
	TOTAL ALL FUNDS		92,671,228
ROAD PRISON OPERATIONS			
	APPROVED SALARY RATE	3,881,964	
671	SALARIES AND BENEFITS POSITIONS FROM CORRECTIONAL WORK PROGRAM TRUST FUND	95.00	6,027,157
672	EXPENSES FROM CORRECTIONAL WORK PROGRAM TRUST FUND		499,172
673	FOOD PRODUCTS FROM CORRECTIONAL WORK PROGRAM TRUST FUND		352,549
674	SPECIAL CATEGORIES CONTRACTED SERVICES FROM CORRECTIONAL WORK PROGRAM TRUST FUND		11,284
675	SPECIAL CATEGORIES FOOD SERVICE AND PRODUCTION FROM CORRECTIONAL WORK PROGRAM TRUST FUND		53,567
676	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM CORRECTIONAL WORK PROGRAM TRUST FUND		24,666
677	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM CORRECTIONAL WORK PROGRAM TRUST FUND		8,341

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

TOTAL: ROAD PRISON OPERATIONS			
	FROM TRUST FUNDS		6,976,736
	TOTAL POSITIONS	95.00	
	TOTAL ALL FUNDS		6,976,736
OFFENDER MANAGEMENT AND CONTROL			
	APPROVED SALARY RATE	46,804,365	
678	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	1,300.00	
	FROM CORRECTIONAL WORK PROGRAM TRUST FUND		63,740,195
679	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND		304,814
680	EXPENSES FROM GENERAL REVENUE FUND		2,847,301
	FROM CORRECTIONAL WORK PROGRAM TRUST FUND		1,959
681	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND		21,578
682	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND		31,653
683	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND		64,719
	FROM CORRECTIONAL WORK PROGRAM TRUST FUND		1,655
684	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND		166,269
685	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND		20,690
TOTAL: OFFENDER MANAGEMENT AND CONTROL			
	FROM GENERAL REVENUE FUND	67,197,219	
	FROM TRUST FUNDS		73,526
	TOTAL POSITIONS	1,300.00	
	TOTAL ALL FUNDS		67,270,745
EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	APPROVED SALARY RATE	8,919,593	
686	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	178.00	
			12,917,849
687	OTHER PERSONAL SERVICES FROM GRANTS AND DONATIONS TRUST FUND		75,000
688	EXPENSES FROM GENERAL REVENUE FUND		1,731,528
	FROM GRANTS AND DONATIONS TRUST FUND		226,785
	FROM SALE OF GOODS AND SERVICES CLEARING TRUST FUND		1,678,250
689	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND		256,642
690	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND		4,207,104

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

From funds in Specific Appropriation 690, \$1,000,000 from recurring general revenue funds is provided to continue the victim notification system (VINE).

Funds in Specific Appropriation 690 are provided to continue implementation of an automated time and attendance system for all prison facilities statewide. The Department of Corrections shall track the date the automated time and attendance system is installed and operational at each facility. A quarterly status report on implementation progress shall be submitted to the Governor's Office of Policy and Budget, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee.

From the funds provided in Specific Appropriation 690, \$1,500,000 from recurring general revenue funds is provided for the Department of Corrections to obtain and use a commercial off-the-shelf workforce scheduling and management solution for its security operations workforce. The solution must interface with the department's time and attendance system and the People First system in order to maximize the efficiency of workforce scheduling and management.

From the funds provided in Specific Appropriation 690, \$400,000 from nonrecurring general revenue funds is provided to the Department of Corrections to procure and implement a job candidate assessment tool. The assessment tool shall be administered to all new job applicants applying for a correctional officer or correctional probation officer position who meet initial screening requirements developed by the department. Implementation of the assessment tool shall include development of profiles of the behavioral and cognitive traits of the department's best performers for the type of position that is sought. The assessment tool shall identify each job applicant's behavioral and cognitive traits and compare those traits with the profiles of the best performers. The purpose of the assessment tool is to identify job applicants whose behavioral and cognitive traits are compatible with those of successful department employees in order to improve employee retention and reduce training costs due to high employee turnover.

691	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	100,080	
692	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	114,940	
693	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	1,770	
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM GENERAL REVENUE FUND FROM TRUST FUNDS	19,329,913	1,980,035
	TOTAL POSITIONS	178.00	
	TOTAL ALL FUNDS		21,309,948
CORRECTIONAL FACILITIES MAINTENANCE AND REPAIR			
	APPROVED SALARY RATE	19,400,138	
694	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	555.00	25,895,636
695	EXPENSES FROM GENERAL REVENUE FUND	86,069,300	
696	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	364,154	
697	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM GENERAL REVENUE FUND	3,218,653	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

698	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	7,058,135
699	SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS FROM GENERAL REVENUE FUND	4,198,894
700	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	36,771
701	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	13,300
702	FIXED CAPITAL OUTLAY CORRECTIONAL FACILITIES - LEASE PURCHASE FROM GENERAL REVENUE FUND	57,136,422

Funds in Specific Appropriation 702 are provided for payments required under the master lease purchase agreement used to secure the certificates of participation issued to finance or refinance the following correctional facilities:

Bay Correctional Facility.....	815,250
Moore Haven Correctional Facility (Glades County).....	1,058,775
South Bay Correctional Facility (Palm Beach County).....	2,893,625
Graceville Correctional Facility (Jackson County).....	6,847,323
Blackwater River Correctional Facility (Santa Rosa County)..	10,717,369
Gadsden Correctional Facility.....	1,302,300
Lake City Correctional Facility (Columbia County).....	1,724,500
Demilly Correctional Institution (Polk County).....	674,875
Sago Palm Work Camp (Palm Beach County).....	857,125
Various DOC Facility Projects - Series 2009 B and C Bonds...	30,195,280

Series 2009 B and C Bonds include various facility construction projects for the following Department of Corrections facilities:

Mayo Annex (Lafayette County), Suwannee Annex (Suwannee County), Lowell Reception Center (Marion County), Lancaster Secure Housing Unit (Gilchrist County), Liberty Work Camp (Liberty County), Franklin Work Camp (Franklin County), Cross City Work Camp (Dixie County), Okeechobee Work Camp (Okeechobee County), New River Work Camp (Bradford County), Santa Rosa Work Camp (Santa Rosa County), Hollywood Work Release Center (Broward County), Kissimmee Work Release Center (Osceola County), Lake City Work Release Center (Columbia County), Santa Fe Work Release Center (Alachua County), Everglades Re-Entry Center (Dade County), Baker Re-Entry Center (Baker County), and Pat Thomas Re-Entry Center (Gadsden County).

The funds in Specific Appropriation 702 reflect a reduction of \$2,907,162 in debt service payments.

703	FIXED CAPITAL OUTLAY COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT FROM GENERAL REVENUE FUND	750,000
704	FIXED CAPITAL OUTLAY MAJOR REPAIRS, RENOVATIONS AND IMPROVEMENTS TO MAJOR INSTITUTIONS FROM GENERAL REVENUE FUND	6,537,850
705	FIXED CAPITAL OUTLAY IMPROVEMENTS TO SECURITY SYSTEMS FROM GENERAL REVENUE FUND	5,712,150
706	FIXED CAPITAL OUTLAY CORRECTION, ENVIRONMENTAL DEFICIENCIES FROM GENERAL REVENUE FUND	1,625,000

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

TOTAL: CORRECTIONAL FACILITIES MAINTENANCE AND REPAIR
FROM GENERAL REVENUE FUND 198,616,265

TOTAL POSITIONS 555.00
TOTAL ALL FUNDS 198,616,265

PROGRAM: COMMUNITY CORRECTIONS

COMMUNITY SUPERVISION

APPROVED SALARY RATE 117,296,766

708 SALARIES AND BENEFITS POSITIONS 2,791.00
FROM GENERAL REVENUE FUND 164,626,257
FROM FEDERAL GRANTS TRUST FUND 170,391

709 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 60,945

710 EXPENSES
FROM GENERAL REVENUE FUND 9,767,529
FROM FEDERAL GRANTS TRUST FUND 64,717

711 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 256,941

712 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 775,000

713 SPECIAL CATEGORIES
BUILDING/OFFICE RENT PAYMENTS
FROM GENERAL REVENUE FUND 12,214,031

Funds in Specific Appropriation 713 are provided to continue rent payments for individual private contracts for rental of office/building space at a rate not to exceed the rate for each contract in effect on June 30, 2016. Price level increases are not provided for rent payments for Department of Corrections' private leases in the 2016-2017 fiscal year. No other funds are appropriated or shall be transferred by the department for such increases.

714 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 890,324

From the funds in Specific Appropriation 714, \$750,000 in nonrecurring general revenue funds is provided to the Home Builders Institute to provide certification, pre-apprenticeships, and job placement services to persons under community corrections supervision.

715 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 4,525,932

716 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 565,414

717 SPECIAL CATEGORIES
ELECTRONIC MONITORING
FROM GENERAL REVENUE FUND 9,122,916

718 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 250,104

TOTAL: COMMUNITY SUPERVISION
FROM GENERAL REVENUE FUND 203,055,393
FROM TRUST FUNDS 235,108

TOTAL POSITIONS 2,791.00
TOTAL ALL FUNDS 203,290,501

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

COMMUNITY FACILITY OPERATIONS

719 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 2,462,983

720 SPECIAL CATEGORIES
JUDICIAL/DEPARTMENT OF CORRECTIONS
SENTENCING ALTERNATIVES
FROM GENERAL REVENUE FUND 700,143

Pursuant to sections 944.012(6)(c), 921.00241 and 775.082(10), Florida Statutes, funds from Specific Appropriation 720 are provided for Judicial/Department of Corrections prison diversion programs for offenders that allow the offender to retain community support and access drug treatment and/or employment opportunities while receiving life-skills assistance in a structured environment. These treatment programs may include drug treatment, residential and outpatient treatment programming, day reporting, or other services to reduce recidivism.

These programs shall continue to use evidence-based practices and graduated incentives that are anticipated to result in a reduction in prison admissions for that community.

TOTAL: COMMUNITY FACILITY OPERATIONS
FROM GENERAL REVENUE FUND 3,163,126

TOTAL ALL FUNDS 3,163,126

PROGRAM: HEALTH SERVICES

INMATE HEALTH SERVICES

APPROVED SALARY RATE 6,760,737

721 SALARIES AND BENEFITS POSITIONS 136.50
FROM GENERAL REVENUE FUND 8,164,339
FROM FEDERAL GRANTS TRUST FUND 384,189

722 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 333,045
FROM FEDERAL GRANTS TRUST FUND 104,207

723 EXPENSES
FROM GENERAL REVENUE FUND 1,498,900
FROM FEDERAL GRANTS TRUST FUND 201,494

724 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND 27,019

724A SPECIAL CATEGORIES
SETTLEMENT AGREEMENTS
FROM ADMINISTRATIVE TRUST FUND 723,341

725 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 895,970

726 SPECIAL CATEGORIES
INMATE HEALTH SERVICES
FROM GENERAL REVENUE FUND 307,751,639

From the funds in Specific Appropriation 726, \$100,000 from recurring general revenue funds is provided for Hepatitis B vaccinations for inmates.

727 SPECIAL CATEGORIES
TREATMENT OF INMATES - GENERAL DRUGS
FROM GENERAL REVENUE FUND 29,572,427

728 SPECIAL CATEGORIES
TREATMENT OF INMATES - PSYCHOTROPIC DRUGS
FROM GENERAL REVENUE FUND 4,818,876

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

729	SPECIAL CATEGORIES TREATMENT OF INMATES - INFECTIOUS DISEASE DRUGS FROM GENERAL REVENUE FUND	33,628,383	
730	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	100	
731	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	284,701	
TOTAL:	INMATE HEALTH SERVICES FROM GENERAL REVENUE FUND FROM TRUST FUNDS	386,948,380	1,440,250
	TOTAL POSITIONS	136.50	
	TOTAL ALL FUNDS		388,388,630

PROGRAM: EDUCATION AND PROGRAMS

ADULT SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES

	APPROVED SALARY RATE	1,609,867	
732	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	33.00 1,631,872	807,223
733	OTHER PERSONAL SERVICES FROM FEDERAL GRANTS TRUST FUND		47,762
734	EXPENSES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	68,648	622,865
735	OPERATING CAPITAL OUTLAY FROM FEDERAL GRANTS TRUST FUND		45,600
736	SPECIAL CATEGORIES CONTRACT DRUG ABUSE SERVICES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	15,863,682	3,072,341
737	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	2,900	
TOTAL:	ADULT SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES FROM GENERAL REVENUE FUND FROM TRUST FUNDS	17,567,102	4,595,791
	TOTAL POSITIONS	33.00	
	TOTAL ALL FUNDS		22,162,893

BASIC EDUCATION SKILLS

	APPROVED SALARY RATE	14,499,020	
738	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	317.00 13,200,512	2,655,464
739	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	2,082,769	608,269
740	EXPENSES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	2,564,563	1,933,823

From the funds in Specific Appropriation 740, \$1,500,000 from

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recurring general revenue funds and \$1,000,000 from nonrecurring general revenue funds is provided for an online career education program to serve up to 1,750 inmates through an Advanced/SACS accredited online school district that offers career-based online high school diplomas designed to prepare adults for transition into the workplace. The Department of Corrections shall provide a report regarding the progress of the inmates in the online diploma and career certificate programs to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee by January 1, 2017.

741	OPERATING CAPITAL OUTLAY FROM FEDERAL GRANTS TRUST FUND		472,386
742	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	3,885,096	1,402,052
743	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	112,636	
744	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	20,888	
745	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	12,510	943
TOTAL:	BASIC EDUCATION SKILLS FROM GENERAL REVENUE FUND FROM TRUST FUNDS	21,878,974	7,072,937
	TOTAL POSITIONS	317.00	
	TOTAL ALL FUNDS		28,951,911

ADULT OFFENDER TRANSITION, REHABILITATION AND SUPPORT

	APPROVED SALARY RATE	3,426,816	
746	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	59.00 3,931,384	466,981
747	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	1,160,469	
748	EXPENSES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	372,770	119,152
749	OPERATING CAPITAL OUTLAY FROM FEDERAL GRANTS TRUST FUND		3,000
750	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	9,150,432	324,848

All re-entry programs funded in Specific Appropriation 750 must collect the following information: the population served by the program including information relating to the criminal history, age, employment history, and education level of inmates served; the services provided to inmates as part of the program; the cost per inmate to provide those services; any available recidivism rates; and any matching funds or in-kind contributions provided to the program. The Department of Corrections must compile this information and submit a report to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee by February 1, 2017.

From the funds in Specific Appropriation 750, \$1,225,000 in recurring general revenue funds and \$250,000 in nonrecurring general revenue funds is provided for Operation New Hope's Ready4Workreentry initiative.

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Operation New Hope will provide pre-release risk assessment, a plan-of-care, career development, life skills training, and referrals for incarcerated inmates who may be eligible for Ready4Work program services upon release. Operation New Hope will also provide post-release services including case management, career development, life skills training, job skills training, life coaching (mentoring), family reunification, and job placement assistance to offenders on community supervision. Operation New Hope may also provide such post-release services to formerly incarcerated persons (ex-inmates) who have been released from a Department of Corrections' facility no more than two years before entry into the Ready4Work program. Eligibility for participation in the Ready4Work program is limited to inmates, offenders on community supervision, and recently released ex-inmates who are transitioning back into the communities and workforce of Duval, Clay, St. Johns, or Nassau counties. The department may request a budget amendment pursuant to chapter 216, Florida Statutes, to transfer funding between Specific Appropriations 633F, 638, 645F, 714 and 750 in order to serve incarcerated inmates as well as persons under community corrections supervision.

From the funds in Specific Appropriation 750, \$1,000,000 in recurring general revenue funds is provided for the Ready4Work-Hillsborough reentry program, which replicates the Operation New Hope Ready4Work program. Funds used for startup activities for the Ready4Work-Hillsborough reentry program may not exceed 25 percent of the total funds appropriated. Ready4Work-Hillsborough will provide pre-release risk assessment, a plan-of-care, career development, life skills training, and referrals for incarcerated inmates who may be eligible for Ready4Work reentry program services upon release. Ready4Work-Hillsborough will also provide post-release services including case management, career development, life skills training, job skills training, life-coaching (mentoring), family reunification, and job placement assistance to offenders on community supervision. Ready4Work-Hillsborough may also provide such post-release services to formerly incarcerated persons (ex-inmates) who have been released from a Department of Corrections' facility no more than two years before entry into the Ready4Work-Hillsborough reentry program. Eligibility for participation in the Ready4Work-Hillsborough reentry program is limited to inmates, offenders on community supervision, and recently released ex-inmates who are transitioning back into the communities and workforce of Hillsborough, Pinellas, Pasco, or Polk counties. The department may request a budget amendment pursuant to chapter 216, Florida Statutes, to transfer funding between Specific Appropriations 633F, 638, 645F, 714 and 750 in order to serve incarcerated inmates as well as persons under community corrections supervision.

From the funds in Specific Appropriation 750, \$500,000 in recurring general revenue funds is provided for the Bethel Empowerment Foundation Reentry Program, which replicates the Operation New Hope Ready4Work program. Funds used for startup activities for the Bethel Empowerment Foundation Reentry Program may not exceed 25 percent of the total funds appropriated. Bethel Empowerment Foundation Reentry Program will provide pre-release risk assessment, a plan-of-care, career development, life skills training, and referrals for incarcerated inmates who may be eligible for Bethel Empowerment Foundation Reentry Program services upon release. Bethel Empowerment Foundation Reentry Program will also provide post-release services including case management, career development, life skills training, job skills training, life-coaching (mentoring), family reunification, and job placement assistance to offenders on community supervision. Bethel Empowerment Foundation Reentry Program may also provide such post-release services to formerly incarcerated persons (ex-inmates) who have been released from a Department of Corrections' facility no more than two years before entry into the Bethel Empowerment Foundation Reentry Program. Eligibility for participation in the Bethel Empowerment Foundation Reentry Program is limited to inmates, offenders on community supervision, and recently released ex-inmates who are transitioning back into the communities and workforce of Leon, Liberty, Gadsden, Jefferson, and Wakulla counties. The department may request a budget amendment pursuant to chapter 216, Florida Statutes, to transfer funding between Specific Appropriation 633F, 638, 645F, 714, and 750 in order to serve incarcerated inmates as well as persons under community corrections supervision.

From the funds in Specific Appropriation 750, \$200,000 in nonrecurring general revenue funds is provided to ReEntry Alliance Pensacola, Inc., for implementation and operation of a reentry program to assist ex-offenders with successful transition back into the community after release from incarceration.

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From the funds in Specific Appropriation 750, \$400,000 in nonrecurring general revenue funds is provided for the Gadsden County Jail Faith Behind Bars reentry program. The Gadsden County Jail Faith Behind Bars reentry program provides pre-release activities such as substance abuse counseling, anger management, employment skills, drug and alcohol awareness education, family counseling, job search training, GED preparation, and horticultural training. The reentry program partners with the Gadsden County Chamber of Commerce to connect inmates with employment opportunities following release.

From the funds in Specific Appropriation 750, \$228,000 in nonrecurring general revenue funds is provided for the Lake County Reentry Program to provide coordination of support services in order to reduce criminal activity and recidivism by adult offenders returning to the Lake County community after incarceration.

From the funds in Specific Appropriation 750, \$500,000 in nonrecurring general revenue funds is provided for the Broward County Sheriff's Office inmate portal.

From the funds in Specific Appropriation 750, \$300,000 in recurring general revenue funds may be used to expand Horizon volunteer faith and character peer-to-peer program activities at Wakulla Correctional Institution and up to seven additional male or female prisons, including Computer Lab, Quest, and Realizing Educational Emotional and Finance Smarts (REEFS) transition programs.

From the funds in Specific Appropriation 750, \$750,000 in nonrecurring general revenue funds is provided for the WIN program to provide educational and career readiness solutions to help prepare inmates for successful transition back into the community.

From the funds in Specific Appropriation 750, \$1,000,000 in nonrecurring general revenue funds is provided to the City of Jacksonville for the Jacksonville Reentry Center (JREC), a program within the Jacksonville Journey initiative. JREC provides pre- and post release support services for adult offenders returning to Duval County after incarceration in order to reduce criminal activity and recidivism.

751	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	20,544	
752	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	2,397	
TOTAL: ADULT OFFENDER TRANSITION, REHABILITATION AND SUPPORT			
	FROM GENERAL REVENUE FUND	14,637,996	
	FROM TRUST FUNDS		913,981
	TOTAL POSITIONS	59.00	
	TOTAL ALL FUNDS		15,551,977

COMMUNITY SUBSTANCE ABUSE PREVENTION, EVALUATION, AND TREATMENT SERVICES

From the funds in Specific Appropriation 753 through 755, the Department of Corrections may implement a court liaison pilot program at two community drug treatment provider sites. The department may amend the provider contract to fund a court liaison position responsible for networking with the court to ensure full utilization of the allocated community beds.

753	EXPENSES FROM GENERAL REVENUE FUND	300,000	
754	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	4,493,762	

From the funds in Specific Appropriation 754, \$1,000,000 in recurring general revenue funds is provided to the Department of Corrections to contract with one or more private providers to provide residential

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substance abuse treatment services located within the geographic area that includes Alachua, Bradford, and Clay counties for offenders under community supervision who are residents of one of the counties in the described area. The provider must have experience in residential treatment of substance abuse and mental health disorders. The department shall give priority for placement to offenders who have served as members of the United States Armed Forces in either an Active, Reserve, or National Guard status, but may place other compatible offenders in a treatment center if space is available. The contract shall be awarded based upon a competitive solicitation process pursuant to section 287.057, Florida Statutes.

From the funds in Specific Appropriation 754, \$500,000 in recurring general revenue funds is provided for naltrexone extended-release injectable medication to treat alcohol and opioid dependence within the Department of Corrections.

755	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED DRUG TREATMENT/REHABILITATION PROGRAMS		
	FROM GENERAL REVENUE FUND	21,915,111	
	FROM FEDERAL GRANTS TRUST FUND		550,000

From the funds in Specific Appropriation 755, \$600,000 in recurring general revenue funds is provided for the Drug Abuse Comprehensive Coordinating Office, Inc. (DACCO) in Hillsborough County.

From the funds in Specific Appropriation 755, \$164,250 in nonrecurring general revenue funds is appropriated to the Salvation Army - Fort Myers Non-Secure Treatment Program to fund six mental health treatment beds for clients diagnosed with co-occurring disorders.

TOTAL: COMMUNITY SUBSTANCE ABUSE PREVENTION, EVALUATION, AND TREATMENT SERVICES			
	FROM GENERAL REVENUE FUND	26,708,873	
	FROM TRUST FUNDS		550,000
	TOTAL ALL FUNDS		27,258,873
TOTAL: CORRECTIONS, DEPARTMENT OF			
	FROM GENERAL REVENUE FUND	2,332,323,153	
	FROM TRUST FUNDS		71,352,186
	TOTAL POSITIONS	23,892.00	
	TOTAL ALL FUNDS		2,403,675,339
	TOTAL APPROVED SALARY RATE	951,121,211	

FLORIDA COMMISSION ON OFFENDER REVIEW

PROGRAM: POST-INCARCERATION ENFORCEMENT AND VICTIMS RIGHTS

	APPROVED SALARY RATE	5,944,452	
756	SALARIES AND BENEFITS POSITIONS	132.00	
	FROM GENERAL REVENUE FUND	7,796,282	
	FROM FEDERAL GRANTS TRUST FUND		60,558
757	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	518,548	
758	EXPENSES		
	FROM GENERAL REVENUE FUND	833,563	
759	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	16,771	
760	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	250,000	
761	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	39,866	
762	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	19,800	

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763	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND		50,404
764	DATA PROCESSING SERVICES OTHER DATA PROCESSING SERVICES FROM GENERAL REVENUE FUND		303,887
TOTAL: PROGRAM: POST-INCARCERATION ENFORCEMENT AND VICTIMS RIGHTS			
	FROM GENERAL REVENUE FUND	9,829,121	
	FROM TRUST FUNDS		60,558
	TOTAL POSITIONS	132.00	
	TOTAL ALL FUNDS		9,889,679
TOTAL: FLORIDA COMMISSION ON OFFENDER REVIEW			
	FROM GENERAL REVENUE FUND	9,829,121	
	FROM TRUST FUNDS		60,558
	TOTAL POSITIONS	132.00	
	TOTAL ALL FUNDS		9,889,679
	TOTAL APPROVED SALARY RATE	5,944,452	

JUSTICE ADMINISTRATION

PROGRAM: JUSTICE ADMINISTRATIVE COMMISSION

EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE	4,049,048	
765	SALARIES AND BENEFITS POSITIONS	85.00	
	FROM GENERAL REVENUE FUND	5,456,148	
766	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	29,572	
767	EXPENSES		
	FROM GENERAL REVENUE FUND	512,197	
	FROM GRANTS AND DONATIONS TRUST FUND		15,900
768	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	20,000	
769	LUMP SUM WORKLOAD FOR COUNTY OR MUNICIPAL CONTRACTS POSITIONS		14.00

The positions in Specific Appropriation 769 are provided for State Attorneys and Public Defenders to use for grants received from counties during Fiscal Year 2016-2017 for the purpose of prosecution of local ordinance violations pursuant to section 27.34, Florida Statutes, or defense of persons accused of violating local ordinances pursuant to section 27.54, Florida Statutes. Use of these positions is contingent upon the Justice Administrative Commission notifying the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee and the Governor's Office of Policy and Budget. Such notification is subject to the legislative review and objection provisions of chapter 216, Florida Statutes. Rate may be established for these positions consistent with the salaries provided for in the grant.

770	SPECIAL CATEGORIES GRANTS AND AIDS - FOSTER CARE CITIZEN REVIEW PANEL		
	FROM GENERAL REVENUE FUND	342,160	
	FROM GRANTS AND DONATIONS TRUST FUND		300,000
771	SPECIAL CATEGORIES SEXUAL PREDATOR CIVIL COMMITMENT LITIGATION COSTS		
	FROM GENERAL REVENUE FUND	2,947,591	

Funds in Specific Appropriation 771 are provided for attorney fees

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

and case-related expenses associated with prosecuting and defending sexual predator civil commitment cases. Case-related expenses are limited to expert witness fees, clinical evaluations, court reporter costs, and foreign language interpreters. The maximum amount to be paid by the Justice Administrative Commission for medical experts for sexual predator civil commitment cases is \$200 per hour and all related travel costs must be apportioned to the associated case. The Justice Administrative Commission shall submit quarterly reports, in an electronic format, to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee describing, by judicial circuit, actual encumbrances and disbursements from this special appropriations category.

772 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 143,000

773 SPECIAL CATEGORIES
LEGAL REPRESENTATION FOR DEPENDENT
CHILDREN WITH SPECIAL NEEDS
FROM GENERAL REVENUE FUND 2,022,500

Funds in Specific Appropriation 773 shall be used by the Justice Administrative Commission to contract with attorneys to represent dependent children with disabilities in, or being considered for placement in, skilled nursing facilities and dependent children with certain special needs as specified in section 39.01305, Florida Statutes. The implementation of registries, as well as the appointment and compensation of private attorneys appointed pursuant to section 39.01305, Florida Statutes, shall be governed by the provisions of sections 27.40 and 27.5304, Florida Statutes. The flat fee amount for compensation shall not exceed \$1,000 per child per year. Funds anticipated to be in excess of those necessary to represent these children may be used to train attorneys and related personnel to represent these types of children. No other appropriation shall be used to pay attorney fees and related expenses for attorneys representing dependent children with disabilities and appointments under section 39.01305, Florida Statutes.

774 SPECIAL CATEGORIES
PAYMENTS FOR QUALIFIED TRANSPORTATION
BENEFITS PROGRAM
FROM GRANTS AND DONATIONS TRUST
FUND 750,000

775 SPECIAL CATEGORIES
PUBLIC DEFENDER DUE PROCESS COSTS
FROM GENERAL REVENUE FUND 19,263,034

Funds in Specific Appropriation 775 are provided for the Public Defenders' due process costs as specified in section 29.006, Florida Statutes. The Justice Administrative Commission shall submit quarterly reports of expenditures by circuit in an electronic format to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee. Funds shall initially be credited for the use of each circuit in the amounts listed below, and may be adjusted pursuant to the provisions of section 29.015, Florida Statutes.

1st Judicial Circuit.....	849,921
2nd Judicial Circuit.....	677,908
3rd Judicial Circuit.....	152,365
4th Judicial Circuit.....	1,314,699
5th Judicial Circuit.....	899,681
6th Judicial Circuit.....	1,227,697
7th Judicial Circuit.....	697,642
8th Judicial Circuit.....	494,532
9th Judicial Circuit.....	1,188,176
10th Judicial Circuit.....	781,782
11th Judicial Circuit.....	3,426,071
12th Judicial Circuit.....	688,568
13th Judicial Circuit.....	1,951,341
14th Judicial Circuit.....	339,207
15th Judicial Circuit.....	864,229
16th Judicial Circuit.....	118,527
17th Judicial Circuit.....	1,418,971
18th Judicial Circuit.....	664,882
19th Judicial Circuit.....	621,142
20th Judicial Circuit.....	905,694

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From the funds credited for use in the following circuits, the amounts specified below shall be transferred in quarterly increments within 10 days after the beginning of each quarter to the Office of the State Courts Administrator on behalf of the circuit courts operating shared court reporting or interpreter services:

1st Judicial Circuit.....	190,611
2nd Judicial Circuit.....	323,690
3rd Judicial Circuit.....	52,251
6th Judicial Circuit.....	103,493
7th Judicial Circuit.....	37,310
8th Judicial Circuit.....	83,798
9th Judicial Circuit.....	481,878
10th Judicial Circuit.....	68,975
11th Judicial Circuit.....	121,996
12th Judicial Circuit.....	153,205
13th Judicial Circuit.....	784,106
14th Judicial Circuit.....	134,089
15th Judicial Circuit.....	93,646
16th Judicial Circuit.....	74,983
17th Judicial Circuit.....	60,851

776 SPECIAL CATEGORIES
CHILD DEPENDENCY AND CIVIL CONFLICT CASE
FROM GENERAL REVENUE FUND 13,200,000

Funds in Specific Appropriation 776 are provided for case fees and expenses of court-appointed counsel in civil conflict cases and child dependency cases. The Justice Administrative Commission shall submit quarterly reports, in an electronic format, of these case payments to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee by judicial circuit, which shall include, but not be limited to: information on requests for payments received; court orders received directing payment; and actual encumbrances and disbursements and performance measures for court appointed counsel including: average time to complete cases by case type; number of bar complaints for state paid cases; percent of initial invoices to the Justice Administrative Commission that are rejected; percent of initial invoices filed with the Justice Administrative Commission within 90 days after closure of the case; number of cases by type; and total cost per case by type from this special appropriations category.

The maximum flat fee to be paid by the Justice Administrative Commission for attorney fees for the following dependency and civil cases is set as follows:

ADMISSION OF INMATE TO MENTAL HEALTH FACILITY.....	300
ADULT PROTECTIVE SERVICES ACT - Ch. 415, F.S.....	500
BAKER ACT/MENTAL HEALTH - Ch. 394, F.S.....	400
CINS/FINS - Ch. 984, F.S.....	750
CIVIL APPEALS.....	400
DEPENDENCY - Up to 1 Year.....	800
DEPENDENCY - Each Year after 1st Year.....	200
DEPENDENCY - No Petition Filed or Dismissed at Shelter.....	200
DEPENDENCY APPEALS.....	1,000
DEVELOPMENTALLY DISABLED ADULT - Ch. 393, F.S.....	400
EMANCIPATION - Section 743.015, F.S.....	400
GUARDIANSHIP - EMERGENCY - Ch. 744, F.S.....	400
GUARDIANSHIP - Ch. 744, F.S.....	400
MARCHMAN ACT/SUBSTANCE ABUSE - Ch. 397, F.S.....	300
MEDICAL PROCEDURES - Section 394.459(3), F.S.....	400
PARENTAL NOTIFICATION OF ABORTION ACT.....	400
TERMINATION OF PARENTAL RIGHTS - Ch. 39, F.S. - Up to 1 Year.....	1,000
TERMINATION OF PARENTAL RIGHTS - Ch. 39, F.S. - Each Year after 1st Year.....	200
TERMINATION OF PARENTAL RIGHTS - Ch. 63, F.S. - Up to 1 year.....	1,000
TERMINATION OF PARENTAL RIGHTS - Ch. 63, F.S. - Each Year after 1st Year.....	200
TERMINATION OF PARENTAL RIGHTS APPEALS.....	2,000
TUBERCULOSIS - Ch. 392, F.S.....	300

777 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 19,134

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778	SPECIAL CATEGORIES POST-CONVICTION CAPITAL COLLATERAL CASES - REGISTRY ATTORNEYS FROM GENERAL REVENUE FUND	1,084,310
779	SPECIAL CATEGORIES ATTORNEY PAYMENTS OVER FLAT FEE FROM GENERAL REVENUE FUND	6,700,000
780	SPECIAL CATEGORIES CRIMINAL CONFLICT CASE COSTS FROM GENERAL REVENUE FUND	27,484,827

Funds in Specific Appropriation 780 are provided for case fees as specified in section 27.5304, Florida Statutes, and expenses as specified in section 29.007, Florida Statutes, of court-appointed counsel for indigent criminal defendants and for due process costs for those individuals the court finds indigent for costs. The Justice Administrative Commission shall submit quarterly reports, in an electronic format, of criminal conflict case payments and performance measures for court-appointed counsel including: average time to complete cases by case type; number of bar complaints for state paid cases; percent of initial invoices to the Justice Administrative Commission that are rejected; percent of initial invoices filed with the Justice Administrative Commission within 90 days after closure of the case; number of cases by type; and total cost per case by type to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee by judicial circuit.

From the funds in Specific Appropriation 780, a total of \$216,934 shall be transferred in quarterly increments within 10 days after the beginning of each quarter to the Office of the State Courts Administrator on behalf of the circuit courts operating shared court reporting and interpreter services.

The maximum flat fee to be paid by the Justice Administrative Commission for attorney fees for criminal conflict cases is set as follows:

POSTCONVICTION - Rules 3.850, 3.801 & 3.800, F1.R.Crim. Proc	1,250
CAPITAL - 1ST DEGREE MURDER (LEAD COUNSEL).....	25,000
CAPITAL - 1ST DEGREE MURDER (CO-COUNSEL).....	25,000
CAPITAL - 1ST DEGREE MURDER (NON-DEATH).....	15,000
CAPITAL SEXUAL BATTERY.....	4,000
CAPITAL APPEALS.....	9,000
CONTEMPT PROCEEDINGS.....	500
CRIMINAL TRAFFIC.....	500
EXTRADITION.....	625
FELONY - LIFE.....	5,000
FELONY - LIFE (RICO).....	9,000
FELONY - NONCAPITAL MURDER (CO-COUNSEL).....	15,000
FELONY - PUNISHABLE BY LIFE.....	2,500
FELONY - PUNISHABLE BY LIFE (RICO).....	6,000
FELONY 1ST DEGREE.....	1,875
FELONY 1ST DEGREE (RICO).....	5,000
FELONY 2ND DEGREE.....	1,250
FELONY 3RD DEGREE.....	938
FELONY OR MISDEMEANOR - NO INFORMATION FILED.....	500
FELONY APPEALS.....	1,875
JUVENILE DELINQUENCY - 1ST DEGREE FELONY.....	750
JUVENILE DELINQUENCY - 2ND DEGREE.....	500
JUVENILE DELINQUENCY - 3RD DEGREE.....	375
JUVENILE DELINQUENCY - FELONY LIFE.....	875
JUVENILE DELINQUENCY - MISDEMEANOR.....	375
JUVENILE DELINQUENCY - DIRECT FILE OR NO PETITION FILED.....	375
JUVENILE DELINQUENCY APPEALS.....	1,250
MISDEMEANOR.....	500
MISDEMEANOR APPEALS.....	938
VIOLATION OF PROBATION - FELONY (INCLUDES VOCC).....	625
VIOLATION OF PROBATION - MISDEMEANOR (INCLUDES VOCC).....	375
VIOLATION OF PROBATION (VOCC) JUVENILE DELINQUENCY.....	375

Funds for costs and related expenses to be paid through Specific Appropriations 776, 780, and 782 shall be subject to the following:

The hourly rate for mitigation specialists in capital death cases shall not exceed \$75.00 per hour.

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The maximum amount to be paid by the Justice Administrative Commission for non-attorney due process services other than those specified, shall not exceed the rates in effect for the 2007-2008 fiscal year.

The maximum amount to be paid by the Justice Administrative Commission for investigators is \$40 per hour. The maximum amount to be paid for court reporting and transcribing costs is as follows:

1. Deposition Appearance fees: 1st hour: \$75.00; thereafter \$25.00 per hour. The fee is to be paid to the court reporter whether or not a transcript is ordered.
2. Deposition transcript fee (Original & one copy):
 - 10 business day delivery: \$4.00 per page
 - 5 business day delivery: \$5.50 per page
 - 24 hours delivery: \$7.50 per page
 - Additional copies: \$0.50 per page
3. Appellate/hearing/trial transcript fee (Original & all copies needed with a minimum of 2 copies):
 - 10 business day delivery: \$5.00 per page
 - 5 business day delivery: \$6.50 per page
 - 24 hours delivery: \$8.50 per page
 - Copies (when original previously ordered): \$0.50 per page.
4. Transcription from tapes or audio recordings (other than depositions or hearings): Either \$35 per hour listening fee or \$3.00 per page whichever is greater.
5. Video Services: \$100 per hour per location with two-hour minimum.

781	SPECIAL CATEGORIES STATE ATTORNEY DUE PROCESS COSTS FROM GENERAL REVENUE FUND	10,266,646
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Funds in Specific Appropriation 781 are provided for the State Attorneys' due process costs as specified in section 29.005, Florida Statutes. The Justice Administrative Commission shall submit quarterly reports of expenditures by circuit in an electronic format to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee. Funds shall initially be credited for the use of each circuit in the amounts listed below, and may be adjusted pursuant to the provisions of section 29.015, Florida Statutes.

1st Judicial Circuit.....	607,531
2nd Judicial Circuit.....	323,061
3rd Judicial Circuit.....	120,143
4th Judicial Circuit.....	443,741
5th Judicial Circuit.....	333,769
6th Judicial Circuit.....	601,122
7th Judicial Circuit.....	452,324
8th Judicial Circuit.....	227,481
9th Judicial Circuit.....	476,378
10th Judicial Circuit.....	296,431
11th Judicial Circuit.....	2,122,853
12th Judicial Circuit.....	267,913
13th Judicial Circuit.....	571,480
14th Judicial Circuit.....	113,227
15th Judicial Circuit.....	711,731
16th Judicial Circuit.....	87,961
17th Judicial Circuit.....	1,269,184
18th Judicial Circuit.....	362,155
19th Judicial Circuit.....	259,818
20th Judicial Circuit.....	618,342

From the funds credited for use in the following circuits, the amounts specified below shall be transferred in quarterly increments within 10 days after the beginning of each quarter to the Office of the State Courts Administrator on behalf of the circuit courts operating shared court reporting or interpreter services:

1st Judicial Circuit.....	18,232
2nd Judicial Circuit.....	16,650
3rd Judicial Circuit.....	10,456
6th Judicial Circuit.....	25,443
7th Judicial Circuit.....	12,818
8th Judicial Circuit.....	21,937

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

9th Judicial Circuit.....	26,007
10th Judicial Circuit.....	3,980
11th Judicial Circuit.....	426,986
12th Judicial Circuit.....	19,650
13th Judicial Circuit.....	45,716
15th Judicial Circuit.....	61,252
16th Judicial Circuit.....	4,315
17th Judicial Circuit.....	20,081

782 SPECIAL CATEGORIES	
CRIMINAL CONFLICT AND DEPENDENCY COUNSEL	
LIABILITY	
FROM GENERAL REVENUE FUND	500,000

Funds in Specific Appropriation 782 are provided to pay for criminal conflict, dependency and other civil cases for which appointment was made during Fiscal Years 2004-2005, 2005-2006, and 2006-2007. The Justice Administrative Commission shall submit quarterly reports of expenditures by circuit in an electronic format to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee.

783 SPECIAL CATEGORIES	
STATE ATTORNEY AND PUBLIC DEFENDER	
TRAINING	
FROM GENERAL REVENUE FUND	33,529
FROM GRANTS AND DONATIONS TRUST	
FUND	3,000

784 SPECIAL CATEGORIES	
LEASE OR LEASE-PURCHASE OF EQUIPMENT	
FROM GENERAL REVENUE FUND	600

785 SPECIAL CATEGORIES	
DUE PROCESS CONTINGENCY FUND	
FROM GENERAL REVENUE FUND	1,000,000

786 SPECIAL CATEGORIES	
TRANSFER TO DEPARTMENT OF MANAGEMENT	
SERVICES - HUMAN RESOURCES SERVICES	
PURCHASED PER STATEWIDE CONTRACT	
FROM GENERAL REVENUE FUND	2,447,984
FROM CHILD SUPPORT TRUST FUND	74,498
FROM GRANTS AND DONATIONS TRUST	
FUND	120,059
FROM INDIGENT CRIMINAL DEFENSE	
TRUST FUND	34,955

From the funds provided in Specific Appropriation 786, the State Attorneys and Public Defenders shall transfer cash from their Grants and Donations Trust Fund, Child Support Enforcement Trust Fund, State Attorney Revenue Trust Fund, Public Defender Revenue Trust Fund, and Indigent Criminal Defense Trust Fund in proportion to their positions funded from these sources to the Justice Administrative Commission to pay the Human Resources Services contract in the Department of Management Services.

787 DATA PROCESSING SERVICES	
STATE DATA CENTER - AGENCY FOR STATE	
TECHNOLOGY (AST)	
FROM GENERAL REVENUE FUND	10,289

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES	
FROM GENERAL REVENUE FUND	93,483,521
FROM TRUST FUNDS	1,298,412

TOTAL POSITIONS	99.00
TOTAL ALL FUNDS	94,781,933

PROGRAM: STATEWIDE GUARDIAN AD LITEM OFFICE

Funds and positions in Specific Appropriations 788 through 797 shall first be used to represent children involved in dependency proceedings. Once all children in dependency proceedings are represented, the funds may be used to represent children in other proceedings as authorized by law.

APPROVED SALARY RATE 28,319,788

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

788 SALARIES AND BENEFITS POSITIONS	740.00
FROM GENERAL REVENUE FUND	37,395,306

789 OTHER PERSONAL SERVICES	
FROM GENERAL REVENUE FUND	1,565,681
FROM GRANTS AND DONATIONS TRUST	
FUND	150,000

790 EXPENSES	
FROM GENERAL REVENUE FUND	1,656,485
FROM GRANTS AND DONATIONS TRUST	
FUND	50,249

791 OPERATING CAPITAL OUTLAY	
FROM GENERAL REVENUE FUND	60,502
FROM GRANTS AND DONATIONS TRUST	
FUND	10,000

792 SPECIAL CATEGORIES	
GRANTS AND AIDS - COURT SYSTEM SERVICES	
FOR CHILDREN AND YOUTH	
FROM GENERAL REVENUE FUND	1,242,656

From the funds in Specific Appropriation 792, \$100,000 in recurring general revenue funds and \$250,000 in nonrecurring general revenue funds shall be used to support the Voices for Children Foundation in Miami-Dade County.

793 SPECIAL CATEGORIES	
CONTRACTED SERVICES	
FROM GENERAL REVENUE FUND	2,992,623
FROM GRANTS AND DONATIONS TRUST	
FUND	110,000

794 SPECIAL CATEGORIES	
RISK MANAGEMENT INSURANCE	
FROM GENERAL REVENUE FUND	539,414

795 SPECIAL CATEGORIES	
LEASE OR LEASE-PURCHASE OF EQUIPMENT	
FROM GENERAL REVENUE FUND	192,196

796 DATA PROCESSING SERVICES	
OTHER DATA PROCESSING SERVICES	
FROM GENERAL REVENUE FUND	42,057

797 DATA PROCESSING SERVICES	
NORTHWEST REGIONAL DATA CENTER (NWRDC)	
FROM GENERAL REVENUE FUND	332,707

The funds in Specific Appropriation 797 shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.

TOTAL: PROGRAM: STATEWIDE GUARDIAN AD LITEM OFFICE	
FROM GENERAL REVENUE FUND	46,019,627
FROM TRUST FUNDS	320,249

TOTAL POSITIONS	740.00
TOTAL ALL FUNDS	46,339,876

STATE ATTORNEYS

The Prosecution Coordination Office's budgeting, legal, training and education needs may be funded by each State Attorney's office within the funds provided in Specific Appropriations 798 through 918. Funding for this office shall not exceed \$450,000 from the State Attorney's Revenue Trust Fund.

PROGRAM: STATE ATTORNEYS - FIRST JUDICIAL CIRCUIT

APPROVED SALARY RATE 10,635,889

798 SALARIES AND BENEFITS POSITIONS	232.00
FROM GENERAL REVENUE FUND	12,370,217
FROM STATE ATTORNEYS REVENUE TRUST	
FUND	1,910,085

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

	FROM GRANTS AND DONATIONS TRUST FUND		485,491	
799	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND	30,415		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		95,987	
800	SPECIAL CATEGORIES			
	STATE ATTORNEY OPERATING EXPENDITURES			
	FROM GENERAL REVENUE FUND	856,495		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		30,000	
	FROM GRANTS AND DONATIONS TRUST FUND		1,215	
801	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND	30,719		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		100,367	
802	SPECIAL CATEGORIES			
	SALARY INCENTIVE PAYMENTS			
	FROM GENERAL REVENUE FUND	9,874		
803	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND	14,562		
TOTAL: PROGRAM: STATE ATTORNEYS - FIRST JUDICIAL CIRCUIT				
	FROM GENERAL REVENUE FUND	13,312,282		
	FROM TRUST FUNDS		2,623,145	
	TOTAL POSITIONS	232.00		
	TOTAL ALL FUNDS		15,935,427	
PROGRAM: STATE ATTORNEYS - SECOND JUDICIAL CIRCUIT				
	APPROVED SALARY RATE	5,991,247		
804	SALARIES AND BENEFITS POSITIONS	116.00		
	FROM GENERAL REVENUE FUND	7,115,120		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		790,533	
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		30,000	
	FROM GRANTS AND DONATIONS TRUST FUND		506,836	
805	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND	28,406		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		145,552	
806	SPECIAL CATEGORIES			
	STATE ATTORNEY OPERATING EXPENDITURES			
	FROM GENERAL REVENUE FUND	353,565		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		149,139	
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		15,000	
	FROM GRANTS AND DONATIONS TRUST FUND		1,500	
807	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM STATE ATTORNEYS REVENUE TRUST FUND		26,439	
808	SPECIAL CATEGORIES			
	SALARY INCENTIVE PAYMENTS			
	FROM GENERAL REVENUE FUND	8,093		
809	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM STATE ATTORNEYS REVENUE TRUST FUND		3,000	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

TOTAL: PROGRAM: STATE ATTORNEYS - SECOND JUDICIAL CIRCUIT				
	FROM GENERAL REVENUE FUND	7,505,184		
	FROM TRUST FUNDS		1,667,999	
	TOTAL POSITIONS	116.00		
	TOTAL ALL FUNDS		9,173,183	
PROGRAM: STATE ATTORNEYS - THIRD JUDICIAL CIRCUIT				
	APPROVED SALARY RATE	3,659,411		
810	SALARIES AND BENEFITS POSITIONS	71.00		
	FROM GENERAL REVENUE FUND	4,169,704		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		568,014	
	FROM GRANTS AND DONATIONS TRUST FUND		269,844	
811	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND	7,857		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		6,372	
	FROM GRANTS AND DONATIONS TRUST FUND		5,068	
811A	SPECIAL CATEGORIES			
	ACQUISITION OF MOTOR VEHICLES			
	FROM STATE ATTORNEYS REVENUE TRUST FUND		54,000	
812	SPECIAL CATEGORIES			
	STATE ATTORNEY OPERATING EXPENDITURES			
	FROM GENERAL REVENUE FUND	179,966		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		27,204	
	FROM GRANTS AND DONATIONS TRUST FUND		76,701	
813	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND	10,971		
	FROM GRANTS AND DONATIONS TRUST FUND		28,392	
814	SPECIAL CATEGORIES			
	SALARY INCENTIVE PAYMENTS			
	FROM GENERAL REVENUE FUND	8,034		
815	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND	35,000		
TOTAL: PROGRAM: STATE ATTORNEYS - THIRD JUDICIAL CIRCUIT				
	FROM GENERAL REVENUE FUND	4,411,532		
	FROM TRUST FUNDS		1,035,595	
	TOTAL POSITIONS	71.00		
	TOTAL ALL FUNDS		5,447,127	
PROGRAM: STATE ATTORNEYS - FOURTH JUDICIAL CIRCUIT				
	APPROVED SALARY RATE	18,243,725		
816	SALARIES AND BENEFITS POSITIONS	371.00		
	FROM GENERAL REVENUE FUND	20,481,263		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		3,119,702	
	FROM GRANTS AND DONATIONS TRUST FUND		1,104,274	
From the positions and funds provided in Specific Appropriation 816, three full-time equivalent positions with associated salary rate of 174,101 and \$250,818 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.				
817	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND	139,844		

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

	FROM STATE ATTORNEYS REVENUE TRUST FUND		5,090	
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		55,000	
	FROM GRANTS AND DONATIONS TRUST FUND		33,189	
817A	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		80,000	
818	SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	279,262		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		335,658	
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		110,800	
	FROM GRANTS AND DONATIONS TRUST FUND		14,800	
819	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	18,689		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		118,383	
820	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	11,404		
821	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	6,150		
TOTAL:	PROGRAM: STATE ATTORNEYS - FOURTH JUDICIAL CIRCUIT FROM GENERAL REVENUE FUND	20,936,612		
	FROM TRUST FUNDS		4,976,896	
	TOTAL POSITIONS	371.00		
	TOTAL ALL FUNDS		25,913,508	
PROGRAM: STATE ATTORNEYS - FIFTH JUDICIAL CIRCUIT				
	APPROVED SALARY RATE	12,769,911		
822	SALARIES AND BENEFITS POSITIONS	239.00		
	FROM GENERAL REVENUE FUND	15,073,665		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		2,109,942	
	FROM GRANTS AND DONATIONS TRUST FUND		1,052,867	
823	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	60,599		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		37,063	
	FROM GRANTS AND DONATIONS TRUST FUND		93,131	
824	SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	488,267		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		61,250	
825	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	27,900		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		44,595	
826	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	15,740		

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

827	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND		41,500	
TOTAL:	PROGRAM: STATE ATTORNEYS - FIFTH JUDICIAL CIRCUIT FROM GENERAL REVENUE FUND	15,707,671		
	FROM TRUST FUNDS		3,398,848	
	TOTAL POSITIONS	239.00		
	TOTAL ALL FUNDS		19,106,519	
PROGRAM: STATE ATTORNEYS - SIXTH JUDICIAL CIRCUIT				
	APPROVED SALARY RATE	23,526,513		
828	SALARIES AND BENEFITS POSITIONS	475.00		
	FROM GENERAL REVENUE FUND	25,682,460		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		3,357,806	
	FROM GRANTS AND DONATIONS TRUST FUND		3,524,873	
829	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	86,869		
	FROM GRANTS AND DONATIONS TRUST FUND		34,737	
829A	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM STATE ATTORNEYS REVENUE TRUST FUND		76,000	
830	SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	476,061		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		232,453	
	FROM GRANTS AND DONATIONS TRUST FUND		569,866	
831	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM STATE ATTORNEYS REVENUE TRUST FUND		89,598	
832	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	22,724		
833	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	2,520		
TOTAL:	PROGRAM: STATE ATTORNEYS - SIXTH JUDICIAL CIRCUIT FROM GENERAL REVENUE FUND	26,270,634		
	FROM TRUST FUNDS		7,885,333	
	TOTAL POSITIONS	475.00		
	TOTAL ALL FUNDS		34,155,967	
PROGRAM: STATE ATTORNEYS - SEVENTH JUDICIAL CIRCUIT				
	APPROVED SALARY RATE	11,697,154		
834	SALARIES AND BENEFITS POSITIONS	242.00		
	FROM GENERAL REVENUE FUND	13,589,813		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		2,129,192	
	FROM GRANTS AND DONATIONS TRUST FUND		294,720	
835	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	39,274		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		73,887	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

	FROM GRANTS AND DONATIONS TRUST FUND		9,980
835A	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM STATE ATTORNEYS REVENUE TRUST FUND		202,500
836	SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	588,416	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		342,348
837	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	32,550	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		55,079
838	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	6,094	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		17,620
	FROM GRANTS AND DONATIONS TRUST FUND		2,380
839	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	32,381	
TOTAL: PROGRAM: STATE ATTORNEYS - SEVENTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	14,288,528	
	FROM TRUST FUNDS		3,127,706
	TOTAL POSITIONS	242.00	
	TOTAL ALL FUNDS		17,416,234
PROGRAM: STATE ATTORNEYS - EIGHTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	6,575,938	
840	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	138.00	
	FROM STATE ATTORNEYS REVENUE TRUST FUND	7,934,129	
	FROM GRANTS AND DONATIONS TRUST FUND		865,920
	FROM GRANTS AND DONATIONS TRUST FUND		410,535
841	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	51,558	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		58,677
	FROM GRANTS AND DONATIONS TRUST FUND		34,329
841A	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM STATE ATTORNEYS REVENUE TRUST FUND		28,000
842	SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	284,761	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		21,406
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		419
	FROM GRANTS AND DONATIONS TRUST FUND		9,040
843	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	42,322	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		20,653

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

844	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND		13,506
845	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND		7,306
TOTAL: PROGRAM: STATE ATTORNEYS - EIGHTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	8,333,582	
	FROM TRUST FUNDS		1,448,979
	TOTAL POSITIONS	138.00	
	TOTAL ALL FUNDS		9,782,561
PROGRAM: STATE ATTORNEYS - NINTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	19,657,806	
846	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	385.50	
	FROM STATE ATTORNEYS REVENUE TRUST FUND	23,540,968	
	FROM GRANTS AND DONATIONS TRUST FUND		1,420,095
	FROM GRANTS AND DONATIONS TRUST FUND		1,859,699
From the positions and funds provided in Specific Appropriation 846, five full-time equivalent positions with associated salary rate of 293,813 and \$431,719 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.			
847	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	140,793	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		291,200
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		241,817
	FROM GRANTS AND DONATIONS TRUST FUND		1,000
847A	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM GENERAL REVENUE FUND	104,000	
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		130,000
848	SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	956,251	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		197,029
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		279,234
	FROM GRANTS AND DONATIONS TRUST FUND		18,966
849	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	6,584	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		152,019
850	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	28,837	
851	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	55,416	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

TOTAL: PROGRAM: STATE ATTORNEYS - NINTH JUDICIAL CIRCUIT
 FROM GENERAL REVENUE FUND 24,832,849
 FROM TRUST FUNDS 4,591,059

 TOTAL POSITIONS 385.50
 TOTAL ALL FUNDS 29,423,908

PROGRAM: STATE ATTORNEYS - TENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 11,912,291

852 SALARIES AND BENEFITS POSITIONS 228.00
 FROM GENERAL REVENUE FUND 12,079,534
 FROM STATE ATTORNEYS REVENUE TRUST
 FUND 4,041,984
 FROM GRANTS AND DONATIONS TRUST
 FUND 1,128,181

853 OTHER PERSONAL SERVICES
 FROM GENERAL REVENUE FUND 46,728
 FROM STATE ATTORNEYS REVENUE TRUST
 FUND 86,742
 FROM GRANTS AND DONATIONS TRUST
 FUND 33,018

853A SPECIAL CATEGORIES
 ACQUISITION OF MOTOR VEHICLES
 FROM STATE ATTORNEYS REVENUE TRUST
 FUND 60,000

854 SPECIAL CATEGORIES
 STATE ATTORNEY OPERATING EXPENDITURES
 FROM GENERAL REVENUE FUND 185,530
 FROM STATE ATTORNEYS REVENUE TRUST
 FUND 218,879
 FROM GRANTS AND DONATIONS TRUST
 FUND 212,872

855 SPECIAL CATEGORIES
 RISK MANAGEMENT INSURANCE
 FROM GENERAL REVENUE FUND 122
 FROM STATE ATTORNEYS REVENUE TRUST
 FUND 49,480
 FROM GRANTS AND DONATIONS TRUST
 FUND 5,500

856 SPECIAL CATEGORIES
 SALARY INCENTIVE PAYMENTS
 FROM GENERAL REVENUE FUND 14,365

857 SPECIAL CATEGORIES
 LEASE OR LEASE-PURCHASE OF EQUIPMENT
 FROM GENERAL REVENUE FUND 32,032
 FROM GRANTS AND DONATIONS TRUST
 FUND 7,356

TOTAL: PROGRAM: STATE ATTORNEYS - TENTH JUDICIAL CIRCUIT
 FROM GENERAL REVENUE FUND 12,358,311
 FROM TRUST FUNDS 5,844,012

 TOTAL POSITIONS 228.00
 TOTAL ALL FUNDS 18,202,323

PROGRAM: STATE ATTORNEYS - ELEVENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 56,104,692

858 SALARIES AND BENEFITS POSITIONS 1,278.00
 FROM GENERAL REVENUE FUND 49,679,777
 FROM STATE ATTORNEYS REVENUE TRUST
 FUND 4,742,169
 FROM CHILD SUPPORT TRUST FUND 19,929,556
 FROM FORFEITURE AND INVESTIGATIVE
 SUPPORT TRUST FUND 223,824
 FROM GRANTS AND DONATIONS TRUST
 FUND 3,345,205

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

From the positions and funds provided in Specific Appropriation 858, three full-time equivalent positions with associated salary rate of 279,377 and \$404,038 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

Additionally, two full-time equivalent positions with associated salary rate of 100,585 and \$147,724 from the Grants and Donations Trust Fund are provided solely for prosecution of workers compensation insurance fraud.

859 OTHER PERSONAL SERVICES
 FROM GENERAL REVENUE FUND 242,030
 FROM STATE ATTORNEYS REVENUE TRUST
 FUND 154,922
 FROM CHILD SUPPORT TRUST FUND 752,372
 FROM GRANTS AND DONATIONS TRUST
 FUND 85,131

859A SPECIAL CATEGORIES
 ACQUISITION OF MOTOR VEHICLES
 FROM FORFEITURE AND INVESTIGATIVE
 SUPPORT TRUST FUND 189,000

860 SPECIAL CATEGORIES
 STATE ATTORNEY OPERATING EXPENDITURES
 FROM GENERAL REVENUE FUND 1,373,140
 FROM STATE ATTORNEYS REVENUE TRUST
 FUND 435,078
 FROM CHILD SUPPORT TRUST FUND 3,862,621
 FROM CIVIL RICO TRUST FUND 200,020
 FROM FORFEITURE AND INVESTIGATIVE
 SUPPORT TRUST FUND 203,700
 FROM GRANTS AND DONATIONS TRUST
 FUND 561,527

From the funds in Specific Appropriation 860, \$600,000 in nonrecurring general revenue funds is provided for a crime data consolidation pilot project in the 11th Judicial Circuit State Attorney's Office to improve the statistical analysis of crime data.

861 SPECIAL CATEGORIES
 RISK MANAGEMENT INSURANCE
 FROM GENERAL REVENUE FUND 340,912
 FROM STATE ATTORNEYS REVENUE TRUST
 FUND 405,508
 FROM CHILD SUPPORT TRUST FUND 370,316

862 SPECIAL CATEGORIES
 SALARY INCENTIVE PAYMENTS
 FROM GENERAL REVENUE FUND 22,221

863 SPECIAL CATEGORIES
 LEASE OR LEASE-PURCHASE OF EQUIPMENT
 FROM GENERAL REVENUE FUND 3,600

TOTAL: PROGRAM: STATE ATTORNEYS - ELEVENTH JUDICIAL CIRCUIT
 FROM GENERAL REVENUE FUND 51,661,680
 FROM TRUST FUNDS 35,460,949

 TOTAL POSITIONS 1,278.00
 TOTAL ALL FUNDS 87,122,629

PROGRAM: STATE ATTORNEYS - TWELFTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 9,136,661

864 SALARIES AND BENEFITS POSITIONS 184.00
 FROM GENERAL REVENUE FUND 11,255,949
 FROM STATE ATTORNEYS REVENUE TRUST
 FUND 1,386,926
 FROM GRANTS AND DONATIONS TRUST
 FUND 295,044

865 OTHER PERSONAL SERVICES
 FROM GENERAL REVENUE FUND 23,211

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

865A	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM STATE ATTORNEYS REVENUE TRUST FUND	64,500	
866	SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES FROM GENERAL REVENUE FUND FROM STATE ATTORNEYS REVENUE TRUST FUND	408,517	89,785
867	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM STATE ATTORNEYS REVENUE TRUST FUND	38,173	25,763
868	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	7,461	
869	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	2,367	
TOTAL: PROGRAM: STATE ATTORNEYS - TWELFTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	11,735,678	1,862,018
	FROM TRUST FUNDS		
	TOTAL POSITIONS	184.00	
	TOTAL ALL FUNDS		13,597,696
PROGRAM: STATE ATTORNEYS - THIRTEENTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	17,554,848	
870	SALARIES AND BENEFITS POSITIONS 357.00 FROM GENERAL REVENUE FUND FROM STATE ATTORNEYS REVENUE TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND	20,652,390	2,830,863 1,437,432
From the positions and funds provided in Specific Appropriation 870, two full-time equivalent positions with associated salary rate of 103,567 and \$152,179 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.			
Additionally, two full-time equivalent positions with associated salary rate of 93,863 and \$137,852 from the Grants and Donations Trust Fund are provided solely for prosecution of workers compensation insurance fraud.			
871	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM STATE ATTORNEYS REVENUE TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND	69,228	11,122 7,755
871A	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM STATE ATTORNEYS REVENUE TRUST FUND		50,000
872	SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES FROM GENERAL REVENUE FUND FROM STATE ATTORNEYS REVENUE TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND	583,790	191,880 81,630
873	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	48,882	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

	FROM STATE ATTORNEYS REVENUE TRUST FUND		33,613
874	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	12,027	
875	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	7,980	
TOTAL: PROGRAM: STATE ATTORNEYS - THIRTEENTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	21,374,297	4,644,295
	FROM TRUST FUNDS		
	TOTAL POSITIONS	357.00	
	TOTAL ALL FUNDS		26,018,592
PROGRAM: STATE ATTORNEYS - FOURTEENTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	6,001,165	
876	SALARIES AND BENEFITS POSITIONS 123.00 FROM GENERAL REVENUE FUND FROM STATE ATTORNEYS REVENUE TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND	7,351,007	803,732 430,055
877	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM STATE ATTORNEYS REVENUE TRUST FUND	9,899	97,074
877A	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM STATE ATTORNEYS REVENUE TRUST FUND		90,000
878	SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES FROM GENERAL REVENUE FUND FROM STATE ATTORNEYS REVENUE TRUST FUND	238,320	58,878
879	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM STATE ATTORNEYS REVENUE TRUST FUND		54,769
880	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	7,697	
881	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	2,295	
TOTAL: PROGRAM: STATE ATTORNEYS - FOURTEENTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	7,609,218	1,534,508
	FROM TRUST FUNDS		
	TOTAL POSITIONS	123.00	
	TOTAL ALL FUNDS		9,143,726
PROGRAM: STATE ATTORNEYS - FIFTEENTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	16,884,307	
882	SALARIES AND BENEFITS POSITIONS 327.00 FROM GENERAL REVENUE FUND FROM STATE ATTORNEYS REVENUE TRUST FUND	19,587,939	2,395,166

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

FROM FORFEITURE AND INVESTIGATIVE	
SUPPORT TRUST FUND	14,527
FROM GRANTS AND DONATIONS TRUST	
FUND	1,181,805

From the positions and funds provided in Specific Appropriation 882, two full-time equivalent positions with associated salary rate of 111,833 and \$160,242 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

Additionally, two full-time equivalent positions with associated salary rate of 117,294 and \$159,264 from the Grants and Donations Trust Fund are provided solely for prosecution of workers compensation insurance fraud.

883	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	74,365	
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND		61,018
	FROM FORFEITURE AND INVESTIGATIVE		
	SUPPORT TRUST FUND		100,000
	FROM GRANTS AND DONATIONS TRUST		
	FUND		5,000
883A	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND		50,000
884	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	601,694	
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND		198,129
	FROM FORFEITURE AND INVESTIGATIVE		
	SUPPORT TRUST FUND		61,459
	FROM GRANTS AND DONATIONS TRUST		
	FUND		26,000
885	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND		120,354
886	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	10,569	
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND		1,000
887	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	10,000	
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND		60,000
TOTAL: PROGRAM: STATE ATTORNEYS - FIFTEENTH JUDICIAL			
CIRCUIT			
	FROM GENERAL REVENUE FUND	20,284,567	
	FROM TRUST FUNDS		4,274,458
	TOTAL POSITIONS	327.00	
	TOTAL ALL FUNDS		24,559,025
PROGRAM: STATE ATTORNEYS - SIXTEENTH JUDICIAL			
CIRCUIT			
	APPROVED SALARY RATE	3,188,385	
888	SALARIES AND BENEFITS		
	POSITIONS	62.00	
	FROM GENERAL REVENUE FUND	3,785,259	
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND		420,302
	FROM GRANTS AND DONATIONS TRUST		
	FUND		208,169
889	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	15,490	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

FROM GRANTS AND DONATIONS TRUST	
FUND	76,054

889A	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND		50,000

890	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	135,049	
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND		54,509
	FROM GRANTS AND DONATIONS TRUST		
	FUND		106,514

891	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND		30,119

892	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	7,041	

893	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	3,615	

TOTAL: PROGRAM: STATE ATTORNEYS - SIXTEENTH JUDICIAL			
CIRCUIT			
	FROM GENERAL REVENUE FUND	3,946,454	
	FROM TRUST FUNDS		945,667
	TOTAL POSITIONS	62.00	
	TOTAL ALL FUNDS		4,892,121

PROGRAM: STATE ATTORNEYS - SEVENTEENTH JUDICIAL
CIRCUIT

	APPROVED SALARY RATE	24,927,445	
894	SALARIES AND BENEFITS		
	POSITIONS	511.00	
	FROM GENERAL REVENUE FUND	30,666,187	
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND		3,581,316
	FROM FORFEITURE AND INVESTIGATIVE		
	SUPPORT TRUST FUND		717,825
	FROM GRANTS AND DONATIONS TRUST		
	FUND		1,637,991

From the positions and funds provided in Specific Appropriation 894, two full-time equivalent positions with associated salary rate of 111,012 and \$160,242 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

Additionally, two full-time equivalent positions with associated salary rate of 117,294 and \$159,264 from the Grants and Donations Trust Fund are provided solely for prosecution of workers compensation insurance fraud.

895	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	118,016	
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND		4,072
	FROM GRANTS AND DONATIONS TRUST		
	FUND		122,864

896	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	789,116	
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND		166,244
	FROM GRANTS AND DONATIONS TRUST		
	FUND		34,655

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

897	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM STATE ATTORNEYS REVENUE TRUST FUND	210,662 131,269
898	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	23,491
899	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	121,483
TOTAL: PROGRAM: STATE ATTORNEYS - SEVENTEENTH JUDICIAL CIRCUIT		
	FROM GENERAL REVENUE FUND FROM TRUST FUNDS	31,928,955 6,396,236
	TOTAL POSITIONS TOTAL ALL FUNDS	511.00 38,325,191
PROGRAM: STATE ATTORNEYS - EIGHTEENTH JUDICIAL CIRCUIT		
	APPROVED SALARY RATE	14,506,761
900	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM STATE ATTORNEYS REVENUE TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND	294.00 17,125,168 2,062,235 1,010,455
901	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM STATE ATTORNEYS REVENUE TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND	25,100 19,988 12,512
901A	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM STATE ATTORNEYS REVENUE TRUST FUND	 95,000
902	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM GENERAL REVENUE FUND	500,000
From the funds in Specific Appropriation 902, \$500,000 in recurring general revenue funds is provided for the It's Time to be a Parent Again Pilot Program in Brevard, Orange, Polk, Seminole, and Osceola counties.		
903	SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES FROM GENERAL REVENUE FUND FROM STATE ATTORNEYS REVENUE TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND	510,738 38,459 64,924
904	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM STATE ATTORNEYS REVENUE TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND	33,470 40,756 6,231
905	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	9,587

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

906	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	5,130
TOTAL: PROGRAM: STATE ATTORNEYS - EIGHTEENTH JUDICIAL CIRCUIT		
	FROM GENERAL REVENUE FUND FROM TRUST FUNDS	18,209,193 3,350,560
	TOTAL POSITIONS TOTAL ALL FUNDS	294.00 21,559,753
PROGRAM: STATE ATTORNEYS - NINETEENTH JUDICIAL CIRCUIT		
	APPROVED SALARY RATE	8,075,884
907	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM STATE ATTORNEYS REVENUE TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND	168.00 9,295,260 1,282,906 511,015
908	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM GRANTS AND DONATIONS TRUST FUND	19,414 76,678
909	SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES FROM GENERAL REVENUE FUND FROM STATE ATTORNEYS REVENUE TRUST FUND FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND	267,700 19,588 493 44,262
910	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM STATE ATTORNEYS REVENUE TRUST FUND	10,333 30,151
911	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	8,764
912	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	2,798
913	SPECIAL CATEGORIES LEAVE LIABILITY FROM STATE ATTORNEYS REVENUE TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND	 189,754 10,581
TOTAL: PROGRAM: STATE ATTORNEYS - NINETEENTH JUDICIAL CIRCUIT		
	FROM GENERAL REVENUE FUND FROM TRUST FUNDS	9,604,269 2,165,428
	TOTAL POSITIONS TOTAL ALL FUNDS	168.00 11,769,697
PROGRAM: STATE ATTORNEYS - TWENTIETH JUDICIAL CIRCUIT		
	APPROVED SALARY RATE	14,745,830
914	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM STATE ATTORNEYS REVENUE TRUST FUND	315.00 17,374,119 1,443,806

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

	FROM GRANTS AND DONATIONS TRUST FUND		1,784,670
915	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	52,100	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		85,767
	FROM GRANTS AND DONATIONS TRUST FUND		10,925
915A	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		70,000
916	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	800,910	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		144,087
	FROM GRANTS AND DONATIONS TRUST FUND		46,994
917	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	33,084	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		67,487
918	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	21,024	
TOTAL:	PROGRAM: STATE ATTORNEYS - TWENTIETH JUDICIAL CIRCUIT		
	FROM GENERAL REVENUE FUND	18,281,237	
	FROM TRUST FUNDS		3,653,736
	TOTAL POSITIONS	315.00	
	TOTAL ALL FUNDS		21,934,973

PUBLIC DEFENDERS

The Public Defenders Coordination Office's budgeting, legal, training, and education needs may be funded by each Public Defender's office within the funds provided in Specific Appropriations 919 through 1041. Funding for this office shall not exceed \$450,000 from the Indigent Criminal Defense Trust Fund. In addition, each Public Defender Office must submit to the Florida Public Defender Association on a quarterly basis the caseload report developed by the association.

PROGRAM: PUBLIC DEFENDERS - FIRST JUDICIAL CIRCUIT

	APPROVED SALARY RATE	5,922,787	
919	SALARIES AND BENEFITS POSITIONS	120.00	
	FROM GENERAL REVENUE FUND		7,384,243
	FROM PUBLIC DEFENDERS REVENUE TRUST FUND		211,234
	FROM GRANTS AND DONATIONS TRUST FUND		137,662
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		857,194
920	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	22,604	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		120,360
921	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	191,206	
	FROM PUBLIC DEFENDERS REVENUE TRUST FUND		50,000
	FROM GRANTS AND DONATIONS TRUST FUND		5,000
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		142,129

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

922	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	9,951	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		30,821
923	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	4,770	
TOTAL:	PROGRAM: PUBLIC DEFENDERS - FIRST JUDICIAL CIRCUIT		
	FROM GENERAL REVENUE FUND	7,612,774	
	FROM TRUST FUNDS		1,554,400
	TOTAL POSITIONS	120.00	
	TOTAL ALL FUNDS		9,167,174
	PROGRAM: PUBLIC DEFENDERS - SECOND JUDICIAL CIRCUIT		
	APPROVED SALARY RATE	4,233,908	
924	SALARIES AND BENEFITS POSITIONS	85.00	
	FROM GENERAL REVENUE FUND		5,159,425
	FROM PUBLIC DEFENDERS REVENUE TRUST FUND		207,772
	FROM GRANTS AND DONATIONS TRUST FUND		107,663
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		337,792
925	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	26,538	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		107,319
926	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	153,981	
	FROM GRANTS AND DONATIONS TRUST FUND		1,677
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		114,267
927	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	4,862	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		32,500
928	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	7,617	
TOTAL:	PROGRAM: PUBLIC DEFENDERS - SECOND JUDICIAL CIRCUIT		
	FROM GENERAL REVENUE FUND	5,352,423	
	FROM TRUST FUNDS		908,990
	TOTAL POSITIONS	85.00	
	TOTAL ALL FUNDS		6,261,413
	PROGRAM: PUBLIC DEFENDERS - THIRD JUDICIAL CIRCUIT		
	APPROVED SALARY RATE	1,973,528	
929	SALARIES AND BENEFITS POSITIONS	31.00	
	FROM GENERAL REVENUE FUND		2,438,640
	FROM PUBLIC DEFENDERS REVENUE TRUST FUND		83,773
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		206,801
930	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	251	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		169,901

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

931	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		19,000
932	SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND FROM INDIGENT CRIMINAL DEFENSE TRUST FUND	73,392	32,531
933	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		4,447
934	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	12,560	
TOTAL: PROGRAM: PUBLIC DEFENDERS - THIRD JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	2,524,843	516,453
	FROM TRUST FUNDS		
	TOTAL POSITIONS	31.00	
	TOTAL ALL FUNDS		3,041,296
PROGRAM: PUBLIC DEFENDERS - FOURTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	8,357,630	
935	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM PUBLIC DEFENDERS REVENUE TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND FROM INDIGENT CRIMINAL DEFENSE TRUST FUND	155.00 10,179,925	351,972 217,550 658,178
936	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM INDIGENT CRIMINAL DEFENSE TRUST FUND	25,026	123,325
937	SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND FROM GRANTS AND DONATIONS TRUST FUND FROM INDIGENT CRIMINAL DEFENSE TRUST FUND	278,695	50,000 147,636
938	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM INDIGENT CRIMINAL DEFENSE TRUST FUND	18,348	112,077
939	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	2,305	
TOTAL: PROGRAM: PUBLIC DEFENDERS - FOURTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	10,504,299	1,660,738
	FROM TRUST FUNDS		
	TOTAL POSITIONS	155.00	
	TOTAL ALL FUNDS		12,165,037
PROGRAM: PUBLIC DEFENDERS - FIFTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	6,119,787	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

940	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM PUBLIC DEFENDERS REVENUE TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND FROM INDIGENT CRIMINAL DEFENSE TRUST FUND	126.00 6,824,243	227,971 602,074 1,254,723
941	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM INDIGENT CRIMINAL DEFENSE TRUST FUND	34,242	413,681
942	SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND FROM GRANTS AND DONATIONS TRUST FUND FROM INDIGENT CRIMINAL DEFENSE TRUST FUND	109,560	2,000 215,281
943	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM INDIGENT CRIMINAL DEFENSE TRUST FUND	282	24,629
944	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		1,800
TOTAL: PROGRAM: PUBLIC DEFENDERS - FIFTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	6,968,327	2,742,159
	FROM TRUST FUNDS		
	TOTAL POSITIONS	126.00	
	TOTAL ALL FUNDS		9,710,486
PROGRAM: PUBLIC DEFENDERS - SIXTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	11,566,950	
945	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM PUBLIC DEFENDERS REVENUE TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND FROM INDIGENT CRIMINAL DEFENSE TRUST FUND	228.00 14,109,206	481,870 403,721 1,175,682
946	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM INDIGENT CRIMINAL DEFENSE TRUST FUND	228,566	149,532
From the funds in Specific Appropriation 946, \$150,000 in recurring general revenue funds is provided for the Pasco Mobile Medical Unit for homeless medical and legal services outreach.			
947	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		156,000
948	SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND FROM INDIGENT CRIMINAL DEFENSE TRUST FUND	1,327,076	100,000
From the funds in Specific Appropriation 948, \$850,000 in nonrecurring general revenue funds is provided to the Vincent House - Hernando for treatment and employment services for individuals with severe and persistent mental illness involved in the criminal justice			

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

system.			
949	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	35,118	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		22,154
950	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		52,000
TOTAL: PROGRAM: PUBLIC DEFENDERS - SIXTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	15,699,966	
	FROM TRUST FUNDS		2,540,959
	TOTAL POSITIONS	228.00	
	TOTAL ALL FUNDS		18,240,925
PROGRAM: PUBLIC DEFENDERS - SEVENTH JUDICIAL CIRCUIT			
APPROVED SALARY RATE 5,732,729			
951	SALARIES AND BENEFITS POSITIONS	114.00	
	FROM GENERAL REVENUE FUND	7,414,498	
	FROM PUBLIC DEFENDERS REVENUE		
	TRUST FUND		261,920
	FROM GRANTS AND DONATIONS TRUST		
	FUND		86,361
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		383,495
952	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	30	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		3,230
953	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	122,939	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		121,860
954	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	15,646	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		8,717
955	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	14,589	
TOTAL: PROGRAM: PUBLIC DEFENDERS - SEVENTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	7,567,702	
	FROM TRUST FUNDS		865,583
	TOTAL POSITIONS	114.00	
	TOTAL ALL FUNDS		8,433,285
PROGRAM: PUBLIC DEFENDERS - EIGHTH JUDICIAL CIRCUIT			
APPROVED SALARY RATE 3,786,153			
956	SALARIES AND BENEFITS POSITIONS	74.00	
	FROM GENERAL REVENUE FUND	4,914,001	
	FROM PUBLIC DEFENDERS REVENUE		
	TRUST FUND		170,896
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		383,577
957	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	12,759	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		36,600
958	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	98,884	
	FROM GRANTS AND DONATIONS TRUST		
	FUND		5,000
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		378,127
959	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	504	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		18,927
960	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		4,751
TOTAL: PROGRAM: PUBLIC DEFENDERS - EIGHTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	5,026,148	
	FROM TRUST FUNDS		997,878
	TOTAL POSITIONS	74.00	
	TOTAL ALL FUNDS		6,024,026
PROGRAM: PUBLIC DEFENDERS - NINTH JUDICIAL CIRCUIT			
APPROVED SALARY RATE 11,341,181			
961	SALARIES AND BENEFITS POSITIONS	235.00	
	FROM GENERAL REVENUE FUND	12,421,835	
	FROM PUBLIC DEFENDERS REVENUE		
	TRUST FUND		308,868
	FROM GRANTS AND DONATIONS TRUST		
	FUND		935,547
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		1,809,068
962	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	25,000	
	FROM GRANTS AND DONATIONS TRUST		
	FUND		7,500
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		141,520
963	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	164,065	
964	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	929,734	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		120,440
965	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	3,189	
	FROM PUBLIC DEFENDERS REVENUE		
	TRUST FUND		2,066
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		31,323
966	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	23,000	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

TOTAL: PROGRAM: PUBLIC DEFENDERS - NINTH JUDICIAL CIRCUIT			
FROM GENERAL REVENUE FUND	13,566,823		
FROM TRUST FUNDS		3,356,332	
TOTAL POSITIONS	235.00		
TOTAL ALL FUNDS		16,923,155	
PROGRAM: PUBLIC DEFENDERS - TENTH JUDICIAL CIRCUIT			
APPROVED SALARY RATE	5,727,680		
967 SALARIES AND BENEFITS POSITIONS	115.00		
FROM GENERAL REVENUE FUND	6,975,045		
FROM PUBLIC DEFENDERS REVENUE			
TRUST FUND		244,010	
FROM GRANTS AND DONATIONS TRUST			
FUND		51,766	
FROM INDIGENT CRIMINAL DEFENSE			
TRUST FUND		646,707	
968 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND	38,074		
FROM INDIGENT CRIMINAL DEFENSE			
TRUST FUND		57,430	
969 SPECIAL CATEGORIES			
PUBLIC DEFENDER OPERATING EXPENDITURES			
FROM GENERAL REVENUE FUND	185,049		
FROM INDIGENT CRIMINAL DEFENSE			
TRUST FUND		164,621	
970 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND	27,678		
FROM INDIGENT CRIMINAL DEFENSE			
TRUST FUND		20,056	
971 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM INDIGENT CRIMINAL DEFENSE			
TRUST FUND		3,132	
TOTAL: PROGRAM: PUBLIC DEFENDERS - TENTH JUDICIAL CIRCUIT			
FROM GENERAL REVENUE FUND	7,225,846		
FROM TRUST FUNDS		1,187,722	
TOTAL POSITIONS	115.00		
TOTAL ALL FUNDS		8,413,568	
PROGRAM: PUBLIC DEFENDERS - ELEVENTH JUDICIAL CIRCUIT			
APPROVED SALARY RATE	21,071,998		
972 SALARIES AND BENEFITS POSITIONS	384.00		
FROM GENERAL REVENUE FUND	25,895,200		
FROM PUBLIC DEFENDERS REVENUE			
TRUST FUND		877,107	
FROM GRANTS AND DONATIONS TRUST			
FUND		1,543,000	
FROM INDIGENT CRIMINAL DEFENSE			
TRUST FUND		725,672	
973 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND	110,939		
FROM GRANTS AND DONATIONS TRUST			
FUND		70,000	
FROM INDIGENT CRIMINAL DEFENSE			
TRUST FUND		181,235	
973A SPECIAL CATEGORIES			
ACQUISITION OF MOTOR VEHICLES			
FROM INDIGENT CRIMINAL DEFENSE			
TRUST FUND		50,000	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

974 SPECIAL CATEGORIES			
PUBLIC DEFENDER OPERATING EXPENDITURES			
FROM GENERAL REVENUE FUND	459,085		
FROM GRANTS AND DONATIONS TRUST			
FUND		10,000	
FROM INDIGENT CRIMINAL DEFENSE			
TRUST FUND		84,580	
975 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND	54,074		
FROM INDIGENT CRIMINAL DEFENSE			
TRUST FUND		120,682	
976 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM GENERAL REVENUE FUND	1,333		
TOTAL: PROGRAM: PUBLIC DEFENDERS - ELEVENTH JUDICIAL CIRCUIT			
FROM GENERAL REVENUE FUND	26,520,631		
FROM TRUST FUNDS		3,662,276	
TOTAL POSITIONS	384.00		
TOTAL ALL FUNDS		30,182,907	
PROGRAM: PUBLIC DEFENDERS - TWELFTH JUDICIAL CIRCUIT			
APPROVED SALARY RATE	4,983,618		
977 SALARIES AND BENEFITS POSITIONS			
FROM GENERAL REVENUE FUND	97.50		
FROM PUBLIC DEFENDERS REVENUE	5,776,339		
TRUST FUND		202,307	
FROM GRANTS AND DONATIONS TRUST			
FUND		234,495	
FROM INDIGENT CRIMINAL DEFENSE			
TRUST FUND		668,167	
978 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND	19,836		
FROM PUBLIC DEFENDERS REVENUE			
TRUST FUND		78,000	
FROM INDIGENT CRIMINAL DEFENSE			
TRUST FUND		20,000	
979 SPECIAL CATEGORIES			
PUBLIC DEFENDER OPERATING EXPENDITURES			
FROM GENERAL REVENUE FUND	222,605		
FROM PUBLIC DEFENDERS REVENUE			
TRUST FUND		110,962	
FROM GRANTS AND DONATIONS TRUST			
FUND		120,384	
FROM INDIGENT CRIMINAL DEFENSE			
TRUST FUND		37,272	
980 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM PUBLIC DEFENDERS REVENUE			
TRUST FUND		5,202	
FROM GRANTS AND DONATIONS TRUST			
FUND		4,444	
FROM INDIGENT CRIMINAL DEFENSE			
TRUST FUND		17,712	
TOTAL: PROGRAM: PUBLIC DEFENDERS - TWELFTH JUDICIAL CIRCUIT			
FROM GENERAL REVENUE FUND	6,018,780		
FROM TRUST FUNDS		1,498,945	
TOTAL POSITIONS	97.50		
TOTAL ALL FUNDS		7,517,725	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

PROGRAM: PUBLIC DEFENDERS - THIRTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE		12,385,826	
981	SALARIES AND BENEFITS POSITIONS	220.50	
	FROM GENERAL REVENUE FUND	12,746,344	
	FROM PUBLIC DEFENDERS REVENUE TRUST FUND		762,356
	FROM GRANTS AND DONATIONS TRUST FUND		1,051,387
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		1,409,875
982	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	121,863	
	FROM PUBLIC DEFENDERS REVENUE TRUST FUND		100,000
	FROM GRANTS AND DONATIONS TRUST FUND		100,000
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		11,201
983	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		44,000
984	SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	562,855	
	FROM GRANTS AND DONATIONS TRUST FUND		137,844
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		107,983
985	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	31,259	
	FROM GRANTS AND DONATIONS TRUST FUND		27,565
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		33,909
986	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	2,835	
TOTAL: PROGRAM: PUBLIC DEFENDERS - THIRTEENTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	13,465,156	
	FROM TRUST FUNDS		3,786,120
	TOTAL POSITIONS	220.50	
	TOTAL ALL FUNDS		17,251,276
PROGRAM: PUBLIC DEFENDERS - FOURTEENTH JUDICIAL CIRCUIT			
APPROVED SALARY RATE		3,536,616	
987	SALARIES AND BENEFITS POSITIONS	64.00	
	FROM GENERAL REVENUE FUND	4,273,445	
	FROM PUBLIC DEFENDERS REVENUE TRUST FUND		140,383
	FROM GRANTS AND DONATIONS TRUST FUND		59,486
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		549,684
988	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	13,565	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		162,925

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

989	SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	136,141	
	FROM GRANTS AND DONATIONS TRUST FUND		15,000
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		141,361
990	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	9,636	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		34,131
991	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		2,855
TOTAL: PROGRAM: PUBLIC DEFENDERS - FOURTEENTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	4,432,787	
	FROM TRUST FUNDS		1,105,825
	TOTAL POSITIONS	64.00	
	TOTAL ALL FUNDS		5,538,612
PROGRAM: PUBLIC DEFENDERS - FIFTEENTH JUDICIAL CIRCUIT			
APPROVED SALARY RATE		9,807,377	
992	SALARIES AND BENEFITS POSITIONS	192.00	
	FROM GENERAL REVENUE FUND	11,814,781	
	FROM PUBLIC DEFENDERS REVENUE TRUST FUND		416,353
	FROM GRANTS AND DONATIONS TRUST FUND		196,282
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		1,009,942
993	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	54,065	
	FROM GRANTS AND DONATIONS TRUST FUND		114,866
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		36,413
994	SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	149,103	
	FROM GRANTS AND DONATIONS TRUST FUND		78,670
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		292,978
995	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	27,422	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		34,255
996	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		9,375
TOTAL: PROGRAM: PUBLIC DEFENDERS - FIFTEENTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	12,045,371	
	FROM TRUST FUNDS		2,189,134
	TOTAL POSITIONS	192.00	
	TOTAL ALL FUNDS		14,234,505

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

PROGRAM: PUBLIC DEFENDERS - SIXTEENTH JUDICIAL CIRCUIT

	APPROVED SALARY RATE	2,202,419		
997	SALARIES AND BENEFITS	POSITIONS	41.00	
	FROM GENERAL REVENUE FUND			2,718,353
	FROM PUBLIC DEFENDERS REVENUE TRUST FUND			93,995
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND			135,409
998	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND		6,968	
	FROM GRANTS AND DONATIONS TRUST FUND			5,000
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND			1,347
999	SPECIAL CATEGORIES			
	PUBLIC DEFENDER OPERATING EXPENDITURES			
	FROM GENERAL REVENUE FUND		84,846	
	FROM GRANTS AND DONATIONS TRUST FUND			13,000
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND			17,760
1000	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND		7,937	
	FROM GRANTS AND DONATIONS TRUST FUND			2,000
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND			2,668
1001	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND			1,170
TOTAL: PROGRAM: PUBLIC DEFENDERS - SIXTEENTH JUDICIAL CIRCUIT				
	FROM GENERAL REVENUE FUND		2,819,274	
	FROM TRUST FUNDS			271,179
	TOTAL POSITIONS		41.00	
	TOTAL ALL FUNDS			3,090,453
PROGRAM: PUBLIC DEFENDERS - SEVENTEENTH JUDICIAL CIRCUIT				
	APPROVED SALARY RATE	12,676,012		
1002	SALARIES AND BENEFITS	POSITIONS	224.00	
	FROM GENERAL REVENUE FUND			14,538,422
	FROM PUBLIC DEFENDERS REVENUE TRUST FUND			528,429
	FROM GRANTS AND DONATIONS TRUST FUND			944,526
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND			1,825,796
1003	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND		82,254	
	FROM GRANTS AND DONATIONS TRUST FUND			150,708
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND			36,000
1004	SPECIAL CATEGORIES			
	PUBLIC DEFENDER OPERATING EXPENDITURES			
	FROM GENERAL REVENUE FUND		424,593	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND			208,165

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

1005	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND			53,257
1006	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND		3,812	
TOTAL: PROGRAM: PUBLIC DEFENDERS - SEVENTEENTH JUDICIAL CIRCUIT				
	FROM GENERAL REVENUE FUND		15,049,081	
	FROM TRUST FUNDS			3,746,881
	TOTAL POSITIONS		224.00	
	TOTAL ALL FUNDS			18,795,962
PROGRAM: PUBLIC DEFENDERS - EIGHTEENTH JUDICIAL CIRCUIT				
	APPROVED SALARY RATE	6,371,810		
1007	SALARIES AND BENEFITS	POSITIONS	119.00	
	FROM GENERAL REVENUE FUND			7,095,271
	FROM PUBLIC DEFENDERS REVENUE TRUST FUND			234,778
	FROM GRANTS AND DONATIONS TRUST FUND			400,593
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND			1,510,310
1008	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND		12,792	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND			28,160
1008A	SPECIAL CATEGORIES			
	ACQUISITION OF MOTOR VEHICLES			
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND			22,000
1009	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND		227,858	
1010	SPECIAL CATEGORIES			
	PUBLIC DEFENDER OPERATING EXPENDITURES			
	FROM GENERAL REVENUE FUND		103,887	
	FROM GRANTS AND DONATIONS TRUST FUND			5,000
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND			301,314
1011	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND		17,559	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND			1,248
1012	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND			5,236
TOTAL: PROGRAM: PUBLIC DEFENDERS - EIGHTEENTH JUDICIAL CIRCUIT				
	FROM GENERAL REVENUE FUND		7,457,367	
	FROM TRUST FUNDS			2,508,639
	TOTAL POSITIONS		119.00	
	TOTAL ALL FUNDS			9,966,006

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

PROGRAM: PUBLIC DEFENDERS - NINETEENTH JUDICIAL CIRCUIT

	APPROVED SALARY RATE	4,353,920		
1013	SALARIES AND BENEFITS	POSITIONS	81.00	
	FROM GENERAL REVENUE FUND		4,695,177	
	FROM PUBLIC DEFENDERS REVENUE TRUST FUND			159,497
	FROM GRANTS AND DONATIONS TRUST FUND			277,764
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND			865,793
1014	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND		22,918	
	FROM GRANTS AND DONATIONS TRUST FUND			60,000
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND			139,622
1015	SPECIAL CATEGORIES			
	PUBLIC DEFENDER OPERATING EXPENDITURES			
	FROM GENERAL REVENUE FUND		113,318	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND			198,595
1016	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND		15,024	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND			29,673
1017	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND			1,440
TOTAL:	PROGRAM: PUBLIC DEFENDERS - NINETEENTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND		4,846,437	
	FROM TRUST FUNDS			1,732,384
	TOTAL POSITIONS		81.00	
	TOTAL ALL FUNDS			6,578,821

PROGRAM: PUBLIC DEFENDERS - TWENTIETH JUDICIAL CIRCUIT

	APPROVED SALARY RATE	6,845,635		
1018	SALARIES AND BENEFITS	POSITIONS	138.00	
	FROM GENERAL REVENUE FUND		7,856,482	
	FROM PUBLIC DEFENDERS REVENUE TRUST FUND			328,199
	FROM GRANTS AND DONATIONS TRUST FUND			1,061,788
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND			671,043
1019	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND		15,098	
	FROM GRANTS AND DONATIONS TRUST FUND			20,000
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND			145,440
1019A	SPECIAL CATEGORIES			
	ACQUISITION OF MOTOR VEHICLES			
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND			25,000
1020	SPECIAL CATEGORIES			
	PUBLIC DEFENDER OPERATING EXPENDITURES			
	FROM GENERAL REVENUE FUND		328,894	
	FROM GRANTS AND DONATIONS TRUST FUND			64,260

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND			226,086
1021	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND			34,453
1022	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND		12,730	
TOTAL:	PROGRAM: PUBLIC DEFENDERS - TWENTIETH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND		8,213,204	
	FROM TRUST FUNDS			2,576,269
	TOTAL POSITIONS		138.00	
	TOTAL ALL FUNDS			10,789,473

PUBLIC DEFENDERS APPELLATE DIVISION

PROGRAM: PUBLIC DEFENDERS APPELLATE - SECOND JUDICIAL CIRCUIT

	APPROVED SALARY RATE	2,213,351		
1023	SALARIES AND BENEFITS	POSITIONS	35.00	
	FROM GENERAL REVENUE FUND			2,746,410
1024	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND			21,114
1025	SPECIAL CATEGORIES			
	PUBLIC DEFENDER OPERATING EXPENDITURES			
	FROM GENERAL REVENUE FUND			128,971
1026	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND			2,535
TOTAL:	PROGRAM: PUBLIC DEFENDERS APPELLATE - SECOND JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND			2,899,030
	TOTAL POSITIONS		35.00	
	TOTAL ALL FUNDS			2,899,030

PROGRAM: PUBLIC DEFENDERS APPELLATE - SEVENTH JUDICIAL CIRCUIT

	APPROVED SALARY RATE	2,071,487		
1027	SALARIES AND BENEFITS	POSITIONS	33.00	
	FROM GENERAL REVENUE FUND			2,642,868
1028	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND			17,381
1029	SPECIAL CATEGORIES			
	PUBLIC DEFENDER OPERATING EXPENDITURES			
	FROM GENERAL REVENUE FUND			141,907
1030	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND			6,840
TOTAL:	PROGRAM: PUBLIC DEFENDERS APPELLATE - SEVENTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND			2,808,996
	TOTAL POSITIONS		33.00	
	TOTAL ALL FUNDS			2,808,996

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

PROGRAM: PUBLIC DEFENDERS APPELLATE - TENTH JUDICIAL CIRCUIT

	APPROVED SALARY RATE	2,857,134	
1031	SALARIES AND BENEFITS POSITIONS	50.00	
	FROM GENERAL REVENUE FUND	3,644,029	
1032	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	727,390	
1033	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	144,849	
1034	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	2,568	
TOTAL:	PROGRAM: PUBLIC DEFENDERS APPELLATE - TENTH JUDICIAL CIRCUIT		
	FROM GENERAL REVENUE FUND	4,518,836	
	TOTAL POSITIONS	50.00	
	TOTAL ALL FUNDS	4,518,836	

PROGRAM: PUBLIC DEFENDERS APPELLATE - ELEVENTH JUDICIAL CIRCUIT

	APPROVED SALARY RATE	1,637,395	
1035	SALARIES AND BENEFITS POSITIONS	24.00	
	FROM GENERAL REVENUE FUND	2,105,326	
1036	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	33,731	
1037	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	37,161	
TOTAL:	PROGRAM: PUBLIC DEFENDERS APPELLATE - ELEVENTH JUDICIAL CIRCUIT		
	FROM GENERAL REVENUE FUND	2,176,218	
	TOTAL POSITIONS	24.00	
	TOTAL ALL FUNDS	2,176,218	

PROGRAM: PUBLIC DEFENDERS APPELLATE - FIFTEENTH JUDICIAL CIRCUIT

	APPROVED SALARY RATE	2,852,216	
1038	SALARIES AND BENEFITS POSITIONS	37.00	
	FROM GENERAL REVENUE FUND	3,580,500	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND	112,899	
1039	OTHER PERSONAL SERVICES		
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND	55,978	
1040	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	44,974	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND	50,000	
1041	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	2,344	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - FIFTEENTH JUDICIAL CIRCUIT

	FROM GENERAL REVENUE FUND	3,627,818	
	FROM TRUST FUNDS	218,877	
	TOTAL POSITIONS	37.00	
	TOTAL ALL FUNDS	3,846,695	

CAPITAL COLLATERAL REGIONAL COUNSELS

PROGRAM: NORTHERN REGIONAL COUNSEL

CAPITAL JUSTICE REPRESENTATION - NORTHERN REGIONAL COUNSEL

	APPROVED SALARY RATE	892,800	
1042	SALARIES AND BENEFITS POSITIONS	17.00	
	FROM GENERAL REVENUE FUND	1,302,390	
1043	SPECIAL CATEGORIES		
	CASE RELATED COSTS		
	FROM GENERAL REVENUE FUND	487,700	
1044	SPECIAL CATEGORIES		
	OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	238,373	
1045	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	975	
1046	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	1,000	
TOTAL:	CAPITAL JUSTICE REPRESENTATION - NORTHERN REGIONAL COUNSEL		
	FROM GENERAL REVENUE FUND	2,030,438	
	TOTAL POSITIONS	17.00	
	TOTAL ALL FUNDS	2,030,438	

PROGRAM: MIDDLE REGIONAL COUNSEL

CAPITAL JUSTICE REPRESENTATION - MIDDLE REGIONAL COUNSEL

	APPROVED SALARY RATE	2,583,707	
1047	SALARIES AND BENEFITS POSITIONS	42.00	
	FROM GENERAL REVENUE FUND	3,333,490	
1048	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	60,111	
1049	SPECIAL CATEGORIES		
	CASE RELATED COSTS		
	FROM GENERAL REVENUE FUND	363,004	
	FROM CAPITAL COLLATERAL REGIONAL COUNSEL TRUST FUND	217,000	
1050	SPECIAL CATEGORIES		
	OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	472,307	
	FROM CAPITAL COLLATERAL REGIONAL COUNSEL TRUST FUND	83,000	
1051	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	149	
	FROM CAPITAL COLLATERAL REGIONAL COUNSEL TRUST FUND	6,495	
1052	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	375	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

TOTAL: CAPITAL JUSTICE REPRESENTATION - MIDDLE REGIONAL COUNSEL
 FROM GENERAL REVENUE FUND 4,229,436
 FROM TRUST FUNDS 306,495

 TOTAL POSITIONS 42.00
 TOTAL ALL FUNDS 4,535,931

PROGRAM: SOUTHERN REGIONAL COUNSEL

CAPITAL JUSTICE REPRESENTATION - SOUTHERN REGIONAL COUNSEL

APPROVED SALARY RATE 2,083,691
 1053 SALARIES AND BENEFITS POSITIONS 33.00
 FROM GENERAL REVENUE FUND 2,603,197
 1053A OTHER PERSONAL SERVICES
 FROM GENERAL REVENUE FUND 24,960
 1054 SPECIAL CATEGORIES
 CASE RELATED COSTS
 FROM GENERAL REVENUE FUND 473,375
 FROM CAPITAL COLLATERAL REGIONAL
 COUNSEL TRUST FUND 165,000
 1055 SPECIAL CATEGORIES
 OPERATING EXPENDITURES
 FROM GENERAL REVENUE FUND 389,610
 FROM CAPITAL COLLATERAL REGIONAL
 COUNSEL TRUST FUND 135,000
 1056 SPECIAL CATEGORIES
 RISK MANAGEMENT INSURANCE
 FROM GENERAL REVENUE FUND 3,509
 FROM CAPITAL COLLATERAL REGIONAL
 COUNSEL TRUST FUND 5,139
 1057 SPECIAL CATEGORIES
 LEASE OR LEASE-PURCHASE OF EQUIPMENT
 FROM GENERAL REVENUE FUND 702
 TOTAL: CAPITAL JUSTICE REPRESENTATION - SOUTHERN REGIONAL
 COUNSEL
 FROM GENERAL REVENUE FUND 3,495,353
 FROM TRUST FUNDS 305,139

 TOTAL POSITIONS 33.00
 TOTAL ALL FUNDS 3,800,492

CRIMINAL CONFLICT AND CIVIL REGIONAL COUNSELS

PROGRAM: REGIONAL CONFLICT COUNSEL - FIRST

APPROVED SALARY RATE 6,484,805
 1058 SALARIES AND BENEFITS POSITIONS 121.00
 FROM GENERAL REVENUE FUND 8,948,792
 1059 OTHER PERSONAL SERVICES
 FROM GENERAL REVENUE FUND 234,242
 1060 SPECIAL CATEGORIES
 CONTRACTED SERVICES
 FROM GENERAL REVENUE FUND 795,349
 FROM INDIGENT CIVIL DEFENSE TRUST
 FUND 75,000
 1061 SPECIAL CATEGORIES
 REGIONAL CONFLICT COUNCIL OPERATIONS
 FROM GENERAL REVENUE FUND 1,212,166
 1062 SPECIAL CATEGORIES
 RISK MANAGEMENT INSURANCE
 FROM GENERAL REVENUE FUND 26,840

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

1063 SPECIAL CATEGORIES
 LEASE OR LEASE-PURCHASE OF EQUIPMENT
 FROM GENERAL REVENUE FUND 9,984
 1064 SPECIAL CATEGORIES
 TRANSFER TO DEPARTMENT OF MANAGEMENT
 SERVICES - HUMAN RESOURCES SERVICES
 PURCHASED PER STATEWIDE CONTRACT
 FROM GENERAL REVENUE FUND 26,684
 TOTAL: PROGRAM: REGIONAL CONFLICT COUNSEL - FIRST
 FROM GENERAL REVENUE FUND 11,254,057
 FROM TRUST FUNDS 75,000

 TOTAL POSITIONS 121.00
 TOTAL ALL FUNDS 11,329,057

PROGRAM: REGIONAL CONFLICT COUNSEL - SECOND

APPROVED SALARY RATE 5,384,718
 1065 SALARIES AND BENEFITS POSITIONS 106.00
 FROM GENERAL REVENUE FUND 7,012,013
 FROM GRANTS AND DONATIONS TRUST
 FUND 69,463
 1066 OTHER PERSONAL SERVICES
 FROM GENERAL REVENUE FUND 351,037
 1067 SPECIAL CATEGORIES
 CONTRACTED SERVICES
 FROM GENERAL REVENUE FUND 1,021,113
 FROM INDIGENT CIVIL DEFENSE TRUST
 FUND 75,000
 1068 SPECIAL CATEGORIES
 REGIONAL CONFLICT COUNCIL OPERATIONS
 FROM GENERAL REVENUE FUND 937,514
 FROM GRANTS AND DONATIONS TRUST
 FUND 165,425
 1069 SPECIAL CATEGORIES
 RISK MANAGEMENT INSURANCE
 FROM GENERAL REVENUE FUND 71,606
 1070 SPECIAL CATEGORIES
 LEASE OR LEASE-PURCHASE OF EQUIPMENT
 FROM GENERAL REVENUE FUND 25,000
 1071 SPECIAL CATEGORIES
 TRANSFER TO DEPARTMENT OF MANAGEMENT
 SERVICES - HUMAN RESOURCES SERVICES
 PURCHASED PER STATEWIDE CONTRACT
 FROM GENERAL REVENUE FUND 26,174
 TOTAL: PROGRAM: REGIONAL CONFLICT COUNSEL - SECOND
 FROM GENERAL REVENUE FUND 9,444,457
 FROM TRUST FUNDS 309,888

 TOTAL POSITIONS 106.00
 TOTAL ALL FUNDS 9,754,345

PROGRAM: REGIONAL CONFLICT COUNSEL - THIRD

APPROVED SALARY RATE 2,779,754
 1072 SALARIES AND BENEFITS POSITIONS 53.00
 FROM GENERAL REVENUE FUND 3,701,524
 1073 OTHER PERSONAL SERVICES
 FROM GENERAL REVENUE FUND 177,769
 1074 SPECIAL CATEGORIES
 CONTRACTED SERVICES
 FROM GENERAL REVENUE FUND 1,576,836
 FROM INDIGENT CIVIL DEFENSE TRUST
 FUND 20,000

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

1075	SPECIAL CATEGORIES REGIONAL CONFLICT COUNCIL OPERATIONS FROM GENERAL REVENUE FUND	389,334	
1076	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	7,104	
1077	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	1,100	
1078	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	13,220	
TOTAL: PROGRAM: REGIONAL CONFLICT COUNSEL - THIRD			
	FROM GENERAL REVENUE FUND	5,866,887	
	FROM TRUST FUNDS		20,000
	TOTAL POSITIONS	53.00	
	TOTAL ALL FUNDS		5,886,887
PROGRAM: REGIONAL CONFLICT COUNSEL - FOURTH			
	APPROVED SALARY RATE	3,977,151	
1079	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	73.00 5,365,808	
1080	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	458,729	
1081	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM INDIGENT CIVIL DEFENSE TRUST FUND	1,707,457 55,980	
1082	SPECIAL CATEGORIES REGIONAL CONFLICT COUNCIL OPERATIONS FROM GENERAL REVENUE FUND	1,212,550	
1083	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	13,641	
1084	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	7,807	
1085	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	16,657	
TOTAL: PROGRAM: REGIONAL CONFLICT COUNSEL - FOURTH			
	FROM GENERAL REVENUE FUND	8,782,649	
	FROM TRUST FUNDS		55,980
	TOTAL POSITIONS	73.00	
	TOTAL ALL FUNDS		8,838,629
PROGRAM: REGIONAL CONFLICT COUNSEL - FIFTH			
	APPROVED SALARY RATE	3,736,400	
1086	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	78.00 5,263,281	
1087	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	125,836	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

1088	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM GRANTS AND DONATIONS TRUST FUND	949,220 5,800	
1089	SPECIAL CATEGORIES REGIONAL CONFLICT COUNCIL OPERATIONS FROM GENERAL REVENUE FUND FROM GRANTS AND DONATIONS TRUST FUND FROM INDIGENT CIVIL DEFENSE TRUST FUND	748,208 13,890 100,000	
1090	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	96,602	
1091	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	12,000	
1092	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	18,243	
TOTAL: PROGRAM: REGIONAL CONFLICT COUNSEL - FIFTH			
	FROM GENERAL REVENUE FUND	7,213,390	
	FROM TRUST FUNDS		119,690
	TOTAL POSITIONS	78.00	
	TOTAL ALL FUNDS		7,333,080
TOTAL: JUSTICE ADMINISTRATION			
	FROM GENERAL REVENUE FUND	733,360,685	
	FROM TRUST FUNDS		143,326,023
	TOTAL POSITIONS	10,501.50	
	TOTAL ALL FUNDS		876,686,708
	TOTAL APPROVED SALARY RATE	516,716,872	

JUVENILE JUSTICE, DEPARTMENT OF

From the funds in Specific Appropriations 1093 through 1174, each provider who contracts with the Department of Juvenile Justice shall provide the department with a proposal prior to the release of funds that details the services that will be delivered, the expected results, and recommended performance measures. The department and each provider must execute a contract before the release of any funds, and the contract documents shall include mutually agreed upon performance measures. Each provider must provide quarterly performance reports to the department. Funds shall only be released to providers whose performance reports indicate successful compliance with the performance measures described in the contract.

From the funds in Specific Appropriations 1093 through 1174, the Department of Juvenile Justice shall establish a performance accountability system for each provider who contracts with the department for the delivery of services to children at-risk of future involvement in the criminal justice system, as determined by the department. The contract shall include both output measures, such as the number of children served, and outcome measures, such as program completion. The contractor shall report performance results annually to the department. The department's Office of Program Accountability shall summarize performance results from all contracts and report the information annually to the Legislature.

From the funds in Specific Appropriations 1093 through 1174, the Department of Juvenile Justice must, before implementing any departmental reorganization plans, submit its proposal to the Governor's Office of Policy and Budget and to the Legislative Budget Commission for approval.

From the funds in Specific Appropriations 1093 through 1174, the Department of Juvenile Justice may work within its existing budget,

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

including applicable grants, to implement any corrective action plan developed as the result of a Prison Rape Elimination Act audit conducted in accordance with Title 23, Part 115 of the Code of Federal Regulations. The department may request additional resources required through the Legislative Budget Request process as defined in chapter 216, Florida Statutes.

From the funds in Specific Appropriations 1093 through 1174, the Department of Juvenile Justice shall conduct a comprehensive statewide review of county-level data, including a gap analysis of services and programs available across all counties in the state, to evaluate the implementation of juvenile justice policies at the county level. As the result of such review, the department shall prepare a report that includes benchmarking of counties' performance on factors that demonstrate how a county is supporting the department's strategic goals of preventing and diverting more youth from entering the juvenile justice system; providing appropriate, less restrictive, community-based sanctions and services; reserving serious sanctions for youth who pose the greatest risk to public safety; and focusing on rehabilitation. The report shall also include recommendations and strategies that can be implemented by the department or counties to address any identified deficiencies and to assist in developing a statewide, coordinated response across all of Florida's communities to support the department's strategic goals. A copy of the report shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1, 2017.

PROGRAM: JUVENILE DETENTION PROGRAM

DETENTION CENTERS

	APPROVED SALARY RATE	49,662,805		
1093	SALARIES AND BENEFITS POSITIONS	1,479.00		
	FROM GENERAL REVENUE FUND	26,226,023		
	FROM FEDERAL GRANTS TRUST FUND		963,805	
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		41,339,203	
1094	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND	319,081		
	FROM GRANTS AND DONATIONS TRUST FUND		596,864	
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		1,360,225	
1095	EXPENSES			
	FROM GENERAL REVENUE FUND	1,044,743		
	FROM FEDERAL GRANTS TRUST FUND		1,090,728	
	FROM GRANTS AND DONATIONS TRUST FUND		824,860	
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		4,396,242	
1096	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND	42,225		
	FROM FEDERAL GRANTS TRUST FUND		192,293	
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		199,765	
1097	FOOD PRODUCTS			
	FROM GENERAL REVENUE FUND	517,791		
	FROM FEDERAL GRANTS TRUST FUND		1,193,649	
	FROM GRANTS AND DONATIONS TRUST FUND		127,472	
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		1,000,497	
1098	SPECIAL CATEGORIES			
	LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME			
	FROM GENERAL REVENUE FUND	29,110		
1099	SPECIAL CATEGORIES			
	GRANTS AND AIDS - GRANTS TO FISCALLY CONSTRAINED COUNTIES FOR DETENTION CENTER COSTS			
	FROM GENERAL REVENUE FUND	3,883,853		

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

1100	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND	1,454,864		
	FROM FEDERAL GRANTS TRUST FUND		40,690	
	FROM GRANTS AND DONATIONS TRUST FUND		3,116	
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		1,483,075	

From the funds in Specific Appropriation 1100, \$500,000 in nonrecurring general revenue funds is provided to the Department of Juvenile Justice to implement an automated time and attendance system for all juvenile detention facilities statewide. A quarterly status report on implementation progress shall be submitted to the Governor's Office of Policy and Budget, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee.

1101	SPECIAL CATEGORIES			
	GRANTS AND AIDS - CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND	4,364,391		
	FROM FEDERAL GRANTS TRUST FUND		49,069	
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		7,326,801	
1102	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND	1,934,573		
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		2,671,552	
1103	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND	90,364		
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		134,195	
1104	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND	195,233		
	FROM FEDERAL GRANTS TRUST FUND		10,216	
	FROM GRANTS AND DONATIONS TRUST FUND		1,001	
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		285,891	
1105	FIXED CAPITAL OUTLAY			
	DEPARTMENT OF JUVENILE JUSTICE MAINTENANCE AND REPAIR - STATE OWNED BUILDINGS			
	FROM GENERAL REVENUE FUND	4,000,000		
	Funds in Specific Appropriation 1105 used by the Department of Juvenile Justice for repairs and maintenance to juvenile detention facilities shall be expended in accordance with the prioritized list of facility repair needs that is maintained by the department.			
TOTAL: DETENTION CENTERS				
	FROM GENERAL REVENUE FUND	44,102,251		
	FROM TRUST FUNDS		65,291,209	
	TOTAL POSITIONS	1,479.00		
	TOTAL ALL FUNDS		109,393,460	

PROGRAM: PROBATION AND COMMUNITY CORRECTIONS PROGRAM

COMMUNITY SUPERVISION

For all appropriations specifically identified in proviso in Specific Appropriations 1110 and 1113, the Department of Juvenile Justice shall submit a report on the current status of the project or program to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee. The report shall list all performance measures and indicate whether the contractor is meeting each measure and is due by February 1, 2017.

APPROVED SALARY RATE	31,567,304
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SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

1106	SALARIES AND BENEFITS	POSITIONS	849,50	
	FROM GENERAL REVENUE FUND		37,785,360	
	FROM GRANTS AND DONATIONS TRUST			46,617
	FUND			
	FROM SOCIAL SERVICES BLOCK GRANT			4,850,629
	TRUST FUND			
1107	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND		591,986	
	FROM GRANTS AND DONATIONS TRUST			184,000
	FUND			
1108	EXPENSES			
	FROM GENERAL REVENUE FUND		4,640,034	
	FROM FEDERAL GRANTS TRUST FUND			35,866
	FROM GRANTS AND DONATIONS TRUST			
	FUND			7,407
	FROM SOCIAL SERVICES BLOCK GRANT			
	TRUST FUND			311,856
1109	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND		41,556	
1110	SPECIAL CATEGORIES			
	JUVENILE REDIRECTIONS PROGRAM			
	FROM GENERAL REVENUE FUND		6,314,831	

Funds in Specific Appropriation 1110 are provided for services to youth at risk of commitment who are eligible to be placed in evidence-based and other alternative programs for family therapy services. These services shall be provided as an alternative to commitment. The Department of Juvenile Justice and each participating court may jointly develop criteria to identify youth appropriate for diversion into the Redirections Program.

From the funds in Specific Appropriation 1110, \$750,000 from recurring general revenue funds is provided for Parenting with Love and Limits (PLL) to support three PLL teams located in the northern region, central region and the southern region of the state.

1111	SPECIAL CATEGORIES			
	LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME			
	FROM GENERAL REVENUE FUND		635,947	
1112	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND		852,545	
	FROM SOCIAL SERVICES BLOCK GRANT			42,490
	TRUST FUND			
1113	SPECIAL CATEGORIES			
	GRANTS AND AIDS - CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND		32,917,082	
	FROM GRANTS AND DONATIONS TRUST			
	FUND			1,552,310
	FROM SOCIAL SERVICES BLOCK GRANT			
	TRUST FUND			81,995

From the funds in Specific Appropriations 1113, the Department of Juvenile Justice may contract for services consistent with the department's Juvenile Detention Alternative Initiative (JDAI) and the Annie E. Casey Foundation to divert youth from secure detention to alternative community based services. These services should be designed using in-home and community advocacy to reduce the need for more expensive restrictive placements, build community capacity to reduce recidivism, create supported work opportunities for youth, and improve community safety.

From the funds in Specific Appropriation 1113, \$2,250,000 from recurring general revenue funds is provided for the AMIkids gender specific program, of which \$750,000 is provided for the AMIkids gender specific program in Clay County and \$750,000 is provided for the AMIkids gender specific program in Hillsborough County.

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

1114	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND		383,932	
1115	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND		236,213	
1116	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND		280,725	
	FROM GRANTS AND DONATIONS TRUST			11,151
	FUND			
TOTAL:	COMMUNITY SUPERVISION			
	FROM GENERAL REVENUE FUND		84,680,211	
	FROM TRUST FUNDS			7,124,321
	TOTAL POSITIONS		849.50	
	TOTAL ALL FUNDS			91,804,532
COMMUNITY INTERVENTIONS AND SERVICES				
	APPROVED SALARY RATE		17,733,969	
1117	SALARIES AND BENEFITS	POSITIONS	505.00	
	FROM GENERAL REVENUE FUND		21,424,342	
	FROM GRANTS AND DONATIONS TRUST			26,738
	FUND			
	FROM SOCIAL SERVICES BLOCK GRANT			2,779,034
	TRUST FUND			
1118	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND		1,014,298	
1119	EXPENSES			
	FROM GENERAL REVENUE FUND		2,623,784	
	FROM SOCIAL SERVICES BLOCK GRANT			182,506
	TRUST FUND			
1120	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND		27,131	
1121	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND		645,031	
	FROM SOCIAL SERVICES BLOCK GRANT			27,856
	TRUST FUND			
1122	SPECIAL CATEGORIES			
	GRANTS AND AIDS - CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND		16,077,556	

From the funds in Specific Appropriation 1122, \$735,840 in recurring general revenue funds shall be used for continuing security services at the existing juvenile assessment centers in Bay and Escambia counties.

From the funds in Specific Appropriation 1122, \$500,000 in nonrecurring general revenue funds shall be used for a juvenile assessment center in Broward County.

1123	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND		222,838	
1124	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND		154,863	
1125	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND		171,564	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

FROM GRANTS AND DONATIONS TRUST FUND		6,815	
TOTAL: COMMUNITY INTERVENTIONS AND SERVICES			
FROM GENERAL REVENUE FUND	42,361,407		
FROM TRUST FUNDS		3,022,949	
TOTAL POSITIONS	505.00		
TOTAL ALL FUNDS		45,384,356	

PROGRAM: OFFICE OF THE SECRETARY/ASSISTANT
SECRETARY FOR ADMINISTRATIVE SERVICES

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE	10,512,036		
1127 SALARIES AND BENEFITS POSITIONS	231.50		
FROM GENERAL REVENUE FUND	13,850,050		
FROM GRANTS AND DONATIONS TRUST FUND		308,293	
1128 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND	426,432		
FROM ADMINISTRATIVE TRUST FUND		72,341	
FROM JUVENILE JUSTICE TRAINING TRUST FUND		11,712	
1129 EXPENSES			
FROM GENERAL REVENUE FUND	2,552,729		
FROM GRANTS AND DONATIONS TRUST FUND		149,305	
FROM JUVENILE JUSTICE TRAINING TRUST FUND		605,353	
1130 OPERATING CAPITAL OUTLAY			
FROM GENERAL REVENUE FUND	32,841		
1131 SPECIAL CATEGORIES			
ACQUISITION OF MOTOR VEHICLES			
FROM GENERAL REVENUE FUND	959,285		
1132 SPECIAL CATEGORIES			
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS			
FROM GENERAL REVENUE FUND	21,806		
1133 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND	584,408		
FROM ADMINISTRATIVE TRUST FUND		445,930	
FROM GRANTS AND DONATIONS TRUST FUND		208,537	
1134 SPECIAL CATEGORIES			
GRANTS AND AIDS - CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND	349,329		
FROM JUVENILE JUSTICE TRAINING TRUST FUND		1,839,189	
1135 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND	177,151		
1136 SPECIAL CATEGORIES			
DEFERRED-PAYMENT COMMODITY CONTRACTS			
FROM GENERAL REVENUE FUND	59,032		
1137 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM GENERAL REVENUE FUND	67,149		
FROM JUVENILE JUSTICE TRAINING TRUST FUND		3,973	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

1138 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES			
PURCHASED PER STATEWIDE CONTRACT			
FROM GENERAL REVENUE FUND	79,720		
FROM GRANTS AND DONATIONS TRUST FUND		1,342	
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES			
FROM GENERAL REVENUE FUND	19,159,932		
FROM TRUST FUNDS		3,645,975	
TOTAL POSITIONS	231.50		
TOTAL ALL FUNDS		22,805,907	

INFORMATION TECHNOLOGY

APPROVED SALARY RATE	2,874,428		
1139 SALARIES AND BENEFITS POSITIONS	59.50		
FROM GENERAL REVENUE FUND	3,542,991		
1140 EXPENSES			
FROM GENERAL REVENUE FUND	1,782,574		
1141 OPERATING CAPITAL OUTLAY			
FROM GENERAL REVENUE FUND	684,726		
1142 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND	421,377		
1143 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND	239,032		
1144 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM GENERAL REVENUE FUND	13,315		
1145 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES			
PURCHASED PER STATEWIDE CONTRACT			
FROM GENERAL REVENUE FUND	20,336		
1146 DATA PROCESSING SERVICES			
STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST)			
FROM GENERAL REVENUE FUND	1,017,418		
TOTAL: INFORMATION TECHNOLOGY			
FROM GENERAL REVENUE FUND	7,721,769		
TOTAL POSITIONS	59.50		
TOTAL ALL FUNDS		7,721,769	

PROGRAM: RESIDENTIAL CORRECTIONS PROGRAM

From the funds in Specific Appropriations 1147 through 1161, the Department of Juvenile Justice shall provide a weekly residential resource utilization report that identifies operating capacity, current placements, vacant placements, number of youth awaiting placement, and the percent of use for all residential commitment beds. The department may increase or decrease beds or overlay services provided that the change will better serve taxpayers and the youth under its care. Notification and justification of changes will be provided to the Governor's Office of Policy and Budget, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee prior to implementing any change.

From the funds in Specific Appropriations 1147 through 1161, in selecting a private provider for operation of secure and non-secure residential programs, the Department of Juvenile Justice must consider the provider's history of performance of services in other jurisdictions as well as its performance of services in Florida. The department must also provide a report of serious incidents to the Governor, President of

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the Senate, and Speaker of the House of Representatives on no less than a quarterly basis. The report must include, at a minimum: the number of incidents and allegations of staff abuse or abuse by another child, including whether or not an allegation was substantiated; descriptions of incidents or allegations of such abuse that resulted in physical injury or significant psychological trauma, or that involved deprivation of food, water, or medical care; and the failure of a provider to report incidents or allegations within required timeframes established by the department. In addition, the department must conduct an independent review of each out-of-state provider before issuing a new contract. The report must be organized so that the incidents and allegations relating to a particular facility and to a particular provider can be readily ascertained. The department must also immediately report the death or serious bodily injury of a youth in a secure or non-secure residential program to the Governor, President of the Senate, and Speaker of the House of Representatives, and may make any additional reports that it determines to be appropriate based upon the seriousness of an incident or allegation.

NON-SECURE RESIDENTIAL COMMITMENT

1147	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	117,183	
1148	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND	103,591,782	5,500,174
1149	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	132,250	
1150	SPECIAL CATEGORIES GRANTS AND AIDS - WILDERNESS THERAPEUTIC SERVICES FROM GENERAL REVENUE FUND	2,405,536	
TOTAL:	NON-SECURE RESIDENTIAL COMMITMENT FROM GENERAL REVENUE FUND FROM TRUST FUNDS	106,246,751	5,500,174
	TOTAL ALL FUNDS		111,746,925

SECURE RESIDENTIAL COMMITMENT

	APPROVED SALARY RATE	8,971,318	
1152	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND	121.00 9,528,221	2,235,371
1153	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	74,602	
1154	EXPENSES FROM GENERAL REVENUE FUND	1,274,079	
1155	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	644,906	
1156	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND	23,772,667	33,491,859
1157	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	277,314	
1158	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	44,966	

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1159	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	66,167	
1161	FIXED CAPITAL OUTLAY JUVENILE FACILITIES - LEASE PURCHASE FROM GENERAL REVENUE FUND	1,806,244	
TOTAL:	SECURE RESIDENTIAL COMMITMENT FROM GENERAL REVENUE FUND FROM TRUST FUNDS	37,489,166	35,727,230
	TOTAL POSITIONS TOTAL ALL FUNDS	121.00	73,216,396

PROGRAM: PREVENTION AND VICTIM SERVICES

DELINQUENCY PREVENTION AND DIVERSION

	APPROVED SALARY RATE	1,147,036	
1162	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND	24.00 955,343	197,217 486,112
1163	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND	287,192	223,622 152,969
1164	EXPENSES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND	233,083	82,696 282,180
1165	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - INVEST IN CHILDREN FROM JUVENILE CRIME PREVENTION AND EARLY INTERVENTION TRUST FUND		412,903
1166	OPERATING CAPITAL OUTLAY FROM FEDERAL GRANTS TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND		12,450 12,450
1167	SPECIAL CATEGORIES PACE CENTERS FROM GENERAL REVENUE FUND FROM GRANTS AND DONATIONS TRUST FUND	15,765,585	3,290,514
	From the funds in Specific Appropriation 1167, \$1,100,000 from recurring general revenue funds is provided to PACE Center for Girls for additional slots statewide to serve at-risk middle and high school girls.		
1168	SPECIAL CATEGORIES LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME FROM GENERAL REVENUE FUND	827,920	
	From the funds in Specific Appropriation 1168, \$650,415 from recurring general revenue funds is provided to the PAR Adolescent Intervention Center (PAIC) in Pasco County.		
1169	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	33,720	

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1170	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	3,629,522	
	FROM FEDERAL GRANTS TRUST FUND		10,609,653
	FROM GRANTS AND DONATIONS TRUST FUND		2,320,115
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		2,639

For all appropriations specifically identified in proviso in Specific Appropriation 1170, the Department of Juvenile Justice shall submit a report on the current status of the project or program to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee. The report shall list all performance measures and indicate whether the contractor is meeting each measure and is due by February 1, 2017.

From the funds in Specific Appropriation 1170, \$36,000 from recurring general revenue funds is provided for Pasco Association of Challenged Kids Summer Camp.

From the funds in Specific Appropriation 1170, \$200,000 in nonrecurring general revenue funds is provided to the Corporation to Develop Communities of Tampa, Inc. (CDC of Tampa) to provide work readiness training, skills training, job placement, and mentoring for youth in the Tampa Bay area.

From the funds in Specific Appropriation 1170, \$550,000 in nonrecurring general revenue funds is provided to Youth Advocate Programs, Inc. to establish and operate a Safe Space Teen Services Center in Hillsborough County or Pinellas County for at-risk youth between the ages of 15 and 18.

From the funds in Specific Appropriation 1170, \$1,580,000 in nonrecurring general revenue funds is provided to the Brevard C.A.R.E.S. program to provide front end diversion interventions for at risk youth, children, and families in Brevard County.

From the funds in Specific Appropriation 1170, \$150,000 in nonrecurring general revenue funds is provided for The Greatest Save Program to empower teens through education and raise awareness to prevent exploitation.

1171	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	7,440	
1172	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CHILDREN/FAMILIES IN NEED OF SERVICES		
	FROM GENERAL REVENUE FUND	26,310,305	
	FROM FEDERAL GRANTS TRUST FUND		1,000,000
	FROM GRANTS AND DONATIONS TRUST FUND		10,277,763
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		383,858

From the funds in Specific Appropriation 1172, the Department of Juvenile Justice shall not expend more than \$150,000 in recurring general revenue funds for physically secure placements for youths being served by the Children-In-Need of Services/Families-In-Need of Services (CINS/FINS) program.

Additionally, the CINS/FINS provider shall demonstrate that it has considered local, non-traditional, non-residential delinquency prevention service providers including, but not limited to, grassroots organizations, community, and faith-based organizations, to subcontract and deliver non-residential CINS/FINS services to eligible youth as defined in chapter 984 and section 1003.27, Florida Statutes, to include areas with high ratios of juvenile arrests per youth 10 to 17 years of age. Such services may be offered throughout the judicial circuit served by the CINS/FINS provider.

From the funds in Specific Appropriation 1172, \$1,500,000 in recurring general revenue funds is provided for the CINS/FINS program to provide additional services.

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From the funds in Specific Appropriation 1172, \$2,000,000 shall be used for the CINS/FINS program to provide non-residential services to the following rural counties: Gadsden, Hamilton, Highlands, Jefferson, Madison, Taylor, Franklin, Sumter, Levy, Citrus and Bradford.

1173	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	3,000	
	FROM FEDERAL GRANTS TRUST FUND		1,200
1174	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	5,693	
	FROM FEDERAL GRANTS TRUST FUND		2,452
	FROM GRANTS AND DONATIONS TRUST FUND		2,011
TOTAL:	DELINQUENCY PREVENTION AND DIVERSION		
	FROM GENERAL REVENUE FUND	48,058,803	
	FROM TRUST FUNDS		29,752,804
	TOTAL POSITIONS	24.00	
	TOTAL ALL FUNDS		77,811,607
TOTAL:	JUVENILE JUSTICE, DEPARTMENT OF		
	FROM GENERAL REVENUE FUND	389,820,290	
	FROM TRUST FUNDS		150,064,662
	TOTAL POSITIONS	3,269.50	
	TOTAL ALL FUNDS		539,884,952
	TOTAL APPROVED SALARY RATE	122,468,896	

LAW ENFORCEMENT, DEPARTMENT OF

PROGRAM: EXECUTIVE DIRECTION AND SUPPORT

PROVIDE EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE	6,621,698	
1175	SALARIES AND BENEFITS		
	POSITIONS	130.50	
	FROM GENERAL REVENUE FUND	2,361,749	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		40,319
	FROM FEDERAL GRANTS TRUST FUND		802,616
	FROM OPERATING TRUST FUND		5,872,067
1176	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	26,838	
	FROM ADMINISTRATIVE TRUST FUND		5,000
	FROM FEDERAL GRANTS TRUST FUND		251,858
	FROM OPERATING TRUST FUND		73,976
1177	EXPENSES		
	FROM GENERAL REVENUE FUND	754,010	
	FROM ADMINISTRATIVE TRUST FUND		64,548
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		9,557
	FROM FEDERAL GRANTS TRUST FUND		173,285
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		287,414
	FROM OPERATING TRUST FUND		605,510
1178	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - NATIONAL CRIMINAL HISTORY IMPROVEMENT PROGRAM (NCHIP) - STATE AGENCIES		
	FROM FEDERAL GRANTS TRUST FUND		4,910,162
1179	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - NATIONAL CRIMINAL HISTORY IMPROVEMENT PROGRAM (NCHIP) - LOCAL GOVERNMENTS		
	FROM FEDERAL GRANTS TRUST FUND		1,529,434

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1180	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - PROJECT SAFE NEIGHBORHOODS FROM FEDERAL GRANTS TRUST FUND . . .		1,263,483
1181	AID TO LOCAL GOVERNMENTS BYRNE MEMORIAL LOCAL LAW ENFORCEMENT ASSISTANCE PROGRAM FROM FEDERAL GRANTS TRUST FUND . . .		18,868,106
1182	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND . . . FROM OPERATING TRUST FUND	12,616	3,242 250
1183	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM GENERAL REVENUE FUND	9,650	
1184	SPECIAL CATEGORIES GRANTS AND AIDS - FEDERAL DOMESTIC SECURITY GRANTS FROM FEDERAL GRANTS TRUST FUND . . .		1,938,981
1185	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND . . . FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND FROM FEDERAL GRANTS TRUST FUND . . . FROM OPERATING TRUST FUND	67,480	15,000 3,203 218,573 152,372
1186	SPECIAL CATEGORIES DOMESTIC SECURITY FROM OPERATING TRUST FUND		500
1187	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND . . . FROM OPERATING TRUST FUND	13,395	19,145 29,094
1188	SPECIAL CATEGORIES TENANT BROKER COMMISSIONS FROM OPERATING TRUST FUND		52,700
1189	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND FROM FEDERAL GRANTS TRUST FUND . . .	98,000	6,000 3,000
1190	SPECIAL CATEGORIES BYRNE MEMORIAL STATE LAW ENFORCEMENT ASSISTANCE PROGRAM FROM FEDERAL GRANTS TRUST FUND . . .		10,412,678
1191	SPECIAL CATEGORIES GRANTS AND AID - RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM - LOCAL UNITS OF GOVERNMENT FROM FEDERAL GRANTS TRUST FUND . . .		1,247,724
1192	SPECIAL CATEGORIES GRANTS AND AID - RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM - STATE AGENCY FROM FEDERAL GRANTS TRUST FUND . . .		3,675,511
1193	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND . . .	20,418	2,679

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	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		2,643
	FROM FEDERAL GRANTS TRUST FUND . . .		120
	FROM OPERATING TRUST FUND		18,006
1194	FIXED CAPITAL OUTLAY FLORIDA DEPARTMENT OF LAW ENFORCEMENT REGIONAL FACILITY - NORTHWEST FLORIDA - DMS MSD FROM GENERAL REVENUE FUND	3,000,000	
TOTAL:	PROVIDE EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM GENERAL REVENUE FUND FROM TRUST FUNDS	6,364,156	52,558,756
	TOTAL POSITIONS	130.50	
	TOTAL ALL FUNDS		58,922,912
PROGRAM: FLORIDA CAPITOL POLICE PROGRAM			
CAPITOL POLICE SERVICES			
	APPROVED SALARY RATE	3,838,870	
1195	SALARIES AND BENEFITS POSITIONS 88.00 FROM GENERAL REVENUE FUND FROM OPERATING TRUST FUND	2,439	5,722,551
1196	OTHER PERSONAL SERVICES FROM OPERATING TRUST FUND		28,778
1197	EXPENSES FROM OPERATING TRUST FUND		532,837
1198	OPERATING CAPITAL OUTLAY FROM OPERATING TRUST FUND		242,369
1199	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM OPERATING TRUST FUND		30,500
1200	SPECIAL CATEGORIES CONTRACTED SERVICES FROM OPERATING TRUST FUND		84,084
1201	SPECIAL CATEGORIES CAPITOL COMPLEX SECURITY FROM GENERAL REVENUE FUND FROM OPERATING TRUST FUND	7,360	20,000
1202	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM OPERATING TRUST FUND		61,840
1203	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM OPERATING TRUST FUND		68,064
1204	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM OPERATING TRUST FUND		5,000
1205	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM OPERATING TRUST FUND	338	25,668
TOTAL:	CAPITOL POLICE SERVICES FROM GENERAL REVENUE FUND FROM TRUST FUNDS	10,137	6,821,691
	TOTAL POSITIONS	88.00	
	TOTAL ALL FUNDS		6,831,828

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

PROGRAM: INVESTIGATIONS AND FORENSIC SCIENCE
PROGRAM

PROVIDE CRIME LAB SERVICES

APPROVED SALARY RATE		20,987,845	
1206	SALARIES AND BENEFITS POSITIONS	436.00	
	FROM GENERAL REVENUE FUND	29,982,507	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		21,469
	FROM FEDERAL GRANTS TRUST FUND		11,036
	FROM OPERATING TRUST FUND		662,435
1207	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	59,352	
	FROM FEDERAL GRANTS TRUST FUND		167,875
1208	EXPENSES		
	FROM GENERAL REVENUE FUND	9,331,465	
	FROM FEDERAL GRANTS TRUST FUND		2,952,624
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		510,531
	FROM OPERATING TRUST FUND		812,592
From the funds in Specific Appropriation 1208, the Department of Law Enforcement is authorized to distribute 10,000 rape kits to local law enforcement agencies and rape crisis centers statewide at no cost. In addition, the department is authorized to use additional federal funds and any other available funds contained in Specific Appropriation 1208 for the purpose of processing rape kits, including the backlog of non-suspect rape cases.			
1209	AID TO LOCAL GOVERNMENTS CRIMINAL INVESTIGATIONS		
	FROM FEDERAL GRANTS TRUST FUND		741,091
	FROM OPERATING TRUST FUND		2,379,702
1210	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	1,240,183	
	FROM ADMINISTRATIVE TRUST FUND		5,000
	FROM FEDERAL GRANTS TRUST FUND		1,327,000
1211	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES		
	FROM GENERAL REVENUE FUND	168,960	
	FROM OPERATING TRUST FUND		690,000
1212	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	3,558,433	
	FROM FEDERAL GRANTS TRUST FUND		1,690,200
	FROM OPERATING TRUST FUND		598,000
1213	SPECIAL CATEGORIES OVERTIME		
	FROM GENERAL REVENUE FUND	844,300	
	FROM FEDERAL GRANTS TRUST FUND		404,976
1214	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM ADMINISTRATIVE TRUST FUND		10,000
	FROM OPERATING TRUST FUND		107,681
1215	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	50,000	
1216	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	136,965	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		179
	FROM FEDERAL GRANTS TRUST FUND		1,678
	FROM OPERATING TRUST FUND		2,550

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TOTAL: PROVIDE CRIME LAB SERVICES		
FROM GENERAL REVENUE FUND	45,372,165	
FROM TRUST FUNDS		13,096,619
TOTAL POSITIONS	436.00	
TOTAL ALL FUNDS		58,468,784

PROVIDE INVESTIGATIVE SERVICES

From the funds in Specific Appropriations 1217 through 1229, the Department of Law Enforcement shall investigate all deaths of inmates who are in the custody of the Department of Corrections.

APPROVED SALARY RATE		36,138,087	
1217	SALARIES AND BENEFITS POSITIONS	585.00	
	FROM GENERAL REVENUE FUND	39,903,817	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		31,984
	FROM FEDERAL GRANTS TRUST FUND		601,413
	FROM OPERATING TRUST FUND		9,327,100
1218	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	307,983	
	FROM ADMINISTRATIVE TRUST FUND		25,276
	FROM FEDERAL GRANTS TRUST FUND		194,832
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		42,360
	FROM OPERATING TRUST FUND		38,120
1219	EXPENSES		
	FROM GENERAL REVENUE FUND	6,804,806	
	FROM ADMINISTRATIVE TRUST FUND		132,670
	FROM FEDERAL GRANTS TRUST FUND		235,647
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		833,472
	FROM GRANTS AND DONATIONS TRUST FUND		4,500
	FROM OPERATING TRUST FUND		2,800,816
	FROM REVOLVING TRUST FUND		1,000,000
	FROM FEDERAL LAW ENFORCEMENT TRUST FUND		550,000
From the funds provided in Specific Appropriation 1219 from the Forfeiture and Investigative Support Trust Fund, up to \$25,000 per case, but not exceeding \$150,000 in total for all cases, may be expended for rewards leading to the capture of fugitives, if such funds are available.			
1220	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	117,494	
	FROM ADMINISTRATIVE TRUST FUND		5,000
	FROM FEDERAL GRANTS TRUST FUND		159,509
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		190,574
1221	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES		
	FROM GENERAL REVENUE FUND	237,091	
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		580,000
1222	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	534,741	
	FROM ADMINISTRATIVE TRUST FUND		5,000
	FROM FEDERAL GRANTS TRUST FUND		147,441
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		34,624
	FROM OPERATING TRUST FUND		121,896
	FROM FEDERAL LAW ENFORCEMENT TRUST FUND		50,000
1223	SPECIAL CATEGORIES DOMESTIC SECURITY		
	FROM GENERAL REVENUE FUND	1,350,267	
	FROM FEDERAL GRANTS TRUST FUND		3,520,740

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1223A	SPECIAL CATEGORIES		
	GRANTS AND AIDS - A CHILD IS MISSING		
	PROGRAM		
	FROM GENERAL REVENUE FUND	232,461	
1224	SPECIAL CATEGORIES		
	GRANTS AND AIDS - SPECIAL PROJECTS		
	FROM GENERAL REVENUE FUND	7,100,000	
	FROM FEDERAL LAW ENFORCEMENT TRUST		
	FUND	300,000	

For all appropriations specifically identified in proviso in Specific Appropriation 1224, the Department of Law Enforcement shall submit a report on the current status of the project or program to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee. The report shall list all performance measures and indicate whether the contractor is meeting each measure and is due by February 1, 2017.

From the funds in Specific Appropriation 1224, \$1,500,000 in nonrecurring general revenue funds is provided to DeSoto County for acquisition of property and design of a new county jail.

From the funds in Specific Appropriation 1224, \$200,000 in nonrecurring general revenue funds is provided to Palm Beach County to install, operate, and maintain street lights in residential neighborhoods that have high rates of criminal activity.

From the funds in Specific Appropriation 1224, \$1,100,000 in nonrecurring general revenue funds is provided to the Palm Beach County Sheriff's Office for an Unmanned Aircraft System (UAS) pilot program. The program will use a UAS in emergency and law enforcement activities (including search and rescue, disaster assessment and assistance, interdiction of drug and human trafficking activities, and situational awareness of a person whose life is in imminent danger) with these operational activities limited to navigable bodies of water within 25 miles of the jurisdiction of the Palm Beach County Sheriff's Office.

From the funds in Specific Appropriation 1224, \$500,000 in nonrecurring general revenue funds is provided to the Broward Sheriff's Office for enhancement of its Violence Intervention Pro-Active Enforcement Response Team (V.I.P.E.R.). This pilot program will implement new intelligence-led policing approaches through additional staff, equipment, and analytical resources to specifically target activities of known violent felons. The gauge of the effectiveness of the new approaches will be whether there is a significant, measurable decrease in violent crime rates in Broward County. The Broward Sheriff's Office shall provide a report on the effectiveness of the program to the Department of Law Enforcement, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee by February 1, 2017.

From the funds in Specific Appropriation 1224, \$250,000 in nonrecurring general revenue funds is provided to the Jacksonville Sheriff's Office for Community Oriented Policing Services for the purpose of deploying new law enforcement officers in areas where gangs and other criminals have created the most serious spikes in violence and murder.

From the funds in Specific Appropriation 1224, \$1,000,000 in nonrecurring general revenue funds is provided to Florida State University Panama City to support participation of the Underwater Crime Scene Investigation program in the Joint Agency In-Water Strike (JAWS) Team initiative.

From the funds in Specific Appropriation 1224, \$1,000,000 in nonrecurring general revenue funds is appropriated to provide grants for county sheriff's offices to purchase body-worn cameras for deputies. The sheriff's office or other entity on behalf of the sheriff's office must make an in-kind or cash match equal to the amount of the grant. The in-kind or cash match may be from federal, state, local, or private sources. Preference shall be given to sheriff's offices that employ more than 500 deputies in counties that have a population density of at least 1,000 persons per square mile. For purposes of determining preference for a grant, population density must be calculated by dividing the total population of the county from the 2010 Census by the total land area of the county.

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From the funds in Specific Appropriation 1224, \$50,000 in nonrecurring general revenue funds is provided to the Department of Law Enforcement to support the Florida Cold Case Task Force.

From the funds in Specific Appropriation 1224, \$1,500,000 in nonrecurring general revenue funds is provided to the City of Clewiston for design, engineering, and construction of a new police station.

1225	SPECIAL CATEGORIES		
	OVERTIME		
	FROM ADMINISTRATIVE TRUST FUND . . .	3,013	
	FROM FEDERAL GRANTS TRUST FUND . . .	314,125	
	FROM GRANTS AND DONATIONS TRUST		
	FUND	4,250	
	FROM FEDERAL LAW ENFORCEMENT TRUST		
	FUND	1,018,486	
1226	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	369,689	
	FROM ADMINISTRATIVE TRUST FUND . . .		57,739
	FROM OPERATING TRUST FUND		509,425
1227	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	526,961	
	FROM OPERATING TRUST FUND		21,312
1228	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	72,000	
1229	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	219,284	
	FROM CRIMINAL JUSTICE STANDARDS		
	AND TRAINING TRUST FUND		1,059
	FROM FEDERAL GRANTS TRUST FUND . . .		3,237
	FROM OPERATING TRUST FUND		10,334
TOTAL:	PROVIDE INVESTIGATIVE SERVICES		
	FROM GENERAL REVENUE FUND	57,776,594	
	FROM TRUST FUNDS		22,875,954
	TOTAL POSITIONS	585.00	
	TOTAL ALL FUNDS		80,652,548
MUTUAL AID AND PREVENTION SERVICES			
	APPROVED SALARY RATE	1,140,220	
1230	SALARIES AND BENEFITS	POSITIONS	17.00
	FROM GENERAL REVENUE FUND	1,544,246	
	FROM OPERATING TRUST FUND		35,274
1231	EXPENSES		
	FROM GENERAL REVENUE FUND	127,251	
1232	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	9,441	
1233	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	2,252	
1234	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	6,411	
	FROM OPERATING TRUST FUND		122

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

TOTAL: MUTUAL AID AND PREVENTION SERVICES		
FROM GENERAL REVENUE FUND	1,689,601	
FROM TRUST FUNDS		35,396
TOTAL POSITIONS	17.00	
TOTAL ALL FUNDS		1,724,997

PROGRAM: CRIMINAL JUSTICE INFORMATION PROGRAM

PROVIDE INFORMATION NETWORK SERVICES TO THE LAW ENFORCEMENT COMMUNITY

From the funds in Specific Appropriation 1235 through 1256, the Department of Law Enforcement shall serve as the lead Criminal Justice Information Systems coordinator and shall perform the functions necessary to allow governmental entities to use a fully isolated cloud platform that complies with the Federal Bureau of Investigation's Criminal Justice Information Services Security Policy.

APPROVED SALARY RATE	6,596,058	
1235 SALARIES AND BENEFITS POSITIONS	124.00	
FROM GENERAL REVENUE FUND		258,208
FROM CRIMINAL JUSTICE STANDARDS		
AND TRAINING TRUST FUND		14,701
FROM FEDERAL GRANTS TRUST FUND		65,721
FROM OPERATING TRUST FUND		8,411,695
1236 OTHER PERSONAL SERVICES		
FROM ADMINISTRATIVE TRUST FUND		5,838
FROM FEDERAL GRANTS TRUST FUND		176,735
FROM OPERATING TRUST FUND		191,126
1237 EXPENSES		
FROM GENERAL REVENUE FUND	32,750	
FROM ADMINISTRATIVE TRUST FUND		2,202
FROM FEDERAL GRANTS TRUST FUND		370,423
FROM OPERATING TRUST FUND		9,060,167
1238 OPERATING CAPITAL OUTLAY		
FROM ADMINISTRATIVE TRUST FUND		5,000
FROM FEDERAL GRANTS TRUST FUND		489,099
FROM OPERATING TRUST FUND		1,666,018
1239 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	599	
FROM ADMINISTRATIVE TRUST FUND		113,100
FROM FEDERAL GRANTS TRUST FUND		1,965,523
FROM OPERATING TRUST FUND		10,443,504
1240 SPECIAL CATEGORIES		
OVERTIME		
FROM OPERATING TRUST FUND		46,200
1241 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM OPERATING TRUST FUND		21,672
1242 SPECIAL CATEGORIES		
DEFERRED-PAYMENT COMMODITY CONTRACTS		
FROM OPERATING TRUST FUND		1,051,070
1243 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM OPERATING TRUST FUND		4,500
1244 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	6,465	
FROM CRIMINAL JUSTICE STANDARDS		
AND TRAINING TRUST FUND		1,405
FROM FEDERAL GRANTS TRUST FUND		316
FROM OPERATING TRUST FUND		33,065

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

1245 QUALIFIED EXPENDITURE CATEGORY		
REPLACE COMPUTERIZED CRIMINAL HISTORY		
SYSTEM (CCH)		
FROM OPERATING TRUST FUND		2,457,575

TOTAL: PROVIDE INFORMATION NETWORK SERVICES TO THE LAW		
ENFORCEMENT COMMUNITY		
FROM GENERAL REVENUE FUND	298,022	
FROM TRUST FUNDS		36,596,655

TOTAL POSITIONS	124.00	
TOTAL ALL FUNDS		36,894,677

PROVIDE PREVENTION AND CRIME INFORMATION SERVICES

APPROVED SALARY RATE	12,418,662	
1246 SALARIES AND BENEFITS POSITIONS	332.00	
FROM GENERAL REVENUE FUND		792,513
FROM CRIMINAL JUSTICE STANDARDS		
AND TRAINING TRUST FUND		19,478
FROM FEDERAL GRANTS TRUST FUND		495,271
FROM OPERATING TRUST FUND		16,334,161
1247 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	10,000	
FROM ADMINISTRATIVE TRUST FUND		5,000
FROM FEDERAL GRANTS TRUST FUND		700,928
FROM OPERATING TRUST FUND		241,182
1248 EXPENSES		
FROM GENERAL REVENUE FUND	167,930	
FROM ADMINISTRATIVE TRUST FUND		85,781
FROM FEDERAL GRANTS TRUST FUND		358,539
FROM OPERATING TRUST FUND		2,156,695
1249 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	2,600	
FROM OPERATING TRUST FUND		309,792
1250 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM OPERATING TRUST FUND		93,168
1251 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	202,478	
FROM ADMINISTRATIVE TRUST FUND		2,000
FROM FEDERAL GRANTS TRUST FUND		145,340
FROM OPERATING TRUST FUND		2,152,640
1252 SPECIAL CATEGORIES		
OVERTIME		
FROM OPERATING TRUST FUND		218,946
1253 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM ADMINISTRATIVE TRUST FUND		14,283
FROM OPERATING TRUST FUND		111,068
1254 SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM OPERATING TRUST FUND		5,160
1255 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND	2,000	
FROM OPERATING TRUST FUND		18,000
1256 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	5,545	
FROM CRIMINAL JUSTICE STANDARDS		
AND TRAINING TRUST FUND		1,278
FROM FEDERAL GRANTS TRUST FUND		2,913

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

FROM OPERATING TRUST FUND		100,873
TOTAL: PROVIDE PREVENTION AND CRIME INFORMATION SERVICES		
FROM GENERAL REVENUE FUND	1,183,066	
FROM TRUST FUNDS		23,572,496
TOTAL POSITIONS	332.00	
TOTAL ALL FUNDS		24,755,562

PROGRAM: CRIMINAL JUSTICE PROFESSIONALISM

LAW ENFORCEMENT STANDARDS COMPLIANCE

APPROVED SALARY RATE	2,610,019	
1257 SALARIES AND BENEFITS POSITIONS	50.00	
FROM GENERAL REVENUE FUND		191,911
FROM CRIMINAL JUSTICE STANDARDS		
AND TRAINING TRUST FUND		3,088,048
FROM FEDERAL GRANTS TRUST FUND		81,250
FROM OPERATING TRUST FUND		165,656
1258 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	53,142	
FROM CRIMINAL JUSTICE STANDARDS		
AND TRAINING TRUST FUND		205,380
1259 EXPENSES		
FROM GENERAL REVENUE FUND	10,000	
FROM CRIMINAL JUSTICE STANDARDS		
AND TRAINING TRUST FUND		418,662
FROM FEDERAL GRANTS TRUST FUND		64,300
1260 OPERATING CAPITAL OUTLAY		
FROM FEDERAL GRANTS TRUST FUND		47,000
1261 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE		
HEARINGS		
FROM OPERATING TRUST FUND		7,632
1262 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM CRIMINAL JUSTICE STANDARDS		
AND TRAINING TRUST FUND		175,741
FROM FEDERAL GRANTS TRUST FUND		35,000
FROM OPERATING TRUST FUND		100,000
1263 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM OPERATING TRUST FUND		10,351
1264 SPECIAL CATEGORIES		
GRANTS AND AIDS - SPECIAL EDUCATION AND		
TECHNICAL TRAINING		
FROM CRIMINAL JUSTICE STANDARDS		
AND TRAINING TRUST FUND		5,401,252
1265 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM CRIMINAL JUSTICE STANDARDS		
AND TRAINING TRUST FUND		6,800
1266 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	191	
FROM CRIMINAL JUSTICE STANDARDS		
AND TRAINING TRUST FUND		16,799

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

TOTAL: LAW ENFORCEMENT STANDARDS COMPLIANCE		
FROM GENERAL REVENUE FUND	255,244	
FROM TRUST FUNDS		9,823,871
TOTAL POSITIONS	50.00	
TOTAL ALL FUNDS		10,079,115

LAW ENFORCEMENT TRAINING AND CERTIFICATION SERVICES

APPROVED SALARY RATE	2,835,564	
1267 SALARIES AND BENEFITS POSITIONS	52.50	
FROM GENERAL REVENUE FUND		517,064
FROM CRIMINAL JUSTICE STANDARDS		
AND TRAINING TRUST FUND		3,253,109
FROM OPERATING TRUST FUND		216,658
1268 OTHER PERSONAL SERVICES		
FROM CRIMINAL JUSTICE STANDARDS		
AND TRAINING TRUST FUND		460,798
FROM OPERATING TRUST FUND		3,000
1269 EXPENSES		
FROM GENERAL REVENUE FUND	18,174	
FROM CRIMINAL JUSTICE STANDARDS		
AND TRAINING TRUST FUND		1,313,640
FROM OPERATING TRUST FUND		61,178
1270 OPERATING CAPITAL OUTLAY		
FROM CRIMINAL JUSTICE STANDARDS		
AND TRAINING TRUST FUND		153,819
1271 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	1,000	
FROM CRIMINAL JUSTICE STANDARDS		
AND TRAINING TRUST FUND		668,202
FROM OPERATING TRUST FUND		36,579
1272 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM ADMINISTRATIVE TRUST FUND		628
FROM OPERATING TRUST FUND		8,951
1273 SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM GENERAL REVENUE FUND	4,290	
FROM CRIMINAL JUSTICE STANDARDS		
AND TRAINING TRUST FUND		5,070
1274 SPECIAL CATEGORIES		
TRANSFER TO CRIMINAL JUSTICE STANDARDS AND		
TRAINING TRUST FUND		
FROM GENERAL REVENUE FUND	4,800,000	
1275 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM CRIMINAL JUSTICE STANDARDS		
AND TRAINING TRUST FUND		9,000
1276 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	1,738	
FROM CRIMINAL JUSTICE STANDARDS		
AND TRAINING TRUST FUND		14,988
FROM OPERATING TRUST FUND		1,043

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

TOTAL: LAW ENFORCEMENT TRAINING AND CERTIFICATION SERVICES			
FROM GENERAL REVENUE FUND	5,342,266		
FROM TRUST FUNDS		6,206,663	
TOTAL POSITIONS	52.50		
TOTAL ALL FUNDS		11,548,929	
TOTAL: LAW ENFORCEMENT, DEPARTMENT OF			
FROM GENERAL REVENUE FUND	118,291,251		
FROM TRUST FUNDS		171,588,101	
TOTAL POSITIONS	1,815.00		
TOTAL ALL FUNDS		289,879,352	
TOTAL APPROVED SALARY RATE	93,187,023		

LEGAL AFFAIRS, DEPARTMENT OF, AND ATTORNEY GENERAL

PROGRAM: OFFICE OF ATTORNEY GENERAL

VICTIM SERVICES

For all appropriations specifically identified in proviso in Specific Appropriations 1282 and 1283, the Department of Legal Affairs shall submit a report on the current status of the project or program to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee. The report shall list all performance measures and indicate whether the contractor is meeting each measure and is due by February 1, 2017.

APPROVED SALARY RATE		5,217,572		
1277	SALARIES AND BENEFITS POSITIONS	129.00		
	FROM GENERAL REVENUE FUND		146,822	
	FROM CRIMES COMPENSATION TRUST FUND			5,243,484
	FROM CRIME STOPPERS TRUST FUND			139,060
	FROM FEDERAL GRANTS TRUST FUND			1,486,486
	FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND			338,933
1278	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND	21,400		
	FROM CRIMES COMPENSATION TRUST FUND			68,383
	FROM CRIME STOPPERS TRUST FUND			5,100
	FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND			55,796
1279	EXPENSES			
	FROM GENERAL REVENUE FUND	10,878		
	FROM CRIMES COMPENSATION TRUST FUND			915,451
	FROM CRIME STOPPERS TRUST FUND			68,706
	FROM FEDERAL GRANTS TRUST FUND			217,892
	FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND			99,547
1280	OPERATING CAPITAL OUTLAY			
	FROM CRIMES COMPENSATION TRUST FUND		123,407	
	FROM CRIME STOPPERS TRUST FUND		2,380	
	FROM FEDERAL GRANTS TRUST FUND		2,286	
	FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND			7,695
1281	SPECIAL CATEGORIES			
	AWARDS TO CLAIMANTS			
	FROM CRIMES COMPENSATION TRUST FUND			24,842,082
	FROM FEDERAL GRANTS TRUST FUND			13,192,000

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

1282	SPECIAL CATEGORIES			
	VICTIM SERVICES			
	FROM GENERAL REVENUE FUND		700,000	
From the funds in Specific Appropriation 1282, \$200,000 in recurring general revenue funds is provided for Quigley House to provide services to victims of sexual and domestic violence.				
From the funds in Specific Appropriation 1282, \$500,000 in recurring general revenue funds is provided to the Florida Council Against Sexual Violence. At least 95 percent of the funds provided shall be distributed to certified rape crisis centers to provide services statewide for victims of sexual assault.				
1283	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND		5,150,192	
	FROM CRIMES COMPENSATION TRUST FUND			45,243
	FROM CRIME STOPPERS TRUST FUND			1,000
	FROM FEDERAL GRANTS TRUST FUND			3,797,306
	FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND			208,408
From the funds in Specific Appropriation 1283, \$1,660,000 in recurring general revenue funds is provided to the Child Safety Matters program for a research-based prevention education curriculum to protect children from bullying, cyberbullying, and sexual abuse in Florida's public elementary schools.				
From the funds in Specific Appropriation 1283, \$1,000,000 in nonrecurring general revenue funds is provided for the Selah Freedom Residential Housing for Human Trafficking Survivors program comprised of residential safe housing and case management for street and jail outreach programming.				
From the funds in Specific Appropriation 1283, \$800,000 in recurring general revenue funds shall be distributed to the Florida Sheriffs Association for the purpose of enhancing Crisis Intervention Team (CIT) training for law enforcement and correctional officers in local sheriff's offices and police departments. The training must include evidence-based approaches designed to improve the outcomes of law enforcement interactions with persons who have mental health issues. Agencies who have conducted minimal or no CIT training must be given priority for training. Local law enforcement agencies may use the funds to pay necessary expenditures resulting from a demonstrated financial hardship that currently prevents officers from receiving CIT training. Funds can also be provided to local community mental health providers to provide additional CIT training in partnership with local law enforcement agencies. A maximum of \$50,000 of these funds may be used by the Florida Sheriffs Association to hire a contract coordinator.				
From the funds in Specific Appropriation 1283, \$1,000,000 in nonrecurring general revenue funds and \$2,567,306 from the Federal Grants Trust Fund is provided to Voices for Florida for establishment and operation of the Open Doors: Statewide Network of Commercially Sexually Exploited Children program. The program must use survivor mentors, regional navigators, and clinicians to provide trauma-focused crisis intervention and therapeutic services for recovered child victims of sex trafficking. These services are to be initially provided in the Northeast, Big Bend-Panhandle, Central, Suncoast-Tampa Bay, and Southwest areas of the state.				
1284	SPECIAL CATEGORIES			
	GRANTS AND AIDS - MINORITY COMMUNITIES			
	CRIME PREVENTION PROGRAMS			
	FROM GENERAL REVENUE FUND		4,389,055	
1285	SPECIAL CATEGORIES			
	GRANTS AND AIDS - CRIME STOPPERS			
	FROM CRIME STOPPERS TRUST FUND			4,500,000
1286	SPECIAL CATEGORIES			
	GRANTS AND AIDS - JUSTICE COALITION			
	FROM GENERAL REVENUE FUND		300,000	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

1287	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM CRIMES COMPENSATION TRUST FUND	47,620 279	
	FROM CRIME STOPPERS TRUST FUND		
	FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND	3,870	
1288	SPECIAL CATEGORIES GRANTS AND AIDS - VICTIM ASSISTANCE SERVICES FROM FEDERAL GRANTS TRUST FUND	117,701,332	
1289	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	688	
	FROM CRIMES COMPENSATION TRUST FUND	39,289 593	
	FROM CRIME STOPPERS TRUST FUND		
	FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND	1,863	
TOTAL:	VICTIM SERVICES FROM GENERAL REVENUE FUND	10,719,035	173,155,491
	FROM TRUST FUNDS		
	TOTAL POSITIONS	129.00	
	TOTAL ALL FUNDS		183,874,526
EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	APPROVED SALARY RATE	6,794,648	
1290	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	137.00 6,295,745	
	FROM ADMINISTRATIVE TRUST FUND		3,359,716
	FROM CRIMES COMPENSATION TRUST FUND	2,077	
	FROM OPERATING TRUST FUND	10,390	
1291	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	77,055	160,828
	FROM ADMINISTRATIVE TRUST FUND		
1292	EXPENSES FROM GENERAL REVENUE FUND	659,176	911,258
	FROM ADMINISTRATIVE TRUST FUND		
1293	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	173,006	472,801
	FROM ADMINISTRATIVE TRUST FUND		
1294	SPECIAL CATEGORIES ATTORNEY GENERAL'S LAW LIBRARY FROM GENERAL REVENUE FUND	438,976	
	FROM LEGAL AFFAIRS REVOLVING TRUST FUND		2,800
1295	SPECIAL CATEGORIES COMMISSION ON THE STATUS OF WOMEN FROM GENERAL REVENUE FUND	105,827	
1296	SPECIAL CATEGORIES LAW ENFORCEMENT OFFICER OF THE YEAR PROGRAM AND VICTIM SERVICES RECOGNITION AWARDS PROGRAM FROM ADMINISTRATIVE TRUST FUND	20,000	
1297	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	653,240	55,268
	FROM ADMINISTRATIVE TRUST FUND		

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

	FROM LEGAL AFFAIRS REVOLVING TRUST FUND		73,200
From the funds in Specific Appropriation 1297, \$100,000 in nonrecurring general revenue funds is appropriated to the Virgil Hawkins Justice Foundation to fund court costs, filing fees, litigation expenses, and direct administrative support as provided for by contract with the Department of Legal Affairs to: (1) promote volunteer legal services to indigent and homeless persons; and (2) provide legal representation to assist traditionally underserved clients in matters related to, but not limited to, family law, housing, and domestic violence issues through the Foundation's work in Central Florida with the Florida Agricultural and Mechanical University College of Law's Legal Clinic Program.			
1298	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	37,326	77,889
	FROM ADMINISTRATIVE TRUST FUND		
1299	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	292	3,696
	FROM ADMINISTRATIVE TRUST FUND		
1300	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	36,333	13,336
	FROM ADMINISTRATIVE TRUST FUND		
1301	DATA PROCESSING SERVICES OTHER DATA PROCESSING SERVICES FROM GENERAL REVENUE FUND	135,441	157,876
	FROM ADMINISTRATIVE TRUST FUND		
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM GENERAL REVENUE FUND	8,612,417	5,321,135
	FROM TRUST FUNDS		
	TOTAL POSITIONS	137.00	
	TOTAL ALL FUNDS		13,933,552
CRIMINAL AND CIVIL LITIGATION			
	APPROVED SALARY RATE	49,050,458	
1302	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	987.00 23,041,240	
	FROM CRIMES COMPENSATION TRUST FUND		6,589
	FROM FEDERAL GRANTS TRUST FUND		12,599,234
	FROM LEGAL SERVICES TRUST FUND		23,756,204
	FROM LEGAL AFFAIRS REVOLVING TRUST FUND		9,159,213
	FROM MOTOR VEHICLE WARRANTY TRUST FUND		1,587,922
	FROM OPERATING TRUST FUND		1,102,352
1303	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	157,215	125,709
	FROM FEDERAL GRANTS TRUST FUND		
	FROM GRANTS AND DONATIONS TRUST FUND		100,000
	FROM LEGAL SERVICES TRUST FUND		1,056,326
	FROM MOTOR VEHICLE WARRANTY TRUST FUND		85,512
1304	EXPENSES FROM GENERAL REVENUE FUND	2,603,165	2,529,266
	FROM FEDERAL GRANTS TRUST FUND		
	FROM GRANTS AND DONATIONS TRUST FUND		250,000
	FROM LEGAL SERVICES TRUST FUND		2,624,729
	FROM MOTOR VEHICLE WARRANTY TRUST FUND		427,086
	FROM OPERATING TRUST FUND		132,830

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

1305	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	448,745	
	FROM FEDERAL GRANTS TRUST FUND		303,530
	FROM GRANTS AND DONATIONS TRUST FUND		150,000
	FROM LEGAL SERVICES TRUST FUND		883,391
	FROM MOTOR VEHICLE WARRANTY TRUST FUND		44,114
1306	LUMP SUM		
	ATTORNEY GENERAL RESERVE POSITIONS FOR AGENCY CONTRACTS		
	POSITIONS	50.00	
The positions in Specific Appropriation 1306 shall be released as necessary to allow the Office of the Attorney General to contract with state agencies to provide legal representation.			
1307	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM GENERAL REVENUE FUND	53,927	
	FROM FEDERAL GRANTS TRUST FUND		203,551
1308	SPECIAL CATEGORIES		
	MEDICAID FRAUD INFORMANT REWARDS		
	FROM OPERATING TRUST FUND		2,000,000
1309	SPECIAL CATEGORIES		
	ANTITRUST INVESTIGATIONS		
	FROM LEGAL AFFAIRS REVOLVING TRUST FUND		1,485,697
1310	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	262,884	
	FROM FEDERAL GRANTS TRUST FUND		2,769,731
	FROM GRANTS AND DONATIONS TRUST FUND		1,500,000
	FROM LEGAL SERVICES TRUST FUND		1,993,399
	FROM MOTOR VEHICLE WARRANTY TRUST FUND		74,281
	FROM OPERATING TRUST FUND		875,000
1311	SPECIAL CATEGORIES		
	ECONOMIC CRIME LITIGATION		
	FROM LEGAL AFFAIRS REVOLVING TRUST FUND		4,889,048
1312	SPECIAL CATEGORIES		
	LITIGATION EXPENSES		
	FROM LEGAL SERVICES TRUST FUND		46,500
1313	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	203,273	
	FROM FEDERAL GRANTS TRUST FUND		435,857
	FROM LEGAL SERVICES TRUST FUND		100,698
	FROM LEGAL AFFAIRS REVOLVING TRUST FUND		67,739
	FROM MOTOR VEHICLE WARRANTY TRUST FUND		6,364
1314	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	62,376	
	FROM FEDERAL GRANTS TRUST FUND		97,661
1315	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	1,053	
	FROM FEDERAL GRANTS TRUST FUND		351
	FROM LEGAL SERVICES TRUST FUND		1,068

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

1316	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	119,284	
	FROM FEDERAL GRANTS TRUST FUND		64,793
	FROM LEGAL SERVICES TRUST FUND		113,765
	FROM LEGAL AFFAIRS REVOLVING TRUST FUND		40,733
	FROM MOTOR VEHICLE WARRANTY TRUST FUND		8,101
	FROM OPERATING TRUST FUND		392
1317	DATA PROCESSING SERVICES		
	OTHER DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	12,483	
	FROM FEDERAL GRANTS TRUST FUND		35,000
	FROM LEGAL SERVICES TRUST FUND		223,053
1318	DATA PROCESSING SERVICES		
	NORTHWEST REGIONAL DATA CENTER (NWRDC)		
	FROM GENERAL REVENUE FUND	549	
TOTAL: CRIMINAL AND CIVIL LITIGATION			
	FROM GENERAL REVENUE FUND	26,966,194	
	FROM TRUST FUNDS		73,956,789
	TOTAL POSITIONS	1,037.00	
	TOTAL ALL FUNDS		100,922,983
PROGRAM: OFFICE OF STATEWIDE PROSECUTION			
PROSECUTION OF MULTI-CIRCUIT ORGANIZED CRIME			
	APPROVED SALARY RATE	4,636,475	
1319	SALARIES AND BENEFITS		
	POSITIONS	72.50	
	FROM GENERAL REVENUE FUND	5,601,722	
	FROM CRIMES COMPENSATION TRUST FUND		1,379
	FROM FEDERAL GRANTS TRUST FUND		277,784
	FROM OPERATING TRUST FUND		163,587
1320	SPECIAL CATEGORIES		
	STATEWIDE PROSECUTION		
	FROM GENERAL REVENUE FUND	897,733	
	FROM FEDERAL GRANTS TRUST FUND		39,602
	FROM OPERATING TRUST FUND		367,204
1321	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	57,889	
	FROM OPERATING TRUST FUND		13,466
1322	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	936	
1323	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	25,640	
	FROM OPERATING TRUST FUND		2,340
TOTAL: PROSECUTION OF MULTI-CIRCUIT ORGANIZED CRIME			
	FROM GENERAL REVENUE FUND	6,583,920	
	FROM TRUST FUNDS		865,362
	TOTAL POSITIONS	72.50	
	TOTAL ALL FUNDS		7,449,282
PROGRAM: FLORIDA ELECTIONS COMMISSION			
CAMPAIGN FINANCE AND ELECTION FRAUD ENFORCEMENT			
	APPROVED SALARY RATE	797,439	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

1324	SALARIES AND BENEFITS POSITIONS	15.00	
	FROM ELECTIONS COMMISSION TRUST		
	FUND		1,097,969
1325	OTHER PERSONAL SERVICES		
	FROM ELECTIONS COMMISSION TRUST		
	FUND		76,354
1326	EXPENSES		
	FROM ELECTIONS COMMISSION TRUST		
	FUND		294,735
1327	OPERATING CAPITAL OUTLAY		
	FROM ELECTIONS COMMISSION TRUST		
	FUND		10,000
1328	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM ELECTIONS COMMISSION TRUST		
	FUND		22,533
1329	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM ELECTIONS COMMISSION TRUST		
	FUND		12,115
1330	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM ELECTIONS COMMISSION TRUST		
	FUND		5,269
TOTAL: CAMPAIGN FINANCE AND ELECTION FRAUD ENFORCEMENT			
	FROM TRUST FUNDS		1,518,975
	TOTAL POSITIONS	15.00	
	TOTAL ALL FUNDS		1,518,975
TOTAL: LEGAL AFFAIRS, DEPARTMENT OF, AND ATTORNEY GENERAL			
	FROM GENERAL REVENUE FUND	52,881,566	
	FROM TRUST FUNDS		254,817,752
	TOTAL POSITIONS	1,390.50	
	TOTAL ALL FUNDS		307,699,318
	TOTAL APPROVED SALARY RATE	66,496,592	
TOTAL OF SECTION 4			
	FROM GENERAL REVENUE FUND	3,636,506,066	
	FROM TRUST FUNDS		791,209,282
	TOTAL POSITIONS	41,000.50	
	TOTAL ALL FUNDS		4,427,715,348

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

SPECIFIC
APPROPRIATION

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.

AGRICULTURE AND CONSUMER SERVICES, DEPARTMENT OF,
AND COMMISSIONER OF AGRICULTURE

PROGRAM: OFFICE OF THE COMMISSIONER AND
ADMINISTRATION

AGRICULTURAL LAW ENFORCEMENT

	APPROVED SALARY RATE	14,019,744	
1331	SALARIES AND BENEFITS POSITIONS	305.00	
	FROM GENERAL REVENUE FUND	16,171,267	
	FROM DIVISION OF LICENSING TRUST		
	FUND		1,194,732
	FROM GENERAL INSPECTION TRUST FUND .		1,646,545
	FROM AGRICULTURAL EMERGENCY		
	ERADICATION TRUST FUND		922,533
1332	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	50,039	
1333	EXPENSES		
	FROM GENERAL REVENUE FUND	1,190,918	
	FROM DIVISION OF LICENSING TRUST		
	FUND		209,425
	FROM FEDERAL GRANTS TRUST FUND . . .		110,000
	FROM GENERAL INSPECTION TRUST FUND .		258,371
	FROM AGRICULTURAL EMERGENCY		
	ERADICATION TRUST FUND		50,820
1334	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	5,747	
	FROM DIVISION OF LICENSING TRUST		
	FUND		18,687
1334A	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM AGRICULTURAL EMERGENCY		
	ERADICATION TRUST FUND		616,087
1335	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	131,408	
	FROM DIVISION OF LICENSING TRUST		
	FUND		11,500
	FROM FEDERAL GRANTS TRUST FUND . . .		390,000
	FROM GENERAL INSPECTION TRUST FUND .		25,000
1336	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	211,923	
1337	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	106,242	
	FROM GENERAL INSPECTION TRUST FUND .		23,916
1338	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	79,972	
	FROM DIVISION OF LICENSING TRUST		
	FUND		7,912
	FROM GENERAL INSPECTION TRUST FUND .		5,874
	FROM AGRICULTURAL EMERGENCY		
	ERADICATION TRUST FUND		559

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

TOTAL: AGRICULTURAL LAW ENFORCEMENT		
FROM GENERAL REVENUE FUND	17,947,516	
FROM TRUST FUNDS		5,491,961
TOTAL POSITIONS	305.00	
TOTAL ALL FUNDS		23,439,477

AGRICULTURAL WATER POLICY COORDINATION

APPROVED SALARY RATE	2,614,388	
1339 SALARIES AND BENEFITS POSITIONS	49.00	
FROM GENERAL REVENUE FUND	139,568	
FROM GENERAL INSPECTION TRUST FUND		102,117
FROM LAND ACQUISITION TRUST FUND		3,421,492
1340 EXPENSES		
FROM LAND ACQUISITION TRUST FUND		514,955
1341 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM LAND ACQUISITION TRUST FUND		225,123

From the funds provided in Specific Appropriation 1341, the Department of Agriculture and Consumer Services may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the Commissioner that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida Statutes.

1342 SPECIAL CATEGORIES		
NITRATE RESEARCH AND REMEDIATION		
FROM GENERAL INSPECTION TRUST FUND		930,000
1343 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM LAND ACQUISITION TRUST FUND		6,559
1344 SPECIAL CATEGORIES		
AGRICULTURAL NONPOINT SOURCES BEST		
MANAGEMENT PRACTICES IMPLEMENTATION		
FROM GENERAL REVENUE FUND	1,500,000	
FROM GENERAL INSPECTION TRUST FUND		1,400,000
FROM LAND ACQUISITION TRUST FUND		17,197,449
1345 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	688	345
FROM GENERAL INSPECTION TRUST FUND		14,321
FROM LAND ACQUISITION TRUST FUND		
1345A FIXED CAPITAL OUTLAY		
OKEECHOBEE RESTORATION AGRICULTURAL		
PROJECTS		
FROM LAND ACQUISITION TRUST FUND		3,925,538
TOTAL: AGRICULTURAL WATER POLICY COORDINATION		
FROM GENERAL REVENUE FUND	1,640,256	
FROM TRUST FUNDS		27,737,899
TOTAL POSITIONS	49.00	
TOTAL ALL FUNDS		29,378,155

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE	9,869,729	
1346 SALARIES AND BENEFITS POSITIONS	185.25	
FROM GENERAL REVENUE FUND	5,272,057	
FROM ADMINISTRATIVE TRUST FUND		4,494,531
FROM FEDERAL GRANTS TRUST FUND		3,698
FROM GENERAL INSPECTION TRUST FUND		835,201
FROM LAND ACQUISITION TRUST FUND		3,044,393

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1347 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	242,600	
FROM ADMINISTRATIVE TRUST FUND		45,352
1348 EXPENSES		
FROM ADMINISTRATIVE TRUST FUND		1,484,536
FROM GENERAL INSPECTION TRUST FUND		157,532
FROM AGRICULTURAL EMERGENCY		
ERADICATION TRUST FUND		81,881
1349 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	3,614	
1350 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE		
HEARINGS		
FROM ADMINISTRATIVE TRUST FUND		83,953
1351 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	1,000	
FROM ADMINISTRATIVE TRUST FUND		618,000
FROM GENERAL INSPECTION TRUST FUND		499,574
1352 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	24,369	
FROM ADMINISTRATIVE TRUST FUND		98,038
1353 SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM GENERAL REVENUE FUND	7,500	
1354 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	35,881	20,519
FROM ADMINISTRATIVE TRUST FUND		3,765
FROM LAND ACQUISITION TRUST FUND		
1354A FIXED CAPITAL OUTLAY		
REPAIRS AND IMPROVEMENTS - HEATING,		
VENTILATION, AND AIR-CONDITIONING - DOYLE		
CONNER BUILDING		
FROM GENERAL REVENUE FUND	900,000	
1354B FIXED CAPITAL OUTLAY		
MAINTENANCE, REPAIRS AND CONSTRUCTION -		
STATEWIDE		
FROM GENERAL INSPECTION TRUST FUND		3,712,872
1354C FIXED CAPITAL OUTLAY		
REPAIRS AND RENOVATIONS - LABORATORY		
COMPLEX - LEON COUNTY		
FROM GENERAL REVENUE FUND	536,450	
1354D FIXED CAPITAL OUTLAY		
REPAIR/REPLACEMENT/RENOVATIONS -		
DIAGNOSTIC LABS		
FROM GENERAL REVENUE FUND	300,000	
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		
FROM GENERAL REVENUE FUND	7,323,471	
FROM TRUST FUNDS		15,183,845
TOTAL POSITIONS	185.25	
TOTAL ALL FUNDS		22,507,316

DIVISION OF LICENSING

APPROVED SALARY RATE	7,872,961	
1355 SALARIES AND BENEFITS POSITIONS	232.00	
FROM DIVISION OF LICENSING TRUST		
FUND		11,727,139

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1356	OTHER PERSONAL SERVICES FROM DIVISION OF LICENSING TRUST FUND	1,040,992	
1357	EXPENSES FROM DIVISION OF LICENSING TRUST FUND	3,473,817	
1358	OPERATING CAPITAL OUTLAY FROM DIVISION OF LICENSING TRUST FUND	349,130	
1359	SPECIAL CATEGORIES CONTRACTED SERVICES FROM DIVISION OF LICENSING TRUST FUND	8,365,178	
1360	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM DIVISION OF LICENSING TRUST FUND	74,343	
1361	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM DIVISION OF LICENSING TRUST FUND	69,370	
TOTAL:	DIVISION OF LICENSING FROM TRUST FUNDS	25,099,969	
	TOTAL POSITIONS	232.00	
	TOTAL ALL FUNDS	25,099,969	
OFFICE OF ENERGY			
	APPROVED SALARY RATE	854,918	
1362	SALARIES AND BENEFITS POSITIONS FROM FEDERAL GRANTS TRUST FUND . . .	15.00	1,393,480
1363	OTHER PERSONAL SERVICES FROM FEDERAL GRANTS TRUST FUND . . .		371,113
1364	EXPENSES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND . . .	47,212	380,000
1365	OPERATING CAPITAL OUTLAY FROM FEDERAL GRANTS TRUST FUND . . .		2,500
1366	SPECIAL CATEGORIES CONTRACTED SERVICES FROM FEDERAL GRANTS TRUST FUND . . .		52,687
1366A	SPECIAL CATEGORIES GRANTS AND AIDS - BIO-FUEL INFRASTRUCTURE PARTNERSHIP (BIP) - UNITED STATES DEPARTMENT OF AGRICULTURE FROM FEDERAL GRANTS TRUST FUND . . .		13,997,368
1367	SPECIAL CATEGORIES NATURAL GAS FUEL FLEET VEHICLE REBATE PROGRAM FROM GENERAL REVENUE FUND	6,000,000	
1368	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM FEDERAL GRANTS TRUST FUND . . .		2,392
1369	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM FEDERAL GRANTS TRUST FUND . . .		3,187

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1369A	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY UNITED STATES DEPARTMENT OF ENERGY SPECIAL PROJECTS FROM FEDERAL GRANTS TRUST FUND . . .	1,350,000	
TOTAL:	OFFICE OF ENERGY FROM GENERAL REVENUE FUND FROM TRUST FUNDS	6,047,212	17,552,727
	TOTAL POSITIONS	15.00	
	TOTAL ALL FUNDS		23,599,939
PROGRAM: FOREST AND RESOURCE PROTECTION			
FLORIDA FOREST SERVICE			
	APPROVED SALARY RATE	42,619,788	
1370	SALARIES AND BENEFITS POSITIONS FROM FEDERAL GRANTS TRUST FUND . . . FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND FROM INCIDENTAL TRUST FUND FROM LAND ACQUISITION TRUST FUND . .	1,178.50	2,555,513 1,026,802 6,075,106 55,856,685
1371	OTHER PERSONAL SERVICES FROM FEDERAL GRANTS TRUST FUND . . . FROM INCIDENTAL TRUST FUND FROM LAND ACQUISITION TRUST FUND . .		502,204 466,036 878,821
1372	EXPENSES FROM FEDERAL GRANTS TRUST FUND . . . FROM INCIDENTAL TRUST FUND FROM LAND ACQUISITION TRUST FUND . .		1,437,263 4,974,124 8,041,674
1373	AID TO LOCAL GOVERNMENTS AMERICA THE BEAUTIFUL PROGRAM FROM FEDERAL GRANTS TRUST FUND . . .		1,747,538
1374	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - VOLUNTEER FIRE ASSISTANCE FROM FEDERAL GRANTS TRUST FUND . . .		275,763
1375	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - RURAL COMMUNITY FIRE PROTECTION FROM FEDERAL GRANTS TRUST FUND . . .		72,589
1376	AID TO LOCAL GOVERNMENTS STATE FOREST RECEIPT DISTRIBUTION FROM INCIDENTAL TRUST FUND		595,000
1377	OPERATING CAPITAL OUTLAY FROM FEDERAL GRANTS TRUST FUND . . . FROM LAND ACQUISITION TRUST FUND . .		617,775 833,589
1378	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM FEDERAL GRANTS TRUST FUND . . .		100,000
1379	SPECIAL CATEGORIES FORESTRY WILDFIRE PROTECTION/SUPPRESSION EQUIPMENT FROM INCIDENTAL TRUST FUND FROM LAND ACQUISITION TRUST FUND . .		156,868 3,565,650
1380	SPECIAL CATEGORIES OFF-HIGHWAY VEHICLE RECREATION PROGRAM FROM INCIDENTAL TRUST FUND		645,000
1381	SPECIAL CATEGORIES LAND MANAGEMENT FROM LAND ACQUISITION TRUST FUND . .		6,886,703

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1382	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM FEDERAL GRANTS TRUST FUND . . .	1,905,903	
	FROM INCIDENTAL TRUST FUND	477,107	
	FROM LAND ACQUISITION TRUST FUND . .	802,137	
1383	SPECIAL CATEGORIES ON-CALL FEES		
	FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND	333,296	
	FROM INCIDENTAL TRUST FUND	10,000	
1384	SPECIAL CATEGORIES OVERTIME		
	FROM LAND ACQUISITION TRUST FUND . .	135,172	
1385	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM INCIDENTAL TRUST FUND	364,392	
	FROM LAND ACQUISITION TRUST FUND . .	161,735	
1385A	SPECIAL CATEGORIES AIRCRAFT PURCHASE		
	FROM LAND ACQUISITION TRUST FUND . .	671,000	
1386	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM INCIDENTAL TRUST FUND	35,013	
	FROM LAND ACQUISITION TRUST FUND . .	161,002	
1386A	FIXED CAPITAL OUTLAY ROADS, BRIDGES, AND STREAM CROSSING MAINTENANCE - DIVISION OF FORESTRY		
	FROM LAND ACQUISITION TRUST FUND . .	2,820,065	
1386B	FIXED CAPITAL OUTLAY MAINTENANCE, REPAIRS AND CONSTRUCTION - STATEWIDE		
	FROM LAND ACQUISITION TRUST FUND . .	3,000,000	
TOTAL:	FLORIDA FOREST SERVICE FROM TRUST FUNDS	108,187,525	
	TOTAL POSITIONS	1,178.50	
	TOTAL ALL FUNDS	108,187,525	

PROGRAM: AGRICULTURE MANAGEMENT INFORMATION CENTER

OFFICE OF AGRICULTURE TECHNOLOGY SERVICES

From the funds in Specific Appropriations 1389 and 1391, \$5,419,702 from the Division of Licensing Trust Fund is provided to the Department of Agriculture and Consumer Services for the release of a competitive procurement, negotiation and award necessary to acquire a regulatory lifecycle management system for the Division of Licensing. Of these funds, \$4,589,929 shall be placed in reserve. The department is authorized to submit a budget amendment(s) to request release of the funds being held in reserve pursuant to the provisions of chapter 216, Florida Statutes. The budget amendment(s) shall include a detailed operational work plan and project spending plan. The department shall not release a procurement for the acquisition of a regulatory lifecycle management system until the completion of the Pre-Design, Development, Implementation Phase and requirements documentation. The contract shall be awarded based upon a competitive solicitation process pursuant to section 287.057, Florida Statutes. The department shall submit quarterly project status reports to the Executive Office of the Governor's Office of Policy and Budget, the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee. The report shall include a description of the progress made to date for each project milestone, planned and actual deliverable completion dates, planned and actual costs incurred, and any project issues and risks being managed.

APPROVED SALARY RATE 2,866,696

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1387	SALARIES AND BENEFITS	POSITIONS	52.00	
	FROM GENERAL REVENUE FUND		756,784	
	FROM GENERAL INSPECTION TRUST FUND .			1,704,183
	FROM LAND ACQUISITION TRUST FUND . .			1,435,376
1388	OTHER PERSONAL SERVICES			
	FROM GENERAL INSPECTION TRUST FUND .			47,348
1389	EXPENSES			
	FROM DIVISION OF LICENSING TRUST FUND			1,548,856
	FROM GENERAL INSPECTION TRUST FUND .			2,384,350
1390	OPERATING CAPITAL OUTLAY			
	FROM GENERAL INSPECTION TRUST FUND .			179,000
1391	SPECIAL CATEGORIES CONTRACTED SERVICES			
	FROM DIVISION OF LICENSING TRUST FUND			3,986,971
	FROM GENERAL INSPECTION TRUST FUND .			785,505
1392	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE			
	FROM GENERAL INSPECTION TRUST FUND .			7,060
1393	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND	344		
	FROM GENERAL INSPECTION TRUST FUND .			8,971
	FROM LAND ACQUISITION TRUST FUND . .			6,567
TOTAL:	OFFICE OF AGRICULTURE TECHNOLOGY SERVICES			
	FROM GENERAL REVENUE FUND		757,128	
	FROM TRUST FUNDS			12,094,187
	TOTAL POSITIONS	52.00		
	TOTAL ALL FUNDS			12,851,315

PROGRAM: FOOD SAFETY AND QUALITY

FOOD SAFETY INSPECTION AND ENFORCEMENT

APPROVED SALARY RATE 12,082,306

1394	SALARIES AND BENEFITS	POSITIONS	300.00	
	FROM GENERAL REVENUE FUND		1,137,430	
	FROM FEDERAL GRANTS TRUST FUND . . .			1,850,999
	FROM GENERAL INSPECTION TRUST FUND .			14,335,789
1395	OTHER PERSONAL SERVICES			
	FROM FEDERAL GRANTS TRUST FUND . . .			223,441
	FROM GENERAL INSPECTION TRUST FUND .			374,152
1396	EXPENSES			
	FROM GENERAL REVENUE FUND	212,347		
	FROM FEDERAL GRANTS TRUST FUND . . .			732,195
	FROM GENERAL INSPECTION TRUST FUND .			1,842,027
1397	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND	10,500		
	FROM FEDERAL GRANTS TRUST FUND . . .			250,747
	FROM GENERAL INSPECTION TRUST FUND .			47,333
1398	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES			
	FROM FEDERAL GRANTS TRUST FUND . . .			27,635
	FROM GENERAL INSPECTION TRUST FUND .			300,186

From the funds provided in Specific Appropriation 1398, the Department of Agriculture and Consumer Services may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the Commissioner that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

Statutes.

1399	SPECIAL CATEGORIES CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND	24,960		
	FROM FEDERAL GRANTS TRUST FUND		370,707	
	FROM GENERAL INSPECTION TRUST FUND . .		535,000	
1400	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND	16,095		
	FROM GENERAL INSPECTION TRUST FUND . .		91,159	
1401	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND	7,381		
	FROM GENERAL INSPECTION TRUST FUND . .		81,366	
TOTAL:	FOOD SAFETY INSPECTION AND ENFORCEMENT			
	FROM GENERAL REVENUE FUND	1,408,713		
	FROM TRUST FUNDS		21,062,736	
	TOTAL POSITIONS	300.00		
	TOTAL ALL FUNDS		22,471,449	
PROGRAM: CONSUMER PROTECTION				
AGRICULTURAL ENVIRONMENTAL SERVICES				
	APPROVED SALARY RATE	7,945,841		
1402	SALARIES AND BENEFITS POSITIONS	184.00		
	FROM GENERAL REVENUE FUND	737,354		
	FROM FEDERAL GRANTS TRUST FUND		433,242	
	FROM GENERAL INSPECTION TRUST FUND . .		6,993,536	
	FROM PEST CONTROL TRUST FUND		3,193,560	
1403	OTHER PERSONAL SERVICES			
	FROM FEDERAL GRANTS TRUST FUND		152,037	
	FROM GENERAL INSPECTION TRUST FUND . .		33,100	
	FROM PEST CONTROL TRUST FUND		41,530	
1404	EXPENSES			
	FROM GENERAL REVENUE FUND	14,551		
	FROM FEDERAL GRANTS TRUST FUND		338,295	
	FROM GENERAL INSPECTION TRUST FUND . .		1,014,839	
	FROM PEST CONTROL TRUST FUND		394,514	
1405	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - OPERATION CLEAN SWEEP			
	FROM GENERAL INSPECTION TRUST FUND . .		100,000	
1406	AID TO LOCAL GOVERNMENTS MOSQUITO CONTROL PROGRAM			
	FROM GENERAL INSPECTION TRUST FUND . .		2,660,000	
Of the funds provided in Specific Appropriation 1406, \$500,000 from the General Inspection Trust Fund shall be used to support personnel at the Institute of Food and Agricultural Sciences (IFAS)/Florida Medical Entomology Laboratory to perform applied research to develop and test formulations, application techniques, and procedures of pesticides and biological control agents for the control of arthropods, and in particular, biting arthropods of public health or nuisance importance.				
Of the funds provided in Specific Appropriation 1406, \$500,000 from the General Inspection Trust Fund shall be used for competitive grants as approved by the department for applied and basic research into the practical methods of control to be used by local mosquito control agencies, including research into the prevention of mosquito-borne illnesses. The research may be conducted by any public university or college in Florida.				
1407	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND	1,513		
	FROM FEDERAL GRANTS TRUST FUND		102,500	

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1408	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES			
	FROM FEDERAL GRANTS TRUST FUND		115,400	
	FROM PEST CONTROL TRUST FUND		115,400	
From the funds provided in Specific Appropriation 1408, the Department of Agriculture and Consumer Services may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the Commissioner that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida Statutes.				
1409	SPECIAL CATEGORIES CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND	107,372		
	FROM FEDERAL GRANTS TRUST FUND		296,278	
	FROM GENERAL INSPECTION TRUST FUND . .		200,124	
	FROM PEST CONTROL TRUST FUND		206,425	
1410	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND	28,046		
	FROM GENERAL INSPECTION TRUST FUND . .		17,898	
1411	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND	17,976		
	FROM GENERAL INSPECTION TRUST FUND . .		29,910	
	FROM PEST CONTROL TRUST FUND		15,203	
TOTAL:	AGRICULTURAL ENVIRONMENTAL SERVICES			
	FROM GENERAL REVENUE FUND	906,812		
	FROM TRUST FUNDS		16,453,791	
	TOTAL POSITIONS	184.00		
	TOTAL ALL FUNDS		17,360,603	
CONSUMER PROTECTION				
	APPROVED SALARY RATE	10,616,717		
1412	SALARIES AND BENEFITS POSITIONS	285.00		
	FROM GENERAL REVENUE FUND	48,894		
	FROM GENERAL INSPECTION TRUST FUND . .		14,791,104	
1413	OTHER PERSONAL SERVICES			
	FROM GENERAL INSPECTION TRUST FUND . .		221,917	
1414	EXPENSES			
	FROM GENERAL REVENUE FUND	6,261		
	FROM GENERAL INSPECTION TRUST FUND . .		2,798,984	
1415	OPERATING CAPITAL OUTLAY			
	FROM GENERAL INSPECTION TRUST FUND . .		75,437	
1416	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES			
	FROM GENERAL INSPECTION TRUST FUND . .		499,390	
From the funds provided in Specific Appropriation 1416, the Department of Agriculture and Consumer Services may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the Commissioner that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida Statutes.				
1417	SPECIAL CATEGORIES CONTRACTED SERVICES			
	FROM GENERAL INSPECTION TRUST FUND . .		799,533	
1418	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE			
	FROM GENERAL INSPECTION TRUST FUND . .		274,450	

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1419	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM GENERAL INSPECTION TRUST FUND	344 91,154
TOTAL:	CONSUMER PROTECTION FROM GENERAL REVENUE FUND FROM TRUST FUNDS	55,499 19,551,969
	TOTAL POSITIONS TOTAL ALL FUNDS	285.00 19,607,468
PROGRAM: AGRICULTURAL ECONOMIC DEVELOPMENT		
FRUITS AND VEGETABLES INSPECTION AND ENFORCEMENT		
	APPROVED SALARY RATE	5,068,920
1420	SALARIES AND BENEFITS POSITIONS FROM CITRUS INSPECTION TRUST FUND FROM GENERAL INSPECTION TRUST FUND	130.00 5,274,037 2,085,710
1421	OTHER PERSONAL SERVICES FROM CITRUS INSPECTION TRUST FUND FROM GENERAL INSPECTION TRUST FUND	857,190 807,037
1422	EXPENSES FROM CITRUS INSPECTION TRUST FUND FROM GENERAL INSPECTION TRUST FUND	883,880 567,529
1423	OPERATING CAPITAL OUTLAY FROM CITRUS INSPECTION TRUST FUND	33,710
1423A	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM GENERAL INSPECTION TRUST FUND	318,030
From the funds provided in Specific Appropriation 1423A, the Department of Agriculture and Consumer Services may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the Commissioner that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida Statutes.		
1424	SPECIAL CATEGORIES AUTOMATED TESTING EQUIPMENT FROM CITRUS INSPECTION TRUST FUND	216,041
1424A	SPECIAL CATEGORIES TRANSFER TO AGRICULTURAL EMERGENCY ERADICATION TRUST FUND FROM GENERAL REVENUE FUND	14,680,000
1424B	SPECIAL CATEGORIES TRANSFER GENERAL REVENUE TO CITRUS INSPECTION TRUST FUND FROM GENERAL REVENUE FUND	2,500,000
1424C	SPECIAL CATEGORIES CITRUS RESEARCH FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND	8,000,000
From the funds in Specific Appropriation 1424C, \$8,000,000 in nonrecurring funds from the Agricultural Emergency Eradication Trust Fund shall be transferred to the Citrus Research and Development Foundation, Inc., to conduct or cause to be conducted research projects on citrus disease.		
1425	SPECIAL CATEGORIES CONTRACTED SERVICES FROM CITRUS INSPECTION TRUST FUND FROM GENERAL INSPECTION TRUST FUND	123,428 53,762

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1425A	SPECIAL CATEGORIES GRANTS AND AIDS - MARKETING ORDERS FROM CITRUS INSPECTION TRUST FUND FROM GENERAL INSPECTION TRUST FUND	6,692,237 565,082
1426	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM CITRUS INSPECTION TRUST FUND FROM GENERAL INSPECTION TRUST FUND	100,858 140,750
1427	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM CITRUS INSPECTION TRUST FUND FROM GENERAL INSPECTION TRUST FUND	67,145 19,889
TOTAL:	FRUITS AND VEGETABLES INSPECTION AND ENFORCEMENT FROM GENERAL REVENUE FUND FROM TRUST FUNDS	17,180,000 26,806,315
	TOTAL POSITIONS TOTAL ALL FUNDS	130.00 43,986,315
AGRICULTURAL PRODUCTS MARKETING		
	APPROVED SALARY RATE	4,188,985
1428	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM GENERAL INSPECTION TRUST FUND FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND FROM SALTWATER PRODUCTS PROMOTION TRUST FUND FROM FLORIDA AGRICULTURAL PROMOTION CAMPAIGN TRUST FUND	107.00 542,009 594,931 1,648,606 2,266,036 898,654 45,428
1429	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND	8,600 27,635 26,400
1430	EXPENSES FROM GENERAL REVENUE FUND FROM GENERAL INSPECTION TRUST FUND FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND FROM SALTWATER PRODUCTS PROMOTION TRUST FUND FROM VITICULTURE TRUST FUND FROM FLORIDA AGRICULTURAL PROMOTION CAMPAIGN TRUST FUND	148,541 520,716 848,391 200,959 9,580 223,223
1431	OPERATING CAPITAL OUTLAY FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND	10,500
1432	SPECIAL CATEGORIES GRANTS AND AIDS - VITICULTURE PROGRAM FROM VITICULTURE TRUST FUND	650,000
1433	SPECIAL CATEGORIES FLORIDA AGRICULTURE PROMOTION CAMPAIGN FROM GENERAL REVENUE FUND FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND	6,050,000 1,810,000
1434	SPECIAL CATEGORIES FEDERAL VALUE OF PRODUCTION SPECIALTY CROP GRANT FROM FEDERAL GRANTS TRUST FUND	5,000,000

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1435	SPECIAL CATEGORIES FEDERAL SUPPORT FOR FLORIDA AGRICULTURE PROMOTIONS FROM FEDERAL GRANTS TRUST FUND . . .		206,586
1437	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM GENERAL INSPECTION TRUST FUND . FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND FROM SALTWATER PRODUCTS PROMOTION TRUST FUND FROM FLORIDA AGRICULTURAL PROMOTION CAMPAIGN TRUST FUND . . .	15,219	112,460 28,600 150,000 75,000
1438A	SPECIAL CATEGORIES AGRICULTURAL LEADERSHIP AND EDUCATION FROM GENERAL INSPECTION TRUST FUND .		300,000
1439	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM GENERAL INSPECTION TRUST FUND . FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND FROM SALTWATER PRODUCTS PROMOTION TRUST FUND	11,245	14,266 34,495 7,201
1440	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM GENERAL INSPECTION TRUST FUND . FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND FROM SALTWATER PRODUCTS PROMOTION TRUST FUND FROM FLORIDA AGRICULTURAL PROMOTION CAMPAIGN TRUST FUND . . .	18,346	2,128 12,278 4,739 237
1441	FIXED CAPITAL OUTLAY MAINTENANCE AND REPAIRS STATE FARMERS' MARKETS - STATEWIDE FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND		800,000
1442	FIXED CAPITAL OUTLAY CODE AND LIFE SAFETY - STATE FARMERS' MARKETS - STATEWIDE FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND		242,000
1442A	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY FLORIDA HORSE PARK FROM GENERAL REVENUE FUND	5,000,000	
From the funds provided in Specific Appropriation 1442A, up to 10 percent may be used for administrative costs for the Florida Horse Park.			
1442B	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY AGRICULTURAL PROMOTION AND EDUCATION FACILITIES FROM GENERAL REVENUE FUND	6,452,024	
TOTAL:	AGRICULTURAL PRODUCTS MARKETING FROM GENERAL REVENUE FUND FROM TRUST FUNDS	18,245,984	16,771,049
	TOTAL POSITIONS	107.00	
	TOTAL ALL FUNDS		35,017,033

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AQUACULTURE			
	APPROVED SALARY RATE	1,865,998	
1443	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM GENERAL INSPECTION TRUST FUND .	44.00 1,829,361	817,762
1444	OTHER PERSONAL SERVICES FROM FEDERAL GRANTS TRUST FUND . . . FROM GENERAL INSPECTION TRUST FUND .		19,700 30,532
1445	EXPENSES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND . . . FROM GENERAL INSPECTION TRUST FUND .	400,173	29,000 50,326
1446	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND FROM GENERAL INSPECTION TRUST FUND .	20,000	12,600
1446A	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM GENERAL INSPECTION TRUST FUND .		235,640
From the funds provided in Specific Appropriation 1446A, the Department of Agriculture and Consumer Services may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the Commissioner that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida Statutes.			
1447	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND . . . FROM GENERAL INSPECTION TRUST FUND .	80,000	700 85,000
1448	SPECIAL CATEGORIES OYSTER PLANTING FROM GENERAL INSPECTION TRUST FUND . FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		560,000 4,680,000
1449	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM GENERAL INSPECTION TRUST FUND .	12,118	6,037
1449A	SPECIAL CATEGORIES AQUACULTURE DEVELOPMENT FROM GENERAL REVENUE FUND	632,970	
1450	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM GENERAL INSPECTION TRUST FUND .	12,296	3,487
TOTAL:	AQUACULTURE FROM GENERAL REVENUE FUND FROM TRUST FUNDS	2,986,918	6,530,784
	TOTAL POSITIONS	44.00	
	TOTAL ALL FUNDS		9,517,702
ANIMAL PEST AND DISEASE CONTROL			
	APPROVED SALARY RATE	5,241,824	
1451	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND . . . FROM GENERAL INSPECTION TRUST FUND .	114.50 5,637,679	443,977 493,952

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	FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		450,215
1452	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM GENERAL INSPECTION TRUST FUND	11,866	95,703 61,642
1453	EXPENSES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM GENERAL INSPECTION TRUST FUND	365,981	413,164 628,888
1454	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM GENERAL INSPECTION TRUST FUND	50,949	25,000 62,750
1455	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM GENERAL INSPECTION TRUST FUND		294,000
	From the funds provided in Specific Appropriation 1455, the Department of Agriculture and Consumer Services may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the Commissioner that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida Statutes.		
1456	SPECIAL CATEGORIES CONTRACTED SERVICES FROM FEDERAL GRANTS TRUST FUND FROM GENERAL INSPECTION TRUST FUND		545,215 323,958
1457	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM GENERAL INSPECTION TRUST FUND	74,448	72,439
1458	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM GENERAL INSPECTION TRUST FUND	39,658	5,303
1458A	FIXED CAPITAL OUTLAY CONSTRUCTION - ADDITIONS KISSIMMEE DIAGNOSTIC LAB FROM GENERAL REVENUE FUND	10,268,900	
TOTAL:	ANIMAL PEST AND DISEASE CONTROL FROM GENERAL REVENUE FUND FROM TRUST FUNDS	16,449,481	3,916,206
	TOTAL POSITIONS TOTAL ALL FUNDS	114.50	20,365,687
PLANT PEST AND DISEASE CONTROL			
	APPROVED SALARY RATE	14,471,506	
1459	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM CITRUS INSPECTION TRUST FUND FROM FEDERAL GRANTS TRUST FUND FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND FROM PLANT INDUSTRY TRUST FUND	368.00 8,825,452	894,126 5,750,359 2,941,604 2,582,169
1460	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM CITRUS INSPECTION TRUST FUND FROM FEDERAL GRANTS TRUST FUND FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND FROM PLANT INDUSTRY TRUST FUND	21,170	1,000 1,625,492 515,142 660,097

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1461	EXPENSES FROM GENERAL REVENUE FUND FROM CITRUS INSPECTION TRUST FUND FROM FEDERAL GRANTS TRUST FUND FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND FROM PLANT INDUSTRY TRUST FUND	860,617	79,832 1,372,077 125,836 724,622
1462	OPERATING CAPITAL OUTLAY FROM FEDERAL GRANTS TRUST FUND FROM PLANT INDUSTRY TRUST FUND		216,195 5,006
1462A	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		738,440
	From the funds provided in Specific Appropriation 1462A, the Department of Agriculture and Consumer Services may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the Commissioner that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida Statutes.		
1463	SPECIAL CATEGORIES AGRICULTURAL EMERGENCIES (MEDFLY PROGRAM) FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		1,214,177
1464	SPECIAL CATEGORIES GRANTS AND AIDS - BOLL WEEVIL ERADICATION FROM PLANT INDUSTRY TRUST FUND		150,000
1465	SPECIAL CATEGORIES APIARIAN INDEMNITIES FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		36,000
1466	SPECIAL CATEGORIES ENDANGERED PLANT SPECIES FROM LAND ACQUISITION TRUST FUND		240,000
1467	SPECIAL CATEGORIES CITRUS HEALTH RESPONSE PROGRAM FROM FEDERAL GRANTS TRUST FUND FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		8,180,773 3,022,159
1468	SPECIAL CATEGORIES PLANT PEST AND DISEASE CONTROL FROM FEDERAL GRANTS TRUST FUND		1,000,000
1469	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM CITRUS INSPECTION TRUST FUND FROM FEDERAL GRANTS TRUST FUND FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND FROM PLANT INDUSTRY TRUST FUND	104,481	7,144 487,452 678,563 118,049
	From the funds in Specific Appropriation 1469, \$500,000 in nonrecurring funds from the Agriculture Emergency Eradication Trust Fund is provided for removal and destruction of infested avocado trees that are acting as hosts and breeding factories for pests and disease.		
1470	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND	416,573	123,785

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1471	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	134,415	8,731
	FROM CITRUS INSPECTION TRUST FUND		11,476
	FROM FEDERAL GRANTS TRUST FUND		29
	FROM GENERAL INSPECTION TRUST FUND		568
	FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		65,599
	FROM PLANT INDUSTRY TRUST FUND		
1471A	FIXED CAPITAL OUTLAY RENOVATIONS AND IMPROVEMENTS - IRRADIATOR FACILITY GAINESVILLE FROM GENERAL REVENUE FUND	650,000	
TOTAL:	PLANT PEST AND DISEASE CONTROL FROM GENERAL REVENUE FUND	11,012,708	
	FROM TRUST FUNDS		33,576,502
	TOTAL POSITIONS	368.00	
	TOTAL ALL FUNDS		44,589,210
FOOD, NUTRITION AND WELLNESS			
	APPROVED SALARY RATE	3,788,439	
1472	SALARIES AND BENEFITS POSITIONS	83.00	
	FROM GENERAL REVENUE FUND		161,712
	FROM FOOD AND NUTRITION SERVICES TRUST FUND		5,047,128
1473	OTHER PERSONAL SERVICES FROM FOOD AND NUTRITION SERVICES TRUST FUND		282,020
1474	EXPENSES FROM GENERAL REVENUE FUND	50,000	
	FROM FOOD AND NUTRITION SERVICES TRUST FUND		1,620,966
	FROM GENERAL INSPECTION TRUST FUND		174,160
1475	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - SCHOOL LUNCH PROGRAM FROM FOOD AND NUTRITION SERVICES TRUST FUND		1,170,818,888
1476	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - SCHOOL LUNCH PROGRAM - STATE MATCH FROM GENERAL REVENUE FUND	9,295,134	
1477	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - SCHOOL BREAKFAST PROGRAM FROM GENERAL REVENUE FUND	7,590,912	
1478	OPERATING CAPITAL OUTLAY FROM FOOD AND NUTRITION SERVICES TRUST FUND		57,438
1478A	SPECIAL CATEGORIES SUPPORT FOR FOOD BANK FROM GENERAL REVENUE FUND	1,007,000	
	From the funds in Specific Appropriation 1478A, \$1,000,000 is provided for the Florida Association of Food Banks, and the remainder is provided for the Cutting Edge Ministries Food Center.		
1479	SPECIAL CATEGORIES CONTRACTED SERVICES FROM FOOD AND NUTRITION SERVICES TRUST FUND	7,645,665	
	FROM GENERAL INSPECTION TRUST FUND		45,840

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1479A	SPECIAL CATEGORIES FARM SHARE PROGRAM FROM GENERAL REVENUE FUND	1,000,000	
1479B	SPECIAL CATEGORIES KINGDOM HARVEST COMMUNITY FOOD AND OUTREACH CENTER FROM GENERAL REVENUE FUND	200,000	
1480	SPECIAL CATEGORIES GRANTS AND AIDS - EMERGENCY FEEDING ORGANIZATIONS FROM FOOD AND NUTRITION SERVICES TRUST FUND		4,321,184
1481	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	2,241	
	FROM FOOD AND NUTRITION SERVICES TRUST FUND		11,584
1482	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM FOOD AND NUTRITION SERVICES TRUST FUND		25,264
1482A	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY SECOND HARVEST FOOD BANK OF CENTRAL FLORIDA FROM GENERAL REVENUE FUND	1,000,000	
TOTAL:	FOOD, NUTRITION AND WELLNESS FROM GENERAL REVENUE FUND	20,306,999	
	FROM TRUST FUNDS		1,190,050,137
	TOTAL POSITIONS	83.00	
	TOTAL ALL FUNDS		1,210,357,136
TOTAL:	AGRICULTURE AND CONSUMER SERVICES, DEPARTMENT OF, AND COMMISSIONER OF AGRICULTURE FROM GENERAL REVENUE FUND	122,268,697	
	FROM TRUST FUNDS		1,546,067,602
	TOTAL POSITIONS	3,632.25	
	TOTAL ALL FUNDS		1,668,336,299
	TOTAL APPROVED SALARY RATE	145,988,760	
ENVIRONMENTAL PROTECTION, DEPARTMENT OF			
PROGRAM: ADMINISTRATIVE SERVICES			
EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	APPROVED SALARY RATE	12,345,060	
1483	SALARIES AND BENEFITS POSITIONS	228.00	
	FROM ADMINISTRATIVE TRUST FUND		7,119,794
	FROM INLAND PROTECTION TRUST FUND		234,770
	FROM FEDERAL GRANTS TRUST FUND		74,477
	FROM GRANTS AND DONATIONS TRUST FUND		107,266
	FROM INTERNAL IMPROVEMENT TRUST FUND		401,076
	FROM LAND ACQUISITION TRUST FUND		9,382,352
1484	OTHER PERSONAL SERVICES FROM ADMINISTRATIVE TRUST FUND		480,856
	FROM INLAND PROTECTION TRUST FUND		204,814
	FROM FEDERAL GRANTS TRUST FUND		665,425
	FROM INTERNAL IMPROVEMENT TRUST FUND		498,332
1485	EXPENSES FROM ADMINISTRATIVE TRUST FUND		2,490,721

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	FROM INLAND PROTECTION TRUST FUND . . .	70,461	
	FROM FEDERAL GRANTS TRUST FUND . . .	41,000	
	FROM INTERNAL IMPROVEMENT TRUST FUND	4,980	
	FROM LAND ACQUISITION TRUST FUND . . .	16,018	
1486	OPERATING CAPITAL OUTLAY FROM ADMINISTRATIVE TRUST FUND . . .	16,275	
1487	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM ADMINISTRATIVE TRUST FUND . . .	275,848	
1488	SPECIAL CATEGORIES CONTRACTED SERVICES FROM ADMINISTRATIVE TRUST FUND . . .	170,949	
	FROM FEDERAL GRANTS TRUST FUND . . .	483,794	
	FROM INTERNAL IMPROVEMENT TRUST FUND	18,108,200	
1489	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ADMINISTRATIVE TRUST FUND . . .	102,559	
1490	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ADMINISTRATIVE TRUST FUND . . .	40,868	
	FROM GRANTS AND DONATIONS TRUST FUND	1,319	
	FROM LAND ACQUISITION TRUST FUND . . .	48,856	
1491	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY CLEAN MARINA FROM FEDERAL GRANTS TRUST FUND . . .	3,000,000	
	FROM GRANTS AND DONATIONS TRUST FUND	300,000	
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM TRUST FUNDS		44,341,010	
	TOTAL POSITIONS	228.00	
	TOTAL ALL FUNDS	44,341,010	
FLORIDA GEOLOGICAL SURVEY			
	APPROVED SALARY RATE	1,423,550	
1492	SALARIES AND BENEFITS POSITIONS FROM FEDERAL GRANTS TRUST FUND . . .	129,996	32.00
	FROM INTERNAL IMPROVEMENT TRUST FUND	636,317	
	FROM LAND ACQUISITION TRUST FUND . . .	650,091	
	FROM MINERALS TRUST FUND	295,644	
	FROM WATER QUALITY ASSURANCE TRUST FUND	493,385	
1493	OTHER PERSONAL SERVICES FROM FEDERAL GRANTS TRUST FUND . . .	296,578	
	FROM GRANTS AND DONATIONS TRUST FUND	132,925	
	FROM INTERNAL IMPROVEMENT TRUST FUND	60,000	
	FROM WATER QUALITY ASSURANCE TRUST FUND	6,778	
1494	EXPENSES FROM FEDERAL GRANTS TRUST FUND . . .	79,965	
	FROM GRANTS AND DONATIONS TRUST FUND	60,905	
	FROM WATER QUALITY ASSURANCE TRUST FUND	298,810	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1495	OPERATING CAPITAL OUTLAY FROM GRANTS AND DONATIONS TRUST FUND	21,000	
	FROM MINERALS TRUST FUND	37,195	
	FROM WATER QUALITY ASSURANCE TRUST FUND	19,838	
1496	SPECIAL CATEGORIES CONTRACTED SERVICES FROM FEDERAL GRANTS TRUST FUND . . .	45,369	
	FROM GRANTS AND DONATIONS TRUST FUND	78,077	
	FROM INTERNAL IMPROVEMENT TRUST FUND	200,000	
	FROM MINERALS TRUST FUND	5,700	
	FROM WATER QUALITY ASSURANCE TRUST FUND	80,000	
1497	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM MINERALS TRUST FUND	11,518	
1498	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM INTERNAL IMPROVEMENT TRUST FUND	2,292	
	FROM LAND ACQUISITION TRUST FUND . . .	2,722	
	FROM MINERALS TRUST FUND	3,962	
TOTAL: FLORIDA GEOLOGICAL SURVEY FROM TRUST FUNDS		3,649,067	
	TOTAL POSITIONS	32.00	
	TOTAL ALL FUNDS	3,649,067	
TECHNOLOGY AND INFORMATION SERVICES			
	APPROVED SALARY RATE	4,491,466	
1499	SALARIES AND BENEFITS POSITIONS FROM LAND ACQUISITION TRUST FUND . . .	6,517,848	94.00
1500	OTHER PERSONAL SERVICES FROM WORKING CAPITAL TRUST FUND . . .	1,638,410	
1501	EXPENSES FROM LAND ACQUISITION TRUST FUND . . .	971,412	
	FROM WORKING CAPITAL TRUST FUND . . .	1,998,882	
1502	OPERATING CAPITAL OUTLAY FROM WORKING CAPITAL TRUST FUND . . .	50,625	
1503	SPECIAL CATEGORIES CONTRACTED SERVICES FROM INTERNAL IMPROVEMENT TRUST FUND	27,700	
	FROM WORKING CAPITAL TRUST FUND . . .	2,850,438	
1504	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM LAND ACQUISITION TRUST FUND . . .	69,071	
1505	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM LAND ACQUISITION TRUST FUND . . .	34,883	
1506	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM WORKING CAPITAL TRUST FUND . . .	2,690,692	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

TOTAL: TECHNOLOGY AND INFORMATION SERVICES			
FROM TRUST FUNDS		16,849,961	
TOTAL POSITIONS			94.00
TOTAL ALL FUNDS		16,849,961	
OFFICE OF EMERGENCY RESPONSE			
APPROVED SALARY RATE	578,212		
1507 SALARIES AND BENEFITS POSITIONS	7.00		
FROM COASTAL PROTECTION TRUST FUND .		397,812	
FROM INLAND PROTECTION TRUST FUND .		145,358	
1508 OTHER PERSONAL SERVICES			
FROM COASTAL PROTECTION TRUST FUND .		61,443	
1509 EXPENSES			
FROM COASTAL PROTECTION TRUST FUND .		110,921	
FROM INLAND PROTECTION TRUST FUND .		33,762	
1510 OPERATING CAPITAL OUTLAY			
FROM COASTAL PROTECTION TRUST FUND .		7,818	
1511 SPECIAL CATEGORIES			
ACQUISITION AND REPLACEMENT OF PATROL VEHICLES			
FROM COASTAL PROTECTION TRUST FUND .		63,594	
1512 SPECIAL CATEGORIES			
HAZARDOUS WASTE CLEANUP			
FROM COASTAL PROTECTION TRUST FUND .		751,549	
1513 SPECIAL CATEGORIES			
ON-CALL FEES			
FROM COASTAL PROTECTION TRUST FUND .		17,902	
1514 SPECIAL CATEGORIES			
PAYMENTS FOR RESTORATION AND DAMAGE			
FROM COASTAL PROTECTION TRUST FUND .		25,000	
1515 SPECIAL CATEGORIES			
ABANDONED DRUM REMOVAL AND DISPOSAL			
FROM COASTAL PROTECTION TRUST FUND .		70,000	
1516 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM INLAND PROTECTION TRUST FUND .		9,877	
1517 SPECIAL CATEGORIES			
UNDERGROUND STORAGE TANK CLEANUP			
FROM INLAND PROTECTION TRUST FUND .		80,759	
1518 SPECIAL CATEGORIES			
TRANSFER TO THE MARINE RESOURCES			
CONSERVATION TRUST FUND OR STATE GAME			
TRUST FUND IN THE FWCC FOR LAW ENFORCEMENT			
FROM COASTAL PROTECTION TRUST FUND .		11,310,256	
FROM INLAND PROTECTION TRUST FUND .		1,991,722	
FROM SOLID WASTE MANAGEMENT TRUST			
FUND		2,822,599	
1519 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT			
SERVICES - HUMAN RESOURCES SERVICES			
PURCHASED PER STATEWIDE CONTRACT			
FROM COASTAL PROTECTION TRUST FUND .		1,806	
TOTAL: OFFICE OF EMERGENCY RESPONSE			
FROM TRUST FUNDS		17,902,178	
TOTAL POSITIONS			7.00
TOTAL ALL FUNDS		17,902,178	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

PROGRAM: STATE LANDS			
LAND ADMINISTRATION AND MANAGEMENT			
APPROVED SALARY RATE		4,914,532	
1520 SALARIES AND BENEFITS POSITIONS	97.00		
FROM INTERNAL IMPROVEMENT TRUST			
FUND		5,616,732	
FROM LAND ACQUISITION TRUST FUND . .		1,074,559	
1521 OTHER PERSONAL SERVICES			
FROM GRANTS AND DONATIONS TRUST			
FUND		344,006	
FROM INTERNAL IMPROVEMENT TRUST			
FUND		350,000	
FROM LAND ACQUISITION TRUST FUND . .		190,178	
1522 EXPENSES			
FROM GRANTS AND DONATIONS TRUST			
FUND		300,000	
FROM INTERNAL IMPROVEMENT TRUST			
FUND		573,983	
FROM LAND ACQUISITION TRUST FUND . .		251,758	
1523 OPERATING CAPITAL OUTLAY			
FROM GRANTS AND DONATIONS TRUST			
FUND		50,000	
FROM INTERNAL IMPROVEMENT TRUST			
FUND		15,000	
FROM LAND ACQUISITION TRUST FUND . .		1,920	
1524 SPECIAL CATEGORIES			
ACQUISITION OF MOTOR VEHICLES			
FROM INTERNAL IMPROVEMENT TRUST			
FUND		135,000	
From the funds provided in Specific Appropriation 1524, the Department of Environmental Protection may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the agency secretary that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.			
1525 SPECIAL CATEGORIES			
LAND MANAGEMENT			
FROM LAND ACQUISITION TRUST FUND . .		3,634,992	
Funds from Specific Appropriation 1525 may be used for resource stewardship, including program management, inventory management, administration, and planning.			
1526 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM INTERNAL IMPROVEMENT TRUST			
FUND		1,266,663	
FROM LAND ACQUISITION TRUST FUND . .		277,941	
1527 SPECIAL CATEGORIES			
STATE LANDS STEWARDSHIP			
FROM INTERNAL IMPROVEMENT TRUST			
FUND		200,000	
FROM LAND ACQUISITION TRUST FUND . .		250,000	
1528 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM INTERNAL IMPROVEMENT TRUST			
FUND		83,564	
FROM LAND ACQUISITION TRUST FUND . .		16,297	
1529 SPECIAL CATEGORIES			
PAYMENT IN LIEU OF TAXES			
FROM GENERAL REVENUE FUND	1,160,000		

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1530 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INTERNAL IMPROVEMENT TRUST
FUND 41,740
FROM LAND ACQUISITION TRUST FUND . . 11,815

1531 SPECIAL CATEGORIES
TRANSFER TO FLORIDA FOREVER TRUST FUND
FROM LAND ACQUISITION TRUST FUND . . 48,870,979

1532 FIXED CAPITAL OUTLAY
LAND MANAGEMENT
FROM LAND ACQUISITION TRUST FUND . . 10,000,000

Funds from Specific Appropriation 1532 may be used for resource stewardship, including program management, inventory management, administration, and planning.

1533 FIXED CAPITAL OUTLAY
LAND ACQUISITION, ENVIRONMENTALLY
ENDANGERED, UNIQUE/ IRREPLACEABLE LANDS,
STATEWIDE
FROM FLORIDA FOREVER TRUST FUND . . 22,256,206

Funds in Specific Appropriation 1533 are provided for land acquisition for projects on the approved Acquisition and Restoration Council's priority list pursuant to section 259.105, Florida Statutes. Prior to the approval of the Board of Trustees of the Internal Improvement Trust Fund for land acquisition projects, the transaction history of the most recent three transactions or ten years of the transaction history, whichever is longer, of the proposed acquisition, must be made available to the public thirty days before the Board of Trustees of the Internal Improvement Trust Fund may acquire such property.

Funds from Specific Appropriation 1533 may also be provided to the water management districts as provided in section 259.105(12), Florida Statutes, to fund water resource development projects intended to achieve the goal of ensuring that sufficient quantities of water are available to meet current and future needs of natural systems and the citizens of the state as specified in section 259.105(5)(d), Florida Statutes.

1534 FIXED CAPITAL OUTLAY
LAND ACQUISITION-FLORIDA COMMUNITIES TRUST
FROM FLORIDA FOREVER TRUST FUND . . 30,000,000

1535 FIXED CAPITAL OUTLAY
DEBT SERVICE
FROM LAND ACQUISITION TRUST FUND . . 149,956,467

Funds provided in Specific Appropriation 1535 are for Fiscal Year 2016-2017 debt service on bonds. These funds may be used to refinance any or all series if it is in the best interest of the state as determined by the Division of Bond Finance. If the debt service varies as a result of a change in the interest rate, timing of issuance, or other circumstances, there is appropriated from the Land Acquisition Trust Fund an amount sufficient to pay such debt service.

1535A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
HELENA RUN PRESERVE
FROM LAND ACQUISITION TRUST FUND . . 600,000

1535B GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - HOWELL BRANCH PRESERVE
FROM LAND ACQUISITION TRUST FUND . . 2,000,000

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

TOTAL: LAND ADMINISTRATION AND MANAGEMENT
FROM GENERAL REVENUE FUND 1,160,000
FROM TRUST FUNDS 278,369,800

TOTAL POSITIONS 97.00
TOTAL ALL FUNDS 279,529,800

LAND AND RECREATION OPERATION SERVICES

APPROVED SALARY RATE 3,624,742

1536 SALARIES AND BENEFITS POSITIONS 67.00
FROM INTERNAL IMPROVEMENT TRUST
FUND 1,203,105
FROM LAND ACQUISITION TRUST FUND . . 2,279,113
FROM STATE PARK TRUST FUND 1,243,753

1537 OTHER PERSONAL SERVICES
FROM LAND ACQUISITION TRUST FUND . . 139,391
FROM STATE PARK TRUST FUND 690,000

1538 EXPENSES
FROM INTERNAL IMPROVEMENT TRUST
FUND 97,420
FROM LAND ACQUISITION TRUST FUND . . 71,748
FROM STATE PARK TRUST FUND 810,433

1539 OPERATING CAPITAL OUTLAY
FROM STATE PARK TRUST FUND 5,000

1540 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INTERNAL IMPROVEMENT TRUST
FUND 513,000
FROM STATE PARK TRUST FUND 1,300,000

From the funds in Specific Appropriation 1540, \$1,000,000 from the State Park Trust Fund shall be used to contract with VISIT FLORIDA to develop and coordinate marketing, media and events to promote Florida's State Parks and Trails. The campaign shall be conducted as approved by and monitored by VISIT FLORIDA and the Florida Department of Environmental Protection, for the purpose of promoting tourism within the state.

1541 SPECIAL CATEGORIES
OUTSOURCING/PRIVATIZATION
FROM STATE PARK TRUST FUND 225,000

1542 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INTERNAL IMPROVEMENT TRUST
FUND 7,240
FROM LAND ACQUISITION TRUST FUND . . 13,719
FROM STATE PARK TRUST FUND 7,487

TOTAL: LAND AND RECREATION OPERATION SERVICES
FROM TRUST FUNDS 8,606,409

TOTAL POSITIONS 67.00
TOTAL ALL FUNDS 8,606,409

PROGRAM: DISTRICT OFFICES

WATER RESOURCE PROTECTION AND RESTORATION

APPROVED SALARY RATE 15,251,822

1543 SALARIES AND BENEFITS POSITIONS 316.00
FROM FEDERAL GRANTS TRUST FUND . . 691,192
FROM INTERNAL IMPROVEMENT TRUST
FUND 730,201
FROM LAND ACQUISITION TRUST FUND . . 12,026,531
FROM PERMIT FEE TRUST FUND 6,721,603
FROM WATER QUALITY ASSURANCE TRUST
FUND 310,929

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1544	OTHER PERSONAL SERVICES		
	FROM FEDERAL GRANTS TRUST FUND . . .	259,035	
	FROM PERMIT FEE TRUST FUND	12,879	
	FROM WATER QUALITY ASSURANCE TRUST FUND	203,468	
1545	EXPENSES		
	FROM FEDERAL GRANTS TRUST FUND . . .	31,244	
	FROM LAND ACQUISITION TRUST FUND . .	1,207,852	
	FROM PERMIT FEE TRUST FUND	661,841	
	FROM WATER QUALITY ASSURANCE TRUST FUND	18,196	
1546	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM LAND ACQUISITION TRUST FUND . .	9,325	
	FROM PERMIT FEE TRUST FUND	8,070	
1547	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM INTERNAL IMPROVEMENT TRUST FUND	9,320	
	FROM LAND ACQUISITION TRUST FUND . .	153,741	
	FROM PERMIT FEE TRUST FUND	83,626	
	FROM WATER QUALITY ASSURANCE TRUST FUND	3,751	
1548	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM FEDERAL GRANTS TRUST FUND . . .	3,777	
	FROM LAND ACQUISITION TRUST FUND . .	76,536	
	FROM PERMIT FEE TRUST FUND	51,774	
	FROM WATER QUALITY ASSURANCE TRUST FUND	1,323	
	TOTAL: WATER RESOURCE PROTECTION AND RESTORATION FROM TRUST FUNDS	23,276,214	
	TOTAL POSITIONS	316.00	
	TOTAL ALL FUNDS	23,276,214	
	AIR POLLUTION PREVENTION		
	APPROVED SALARY RATE	3,213,940	
1549	SALARIES AND BENEFITS POSITIONS	57.00	
	FROM AIR POLLUTION CONTROL TRUST FUND	3,990,508	
1550	OTHER PERSONAL SERVICES		
	FROM AIR POLLUTION CONTROL TRUST FUND	109,229	
1551	EXPENSES		
	FROM AIR POLLUTION CONTROL TRUST FUND	477,906	
1552	OPERATING CAPITAL OUTLAY		
	FROM AIR POLLUTION CONTROL TRUST FUND	81,740	
1553	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM AIR POLLUTION CONTROL TRUST FUND	12,750	
1554	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM AIR POLLUTION CONTROL TRUST FUND	24,161	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

TOTAL: AIR POLLUTION PREVENTION			
FROM TRUST FUNDS			4,696,294
TOTAL POSITIONS	57.00		
TOTAL ALL FUNDS			4,696,294
WASTE CONTROL			
APPROVED SALARY RATE	6,931,873		
1555	SALARIES AND BENEFITS POSITIONS	136.00	
	FROM COASTAL PROTECTION TRUST FUND .		869,642
	FROM INLAND PROTECTION TRUST FUND .		2,749,180
	FROM FEDERAL GRANTS TRUST FUND . . .		1,041,205
	FROM PERMIT FEE TRUST FUND		765,585
	FROM SOLID WASTE MANAGEMENT TRUST FUND		1,314,478
	FROM WATER QUALITY ASSURANCE TRUST FUND		2,870,097
1556	OTHER PERSONAL SERVICES		
	FROM INLAND PROTECTION TRUST FUND .		72,455
	FROM WATER QUALITY ASSURANCE TRUST FUND		72,901
1557	EXPENSES		
	FROM COASTAL PROTECTION TRUST FUND .		18,949
	FROM INLAND PROTECTION TRUST FUND .		396,688
	FROM FEDERAL GRANTS TRUST FUND . . .		44,016
	FROM PERMIT FEE TRUST FUND		32,721
	FROM SOLID WASTE MANAGEMENT TRUST FUND		137,675
	FROM WATER QUALITY ASSURANCE TRUST FUND		302,987
1558	OPERATING CAPITAL OUTLAY		
	FROM SOLID WASTE MANAGEMENT TRUST FUND		60,919
1559	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM INLAND PROTECTION TRUST FUND .		1,860
	FROM SOLID WASTE MANAGEMENT TRUST FUND		6,550
	FROM WATER QUALITY ASSURANCE TRUST FUND		14,145
1560	SPECIAL CATEGORIES		
	HAZARDOUS WASTE CLEANUP		
	FROM COASTAL PROTECTION TRUST FUND .		120,000
1561	SPECIAL CATEGORIES		
	ON-CALL FEES		
	FROM COASTAL PROTECTION TRUST FUND .		149,625
1562	SPECIAL CATEGORIES		
	ABANDONED DRUM REMOVAL AND DISPOSAL		
	FROM COASTAL PROTECTION TRUST FUND .		30,000
1563	SPECIAL CATEGORIES		
	UNDERGROUND STORAGE TANK CLEANUP		
	FROM INLAND PROTECTION TRUST FUND .		34,000
1564	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM COASTAL PROTECTION TRUST FUND .		4,339
	FROM INLAND PROTECTION TRUST FUND .		15,200
	FROM FEDERAL GRANTS TRUST FUND . . .		6,273
	FROM PERMIT FEE TRUST FUND		3,805
	FROM SOLID WASTE MANAGEMENT TRUST FUND		8,094
	FROM WATER QUALITY ASSURANCE TRUST FUND		16,172

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

TOTAL: WASTE CONTROL		
FROM TRUST FUNDS		11,159,561
TOTAL POSITIONS	136.00	
TOTAL ALL FUNDS		11,159,561

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE	3,547,952	
1565 SALARIES AND BENEFITS POSITIONS	62.00	
FROM GENERAL REVENUE FUND	796,881	
FROM ADMINISTRATIVE TRUST FUND		1,247,821
FROM AIR POLLUTION CONTROL TRUST FUND		988,992
FROM LAND ACQUISITION TRUST FUND		1,577,670
FROM SOLID WASTE MANAGEMENT TRUST FUND		326,049
1566 OTHER PERSONAL SERVICES		
FROM ADMINISTRATIVE TRUST FUND		62,750
1567 EXPENSES		
FROM GENERAL REVENUE FUND	736,342	
FROM ADMINISTRATIVE TRUST FUND		436,757
FROM AIR POLLUTION CONTROL TRUST FUND		202,094
FROM LAND ACQUISITION TRUST FUND		20,678
FROM SOLID WASTE MANAGEMENT TRUST FUND		54,196
1568 OPERATING CAPITAL OUTLAY		
FROM ADMINISTRATIVE TRUST FUND		2,876
1569 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM PERMIT FEE TRUST FUND		26,000

From the funds provided in Specific Appropriation 1569, the Department of Environmental Protection may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the agency secretary that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.

1570 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	32,327	
FROM ADMINISTRATIVE TRUST FUND		87,585
FROM AIR POLLUTION CONTROL TRUST FUND		8,894
1571 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	12,815	
FROM ADMINISTRATIVE TRUST FUND		3,387
FROM AIR POLLUTION CONTROL TRUST FUND		4,517
FROM LAND ACQUISITION TRUST FUND		4,048
FROM SOLID WASTE MANAGEMENT TRUST FUND		1,607

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		
FROM GENERAL REVENUE FUND	1,578,365	
FROM TRUST FUNDS		5,055,921
TOTAL POSITIONS	62.00	
TOTAL ALL FUNDS		6,634,286

PROGRAM: WATER POLICY AND ECOSYSTEMS RESTORATION

WATER POLICY AND ECOSYSTEMS RESTORATION

APPROVED SALARY RATE	1,492,153
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SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1572 SALARIES AND BENEFITS POSITIONS	26.00	
FROM ADMINISTRATIVE TRUST FUND		346,550
FROM FEDERAL GRANTS TRUST FUND		507,458
FROM LAND ACQUISITION TRUST FUND		1,400,768

1573 OTHER PERSONAL SERVICES		
FROM FEDERAL GRANTS TRUST FUND		280,782
FROM LAND ACQUISITION TRUST FUND		15,000

1574 EXPENSES		
FROM ADMINISTRATIVE TRUST FUND		75,392
FROM FEDERAL GRANTS TRUST FUND		2,000
FROM LAND ACQUISITION TRUST FUND		143,427

1575 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT ENVIRONMENTAL RESOURCE PERMITTING PROGRAM		
FROM GENERAL REVENUE FUND	1,851,231	

1576 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT - OPERATIONS		
FROM GENERAL REVENUE FUND	3,360,000	

1577 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - SUWANNEE RIVER WATER MANAGEMENT DISTRICT - OPERATIONS		
FROM GENERAL REVENUE FUND	2,287,000	

1578 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - SUWANNEE RIVER WATER MANAGEMENT DISTRICT - ENVIRONMENTAL RESOURCE PERMITTING		
FROM GENERAL REVENUE FUND	453,000	

1579 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - SUWANNEE RIVER WATER MANAGEMENT DISTRICT - PAYMENT IN LIEU OF TAXES		
FROM GENERAL REVENUE FUND	352,909	

1580 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - WATER MANAGEMENT DISTRICTS - LAND MANAGEMENT		
FROM LAND ACQUISITION TRUST FUND		12,737,210

From the funds in Specific Appropriation 1580, \$1,610,000 is provided to the Northwest Florida Water Management District, \$1,777,210 is provided to the Suwannee River Water Management District, \$2,750,000 is provided to the St. Johns Water Management District, \$2,750,000 is provided to the Southwest Florida Water Management District, and \$3,850,000 is provided to the South Florida Water Management District.

1581 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - WATER MANAGEMENT DISTRICTS - MPLS		
FROM LAND ACQUISITION TRUST FUND		1,500,000

Funds in Specific Appropriation 1581 are provided to the Northwest Florida Water Management District for activities related to establishing minimum flows and levels.

1582 OPERATING CAPITAL OUTLAY		
FROM LAND ACQUISITION TRUST FUND		5,000

1583 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM LAND ACQUISITION TRUST FUND		3,000

1584 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM LAND ACQUISITION TRUST FUND		4,239

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1584A	SPECIAL CATEGORIES GRANTS AND AIDS - OCEAN RESEARCH AND CONSERVATION ASSOCIATION - KILROY MONITORING SYSTEMS FROM LAND ACQUISITION TRUST FUND . .	250,000
1585	SPECIAL CATEGORIES GRANTS AND AIDS - INDIAN RIVER LAGOON AND LAKE OKEECHOBEE BASIN - OPERATIONS FROM LAND ACQUISITION TRUST FUND . .	350,000
1586	SPECIAL CATEGORIES TRANSFER TO THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT - DISPERSED WATER STORAGE FROM LAND ACQUISITION TRUST FUND . .	5,000,000
1587	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ADMINISTRATIVE TRUST FUND . . . FROM LAND ACQUISITION TRUST FUND . .	998 4,397
1587A	SPECIAL CATEGORIES TRANSFER TO SAVE OUR EVERGLADES TRUST FUND FROM LAND ACQUISITION TRUST FUND . .	48,073,064
1588	FIXED CAPITAL OUTLAY LAND ACQUISITION FROM LAND ACQUISITION TRUST FUND . .	27,700,000
Funds in Specific Appropriation 1588 are provided to the Department of Environmental Protection to acquire land necessary for the construction of the Lake Hitchcock North Hydrologic Enhancement Project, the Picayune Strand Restoration Project, and the Biscayne Bay Coastal Wetlands Wetlands Project.		
1589	FIXED CAPITAL OUTLAY DEBT SERVICE - SAVE OUR EVERGLADES BONDS FROM LAND ACQUISITION TRUST FUND . .	25,750,078
Funds provided in Specific Appropriation 1589 are for Fiscal Year 2016-2017 debt service on bonds authorized pursuant to section 215.619, Florida Statutes, including any other continuing payments necessary or incidental to the repayment of the bonds, such as remarketing agent fees, tender agent fees, liquidity facility provider fees and similar fees and expenses. These funds may be used to refinance any or all series if it is in the best interest of the state as determined by the Division of Bond Finance. If the debt service varies as a result of a change in the interest rate, timing of issuance, or other circumstances, there is appropriated from the Land Acquisition Trust Fund an amount sufficient to pay such debt service.		
1590	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY EVERGLADES RESTORATION FROM SAVE OUR EVERGLADES TRUST FUND FROM LAND ACQUISITION TRUST FUND . .	50,000,000 32,000,000

From the funds in Specific Appropriation 1590, \$50,000,000 is provided for the planning, design, engineering and construction of the Comprehensive Everglades Restoration Plan, the Lake Okeechobee Protection Plan, the Caloosahatchee and St. Lucie River Watershed Protection Plan components, and water quality enhancement projects identified in the state's long-term plan.

From the funds in Specific Appropriation 1590, \$32,000,000 from the Land Acquisition Trust Fund is provided for the Restoration Strategies Regional Water Quality Plan.

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

TOTAL: WATER POLICY AND ECOSYSTEMS RESTORATION			
	FROM GENERAL REVENUE FUND	8,304,140	
	FROM TRUST FUNDS		206,149,363
	TOTAL POSITIONS	26.00	
	TOTAL ALL FUNDS		214,453,503
PROGRAM: WATER RESTORATION ASSISTANCE			
WATER RESTORATION ASSISTANCE			
	APPROVED SALARY RATE	2,519,500	
1592	SALARIES AND BENEFITS POSITIONS	51.00	
	FROM FEDERAL GRANTS TRUST FUND . . .		2,437,280
	FROM LAND ACQUISITION TRUST FUND . .		958,946
	FROM MINERALS TRUST FUND		250,942
	FROM WATER QUALITY ASSURANCE TRUST FUND		185,093
1593	OTHER PERSONAL SERVICES FROM WATER QUALITY ASSURANCE TRUST FUND		10,000
1594	EXPENSES FROM LAND ACQUISITION TRUST FUND . .		248,773
	FROM MINERALS TRUST FUND		5,000
	FROM WATER QUALITY ASSURANCE TRUST FUND		66,700
1595	OPERATING CAPITAL OUTLAY FROM LAND ACQUISITION TRUST FUND . .		4,597
1596	SPECIAL CATEGORIES WATER QUALITY MANAGEMENT/PLANNING GRANTS FROM FEDERAL GRANTS TRUST FUND . . .		382,000
1597	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM FEDERAL GRANTS TRUST FUND . . . FROM LAND ACQUISITION TRUST FUND . . . FROM MINERALS TRUST FUND FROM WATER QUALITY ASSURANCE TRUST FUND		11,696 3,784 1,032 1,032
1598	FIXED CAPITAL OUTLAY NON-MANDATORY LAND RECLAMATION PROJECTS FROM NON-MANDATORY LAND RECLAMATION TRUST FUND		3,184,000
1599	FIXED CAPITAL OUTLAY RESTORE ACT - DEEPWATER HORIZON OIL SPILL FROM FEDERAL GRANTS TRUST FUND . . .		5,542,636
1599A	FIXED CAPITAL OUTLAY NATIONAL FISH AND WILDLIFE FOUNDATION - DEEPWATER HORIZON OIL SPILL FROM GRANTS AND DONATIONS TRUST FUND		500,000
1599B	FIXED CAPITAL OUTLAY NATURAL RESOURCE DAMAGE RESTORATION - FINAL RESTORATION - DEEPWATER HORIZON OIL SPILL FROM COASTAL PROTECTION TRUST FUND .		500,000
1600	FIXED CAPITAL OUTLAY SPRINGS RESTORATION FROM LAND ACQUISITION TRUST FUND . .		50,000,000

Funds in Specific Appropriation 1600, may be used for land acquisition to protect springs and for capital projects that protect the quality and quantity of water that flow from springs. The department, in conjunction with the water management districts and the Department of Agriculture and Consumer Services, shall submit an annual progress report to the

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

Governor, the President of the Senate, and the Speaker of the House of Representatives by December 1, 2016, on the status of each total maximum daily load, basin management action plan, minimum flow or minimum water level, recovery or prevention strategy and implementation of best management practices for all first magnitude springs and additional springs the department determines to be of statewide or regional significance.

1601 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AID - NON-POINT SOURCE (NPS) MANAGEMENT PLANNING GRANTS
FROM FEDERAL GRANTS TRUST FUND . . . 8,500,000
FROM LAND ACQUISITION TRUST FUND . . . 5,000,000

1602 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
BEACH PROJECTS - STATEWIDE
FROM LAND ACQUISITION TRUST FUND . . . 28,140,270

Funds in Specific Appropriation 1602 are provided to the Department of Environmental Protection's Beach Management Funding Assistance Program (BMFAP) Local Government Funding Requests for Fiscal Year 2016-2017, excluding project number ten, the St. Joseph Peninsula Beach Nourishment project, which has not secured a local cost share pursuant to section 161.101(15) Florida Statutes, and is not ready to proceed.

Funds in Specific Appropriation 1602 shall not be provided for any activities related to beach renourishment utilizing offshore sand sources from Martin and St. Lucie counties for the Miami Beach Segment/Dade County Shore Protection Project. Any funds in Specific Appropriation 1602 to the Miami Beach Segment/Dade County Shore Protection Project included in the Department of Environmental Protection's Beach Management Funding Assistance Program Fiscal Year 2016-2017 Local Government Funding Requests may only utilize upland sand sources.

1603 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
DRINKING WATER FACILITY CONSTRUCTION - STATE REVOLVING LOAN
FROM GENERAL REVENUE FUND 6,470,000
FROM DRINKING WATER REVOLVING LOAN TRUST FUND 97,912,432

1604 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
WASTEWATER TREATMENT FACILITY CONSTRUCTION
FROM GENERAL REVENUE FUND 9,417,000
FROM WASTEWATER TREATMENT AND STORMWATER MANAGEMENT REVOLVING LOAN TRUST FUND 141,739,179

1605 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
SMALL COUNTY WASTEWATER TREATMENT GRANTS
FROM FEDERAL GRANTS TRUST FUND . . . 21,000,000

From the funds in Specific Appropriation 1605, \$2,000,000 is provided to publicly owned utilities to remove sand and grit from wastewater treatment plants with daily flow less than 3 MGD and must remain in operation during cleaning to avoid the discharge of untreated wastewater. The department shall coordinate the selection and administration of projects. Funds shall be distributed on a first-come, first-serve basis and require a local match of at least 50 percent, with the exception that the local match shall be waived by the department if: 1) the public utility is located in a Rural Area of Opportunity pursuant to section 289.06546, Florida Statutes; 2) the public utility is located in a county that has a poverty level equal to or greater than 20 percent as defined by the most recent federal census; or, 3) the public utility is located in and wholly serves a municipality that has a poverty level equal to or greater than 25 percent as qualified by the municipality and such qualification is accepted by the department.

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

TOTAL: WATER RESTORATION ASSISTANCE
FROM GENERAL REVENUE FUND 15,887,000
FROM TRUST FUNDS 366,585,392

TOTAL POSITIONS 51.00
TOTAL ALL FUNDS 382,472,392

PROGRAM: ENVIRONMENTAL ASSESSMENT AND RESTORATION

WATER SCIENCE AND LABORATORY SERVICES

APPROVED SALARY RATE 9,145,522

1607 SALARIES AND BENEFITS POSITIONS 201.00
FROM FEDERAL GRANTS TRUST FUND . . . 2,924,947
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 105,157
FROM LAND ACQUISITION TRUST FUND . . . 6,910,344
FROM WATER QUALITY ASSURANCE TRUST FUND . . . 2,642,239

1608 OTHER PERSONAL SERVICES
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 127,700
FROM LAND ACQUISITION TRUST FUND . . . 89,189
FROM WATER QUALITY ASSURANCE TRUST FUND . . . 206,540

1609 EXPENSES
FROM INLAND PROTECTION TRUST FUND . . . 92,773
FROM FEDERAL GRANTS TRUST FUND . . . 254,900
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 8,000
FROM LAND ACQUISITION TRUST FUND . . . 1,336,091
FROM SOLID WASTE MANAGEMENT TRUST FUND . . . 92,774
FROM WATER QUALITY ASSURANCE TRUST FUND . . . 336,669

1610 OPERATING CAPITAL OUTLAY
FROM INLAND PROTECTION TRUST FUND . . . 66,267
FROM SOLID WASTE MANAGEMENT TRUST FUND . . . 66,267
FROM WATER QUALITY ASSURANCE TRUST FUND . . . 66,266

1611 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM LAND ACQUISITION TRUST FUND . . . 410,000

From the funds provided in Specific Appropriation 1611, the Department of Environmental Protection may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the agency secretary that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.

1612 SPECIAL CATEGORIES
GROUND WATER QUALITY MONITORING NETWORK
FROM WATER QUALITY ASSURANCE TRUST FUND . . . 2,033,191

1613 SPECIAL CATEGORIES
WATER MANAGEMENT DISTRICTS LABORATORY SUPPORT
FROM GRANTS AND DONATIONS TRUST FUND . . . 176,425

1614 SPECIAL CATEGORIES
EVERGLADES LAB SUPPORT
FROM WATER QUALITY ASSURANCE TRUST FUND . . . 231,564

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1615	SPECIAL CATEGORIES ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS FROM WATER QUALITY ASSURANCE TRUST FUND	60,000
1616	SPECIAL CATEGORIES WATER QUALITY MANAGEMENT/PLANNING GRANTS FROM FEDERAL GRANTS TRUST FUND . . .	1,178,126
1617	SPECIAL CATEGORIES LABORATORY SERVICES FROM FEDERAL GRANTS TRUST FUND . . .	250,000
1618	SPECIAL CATEGORIES CONTRACTED SERVICES FROM INLAND PROTECTION TRUST FUND . FROM LAND ACQUISITION TRUST FUND . . FROM SOLID WASTE MANAGEMENT TRUST FUND FROM WATER QUALITY ASSURANCE TRUST FUND	207,353 250,000 207,354 31,852
From the funds in Specific Appropriation 1618, \$250,000 from the Land Acquisition Trust Fund shall be used for activities necessary to achieve the total maximum daily load adopted by the Department of Environmental Protection for the Indian River and Banana River Lagoons. The National Estuary Program will report to the department annually on use of these funds.		
1619	SPECIAL CATEGORIES HAZARDOUS WASTE CLEANUP FROM SOLID WASTE MANAGEMENT TRUST FUND	312,710
1620	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM FEDERAL GRANTS TRUST FUND . . . FROM LAND ACQUISITION TRUST FUND . . FROM WATER QUALITY ASSURANCE TRUST FUND	5,000 64,216 28,114
1621	SPECIAL CATEGORIES U.S. GEOLOGIC SURVEY COOPERATIVE AGREEMENT FROM WATER QUALITY ASSURANCE TRUST FUND	214,897
1622	SPECIAL CATEGORIES TRANSFER TO INSTITUTE OF FOOD AND AGRICULTURE SCIENCES (IFAS) - LAKEWATCH FROM INTERNAL IMPROVEMENT TRUST FUND	500,000
From the funds provided in Specific Appropriation 1622, the administrative overhead assessment for the University of Florida shall not exceed 10 percent of the appropriation.		
1623	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM FEDERAL GRANTS TRUST FUND . . . FROM INTERNAL IMPROVEMENT TRUST FUND FROM LAND ACQUISITION TRUST FUND . . FROM WATER QUALITY ASSURANCE TRUST FUND	12,417 667 40,375 13,306
1623A	SPECIAL CATEGORIES TOTAL MAXIMUM DAILY LOADS FROM LAND ACQUISITION TRUST FUND . .	1,450,000
1623B	FIXED CAPITAL OUTLAY LAKE APOPKA RESTORATION FROM LAND ACQUISITION TRUST FUND . . FROM WATER QUALITY ASSURANCE TRUST FUND	10,000,000 2,000,000

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Funds in Specific Appropriation 1623B, are provided to the Department of Environmental Protection and may be transferred to the Fish and Wildlife Conservation Commission and/or the St. Johns River Water Management District for Lake Apopka restoration.			
Funds in Specific Appropriation 1623B from the Water Quality Assurance Trust Funds are supported from interest earnings transferred from the Inland Protection Trust Fund as authorized in s. 376.3071(9), F.S.			
1624	FIXED CAPITAL OUTLAY TOTAL MAXIMUM DAILY LOADS FROM LAND ACQUISITION TRUST FUND . .		7,435,000
1625	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AID - NON-POINT SOURCE (NPS) MANAGEMENT PLANNING GRANTS FROM FEDERAL GRANTS TRUST FUND . . .		1,500,000
TOTAL: WATER SCIENCE AND LABORATORY SERVICES FROM TRUST FUNDS			43,938,690
TOTAL POSITIONS		201.00	
TOTAL ALL FUNDS			43,938,690
PROGRAM: WATER RESOURCE MANAGEMENT			
BEACH MANAGEMENT			
APPROVED SALARY RATE		2,225,763	
1627	SALARIES AND BENEFITS POSITIONS FROM LAND ACQUISITION TRUST FUND . .	43.00	2,888,915
1628	OTHER PERSONAL SERVICES FROM LAND ACQUISITION TRUST FUND . .		237,457
1629	EXPENSES FROM LAND ACQUISITION TRUST FUND . .		262,329
1630	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM LAND ACQUISITION TRUST FUND . .		18,827
TOTAL: BEACH MANAGEMENT FROM TRUST FUNDS			3,407,528
TOTAL POSITIONS		43.00	
TOTAL ALL FUNDS			3,407,528
WATER RESOURCE MANAGEMENT			
APPROVED SALARY RATE		8,279,553	
1631	SALARIES AND BENEFITS POSITIONS FROM FEDERAL GRANTS TRUST FUND . . . FROM LAND ACQUISITION TRUST FUND . . FROM MINERALS TRUST FUND FROM NON-MANDATORY LAND RECLAMATION TRUST FUND FROM PERMIT FEE TRUST FUND FROM WATER QUALITY ASSURANCE TRUST FUND	168.00	4,752,445 450,625 1,944,099 1,299,900 1,639,593 1,698,924
1632	OTHER PERSONAL SERVICES FROM LAND ACQUISITION TRUST FUND . . FROM MINERALS TRUST FUND FROM NON-MANDATORY LAND RECLAMATION TRUST FUND FROM WATER QUALITY ASSURANCE TRUST FUND		40,000 56,565 66,716 790,038
1633	EXPENSES FROM FEDERAL GRANTS TRUST FUND . . . FROM LAND ACQUISITION TRUST FUND . .		704,060 93,060

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

	FROM NON-MANDATORY LAND RECLAMATION TRUST FUND	350,180
	FROM PERMIT FEE TRUST FUND	440,870
	FROM WATER QUALITY ASSURANCE TRUST FUND	163,228
1634	OPERATING CAPITAL OUTLAY FROM MINERALS TRUST FUND	1,132
	FROM NON-MANDATORY LAND RECLAMATION TRUST FUND	40,125
1635	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM PERMIT FEE TRUST FUND	104,000
	From the funds provided in Specific Appropriation 1635, the Department of Environmental Protection may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the agency secretary that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.	
1636	SPECIAL CATEGORIES WATER QUALITY MANAGEMENT/PLANNING GRANTS FROM FEDERAL GRANTS TRUST FUND	622,930
1637	SPECIAL CATEGORIES NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PROGRAM FROM PERMIT FEE TRUST FUND	139,251
1638	SPECIAL CATEGORIES CONTRACTED SERVICES FROM MINERALS TRUST FUND	20,000
1639	SPECIAL CATEGORIES HAZARDOUS WASTE CLEANUP FROM WATER QUALITY ASSURANCE TRUST FUND	1,855,902
1640	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM LAND ACQUISITION TRUST FUND	2,747
	FROM MINERALS TRUST FUND	13,378
	FROM NON-MANDATORY LAND RECLAMATION TRUST FUND	7,922
	FROM PERMIT FEE TRUST FUND	52,903
	FROM WATER QUALITY ASSURANCE TRUST FUND	10,354
1641	SPECIAL CATEGORIES HABITAT RESTORATION FROM NON-MANDATORY LAND RECLAMATION TRUST FUND	145,610
1642	SPECIAL CATEGORIES UNDERGROUND STORAGE TANK CLEANUP FROM INLAND PROTECTION TRUST FUND	76,578
1643	SPECIAL CATEGORIES WATER WELL CLEANUP FROM WATER QUALITY ASSURANCE TRUST FUND	969,350
1644	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM FEDERAL GRANTS TRUST FUND	10,299
	FROM LAND ACQUISITION TRUST FUND	11,074
	FROM MINERALS TRUST FUND	11,440
	FROM NON-MANDATORY LAND RECLAMATION TRUST FUND	6,989
	FROM PERMIT FEE TRUST FUND	6,624
	FROM WATER QUALITY ASSURANCE TRUST FUND	8,108

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1645	SPECIAL CATEGORIES WETLANDS PROTECTION FROM FEDERAL GRANTS TRUST FUND	284,459
1645A	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AIDS - WATER PROJECTS FROM GENERAL REVENUE FUND	50,000,000
1646	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AID - NON-POINT SOURCE (NPS) MANAGEMENT PLANNING GRANTS FROM FEDERAL GRANTS TRUST FUND	2,000,000
TOTAL:	WATER RESOURCE MANAGEMENT FROM GENERAL REVENUE FUND	50,000,000
	FROM TRUST FUNDS	20,891,478
	TOTAL POSITIONS	168.00
	TOTAL ALL FUNDS	70,891,478
PROGRAM: WASTE MANAGEMENT		
WASTE MANAGEMENT		
	APPROVED SALARY RATE	9,221,108
1647	SALARIES AND BENEFITS POSITIONS FROM INLAND PROTECTION TRUST FUND	183.00
	FROM FEDERAL GRANTS TRUST FUND	5,093,001
	FROM SOLID WASTE MANAGEMENT TRUST FUND	2,416,161
	FROM WATER QUALITY ASSURANCE TRUST FUND	2,002,682
		3,596,534
1648	OTHER PERSONAL SERVICES FROM INLAND PROTECTION TRUST FUND	23,780
	FROM FEDERAL GRANTS TRUST FUND	214,193
	FROM SOLID WASTE MANAGEMENT TRUST FUND	142,552
	FROM WATER QUALITY ASSURANCE TRUST FUND	12,000
1649	EXPENSES FROM INLAND PROTECTION TRUST FUND	552,365
	FROM FEDERAL GRANTS TRUST FUND	179,291
	FROM SOLID WASTE MANAGEMENT TRUST FUND	277,094
	FROM WATER QUALITY ASSURANCE TRUST FUND	436,166
1650	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - SOUTHERN WASTE INFORMATION EXCHANGE CLEARING HOUSE FROM SOLID WASTE MANAGEMENT TRUST FUND	300,000
1651	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - LOCAL HAZARDOUS WASTE COLLECTION FROM WATER QUALITY ASSURANCE TRUST FUND	509,994
1652	OPERATING CAPITAL OUTLAY FROM INLAND PROTECTION TRUST FUND	9,929
	FROM SOLID WASTE MANAGEMENT TRUST FUND	44,094
	FROM WATER QUALITY ASSURANCE TRUST FUND	11,023
1653	SPECIAL CATEGORIES STORAGE TANK COMPLIANCE VERIFICATION FROM INLAND PROTECTION TRUST FUND	5,900,000

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1654	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF HEALTH FOR BIOMEDICAL WASTE REGULATION FROM SOLID WASTE MANAGEMENT TRUST FUND	880,000
1655	SPECIAL CATEGORIES CONTRACTED SERVICES FROM INLAND PROTECTION TRUST FUND . FROM FEDERAL GRANTS TRUST FUND . . . FROM SOLID WASTE MANAGEMENT TRUST FUND FROM WATER QUALITY ASSURANCE TRUST FUND	109,045 4,200 74,000 62,100
1656	SPECIAL CATEGORIES FEDERAL WASTE PLANNING GRANTS FROM FEDERAL GRANTS TRUST FUND . . .	985,153
1657	SPECIAL CATEGORIES HAZARDOUS WASTE CLEANUP FROM WATER QUALITY ASSURANCE TRUST FUND	1,719,108
1658	SPECIAL CATEGORIES HAZARDOUS WASTE SITES RESTORATION FROM FEDERAL GRANTS TRUST FUND . . .	1,710,385
1659	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES - MOSQUITO CONTROL PROGRAM FROM SOLID WASTE MANAGEMENT TRUST FUND	2,660,000
1660	SPECIAL CATEGORIES DRYCLEANING CONTAMINATION CLEANUP FROM WATER QUALITY ASSURANCE TRUST FUND	90,000
1661	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM INLAND PROTECTION TRUST FUND . FROM SOLID WASTE MANAGEMENT TRUST FUND FROM WATER QUALITY ASSURANCE TRUST FUND	27,224 10,994 19,461
1662	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF REVENUE - ADMINISTRATION OF LEAD ACID BATTERY FEE FROM WATER QUALITY ASSURANCE TRUST FUND	231,092
1663	SPECIAL CATEGORIES TRANSFER TO UNIVERSITY OF FLORIDA - RESEARCH AND TESTING FROM SOLID WASTE MANAGEMENT TRUST FUND	700,000
1664	SPECIAL CATEGORIES UNDERGROUND STORAGE TANK CLEANUP FROM INLAND PROTECTION TRUST FUND . FROM FEDERAL GRANTS TRUST FUND . . .	5,693,541 3,092,467
1665	SPECIAL CATEGORIES LOCAL GOVERNMENT CLEANUP CONTRACTING FROM INLAND PROTECTION TRUST FUND .	14,000,000
1666	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM INLAND PROTECTION TRUST FUND . FROM FEDERAL GRANTS TRUST FUND . . . FROM SOLID WASTE MANAGEMENT TRUST FUND	29,960 10,170 10,197

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	FROM WATER QUALITY ASSURANCE TRUST FUND	20,818
1667	SPECIAL CATEGORIES TRANSFER TO THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES - OPERATION CLEAN SWEEP FROM SOLID WASTE MANAGEMENT TRUST FUND	100,000
1668	FIXED CAPITAL OUTLAY DRY CLEANING SOLVENT CONTAMINATED SITE CLEANUP FROM WATER QUALITY ASSURANCE TRUST FUND	6,500,000
1669	FIXED CAPITAL OUTLAY CLEANUP OF STATE OWNED LANDS FROM INLAND PROTECTION TRUST FUND .	1,000,000
1670	FIXED CAPITAL OUTLAY SOLID WASTE LANDFILL CLOSURES FROM SOLID WASTE MANAGEMENT TRUST FUND	1,000,000
1671	FIXED CAPITAL OUTLAY PETROLEUM TANKS CLEANUP FROM INLAND PROTECTION TRUST FUND .	125,000,000
1672	FIXED CAPITAL OUTLAY HAZARDOUS WASTE CONTAMINATED SITE CLEANUP FROM WATER QUALITY ASSURANCE TRUST FUND	4,500,000
1673	FIXED CAPITAL OUTLAY DEBT SERVICE - INLAND PROTECTION FINANCING CORPORATION FROM INLAND PROTECTION TRUST FUND .	9,782,850
Funds in Specific Appropriation 1673 are for Fiscal Year 2016-2017 debt service on bonds pursuant to Specific Appropriation 1733, chapter 2009-81, Laws of Florida, and any administrative expenses of the Inland Protection Financing Corporation for the purpose of rehabilitation of petroleum contamination sites pursuant to sections 376.30 through 376.317, Florida Statutes.		
1674	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY SOLID WASTE MANAGEMENT FROM SOLID WASTE MANAGEMENT TRUST FUND	3,750,000
1674A	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AIDS - MOUNT DORA BIOSOLIDS DRYING PROJECT FROM GENERAL REVENUE FUND	600,000
1674B	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AIDS - OSBORNE REEF WASTE TIRE REMOVAL - BROWARD COUNTY FROM SOLID WASTE MANAGEMENT TRUST FUND	900,000
TOTAL:	WASTE MANAGEMENT FROM GENERAL REVENUE FUND FROM TRUST FUNDS	600,000 206,393,624
	TOTAL POSITIONS TOTAL ALL FUNDS	183.00 206,993,624
PROGRAM: RECREATION AND PARKS		
STATE PARK OPERATIONS		
	APPROVED SALARY RATE	33,361,577

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1675	SALARIES AND BENEFITS	POSITIONS	991.50	
	FROM LAND ACQUISITION TRUST FUND . .		27,985,729	
	FROM STATE PARK TRUST FUND		19,311,040	
1676	OTHER PERSONAL SERVICES			
	FROM STATE PARK TRUST FUND		4,320,637	
1677	EXPENSES			
	FROM LAND ACQUISITION TRUST FUND . .		84,550	
	FROM STATE PARK TRUST FUND		13,569,600	
1678	OPERATING CAPITAL OUTLAY			
	FROM STATE PARK TRUST FUND		80,986	
1679	SPECIAL CATEGORIES			
	ACQUISITION OF MOTOR VEHICLES			
	FROM STATE PARK TRUST FUND		1,770,000	
From the funds provided in Specific Appropriation 1679, the Department of Environmental Protection may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the agency secretary that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.				
1680	SPECIAL CATEGORIES			
	DISTRIBUTION OF SURCHARGE FEES			
	FROM STATE PARK TRUST FUND		800,000	
1681	SPECIAL CATEGORIES			
	DISBURSE DONATIONS			
	FROM GRANTS AND DONATIONS TRUST			
	FUND		206,714	
	FROM STATE PARK TRUST FUND		250,000	
1682	SPECIAL CATEGORIES			
	LAND MANAGEMENT			
	FROM LAND ACQUISITION TRUST FUND . .		1,625,876	
1683	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM STATE PARK TRUST FUND		950,000	
1684	SPECIAL CATEGORIES			
	AMERICORPS PROGRAM			
	FROM FEDERAL GRANTS TRUST FUND . . .		621,926	
1685	SPECIAL CATEGORIES			
	OUTSOURCING/PRIVATIZATION			
	FROM STATE PARK TRUST FUND		5,438,591	
1686	SPECIAL CATEGORIES			
	MANAGEMENT OF WATER CONTROL STRUCTURES			
	FROM STATE PARK TRUST FUND		150,000	
1687	SPECIAL CATEGORIES			
	CONTROL OF INVASIVE EXOTICS			
	FROM STATE PARK TRUST FUND		314,854	
1688	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM LAND ACQUISITION TRUST FUND . .		1,761,518	
	FROM STATE PARK TRUST FUND		1,215,025	
1689	SPECIAL CATEGORIES			
	GREENWAYS CARL MANAGEMENT FUNDING			
	FROM LAND ACQUISITION TRUST FUND . .		2,207,436	
1690	SPECIAL CATEGORIES			
	LAND USE PROCEEDS DISBURSEMENTS			
	FROM STATE PARK TRUST FUND		800,000	
1691	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT			
	SERVICES - HUMAN RESOURCES SERVICES			
	PURCHASED PER STATEWIDE CONTRACT			
	FROM LAND ACQUISITION TRUST FUND . .		225,422	

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	FROM STATE PARK TRUST FUND		161,451	
1692	FIXED CAPITAL OUTLAY			
	STATE PARK FACILITY IMPROVEMENTS			
	FROM LAND ACQUISITION TRUST FUND . .		22,480,000	
1693	FIXED CAPITAL OUTLAY			
	FLORIDA KEYS OVERSEAS HERITAGE TRAIL			
	FROM LAND ACQUISITION TRUST FUND . .		10,000,000	
1694	FIXED CAPITAL OUTLAY			
	LONG KEY STATE PARK			
	FROM STATE PARK TRUST FUND		1,000,000	
1695	FIXED CAPITAL OUTLAY			
	BAHIA HONDA STATE PARK			
	FROM STATE PARK TRUST FUND		3,500,000	
1696	FIXED CAPITAL OUTLAY			
	REMOVE ACCESSIBILITY BARRIERS - STATEWIDE			
	FROM LAND ACQUISITION TRUST FUND . .		7,686,091	
1697	FIXED CAPITAL OUTLAY			
	GRANTS AND DONATIONS SPENDING AUTHORITY			
	FROM FEDERAL GRANTS TRUST FUND . . .		4,000,000	
	FROM GRANTS AND DONATIONS TRUST			
	FUND		2,000,000	
1698	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND			
	NONSTATE ENTITIES - FIXED CAPITAL OUTLAY			
	FEDERAL LAND AND WATER CONSERVATION FUND			
	GRANTS			
	FROM FEDERAL GRANTS TRUST FUND . . .		3,000,000	
1698A	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND			
	NONSTATE ENTITIES - FIXED CAPITAL OUTLAY			
	FLORIDA RECREATION DEVELOPMENT ASSISTANCE			
	GRANTS			
	FROM LAND ACQUISITION TRUST FUND . .		10,000,000	
1699	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND			
	NONSTATE ENTITIES - FIXED CAPITAL OUTLAY			
	NATIONAL RECREATIONAL TRAIL GRANTS			
	FROM FEDERAL GRANTS TRUST FUND . . .		2,500,000	
TOTAL:	STATE PARK OPERATIONS			
	FROM TRUST FUNDS		150,017,446	
	TOTAL POSITIONS	991.50		
	TOTAL ALL FUNDS		150,017,446	
COASTAL AND AQUATIC MANAGED AREAS				
	APPROVED SALARY RATE		4,703,808	
1700	SALARIES AND BENEFITS	POSITIONS	98.00	
	FROM FEDERAL GRANTS TRUST FUND . . .		2,579,117	
	FROM LAND ACQUISITION TRUST FUND . .		3,466,612	
1701	OTHER PERSONAL SERVICES			
	FROM COASTAL PROTECTION TRUST FUND .		6,957	
	FROM FEDERAL GRANTS TRUST FUND . . .		104,656	
	FROM LAND ACQUISITION TRUST FUND . .		570,939	
1702	EXPENSES			
	FROM FEDERAL GRANTS TRUST FUND . . .		144,600	
	FROM LAND ACQUISITION TRUST FUND . .		992,690	
1703	OPERATING CAPITAL OUTLAY			
	FROM LAND ACQUISITION TRUST FUND . .		29,292	
1704	SPECIAL CATEGORIES			
	ACQUISITION OF MOTOR VEHICLES			
	FROM FEDERAL GRANTS TRUST FUND . . .		141,135	
	FROM LAND ACQUISITION TRUST FUND . .		300,000	

From the funds provided in Specific Appropriation 1704, the Department of Environmental Protection may purchase one or more motor vehicles for

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replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the agency secretary that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.

1705	SPECIAL CATEGORIES ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS FROM LAND ACQUISITION TRUST FUND . . .	150,000		
1706	SPECIAL CATEGORIES SUBMERGED RESOURCE DAMAGED RESTORATIONS FROM WATER QUALITY ASSURANCE TRUST FUND	257,834		
1707	SPECIAL CATEGORIES CONTRACTED SERVICES FROM LAND ACQUISITION TRUST FUND . . .	319,443		
1708	SPECIAL CATEGORIES MARINE RESEARCH GRANTS FROM FEDERAL GRANTS TRUST FUND . . . FROM GRANTS AND DONATIONS TRUST FUND	4,419,138 862,799		
1709	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM LAND ACQUISITION TRUST FUND . . .	96,283		
1710	SPECIAL CATEGORIES COASTAL AND AQUATIC MANAGED AREAS (CAMA) - CARL MANAGEMENT FUNDS FROM LAND ACQUISITION TRUST FUND . . .	861,233		
1711	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM FEDERAL GRANTS TRUST FUND . . . FROM LAND ACQUISITION TRUST FUND . . .	11,224 25,733		
1712	FIXED CAPITAL OUTLAY MAINTENANCE, REPAIRS AND CONSTRUCTION - STATEWIDE FROM LAND ACQUISITION TRUST FUND . . .	590,000		
1713	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY FLORIDA COASTAL ZONE MANAGEMENT PROGRAM FROM FEDERAL GRANTS TRUST FUND . . .	958,000		
TOTAL:	COASTAL AND AQUATIC MANAGED AREAS FROM TRUST FUNDS	16,887,685		
	TOTAL POSITIONS	98.00		
	TOTAL ALL FUNDS	16,887,685		
PROGRAM: AIR RESOURCES MANAGEMENT				
UTILITIES SITING AND COORDINATION				
	APPROVED SALARY RATE	280,144		
1714	SALARIES AND BENEFITS POSITIONS FROM PERMIT FEE TRUST FUND	4.00		343,310
1715	EXPENSES FROM PERMIT FEE TRUST FUND			18,055
1716	SPECIAL CATEGORIES CONTRACTED SERVICES FROM PERMIT FEE TRUST FUND			6,136
1717	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM PERMIT FEE TRUST FUND			697

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1718	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM PERMIT FEE TRUST FUND			2,357
TOTAL:	UTILITIES SITING AND COORDINATION FROM TRUST FUNDS			370,555
	TOTAL POSITIONS	4.00		
	TOTAL ALL FUNDS			370,555
AIR RESOURCES MANAGEMENT				
	APPROVED SALARY RATE	3,716,142		
1719	SALARIES AND BENEFITS POSITIONS FROM AIR POLLUTION CONTROL TRUST FUND	67.00		5,200,870
1720	OTHER PERSONAL SERVICES FROM AIR POLLUTION CONTROL TRUST FUND			4,058,784
1721	EXPENSES FROM AIR POLLUTION CONTROL TRUST FUND			879,634
1722	OPERATING CAPITAL OUTLAY FROM AIR POLLUTION CONTROL TRUST FUND			387,680
1723	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM AIR POLLUTION CONTROL TRUST FUND			46,630
From the funds provided in Specific Appropriation 1723, the Department of Environmental Protection may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the agency secretary that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.				
1724	SPECIAL CATEGORIES DISTRIBUTION TO COUNTIES - MOTOR VEHICLE REGISTRATION PROCEEDS FROM AIR POLLUTION CONTROL TRUST FUND			8,705,936
1725	SPECIAL CATEGORIES ASBESTOS REMOVAL PROGRAM FEES FROM AIR POLLUTION CONTROL TRUST FUND			20,000
1726	SPECIAL CATEGORIES CONTRACTED SERVICES FROM AIR POLLUTION CONTROL TRUST FUND			22,000
1727	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM AIR POLLUTION CONTROL TRUST FUND			21,414
1728	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM AIR POLLUTION CONTROL TRUST FUND			27,381

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TOTAL: AIR RESOURCES MANAGEMENT		
FROM TRUST FUNDS		19,370,329
TOTAL POSITIONS	67.00	
TOTAL ALL FUNDS		19,370,329
TOTAL: ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
FROM GENERAL REVENUE FUND	77,529,505	
FROM TRUST FUNDS		1,447,918,505
TOTAL POSITIONS	2,928.50	
TOTAL ALL FUNDS		1,525,448,010
TOTAL APPROVED SALARY RATE	131,268,419	
FISH AND WILDLIFE CONSERVATION COMMISSION		
PROGRAM: EXECUTIVE DIRECTION AND ADMINISTRATIVE SERVICES		
OFFICE OF EXECUTIVE DIRECTION AND ADMINISTRATIVE SUPPORT SERVICES		
APPROVED SALARY RATE	10,550,449	
1729 SALARIES AND BENEFITS POSITIONS	227.00	
FROM ADMINISTRATIVE TRUST FUND . .		3,708,093
FROM LAND ACQUISITION TRUST FUND . .		7,860,303
FROM MARINE RESOURCES CONSERVATION TRUST FUND		913,251
FROM NON-GAME WILDLIFE TRUST FUND . .		297,665
FROM STATE GAME TRUST FUND		1,782,828
1730 OTHER PERSONAL SERVICES		
FROM ADMINISTRATIVE TRUST FUND . . .		1,061,985
FROM MARINE RESOURCES CONSERVATION TRUST FUND		22,029
FROM NON-GAME WILDLIFE TRUST FUND . .		58,939
FROM STATE GAME TRUST FUND		102,067
1731 EXPENSES		
FROM GENERAL REVENUE FUND	55,000	
FROM ADMINISTRATIVE TRUST FUND . . .		2,950,997
FROM MARINE RESOURCES CONSERVATION TRUST FUND		563,817
FROM NON-GAME WILDLIFE TRUST FUND . .		54,156
FROM STATE GAME TRUST FUND		479,360
1732 OPERATING CAPITAL OUTLAY		
FROM ADMINISTRATIVE TRUST FUND . . .		238,687
FROM MARINE RESOURCES CONSERVATION TRUST FUND		4,704
FROM STATE GAME TRUST FUND		16,557
1732A SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM ADMINISTRATIVE TRUST FUND . . .		137,145
From the funds provided in Specific Appropriation 1732A, the Fish and Wildlife Conservation Commission may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the executive director that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.		
1733 SPECIAL CATEGORIES		
FISH AND WILDLIFE CONSERVATION COMMISSION		
YOUTH HUNTING AND FISHING PROGRAMS		
FROM MARINE RESOURCES CONSERVATION TRUST FUND		134,000
FROM STATE GAME TRUST FUND		801,255
1734 SPECIAL CATEGORIES		
ENHANCED WILDLIFE MANAGEMENT		
FROM LAND ACQUISITION TRUST FUND . .		492,640

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1735 SPECIAL CATEGORIES		
NON-CARL WILDLIFE MANAGEMENT		
FROM LAND ACQUISITION TRUST FUND . .		123,205
1736 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM ADMINISTRATIVE TRUST FUND . . .		4,361
1737 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM ADMINISTRATIVE TRUST FUND . . .		1,260,024
FROM MARINE RESOURCES CONSERVATION TRUST FUND		214,514
FROM NON-GAME WILDLIFE TRUST FUND . .		3,630
FROM STATE GAME TRUST FUND		2,282,652
1739 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM ADMINISTRATIVE TRUST FUND . . .		94,727
FROM LAND ACQUISITION TRUST FUND . .		5,632
FROM MARINE RESOURCES CONSERVATION TRUST FUND		12,801
FROM STATE GAME TRUST FUND		32,693
1740 SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM ADMINISTRATIVE TRUST FUND . . .		6,828
1740A SPECIAL CATEGORIES		
FINAL NATURAL RESOURCE DAMAGE RESTORATION - DEEPWATER HORIZON OIL SPILL		
FROM FEDERAL GRANTS TRUST FUND . . .		500,000
1741 SPECIAL CATEGORIES		
INFORMATION TECHNOLOGY SERVICES - FISH AND WILDLIFE CONSERVATION COMMISSION		
FROM ADMINISTRATIVE TRUST FUND . . .		102,871
1742 SPECIAL CATEGORIES		
GULF COAST RESTORATION		
FROM GRANTS AND DONATIONS TRUST FUND		961,649
1743 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM ADMINISTRATIVE TRUST FUND . . .		67,845
FROM LAND ACQUISITION TRUST FUND . .		2,492
FROM MARINE RESOURCES CONSERVATION TRUST FUND		7,230
FROM NON-GAME WILDLIFE TRUST FUND . .		1,536
FROM STATE GAME TRUST FUND		6,984
1744 SPECIAL CATEGORIES		
GRANTS AND AIDS - DEEPWATER HORIZON - STATE OPERATIONS		
FROM GRANTS AND DONATIONS TRUST FUND		217,377
FROM MARINE RESOURCES CONSERVATION TRUST FUND		55,000
1745 SPECIAL CATEGORIES		
CONTRACT AND GRANT REIMBURSED ACTIVITIES		
FROM ADMINISTRATIVE TRUST FUND . . .		900,000
FROM FEDERAL GRANTS TRUST FUND . . .		390,000
FROM GRANTS AND DONATIONS TRUST FUND		75,000
1746 DATA PROCESSING SERVICES		
STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST)		
FROM ADMINISTRATIVE TRUST FUND . . .		1,042,555

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1747	FIXED CAPITAL OUTLAY AMERICANS WITH DISABILITIES ACT - STATEWIDE FROM GENERAL REVENUE FUND	1,000,000	
1748	FIXED CAPITAL OUTLAY NATURAL RESOURCE DAMAGE RESTORATION - DEEPWATER HORIZON OIL SPILL FROM GRANTS AND DONATIONS TRUST FUND		1,443,800
1748A	FIXED CAPITAL OUTLAY SOUTHWEST REGIONAL OFFICE DRAINAGE AND PARKING LOT REPAIR FROM ADMINISTRATIVE TRUST FUND . . .		602,161
TOTAL: OFFICE OF EXECUTIVE DIRECTION AND ADMINISTRATIVE SUPPORT SERVICES			
	FROM GENERAL REVENUE FUND	1,055,000	
	FROM TRUST FUNDS		32,098,045
	TOTAL POSITIONS	227.00	
	TOTAL ALL FUNDS		33,153,045
PROGRAM: LAW ENFORCEMENT			
FISH, WILDLIFE AND BOATING LAW ENFORCEMENT			
	APPROVED SALARY RATE	50,288,902	
1749	SALARIES AND BENEFITS POSITIONS 1,051.00 FROM FEDERAL GRANTS TRUST FUND . . .		5,466,835
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND		348,938
	FROM LAND ACQUISITION TRUST FUND . .		39,851,323
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		30,283,224
	FROM NON-GAME WILDLIFE TRUST FUND .		322,288
	FROM STATE GAME TRUST FUND		897,879
1750	OTHER PERSONAL SERVICES FROM FEDERAL GRANTS TRUST FUND . . .		70,313
	FROM LAND ACQUISITION TRUST FUND . .		7,953
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		381,425
	FROM STATE GAME TRUST FUND		202,411
1751	EXPENSES FROM FEDERAL GRANTS TRUST FUND . . .		6,351,541
	FROM LAND ACQUISITION TRUST FUND . .		2,359,850
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		3,255,488
	FROM STATE GAME TRUST FUND		1,239,717
1752	OPERATING CAPITAL OUTLAY FROM LAND ACQUISITION TRUST FUND . .		62,500
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		141,891
	FROM STATE GAME TRUST FUND		74,257
1753	SPECIAL CATEGORIES ACQUISITION AND REPLACEMENT OF PATROL VEHICLES FROM MARINE RESOURCES CONSERVATION TRUST FUND		1,222,271
	FROM NON-GAME WILDLIFE TRUST FUND .		1,256,802
	FROM STATE GAME TRUST FUND		222,901
1754	SPECIAL CATEGORIES ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS FROM MARINE RESOURCES CONSERVATION TRUST FUND		727,415
1755	SPECIAL CATEGORIES ENHANCED WILDLIFE MANAGEMENT FROM LAND ACQUISITION TRUST FUND . .		272,166

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1756	SPECIAL CATEGORIES 800 MHZ RADIO LAW ENFORCEMENT SYSTEM EQUIPMENT AND MAINTENANCE FROM MARINE RESOURCES CONSERVATION TRUST FUND		44,760
1756A	SPECIAL CATEGORIES NUISANCE WILDLIFE CONTROL FROM LAND ACQUISITION TRUST FUND . .		150,000
1757	SPECIAL CATEGORIES CONTRACTED SERVICES FROM LAND ACQUISITION TRUST FUND . .		441,048
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		628,663
1758	SPECIAL CATEGORIES BOAT RAMP MAINTENANCE CATEGORY FROM FEDERAL GRANTS TRUST FUND . . .		431,250
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		111,878
	FROM STATE GAME TRUST FUND		143,750
1759	SPECIAL CATEGORIES OVERTIME FROM LAND ACQUISITION TRUST FUND . .		765,000
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		2,146,685
	FROM STATE GAME TRUST FUND		193,997
1760	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM FEDERAL GRANTS TRUST FUND . . .		97,744
	FROM LAND ACQUISITION TRUST FUND . .		389,152
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		1,215,236
	FROM STATE GAME TRUST FUND		1,050,970
1761	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM FEDERAL GRANTS TRUST FUND . . .		14,926
	FROM LAND ACQUISITION TRUST FUND . .		162,328
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		448,017
	FROM STATE GAME TRUST FUND		154,562
1762	SPECIAL CATEGORIES BOATING AND WATERWAYS ACTIVITIES FROM MARINE RESOURCES CONSERVATION TRUST FUND		1,926,025
1762A	SPECIAL CATEGORIES DERELICT VESSEL REMOVAL PROGRAM FROM GENERAL REVENUE FUND	1,500,000	
1763	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM FEDERAL GRANTS TRUST FUND . . .		8,033
	FROM LAND ACQUISITION TRUST FUND . .		70,934
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		262,519
	FROM STATE GAME TRUST FUND		46,881
1764	SPECIAL CATEGORIES GRANTS AND AIDS - DEEPWATER HORIZON - STATE OPERATIONS FROM MARINE RESOURCES CONSERVATION TRUST FUND		20,000
1765	SPECIAL CATEGORIES CONTRACT AND GRANT REIMBURSED ACTIVITIES FROM FEDERAL GRANTS TRUST FUND . . .		9,678,808
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		686,450
	FROM STATE GAME TRUST FUND		1,208,746

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1766	SPECIAL CATEGORIES BOATING SAFETY EDUCATION PROGRAM FROM MARINE RESOURCES CONSERVATION TRUST FUND	850,650
1767	FIXED CAPITAL OUTLAY BOATING INFRASTRUCTURE FROM FEDERAL GRANTS TRUST FUND . . .	3,900,000
1768	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY FLORIDA BOATING IMPROVEMENT PROGRAM FROM MARINE RESOURCES CONSERVATION TRUST FUND FROM STATE GAME TRUST FUND	592,600 1,250,000
TOTAL:	FISH, WILDLIFE AND BOATING LAW ENFORCEMENT FROM GENERAL REVENUE FUND FROM TRUST FUNDS	1,500,000 124,111,000
	TOTAL POSITIONS	1,051.00
	TOTAL ALL FUNDS	125,611,000

PROGRAM: WILDLIFE

HUNTING AND GAME MANAGEMENT

	APPROVED SALARY RATE	2,075,874	
1769	SALARIES AND BENEFITS	POSITIONS	45.00
	FROM FEDERAL GRANTS TRUST FUND . . .	683,566	
	FROM LAND ACQUISITION TRUST FUND . .	516,810	
	FROM STATE GAME TRUST FUND	1,639,194	
1770	OTHER PERSONAL SERVICES FROM STATE GAME TRUST FUND	283,579	
1771	EXPENSES FROM STATE GAME TRUST FUND	534,633	
1772	OPERATING CAPITAL OUTLAY FROM STATE GAME TRUST FUND	4,538	
1772A	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM STATE GAME TRUST FUND	112,562	

From the funds provided in Specific Appropriation 1772A, the Fish and Wildlife Conservation Commission may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the executive director that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.

1773	SPECIAL CATEGORIES ENHANCED WILDLIFE MANAGEMENT FROM LAND ACQUISITION TRUST FUND . .	25,579
1774	SPECIAL CATEGORIES NON-CARL WILDLIFE MANAGEMENT FROM LAND ACQUISITION TRUST FUND . .	2,515,595
1775	SPECIAL CATEGORIES DEER MANAGEMENT PROGRAM FROM STATE GAME TRUST FUND	400,000
1776	SPECIAL CATEGORIES CONTRACTED SERVICES FROM STATE GAME TRUST FUND	255,710
1777	SPECIAL CATEGORIES TRANSFER DEPARTMENT OF AGRICULTURE - ALLIGATOR MARKETING AND EDUCATION FROM STATE GAME TRUST FUND	150,000

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1778	SPECIAL CATEGORIES PUBLIC DOVE FIELD DEVELOPMENT FROM STATE GAME TRUST FUND	49,000
1779	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM LAND ACQUISITION TRUST FUND . . FROM STATE GAME TRUST FUND	7,776 163,367
1780	SPECIAL CATEGORIES WILDLIFE MANAGEMENT AREA USER PAY FROM STATE GAME TRUST FUND	638,266
1781	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM LAND ACQUISITION TRUST FUND . . FROM STATE GAME TRUST FUND	3,057 14,196

1782	SPECIAL CATEGORIES CONTRACT AND GRANT REIMBURSED ACTIVITIES FROM FEDERAL GRANTS TRUST FUND . . . FROM GRANTS AND DONATIONS TRUST FUND	1,476,384 315,897 30,000
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1783	SPECIAL CATEGORIES WILD TURKEY PROJECTS FROM STATE GAME TRUST FUND	500,000
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1783A	FIXED CAPITAL OUTLAY PALM BEACH COUNTY PUBLIC RECREATIONAL SHOOTING PARK FROM FEDERAL GRANTS TRUST FUND . . .	3,090,000
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TOTAL:	HUNTING AND GAME MANAGEMENT FROM TRUST FUNDS	13,409,709
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	TOTAL POSITIONS	45.00
	TOTAL ALL FUNDS	13,409,709

PROGRAM: HABITAT AND SPECIES CONSERVATION

HABITAT AND SPECIES CONSERVATION

	APPROVED SALARY RATE	15,808,393	
1784	SALARIES AND BENEFITS	POSITIONS	363.50
	FROM INVASIVE PLANT CONTROL TRUST FUND	2,326,237	
	FROM FEDERAL GRANTS TRUST FUND . . .	4,004,004	
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND	233,878	
	FROM GRANTS AND DONATIONS TRUST FUND	494,720	
	FROM LAND ACQUISITION TRUST FUND . .	8,012,446	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	592,873	
	FROM NON-GAME WILDLIFE TRUST FUND . .	1,830,481	
	FROM SAVE THE MANATEE TRUST FUND . .	870,026	
	FROM STATE GAME TRUST FUND	3,822,566	
1785	OTHER PERSONAL SERVICES FROM INVASIVE PLANT CONTROL TRUST FUND	554,116	
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND	215,903	
	FROM GRANTS AND DONATIONS TRUST FUND	147,111	
	FROM LAND ACQUISITION TRUST FUND . .	96,372	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	162,764	
	FROM NON-GAME WILDLIFE TRUST FUND . .	891,929	
	FROM SAVE THE MANATEE TRUST FUND . .	213,421	
	FROM STATE GAME TRUST FUND	280,624	

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1786	EXPENSES	
	FROM INVASIVE PLANT CONTROL TRUST	
	FUND	817,822
	FROM FLORIDA PANTHER RESEARCH AND	
	MANAGEMENT TRUST FUND	139,912
	FROM GRANTS AND DONATIONS TRUST	
	FUND	89,831
	FROM LAND ACQUISITION TRUST FUND	1,197,637
	FROM MARINE RESOURCES CONSERVATION	
	TRUST FUND	107,590
	FROM NON-GAME WILDLIFE TRUST FUND	587,916
	FROM SAVE THE MANATEE TRUST FUND	293,072
	FROM STATE GAME TRUST FUND	1,148,989
1787	OPERATING CAPITAL OUTLAY	
	FROM INVASIVE PLANT CONTROL TRUST	
	FUND	10,488
	FROM FLORIDA PANTHER RESEARCH AND	
	MANAGEMENT TRUST FUND	1,250
	FROM LAND ACQUISITION TRUST FUND	10,625
	FROM MARINE RESOURCES CONSERVATION	
	TRUST FUND	6,250
	FROM NON-GAME WILDLIFE TRUST FUND	18,278
	FROM SAVE THE MANATEE TRUST FUND	8,625
	FROM STATE GAME TRUST FUND	59,422
1788	SPECIAL CATEGORIES	
	ACQUISITION OF MOTOR VEHICLES	
	FROM NON-GAME WILDLIFE TRUST FUND	103,473
	FROM STATE GAME TRUST FUND	54,858
	From the funds provided in Specific Appropriation 1788, the Fish and Wildlife Conservation Commission may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the executive director that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.	
1789	SPECIAL CATEGORIES	
	ACQUISITION AND REPLACEMENT OF BOATS,	
	MOTORS, AND TRAILERS	
	FROM STATE GAME TRUST FUND	18,650
1790	SPECIAL CATEGORIES	
	ENHANCED WILDLIFE MANAGEMENT	
	FROM LAND ACQUISITION TRUST FUND	9,087,606
1791	SPECIAL CATEGORIES	
	NON-CARL WILDLIFE MANAGEMENT	
	FROM LAND ACQUISITION TRUST FUND	18,975,413
	FROM STATE GAME TRUST FUND	411,412
1792	SPECIAL CATEGORIES	
	NUISANCE WILDLIFE CONTROL	
	FROM LAND ACQUISITION TRUST FUND	1,509,928
	FROM NON-GAME WILDLIFE TRUST FUND	400,000
	FROM STATE GAME TRUST FUND	747,150
1793	SPECIAL CATEGORIES	
	CONTRACTED SERVICES	
	FROM INVASIVE PLANT CONTROL TRUST	
	FUND	204,250
	FROM FLORIDA PANTHER RESEARCH AND	
	MANAGEMENT TRUST FUND	20,912
	FROM GRANTS AND DONATIONS TRUST	
	FUND	35,844
	FROM LAND ACQUISITION TRUST FUND	65,196
	FROM NON-GAME WILDLIFE TRUST FUND	38,325
	FROM SAVE THE MANATEE TRUST FUND	20,771
	FROM STATE GAME TRUST FUND	45,367
1794	SPECIAL CATEGORIES	
	LAKE RESTORATION	
	FROM LAND ACQUISITION TRUST FUND	7,150,000

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1795	SPECIAL CATEGORIES	
	GRANTS AND AIDS - FEDERAL ENDANGERED	
	SPECIES - SECTION 6	
	FROM FEDERAL GRANTS TRUST FUND	1,430,819
1796	SPECIAL CATEGORIES	
	LAND MANAGEMENT/SAVE OUR RIVERS	
	FROM STATE GAME TRUST FUND	298,412
1797	SPECIAL CATEGORIES	
	DUCKS UNLIMITED MARSH PROJECT	
	FROM STATE GAME TRUST FUND	106,792
1798	SPECIAL CATEGORIES	
	CONTROL OF INVASIVE EXOTICS	
	FROM INVASIVE PLANT CONTROL TRUST	
	FUND	3,626,353
	FROM LAND ACQUISITION TRUST FUND	34,823,647
1799	SPECIAL CATEGORIES	
	RISK MANAGEMENT INSURANCE	
	FROM INVASIVE PLANT CONTROL TRUST	
	FUND	35,548
	FROM FLORIDA PANTHER RESEARCH AND	
	MANAGEMENT TRUST FUND	3,673
	FROM GRANTS AND DONATIONS TRUST	
	FUND	14,370
	FROM LAND ACQUISITION TRUST FUND	120,880
	FROM MARINE RESOURCES CONSERVATION	
	TRUST FUND	9,131
	FROM NON-GAME WILDLIFE TRUST FUND	46,568
	FROM SAVE THE MANATEE TRUST FUND	10,477
	FROM STATE GAME TRUST FUND	310,166
1800	SPECIAL CATEGORIES	
	TRANSFER TO THE UNIVERSITY OF FLORIDA -	
	COOPERATIVE AQUATIC PLANT EDUCATION	
	PROGRAM	
	FROM INVASIVE PLANT CONTROL TRUST	
	FUND	25,000
1801	SPECIAL CATEGORIES	
	HABITAT RESTORATION	
	FROM GRANTS AND DONATIONS TRUST	
	FUND	2,979,857
	FROM MARINE RESOURCES CONSERVATION	
	TRUST FUND	300,000
1802	SPECIAL CATEGORIES	
	TRANSFER TO DEPARTMENT OF AGRICULTURE AND	
	CONSUMER SERVICES/ IFAS/INVASIVE EXOTIC	
	PLANT RESEARCH	
	FROM INVASIVE PLANT CONTROL TRUST	
	FUND	844,171
1803	SPECIAL CATEGORIES	
	GULF COAST RESTORATION	
	FROM GRANTS AND DONATIONS TRUST	
	FUND	603,306
1804	SPECIAL CATEGORIES	
	TRANSFER TO DEPARTMENT OF MANAGEMENT	
	SERVICES - HUMAN RESOURCES SERVICES	
	PURCHASED PER STATEWIDE CONTRACT	
	FROM INVASIVE PLANT CONTROL TRUST	
	FUND	11,453
	FROM FEDERAL GRANTS' TRUST FUND	5,082
	FROM FLORIDA PANTHER RESEARCH AND	
	MANAGEMENT TRUST FUND	1,684
	FROM GRANTS AND DONATIONS TRUST	
	FUND	2,794
	FROM LAND ACQUISITION TRUST FUND	47,581
	FROM MARINE RESOURCES CONSERVATION	
	TRUST FUND	1,813
	FROM NON-GAME WILDLIFE TRUST FUND	17,214
	FROM SAVE THE MANATEE TRUST FUND	6,164
	FROM STATE GAME TRUST FUND	56,667

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1805	SPECIAL CATEGORIES HABITAT CONSERVATION PLAN LANDS ACQUISITION PROGRAM FROM FEDERAL GRANTS TRUST FUND . . .	4,474,973
1806	SPECIAL CATEGORIES GRANTS AND AIDS - DEEPWATER HORIZON - STATE OPERATIONS FROM GRANTS AND DONATIONS TRUST FUND FROM MARINE RESOURCES CONSERVATION TRUST FUND	135,000 60,000
1807	SPECIAL CATEGORIES CONTRACT AND GRANT REIMBURSED ACTIVITIES FROM FEDERAL GRANTS TRUST FUND . . . FROM GRANTS AND DONATIONS TRUST FUND FROM NON-GAME WILDLIFE TRUST FUND . FROM STATE GAME TRUST FUND	14,388,315 512,070 91,652 45,201
TOTAL:	HABITAT AND SPECIES CONSERVATION FROM TRUST FUNDS	133,583,166
	TOTAL POSITIONS 363.50	
	TOTAL ALL FUNDS	133,583,166
PROGRAM: FRESHWATER FISHERIES		
FRESHWATER FISHERIES MANAGEMENT		
	APPROVED SALARY RATE 2,577,411	
1808	SALARIES AND BENEFITS POSITIONS 60.00 FROM FEDERAL GRANTS TRUST FUND . . . FROM LAND ACQUISITION TRUST FUND . . FROM STATE GAME TRUST FUND	2,372,435 78,009 1,354,498
1809	OTHER PERSONAL SERVICES FROM FEDERAL GRANTS TRUST FUND . . . FROM STATE GAME TRUST FUND	48,655 31,563
1810	EXPENSES FROM FEDERAL GRANTS TRUST FUND . . . FROM LAND ACQUISITION TRUST FUND . . FROM STATE GAME TRUST FUND	387,680 20,000 275,321
1811	OPERATING CAPITAL OUTLAY FROM FEDERAL GRANTS TRUST FUND . . . FROM STATE GAME TRUST FUND	15,625 15,914
1811A	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM STATE GAME TRUST FUND	187,776
From the funds provided in Specific Appropriation 1811A, the Fish and Wildlife Conservation Commission may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the executive director that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.		
1812	SPECIAL CATEGORIES ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS FROM FEDERAL GRANTS TRUST FUND . . .	5,571
1813	SPECIAL CATEGORIES ENHANCED WILDLIFE MANAGEMENT FROM LAND ACQUISITION TRUST FUND . .	40,800
1814	SPECIAL CATEGORIES CONTRACTED SERVICES FROM FEDERAL GRANTS TRUST FUND . . . FROM STATE GAME TRUST FUND	37,553 31,996

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1815	SPECIAL CATEGORIES LAKE RESTORATION FROM LAND ACQUISITION TRUST FUND . . FROM STATE GAME TRUST FUND	695,000 425,000
1816	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM LAND ACQUISITION TRUST FUND . . FROM STATE GAME TRUST FUND	19,209 111,003
1817	SPECIAL CATEGORIES LAND USE PROCEEDS DISBURSEMENTS FROM STATE GAME TRUST FUND	350,000
1818	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM STATE GAME TRUST FUND	25,913
1819	SPECIAL CATEGORIES CONTRACT AND GRANT REIMBURSED ACTIVITIES FROM FEDERAL GRANTS TRUST FUND . . . FROM GRANTS AND DONATIONS TRUST FUND	1,823,856 200,000
TOTAL:	FRESHWATER FISHERIES MANAGEMENT FROM TRUST FUNDS	8,553,377
	TOTAL POSITIONS 60.00	
	TOTAL ALL FUNDS	8,553,377
PROGRAM: MARINE FISHERIES		
MARINE FISHERIES MANAGEMENT		
	APPROVED SALARY RATE 1,636,776	
1820	SALARIES AND BENEFITS POSITIONS 33.00 FROM FEDERAL GRANTS TRUST FUND . . . FROM MARINE RESOURCES CONSERVATION TRUST FUND	592,848 1,670,488
1821	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM MARINE RESOURCES CONSERVATION TRUST FUND	42,747 66,978
1822	EXPENSES FROM GENERAL REVENUE FUND FROM MARINE RESOURCES CONSERVATION TRUST FUND	40,094 302,357
1823	SPECIAL CATEGORIES FISH AND WILDLIFE CONSERVATION COMMISSION YOUTH HUNTING AND FISHING PROGRAMS FROM MARINE RESOURCES CONSERVATION TRUST FUND	25,000
1824	SPECIAL CATEGORIES AQUATIC RESOURCES EDUCATION FROM MARINE RESOURCES CONSERVATION TRUST FUND	592,014
1825	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM MARINE RESOURCES CONSERVATION TRUST FUND	215,000 170,987
1826	SPECIAL CATEGORIES GULF STATES MARINE FISHERIES FROM MARINE RESOURCES CONSERVATION TRUST FUND	22,500

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1827	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM MARINE RESOURCES CONSERVATION TRUST FUND		112,416
1828	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM FEDERAL GRANTS TRUST FUND . . . FROM MARINE RESOURCES CONSERVATION TRUST FUND	1,409	10,683
1829	SPECIAL CATEGORIES GRANTS AND AIDS - DEEPWATER HORIZON - STATE OPERATIONS FROM GRANTS AND DONATIONS TRUST FUND FROM MARINE RESOURCES CONSERVATION TRUST FUND	311,361	3,400
1830	SPECIAL CATEGORIES CONTRACT AND GRANT REIMBURSED ACTIVITIES FROM FEDERAL GRANTS TRUST FUND . . . FROM GRANTS AND DONATIONS TRUST FUND	1,329,912	50,000
1831	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY ARTIFICIAL FISHING REEF CONSTRUCTION PROGRAM FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND . . .	300,000	300,000
TOTAL:	MARINE FISHERIES MANAGEMENT FROM GENERAL REVENUE FUND FROM TRUST FUNDS	597,841	5,562,353
	TOTAL POSITIONS	33.00	
	TOTAL ALL FUNDS		6,160,194
PROGRAM: RESEARCH			
FISH AND WILDLIFE RESEARCH INSTITUTE			
	APPROVED SALARY RATE	15,551,906	
1832	SALARIES AND BENEFITS POSITIONS	339.00	
	FROM FEDERAL GRANTS TRUST FUND . . .		5,216,736
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND		225,019
	FROM LAND ACQUISITION TRUST FUND . .		216,142
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		10,250,426
	FROM NON-GAME WILDLIFE TRUST FUND .		1,140,216
	FROM SAVE THE MANATEE TRUST FUND . .		1,032,920
	FROM STATE GAME TRUST FUND		3,211,724
1833	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND FROM LAND ACQUISITION TRUST FUND . . FROM MARINE RESOURCES CONSERVATION TRUST FUND FROM NON-GAME WILDLIFE TRUST FUND . FROM SAVE THE MANATEE TRUST FUND . . FROM STATE GAME TRUST FUND	653,579	49,684 404,962 2,434,286 747,787 502,688 330,360
1834	EXPENSES FROM GENERAL REVENUE FUND FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND FROM LAND ACQUISITION TRUST FUND . . FROM MARINE RESOURCES CONSERVATION TRUST FUND FROM NON-GAME WILDLIFE TRUST FUND .	262,764	72,241 96,650 2,459,746 574,412

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	FROM SAVE THE MANATEE TRUST FUND . .	470,100
	FROM STATE GAME TRUST FUND	487,861
1835	OPERATING CAPITAL OUTLAY FROM LAND ACQUISITION TRUST FUND . . FROM MARINE RESOURCES CONSERVATION TRUST FUND FROM NON-GAME WILDLIFE TRUST FUND . FROM SAVE THE MANATEE TRUST FUND . . FROM STATE GAME TRUST FUND	9,000 151,239 12,335 8,125 36,932
1836	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM MARINE RESOURCES CONSERVATION TRUST FUND FROM NON-GAME WILDLIFE TRUST FUND . FROM SAVE THE MANATEE TRUST FUND . . FROM STATE GAME TRUST FUND	12,500 109,716 32,080 93,702
From the funds provided in Specific Appropriation 1836, the Fish and Wildlife Conservation Commission may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the executive director that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.		
1837	SPECIAL CATEGORIES ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND FROM MARINE RESOURCES CONSERVATION TRUST FUND FROM SAVE THE MANATEE TRUST FUND . . FROM STATE GAME TRUST FUND	7,000 42,217 3,500 17,141
1838	SPECIAL CATEGORIES ENHANCED WILDLIFE MANAGEMENT FROM LAND ACQUISITION TRUST FUND . .	80,576
1839	SPECIAL CATEGORIES NUISANCE WILDLIFE CONTROL FROM STATE GAME TRUST FUND	147,280
1840	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND FROM LAND ACQUISITION TRUST FUND . . FROM MARINE RESOURCES CONSERVATION TRUST FUND FROM NON-GAME WILDLIFE TRUST FUND . FROM SAVE THE MANATEE TRUST FUND . . FROM STATE GAME TRUST FUND	350,000 24,105 117,000 3,490,380 166,400 370,000 50,501
1841	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND FROM LAND ACQUISITION TRUST FUND . . FROM MARINE RESOURCES CONSERVATION TRUST FUND FROM NON-GAME WILDLIFE TRUST FUND . FROM SAVE THE MANATEE TRUST FUND . . FROM STATE GAME TRUST FUND	3,990 3,325 307,832 43,722 19,510 186,382
1842	SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS FROM MARINE RESOURCES CONSERVATION TRUST FUND	325,945
1843	SPECIAL CATEGORIES GULF COAST RESTORATION FROM GRANTS AND DONATIONS TRUST FUND	9,394,689

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1843A	SPECIAL CATEGORIES RESTORE ACT - DEEPWATER HORIZON SPILL FROM FEDERAL GRANTS TRUST FUND . . .	200,000	
1844	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM FEDERAL GRANTS TRUST FUND . . . FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND FROM LAND ACQUISITION TRUST FUND . . FROM MARINE RESOURCES CONSERVATION TRUST FUND FROM NON-GAME WILDLIFE TRUST FUND . FROM SAVE THE MANATEE TRUST FUND . . FROM STATE GAME TRUST FUND	4,801 1,461 1,964 98,755 9,410 7,203 23,560	
1845	SPECIAL CATEGORIES GRANTS AND AIDS - DEEPWATER HORIZON - STATE OPERATIONS FROM GRANTS AND DONATIONS TRUST FUND FROM MARINE RESOURCES CONSERVATION TRUST FUND	514,022 36,000	
1846	SPECIAL CATEGORIES RED TIDE RESEARCH FROM GENERAL REVENUE FUND	640,993	
1847	SPECIAL CATEGORIES CONTRACT AND GRANT REIMBURSED ACTIVITIES FROM FEDERAL GRANTS TRUST FUND . . . FROM GRANTS AND DONATIONS TRUST FUND FROM MARINE RESOURCES CONSERVATION TRUST FUND FROM NON-GAME WILDLIFE TRUST FUND . FROM STATE GAME TRUST FUND	10,757,199 501,941 3,045,616 25,000 475,000	
1847A	FIXED CAPITAL OUTLAY FLORIDA CONSERVATION AND TECHNOLOGY CENTER - CENTER FOR CONSERVATION FROM GENERAL REVENUE FUND	1,000,000	
1847B	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY LOWRY PARK ZOO MANATEE HOSPITAL FROM GENERAL REVENUE FUND	500,000	
TOTAL:	FISH AND WILDLIFE RESEARCH INSTITUTE FROM GENERAL REVENUE FUND FROM TRUST FUNDS	3,407,336 60,893,016	
	TOTAL POSITIONS	339.00	
	TOTAL ALL FUNDS	64,300,352	
TOTAL:	FISH AND WILDLIFE CONSERVATION COMMISSION FROM GENERAL REVENUE FUND FROM TRUST FUNDS	6,560,177 378,210,666	
	TOTAL POSITIONS	2,118.50	
	TOTAL ALL FUNDS	384,770,843	
	TOTAL APPROVED SALARY RATE	98,489,711	

TRANSPORTATION, DEPARTMENT OF

Funds in Specific Appropriations 1857 through 1870, 1871 through 1875, 1888 through 1896, 1899 through 1908, and 1947 through 1958 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.

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TRANSPORTATION SYSTEMS DEVELOPMENT

PROGRAM: TRANSPORTATION SYSTEMS DEVELOPMENT

	APPROVED SALARY RATE	107,821,143	
1848	SALARIES AND BENEFITS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND FROM TRANSPORTATION DISADVANTAGED TRUST FUND	1,783.00 142,948,439 907,626	
1849	OTHER PERSONAL SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND FROM TRANSPORTATION DISADVANTAGED TRUST FUND	176,347 6,600	
1850	EXPENSES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND FROM TRANSPORTATION DISADVANTAGED TRUST FUND	4,278,116 201,325	
1851	OPERATING CAPITAL OUTLAY FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	1,239,349	
1852	SPECIAL CATEGORIES CONSULTANT FEES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	7,750,977	
1853	SPECIAL CATEGORIES CONTRACTED SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND FROM TRANSPORTATION DISADVANTAGED TRUST FUND	4,021,992 407,925	
1854	SPECIAL CATEGORIES HUMAN RESOURCES DEVELOPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	934,630	
1854A	SPECIAL CATEGORIES OVERTIME FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	34,313	
1855	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND FROM TRANSPORTATION DISADVANTAGED TRUST FUND	192,111 3,830	
1856	SPECIAL CATEGORIES GRANTS AND AIDS - TRANSPORTATION DISADVANTAGED FROM TRANSPORTATION DISADVANTAGED TRUST FUND	59,099,347	

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

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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.

1857	FIXED CAPITAL OUTLAY TRANSPORTATION PLANNING CONSULTANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	62,954,001
1858	FIXED CAPITAL OUTLAY AVIATION DEVELOPMENT/GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	239,673,600
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 STATE TRANSPORTATION (PRIMARY) TRUST FUND	403,521,162

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

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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.

1860	FIXED CAPITAL OUTLAY RIGHT-OF-WAY LAND ACQUISITION FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	371,012,120
	FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE CONSTRUCTION TRUST FUND	122,033,871
1861	FIXED CAPITAL OUTLAY SEAPORT - ECONOMIC DEVELOPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	15,000,000
1862	FIXED CAPITAL OUTLAY SEAPORTS ACCESS PROGRAM FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	10,000,000
1863	FIXED CAPITAL OUTLAY SEAPORT GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	114,225,263
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 related to GIS projects.		
1864	FIXED CAPITAL OUTLAY SEAPORT INVESTMENT PROGRAM FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	11,405,612
1865	FIXED CAPITAL OUTLAY RAIL DEVELOPMENT/GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	96,387,936
1866	FIXED CAPITAL OUTLAY INTERMODAL DEVELOPMENT/GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	50,426,834
1867	FIXED CAPITAL OUTLAY PRELIMINARY ENGINEERING CONSULTANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	586,959,878
	FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE CONSTRUCTION TRUST FUND	4,750,000
1868	FIXED CAPITAL OUTLAY RIGHT-OF-WAY SUPPORT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	62,754,278
	FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE CONSTRUCTION TRUST FUND	3,682,660
1869	FIXED CAPITAL OUTLAY TRANSPORTATION PLANNING GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	27,405,039
1870	FIXED CAPITAL OUTLAY DEBT SERVICE FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE CONSTRUCTION TRUST FUND	170,141,823

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

TOTAL: PROGRAM: TRANSPORTATION SYSTEMS DEVELOPMENT		
FROM TRUST FUNDS		2,574,537,004
TOTAL POSITIONS	1,783.00	
TOTAL ALL FUNDS		2,574,537,004

FLORIDA RAIL ENTERPRISE

APPROVED SALARY RATE	203,908	
1870A SALARIES AND BENEFITS POSITIONS	1.00	
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		255,734
1870B OTHER PERSONAL SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		827
1870C EXPENSES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		25,200
1870D SPECIAL CATEGORIES CONSULTANT FEES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		4,089
1870E SPECIAL CATEGORIES CONTRACTED SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		5,714
1871 FIXED CAPITAL OUTLAY CONSTRUCTION INSPECTION CONSULTANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		2,258,385
1872 FIXED CAPITAL OUTLAY PUBLIC TRANSIT DEVELOPMENT/GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		100,028,446
1873 FIXED CAPITAL OUTLAY BRIDGE CONSTRUCTION FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		250,000
1874 FIXED CAPITAL OUTLAY RAIL DEVELOPMENT/GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		197,975,825

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.

1875 FIXED CAPITAL OUTLAY INTERMODAL DEVELOPMENT/GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		8,590,856
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SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

TOTAL: FLORIDA RAIL ENTERPRISE		
FROM TRUST FUNDS		309,395,076
TOTAL POSITIONS	1.00	
TOTAL ALL FUNDS		309,395,076

TRANSPORTATION SYSTEMS OPERATIONS

PROGRAM: HIGHWAY OPERATIONS

APPROVED SALARY RATE	154,514,506	
1876 SALARIES AND BENEFITS POSITIONS	3,254.00	
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		211,835,118
1877 OTHER PERSONAL SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		107,376
1878 EXPENSES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		14,477,756
1879 OPERATING CAPITAL OUTLAY FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		1,461,049
1880 SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		4,218,969
1881 SPECIAL CATEGORIES FAIRBANKS HAZARDOUS WASTE SITE FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		400,965
1882 SPECIAL CATEGORIES CONSULTANT FEES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		2,197,831
1883 SPECIAL CATEGORIES CONTRACTED SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		7,667,577
1884 SPECIAL CATEGORIES HUMAN RESOURCES DEVELOPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		994,023
1884A SPECIAL CATEGORIES OVERTIME FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		1,191,476
1885 SPECIAL CATEGORIES TRANSPORTATION MATERIALS AND EQUIPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		28,913,850
1886 SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		336,714
1887 FIXED CAPITAL OUTLAY MINOR RENOVATIONS, REPAIRS, AND IMPROVEMENTS - STATEWIDE FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		1,413,246

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1888	FIXED CAPITAL OUTLAY STATE INFRASTRUCTURE BANK LOAN REPAYMENTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	9,000,000
1889	FIXED CAPITAL OUTLAY SMALL COUNTY RESURFACE ASSISTANCE PROGRAM (SCRAP) FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	52,627,326
1890	FIXED CAPITAL OUTLAY SMALL COUNTY OUTREACH PROGRAM (SCOP) FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	66,705,253
	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.	
1891	FIXED CAPITAL OUTLAY COUNTY TRANSPORTATION PROGRAMS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	46,128,421
1892	FIXED CAPITAL OUTLAY BOND GUARANTEE FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	500,000
1893	FIXED CAPITAL OUTLAY TRANSPORTATION HIGHWAY MAINTENANCE CONTRACTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	442,044,210
1894	FIXED CAPITAL OUTLAY INTRASTATE HIGHWAY CONSTRUCTION FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	2,702,241,063
1895	FIXED CAPITAL OUTLAY ARTERIAL HIGHWAY CONSTRUCTION FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	193,508,368
	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
1896	FIXED CAPITAL OUTLAY CONSTRUCTION INSPECTION CONSULTANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	344,040,969
	FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE CONSTRUCTION TRUST FUND . .	5,436,498
1897	FIXED CAPITAL OUTLAY COCOA OPERATIONS CENTER - REPAIRS/ RENOVATIONS/ADDITIONS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	4,000,000
1898	FIXED CAPITAL OUTLAY ENVIRONMENTAL SITE RESTORATION FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	635,000

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1899	FIXED CAPITAL OUTLAY HIGHWAY SAFETY CONSTRUCTION/GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	159,752,983
	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.	
1900	FIXED CAPITAL OUTLAY RESURFACING FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	509,563,725
1901	FIXED CAPITAL OUTLAY BRIDGE CONSTRUCTION FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	442,889,487
	FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE CONSTRUCTION TRUST FUND . .	282,203,842
1902	FIXED CAPITAL OUTLAY CONTRACT MAINTENANCE WITH THE DEPARTMENT OF CORRECTIONS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	19,146,000
1903	FIXED CAPITAL OUTLAY HIGHWAY BEAUTIFICATION GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	1,800,000
	From the funds in Specific Appropriation 1903, \$800,000 is provided for Keep Florida Beautiful.	
1904	FIXED CAPITAL OUTLAY MATERIALS AND RESEARCH FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	14,801,254
1905	FIXED CAPITAL OUTLAY BRIDGE INSPECTION FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	11,849,825
1906	FIXED CAPITAL OUTLAY ECONOMIC DEVELOPMENT TRANSPORTATION PROJECTS - ROAD FUND FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	25,000,000
	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

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

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	
1907 FIXED CAPITAL OUTLAY TRAFFIC ENGINEERING CONSULTANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	178,482,195	
1908 FIXED CAPITAL OUTLAY LOCAL GOVERNMENT REIMBURSEMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	1,256,500	
TOTAL: PROGRAM: HIGHWAY OPERATIONS FROM TRUST FUNDS	5,788,828,869	
TOTAL POSITIONS	3,254.00	
TOTAL ALL FUNDS	5,788,828,869	
EXECUTIVE DIRECTION AND SUPPORT SERVICES		
APPROVED SALARY RATE	40,645,905	
1909 SALARIES AND BENEFITS POSITIONS	736.00	
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	54,789,561	
1910 OTHER PERSONAL SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	530,517	
1911 EXPENSES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	6,752,073	
1912 OPERATING CAPITAL OUTLAY FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	114,943	
1913 SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	125,931	
1914 SPECIAL CATEGORIES CONSULTANT FEES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	1,255,973	
1915 SPECIAL CATEGORIES CONTRACTED SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	5,318,586	
1916 SPECIAL CATEGORIES HUMAN RESOURCES DEVELOPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	226,935	
1916A SPECIAL CATEGORIES OVERTIME FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	44,338	
1917 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	7,375,048	
1918 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE - OTHER FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	1,838,903	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1919 SPECIAL CATEGORIES TRANSFER TO SOUTH FLORIDA WATER MANAGEMENT DISTRICT FOR EVERGLADES RESTORATION FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	7,064,000	
1920 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF REVENUE FOR HIGHWAY TAX COMPLIANCE FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	200,000	
1921 SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	238,722	
1922 SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	204,496	
1923 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	2,231,999	
FROM TRANSPORTATION DISADVANTAGED TRUST FUND	4,258	
1924 FIXED CAPITAL OUTLAY MINOR RENOVATIONS, REPAIRS, AND IMPROVEMENTS - STATEWIDE FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	812,798	
1925 FIXED CAPITAL OUTLAY IMPROVEMENTS TO SECURITY SYSTEMS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	746,250	
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM TRUST FUNDS	89,875,331	
TOTAL POSITIONS	736.00	
TOTAL ALL FUNDS	89,875,331	
INFORMATION TECHNOLOGY		
APPROVED SALARY RATE	10,321,938	
1926 SALARIES AND BENEFITS POSITIONS	200.00	
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	12,995,836	
1927 OTHER PERSONAL SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	32,998	
1928 EXPENSES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	9,109,806	
1929 OPERATING CAPITAL OUTLAY FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	2,201,974	
1930 SPECIAL CATEGORIES CONTRACTED SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	16,310,885	
1931 SPECIAL CATEGORIES HUMAN RESOURCES DEVELOPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	138,975	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1931A	SPECIAL CATEGORIES OVERTIME FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	29,738	
1932	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	14,679	
1933	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	8,809,546	
TOTAL:	INFORMATION TECHNOLOGY FROM TRUST FUNDS	49,644,437	
	TOTAL POSITIONS	200.00	
	TOTAL ALL FUNDS	49,644,437	
FLORIDA'S TURNPIKE SYSTEMS			
FLORIDA'S TURNPIKE ENTERPRISE			
	APPROVED SALARY RATE	21,452,255	
1934	SALARIES AND BENEFITS POSITIONS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	29,609,854	405.00
1935	OTHER PERSONAL SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	316,769	
1936	EXPENSES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	18,326,299	
1937	OPERATING CAPITAL OUTLAY FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	143,611	
1938	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	61,633	
1939	SPECIAL CATEGORIES CONSULTANT FEES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	1,168,631	
1940	SPECIAL CATEGORIES CONTRACTED SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	28,820,753	
1941	SPECIAL CATEGORIES PAYMENT TO EXPRESSWAY AUTHORITIES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	5,870,420	
1942	SPECIAL CATEGORIES FLORIDA HIGHWAY PATROL SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	22,057,407	
1943	SPECIAL CATEGORIES HUMAN RESOURCES DEVELOPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	134,949	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1943A	SPECIAL CATEGORIES OVERTIME FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	147,739	
1944	SPECIAL CATEGORIES TRANSPORTATION MATERIALS AND EQUIPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	5,168,409	
1945	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	172,740	
1946	FIXED CAPITAL OUTLAY MINOR RENOVATIONS, REPAIRS, AND IMPROVEMENTS - STATEWIDE FROM TURNPIKE GENERAL RESERVE TRUST FUND	201,390	
1947	FIXED CAPITAL OUTLAY TRANSPORTATION HIGHWAY MAINTENANCE CONTRACTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	57,137,774	
1948	FIXED CAPITAL OUTLAY INTRASTATE HIGHWAY CONSTRUCTION FROM TURNPIKE RENEWAL AND REPLACEMENT TRUST FUND FROM TURNPIKE GENERAL RESERVE TRUST FUND FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	17,916,465 520,913,811 2,897,856	
1949	FIXED CAPITAL OUTLAY CONSTRUCTION INSPECTION CONSULTANTS FROM TURNPIKE RENEWAL AND REPLACEMENT TRUST FUND FROM TURNPIKE GENERAL RESERVE TRUST FUND FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	6,200,135 62,833,838 284,500	
1950	FIXED CAPITAL OUTLAY RIGHT-OF-WAY LAND ACQUISITION FROM TURNPIKE GENERAL RESERVE TRUST FUND	51,925,700	
1951	FIXED CAPITAL OUTLAY RESURFACING FROM TURNPIKE RENEWAL AND REPLACEMENT TRUST FUND	37,207,490	
1952	FIXED CAPITAL OUTLAY BRIDGE CONSTRUCTION FROM TURNPIKE RENEWAL AND REPLACEMENT TRUST FUND	6,582,998	
1953	FIXED CAPITAL OUTLAY PRELIMINARY ENGINEERING CONSULTANTS FROM TURNPIKE RENEWAL AND REPLACEMENT TRUST FUND FROM TURNPIKE GENERAL RESERVE TRUST FUND FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	10,535,791 113,254,190 3,265,696	
1954	FIXED CAPITAL OUTLAY RIGHT-OF-WAY SUPPORT FROM TURNPIKE GENERAL RESERVE TRUST FUND	5,614,400	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1955	FIXED CAPITAL OUTLAY TRAFFIC ENGINEERING CONSULTANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		290,000
1956	FIXED CAPITAL OUTLAY TOLL OPERATION CONTRACTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		123,254,955
1957	FIXED CAPITAL OUTLAY TURNPIKE SYSTEM EQUIPMENT AND DEVELOPMENT FROM TURNPIKE GENERAL RESERVE TRUST FUND FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		29,606,870 3,661,050
1958	FIXED CAPITAL OUTLAY TOLLS SYSTEM EQUIPMENT AND DEVELOPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		46,026,302
TOTAL:	FLORIDA'S TURNPIKE ENTERPRISE FROM TRUST FUNDS		1,211,610,425
	TOTAL POSITIONS	405.00	
	TOTAL ALL FUNDS		1,211,610,425
TOTAL:	TRANSPORTATION, DEPARTMENT OF FROM TRUST FUNDS		10,023,891,142
	TOTAL POSITIONS	6,379.00	
	TOTAL ALL FUNDS		10,023,891,142
	TOTAL APPROVED SALARY RATE	334,959,655	
TOTAL OF SECTION 5			
	FROM GENERAL REVENUE FUND	206,358,379	
	FROM TRUST FUNDS		13,396,087,915
	TOTAL POSITIONS	15,058.25	
	TOTAL ALL FUNDS		13,602,446,294

SECTION 6 - GENERAL GOVERNMENT

SPECIFIC
APPROPRIATION

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.

PROGRAM: ADMINISTERED FUNDS

1960	LUMP SUM HUMAN RESOURCES OUTSOURCING CONTINGENCY FROM GENERAL REVENUE FUND	300,000
1960A	LUMP SUM HUMAN RESOURCES ASSESSMENT REDUCTION FROM GENERAL REVENUE FUND FROM TRUST FUNDS	-1,261,812 -1,108,679
1961A	LUMP SUM AGENCY FOR STATE TECHNOLOGY (AST) - AGENCY INFORMATION TECHNOLOGY SERVICES FROM TRUST FUNDS	6,363,066
1961B	LUMP SUM INFORMATION TECHNOLOGY FROM GENERAL REVENUE FUND FROM TRUST FUNDS	4,813,834 -621,111
1961C	LUMP SUM STRENGTHENING DOMESTIC SECURITY FROM TRUST FUNDS	30,764,189

From the funds provided in Specific Appropriation 1961B, \$747,159 from the General Revenue Fund and a reduction of (\$621,111) from trust funds are provided for distribution into agencies' State Data Center-Agency for State Technology data processing categories for the revenue to support appropriations within the Agency for State Technology.

Funds provided in Specific Appropriation 1961C are contingent on federal grants being awarded. Should the amount awarded for each federal grant be less than the amount appropriated, funds shall be awarded in priority order for the individual projects as indicated in the Fiscal Year 2016-2017 Domestic Security Funding Request of the Domestic Security Oversight Board. Once federal funding is received and projects are funded in priority order, the Board may transfer funding between any of the funded projects. Funds may be allocated to projects not listed below with approval of the Legislative Budget Commission.

State Homeland Security Program (SHSP):	
DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES	
State Agricultural Response Team (SART) Support.....	263,320
DEPARTMENT OF EDUCATION	
Mass Notification.....	214,285
Emergency Operational Communication K-20.....	408,720
Bay District School.....	100,000
Wakulla County Schools.....	29,976
Jefferson County School.....	50,000
DeSoto County School.....	26,670
K-12 Security Visitor Identification System.....	168,302
DEPARTMENT OF FINANCIAL SERVICES	
Specialty Training and Exercise.....	92,358
Specialty Team Sustainment and Maintenance.....	18,000
Critical Needs.....	97,000
DEPARTMENT OF HEALTH	
Enhancement of State's Radiological Nuclear Detection Capability.....	134,000
Active Shooter in a Health Care Setting Training/Drill....	59,250
DEPARTMENT OF LAW ENFORCEMENT	
Sustainment of Fusion Center Analyst.....	119,000
Fusion Centers.....	253,000
Statewide Data Sharing.....	1,596,800

SECTION 6 - GENERAL GOVERNMENT

Metadata Planners.....	195,000	
State MS-ISAC Network.....	72,494	
Cyber Security Training.....	283,000	
Region 2 EDICS Tower.....	80,000	
Management and Administration.....	69,834	
Region 2 Capitol Police.....	57,000	
DIVISION OF EMERGENCY MANAGEMENT (EOG)		
All-Hazards Training.....	391,378	
Sustainment of Fusion Center Analyst.....	406,000	
HazMat Sustainment.....	653,448	
LE Sustainment and Maintenance.....	966,338	
LE Response Critical Needs.....	830,310	
HazMat Critical Needs.....	164,750	
USAR Sustainment.....	392,036	
MARC Sustainment.....	79,416	
USAR Critical Needs.....	23,000	
Specialty T&E.....	120,000	
HAZMAT Training and Exercise.....	403,320	
USAR Training.....	492,532	
EDICS Sustainment.....	34,000	
Orange County Cyber Security Defense Initiative.....	182,000	
FRT Sustainment and Maintenance.....	9,678	
700 MHz Overlay Project - Region 7.....	560,000	
Fusion Centers.....	165,107	
LE Data Sharing.....	762,000	
Metadata Planners.....	152,500	
WEBEOC Project.....	684,146	
ISSI Project - Region 4.....	598,000	
Lakeland Electric Pilot - Region 4.....	125,000	
MARC Training and Exercise.....	9,500	
Skywatch Mobile Surveillance Tower - Region 6.....	143,534	
700 MHz Mutual Aid Overlay Phase2 - Region 1.....	310,016	
Skywatch Mobile Surveillance Tower - Region 3.....	148,050	
Management & Administration.....	701,456	
FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION		
Specialty Team Sustainment and Maintenance.....	39,100	
Special Team Training & Exercise.....	94,500	
Urban Areas Security Initiative (UASI):		
Miami/Ft Lauderdale Urban Areas Security Initiative (UASI)	6,479,263	
Orlando Urban Areas Security Initiative (UASI).....	3,188,648	
Tampa Urban Areas Security Initiative (UASI).....	4,069,166	
Management and Administration (UASI).....	723,004	
Additional Federal Funding:		
DIVISION OF EMERGENCY MANAGEMENT		
Urban Area Security (UASI) Nonprofit Security		
Grant Program (NSGP).....	1,124,900	
Operation Stonegarden (OPSG).....	1,150,084	
1962A LUMP SUM		
EMPLOYEE COMPENSATION AND BENEFITS		
FROM GENERAL REVENUE FUND	66,811,868	
FROM TRUST FUNDS		34,033,111
1963A LUMP SUM		
STATE MATCH FOR FEDERAL FEMA FUNDING		
FROM GENERAL REVENUE FUND	23,137,234	
1964 SPECIAL CATEGORIES		
ASSOCIATION DUES		
FROM GENERAL REVENUE FUND	215,170	
1964A SPECIAL CATEGORIES		
GRANTS AND AIDS - TRIUMPH GULF COAST		
FROM GENERAL REVENUE FUND	300,000,000	
Specific Appropriation 1964A 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), and 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		

SECTION 6 - GENERAL GOVERNMENT

1965 SPECIAL CATEGORIES			
ADMINISTRATION COMMISSION AND FLORIDA LAND			
AND WATER ADJUDICATORY COMMISSION -			
ADMINISTRATIVE APPEALS			
FROM GENERAL REVENUE FUND	10,000		
1966 SPECIAL CATEGORIES			
TRANSFER TO PLANNING AND BUDGETING SYSTEM			
TRUST FUND			
FROM GENERAL REVENUE FUND	5,821,861		
TOTAL: PROGRAM: ADMINISTERED FUNDS			
FROM GENERAL REVENUE FUND	399,848,155		
FROM TRUST FUNDS		69,430,576	
TOTAL ALL FUNDS		469,278,731	
BUSINESS AND PROFESSIONAL REGULATION, DEPARTMENT OF			
PROGRAM: OFFICE OF THE SECRETARY AND ADMINISTRATION			
EXECUTIVE DIRECTION AND SUPPORT SERVICES			
APPROVED SALARY RATE	8,006,921		
1967 SALARIES AND BENEFITS		155.50	
POSITIONS			
FROM ADMINISTRATIVE TRUST FUND . . .			10,962,625
1968 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND	350,000		
FROM ADMINISTRATIVE TRUST FUND . . .			757,051
1969 EXPENSES			
FROM ADMINISTRATIVE TRUST FUND . . .			1,495,021
1970 OPERATING CAPITAL OUTLAY			
FROM ADMINISTRATIVE TRUST FUND . . .			27,088
1971 SPECIAL CATEGORIES			
TRANSFER TO DIVISION OF ADMINISTRATIVE			
HEARINGS			
FROM ADMINISTRATIVE TRUST FUND . . .			187,533
1972 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM ADMINISTRATIVE TRUST FUND . . .			254,780
1973 SPECIAL CATEGORIES			
OPERATION OF MOTOR VEHICLES			
FROM ADMINISTRATIVE TRUST FUND . . .			6,500
1974 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM ADMINISTRATIVE TRUST FUND . . .			46,445
1975 SPECIAL CATEGORIES			
SALARY INCENTIVE PAYMENTS			
FROM ADMINISTRATIVE TRUST FUND . . .			7,650
1976 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM ADMINISTRATIVE TRUST FUND . . .			107,506
1977 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT			
SERVICES - HUMAN RESOURCES SERVICES			
PURCHASED PER STATEWIDE CONTRACT			
FROM ADMINISTRATIVE TRUST FUND . . .			55,031

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TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		
FROM GENERAL REVENUE FUND	350,000	
FROM TRUST FUNDS		13,907,230
TOTAL POSITIONS	155.50	
TOTAL ALL FUNDS		14,257,230

INFORMATION TECHNOLOGY

APPROVED SALARY RATE	3,231,394	
1978 SALARIES AND BENEFITS POSITIONS	57.00	
FROM GENERAL REVENUE FUND	187,940	
FROM ADMINISTRATIVE TRUST FUND		4,162,929
1979 OTHER PERSONAL SERVICES		
FROM ADMINISTRATIVE TRUST FUND		109,265
1980 EXPENSES		
FROM GENERAL REVENUE FUND	11,878	
FROM ADMINISTRATIVE TRUST FUND		1,444,038
1981 OPERATING CAPITAL OUTLAY		
FROM ADMINISTRATIVE TRUST FUND		100,000
1982 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM ADMINISTRATIVE TRUST FUND		2,420,911
1983 SPECIAL CATEGORIES		
FLORIDA BUSINESS INFORMATION PORTAL		
FROM GENERAL REVENUE FUND	492,236	

The funds in Specific Appropriation 1983 are provided to implement the Florida Business Information Portal and shall be placed in reserve.

The Department of Business and Professional Regulation may submit budget amendments in accordance with chapter 216, Florida Statutes, requesting the release of funds, contingent upon the submission of an operational work plan, or project plan that includes the project scope, schedule and cost for implementing the Florida Business Information Portal.

1984 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM ADMINISTRATIVE TRUST FUND		11,932
1985 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM ADMINISTRATIVE TRUST FUND		13,501
1986 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	688	
FROM ADMINISTRATIVE TRUST FUND		17,380
1987 DATA PROCESSING SERVICES		
STATE DATA CENTER - AGENCY FOR STATE		
TECHNOLOGY (AST)		
FROM ADMINISTRATIVE TRUST FUND		1,283,772
1988 DATA PROCESSING SERVICES		
NORTHWEST REGIONAL DATA CENTER (NWRDC)		
FROM ADMINISTRATIVE TRUST FUND		155,190
TOTAL: INFORMATION TECHNOLOGY		
FROM GENERAL REVENUE FUND	692,742	
FROM TRUST FUNDS		9,718,918
TOTAL POSITIONS	57.00	
TOTAL ALL FUNDS		10,411,660

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PROGRAM: SERVICE OPERATION

CUSTOMER CONTACT CENTER

APPROVED SALARY RATE	3,117,285	
1989 SALARIES AND BENEFITS POSITIONS	91.00	
FROM ADMINISTRATIVE TRUST FUND		4,467,927
1990 OTHER PERSONAL SERVICES		
FROM ADMINISTRATIVE TRUST FUND		232,098
1991 EXPENSES		
FROM ADMINISTRATIVE TRUST FUND		506,929
1992 OPERATING CAPITAL OUTLAY		
FROM ADMINISTRATIVE TRUST FUND		3,000
1993 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM ADMINISTRATIVE TRUST FUND		9,000
1994 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM ADMINISTRATIVE TRUST FUND		24,102
1995 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM ADMINISTRATIVE TRUST FUND		5,430
1996 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM ADMINISTRATIVE TRUST FUND		29,848
TOTAL: CUSTOMER CONTACT CENTER		
FROM TRUST FUNDS		5,278,334
TOTAL POSITIONS	91.00	
TOTAL ALL FUNDS		5,278,334

CENTRAL INTAKE

APPROVED SALARY RATE	3,649,249	
1997 SALARIES AND BENEFITS POSITIONS	109.50	
FROM ADMINISTRATIVE TRUST FUND		5,321,886
1998 OTHER PERSONAL SERVICES		
FROM ADMINISTRATIVE TRUST FUND		423,613
1999 EXPENSES		
FROM ADMINISTRATIVE TRUST FUND		582,375
2000 OPERATING CAPITAL OUTLAY		
FROM ADMINISTRATIVE TRUST FUND		3,000
2001 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM ADMINISTRATIVE TRUST FUND		1,000,000
2002 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM ADMINISTRATIVE TRUST FUND		57,667
2003 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM ADMINISTRATIVE TRUST FUND		26,950
2004 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM ADMINISTRATIVE TRUST FUND		40,503

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TOTAL: CENTRAL INTAKE		
FROM TRUST FUNDS		7,455,994
TOTAL POSITIONS	109.50	
TOTAL ALL FUNDS		7,455,994

PROGRAM: PROFESSIONAL REGULATION

COMPLIANCE AND ENFORCEMENT

APPROVED SALARY RATE	11,800,019	
2005 SALARIES AND BENEFITS POSITIONS	268.00	
FROM PROFESSIONAL REGULATION TRUST FUND		16,570,627
2006 OTHER PERSONAL SERVICES		
FROM PROFESSIONAL REGULATION TRUST FUND		1,101,322
2007 EXPENSES		
FROM PROFESSIONAL REGULATION TRUST FUND		3,318,982
2008 OPERATING CAPITAL OUTLAY		
FROM PROFESSIONAL REGULATION TRUST FUND		6,920
2009 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM PROFESSIONAL REGULATION TRUST FUND		220,900

From the funds provided in Specific Appropriation 2009, the Department of Business and Professional Regulation may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the secretary that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida Statutes.

2010 SPECIAL CATEGORIES		
TRANSFER TO THE PROFESSIONAL REGULATION TRUST FUND		
FROM GENERAL REVENUE FUND	740,000	

The funds in Specific Appropriation 2010 are provided for the Division of Drugs, Devices and Cosmetics. The funds shall be utilized, if needed, in excess of available trust funds to support and maintain operations of the division.

2011 SPECIAL CATEGORIES		
LEGAL SERVICES CONTRACT		
FROM PROFESSIONAL REGULATION TRUST FUND		918,385
2012 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF HEALTH		
FROM PROFESSIONAL REGULATION TRUST FUND		282,637
2013 SPECIAL CATEGORIES		
UNLICENSED ACTIVITIES		
FROM PROFESSIONAL REGULATION TRUST FUND		2,138,146

From the funds in Specific Appropriation 2013, up to \$400,000 from the Professional Regulation Trust Fund is provided to the Department of Business and Professional Regulation to prevent, combat, and publicize the dangers of unlicensed real estate activity in Florida. The department shall develop, implement, and maintain an unlicensed activity campaign in consultation with a corporation that is registered under chapter 617, Florida Statutes, as a not-for-profit corporation and qualified under the Internal Revenue Service Code as a 501(c)(6) corporation, and that represents the largest number of licensed Florida real estate professionals. The campaign shall encompass media production, advertising, and other techniques that the department may

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wish to utilize after first consulting with the not-for-profit corporation. Special emphasis shall be placed on the investigation and prosecution of unlicensed real estate activities. To further the purpose of the unlicensed activity campaign, the department shall be authorized to accept in-kind contributions of services, media production, or advertising materials from the not-for-profit corporation. Any advertising, media, or materials produced as a result of contributions shall carry acknowledgements of joint production and sponsorship. The department may not allocate overhead charges to these unlicensed activity campaign funds.

From the funds in Specific Appropriation 2013, up to \$100,000 from the Professional Regulation Trust Fund is provided to the Department of Business and Professional Regulation to institute an unlicensed activity campaign for the purpose of informing and educating the public: (1) that public accounting is a regulated profession with requirements of licensure pursuant to chapter 473, Florida Statutes; (2) that some services provided by unlicensed individuals, although legal, are regulated when provided by a licensed Florida Certified Public Accountant; and, (3) that certain services may only be performed by a licensed Florida Certified Public Accountant. The department shall develop the campaign in consultation with a corporation that is registered under chapter 617, Florida Statutes, as a not-for-profit corporation and qualified under the Internal Revenue Service Code as a 501(c)(6) corporation, and that represents the largest number of licensed Florida Certified Public Accountants. Any advertising, media, or materials produced as a result of contributions shall carry acknowledgements of joint production and sponsorship. The department may not allocate overhead charges to these unlicensed activity campaign funds.

From the funds in Specific Appropriation 2013, up to \$250,000 from the Professional Regulation Trust Fund is provided to the Department of Business and Professional Regulation to enhance department enforcement activities, which include stings and sweeps, relating to unlicensed construction activity in Florida. The department may not allocate overhead charges to these unlicensed activity functions.

From the funds in Specific Appropriation 2013, the Department of Business and Professional Regulation shall submit a report to the President of the Senate, the Speaker of the House of Representatives, and the Executive Office of the Governor's Office of Policy and Budget by November 1, 2016, detailing the unlicensed activity functions performed by the department during Fiscal Year 2015-2016. The report shall contain a detailed breakout of activities, revenues, and expenditures by board and/or profession, and include any relevant information to indicate the department's compliance with section 455.2281, Florida Statutes.

2014 SPECIAL CATEGORIES		
CLAIMS PAYMENTS FROM CONSTRUCTION RECOVERY FUND		
FROM PROFESSIONAL REGULATION TRUST FUND		5,000,000
2015 SPECIAL CATEGORIES		
CLAIMS PAYMENT/AUCTIONEER RECOVERY FUND		
FROM PROFESSIONAL REGULATION TRUST FUND		106,579
2016 SPECIAL CATEGORIES		
TRANSFER ARCHITECT & INTERIOR DESIGN		
ACTIVITIES CH. 2002-274		
FROM PROFESSIONAL REGULATION TRUST FUND		425,239
2017 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM PROFESSIONAL REGULATION TRUST FUND		1,233,138
2018 SPECIAL CATEGORIES		
FLORIDA BUILDING CODE COMPLIANCE AND		
MITIGATION PROGRAM		
FROM PROFESSIONAL REGULATION TRUST FUND		925,000

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2019	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM PROFESSIONAL REGULATION TRUST FUND	223,236
2020	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM PROFESSIONAL REGULATION TRUST FUND	352,866
2021	SPECIAL CATEGORIES CLAY FORD SCHOLARSHIP PROGRAM - CERTIFIED PUBLIC ACCOUNTING MINORITY SCHOLARSHIPS FROM PROFESSIONAL REGULATION TRUST FUND	200,000
2022	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM PROFESSIONAL REGULATION TRUST FUND	83,362
2023	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM PROFESSIONAL REGULATION TRUST FUND	108,554
2024	SPECIAL CATEGORIES GRANTS AND AIDS - FLORIDA ENGINEERING MANAGEMENT CORPORATION (FEMC) CONTRACTED SERVICES FROM PROFESSIONAL REGULATION TRUST FUND	2,070,000
2025	FINANCIAL ASSISTANCE PAYMENTS REAL ESTATE RECOVERY FUND FROM PROFESSIONAL REGULATION TRUST FUND	300,000
2026	FINANCIAL ASSISTANCE PAYMENTS REAL ESTATE SCHOLARSHIPS FROM PROFESSIONAL REGULATION TRUST FUND	150,000
TOTAL:	COMPLIANCE AND ENFORCEMENT FROM GENERAL REVENUE FUND FROM TRUST FUNDS	740,000 35,735,893
	TOTAL POSITIONS TOTAL ALL FUNDS	268.00 36,475,893
FLORIDA BOXING COMMISSION		
	APPROVED SALARY RATE	236,462
2027	SALARIES AND BENEFITS POSITIONS FROM PROFESSIONAL REGULATION TRUST FUND	4.00 345,335
2028	OTHER PERSONAL SERVICES FROM PROFESSIONAL REGULATION TRUST FUND	110,371
2029	EXPENSES FROM PROFESSIONAL REGULATION TRUST FUND	156,920
2030	SPECIAL CATEGORIES TRANSFER TO THE PROFESSIONAL REGULATION TRUST FUND FROM GENERAL REVENUE FUND	638,055
2031	SPECIAL CATEGORIES CONTRACTED SERVICES FROM PROFESSIONAL REGULATION TRUST FUND	2,000

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2032	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM PROFESSIONAL REGULATION TRUST FUND	9,431
2033	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM PROFESSIONAL REGULATION TRUST FUND	3,758
TOTAL:	FLORIDA BOXING COMMISSION FROM GENERAL REVENUE FUND FROM TRUST FUNDS	638,055 627,815
	TOTAL POSITIONS TOTAL ALL FUNDS	4.00 1,265,870
TESTING AND CONTINUING EDUCATION		
	APPROVED SALARY RATE	1,441,817
2034	SALARIES AND BENEFITS POSITIONS FROM PROFESSIONAL REGULATION TRUST FUND	40.00 2,048,112
2035	EXPENSES FROM PROFESSIONAL REGULATION TRUST FUND	283,871
2036	OPERATING CAPITAL OUTLAY FROM PROFESSIONAL REGULATION TRUST FUND	3,000
2037	SPECIAL CATEGORIES EXAMINATION TESTING SERVICES FOR PROFESSIONAL REGULATION FROM PROFESSIONAL REGULATION TRUST FUND	658,235
2038	SPECIAL CATEGORIES CONTRACTED SERVICES FROM PROFESSIONAL REGULATION TRUST FUND	6,000
2039	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM PROFESSIONAL REGULATION TRUST FUND	1,000
2040	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM PROFESSIONAL REGULATION TRUST FUND	9,009
2041	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM PROFESSIONAL REGULATION TRUST FUND	5,211
2042	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM PROFESSIONAL REGULATION TRUST FUND	13,664
TOTAL:	TESTING AND CONTINUING EDUCATION FROM TRUST FUNDS	3,028,102
	TOTAL POSITIONS TOTAL ALL FUNDS	40.00 3,028,102

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FARM AND CHILD LABOR REGULATION

	APPROVED SALARY RATE	1,078,622	
2043	SALARIES AND BENEFITS POSITIONS FROM PROFESSIONAL REGULATION TRUST FUND	30.00 1,595,678	
2044	EXPENSES FROM PROFESSIONAL REGULATION TRUST FUND	160,342	
2045	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM PROFESSIONAL REGULATION TRUST FUND	45,000	
From the funds provided in Specific Appropriation 2045, the Department of Business and Professional Regulation may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the secretary that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida Statutes.			
2046	SPECIAL CATEGORIES CONTRACTED SERVICES FROM PROFESSIONAL REGULATION TRUST FUND	20,590	
2047	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM PROFESSIONAL REGULATION TRUST FUND	69,400	
2048	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM PROFESSIONAL REGULATION TRUST FUND	6,001	
2049	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM PROFESSIONAL REGULATION TRUST FUND	2,648	
2050	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM PROFESSIONAL REGULATION TRUST FUND	9,502	
TOTAL: FARM AND CHILD LABOR REGULATION FROM TRUST FUNDS		1,909,161	
	TOTAL POSITIONS	30.00	
	TOTAL ALL FUNDS	1,909,161	
PROGRAM: PARI-MUTUEL WAGERING			
PARI-MUTUEL WAGERING			
	APPROVED SALARY RATE	2,832,176	
2051	SALARIES AND BENEFITS POSITIONS FROM PARI-MUTUEL WAGERING TRUST FUND	65.00 3,971,000	
2052	OTHER PERSONAL SERVICES FROM PARI-MUTUEL WAGERING TRUST FUND	1,685,853	
2053	EXPENSES FROM PARI-MUTUEL WAGERING TRUST FUND	665,627	

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2054	OPERATING CAPITAL OUTLAY FROM PARI-MUTUEL WAGERING TRUST FUND	13,032	
2055	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM PARI-MUTUEL WAGERING TRUST FUND	40,002	
From the funds provided in Specific Appropriation 2055, the Department of Business and Professional Regulation may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the secretary that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida Statutes.			
2056	SPECIAL CATEGORIES CONTRACTED SERVICES FROM PARI-MUTUEL WAGERING TRUST FUND	27,317	
2057	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM PARI-MUTUEL WAGERING TRUST FUND	62,000	
2058	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM PARI-MUTUEL WAGERING TRUST FUND	161,340	
2059	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM PARI-MUTUEL WAGERING TRUST FUND	10,063	
2060	SPECIAL CATEGORIES RACING ANIMAL MEDICAL RESEARCH FROM PARI-MUTUEL WAGERING TRUST FUND	100,000	
2061	SPECIAL CATEGORIES PARI-MUTUEL LABORATORY CONTRACTED SERVICES FROM PARI-MUTUEL WAGERING TRUST FUND	2,266,000	
2062	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM PARI-MUTUEL WAGERING TRUST FUND	42,001	
2063	SPECIAL CATEGORIES CONTRACT FOR PARI-MUTUEL WAGERING COMPLIANCE AND AUDIT SYSTEM FROM PARI-MUTUEL WAGERING TRUST FUND	296,476	
TOTAL: PARI-MUTUEL WAGERING FROM TRUST FUNDS		9,340,711	
	TOTAL POSITIONS	65.00	
	TOTAL ALL FUNDS	9,340,711	
SLOT MACHINE REGULATION			
	APPROVED SALARY RATE	2,198,053	
2064	SALARIES AND BENEFITS POSITIONS FROM PARI-MUTUEL WAGERING TRUST FUND	50.00 3,130,632	
2065	OTHER PERSONAL SERVICES FROM PARI-MUTUEL WAGERING TRUST FUND	10,000	

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2066	EXPENSES		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND	275,248	
2067	OPERATING CAPITAL OUTLAY		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND	10,863	
2068	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND	40,000	

From the funds provided in Specific Appropriation 2068, the Department of Business and Professional Regulation may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the secretary that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida Statutes.

2069	SPECIAL CATEGORIES		
	COMPULSIVE AND ADDICTIVE GAMBLING		
	PREVENTION CONTRACT		
	FROM GENERAL REVENUE FUND	100,000	
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND	930,000	

Funds in Specific Appropriation 2069 shall be placed in reserve contingent upon the submission of a report to the chair of the Senate Appropriations Committee, the chair of the House of Representatives Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget detailing the services that will be delivered, the expected results, and recommended performance measures to be included in the contract for the provision of services related to the prevention and reduction of compulsive and addictive gambling. The report shall also include the effectiveness of Fiscal Year 2015-2016 efforts in reducing problem gambling. No earlier than 14 days after the submission of the report, the Department of Business and Professional Regulation may request the release of funds pursuant to the provisions of chapter 216, Florida Statutes.

2070	SPECIAL CATEGORIES		
	TRANSFER TO THE OFFICE OF THE STATE		
	ATTORNEY - SLOT INVESTIGATIONS AND		
	PROSECUTIONS		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND	223,876	
2071	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND	44,000	
2072	SPECIAL CATEGORIES		
	OPERATION OF MOTOR VEHICLES		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND	25,743	
2073	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND	13,780	
2074	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND	2,848	
2075	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND	17,050	

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TOTAL:	SLOT MACHINE REGULATION		
	FROM GENERAL REVENUE FUND	100,000	
	FROM TRUST FUNDS		4,724,040
	TOTAL POSITIONS	50.00	
	TOTAL ALL FUNDS		4,824,040

PROGRAM: HOTELS AND RESTAURANTS

COMPLIANCE AND ENFORCEMENT

	APPROVED SALARY RATE	11,861,058	
2076	SALARIES AND BENEFITS	POSITIONS	308.00
	FROM HOTEL AND RESTAURANT TRUST		
	FUND		16,667,947
2077	OTHER PERSONAL SERVICES		
	FROM HOTEL AND RESTAURANT TRUST		
	FUND		35,689
2078	EXPENSES		
	FROM HOTEL AND RESTAURANT TRUST		
	FUND		1,861,116
2079	OPERATING CAPITAL OUTLAY		
	FROM HOTEL AND RESTAURANT TRUST		
	FUND		8,500
2080	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM HOTEL AND RESTAURANT TRUST		
	FUND		275,000

From the funds provided in Specific Appropriation 2080, the Department of Business and Professional Regulation may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the secretary that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida Statutes.

2080A	SPECIAL CATEGORIES		
	TRANSFER TO VISIT FLORIDA		
	FROM HOTEL AND RESTAURANT TRUST		
	FUND		2,000,000

Funds in Specific Appropriation 2080A shall be transferred to Visit Florida to contract with the Florida Restaurant and Lodging Association, Inc., to develop a coordinated marketing, media and events program to promote Florida tourism by residents of the state. This campaign shall require a private matching program and shall be conducted throughout the state, as approved by and monitored by Visit Florida and the Florida Restaurant and Lodging Association, Inc., for the purpose of promoting tourism within the state.

2081	SPECIAL CATEGORIES		
	TRANSFERS TO DEPARTMENT OF HEALTH FOR		
	EPIDEMIOLOGICAL SERVICES		
	FROM HOTEL AND RESTAURANT TRUST		
	FUND		607,149
2082	SPECIAL CATEGORIES		
	GRANTS AND AIDS - SCHOOL-TO-CAREER		
	FROM HOTEL AND RESTAURANT TRUST		
	FUND		706,698
2083	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM HOTEL AND RESTAURANT TRUST		
	FUND		70,509
2084	SPECIAL CATEGORIES		
	OPERATION OF MOTOR VEHICLES		
	FROM HOTEL AND RESTAURANT TRUST		
	FUND		466,941

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2085	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM HOTEL AND RESTAURANT TRUST FUND	276,484
2086	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM HOTEL AND RESTAURANT TRUST FUND	25,000
2087	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM HOTEL AND RESTAURANT TRUST FUND	97,718
TOTAL: COMPLIANCE AND ENFORCEMENT FROM TRUST FUNDS		23,098,751
TOTAL POSITIONS		308.00
TOTAL ALL FUNDS		23,098,751
PROGRAM: ALCOHOLIC BEVERAGES AND TOBACCO		
COMPLIANCE AND ENFORCEMENT		
APPROVED SALARY RATE		9,181,013
2088	SALARIES AND BENEFITS FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	188.75 12,679,085
2089	OTHER PERSONAL SERVICES FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	7,075
2090	EXPENSES FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND FROM FEDERAL LAW ENFORCEMENT TRUST FUND	1,481,830 177,854
2091	OPERATING CAPITAL OUTLAY FROM FEDERAL LAW ENFORCEMENT TRUST FUND	54,000
2092	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	315,644
2093	SPECIAL CATEGORIES CONTRACTED SERVICES FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	78,044
2094	SPECIAL CATEGORIES OPERATION AND MAINTENANCE OF PATROL VEHICLES FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	896,017
2095	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	514,050
2096	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	172,846
2097	SPECIAL CATEGORIES TRANSFER FOR CONTRACTED DISPATCH SERVICES FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	140,000

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2098	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	28,219
2099	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	61,566
TOTAL: COMPLIANCE AND ENFORCEMENT FROM TRUST FUNDS		16,606,230
TOTAL POSITIONS		188.75
TOTAL ALL FUNDS		16,606,230
STANDARDS AND LICENSURE		
APPROVED SALARY RATE		2,405,493
2100	SALARIES AND BENEFITS FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	59.50 3,538,727
2101	OTHER PERSONAL SERVICES FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	141,806
2102	EXPENSES FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	550,628
2103	OPERATING CAPITAL OUTLAY FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	5,000
2104	SPECIAL CATEGORIES CONTRACTED SERVICES FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	17,733
2105	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	13,516
2106	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	12,229
2107	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	20,753
TOTAL: STANDARDS AND LICENSURE FROM TRUST FUNDS		4,300,392
TOTAL POSITIONS		59.50
TOTAL ALL FUNDS		4,300,392
TAX COLLECTION		
APPROVED SALARY RATE		3,304,512
2108	SALARIES AND BENEFITS FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	82.00 4,762,272
2109	OTHER PERSONAL SERVICES FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	16,669

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2110	EXPENSES FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	622,009
2111	SPECIAL CATEGORIES CONTRACTED SERVICES FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	1,247,860

From the funds in Specific Appropriation 2111 and 2116, the Department of Business and Professional Regulation shall utilize \$1,226,680 and \$13,100 respectively for staff to expand and enhance the Electronic Data Submission system to automate data reporting, which will improve the accuracy and efficiency of tax reporting and collections.

2112	SPECIAL CATEGORIES CIGARETTE TAX STAMPS FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	866,505
2113	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	14,277
2114	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	12,998
2115	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	28,967
2116	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	13,100

TOTAL: TAX COLLECTION FROM TRUST FUNDS	7,584,657
TOTAL POSITIONS	82.00
TOTAL ALL FUNDS	7,584,657

PROGRAM: FLORIDA CONDOMINIUMS, TIMESHARES AND
MOBILE HOMES

COMPLIANCE AND ENFORCEMENT

APPROVED SALARY RATE	4,462,950	
2117	SALARIES AND BENEFITS POSITIONS 110.00 FROM DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES TRUST FUND	6,248,896
2118	OTHER PERSONAL SERVICES FROM DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES TRUST FUND	44,076
2119	EXPENSES FROM DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES TRUST FUND	903,881
2120	OPERATING CAPITAL OUTLAY FROM DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES TRUST FUND	6,298

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2121	SPECIAL CATEGORIES CONTRACTED SERVICES FROM DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES TRUST FUND	17,500
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2122	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES TRUST FUND	32,184
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2123	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES TRUST FUND	11,856
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2124	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES TRUST FUND	37,714
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TOTAL: COMPLIANCE AND ENFORCEMENT FROM TRUST FUNDS	7,302,405
TOTAL POSITIONS	110.00
TOTAL ALL FUNDS	7,302,405

TOTAL: BUSINESS AND PROFESSIONAL REGULATION, DEPARTMENT OF FROM GENERAL REVENUE FUND	2,520,797	150,618,633
FROM TRUST FUNDS		
TOTAL POSITIONS	1,618.25	
TOTAL ALL FUNDS		153,139,430
TOTAL APPROVED SALARY RATE	68,807,024	

PROGRAM: CITRUS, DEPARTMENT OF

CITRUS RESEARCH

APPROVED SALARY RATE	1,332,593	
2125	SALARIES AND BENEFITS POSITIONS 20.00 FROM CITRUS ADVERTISING TRUST FUND	1,721,159
2126	OTHER PERSONAL SERVICES FROM CITRUS ADVERTISING TRUST FUND	107,098
2127	EXPENSES FROM CITRUS ADVERTISING TRUST FUND	451,896
2128	OPERATING CAPITAL OUTLAY FROM CITRUS ADVERTISING TRUST FUND	251,000
2129	SPECIAL CATEGORIES CONTRACTED SERVICES FROM CITRUS ADVERTISING TRUST FUND	5,920,494
2130	SPECIAL CATEGORIES PAID ADVERTISING AND PROMOTION FROM CITRUS ADVERTISING TRUST FUND	82,000
2131	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM CITRUS ADVERTISING TRUST FUND	5,819

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TOTAL: CITRUS RESEARCH		
FROM TRUST FUNDS		8,539,466
TOTAL POSITIONS	20.00	
TOTAL ALL FUNDS		8,539,466

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE	1,466,312	
2132 SALARIES AND BENEFITS POSITIONS	23.00	
FROM CITRUS ADVERTISING TRUST FUND .		2,142,335
2133 OTHER PERSONAL SERVICES		
FROM CITRUS ADVERTISING TRUST FUND .		66,000
2134 EXPENSES		
FROM CITRUS ADVERTISING TRUST FUND .		492,625
2135 OPERATING CAPITAL OUTLAY		
FROM CITRUS ADVERTISING TRUST FUND .		119,779
2136 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM CITRUS ADVERTISING TRUST FUND .		407,655
2137 SPECIAL CATEGORIES		
PAID ADVERTISING AND PROMOTION		
FROM CITRUS ADVERTISING TRUST FUND .		75,000
2138 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM CITRUS ADVERTISING TRUST FUND .		13,837
2139 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM CITRUS ADVERTISING TRUST FUND .		8,892
2140 DATA PROCESSING SERVICES		
STATE DATA CENTER - AGENCY FOR STATE		
TECHNOLOGY (AST)		
FROM CITRUS ADVERTISING TRUST FUND .		37,599
2141 FIXED CAPITAL OUTLAY		
FACILITIES REPAIRS AND MAINTENANCE		
FROM CITRUS ADVERTISING TRUST FUND .		85,000
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		
FROM TRUST FUNDS		3,448,722
TOTAL POSITIONS	23.00	
TOTAL ALL FUNDS		3,448,722

AGRICULTURAL PRODUCTS MARKETING

APPROVED SALARY RATE	1,189,794	
2142 SALARIES AND BENEFITS POSITIONS	12.00	
FROM CITRUS ADVERTISING TRUST FUND .		1,699,471
2143 OTHER PERSONAL SERVICES		
FROM CITRUS ADVERTISING TRUST FUND .		17,000
2144 EXPENSES		
FROM CITRUS ADVERTISING TRUST FUND .		461,331
2145 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM CITRUS ADVERTISING TRUST FUND .		100,000
2146 SPECIAL CATEGORIES		
PAID ADVERTISING AND PROMOTION		
FROM CITRUS ADVERTISING TRUST FUND .		27,645,526

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2147 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM CITRUS ADVERTISING TRUST FUND .		5,206

TOTAL: AGRICULTURAL PRODUCTS MARKETING		
FROM TRUST FUNDS		29,928,534

TOTAL POSITIONS	12.00	
TOTAL ALL FUNDS		29,928,534

TOTAL: PROGRAM: CITRUS, DEPARTMENT OF		
FROM TRUST FUNDS		41,916,722

TOTAL POSITIONS	55.00	
TOTAL ALL FUNDS		41,916,722
TOTAL APPROVED SALARY RATE	3,988,699	

ECONOMIC OPPORTUNITY, DEPARTMENT OF

From the funds in Specific Appropriations 2148 through 2245, 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 2148 through 2245, 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

APPROVED SALARY RATE	2,755,167	
2148 SALARIES AND BENEFITS POSITIONS	38.00	
FROM ADMINISTRATIVE TRUST FUND . . .		3,271,479
2149 OTHER PERSONAL SERVICES		
FROM ADMINISTRATIVE TRUST FUND . . .		113,627
2150 EXPENSES		
FROM ADMINISTRATIVE TRUST FUND . . .		504,993
2151 OPERATING CAPITAL OUTLAY		
FROM ADMINISTRATIVE TRUST FUND . . .		17,177
2152 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE		
HEARINGS		
FROM ADMINISTRATIVE TRUST FUND . . .		18,535

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2153	SPECIAL CATEGORIES	
	GRANTS AND AIDS - CONTRACTED SERVICES	
	FROM ADMINISTRATIVE TRUST FUND . . .	133,778
	FROM STATE ECONOMIC ENHANCEMENT	
	AND DEVELOPMENT TRUST FUND	160,000
	FROM FLORIDA INTERNATIONAL TRADE	
	AND PROMOTION TRUST FUND	8,000
	FROM TOURISM PROMOTIONAL TRUST	
	FUND	32,000

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 2153 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.

2154	SPECIAL CATEGORIES	
	RISK MANAGEMENT INSURANCE	
	FROM ADMINISTRATIVE TRUST FUND . . .	23,168
2155	SPECIAL CATEGORIES	
	TRANSFER TO DEPARTMENT OF MANAGEMENT	
	SERVICES - HUMAN RESOURCES SERVICES	
	PURCHASED PER STATEWIDE CONTRACT	
	FROM ADMINISTRATIVE TRUST FUND . . .	13,943
2156	DATA PROCESSING SERVICES	
	STATE DATA CENTER - AGENCY FOR STATE	
	TECHNOLOGY (AST)	
	FROM ADMINISTRATIVE TRUST FUND . . .	4,919
TOTAL:	EXECUTIVE LEADERSHIP	
	FROM TRUST FUNDS	4,301,619
	TOTAL POSITIONS	38.00
	TOTAL ALL FUNDS	4,301,619

FINANCE AND ADMINISTRATION

	APPROVED SALARY RATE	5,460,045	
2157	SALARIES AND BENEFITS	POSITIONS	99.00
	FROM ADMINISTRATIVE TRUST FUND . . .	6,463,908	
	FROM REVOLVING TRUST FUND	933,520	
2158	OTHER PERSONAL SERVICES		
	FROM ADMINISTRATIVE TRUST FUND . . .	49,136	
	FROM REVOLVING TRUST FUND	50,000	
2159	EXPENSES		
	FROM ADMINISTRATIVE TRUST FUND . . .	625,557	
	FROM REVOLVING TRUST FUND	1,418,634	
2160	OPERATING CAPITAL OUTLAY		
	FROM ADMINISTRATIVE TRUST FUND . . .	52,822	
2161	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM ADMINISTRATIVE TRUST FUND . . .	510,198	
	FROM REVOLVING TRUST FUND	1,036,300	
2162	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM ADMINISTRATIVE TRUST FUND . . .	29,738	
	FROM REVOLVING TRUST FUND	5,719	
2163	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM ADMINISTRATIVE TRUST FUND . . .	24,618	
	FROM REVOLVING TRUST FUND	4,541	

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2164	DATA PROCESSING SERVICES	
	STATE DATA CENTER - AGENCY FOR STATE	
	TECHNOLOGY (AST)	
	FROM ADMINISTRATIVE TRUST FUND . . .	146,027
2165	FIXED CAPITAL OUTLAY	
	REED ACT BUILDINGS PROJECTS - STATEWIDE	
	FROM REVOLVING TRUST FUND	494,000
TOTAL:	FINANCE AND ADMINISTRATION	
	FROM TRUST FUNDS	11,844,718
	TOTAL POSITIONS	99.00
	TOTAL ALL FUNDS	11,844,718

INFORMATION SYSTEMS AND SUPPORT SERVICES

	APPROVED SALARY RATE	5,699,356	
2166	SALARIES AND BENEFITS	POSITIONS	93.00
	FROM ADMINISTRATIVE TRUST FUND . . .	7,787,274	
2167	OTHER PERSONAL SERVICES		
	FROM ADMINISTRATIVE TRUST FUND . . .	130,512	
2168	EXPENSES		
	FROM ADMINISTRATIVE TRUST FUND . . .	1,360,012	
2169	OPERATING CAPITAL OUTLAY		
	FROM ADMINISTRATIVE TRUST FUND . . .	608,319	
2170	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM ADMINISTRATIVE TRUST FUND . . .	928,190	
2171	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM ADMINISTRATIVE TRUST FUND . . .	87,447	
2172	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM ADMINISTRATIVE TRUST FUND . . .	27,074	
2173	DATA PROCESSING SERVICES		
	STATE DATA CENTER - AGENCY FOR STATE		
	TECHNOLOGY (AST)		
	FROM ADMINISTRATIVE TRUST FUND . . .	68,828	
TOTAL:	INFORMATION SYSTEMS AND SUPPORT SERVICES		
	FROM TRUST FUNDS	10,997,656	
	TOTAL POSITIONS	93.00	
	TOTAL ALL FUNDS	10,997,656	

PROGRAM: WORKFORCE SERVICES

WORKFORCE DEVELOPMENT

From the funds in Specific Appropriations 2174 through 2203, 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

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board that would use the FTE position to provide additional services to veterans.

	APPROVED SALARY RATE	25,044,535	
2174	SALARIES AND BENEFITS	POSITIONS	650.50
	FROM EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND		33,334,720
	FROM WELFARE TRANSITION TRUST FUND .		1,284,196
	FROM SPECIAL EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND		788,585
2175	OTHER PERSONAL SERVICES		
	FROM EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND		7,130,057
	FROM WELFARE TRANSITION TRUST FUND .		65,313
	FROM SPECIAL EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND		107,995
2176	EXPENSES		
	FROM EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND		1,143,128
	FROM WELFARE TRANSITION TRUST FUND .		1,105,389
	FROM SPECIAL EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND		60,387
2177	OPERATING CAPITAL OUTLAY		
	FROM EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND		109,473
	FROM WELFARE TRANSITION TRUST FUND .		26,424
	FROM SPECIAL EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND		175,530
2177A	SPECIAL CATEGORIES		
	GRANTS AND AIDS - WORKFORCE PROJECTS		
	FROM GENERAL REVENUE FUND	1,715,200	
	FROM STATE ECONOMIC ENHANCEMENT		
	AND DEVELOPMENT TRUST FUND		1,350,000
	FROM SPECIAL EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND		1,879,233

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

Florida Goodwill Association.....	600,000
Louise Graham Regeneration Center, Inc. - Pinellas County...	279,233
United Way of NE Florida - Financial Literacy and Prosperity Program.....	1,000,000

The nonrecurring funds provided in Specific Appropriation 2177A from the State Economic Enhancement and Development Trust Fund shall be allocated as follows:

Eco-Tech Job Training Program.....	250,000
Goodwill Manasota.....	600,000
Home Builder's Institute (PACT).....	500,000

The nonrecurring funds provided in Specific Appropriation 2177A from the General Revenue Fund shall be allocated as follows:

First Coast Maritime Academy.....	364,200
Florida Ready to Work.....	1,000,000
JARC Transition Pre-Employment Training Program.....	180,000
PARC - Project SEARCH Initiative.....	171,000

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

2178	SPECIAL CATEGORIES		
	NON CUSTODIAL PARENT PROGRAM		
	FROM WELFARE TRANSITION TRUST FUND .		1,416,000

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

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Hillsborough counties - \$750,000.

CareerSource Pinellas shall administer the funds.

2179	SPECIAL CATEGORIES		
	GRANTS AND AIDS - SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)		
	FROM EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND		6,300,000
	FROM SPECIAL EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND		6,300,000
2180	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND		9,918,979
	FROM WELFARE TRANSITION TRUST FUND .		575,000
	FROM SPECIAL EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND		173,005
2181	SPECIAL CATEGORIES		
	GRANTS AND AIDS - REGIONAL WORKFORCE BOARDS		
	FROM EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND		229,344,538
	FROM WELFARE TRANSITION TRUST FUND .		54,014,907

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.

2182	SPECIAL CATEGORIES		
	GRANTS AND AIDS - DISPLACED HOMEMAKERS		
	FROM DISPLACED HOME MAKER TRUST		
	FUND		2,000,000
2183	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND		1,084,174
	FROM WELFARE TRANSITION TRUST FUND .		1,996

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2184	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND FROM WELFARE TRANSITION TRUST FUND	236,226 5,605
2185	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND FROM WELFARE TRANSITION TRUST FUND	608,761 328,184
TOTAL:	WORKFORCE DEVELOPMENT FROM GENERAL REVENUE FUND FROM TRUST FUNDS TOTAL POSITIONS TOTAL ALL FUNDS	1,715,200 360,867,805 650.50 362,583,005
REEMPLOYMENT ASSISTANCE PROGRAM		
	APPROVED SALARY RATE	19,515,871
2186	SALARIES AND BENEFITS POSITIONS FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	504.50 30,596,853 500,000
2187	OTHER PERSONAL SERVICES FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	15,147,299
2188	EXPENSES FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	12,434,875 34,664
2189	OPERATING CAPITAL OUTLAY FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	304,795
2190	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	41,891,311 1,050,000
2191	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	422,105
2192	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	236,820
2193	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	1,566,242

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TOTAL:	REEMPLOYMENT ASSISTANCE PROGRAM FROM TRUST FUNDS	104,184,964
	TOTAL POSITIONS	504.50
	TOTAL ALL FUNDS	104,184,964
CAREERSOURCE FLORIDA		
	APPROVED SALARY RATE	451,384
2194	SALARIES AND BENEFITS POSITIONS FROM ADMINISTRATIVE TRUST FUND	3.00 356,574
2195	SPECIAL CATEGORIES CAREERSOURCE FLORIDA OPERATIONS FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND FROM WELFARE TRANSITION TRUST FUND FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	100,000 8,867,665 1,052,510 544,296
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.		
2196	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ADMINISTRATIVE TRUST FUND	974
2197	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ADMINISTRATIVE TRUST FUND	2,072
2198	SPECIAL CATEGORIES QUICK RESPONSE TRAINING FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND	15,000,000
2199	SPECIAL CATEGORIES INCUMBENT WORKER TRAINING PROGRAM FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	3,000,000
TOTAL:	CAREERSOURCE FLORIDA FROM TRUST FUNDS	28,924,091
	TOTAL POSITIONS	3.00
	TOTAL ALL FUNDS	28,924,091
REEMPLOYMENT ASSISTANCE APPEALS COMMISSION		
	APPROVED SALARY RATE	2,483,290
2200	SALARIES AND BENEFITS POSITIONS FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	39.50 3,283,451
2201	SPECIAL CATEGORIES REEMPLOYMENT ASSISTANCE APPEALS COMMISSION - OPERATIONS FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	765,371
2202	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	10,006

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2203	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	14,871
TOTAL:	REEMPLOYMENT ASSISTANCE APPEALS COMMISSION FROM TRUST FUNDS	4,073,699
	TOTAL POSITIONS 39.50	
	TOTAL ALL FUNDS	4,073,699
PROGRAM: COMMUNITY DEVELOPMENT		
HOUSING AND COMMUNITY DEVELOPMENT		
	APPROVED SALARY RATE 4,257,417	
2204	SALARIES AND BENEFITS POSITIONS 88.00 FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND FROM FEDERAL GRANTS TRUST FUND FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND FROM TOURISM PROMOTIONAL TRUST FUND	608,607 2,524,655 30,608 1,209,108 1,412,999 121,771
2205	OTHER PERSONAL SERVICES FROM FEDERAL GRANTS TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND	194,883 37,233
2206	EXPENSES FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND FROM FEDERAL GRANTS TRUST FUND FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND FROM TOURISM PROMOTIONAL TRUST FUND	62,717 777,523 3,135 211,785 12,544
2207	OPERATING CAPITAL OUTLAY FROM FEDERAL GRANTS TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND	4,206 1,328
2208	SPECIAL CATEGORIES GRANTS AND AIDS - COMMUNITY SERVICES BLOCK GRANTS FROM FEDERAL GRANTS TRUST FUND	21,876,498
2209	SPECIAL CATEGORIES GRANTS AND AIDS - COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) - SMALL CITIES FROM FEDERAL GRANTS TRUST FUND	36,500,000
2210	SPECIAL CATEGORIES GRANTS AND AIDS - BLACK BUSINESS LOAN PROGRAM FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND	2,225,000
2211	SPECIAL CATEGORIES HISPANIC BUSINESS INITIATIVE FUND OUTREACH PROGRAM FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND	1,500,000

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2212	SPECIAL CATEGORIES GRANTS AND AIDS - HOME ENERGY ASSISTANCE FROM FEDERAL GRANTS TRUST FUND	78,100,000
2213	SPECIAL CATEGORIES GRANTS AND AIDS - WEATHERIZATION ASSISTANCE PROGRAM (WAP) FROM FEDERAL GRANTS TRUST FUND	2,000,000
2214	SPECIAL CATEGORIES GRANTS AND AIDS - WEATHERIZATION ASSISTANCE PROGRAM (WAP) - LOW INCOME HOUSING ENERGY ASSISTANCE PROGRAM (LIHEAP) FROM FEDERAL GRANTS TRUST FUND	16,000,000
2215	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM FEDERAL GRANTS TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND	1,618,322 23,080
2216	SPECIAL CATEGORIES GRANTS AND AIDS - HOUSING AND COMMUNITY DEVELOPMENT PROJECTS FROM GENERAL REVENUE FUND 8,433,600 FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	16,129,948 1,000,000

The nonrecurring funds provided in Specific Appropriation 2216 from the State Economic Enhancement and Development Trust Fund are allocated as follows:

Brevard County Emergency Operations/Communications Center...	1,000,000
Brevard Zoo.....	1,000,000
City of Coral Springs Aquatic Complex Pool Refurbishment....	500,000
City of Ft. Lauderdale - Rapid Re-Housing Project.....	800,000
City of Milton - Riverwalk.....	198,048
City of Port St. Lucie - Extension of Riverwalk Boardwalk...	250,000
Clearwater Homeless Emergency Project.....	400,000
Deerfield Beach African-American Memorial Park.....	750,000
East County Regional Service/Resource Center - Hillsborough County.....	250,000
Florida Dream Center - Boys Safe Home.....	250,000
Hillsborough Homelessness Initiative.....	800,000
Hungerford Amphitheater - Eatonville.....	1,000,000
Lake Okeechobee Wave Attenuation Project.....	1,200,000
Ludlam Redevelopment Project.....	1,000,000
Madeira Beach Lighting Project.....	350,000
Miracle Mile and Girdalia Reconstruction and Economic Development Project.....	1,000,000
NeighborWorks Florida Collaborative.....	1,500,000
Palm Harbor Marine Rescue Boat.....	100,000
Veterans Home Renovation - Pembroke Pines.....	150,000
Sirenita Vista Park Environmental Center.....	200,000
Tallahassee Regional Hazardous Materials Response Team Equipment.....	495,000
Veterans Memorial Park - Hillsborough County.....	1,500,000
Volusia County Marine Science Center Expansion.....	1,150,000
Chain of Lakes Blueway Access Project.....	286,900

The nonrecurring funds provided in Specific Appropriation 2216 from the General Revenue Fund are allocated as follows:

Baywalk - Miami Downtown Development Authority.....	400,000
Bergeron Rodeo Arena Refurbishment - Town of Davie.....	100,000
City of Bradenton Tournament Sports Park.....	1,000,000
City of Lauderdale Lakes - Sidewalk Repairs and Replacement...	100,000
City of North Lauderdale - Energy Efficient Street Lights...	100,000
DeSoto County Public Safety Building.....	750,000
Elderly Housing Assistance Program - City of North Miami....	200,000
Glades County Regional Training Center.....	1,000,000
Historic Hampton - Land Restoration.....	300,000
Lauderdale Lakes - Comprehensive Park Improvement Project...	250,000
McTyre Oak Cultural Center - City of West Park.....	250,000
Miami Design District - Public Infrastructure Projects.....	1,000,000

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Nathan Benderson Park.....	2,000,000
Orange Blossom Revitalization Project.....	500,000
Riverwalk Boardwalk and Westmoreland River Park Extension Design.....	250,000
Village of Miami Shores - Electric Car Charging Station.....	33,600
Washington Park Security Upgrades - City of Hollywood.....	50,000
Washington Park Street Light Improvements - City of Hollywood.....	150,000

The nonrecurring funds provided in Specific Appropriation 2216 from the Special Employment Security Administration Trust Fund are allocated to the Sulzbacher Center for Women and Families.

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

2217	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND	3,742
	FROM FEDERAL GRANTS TRUST FUND . . .	15,401
	FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND	7
	FROM GRANTS AND DONATIONS TRUST FUND	7,570
	FROM TOURISM PROMOTIONAL TRUST FUND	199
2218	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND	3,771
	FROM FEDERAL GRANTS TRUST FUND . . .	14,186
	FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND	15
	FROM GRANTS AND DONATIONS TRUST FUND	21,557
	FROM TOURISM PROMOTIONAL TRUST FUND	56
2219	SPECIAL CATEGORIES RURAL COMMUNITY DEVELOPMENT FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND	360,000
	FROM ECONOMIC DEVELOPMENT TRUST FUND	810,000
2220	SPECIAL CATEGORIES GRANTS AND AIDS - TECHNICAL AND PLANNING ASSISTANCE FROM GRANTS AND DONATIONS TRUST FUND	1,520,000
2220A	SPECIAL CATEGORIES COMPETITIVE FLORIDA PARTNERSHIP PROGRAM FROM GRANTS AND DONATIONS TRUST FUND	1,280,000
2221	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND	2,490
	FROM FEDERAL GRANTS TRUST FUND . . .	18,167
	FROM GRANTS AND DONATIONS TRUST FUND	2,428
2222	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY SPACE, DEFENSE, AND RURAL INFRASTRUCTURE FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND	1,600,000

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TOTAL: HOUSING AND COMMUNITY DEVELOPMENT		
FROM GENERAL REVENUE FUND	8,433,600	
FROM TRUST FUNDS		189,845,539
TOTAL POSITIONS	88.00	
TOTAL ALL FUNDS		198,279,139

FLORIDA HOUSING FINANCE CORPORATION

2223	SPECIAL CATEGORIES GRANTS AND AIDS - HOUSING FINANCE CORPORATION (HFC) - AFFORDABLE HOUSING PROGRAMS FROM LOCAL GOVERNMENT HOUSING TRUST FUND	36,200,000
	FROM STATE HOUSING TRUST FUND . . .	95,000,000

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 section 420.503(13), Florida Statutes, or the minimum amount required to make the project economically feasible; and (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 section 420.507(48), Florida Statutes, including consideration of factors contained in section 420.5087(6)(c), Florida Statutes. The applicant must prove that it has site control of the proposed project site or sites and provide evidence that infrastructure sufficient to support the project is in place at the time of

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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 section 420.0004(11), Florida Statutes.

From the funds in Specific Appropriation 2223 from the Local Government Housing Trust Fund, \$674,000 shall be used for training and technical assistance provided through the Affordable Housing Catalyst Program created by section 420.531, Florida Statutes. The Florida Housing Finance Corporation shall directly contract with the entity that meets all of the requirements of section 420.531, Florida Statutes, to provide the training and technical assistance.

2224 SPECIAL CATEGORIES
GRANTS AND AIDS - HOUSING FINANCE
CORPORATION (HFC) - STATE HOUSING
INITIATIVES PARTNERSHIP (SHIP) PROGRAM
FROM LOCAL GOVERNMENT HOUSING
TRUST FUND 185,800,000

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.

TOTAL: FLORIDA HOUSING FINANCE CORPORATION
FROM TRUST FUNDS 317,000,000

TOTAL ALL FUNDS 317,000,000

PROGRAM: STRATEGIC BUSINESS DEVELOPMENT

STRATEGIC BUSINESS DEVELOPMENT

APPROVED SALARY RATE 1,368,741

2225 SALARIES AND BENEFITS POSITIONS 22.00
FROM STATE ECONOMIC ENHANCEMENT
AND DEVELOPMENT TRUST FUND 1,510,803
FROM FLORIDA INTERNATIONAL TRADE
AND PROMOTION TRUST FUND 71,190
FROM TOURISM PROMOTIONAL TRUST
FUND 282,693

2226 OTHER PERSONAL SERVICES
FROM STATE ECONOMIC ENHANCEMENT
AND DEVELOPMENT TRUST FUND 137,680
FROM FLORIDA INTERNATIONAL TRADE
AND PROMOTION TRUST FUND 6,884

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FROM TOURISM PROMOTIONAL TRUST
FUND 27,536

2227 EXPENSES
FROM STATE ECONOMIC ENHANCEMENT
AND DEVELOPMENT TRUST FUND 344,174
FROM FLORIDA INTERNATIONAL TRADE
AND PROMOTION TRUST FUND 17,208
FROM TOURISM PROMOTIONAL TRUST
FUND 68,834

2228 OPERATING CAPITAL OUTLAY
FROM STATE ECONOMIC ENHANCEMENT
AND DEVELOPMENT TRUST FUND 19,477
FROM TOURISM PROMOTIONAL TRUST
FUND 4,869

2229 LUMP SUM
ECONOMIC DEVELOPMENT TOOLS
FROM GENERAL REVENUE FUND 180,000,000
FROM STATE ECONOMIC ENHANCEMENT
AND DEVELOPMENT TRUST FUND 70,000,000

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 1964A 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 (HIPPI) 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.

The Department of Economic Opportunity must provide a monthly report, 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 relating to the Quick Action Closing Fund and the Innovation Incentive Fund programs. Such report must include: information regarding any funds and interest earnings returned to the appropriate fund in the state treasury, and the anticipated payment date(s) of all funds held in escrow.

The Department of Economic Opportunity shall provide a monthly report 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 STATE ECONOMIC ENHANCEMENT
AND DEVELOPMENT TRUST FUND 6,500,000

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.

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2232 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA DEFENSE SUPPORT
TASK FORCE
FROM STATE ECONOMIC ENHANCEMENT
AND DEVELOPMENT TRUST FUND 2,000,000

2233 SPECIAL CATEGORIES
GRANTS AND AIDS - ADVOCATING INTERNATIONAL
RELATIONSHIPS
FROM FLORIDA INTERNATIONAL TRADE
AND PROMOTION TRUST FUND 600,000

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 GENERAL REVENUE FUND 1,000,000
FROM STATE ECONOMIC ENHANCEMENT
AND DEVELOPMENT TRUST FUND 13,620,900
FROM FLORIDA INTERNATIONAL TRADE
AND PROMOTION TRUST FUND 509,500

The nonrecurring funds provided in Specific Appropriation 2234 from the State Economic Enhancement and Development Trust Fund are allocated as follows:

All Children's Research Zone..... 1,000,000
Bethune Cookman University Entrepreneurship Institute..... 500,000
City of Surfside - Business Environment Improvement Plan.... 150,000
Collier County Immokalee/Naples Business Accelerator Program 2,000,000
FIU Small Business Development Center..... 500,000
Florida Atlantic University Tech Runway..... 1,000,000
International Consortium for Advanced Manufacturing Research 2,500,000
Scripps Florida Biotech Partnership..... 1,000,000
South Bay Park of Commerce - Inland Logistics Center..... 470,900
Tallahassee International Airport..... 1,000,000
Tampa Innovation Alliance..... 1,000,000
The Idea Center at Miami-Dade College..... 1,000,000
Urban League of Broward County..... 1,000,000

From the funds provided in Specific Appropriation 2234, \$500,000 of recurring funds from the State Economic Enhancement and Development Trust Fund are allocated to the MAF Center for Advanced Manufacturing Excellence, Inc. - FloridaMakes.

The nonrecurring funds provided in Specific Appropriation 2234 from the Florida International Trade and Promotion Trust Fund are allocated as follows:

Enterprise Florida - Africa Trade Expansion Program..... 259,500
Modern Pentathlon..... 250,000

The nonrecurring general revenue funds provided in Specific Appropriation 2234 are allocated to the International Consortium for Advanced Manufacturing Research.

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 STATE ECONOMIC ENHANCEMENT
AND DEVELOPMENT TRUST FUND 642,026
FROM FLORIDA INTERNATIONAL TRADE
AND PROMOTION TRUST FUND 32,901
FROM TOURISM PROMOTIONAL TRUST
FUND 131,605

From the funds provided in Specific Appropriation 2235, the Department

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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 STATE ECONOMIC ENHANCEMENT
AND DEVELOPMENT TRUST FUND 1,700,000
FROM PROFESSIONAL SPORTS
DEVELOPMENT TRUST FUND 3,000,000

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 STATE ECONOMIC ENHANCEMENT
AND DEVELOPMENT TRUST FUND 8,400,000
FROM FLORIDA INTERNATIONAL TRADE
AND PROMOTION TRUST FUND 6,600,000

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
FROM STATE ECONOMIC ENHANCEMENT
AND DEVELOPMENT TRUST FUND 1,000,000

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.

2239 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM STATE ECONOMIC ENHANCEMENT
AND DEVELOPMENT TRUST FUND 3,455
FROM FLORIDA INTERNATIONAL TRADE
AND PROMOTION TRUST FUND 172
FROM TOURISM PROMOTIONAL TRUST
FUND 691

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2240	SPECIAL CATEGORIES	
	GRANTS AND AIDS - VISIT FLORIDA	
	FROM STATE ECONOMIC ENHANCEMENT	
	AND DEVELOPMENT TRUST FUND	53,000,000
	FROM TOURISM PROMOTIONAL TRUST	
	FUND	27,000,000

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.

2241	SPECIAL CATEGORIES	
	TRANSFER TO DEPARTMENT OF MANAGEMENT	
	SERVICES - HUMAN RESOURCES SERVICES	
	PURCHASED PER STATEWIDE CONTRACT	
	FROM STATE ECONOMIC ENHANCEMENT	
	AND DEVELOPMENT TRUST FUND	9,891
	FROM FLORIDA INTERNATIONAL TRADE	
	AND PROMOTION TRUST FUND	16
	FROM TOURISM PROMOTIONAL TRUST	
	FUND	2,456

2242	SPECIAL CATEGORIES	
	GRANTS AND AIDS - SPACE FLORIDA	
	FROM STATE ECONOMIC ENHANCEMENT	
	AND DEVELOPMENT TRUST FUND	12,500,000

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.

2244	DATA PROCESSING SERVICES	
	STATE DATA CENTER - AGENCY FOR STATE	
	TECHNOLOGY (AST)	
	FROM STATE ECONOMIC ENHANCEMENT	
	AND DEVELOPMENT TRUST FUND	21,181
	FROM TOURISM PROMOTIONAL TRUST	
	FUND	5,302

2245	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND	
	NONSTATE ENTITIES - FIXED CAPITAL OUTLAY	
	SPACE, DEFENSE, AND RURAL INFRASTRUCTURE	
	FROM STATE ECONOMIC ENHANCEMENT	
	AND DEVELOPMENT TRUST FUND	1,600,000

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.

SECTION 6 - GENERAL GOVERNMENT

TOTAL:	STRATEGIC BUSINESS DEVELOPMENT		
	FROM GENERAL REVENUE FUND	181,000,000	
	FROM TRUST FUNDS		211,371,444
	TOTAL POSITIONS	22.00	
	TOTAL ALL FUNDS		392,371,444

TOTAL:	ECONOMIC OPPORTUNITY, DEPARTMENT OF		
	FROM GENERAL REVENUE FUND	191,148,800	
	FROM TRUST FUNDS		1,243,411,535
	TOTAL POSITIONS	1,537.50	
	TOTAL ALL FUNDS		1,434,560,335
	TOTAL APPROVED SALARY RATE	67,035,806	

FINANCIAL SERVICES, DEPARTMENT OF

PROGRAM: OFFICE OF CHIEF FINANCIAL OFFICER AND ADMINISTRATION

EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE	6,404,366	
2246	SALARIES AND BENEFITS POSITIONS	128.00	
	FROM ADMINISTRATIVE TRUST FUND . . .		9,066,395
2247	OTHER PERSONAL SERVICES		
	FROM ADMINISTRATIVE TRUST FUND . . .		107,899
2248	EXPENSES		
	FROM ADMINISTRATIVE TRUST FUND . . .		1,333,766
2249	OPERATING CAPITAL OUTLAY		
	FROM ADMINISTRATIVE TRUST FUND . . .		10,000
2250	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM ADMINISTRATIVE TRUST FUND . . .		1,240,217

From the funds provided in Specific Appropriation 2250, the Department of Financial Services may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles, unless it is determined by the Chief Financial Officer that the vehicle replacement is a critical safety issue, or based on an emergency or unforeseen circumstances as provided for in section 287.14(3), Florida Statutes. Law enforcement motor vehicles are excluded from this provision.

2251	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM ADMINISTRATIVE TRUST FUND . . .		427,325
2252	SPECIAL CATEGORIES		
	OPERATION OF MOTOR VEHICLES		
	FROM ADMINISTRATIVE TRUST FUND . . .		3,500
2253	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM ADMINISTRATIVE TRUST FUND . . .		57,554
2254	SPECIAL CATEGORIES		
	TENANT BROKER COMMISSIONS		
	FROM ADMINISTRATIVE TRUST FUND . . .		60,000
2255	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM ADMINISTRATIVE TRUST FUND . . .		144,268
2256	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM ADMINISTRATIVE TRUST FUND . . .		49,773

SECTION 6 - GENERAL GOVERNMENT

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES			
FROM TRUST FUNDS		12,500,697	
TOTAL POSITIONS	128.00		
TOTAL ALL FUNDS		12,500,697	
LEGAL SERVICES			
APPROVED SALARY RATE	5,052,908		
2257 SALARIES AND BENEFITS POSITIONS	94.00		
FROM ADMINISTRATIVE TRUST FUND . . .		6,920,329	
2258 OTHER PERSONAL SERVICES			
FROM ADMINISTRATIVE TRUST FUND . . .		279,388	
2259 EXPENSES			
FROM ADMINISTRATIVE TRUST FUND . . .		714,736	
2260 OPERATING CAPITAL OUTLAY			
FROM ADMINISTRATIVE TRUST FUND . . .		3,639	
2261 SPECIAL CATEGORIES			
TRANSFER TO DIVISION OF ADMINISTRATIVE			
HEARINGS			
FROM ADMINISTRATIVE TRUST FUND . . .		274,758	
2262 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM ADMINISTRATIVE TRUST FUND . . .		253,306	
2263 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM ADMINISTRATIVE TRUST FUND . . .		32,918	
2264 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM ADMINISTRATIVE TRUST FUND . . .		17,361	
2265 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT			
SERVICES - HUMAN RESOURCES SERVICES			
PURCHASED PER STATEWIDE CONTRACT			
FROM ADMINISTRATIVE TRUST FUND . . .		28,408	
TOTAL: LEGAL SERVICES			
FROM TRUST FUNDS		8,524,843	
TOTAL POSITIONS	94.00		
TOTAL ALL FUNDS		8,524,843	
INFORMATION TECHNOLOGY			
APPROVED SALARY RATE	6,978,176		
2266 SALARIES AND BENEFITS POSITIONS	130.00		
FROM ADMINISTRATIVE TRUST FUND . . .		10,027,881	
2267 OTHER PERSONAL SERVICES			
FROM ADMINISTRATIVE TRUST FUND . . .		98,834	
2268 EXPENSES			
FROM ADMINISTRATIVE TRUST FUND . . .		3,186,489	
2269 OPERATING CAPITAL OUTLAY			
FROM ADMINISTRATIVE TRUST FUND . . .		844,120	
2270 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM ADMINISTRATIVE TRUST FUND . . .		7,398,746	
2271 SPECIAL CATEGORIES			
OPERATION OF MOTOR VEHICLES			
FROM ADMINISTRATIVE TRUST FUND . . .		2,900	

SECTION 6 - GENERAL GOVERNMENT

2272 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM ADMINISTRATIVE TRUST FUND . . .		66,557	
2273 SPECIAL CATEGORIES			
DEFERRED-PAYMENT COMMODITY CONTRACTS			
FROM ADMINISTRATIVE TRUST FUND . . .		184,076	
2274 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM ADMINISTRATIVE TRUST FUND . . .		8,275	
2275 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT			
SERVICES - HUMAN RESOURCES SERVICES			
PURCHASED PER STATEWIDE CONTRACT			
FROM ADMINISTRATIVE TRUST FUND . . .		45,929	
2276 DATA PROCESSING SERVICES			
STATE DATA CENTER - AGENCY FOR STATE			
TECHNOLOGY (AST)			
FROM ADMINISTRATIVE TRUST FUND . . .		1,777	
TOTAL: INFORMATION TECHNOLOGY			
FROM TRUST FUNDS		21,865,584	
TOTAL POSITIONS	130.00		
TOTAL ALL FUNDS		21,865,584	
CONSUMER ADVOCATE			
APPROVED SALARY RATE	484,372		
2277 SALARIES AND BENEFITS POSITIONS	5.00		
FROM INSURANCE REGULATORY TRUST			
FUND		562,668	
2278 OTHER PERSONAL SERVICES			
FROM INSURANCE REGULATORY TRUST			
FUND		61,100	
2279 EXPENSES			
FROM INSURANCE REGULATORY TRUST			
FUND		68,357	
2280 OPERATING CAPITAL OUTLAY			
FROM INSURANCE REGULATORY TRUST			
FUND		4,000	
2281 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM INSURANCE REGULATORY TRUST			
FUND		20,471	
2282 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM INSURANCE REGULATORY TRUST			
FUND		697	
2283 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM INSURANCE REGULATORY TRUST			
FUND		1,888	
2284 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT			
SERVICES - HUMAN RESOURCES SERVICES			
PURCHASED PER STATEWIDE CONTRACT			
FROM INSURANCE REGULATORY TRUST			
FUND		1,777	

SECTION 6 - GENERAL GOVERNMENT

TOTAL: CONSUMER ADVOCATE		
FROM TRUST FUNDS		720,958
TOTAL POSITIONS	5.00	
TOTAL ALL FUNDS		720,958

INFORMATION TECHNOLOGY - FLAIR INFRASTRUCTURE

APPROVED SALARY RATE	4,390,414	
2285 SALARIES AND BENEFITS POSITIONS	86.00	
FROM GENERAL REVENUE FUND	5,568,120	
FROM ADMINISTRATIVE TRUST FUND		495,551
2286 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	5,000	
2287 EXPENSES		
FROM GENERAL REVENUE FUND	1,295,167	
FROM ADMINISTRATIVE TRUST FUND		168,513
2288 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	104,880	
2289 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	4,879,816	
FROM ADMINISTRATIVE TRUST FUND		431,500

From the funds in Specific Appropriations 2289 and 2287, \$2,007,226 from the General Revenue Fund is provided to the Department of Financial Services to procure additional staff augmentation support for the Florida Accounting Information Resource System (FLAIR). The funds shall be placed in reserve. The department may submit a budget amendment to request release of the funds pursuant to the provisions of chapter 216, Florida Statutes. The budget amendment must include a detailed project plan that identifies the specific tasks and deliverables required to be provided by the additional staff augmentation and the associated costs.

2290 SPECIAL CATEGORIES		
DEFERRED-PAYMENT COMMODITY CONTRACTS		
FROM GENERAL REVENUE FUND	85,914	
FROM ADMINISTRATIVE TRUST FUND		25,000
2291 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND	1,424	
2292 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	30,074	
FROM ADMINISTRATIVE TRUST FUND		2,880
TOTAL: INFORMATION TECHNOLOGY - FLAIR INFRASTRUCTURE		
FROM GENERAL REVENUE FUND	11,970,395	
FROM TRUST FUNDS		1,123,444
TOTAL POSITIONS	86.00	
TOTAL ALL FUNDS		13,093,839

PROGRAM: TREASURY

DEPOSIT SECURITY

APPROVED SALARY RATE	990,924	
2293 SALARIES AND BENEFITS POSITIONS	22.00	
FROM TREASURY ADMINISTRATIVE AND		
INVESTMENT TRUST FUND		1,551,360
2294 OTHER PERSONAL SERVICES		
FROM TREASURY ADMINISTRATIVE AND		
INVESTMENT TRUST FUND		1,500

SECTION 6 - GENERAL GOVERNMENT

2295 EXPENSES		
FROM TREASURY ADMINISTRATIVE AND		
INVESTMENT TRUST FUND		230,113
2296 OPERATING CAPITAL OUTLAY		
FROM TREASURY ADMINISTRATIVE AND		
INVESTMENT TRUST FUND		1,783
2297 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM TREASURY ADMINISTRATIVE AND		
INVESTMENT TRUST FUND		95,205
2298 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM TREASURY ADMINISTRATIVE AND		
INVESTMENT TRUST FUND		18,090
2299 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM TREASURY ADMINISTRATIVE AND		
INVESTMENT TRUST FUND		4,616
2300 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM TREASURY ADMINISTRATIVE AND		
INVESTMENT TRUST FUND		7,126
TOTAL: DEPOSIT SECURITY		
FROM TRUST FUNDS		1,909,793
TOTAL POSITIONS	22.00	
TOTAL ALL FUNDS		1,909,793

STATE FUNDS MANAGEMENT AND INVESTMENT

APPROVED SALARY RATE	1,190,188	
2301 SALARIES AND BENEFITS POSITIONS	25.50	
FROM TREASURY ADMINISTRATIVE AND		
INVESTMENT TRUST FUND		1,745,090
2302 EXPENSES		
FROM TREASURY ADMINISTRATIVE AND		
INVESTMENT TRUST FUND		248,346
2303 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM TREASURY ADMINISTRATIVE AND		
INVESTMENT TRUST FUND		1,222,785
2304 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM TREASURY ADMINISTRATIVE AND		
INVESTMENT TRUST FUND		1,500
2305 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM TREASURY ADMINISTRATIVE AND		
INVESTMENT TRUST FUND		8,663
TOTAL: STATE FUNDS MANAGEMENT AND INVESTMENT		
FROM TRUST FUNDS		3,226,384
TOTAL POSITIONS	25.50	
TOTAL ALL FUNDS		3,226,384

SUPPLEMENTAL RETIREMENT PLAN

APPROVED SALARY RATE	480,900
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SECTION 6 - GENERAL GOVERNMENT

2306	SALARIES AND BENEFITS POSITIONS	13.00	
	FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		729,915
2307	OTHER PERSONAL SERVICES		
	FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		20,100
2308	EXPENSES		
	FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		107,328
2309	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		1,252
2310	SPECIAL CATEGORIES		
	DEFERRED COMPENSATION ADMINISTRATIVE SERVICES		
	FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		823,190
2311	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		2,405
2312	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		3,530
TOTAL:	SUPPLEMENTAL RETIREMENT PLAN		
	FROM TRUST FUNDS		1,687,720
	TOTAL POSITIONS	13.00	
	TOTAL ALL FUNDS		1,687,720
PROGRAM: FINANCIAL ACCOUNTABILITY FOR PUBLIC FUNDS			
STATE FINANCIAL INFORMATION AND STATE AGENCY ACCOUNTING			
	APPROVED SALARY RATE	10,894,618	
2313	SALARIES AND BENEFITS POSITIONS	202.00	
	FROM GENERAL REVENUE FUND	10,596,988	
	FROM ADMINISTRATIVE TRUST FUND		1,343,836
	FROM INSURANCE REGULATORY TRUST FUND		2,861,441
	From the funds provided in Specific Appropriations 2313, 2315, and 2322, the Department of Financial Services shall audit all court related expenditures of the clerks of court pursuant to sections 28.241 and 28.35, Florida Statutes. The department shall report the audit findings to the President of the Senate, the Speaker of the House of Representatives, and the Executive Office of the Governor's Office of Policy and Budget on a quarterly basis.		
2314	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	22,994	
	FROM ADMINISTRATIVE TRUST FUND		23,545
2315	EXPENSES		
	FROM GENERAL REVENUE FUND	998,672	
	FROM ADMINISTRATIVE TRUST FUND		116,201
2316	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	27,000	
2317	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	855,949	
	FROM ADMINISTRATIVE TRUST FUND		80,000

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From the funds in Specific Appropriation 2317, up to \$50,000 shall be used to contract for the independent verification of tobacco settlement receipts received by the state.			
2317A	SPECIAL CATEGORIES		
	FLORIDA ACCOUNTING INFORMATION RESOURCE (FLAIR) SYSTEM REPLACEMENT		
	FROM INSURANCE REGULATORY TRUST FUND		9,105,426
	From the funds in Specific Appropriations 2317A, \$8,505,426 is provided to the Department of Financial Services to complete the Pre-Design, Development, and Implementation phase and begin the Design, Development and Implementation Phase 1, as recommended in the March 31, 2014, Florida Department of Financial Services FLAIR Study, version 031, for the replacement of the Florida Accounting Information Resource System (FLAIR) and Cash Management System (CMS). The funds shall be held in reserve. Contingent upon the release of the funds held in reserve appropriated in Specific Appropriation 2331A, chapter 2015-232, Laws of Florida, on or before June 30, 2016, the department is authorized to submit a budget amendment pursuant to chapter 216, Florida Statutes, to request release of the funds in reserve appropriated in Specific Appropriation 2317A. The Department of Financial Services shall not alter the components of FLAIR and CMS or the membership, voting requirements, and role of the Steering Committee, included in the Project Management Plan submitted for release of the funds in Specific Appropriation 2331A, chapter 2015-232, Laws of Florida.		
	The Department of Financial Services shall provide written, quarterly project status reports with the first report due on September 30, 2016, to the chair of the Senate Appropriations Committee, the chair of the House Appropriations Committee, and the Executive Director of the Governor's Office of Policy and Budget.		
	From the funds in Specific Appropriation 2317A, the Department of Financial Services shall transfer \$600,000 to the Agency for State Technology to provide independent project oversight as directed in section 282.0051, Florida Statutes, for the replacement of the Florida Accounting Information Resource System (FLAIR) and Cash Management System (CMS) project by July 31, 2016.		
2318	SPECIAL CATEGORIES		
	OPERATION OF MOTOR VEHICLES		
	FROM GENERAL REVENUE FUND	3,100	
2319	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	13,468	
	FROM ADMINISTRATIVE TRUST FUND		54,840
2320	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	3,120	
2321	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	5,122	
	FROM ADMINISTRATIVE TRUST FUND		17,055
2322	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	54,284	
	FROM ADMINISTRATIVE TRUST FUND		3,026
	FROM INSURANCE REGULATORY TRUST FUND		8,700
2323	SPECIAL CATEGORIES		
	TRANSFER TO THE PRISON INDUSTRY		
	ENHANCEMENT (PIE) PROGRAM		
	FROM PRISON INDUSTRIES TRUST FUND		1,250,000
	Funds in Specific Appropriation 2323 are provided for transfer to the Prison Industry Enhancement Program. Funds in the Prison Industries Trust Fund may be expended by the corporation for allowable expenditures under sections 946.522 and 946.523, Florida Statutes. Such funds may be		

SECTION 6 - GENERAL GOVERNMENT

paid by warrants drawn by the Chief Financial Officer upon receipt of a corporate resolution that has been duly authorized by the board of directors of the corporation, authorized under part II of chapter 946, Florida Statutes.

2324	SPECIAL CATEGORIES FLORIDA CLERKS OF COURT OPERATIONS CORPORATION FROM ADMINISTRATIVE TRUST FUND . . .	2,800,000	
TOTAL: STATE FINANCIAL INFORMATION AND STATE AGENCY ACCOUNTING			
	FROM GENERAL REVENUE FUND	12,580,697	
	FROM TRUST FUNDS		17,664,070
	TOTAL POSITIONS	202.00	
	TOTAL ALL FUNDS		30,244,767
RECOVERY AND RETURN OF UNCLAIMED PROPERTY			
	APPROVED SALARY RATE	2,600,300	
2325	SALARIES AND BENEFITS POSITIONS FROM UNCLAIMED PROPERTY TRUST FUND .	64.00	3,450,596
2326	OTHER PERSONAL SERVICES FROM UNCLAIMED PROPERTY TRUST FUND .		194,197
2327	EXPENSES FROM UNCLAIMED PROPERTY TRUST FUND .		823,421
2328	OPERATING CAPITAL OUTLAY FROM UNCLAIMED PROPERTY TRUST FUND .		7,500
2329	SPECIAL CATEGORIES CONTRACTED SERVICES FROM UNCLAIMED PROPERTY TRUST FUND .		226,794
2330	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM UNCLAIMED PROPERTY TRUST FUND .		9,751
2331	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM UNCLAIMED PROPERTY TRUST FUND .		11,524
2332	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM UNCLAIMED PROPERTY TRUST FUND .		20,120
TOTAL: RECOVERY AND RETURN OF UNCLAIMED PROPERTY FROM TRUST FUNDS			
			4,743,903
	TOTAL POSITIONS	64.00	
	TOTAL ALL FUNDS		4,743,903

PROGRAM: FIRE MARSHAL

COMPLIANCE AND ENFORCEMENT

	APPROVED SALARY RATE	2,701,318	
2333	SALARIES AND BENEFITS POSITIONS FROM INSURANCE REGULATORY TRUST FUND	66.00	3,574,631
2334	OTHER PERSONAL SERVICES FROM INSURANCE REGULATORY TRUST FUND		15,339
2335	EXPENSES FROM INSURANCE REGULATORY TRUST FUND		737,970

SECTION 6 - GENERAL GOVERNMENT

2336	OPERATING CAPITAL OUTLAY FROM INSURANCE REGULATORY TRUST FUND		29,144
2337	SPECIAL CATEGORIES ELECTRONIC COMMERCE FEES FOR COLLECTION OF REVENUE FROM INSURANCE REGULATORY TRUST FUND		13,200
2338	SPECIAL CATEGORIES CONTRACTED SERVICES FROM INSURANCE REGULATORY TRUST FUND		97,205
2339	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM INSURANCE REGULATORY TRUST FUND		33,700
2340	SPECIAL CATEGORIES SUPPLEMENTAL FIREFIGHTERS COMPENSATION FROM INSURANCE REGULATORY TRUST FUND		9,000
2341	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM INSURANCE REGULATORY TRUST FUND		13,442
2342	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM INSURANCE REGULATORY TRUST FUND		20,784
TOTAL: COMPLIANCE AND ENFORCEMENT FROM TRUST FUNDS			
			4,544,415
	TOTAL POSITIONS	66.00	
	TOTAL ALL FUNDS		4,544,415
FIRE AND ARSON INVESTIGATIONS			
	APPROVED SALARY RATE	6,410,973	
2343	SALARIES AND BENEFITS POSITIONS FROM INSURANCE REGULATORY TRUST FUND	122.00	8,943,334
2344	OTHER PERSONAL SERVICES FROM INSURANCE REGULATORY TRUST FUND		70,942
2345	EXPENSES FROM INSURANCE REGULATORY TRUST FUND		1,866,584
2346	OPERATING CAPITAL OUTLAY FROM INSURANCE REGULATORY TRUST FUND		82,409
2347	SPECIAL CATEGORIES CONTRACTED SERVICES FROM INSURANCE REGULATORY TRUST FUND		175,374
2348	SPECIAL CATEGORIES ON-CALL FEES FROM INSURANCE REGULATORY TRUST FUND		425,000
2349	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM INSURANCE REGULATORY TRUST FUND		133,900

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2350	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM INSURANCE REGULATORY TRUST FUND	103,124	
2351	SPECIAL CATEGORIES SUPPLEMENTAL FIREFIGHTERS COMPENSATION FROM INSURANCE REGULATORY TRUST FUND	8,000	
2352	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM INSURANCE REGULATORY TRUST FUND	41,817	
2353	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM INSURANCE REGULATORY TRUST FUND	38,607	
TOTAL: FIRE AND ARSON INVESTIGATIONS FROM TRUST FUNDS		11,889,091	
	TOTAL POSITIONS		122.00
	TOTAL ALL FUNDS	11,889,091	
PROFESSIONAL TRAINING AND STANDARDS			
	APPROVED SALARY RATE	1,060,244	
2354	SALARIES AND BENEFITS POSITIONS FROM INSURANCE REGULATORY TRUST FUND	1,507,204	27.00
2355	OTHER PERSONAL SERVICES FROM INSURANCE REGULATORY TRUST FUND	200,000	
2356	EXPENSES FROM INSURANCE REGULATORY TRUST FUND	513,895	
2357	OPERATING CAPITAL OUTLAY FROM INSURANCE REGULATORY TRUST FUND	23,294	
2358	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM INSURANCE REGULATORY TRUST FUND	500,000	
2359	SPECIAL CATEGORIES ELECTRONIC COMMERCE FEES FOR COLLECTION OF REVENUE FROM INSURANCE REGULATORY TRUST FUND	13,200	
2360	SPECIAL CATEGORIES CONTRACTED SERVICES FROM INSURANCE REGULATORY TRUST FUND	280,008	
2361	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM INSURANCE REGULATORY TRUST FUND	22,900	
2362	SPECIAL CATEGORIES SUPPLEMENTAL FIREFIGHTERS COMPENSATION FROM INSURANCE REGULATORY TRUST FUND	14,500	

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2363	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM INSURANCE REGULATORY TRUST FUND	20,519	
2364	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM INSURANCE REGULATORY TRUST FUND	11,843	
2365	FIXED CAPITAL OUTLAY STATE FIRE COLLEGE-BUILDING REPAIR AND MAINTENANCE FROM INSURANCE REGULATORY TRUST FUND	250,000	
TOTAL: PROFESSIONAL TRAINING AND STANDARDS FROM TRUST FUNDS		3,357,363	
	TOTAL POSITIONS		27.00
	TOTAL ALL FUNDS	3,357,363	
FIRE MARSHAL ADMINISTRATIVE AND SUPPORT SERVICES			
	APPROVED SALARY RATE	1,123,059	
2366	SALARIES AND BENEFITS POSITIONS FROM INSURANCE REGULATORY TRUST FUND	1,609,631	21.00
2367	OTHER PERSONAL SERVICES FROM INSURANCE REGULATORY TRUST FUND	20,102	
2368	EXPENSES FROM INSURANCE REGULATORY TRUST FUND	259,754	
2369	OPERATING CAPITAL OUTLAY FROM INSURANCE REGULATORY TRUST FUND	206,000	
2369A	SPECIAL CATEGORIES TRANSFER TO UNIVERSITY OF MIAMI - SYLVESTER COMPREHENSIVE CANCER CENTER - FIREFIGHTERS CANCER RESEARCH FROM INSURANCE REGULATORY TRUST FUND	1,500,000	
2370	SPECIAL CATEGORIES CONTRACTED SERVICES FROM INSURANCE REGULATORY TRUST FUND	189,189	
2371	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM INSURANCE REGULATORY TRUST FUND	1,300	
2372	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM INSURANCE REGULATORY TRUST FUND	224,731	
2373	SPECIAL CATEGORIES SUPPLEMENTAL FIREFIGHTERS COMPENSATION FROM INSURANCE REGULATORY TRUST FUND	7,500	
2374	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM INSURANCE REGULATORY TRUST FUND	8,685	

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2375	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM INSURANCE REGULATORY TRUST FUND	5,837
2376	FIXED CAPITAL OUTLAY STATE ARSON LABORATORY - BUILDING REPAIR AND MAINTENANCE FROM INSURANCE REGULATORY TRUST FUND	115,000
TOTAL: FIRE MARSHAL ADMINISTRATIVE AND SUPPORT SERVICES FROM TRUST FUNDS		
	TOTAL POSITIONS 21.00	4,147,729
	TOTAL ALL FUNDS	4,147,729
PROGRAM: STATE PROPERTY AND CASUALTY CLAIMS		
STATE SELF-INSURED CLAIMS ADJUSTMENT		
	APPROVED SALARY RATE 4,442,628	
2377	SALARIES AND BENEFITS POSITIONS 113.00 STATE RISK MANAGEMENT TRUST FUND . .	6,427,032
2378	OTHER PERSONAL SERVICES STATE RISK MANAGEMENT TRUST FUND . .	42,098
2379	EXPENSES STATE RISK MANAGEMENT TRUST FUND . .	5,165,706
2380	OPERATING CAPITAL OUTLAY STATE RISK MANAGEMENT TRUST FUND . .	5,405
2381	SPECIAL CATEGORIES CONTRACTED SERVICES STATE RISK MANAGEMENT TRUST FUND . .	4,171,632
2382	SPECIAL CATEGORIES CONTRACTED LEGAL SERVICES - OFFICE OF THE ATTORNEY GENERAL STATE RISK MANAGEMENT TRUST FUND . .	6,645,924
2383	SPECIAL CATEGORIES CONTRACTED LEGAL SERVICES STATE RISK MANAGEMENT TRUST FUND . .	21,976,020
2384	SPECIAL CATEGORIES CONTRACTED MEDICAL SERVICES STATE RISK MANAGEMENT TRUST FUND . .	15,278,933
2385	SPECIAL CATEGORIES EXCESS INSURANCE AND CLAIM SERVICE STATE RISK MANAGEMENT TRUST FUND . .	10,865,000
2386	SPECIAL CATEGORIES RISK MANAGEMENT INFORMATION CLAIMS SYSTEM STATE RISK MANAGEMENT TRUST FUND . .	554,000
2387	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE STATE RISK MANAGEMENT TRUST FUND . .	43,649
2388	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT STATE RISK MANAGEMENT TRUST FUND . .	21,531
2389	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT STATE RISK MANAGEMENT TRUST FUND . .	35,905

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TOTAL: STATE SELF-INSURED CLAIMS ADJUSTMENT FROM TRUST FUNDS			71,232,835
	TOTAL POSITIONS 113.00		
	TOTAL ALL FUNDS		71,232,835
PROGRAM: LICENSING AND CONSUMER PROTECTION			
INSURANCE COMPANY REHABILITATION AND LIQUIDATION			
	APPROVED SALARY RATE 348,290		
2390	SALARIES AND BENEFITS POSITIONS 5.00 FROM INSURANCE REGULATORY TRUST FUND		443,854
2391	OTHER PERSONAL SERVICES FROM INSURANCE REGULATORY TRUST FUND		34,771
2392	EXPENSES FROM INSURANCE REGULATORY TRUST FUND		119,364
2393	OPERATING CAPITAL OUTLAY FROM INSURANCE REGULATORY TRUST FUND		26,120
2394	SPECIAL CATEGORIES CONTRACTED SERVICES FROM INSURANCE REGULATORY TRUST FUND		232,517
2395	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM INSURANCE REGULATORY TRUST FUND		140
2396	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM INSURANCE REGULATORY TRUST FUND		1,653
TOTAL: INSURANCE COMPANY REHABILITATION AND LIQUIDATION FROM TRUST FUNDS			858,419
	TOTAL POSITIONS 5.00		
	TOTAL ALL FUNDS		858,419
LICENSURE, SALES APPOINTMENT AND OVERSIGHT			
	APPROVED SALARY RATE 5,018,524		
2397	SALARIES AND BENEFITS POSITIONS 120.00 FROM INSURANCE REGULATORY TRUST FUND		6,821,900
2398	OTHER PERSONAL SERVICES FROM INSURANCE REGULATORY TRUST FUND		3,938
2399	EXPENSES FROM INSURANCE REGULATORY TRUST FUND		1,040,029
2400	OPERATING CAPITAL OUTLAY FROM INSURANCE REGULATORY TRUST FUND		12,500
2401	SPECIAL CATEGORIES ELECTRONIC COMMERCE FEES FOR COLLECTION OF REVENUE FROM INSURANCE REGULATORY TRUST FUND		1,100,000

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2402	SPECIAL CATEGORIES CONTRACTED SERVICES FROM INSURANCE REGULATORY TRUST FUND	828,892	
2403	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM INSURANCE REGULATORY TRUST FUND	5,200	
2404	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM INSURANCE REGULATORY TRUST FUND	47,236	
2405	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM INSURANCE REGULATORY TRUST FUND	16,534	
2406	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM INSURANCE REGULATORY TRUST FUND	43,674	
TOTAL: LICENSES, SALES APPOINTMENT AND OVERSIGHT FROM TRUST FUNDS		9,919,903	
TOTAL POSITIONS		120.00	
TOTAL ALL FUNDS		9,919,903	
INSURANCE FRAUD			
APPROVED SALARY RATE		10,233,909	
2407	SALARIES AND BENEFITS POSITIONS FROM INSURANCE REGULATORY TRUST FUND FROM FEDERAL LAW ENFORCEMENT TRUST FUND FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND	194.00 14,034,057 15,180 208,955	
2408	OTHER PERSONAL SERVICES FROM INSURANCE REGULATORY TRUST FUND	45,000	
2409	EXPENSES FROM INSURANCE REGULATORY TRUST FUND FROM FEDERAL LAW ENFORCEMENT TRUST FUND	2,078,900 165,000	
2410	OPERATING CAPITAL OUTLAY FROM INSURANCE REGULATORY TRUST FUND FROM FEDERAL LAW ENFORCEMENT TRUST FUND	1,700 601,470	
2411	SPECIAL CATEGORIES TRANSFER TO JUSTICE ADMINISTRATIVE COMMISSION FOR PROSECUTION OF PIP FRAUD FROM INSURANCE REGULATORY TRUST FUND	1,561,202	

Funds in Specific Appropriation 2411 are provided for transfer to the Justice Administrative Commission for the specific purpose of funding attorneys and paralegals dedicated solely to the prosecution of insurance fraud cases in Duval, Orange, Miami-Dade, Hillsborough, Palm Beach, and Broward counties. These funds may not be used for any purpose other than the funding of attorney and paralegal positions that prosecute crimes of insurance fraud.

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2412	SPECIAL CATEGORIES CONTRACTED SERVICES FROM INSURANCE REGULATORY TRUST FUND FROM FEDERAL LAW ENFORCEMENT TRUST FUND	265,315 164,800	
2413	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM INSURANCE REGULATORY TRUST FUND	150,253	
2414	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM INSURANCE REGULATORY TRUST FUND	222,858	
2415	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM INSURANCE REGULATORY TRUST FUND	202,496	
2416	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM INSURANCE REGULATORY TRUST FUND	47,247	
2417	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM INSURANCE REGULATORY TRUST FUND FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND	61,009 1,045	
TOTAL: INSURANCE FRAUD FROM TRUST FUNDS		19,826,487	
TOTAL POSITIONS		194.00	
TOTAL ALL FUNDS		19,826,487	
CONSUMER ASSISTANCE			
APPROVED SALARY RATE		4,893,535	
2418	SALARIES AND BENEFITS POSITIONS FROM INSURANCE REGULATORY TRUST FUND	113.00 6,451,782	
2419	OTHER PERSONAL SERVICES FROM INSURANCE REGULATORY TRUST FUND	175,402	
2420	EXPENSES FROM INSURANCE REGULATORY TRUST FUND	921,535	
2421	OPERATING CAPITAL OUTLAY FROM INSURANCE REGULATORY TRUST FUND	2,200	
2422	SPECIAL CATEGORIES CONTRACTED SERVICES FROM INSURANCE REGULATORY TRUST FUND	645,374	
2423	SPECIAL CATEGORIES HOLOCAUST VICTIMS ASSISTANCE ADMINISTRATION FROM INSURANCE REGULATORY TRUST FUND	308,007	
2424	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM INSURANCE REGULATORY TRUST FUND	1,500	

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2425	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM INSURANCE REGULATORY TRUST FUND		21,616
2426	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM INSURANCE REGULATORY TRUST FUND		9,224
2427	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM INSURANCE REGULATORY TRUST FUND		37,843
TOTAL: CONSUMER ASSISTANCE FROM TRUST FUNDS			
	TOTAL POSITIONS	113.00	
	TOTAL ALL FUNDS		8,574,483
FUNERAL AND CEMETERY SERVICES			
	APPROVED SALARY RATE	1,213,182	
2428	SALARIES AND BENEFITS POSITIONS FROM REGULATORY TRUST FUND	25.00	1,692,471
2429	OTHER PERSONAL SERVICES FROM REGULATORY TRUST FUND		65,000
2430	EXPENSES FROM REGULATORY TRUST FUND		291,827
2431	OPERATING CAPITAL OUTLAY FROM REGULATORY TRUST FUND		9,500
2432	SPECIAL CATEGORIES ELECTRONIC COMMERCE FEES FOR COLLECTION OF REVENUE FROM REGULATORY TRUST FUND		14,100
2433	SPECIAL CATEGORIES CONTRACTED SERVICES FROM REGULATORY TRUST FUND		99,549
2434	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM REGULATORY TRUST FUND		8,700
2435	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM REGULATORY TRUST FUND		8,071
2436	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM REGULATORY TRUST FUND		4,162
2437	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM REGULATORY TRUST FUND		12,607
TOTAL: FUNERAL AND CEMETERY SERVICES FROM TRUST FUNDS			
	TOTAL POSITIONS	25.00	
	TOTAL ALL FUNDS		2,205,987
PUBLIC ASSISTANCE FRAUD			
	APPROVED SALARY RATE	4,583,236	

SECTION 6 - GENERAL GOVERNMENT

2438	SALARIES AND BENEFITS POSITIONS FROM FEDERAL GRANTS TRUST FUND . . . FROM INSURANCE REGULATORY TRUST FUND	79.00	1,648,648 3,101,841
2439	OTHER PERSONAL SERVICES FROM FEDERAL GRANTS TRUST FUND . . .		288,460
2440	EXPENSES FROM FEDERAL GRANTS TRUST FUND . . .		718,504
2441	OPERATING CAPITAL OUTLAY FROM FEDERAL GRANTS TRUST FUND . . .		20,000
2442	SPECIAL CATEGORIES CONTRACTED SERVICES FROM FEDERAL GRANTS TRUST FUND . . .		194,418
2443	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM FEDERAL GRANTS TRUST FUND . . .		20,000
2444	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM FEDERAL GRANTS TRUST FUND . . .		35,199
2445	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM FEDERAL GRANTS TRUST FUND . . .		14,900
2446	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM FEDERAL GRANTS TRUST FUND . . .		43,939
2447	DATA PROCESSING SERVICES OTHER DATA PROCESSING SERVICES FROM FEDERAL GRANTS TRUST FUND . . .		1,000
TOTAL: PUBLIC ASSISTANCE FRAUD FROM TRUST FUNDS			
	TOTAL POSITIONS	79.00	
	TOTAL ALL FUNDS		6,086,909
PROGRAM: WORKERS' COMPENSATION			
WORKERS' COMPENSATION			
	APPROVED SALARY RATE	12,105,192	
2448	SALARIES AND BENEFITS POSITIONS FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND	298.00	16,478,761 948,480
2449	OTHER PERSONAL SERVICES FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND		383,775 17,550
2450	EXPENSES FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND		3,325,117 126,870
2451	OPERATING CAPITAL OUTLAY FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND		100,021 16,851

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2452	SPECIAL CATEGORIES ELECTRONIC COMMERCE FEES FOR COLLECTION OF REVENUE FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND	188,000
2453	SPECIAL CATEGORIES TRANSFER TO DISTRICT COURTS OF APPEAL - WORKERS' COMPENSATION APPEALS FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND	1,868,123
Funds in Specific Appropriation 2453 are provided for transfer to the First District Court of Appeal for workload associated with workers' compensation appeals and the workers' compensation appeals unit.		
2454	SPECIAL CATEGORIES TRANSFER TO THE UNIVERSITY OF SOUTH FLORIDA - OCCUPATIONAL SAFETY GRANT MATCH FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND	250,000
2455	SPECIAL CATEGORIES TRANSFER TO JUSTICE ADMINISTRATIVE COMMISSION FOR PROSECUTION OF WORKERS' COMPENSATION FRAUD FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND	604,760
The funds in Specific Appropriation 2455 from the Workers' Compensation Administration Trust Fund are provided for transfer to the Justice Administrative Commission for the specific purpose of funding attorneys and paralegals in the Eleventh, Thirteenth, Fifteenth, and Seventeenth Judicial Circuits for the prosecution of workers' compensation insurance fraud. These funds may not be used for any purpose other than the funding of attorney and paralegal positions that prosecute crimes of workers' compensation fraud.		
2456	SPECIAL CATEGORIES CONTRACTED SERVICES FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND	2,336,789 86,360
2457	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND	84,800
2458	SPECIAL CATEGORIES PURCHASED CLIENT SERVICES FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND	990,000
2459	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND	187,197
2460	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND	62,320 2,280
2461	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND	99,854 6,289

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TOTAL: WORKERS' COMPENSATION FROM TRUST FUNDS	28,164,197
TOTAL POSITIONS	298.00
TOTAL ALL FUNDS	28,164,197
PROGRAM: FINANCIAL SERVICES COMMISSION	
OFFICE OF INSURANCE REGULATION	
COMPLIANCE AND ENFORCEMENT - INSURANCE	
APPROVED SALARY RATE	12,758,234
2462 SALARIES AND BENEFITS POSITIONS	254.00
FROM INSURANCE REGULATORY TRUST FUND	17,044,327
2463 OTHER PERSONAL SERVICES FROM INSURANCE REGULATORY TRUST FUND	290,169
2464 EXPENSES FROM INSURANCE REGULATORY TRUST FUND	2,362,529
2465 OPERATING CAPITAL OUTLAY FROM INSURANCE REGULATORY TRUST FUND	98,000
2466 SPECIAL CATEGORIES FLORIDA PUBLIC HURRICANE LOSS MODEL - OFFICE OF INSURANCE REGULATION FROM INSURANCE REGULATORY TRUST FUND	632,639
2467 SPECIAL CATEGORIES FINANCIAL EXAMINATION CONTRACTS - PROPERTY AND CASUALTY EXAMINATIONS FROM INSURANCE REGULATORY TRUST FUND	3,501,763
2468 SPECIAL CATEGORIES FINANCIAL EXAMINATION CONTRACTS - LIFE AND HEALTH EXAMINATIONS FROM INSURANCE REGULATORY TRUST FUND	1,425,000
2469 SPECIAL CATEGORIES CONTRACTED SERVICES FROM INSURANCE REGULATORY TRUST FUND	1,338,016
2470 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM INSURANCE REGULATORY TRUST FUND	112,446
2471 SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM INSURANCE REGULATORY TRUST FUND	18,989
2472 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM INSURANCE REGULATORY TRUST FUND	86,233

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TOTAL: COMPLIANCE AND ENFORCEMENT - INSURANCE			
FROM TRUST FUNDS		26,910,111	
TOTAL POSITIONS	254.00		
TOTAL ALL FUNDS		26,910,111	
EXECUTIVE DIRECTION AND SUPPORT SERVICES			
APPROVED SALARY RATE	2,171,451		
2473 SALARIES AND BENEFITS POSITIONS	38.00		
FROM INSURANCE REGULATORY TRUST			
FUND		2,915,440	
2474 EXPENSES			
FROM INSURANCE REGULATORY TRUST			
FUND		118,543	
2475 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM INSURANCE REGULATORY TRUST			
FUND		92,710	
2476 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM INSURANCE REGULATORY TRUST			
FUND		8,414	
2477 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT			
SERVICES - HUMAN RESOURCES SERVICES			
PURCHASED PER STATEWIDE CONTRACT			
FROM INSURANCE REGULATORY TRUST			
FUND		11,623	
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES			
FROM TRUST FUNDS		3,146,730	
TOTAL POSITIONS	38.00		
TOTAL ALL FUNDS		3,146,730	
OFFICE OF FINANCIAL REGULATION			
SAFETY AND SOUNDNESS OF STATE BANKING SYSTEM			
APPROVED SALARY RATE	6,787,197		
2478 SALARIES AND BENEFITS POSITIONS	113.00		
FROM FINANCIAL INSTITUTIONS			
REGULATORY TRUST FUND		8,712,018	
2479 OTHER PERSONAL SERVICES			
FROM FINANCIAL INSTITUTIONS			
REGULATORY TRUST FUND		879,098	
2480 EXPENSES			
FROM FINANCIAL INSTITUTIONS			
REGULATORY TRUST FUND		1,738,752	
2481 OPERATING CAPITAL OUTLAY			
FROM FINANCIAL INSTITUTIONS			
REGULATORY TRUST FUND		7,130	
2482 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM FINANCIAL INSTITUTIONS			
REGULATORY TRUST FUND		367,012	
2483 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM FINANCIAL INSTITUTIONS			
REGULATORY TRUST FUND		35,220	
2484 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM FINANCIAL INSTITUTIONS			
REGULATORY TRUST FUND		28,872	

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2485 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT			
SERVICES - HUMAN RESOURCES SERVICES			
PURCHASED PER STATEWIDE CONTRACT			
FROM FINANCIAL INSTITUTIONS			
REGULATORY TRUST FUND		37,835	
TOTAL: SAFETY AND SOUNDNESS OF STATE BANKING SYSTEM			
FROM TRUST FUNDS		11,805,937	
TOTAL POSITIONS	113.00		
TOTAL ALL FUNDS		11,805,937	
FINANCIAL INVESTIGATIONS			
APPROVED SALARY RATE	2,160,935		
2486 SALARIES AND BENEFITS POSITIONS	39.00		
FROM ADMINISTRATIVE TRUST FUND . . .		2,692,157	
2487 OTHER PERSONAL SERVICES			
FROM ADMINISTRATIVE TRUST FUND . . .		5,321	
2488 EXPENSES			
FROM ADMINISTRATIVE TRUST FUND . . .		498,957	
FROM FEDERAL LAW ENFORCEMENT TRUST			
FUND		51,758	
2489 OPERATING CAPITAL OUTLAY			
FROM ADMINISTRATIVE TRUST FUND . . .		10,600	
2490 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM ADMINISTRATIVE TRUST FUND . . .		36,354	
2491 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM ADMINISTRATIVE TRUST FUND . . .		12,155	
2492 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM ADMINISTRATIVE TRUST FUND . . .		15,809	
2493 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT			
SERVICES - HUMAN RESOURCES SERVICES			
PURCHASED PER STATEWIDE CONTRACT			
FROM ADMINISTRATIVE TRUST FUND . . .		20,101	
TOTAL: FINANCIAL INVESTIGATIONS			
FROM TRUST FUNDS		3,343,212	
TOTAL POSITIONS	39.00		
TOTAL ALL FUNDS		3,343,212	
EXECUTIVE DIRECTION AND SUPPORT SERVICES			
APPROVED SALARY RATE	1,261,240		
2494 SALARIES AND BENEFITS POSITIONS	15.00		
FROM ADMINISTRATIVE TRUST FUND . . .		1,793,046	
2495 OTHER PERSONAL SERVICES			
FROM ADMINISTRATIVE TRUST FUND . . .		250,000	
2496 EXPENSES			
FROM ADMINISTRATIVE TRUST FUND . . .		418,948	
2497 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM ADMINISTRATIVE TRUST FUND . . .		61,048	
2498 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM ADMINISTRATIVE TRUST FUND . . .		4,675	

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2499	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM ADMINISTRATIVE TRUST FUND . . .	10,004
2500	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ADMINISTRATIVE TRUST FUND . . .	13,930
2501	DATA PROCESSING SERVICES REGULATORY ENFORCEMENT AND LICENSING SYSTEM - OFFICE OF FINANCIAL REGULATION FROM ADMINISTRATIVE TRUST FUND . . .	10,165,965

From the funds in Specific Appropriations 2501, \$1,871,600 is provided to the Office of Financial Regulation to competitively procure the current system support services for the Regulatory Enforcement and Licensing (REAL) system and to support a transition of the support services. These funds will be utilized to support the overlap of operations and maintenance support services and knowledge transfer activities during the overlap period as necessary.

From the funds in Specific Appropriations 2501, \$3,862,500 is provided to the Office of Financial Regulation to support the migration of the custom-built REAL system online web portal to the REAL system standard web hosting functionality available in the current REAL system solution. These funds will support the software licensing, configuration, data conversion, testing and deployment of an online web portal replacement. These system enhancements shall be defined and included in the competitive procurement for the current system support services.

From the funds in Specific Appropriations 2501, \$3,064,500 is provided for the Office of Financial Regulation to integrate and automate the business functions of the Division of Financial Institutions within the Regulatory Enforcement and Licensing (REAL) system. These system enhancements shall be defined and included in the competitive procurement for the current system support services. These funds shall be held in reserve pending the receipt of an implementation plan. Contingent upon submission and approval of the implementation plan and pursuant to the provisions of chapter 216, Florida Statutes, the office is authorized to submit a budget amendment to request release of the funds to integrate and automate the business functions.

The department shall provide quarterly updates on the progress of the competitive solicitation, development, migration, and deployment activities to the chair of the Senate Appropriations Committee, the chair of the House Appropriations Committee, and the Executive Director of the Governor's Office of Policy and Budget.

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM TRUST FUNDS	12,717,616
TOTAL POSITIONS	15.00
TOTAL ALL FUNDS	12,717,616

FINANCE REGULATION

APPROVED SALARY RATE	5,238,778	
2502 SALARIES AND BENEFITS POSITIONS	98.00	
FROM REGULATORY TRUST FUND		6,698,793
2503 OTHER PERSONAL SERVICES		
FROM REGULATORY TRUST FUND		207,098
2504 EXPENSES		
FROM REGULATORY TRUST FUND		982,189
2505 OPERATING CAPITAL OUTLAY		
FROM REGULATORY TRUST FUND		5,631
2506 SPECIAL CATEGORIES		
DEFERRED PRESENTMENT PROVIDER DATABASE		
CONTRACT		
FROM REGULATORY TRUST FUND		2,930,000

SECTION 6 - GENERAL GOVERNMENT

2507	SPECIAL CATEGORIES CHECK CASHING TRANSACTION DATABASE CONTRACT FROM REGULATORY TRUST FUND	151,000
2508	SPECIAL CATEGORIES CONTRACTED SERVICES FROM REGULATORY TRUST FUND	111,565
2509	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM REGULATORY TRUST FUND	30,545
2510	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM REGULATORY TRUST FUND	34,995
2511	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM REGULATORY TRUST FUND	37,482
TOTAL: FINANCE REGULATION FROM TRUST FUNDS		11,189,298
TOTAL POSITIONS	98.00	
TOTAL ALL FUNDS		11,189,298

SECURITIES REGULATION

APPROVED SALARY RATE	4,850,251	
2512 SALARIES AND BENEFITS POSITIONS	95.00	
FROM REGULATORY TRUST FUND		6,547,346
2513 OTHER PERSONAL SERVICES		
FROM ANTI-FRAUD TRUST FUND		32,538
FROM REGULATORY TRUST FUND		104,466
2514 EXPENSES		
FROM ANTI-FRAUD TRUST FUND		62,885
FROM REGULATORY TRUST FUND		675,623
2515 OPERATING CAPITAL OUTLAY		
FROM ANTI-FRAUD TRUST FUND		24,528
FROM REGULATORY TRUST FUND		4,566
2516 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM ANTI-FRAUD TRUST FUND		80,049
FROM REGULATORY TRUST FUND		349,500
2517 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM REGULATORY TRUST FUND		29,610
2518 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM REGULATORY TRUST FUND		27,253
2519 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM REGULATORY TRUST FUND		30,080
TOTAL: SECURITIES REGULATION FROM TRUST FUNDS		7,968,444
TOTAL POSITIONS	95.00	
TOTAL ALL FUNDS		7,968,444

SECTION 6 - GENERAL GOVERNMENT

TOTAL:	FINANCIAL SERVICES, DEPARTMENT OF		
	FROM GENERAL REVENUE FUND	24,551,092	
	FROM TRUST FUNDS		321,856,562
	TOTAL POSITIONS	2,604.50	
	TOTAL ALL FUNDS		346,407,654
	TOTAL APPROVED SALARY RATE	128,829,342	
GOVERNOR, EXECUTIVE OFFICE OF THE			
PROGRAM: GENERAL OFFICE			
EXECUTIVE DIRECTION AND SUPPORT SERVICES			
2520	SALARIES AND BENEFITS POSITIONS	124.00	
	FROM GENERAL REVENUE FUND	9,115,531	
	FROM GRANTS AND DONATIONS TRUST FUND		226,470
2521	LUMP SUM		
	EXECUTIVE OFFICE OF THE GOVERNOR - EXECUTIVE/ADMINISTRATION		
	FROM GENERAL REVENUE FUND	2,179,202	
	FROM GRANTS AND DONATIONS TRUST FUND		488,033
2522	LUMP SUM		
	EXECUTIVE OFFICE OF THE GOVERNOR - WASHINGTON OFFICE		
	FROM GENERAL REVENUE FUND	116,858	
2523	SPECIAL CATEGORIES		
	CONTINGENT - DISCRETIONARY		
	FROM GENERAL REVENUE FUND	29,244	
2524	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	25,798	
	FROM GRANTS AND DONATIONS TRUST FUND		8,843
2525	SPECIAL CATEGORIES		
	CHILD ABUSE PREVENTION		
	FROM GENERAL REVENUE FUND	150,000	
2526	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	35,020	
	FROM GRANTS AND DONATIONS TRUST FUND		6,322
2527	DATA PROCESSING SERVICES		
	STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST)		
	FROM GENERAL REVENUE FUND	304,257	
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES		
	FROM GENERAL REVENUE FUND	11,955,910	
	FROM TRUST FUNDS		729,668
	TOTAL POSITIONS	124.00	
	TOTAL ALL FUNDS		12,685,578
LEGISLATIVE APPROPRIATIONS SYSTEM/PLANNING AND BUDGETING SUBSYSTEM			
2528	SALARIES AND BENEFITS POSITIONS	48.00	
	FROM PLANNING AND BUDGETING SYSTEM		
	TRUST FUND		4,542,226
2529	LUMP SUM		
	LEGISLATIVE APPROPRIATION SYSTEM/PLANNING AND BUDGETING SUBSYSTEM		
	FROM PLANNING AND BUDGETING SYSTEM		
	TRUST FUND		1,231,236

SECTION 6 - GENERAL GOVERNMENT

2530	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM PLANNING AND BUDGETING SYSTEM		
	TRUST FUND		13,410
2531	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM PLANNING AND BUDGETING SYSTEM		
	TRUST FUND		13,048
2532	DATA PROCESSING SERVICES		
	STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST)		
	FROM PLANNING AND BUDGETING SYSTEM		
	TRUST FUND		471
2533	DATA PROCESSING SERVICES		
	OTHER DATA PROCESSING SERVICES		
	FROM PLANNING AND BUDGETING SYSTEM		
	TRUST FUND		21,470
TOTAL:	LEGISLATIVE APPROPRIATIONS SYSTEM/PLANNING AND BUDGETING SUBSYSTEM		
	FROM TRUST FUNDS		5,821,861
	TOTAL POSITIONS	48.00	
	TOTAL ALL FUNDS		5,821,861
EXECUTIVE PLANNING AND BUDGETING			
2534	SALARIES AND BENEFITS POSITIONS	104.00	
	FROM GENERAL REVENUE FUND	9,059,696	
2535	LUMP SUM		
	EXECUTIVE OFFICE OF THE GOVERNOR - OFFICE OF PLANNING AND BUDGETING		
	FROM GENERAL REVENUE FUND	762,371	
2536	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
	FROM GENERAL REVENUE FUND	31,619	
2537	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	29,054	
2538	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	33,402	
TOTAL:	EXECUTIVE PLANNING AND BUDGETING		
	FROM GENERAL REVENUE FUND	9,916,142	
	TOTAL POSITIONS	104.00	
	TOTAL ALL FUNDS		9,916,142
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.			
	APPROVED SALARY RATE	7,009,857	
2539	SALARIES AND BENEFITS POSITIONS	157.00	
	FROM ADMINISTRATIVE TRUST FUND		1,908,194

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	FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND	2,694,021
	FROM FEDERAL GRANTS TRUST FUND	3,336,408
	FROM GRANTS AND DONATIONS TRUST FUND	634,844
	FROM OPERATING TRUST FUND	758,214
	FROM U.S. CONTRIBUTIONS TRUST FUND	1,152,226
2540	OTHER PERSONAL SERVICES	
	FROM ADMINISTRATIVE TRUST FUND	495,804
	FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND	1,003,961
	FROM FEDERAL GRANTS TRUST FUND	1,186,225
	FROM GRANTS AND DONATIONS TRUST FUND	268,717
	FROM OPERATING TRUST FUND	41,018
2541	EXPENSES	
	FROM ADMINISTRATIVE TRUST FUND	398,694
	FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND	1,114,447
	FROM FEDERAL GRANTS TRUST FUND	1,338,447
	FROM GRANTS AND DONATIONS TRUST FUND	584,964
	FROM OPERATING TRUST FUND	255,113
	FROM U.S. CONTRIBUTIONS TRUST FUND	218,985
2542	AID TO LOCAL GOVERNMENTS	
	DISASTER PREPAREDNESS PLANNING AND ADMINISTRATION	
	FROM FEDERAL GRANTS TRUST FUND	6,342,270
2543	OPERATING CAPITAL OUTLAY	
	FROM ADMINISTRATIVE TRUST FUND	15,400
	FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND	27,525
	FROM FEDERAL GRANTS TRUST FUND	80,415
	FROM GRANTS AND DONATIONS TRUST FUND	67,100
	FROM OPERATING TRUST FUND	4,650
2544	SPECIAL CATEGORIES	
	ACQUISITION OF MOTOR VEHICLES	
	FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND	38,000
	FROM FEDERAL GRANTS TRUST FUND	38,000
2545	SPECIAL CATEGORIES	
	GRANTS AND AIDS - PAYMENT FLORIDA WING/ CIVIL AIR PATROL	
	FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND	49,500
2546	SPECIAL CATEGORIES	
	CONTRACTED SERVICES	
	FROM GENERAL REVENUE FUND	3,500,000
	FROM ADMINISTRATIVE TRUST FUND	217,273
	FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND	452,186
	FROM FEDERAL GRANTS TRUST FUND	1,304,389
	FROM GRANTS AND DONATIONS TRUST FUND	218,737
	FROM OPERATING TRUST FUND	164,258
	FROM U.S. CONTRIBUTIONS TRUST FUND	39,369
2547	SPECIAL CATEGORIES	
	GRANTS AND AIDS - EMERGENCY MANAGEMENT PROGRAMS	
	FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND	7,309,061

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2548	SPECIAL CATEGORIES	
	GRANTS AND AIDS - STATE DOMESTIC PREPAREDNESS PROGRAM	
	FROM FEDERAL GRANTS TRUST FUND	247,393
2549	SPECIAL CATEGORIES	
	GRANTS AND AID - REPETITIVE FLOOD CLAIMS PROGRAM	
	FROM FEDERAL GRANTS TRUST FUND	1,699,796
2550	SPECIAL CATEGORIES	
	RISK MANAGEMENT INSURANCE	
	FROM ADMINISTRATIVE TRUST FUND	10,577
	FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND	18,124
	FROM FEDERAL GRANTS TRUST FUND	25,233
	FROM GRANTS AND DONATIONS TRUST FUND	10,932
	FROM OPERATING TRUST FUND	3,952
	FROM U.S. CONTRIBUTIONS TRUST FUND	9,112
2551	SPECIAL CATEGORIES	
	GRANTS AND AIDS - STATE AND FEDERAL DISASTER RELIEF OPERATIONS - ADMINISTRATIVE	
	FROM FEDERAL GRANTS TRUST FUND	7,085,430
	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.	
2552	SPECIAL CATEGORIES	
	COMMISSION ON COMMUNITY SERVICE	
	FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND	300,000
2553	SPECIAL CATEGORIES	
	STATEWIDE HURRICANE PREPAREDNESS AND PLANNING	
	FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND	2,064,539
	FROM FEDERAL GRANTS TRUST FUND	421,219
	FROM GRANTS AND DONATIONS TRUST FUND	100,971
2554	SPECIAL CATEGORIES	
	GRANTS AND AIDS - PUBLIC ASSISTANCE	
	FROM GRANTS AND DONATIONS TRUST FUND	14,039,164
	FROM U.S. CONTRIBUTIONS TRUST FUND	189,797,658
2555	SPECIAL CATEGORIES	
	PUBLIC ASSISTANCE - STATE OPERATIONS	
	FROM GRANTS AND DONATIONS TRUST FUND	7,408,198
	FROM U.S. CONTRIBUTIONS TRUST FUND	1,642,056
2556	SPECIAL CATEGORIES	
	GRANTS AND AIDS - HAZARD MITIGATION	
	FROM GRANTS AND DONATIONS TRUST FUND	122,668
	FROM U.S. CONTRIBUTIONS TRUST FUND	34,860,090
2557	SPECIAL CATEGORIES	
	HAZARD MITIGATION - STATE OPERATIONS	
	FROM GRANTS AND DONATIONS TRUST FUND	628,479
	FROM U.S. CONTRIBUTIONS TRUST FUND	1,868,938

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2558	SPECIAL CATEGORIES DISASTER ACTIVITY - STATE OBLIGATIONS FROM GRANTS AND DONATIONS TRUST FUND	938,724
2559	SPECIAL CATEGORIES GRANTS AND AIDS - SEVERE REPETITIVE LOSS PROGRAM FROM FEDERAL GRANTS TRUST FUND . . .	1,219,086
2560	SPECIAL CATEGORIES GRANTS AND AIDS - PREDISASTER MITIGATION FROM FEDERAL GRANTS TRUST FUND . . .	6,689,346
2561	SPECIAL CATEGORIES GRANTS AND AIDS - HURRICANE LOSS MITIGATION FROM GRANTS AND DONATIONS TRUST FUND	9,782,766

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 #2539).....	73,407
Other Personal Services (SA #2540).....	214,717
Expenses (SA #2541).....	178,793
Operating Capital Outlay (SA #2543).....	7,500
Contracted Services (SA #2546).....	141,532
Risk Management Services (SA #2550).....	1,392
Transfer to DMS - Human Resources Services (SA #2563).....	1,342
State Data Center - Agency for State Technology (SA #2567)...	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.

2562	SPECIAL CATEGORIES GRANTS AND AIDS - FLOOD MITIGATION ASSISTANCE PROGRAM FROM FEDERAL GRANTS TRUST FUND . . .	7,078,374
2563	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ADMINISTRATIVE TRUST FUND . . . FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND FROM FEDERAL GRANTS TRUST FUND . . . FROM GRANTS AND DONATIONS TRUST FUND FROM OPERATING TRUST FUND FROM U.S. CONTRIBUTIONS TRUST FUND .	9,889 17,543 24,090 8,875 3,248 11,487
2564	SPECIAL CATEGORIES FLORIDA HAZARDOUS MATERIALS PLANNING PROGRAM FROM GRANTS AND DONATIONS TRUST FUND FROM OPERATING TRUST FUND	65,000 1,076,597
2565	SPECIAL CATEGORIES HAZARDOUS MATERIALS EMERGENCY PLANNING GRANT FROM FEDERAL GRANTS TRUST FUND . . .	814,764
2567	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM ADMINISTRATIVE TRUST FUND . . .	71,080

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FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND	107,854 171,195
FROM FEDERAL GRANTS TRUST FUND . . .	
FROM GRANTS AND DONATIONS TRUST FUND	61,679
FROM OPERATING TRUST FUND	19,709
FROM U.S. CONTRIBUTIONS TRUST FUND .	85,603

2568	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY EMERGENCY MANAGEMENT CRITICAL FACILITY NEEDS FROM GRANTS AND DONATIONS TRUST FUND	3,000,000
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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.

TOTAL: EMERGENCY PREVENTION, PREPAREDNESS AND RESPONSE FROM GENERAL REVENUE FUND	3,500,000	327,379,853
FROM TRUST FUNDS		

TOTAL POSITIONS	157.00	330,879,853
TOTAL ALL FUNDS		

TOTAL: GOVERNOR, EXECUTIVE OFFICE OF THE FROM GENERAL REVENUE FUND	25,372,052	333,931,382
FROM TRUST FUNDS		

TOTAL POSITIONS	433.00	359,303,434
TOTAL ALL FUNDS		
TOTAL APPROVED SALARY RATE	7,009,857	

HIGHWAY SAFETY AND MOTOR VEHICLES, DEPARTMENT OF

PROGRAM: ADMINISTRATIVE SERVICES

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE	10,786,261	
2569	SALARIES AND BENEFITS	252.00
FROM HIGHWAY SAFETY OPERATING TRUST FUND		15,236,271
FROM LAW ENFORCEMENT TRUST FUND . .		152,654
2570	OTHER PERSONAL SERVICES FROM HIGHWAY SAFETY OPERATING TRUST FUND	98,748
2571	EXPENSES FROM HIGHWAY SAFETY OPERATING TRUST FUND FROM LAW ENFORCEMENT TRUST FUND . .	947,013 7,516
2572	OPERATING CAPITAL OUTLAY FROM HIGHWAY SAFETY OPERATING TRUST FUND	125,478
2572A	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM HIGHWAY SAFETY OPERATING TRUST FUND	50,000
2573	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM HIGHWAY SAFETY OPERATING TRUST FUND	265,490

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2574	SPECIAL CATEGORIES CONTRACTED SERVICES FROM HIGHWAY SAFETY OPERATING TRUST FUND	1,306,893
2575	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM HIGHWAY SAFETY OPERATING TRUST FUND	306,157
2576	SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS FROM HIGHWAY SAFETY OPERATING TRUST FUND	84,169
2577	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM HIGHWAY SAFETY OPERATING TRUST FUND	90,724
2578	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM HIGHWAY SAFETY OPERATING TRUST FUND	87,265
2579	FIXED CAPITAL OUTLAY SPECIAL PROJECTS AND IMPROVEMENTS - ADMINISTRATIVE SERVICES FROM HIGHWAY SAFETY OPERATING TRUST FUND	3,740,000
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM TRUST FUNDS	22,498,378
	TOTAL POSITIONS 252.00	
	TOTAL ALL FUNDS	22,498,378
PROGRAM: FLORIDA HIGHWAY PATROL		
HIGHWAY SAFETY		
	APPROVED SALARY RATE 108,090,084	
2580	SALARIES AND BENEFITS POSITIONS 2,193.00 FROM HIGHWAY SAFETY OPERATING TRUST FUND FROM LAW ENFORCEMENT TRUST FUND . . .	155,281,832 4,449
2581	OTHER PERSONAL SERVICES FROM HIGHWAY SAFETY OPERATING TRUST FUND FROM FEDERAL GRANTS TRUST FUND . . .	6,597,467 143,000
2582	EXPENSES FROM HIGHWAY SAFETY OPERATING TRUST FUND FROM FEDERAL GRANTS TRUST FUND . . . FROM LAW ENFORCEMENT TRUST FUND . . . FROM FEDERAL LAW ENFORCEMENT TRUST FUND	9,255,026 152,370 65,475 185,923
2583	OPERATING CAPITAL OUTLAY FROM HIGHWAY SAFETY OPERATING TRUST FUND FROM FEDERAL GRANTS TRUST FUND . . . FROM FEDERAL LAW ENFORCEMENT TRUST FUND	428,505 372,000 252,572
2584	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM HIGHWAY SAFETY OPERATING TRUST FUND	13,893,857

SECTION 6 - GENERAL GOVERNMENT

2585	SPECIAL CATEGORIES FLORIDA HIGHWAY PATROL COMMUNICATION SYSTEMS FROM HIGHWAY SAFETY OPERATING TRUST FUND FROM FEDERAL LAW ENFORCEMENT TRUST FUND	4,018,112 52,000
2586	SPECIAL CATEGORIES CONTRACTED SERVICES FROM HIGHWAY SAFETY OPERATING TRUST FUND FROM GAS TAX COLLECTION TRUST FUND . FROM LAW ENFORCEMENT TRUST FUND . .	1,785,529 258,609 536,383
2587	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM HIGHWAY SAFETY OPERATING TRUST FUND	16,807,786
2588	SPECIAL CATEGORIES FLORIDA HIGHWAY PATROL AUXILIARY FROM HIGHWAY SAFETY OPERATING TRUST FUND	138,238
2589	SPECIAL CATEGORIES OVERTIME FROM HIGHWAY SAFETY OPERATING TRUST FUND FROM FEDERAL GRANTS TRUST FUND . . .	9,075,000 537,129
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.		
2590	SPECIAL CATEGORIES PAYMENT OF DEATH AND DISMEMBERMENT CLAIMS FROM HIGHWAY SAFETY OPERATING TRUST FUND	325,995
2591	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM HIGHWAY SAFETY OPERATING TRUST FUND	6,645,462
2592	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM HIGHWAY SAFETY OPERATING TRUST FUND	1,420,560
2594	SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS FROM HIGHWAY SAFETY OPERATING TRUST FUND	2,219,213
2595	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM HIGHWAY SAFETY OPERATING TRUST FUND	105,960
2596	SPECIAL CATEGORIES MOBILE DATA TERMINAL SYSTEM FROM HIGHWAY SAFETY OPERATING TRUST FUND	1,522,706
2597	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM HIGHWAY SAFETY OPERATING TRUST FUND	741,956
2598	FIXED CAPITAL OUTLAY MAINTENANCE, REPAIRS AND CONSTRUCTION - STATEWIDE FROM HIGHWAY SAFETY OPERATING TRUST FUND	295,000

SECTION 6 - GENERAL GOVERNMENT

2599	FIXED CAPITAL OUTLAY FLORIDA HIGHWAY PATROL TRAINING ACADEMY DRIVING RANGE FROM HIGHWAY SAFETY OPERATING TRUST FUND			2,800,000
TOTAL:	HIGHWAY SAFETY FROM TRUST FUNDS			235,918,114
	TOTAL POSITIONS	2,193.00		
	TOTAL ALL FUNDS			235,918,114
EXECUTIVE DIRECTION AND SUPPORT SERVICES				
	APPROVED SALARY RATE	1,812,998		
2600	SALARIES AND BENEFITS POSITIONS FROM HIGHWAY SAFETY OPERATING TRUST FUND	24.00		2,520,373
2601	EXPENSES FROM HIGHWAY SAFETY OPERATING TRUST FUND			257,585
2602	OPERATING CAPITAL OUTLAY FROM HIGHWAY SAFETY OPERATING TRUST FUND			8,000
2603	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM HIGHWAY SAFETY OPERATING TRUST FUND			19,838
2604	SPECIAL CATEGORIES CONTRACTED SERVICES FROM HIGHWAY SAFETY OPERATING TRUST FUND			4,135
2605	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM HIGHWAY SAFETY OPERATING TRUST FUND			7,790
2606	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM HIGHWAY SAFETY OPERATING TRUST FUND			72,662
2607	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM HIGHWAY SAFETY OPERATING TRUST FUND			20,315
2608	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM HIGHWAY SAFETY OPERATING TRUST FUND			3,150
2609	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM HIGHWAY SAFETY OPERATING TRUST FUND			8,221
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM TRUST FUNDS			2,922,069
	TOTAL POSITIONS	24.00		
	TOTAL ALL FUNDS			2,922,069
COMMERCIAL VEHICLE ENFORCEMENT				
	APPROVED SALARY RATE	13,857,891		

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2610	SALARIES AND BENEFITS	POSITIONS	294.00	
	FROM HIGHWAY SAFETY OPERATING			
	TRUST FUND			21,234,837
2611	OTHER PERSONAL SERVICES			
	FROM HIGHWAY SAFETY OPERATING			
	TRUST FUND			252,311
2612	EXPENSES			
	FROM HIGHWAY SAFETY OPERATING			
	TRUST FUND			2,473,574
2613	OPERATING CAPITAL OUTLAY			
	FROM HIGHWAY SAFETY OPERATING			
	TRUST FUND			1,729,513
2614	SPECIAL CATEGORIES			
	ACQUISITION OF MOTOR VEHICLES			
	FROM HIGHWAY SAFETY OPERATING			
	TRUST FUND			1,508,511
2615	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM HIGHWAY SAFETY OPERATING			
	TRUST FUND			2,140,514
2616	SPECIAL CATEGORIES			
	OPERATION OF MOTOR VEHICLES			
	FROM HIGHWAY SAFETY OPERATING			
	TRUST FUND			2,154,397
2617	SPECIAL CATEGORIES			
	OVERTIME			
	FROM HIGHWAY SAFETY OPERATING			
	TRUST FUND			2,175,173
2618	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM HIGHWAY SAFETY OPERATING			
	TRUST FUND			890,125
2619	SPECIAL CATEGORIES			
	SALARY INCENTIVE PAYMENTS			
	FROM HIGHWAY SAFETY OPERATING			
	TRUST FUND			218,240
2620	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM HIGHWAY SAFETY OPERATING			
	TRUST FUND			23,020
2621	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT			
	SERVICES - HUMAN RESOURCES SERVICES			
	PURCHASED PER STATEWIDE CONTRACT			
	FROM HIGHWAY SAFETY OPERATING			
	TRUST FUND			96,944
TOTAL:	COMMERCIAL VEHICLE ENFORCEMENT			
	FROM TRUST FUNDS			34,897,159
	TOTAL POSITIONS	294.00		
	TOTAL ALL FUNDS			34,897,159
PROGRAM: MOTORIST SERVICES				
MOTORIST SERVICES				
	APPROVED SALARY RATE	51,118,582		
2622	SALARIES AND BENEFITS	POSITIONS	1,488.00	
	FROM HIGHWAY SAFETY OPERATING			
	TRUST FUND			69,059,588
	FROM FEDERAL GRANTS TRUST FUND			186,337
	FROM GAS TAX COLLECTION TRUST FUND			3,119,867

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2623	OTHER PERSONAL SERVICES	
	FROM HIGHWAY SAFETY OPERATING	
	TRUST FUND	870,874
	FROM FEDERAL GRANTS TRUST FUND . . .	422,666
	FROM GAS TAX COLLECTION TRUST FUND .	11,438
2624	EXPENSES	
	FROM HIGHWAY SAFETY OPERATING	
	TRUST FUND	10,984,498
	FROM FEDERAL GRANTS TRUST FUND . . .	390,335
	FROM GAS TAX COLLECTION TRUST FUND .	330,509
2625	OPERATING CAPITAL OUTLAY	
	FROM HIGHWAY SAFETY OPERATING	
	TRUST FUND	234,866
	FROM FEDERAL GRANTS TRUST FUND . . .	538,230
	FROM GAS TAX COLLECTION TRUST FUND .	5,001
2625A	SPECIAL CATEGORIES	
	ACQUISITION OF MOTOR VEHICLES	
	FROM HIGHWAY SAFETY OPERATING	
	TRUST FUND	200,000
2626	SPECIAL CATEGORIES	
	GRANTS AND AIDS - SAFETY DATA IMPROVEMENT	
	GRANT PROGRAM	
	FROM FEDERAL GRANTS TRUST FUND . . .	470,325
2627	SPECIAL CATEGORIES	
	CONTRACTED SERVICES	
	FROM HIGHWAY SAFETY OPERATING	
	TRUST FUND	3,680,259
	FROM FEDERAL GRANTS TRUST FUND . . .	369,401
	FROM GAS TAX COLLECTION TRUST FUND .	3,040
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.		
2628	SPECIAL CATEGORIES	
	DOMESTIC SECURITY	
	FROM FEDERAL GRANTS TRUST FUND . . .	270,000
2629	SPECIAL CATEGORIES	
	AUTOMATED UNIFORM TRAFFIC ACCOUNTING	
	SYSTEM	
	FROM HIGHWAY SAFETY OPERATING	
	TRUST FUND	913,905
2630	SPECIAL CATEGORIES	
	PAYMENT TO OUTSIDE CONTRACTOR	
	FROM HIGHWAY SAFETY OPERATING	
	TRUST FUND	6,299,454
2631	SPECIAL CATEGORIES	
	PURCHASE OF DRIVER LICENSES	
	FROM HIGHWAY SAFETY OPERATING	
	TRUST FUND	11,088,304
2632	SPECIAL CATEGORIES	
	GRANTS AND AIDS - PURCHASE OF LICENSE	
	PLATES	
	FROM HIGHWAY SAFETY OPERATING	
	TRUST FUND	10,170,197
2633	SPECIAL CATEGORIES	
	RISK MANAGEMENT INSURANCE	
	FROM HIGHWAY SAFETY OPERATING	
	TRUST FUND	1,548,536
	FROM GAS TAX COLLECTION TRUST FUND .	67,056
2634	SPECIAL CATEGORIES	
	TENANT BROKER COMMISSIONS	
	FROM HIGHWAY SAFETY OPERATING	
	TRUST FUND	159,804

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2635	SPECIAL CATEGORIES	
	DEFERRED-PAYMENT COMMODITY CONTRACTS	
	FROM HIGHWAY SAFETY OPERATING	
	TRUST FUND	238,586
2636	SPECIAL CATEGORIES	
	LEASE OR LEASE-PURCHASE OF EQUIPMENT	
	FROM HIGHWAY SAFETY OPERATING	
	TRUST FUND	104,488
	FROM GAS TAX COLLECTION TRUST FUND .	11,000
2637	SPECIAL CATEGORIES	
	TRANSFER TO TRANSPORTATION SECURITY	
	ADMINISTRATION AND FLORIDA DEPARTMENT OF	
	LAW ENFORCEMENT FOR BACKGROUND CHECKS	
	FROM HIGHWAY SAFETY OPERATING	
	TRUST FUND	1,132,656
2638	SPECIAL CATEGORIES	
	TRANSFER TO DEPARTMENT OF MANAGEMENT	
	SERVICES - HUMAN RESOURCES SERVICES	
	PURCHASED PER STATEWIDE CONTRACT	
	FROM HIGHWAY SAFETY OPERATING	
	TRUST FUND	562,175
2639	FIXED CAPITAL OUTLAY	
	MAINTENANCE, REPAIRS AND CONSTRUCTION -	
	STATEWIDE	
	FROM HIGHWAY SAFETY OPERATING	
	TRUST FUND	1,044,652
TOTAL: MOTORIST SERVICES		
	FROM TRUST FUNDS	124,488,047
	TOTAL POSITIONS	1,488.00
	TOTAL ALL FUNDS	124,488,047
PROGRAM: INFORMATION SERVICES ADMINISTRATION		
INFORMATION SERVICES ADMINISTRATION		
	APPROVED SALARY RATE	8,454,115
2640	SALARIES AND BENEFITS	163.00
	POSITIONS	
	FROM HIGHWAY SAFETY OPERATING	
	TRUST FUND	11,143,353
2641	OTHER PERSONAL SERVICES	
	FROM HIGHWAY SAFETY OPERATING	
	TRUST FUND	262,740
2642	EXPENSES	
	FROM HIGHWAY SAFETY OPERATING	
	TRUST FUND	5,468,726
	FROM GAS TAX COLLECTION TRUST FUND .	213,265
	FROM LAW ENFORCEMENT TRUST FUND . .	3,752
2643	OPERATING CAPITAL OUTLAY	
	FROM HIGHWAY SAFETY OPERATING	
	TRUST FUND	333,682
2644	SPECIAL CATEGORIES	
	CONTRACTED SERVICES	
	FROM HIGHWAY SAFETY OPERATING	
	TRUST FUND	12,747,541
	FROM GAS TAX COLLECTION TRUST FUND .	17,333
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. Of these funds, \$6,562,013 shall be placed in reserve. 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		

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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 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.

2645	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM HIGHWAY SAFETY OPERATING TRUST FUND	36,289
2646	SPECIAL CATEGORIES TAX COLLECTOR NETWORK - COUNTY SYSTEMS FROM HIGHWAY SAFETY OPERATING TRUST FUND	4,822,917
2647	SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS FROM HIGHWAY SAFETY OPERATING TRUST FUND	2,719,329
2648	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM HIGHWAY SAFETY OPERATING TRUST FUND	3,107
2649	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM HIGHWAY SAFETY OPERATING TRUST FUND	60,167
2650	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM HIGHWAY SAFETY OPERATING TRUST FUND	8,842,304
2651	DATA PROCESSING SERVICES NORTHWEST REGIONAL DATA CENTER (NWRDC) FROM HIGHWAY SAFETY OPERATING TRUST FUND	528
TOTAL:	INFORMATION SERVICES ADMINISTRATION FROM TRUST FUNDS	46,675,033
	TOTAL POSITIONS 163.00	
	TOTAL ALL FUNDS	46,675,033
TOTAL:	HIGHWAY SAFETY AND MOTOR VEHICLES, DEPARTMENT OF FROM TRUST FUNDS	467,398,800
	TOTAL POSITIONS 4,414.00	
	TOTAL ALL FUNDS	467,398,800
	TOTAL APPROVED SALARY RATE	194,119,931

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LEGISLATIVE BRANCH

SENATE

2652	LUMP SUM SENATE FROM GENERAL REVENUE FUND	52,114,674
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HOUSE OF REPRESENTATIVES

2653	LUMP SUM HOUSE FROM GENERAL REVENUE FUND	59,083,951
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LEGISLATIVE SUPPORT SERVICES

2654	LUMP SUM LEGISLATIVE SUPPORT SERVICES - SENATE FROM GENERAL REVENUE FUND FROM GRANTS AND DONATIONS TRUST FUND FROM LEGISLATIVE LOBBYIST REGISTRATION TRUST FUND	24,272,440 991,382 150,435
2655	LUMP SUM LEGISLATIVE SUPPORT SERVICES - HOUSE FROM GENERAL REVENUE FUND FROM GRANTS AND DONATIONS TRUST FUND FROM LEGISLATIVE LOBBYIST REGISTRATION TRUST FUND	24,375,636 975,201 145,770
2656	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM GRANTS AND DONATIONS TRUST FUND FROM LEGISLATIVE LOBBYIST REGISTRATION TRUST FUND	349,811 2,508 279
TOTAL:	LEGISLATIVE SUPPORT SERVICES FROM GENERAL REVENUE FUND FROM TRUST FUNDS	48,997,887 2,265,575
	TOTAL ALL FUNDS	51,263,462

OFFICE OF PUBLIC COUNSEL

2657	LUMP SUM PUBLIC COUNSEL FROM GENERAL REVENUE FUND	2,431,400
2658	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	2,392
TOTAL:	OFFICE OF PUBLIC COUNSEL FROM GENERAL REVENUE FUND	2,433,792
	TOTAL ALL FUNDS	2,433,792

ETHICS, COMMISSION ON

2659	LUMP SUM LOBBY REGISTRATION FROM EXECUTIVE BRANCH LOBBY REGISTRATION TRUST FUND	218,626
2660	LUMP SUM ETHICS COMMISSION FROM GENERAL REVENUE FUND	2,467,555
2661	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM GENERAL REVENUE FUND	33,800

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2662	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	3,366	
	FROM EXECUTIVE BRANCH LOBBY REGISTRATION TRUST FUND		279
TOTAL:	ETHICS, COMMISSION ON FROM GENERAL REVENUE FUND	2,504,721	218,905
	FROM TRUST FUNDS		
	TOTAL ALL FUNDS	2,723,626	
AUDITOR GENERAL			
2663	LUMP SUM AUDITOR GENERAL FROM GENERAL REVENUE FUND	35,955,426	
2664	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	61,639	
TOTAL:	AUDITOR GENERAL FROM GENERAL REVENUE FUND	36,017,065	
	TOTAL ALL FUNDS	36,017,065	
TOTAL:	LEGISLATIVE BRANCH FROM GENERAL REVENUE FUND	201,152,090	
	FROM TRUST FUNDS		2,484,480
	TOTAL ALL FUNDS	203,636,570	
LOTTERY, DEPARTMENT OF THE			
PROGRAM: LOTTERY OPERATIONS			
	APPROVED SALARY RATE	17,899,646	
2665	SALARIES AND BENEFITS POSITIONS FROM OPERATING TRUST FUND	420.00	27,224,350
2666	OTHER PERSONAL SERVICES FROM OPERATING TRUST FUND		200,000
2667	EXPENSES FROM OPERATING TRUST FUND		5,488,880
2668	OPERATING CAPITAL OUTLAY FROM OPERATING TRUST FUND		1,178,200
2669	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM OPERATING TRUST FUND		340,000
	From the funds provided in Specific Appropriation 2669, the Department of the Lottery may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the secretary that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida Statutes.		
2670	SPECIAL CATEGORIES CONTRACTED SERVICES FROM OPERATING TRUST FUND		3,215,654
2671	SPECIAL CATEGORIES INSTANT TICKET PURCHASE FROM OPERATING TRUST FUND		51,597,164
	The Department of the Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2671, in the event instant ticket sales are greater than the projected sales used to calculate the amount appropriated.		

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2672	SPECIAL CATEGORIES ADVERTISING AGENCY FEES FROM OPERATING TRUST FUND		3,237,939
2673	SPECIAL CATEGORIES PAID ADVERTISING AND PROMOTION FROM OPERATING TRUST FUND		36,312,514
	From the funds provided in Specific Appropriation 2673, the Department of the Lottery shall not expend in excess of \$200,000 for the development, publication, and distribution of any report by the department for the purpose of carrying out the provisions of section 24.1215, Florida Statutes.		
2674	SPECIAL CATEGORIES TERMINAL GAMES FEES FROM OPERATING TRUST FUND		26,646,545
	The Department of the Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2674 in the event terminal sales are greater than the projected sales used to calculate the amount appropriated.		
	The Department of the Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2674 to acquire up to 500 additional ticket terminals. Prior to the submission of any budget amendment that increases the size of the lottery retailer network, the Revenue Estimating Conference shall determine if sales will increase sufficiently to cover the cost of the terminals, offset any losses to the existing network, and generate additional revenue that benefits the state. The budget amendments will be contingent upon the department's submission of a plan that includes not only a positive Revenue Estimating Conference impact analysis, but also identifies the specific terminal needs and a plan for distribution of the additional terminals.		
2675	SPECIAL CATEGORIES LOTTERY INSTANT TICKET VENDING MACHINES FROM OPERATING TRUST FUND		5,010,600
	The Department of the Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2675 to acquire additional instant ticket vending machines. Prior to the submission of any amendment that increases the number of instant ticket vending machines, the Revenue Estimating Conference shall determine if sales will increase sufficiently to cover the cost of the machines and generate additional revenue that benefits the state. The budget amendments will be contingent upon the agency's submission of a plan that includes not only a positive Revenue Estimating Conference impact analysis, but also identifies the specific instant ticket machine needs and a plan for distribution of the additional machines.		
2676	SPECIAL CATEGORIES LOTTERY FULL SERVICE VENDING MACHINES FROM OPERATING TRUST FUND		2,940,000
2677	SPECIAL CATEGORIES RETAILER INCENTIVES FROM OPERATING TRUST FUND		2,325,000
2678	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM OPERATING TRUST FUND		719,447
2679	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM OPERATING TRUST FUND		14,060
2680	SPECIAL CATEGORIES CONTRACTED LEGAL SERVICES FROM OPERATING TRUST FUND		120,000
2681	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM OPERATING TRUST FUND		375,000

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2682	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM OPERATING TRUST FUND		145,536
2683	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM OPERATING TRUST FUND		27,866
TOTAL:	PROGRAM: LOTTERY OPERATIONS FROM TRUST FUNDS		167,118,755
	TOTAL POSITIONS	420.00	
	TOTAL ALL FUNDS		167,118,755
TOTAL:	LOTTERY, DEPARTMENT OF THE FROM TRUST FUNDS		167,118,755
	TOTAL POSITIONS	420.00	
	TOTAL ALL FUNDS		167,118,755
	TOTAL APPROVED SALARY RATE	17,899,646	
MANAGEMENT SERVICES, DEPARTMENT OF			
PROGRAM: ADMINISTRATION PROGRAM			
EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	APPROVED SALARY RATE	5,061,599	
2684	SALARIES AND BENEFITS POSITIONS	80.00	
	FROM GENERAL REVENUE FUND	161,008	
	FROM ADMINISTRATIVE TRUST FUND		6,882,203
2685	OTHER PERSONAL SERVICES FROM ADMINISTRATIVE TRUST FUND		81,933
2686	EXPENSES FROM GENERAL REVENUE FUND	41,497	
	FROM ADMINISTRATIVE TRUST FUND		695,893
2687	OPERATING CAPITAL OUTLAY FROM ADMINISTRATIVE TRUST FUND		9,688
2688	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	51,680	
	FROM ADMINISTRATIVE TRUST FUND		208,112
	FROM OPERATING TRUST FUND		50,000
2689	SPECIAL CATEGORIES MAIL SERVICES FROM ADMINISTRATIVE TRUST FUND		58,004
2690	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ADMINISTRATIVE TRUST FUND		19,768
2691	SPECIAL CATEGORIES CONTRACTED LEGAL SERVICES FROM ADMINISTRATIVE TRUST FUND		891,000
2692	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM ADMINISTRATIVE TRUST FUND		14,427
2693	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ADMINISTRATIVE TRUST FUND		30,538

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2694	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM GENERAL REVENUE FUND	23,525	
	FROM ADMINISTRATIVE TRUST FUND		249,285
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM GENERAL REVENUE FUND	277,710	
	FROM TRUST FUNDS		9,190,851
	TOTAL POSITIONS	80.00	
	TOTAL ALL FUNDS		9,468,561
STATE EMPLOYEE LEASING			
	APPROVED SALARY RATE	62,359	
2695	SALARIES AND BENEFITS POSITIONS	1.00	
	FROM ADMINISTRATIVE TRUST FUND		166,585
2696	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ADMINISTRATIVE TRUST FUND		775
TOTAL:	STATE EMPLOYEE LEASING FROM TRUST FUNDS		167,360
	TOTAL POSITIONS	1.00	
	TOTAL ALL FUNDS		167,360
PROGRAM: FACILITIES PROGRAM			
FACILITIES MANAGEMENT			
	APPROVED SALARY RATE	9,466,231	
2697	SALARIES AND BENEFITS POSITIONS	267.50	
	FROM SUPERVISION TRUST FUND		13,600,381
2698	OTHER PERSONAL SERVICES FROM SUPERVISION TRUST FUND		267,000
2699	EXPENSES FROM SUPERVISION TRUST FUND		5,189,291
2700	OPERATING CAPITAL OUTLAY FROM SUPERVISION TRUST FUND		73,727
2701	SPECIAL CATEGORIES TRANSFER TO THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT - CAPITOL POLICE FROM SUPERVISION TRUST FUND		6,623,621
2702	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	126,483	
	FROM SUPERVISION TRUST FUND		10,091,557
From the funds in Specific Appropriation 2702, \$126,483 from General Revenue and \$646,172 from the Supervision Trust Fund is provided to contract with an independent third party consulting firm to complete a study of the aging government facilities infrastructure located in Leon County and provide recommendations on how to manage the structures. The study shall be submitted to the Governor, President of the Senate, and Speaker of the House of Representatives by February 1, 2017.			
2703	SPECIAL CATEGORIES DEPARTMENT OF MANAGEMENT SERVICES PROVISIONS FOR FACILITIES SECURITY FROM SUPERVISION TRUST FUND		1,148,387
2704	SPECIAL CATEGORIES INTERIOR REFURBISHMENT - LEASE SPACE FROM SUPERVISION TRUST FUND		1,932,577

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2705 SPECIAL CATEGORIES
MASTER LEASE SPACE TENANT IMPROVEMENT
FUNDS
FROM OPERATING TRUST FUND 177,655

Funds in Specific Appropriation 2705 shall be placed in reserve until the Department of Management Services submits to the chair of the Senate Appropriations Committee, the chair of the House of Representatives Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget an updated project plan that includes, but is not limited to, all expenditures related to the proposed projects and the associated funding sources. The plan shall also include: a prioritization of all outstanding requests by agencies for improvement projects in spaces leased under the Tallahassee area private sector master leases; all out-year projects required to improve and maintain the leased space for the duration of the 15-year leases; and an explanation of why improvements are required or not required for each fiscal year. No earlier than 14 days after submission of the plan to the legislative committees, the department may request the release of the funds pursuant to the provisions of chapter 216, Florida Statutes.

2706 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM SUPERVISION TRUST FUND 188,451

2707 SPECIAL CATEGORIES
STATE UTILITY PAYMENTS
FROM SUPERVISION TRUST FUND 15,311,129

The Department of Management Services is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2707 in the event utility costs exceed the amount appropriated.

2708 SPECIAL CATEGORIES
SHARED SAVINGS PAYMENTS FOR ENERGY
EFFICIENCY UPGRADES
FROM SUPERVISION TRUST FUND 250,000

2709 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM SUPERVISION TRUST FUND 1,657,550

2710 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM SUPERVISION TRUST FUND 97,570

2711 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM SUPERVISION TRUST FUND 84,225

2712 SPECIAL CATEGORIES
STATE CAPITOL - MAINTENANCE AND REPAIRS
FROM SUPERVISION TRUST FUND 50,000

2713 DATA PROCESSING SERVICES
STATE DATA CENTER - AGENCY FOR STATE
TECHNOLOGY (AST)
FROM SUPERVISION TRUST FUND 327,402

2714 FIXED CAPITAL OUTLAY
COMPLIANCE WITH THE AMERICANS WITH
DISABILITIES ACT
FROM GENERAL REVENUE FUND 1,150,863

Funds in Specific Appropriations 2714 through 2716 shall be held in reserve contingent upon the submission of a project plan to the chair of the Senate Appropriations Committee, the chair of the House of Representatives Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget detailing the request for building repair, code correction, and other deficiency projects. The project plan must include all high priority deficiency issues and all issues affecting life, health and safety. The project plan shall also include the facility, location, and estimated cost for each project and shall be submitted by August 1, 2016. The Department of Management

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Services shall request the release of funds pursuant to the provisions of chapter 216, Florida Statutes.

2715 FIXED CAPITAL OUTLAY
LIFE SAFETY CODE COMPLIANCE PROJECTS
STATEWIDE - DMS MGD
FROM GENERAL REVENUE FUND 1,596,000

2716 FIXED CAPITAL OUTLAY
STATEWIDE CAPITAL DEPRECIATION - GENERAL -
DMS MGD
FROM GENERAL REVENUE FUND 18,305,653
FROM SUPERVISION TRUST FUND 8,183,879

2717 FIXED CAPITAL OUTLAY
OLD CAPITOL RENOVATION - DMS MGD
FROM GENERAL REVENUE FUND 337,200

2718 FIXED CAPITAL OUTLAY
DEBT SERVICE
FROM FLORIDA FACILITIES POOL
CLEARING TRUST FUND 30,458,602

TOTAL: FACILITIES MANAGEMENT
FROM GENERAL REVENUE FUND 21,516,199
FROM TRUST FUNDS 95,713,004

TOTAL POSITIONS 267.50
TOTAL ALL FUNDS 117,229,203

BUILDING CONSTRUCTION

Funds provided in Specific Appropriations 2719 through 2725 from the Architects Incidental Trust Fund are based on an assessment against each fixed capital outlay appropriation in which the Department of Management Services serves as the owner-representative on behalf of the state. The assessments for appropriations made for the 2016-2017 fiscal year shall be calculated in accordance with the formula submitted by the Department of Management Services to the Executive Office of the Governor on October 7, 1991, as required by chapter 91-193, Laws of Florida.

APPROVED SALARY RATE 546,448

2719 SALARIES AND BENEFITS POSITIONS 10.00
FROM ARCHITECTS INCIDENTAL TRUST
FUND 762,355

2720 EXPENSES
FROM ARCHITECTS INCIDENTAL TRUST
FUND 115,827

2721 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ARCHITECTS INCIDENTAL TRUST
FUND 46,341

2722 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ARCHITECTS INCIDENTAL TRUST
FUND 7,022

2723 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM ARCHITECTS INCIDENTAL TRUST
FUND 1,613

2724 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ARCHITECTS INCIDENTAL TRUST
FUND 3,244

2725 DATA PROCESSING SERVICES
STATE DATA CENTER - AGENCY FOR STATE
TECHNOLOGY (AST)
FROM ARCHITECTS INCIDENTAL TRUST
FUND 7,694

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TOTAL: BUILDING CONSTRUCTION		
FROM TRUST FUNDS		944,096
TOTAL POSITIONS	10.00	
TOTAL ALL FUNDS		944,096

PROGRAM: SUPPORT PROGRAM

FEDERAL PROPERTY ASSISTANCE

APPROVED SALARY RATE	148,876	
2726 SALARIES AND BENEFITS POSITIONS	5.00	
FROM SURPLUS PROPERTY REVOLVING		
TRUST FUND		249,878
2727 EXPENSES		
FROM SURPLUS PROPERTY REVOLVING		
TRUST FUND		82,938
2728 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM SURPLUS PROPERTY REVOLVING		
TRUST FUND		6,379
2729 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM SURPLUS PROPERTY REVOLVING		
TRUST FUND		2,846
2730 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM SURPLUS PROPERTY REVOLVING		
TRUST FUND		1,474
2731 DATA PROCESSING SERVICES		
STATE DATA CENTER - AGENCY FOR STATE		
TECHNOLOGY (AST)		
FROM SURPLUS PROPERTY REVOLVING		
TRUST FUND		1,455
TOTAL: FEDERAL PROPERTY ASSISTANCE		
FROM TRUST FUNDS		344,970
TOTAL POSITIONS	5.00	
TOTAL ALL FUNDS		344,970

MOTOR VEHICLE AND WATERCRAFT MANAGEMENT

APPROVED SALARY RATE	339,995	
2732 SALARIES AND BENEFITS POSITIONS	6.00	
FROM OPERATING TRUST FUND		497,486
2733 EXPENSES		
FROM OPERATING TRUST FUND		58,708
2734 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	1,761,243	
FROM OPERATING TRUST FUND		99,332

From the funds in Specific Appropriation 2734 the Department of Management Services shall procure a commercially available solution to support a centralized Fleet Management Information System with the capacity to manage all state-owned and leased equipment pursuant to section 287.16, Florida Statutes. The solution shall replace the existing fleet management application with a solution that, at a minimum, shall have the capability to: a) manage the state owned and leased fleet, including all equipment currently required to be tracked and the ability to track optional equipment such as heavy trucks, tractors, trailers, forklifts, heavy equipment, marine engines, and other mobile equipment; b) provide the ability to monitor and report utilization of the fleet; c) provide centralized motor vehicle replacement planning and budgeting; d) facilitate an optimized fleet

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acquisition process; e) manage and maintain records of the maintenance and repair of the fleet; f) monitor and manage the disposal of fleet assets; and g) provide a standard methodology for reporting fuel data. All agencies utilizing the existing fleet management application or assessed service charges for required assets will be required to transition to the new Fleet Management Information System.

The Department of Management Services shall provide written, quarterly project status reports with the first report due by September 30, 2016, to the chair of the Senate Appropriations Committee, the chair of the House Appropriations Committee, and the Governor's Office of Policy and Budget.

2735 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM OPERATING TRUST FUND		859
2736 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM OPERATING TRUST FUND		1,247
2737 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM OPERATING TRUST FUND		2,655
2738 SPECIAL CATEGORIES		
PAYMENT OF EXPENSES FROM SALE OF AGENCY		
VEHICLES		
FROM OPERATING TRUST FUND		695,000
2739 DATA PROCESSING SERVICES		
STATE DATA CENTER - AGENCY FOR STATE		
TECHNOLOGY (AST)		
FROM OPERATING TRUST FUND		28,309
TOTAL: MOTOR VEHICLE AND WATERCRAFT MANAGEMENT		
FROM GENERAL REVENUE FUND	1,761,243	
FROM TRUST FUNDS		1,383,596
TOTAL POSITIONS	6.00	
TOTAL ALL FUNDS		3,144,839
PURCHASING OVERSIGHT		
APPROVED SALARY RATE	2,945,928	
2740 SALARIES AND BENEFITS POSITIONS	49.00	
FROM OPERATING TRUST FUND		4,033,504
2741 OTHER PERSONAL SERVICES		
FROM OPERATING TRUST FUND		10,000
2742 EXPENSES		
FROM OPERATING TRUST FUND		391,418
2743 OPERATING CAPITAL OUTLAY		
FROM OPERATING TRUST FUND		15,859
2744 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM OPERATING TRUST FUND		88,847
2745 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM OPERATING TRUST FUND		9,764
2746 SPECIAL CATEGORIES		
CONTRACTED LEGAL SERVICES		
FROM OPERATING TRUST FUND		30,000
2747 SPECIAL CATEGORIES		
WEB-BASED E-PROCUREMENT SYSTEM		
FROM OPERATING TRUST FUND		10,867,892

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2748	SPECIAL CATEGORIES PROJECT MANAGEMENT PROFESSIONAL - TRAINING FROM OPERATING TRUST FUND			60,000
2749	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM OPERATING TRUST FUND			4,000
2750	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM OPERATING TRUST FUND			15,286
2751	SPECIAL CATEGORIES TRANSFER TO THE DEPARTMENT OF FINANCIAL SERVICES FROM OPERATING TRUST FUND			500,000
2752	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM OPERATING TRUST FUND			151,966
TOTAL:	PURCHASING OVERSIGHT FROM TRUST FUNDS			16,178,536
	TOTAL POSITIONS	49.00		
	TOTAL ALL FUNDS			16,178,536
OFFICE OF SUPPLIER DIVERSITY				
	APPROVED SALARY RATE	214,984		
2753	SALARIES AND BENEFITS POSITIONS FROM OPERATING TRUST FUND	6.00		336,348
2754	EXPENSES FROM OPERATING TRUST FUND			55,641
2755	SPECIAL CATEGORIES CONTRACTED SERVICES FROM OPERATING TRUST FUND			11,573
2756	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM OPERATING TRUST FUND			836
2757	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM OPERATING TRUST FUND			3,166
2758	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM OPERATING TRUST FUND			11,087
TOTAL:	OFFICE OF SUPPLIER DIVERSITY FROM TRUST FUNDS			418,651
	TOTAL POSITIONS	6.00		
	TOTAL ALL FUNDS			418,651
PRIVATE PRISON MONITORING				
	APPROVED SALARY RATE	702,221		
2759	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	14.00		1,002,123
2760	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND			15,200
2761	EXPENSES FROM GENERAL REVENUE FUND			76,046

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2762	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND			3,890
2763	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND			13,056
2764	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND			1,950
2765	SPECIAL CATEGORIES CONTRACTED LEGAL SERVICES FROM GENERAL REVENUE FUND			23,169
2766	SPECIAL CATEGORIES ADMINISTRATIVE OVERHEAD FROM GENERAL REVENUE FUND			113,489
2767	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND			1,267
2768	SPECIAL CATEGORIES PRIVATE PRISONS - MAINTENANCE AND REPAIR REIMBURSEMENT FROM OPERATING TRUST FUND			1,500,000
2769	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND			4,738
	FROM OPERATING TRUST FUND			397
2770	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM GENERAL REVENUE FUND			7,077
TOTAL:	PRIVATE PRISON MONITORING FROM GENERAL REVENUE FUND			1,262,005
	FROM TRUST FUNDS			1,500,397
	TOTAL POSITIONS	14.00		
	TOTAL ALL FUNDS			2,762,402
WORKFORCE PROGRAMS				
PROGRAM: INSURANCE BENEFITS ADMINISTRATION				
	APPROVED SALARY RATE	1,274,447		
2771	SALARIES AND BENEFITS POSITIONS FROM PRETAX BENEFITS TRUST FUND . .	22.00		382,006
	FROM STATE EMPLOYEES LIFE INSURANCE TRUST FUND			21,579
	FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND			1,377,103
	FROM STATE EMPLOYEES DISABILITY INSURANCE TRUST FUND			28,249
2772	OTHER PERSONAL SERVICES FROM PRETAX BENEFITS TRUST FUND . .			14,803
	FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND			140,772
2773	EXPENSES FROM PRETAX BENEFITS TRUST FUND . .			47,531
	FROM STATE EMPLOYEES LIFE INSURANCE TRUST FUND			1,984
	FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND			294,096
	FROM STATE EMPLOYEES DISABILITY INSURANCE TRUST FUND			2,875

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2774 OPERATING CAPITAL OUTLAY
FROM PRETAX BENEFITS TRUST FUND . . . 10,000
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 10,000

2775 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE
HEARINGS
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 6,542

2776 SPECIAL CATEGORIES
POST PAYMENT CLAIMS AUDIT SERVICES
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 400,000

The Department of Management Services is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2776 in the event the contractor identifies claim overpayments that result in compensation that exceeds the amount appropriated.

2777 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PRETAX BENEFITS TRUST FUND . . . 348,505
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 2,099,157

From the funds provided in Specific Appropriation 2777, the Department of Management Services shall use certified or licensed professionals who are providing solicited services to other clients when contracting with benefit or actuarial consultants.

2778 SPECIAL CATEGORIES
ADMINISTRATIVE SERVICES ONLY CONTRACT FOR
HEALTH INSURANCE
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 51,100,000

The Department of Management Services is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2778 in the event administrative service payments for health insurance exceed the amount of budget authority appropriated.

2779 SPECIAL CATEGORIES
PRESCRIPTION DRUG CLAIMS ADMINISTRATION
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 4,406,020

2780 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PRETAX BENEFITS TRUST FUND . . . 770
FROM STATE EMPLOYEES LIFE
INSURANCE TRUST FUND 201
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 4,815

2781 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 50,000

2782 SPECIAL CATEGORIES
PAYMENT OF EMPLOYER CONTRIBUTIONS TO
HEALTH SAVINGS ACCOUNT CUSTODIAN
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 1,508,000

2783 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 4,435

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2784 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM PRETAX BENEFITS TRUST FUND . . . 3,825
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 10,919

2785 DATA PROCESSING SERVICES
STATE DATA CENTER - AGENCY FOR STATE
TECHNOLOGY (AST)
FROM PRETAX BENEFITS TRUST FUND . . . 2,811
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 8,750

TOTAL: PROGRAM: INSURANCE BENEFITS ADMINISTRATION
FROM TRUST FUNDS 62,285,748
TOTAL POSITIONS 22.00
TOTAL ALL FUNDS 62,285,748

PROGRAM: RETIREMENT BENEFITS ADMINISTRATION

APPROVED SALARY RATE 7,819,411

2786 SALARIES AND BENEFITS POSITIONS 194.00
FROM GENERAL REVENUE FUND 804,094
FROM OPERATING TRUST FUND 9,821,744
FROM OPTIONAL RETIREMENT PROGRAM
TRUST FUND 204,189
FROM POLICE AND FIREFIGHTER'S
PREMIUM TAX TRUST FUND 800,362
FROM RETIREE HEALTH INSURANCE
SUBSIDY TRUST FUND 129,696

From the funds provided in Specific Appropriation 2786, the Department of Management Services shall expend available cash balances from the Police and Firefighter's Premium Tax Trust Fund prior to the use of general revenue funds.

Funds provided in Specific Appropriations 2786 through 2796 from the Optional Retirement Program Trust Fund are based on an assessment of .01 percent of the participants' salaries and shall be used only for administration of the Optional Retirement Program.

2787 OTHER PERSONAL SERVICES
FROM OPERATING TRUST FUND 231,029

2788 EXPENSES
FROM OPERATING TRUST FUND 2,627,066
FROM OPTIONAL RETIREMENT PROGRAM
TRUST FUND 28,011
FROM POLICE AND FIREFIGHTER'S
PREMIUM TAX TRUST FUND 104,089
FROM RETIREE HEALTH INSURANCE
SUBSIDY TRUST FUND 17,817

2789 OPERATING CAPITAL OUTLAY
FROM OPERATING TRUST FUND 100,000

2790 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE
HEARINGS
FROM OPERATING TRUST FUND 17,990

2791 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 65,500
FROM OPERATING TRUST FUND 4,609,581
FROM OPTIONAL RETIREMENT PROGRAM
TRUST FUND 1,000
FROM POLICE AND FIREFIGHTER'S
PREMIUM TAX TRUST FUND 191,355
FROM RETIREE HEALTH INSURANCE
SUBSIDY TRUST FUND 40,000

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2792	SPECIAL CATEGORIES OVERTIME FROM OPERATING TRUST FUND		122,571
2793	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM OPERATING TRUST FUND		52,633
2794	SPECIAL CATEGORIES CONTRACTED LEGAL SERVICES FROM OPERATING TRUST FUND		148,891
2795	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM OPERATING TRUST FUND FROM POLICE AND FIREFIGHTER'S PREMIUM TAX TRUST FUND		23,571 2,000
2796	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM OPERATING TRUST FUND FROM OPTIONAL RETIREMENT PROGRAM TRUST FUND FROM POLICE AND FIREFIGHTER'S PREMIUM TAX TRUST FUND FROM RETIREE HEALTH INSURANCE SUBSIDY TRUST FUND	324	52,574 1,251 3,929 1,043
2797	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM OPERATING TRUST FUND		345,446
2798	PENSIONS AND BENEFITS DISABILITY BENEFITS TO JUSTICES AND JUDGES FROM GENERAL REVENUE FUND	1,179,340	
2799	PENSIONS AND BENEFITS FLORIDA NATIONAL GUARD FROM GENERAL REVENUE FUND	16,381,870	
2800	PENSIONS AND BENEFITS STATE OFFICERS AND EMPLOYEES (NON- CONTRIBUTORY) FROM GENERAL REVENUE FUND	315,613	
TOTAL:	PROGRAM: RETIREMENT BENEFITS ADMINISTRATION FROM GENERAL REVENUE FUND FROM TRUST FUNDS TOTAL POSITIONS TOTAL ALL FUNDS	18,746,741	19,677,838 38,424,579
PROGRAM: STATE PERSONNEL POLICY ADMINISTRATION			
	APPROVED SALARY RATE	1,051,318	
2801	SALARIES AND BENEFITS POSITIONS FROM STATE PERSONNEL SYSTEM TRUST FUND	15.00	1,365,235
Funds provided in Specific Appropriations 2801 through 2817 from the State Personnel System Trust Fund are based upon a human resources services assessment to state entities at the following rates:			
	FTE	\$345.55	
	OPS	\$121.55	
	Justice Administrative Commission	\$264.52	
	State Court System	\$228.70	
	County Health Department	\$264.52	
2802	OTHER PERSONAL SERVICES FROM STATE PERSONNEL SYSTEM TRUST FUND		5,000

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2803	EXPENSES FROM STATE PERSONNEL SYSTEM TRUST FUND		113,762
2804	SPECIAL CATEGORIES CONTRACTED SERVICES FROM STATE PERSONNEL SYSTEM TRUST FUND		22,576
2805	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM STATE PERSONNEL SYSTEM TRUST FUND		9,761
2806	SPECIAL CATEGORIES CONTRACTED LEGAL SERVICES FROM STATE PERSONNEL SYSTEM TRUST FUND		100,000
2807	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM STATE PERSONNEL SYSTEM TRUST FUND		1,691
2808	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM STATE PERSONNEL SYSTEM TRUST FUND		6,849
2809	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM STATE PERSONNEL SYSTEM TRUST FUND		21,600
TOTAL:	PROGRAM: STATE PERSONNEL POLICY ADMINISTRATION FROM TRUST FUNDS TOTAL POSITIONS TOTAL ALL FUNDS	15.00	1,646,474 1,646,474
PROGRAM: PEOPLE FIRST			
	APPROVED SALARY RATE	969,085	
2810	SALARIES AND BENEFITS POSITIONS FROM STATE PERSONNEL SYSTEM TRUST FUND	15.00	1,341,511
2811	EXPENSES FROM STATE PERSONNEL SYSTEM TRUST FUND		104,006
2812	SPECIAL CATEGORIES CONTRACTED SERVICES FROM STATE PERSONNEL SYSTEM TRUST FUND		22,575
2813	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM STATE PERSONNEL SYSTEM TRUST FUND		4,018
2814	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM STATE PERSONNEL SYSTEM TRUST FUND		1,860
2815	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM STATE PERSONNEL SYSTEM TRUST FUND		6,044

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2816	SPECIAL CATEGORIES HUMAN RESOURCES SERVICES / STATEWIDE CONTRACT FROM STATE PERSONNEL SYSTEM TRUST FUND	32,842,972	
2817	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM STATE PERSONNEL SYSTEM TRUST FUND	10,855	
TOTAL:	PROGRAM: PEOPLE FIRST FROM TRUST FUNDS	34,333,841	
	TOTAL POSITIONS 15.00		
	TOTAL ALL FUNDS	34,333,841	
PROGRAM: TECHNOLOGY PROGRAM			
TELECOMMUNICATIONS SERVICES			
	APPROVED SALARY RATE 3,924,949		
2818	SALARIES AND BENEFITS POSITIONS 71.00 FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST	5,067,770 373,942	
2819	OTHER PERSONAL SERVICES FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST	374,047 84,290	
2820	EXPENSES FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST	725,821 514,339	
2821	AID TO LOCAL GOVERNMENTS DISTRIBUTIONS TO COUNTIES - WIRELESS 911 TELEPHONE SYSTEMS FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST	60,289,120	
2822	AID TO LOCAL GOVERNMENTS DISTRIBUTIONS TO SERVICE PROVIDERS - WIRELESS 911 TELEPHONE SYSTEMS FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST	10,000,000	
2823	AID TO LOCAL GOVERNMENTS DISTRIBUTIONS TO COUNTIES - NON-WIRELESS E911 FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST	38,146,673	
2824	AID TO LOCAL GOVERNMENTS DISTRIBUTION OF COUNTY PREPAID WIRELESS 911 FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST	27,100,000	
2825	OPERATING CAPITAL OUTLAY FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST	92,159 3,600	
2826	SPECIAL CATEGORIES CENTREX AND SUNCOM PAYMENTS FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND	108,035,421	

The Department of Management Services is authorized to submit budget

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amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2826, in the event that payments for telecommunications services exceed the amount appropriated.			
2827	SPECIAL CATEGORIES CONTRACTED SERVICES FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST	2,403,844 250,827	
From the funds in Specific Appropriation 2827, \$349,440 is provided for staff augmentation services to transition to a new contract for the SUNCOM Network. These funds shall be placed in reserve. The department may submit budget amendments for the release of these funds in accordance with Chapter 216, Florida Statutes.			
2828	SPECIAL CATEGORIES FLORIDA INFORMATION RESOURCE NETWORK/ DISTRICT BANDWIDTH SUPPORT FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND	7,451,217	
2829	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND	21,569	
2830	SPECIAL CATEGORIES CONTRACTED LEGAL SERVICES FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST	92,159	
2831	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST	1,989 1,149	
2832	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND	23,074	
2833	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST	515,604 3,763	
TOTAL:	TELECOMMUNICATIONS SERVICES FROM TRUST FUNDS	261,572,377	
	TOTAL POSITIONS 71.00		
	TOTAL ALL FUNDS	261,572,377	
WIRELESS SERVICES			
	APPROVED SALARY RATE 745,132		
2834	SALARIES AND BENEFITS POSITIONS 11.00 FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND	921,472	
2835	OTHER PERSONAL SERVICES FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND	91,015	
2836	EXPENSES FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND	263,436	

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2837	OPERATING CAPITAL OUTLAY FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND	22,000
2838	SPECIAL CATEGORIES CONTRACTED SERVICES FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND	3,683,800

From the funds in Specific Appropriation 2838, \$500,000 of nonrecurring trust funds from the Law Enforcement Radio System Trust Fund is provided to the Department of Management Services to contract with an independent third party consulting firm to perform a feasibility study. The feasibility study shall evaluate the technical options to support the voice and data communication requirements of public safety personnel in Florida. The evaluation should, at a minimum: a) identify the technical solutions that are anticipated to be available by 2021 that support mission critical, secure communication with adequate coverage for public safety personnel; b) provide the advantages and disadvantages of each option; c) identify the economic, schedule, and operational impacts of each option; and d) the assumptions, considerations, and time frames necessary to implement each option proposed. The evaluation shall include, at a minimum, the following options: the current Statewide Law Enforcement Radio System recommendations from the Department of Highway Safety and Motor Vehicles Statewide Law Enforcement Radio System: Analysis and Recommendation Report published on December 2, 2013, the Statewide Law Enforcement Radio System Business Case recommendation published January 28, 2015, and the First Responder Network Authority Request for Proposal issued January 13, 2016. The feasibility study shall be a competitive procurement and be submitted to the Governor, President of the Senate, and Speaker of the House of Representative by January 31, 2017.

From the funds in Specific Appropriation 2838, \$933,800 of nonrecurring funds from the Law Enforcement Radio System Trust Fund is provided for the Department of Management Services to acquire and maintain the necessary staff augmentation support and subject matter experts to assist the department in the competitive solicitation and providing other services as determined necessary by the department for procuring a land mobile radio support system that includes a Project 25 Phase II delivery methodology. The system will provide communication services for state and local public safety agencies. The procurement shall accomplish, but not be limited to: improved coverage, audio clarity, interoperability, and enhanced system features including GPS location service, text messaging, and central device management. The scope of the services provided by the staff augmentation support and subject matter experts should include, but not be limited to, assisting the department in completing the following tasks identified in the study referenced in Specific Appropriation 2904A of Chapter 2014-51, Laws of Florida: (1) project planning and management; (2) consultation and providing technical expertise to the department; (3) assist department as requested in the evaluation of responses; and (4) negotiation with procurement respondents as requested by the department. The award of this procurement shall not be scheduled to occur until after March 31, 2017.

The department shall provide quarterly updates on the progress of the competitive solicitation to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee, and the Governor's Office of Policy and Budget.

2839	SPECIAL CATEGORIES FLORIDA INTEROPERABILITY NETWORK FROM GENERAL REVENUE FUND	1,384,943
2840	SPECIAL CATEGORIES MUTUAL AID BUILD-OUT FROM GENERAL REVENUE FUND	1,156,476
2841	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND	1,601

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2842	SPECIAL CATEGORIES STATEWIDE LAW ENFORCEMENT RADIO SYSTEM CONTRACT PAYMENT FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND	18,220,000
2843	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND	1,394
2844	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND	4,190
2845	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND	2,423
TOTAL:	WIRELESS SERVICES FROM GENERAL REVENUE FUND FROM TRUST FUNDS	2,541,419 23,211,331
	TOTAL POSITIONS TOTAL ALL FUNDS	11.00 25,752,750
PROGRAM: PUBLIC EMPLOYEES RELATIONS COMMISSION		
PUBLIC EMPLOYEES RELATIONS		
	APPROVED SALARY RATE	1,746,697
2846	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND	24.00 1,378,808 1,266,291
2847	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND	149,277 53,628
2848	EXPENSES FROM GENERAL REVENUE FUND FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND	57,094 345,814
2849	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND	37,399 5,721
2850	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND	35,070 32,500
2851	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND	5,184 7,951
2852	SPECIAL CATEGORIES ADMINISTRATIVE OVERHEAD FROM GENERAL REVENUE FUND	34,314

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2853	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND	5,318		5,068
2854	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM GENERAL REVENUE FUND FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND	16,117		16,377
TOTAL:	PUBLIC EMPLOYEES RELATIONS FROM GENERAL REVENUE FUND FROM TRUST FUNDS TOTAL POSITIONS TOTAL ALL FUNDS	1,718,581	1,733,350	3,451,931
PROGRAM: COMMISSION ON HUMAN RELATIONS				
HUMAN RELATIONS				
	APPROVED SALARY RATE	2,242,944		
2855	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	51.50		3,195,193
2856	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM OPERATING TRUST FUND	62,440	41,040	
2857	EXPENSES FROM GENERAL REVENUE FUND FROM OPERATING TRUST FUND	125,243	282,536	
2858	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND FROM OPERATING TRUST FUND	11,736	5,000	
2859	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM GENERAL REVENUE FUND	754,493		
2860	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM OPERATING TRUST FUND	53,506	16,000	
2861	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM OPERATING TRUST FUND	44,117	102,020	
2862	SPECIAL CATEGORIES ADMINISTRATIVE OVERHEAD FROM OPERATING TRUST FUND		111,769	
2863	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM OPERATING TRUST FUND		49,163	
2864	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM OPERATING TRUST FUND	16,286	5,643	
2865	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM OPERATING TRUST FUND		11,712	

SECTION 6 - GENERAL GOVERNMENT

TOTAL:	HUMAN RELATIONS FROM GENERAL REVENUE FUND FROM TRUST FUNDS TOTAL POSITIONS TOTAL ALL FUNDS	4,263,014		624,883
		51.50		4,887,897
ADMINISTRATIVE HEARINGS				
PROGRAM: ADJUDICATION OF DISPUTES				
	APPROVED SALARY RATE	5,431,427		
2866	SALARIES AND BENEFITS POSITIONS FROM OPERATING TRUST FUND	65.00		6,988,620
2867	OTHER PERSONAL SERVICES FROM OPERATING TRUST FUND			18,082
2868	EXPENSES FROM OPERATING TRUST FUND			1,025,647
2869	OPERATING CAPITAL OUTLAY FROM OPERATING TRUST FUND			65,000
2870	SPECIAL CATEGORIES CONTRACTED SERVICES FROM OPERATING TRUST FUND			185,495
2871	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM OPERATING TRUST FUND			18,850
2872	SPECIAL CATEGORIES CONTRACTED LEGAL SERVICES FROM OPERATING TRUST FUND			1,000
2873	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM OPERATING TRUST FUND			31,500
2874	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM OPERATING TRUST FUND			21,332
TOTAL:	PROGRAM: ADJUDICATION OF DISPUTES FROM TRUST FUNDS TOTAL POSITIONS TOTAL ALL FUNDS		8,355,526	
		65.00		8,355,526
PROGRAM: WORKERS' COMPENSATION APPEALS - JUDGES OF COMPENSATION CLAIMS				
	APPROVED SALARY RATE	9,556,592		
2875	SALARIES AND BENEFITS POSITIONS FROM OPERATING TRUST FUND	176.00		13,465,634
2876	OTHER PERSONAL SERVICES FROM OPERATING TRUST FUND			17,836
2877	EXPENSES FROM OPERATING TRUST FUND			2,695,842
2878	OPERATING CAPITAL OUTLAY FROM OPERATING TRUST FUND			64,916
2879	SPECIAL CATEGORIES CONTRACTED SERVICES FROM OPERATING TRUST FUND			1,023,324
2880	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM OPERATING TRUST FUND			72,286

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2881	SPECIAL CATEGORIES CONTRACTED LEGAL SERVICES FROM OPERATING TRUST FUND	1,279	
2882	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM OPERATING TRUST FUND	44,000	
2883	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM OPERATING TRUST FUND	62,148	
TOTAL: PROGRAM: WORKERS' COMPENSATION APPEALS - JUDGES OF COMPENSATION CLAIMS FROM TRUST FUNDS			
		17,447,265	
	TOTAL POSITIONS	176.00	
	TOTAL ALL FUNDS	17,447,265	

PROGRAM: AGENCY FOR STATE TECHNOLOGY

EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE	2,083,482	
2884	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	26.00 2,852,608	
2885	EXPENSES FROM GENERAL REVENUE FUND	252,894	
2886	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	10,000	
2887	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM WORKING CAPITAL TRUST FUND	317,627 600,000	
From the funds in Specific Appropriations 2887, \$600,000 from the Working Capital Trust Fund is provided to the Agency for State Technology (AST) to provide independent verification and validation project oversight as directed in section 282.0051, Florida Statutes, for the replacement project of the Florida Accounting Information Resource System (FLAIR) and Cash Management System (CMS). Pursuant to section 287.057, Florida Statutes, the AST shall competitively solicit an independent third party consulting firm with experience in conducting independent verification and validation of public sector information technology projects.			
2888	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	3,483	
2889	SPECIAL CATEGORIES ADMINISTRATIVE OVERHEAD FROM GENERAL REVENUE FUND	115,000	
2890	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	8,594	
2891	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM GENERAL REVENUE FUND	15,424	

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TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM GENERAL REVENUE FUND	3,575,630	
FROM TRUST FUNDS		600,000
TOTAL POSITIONS	26.00	
TOTAL ALL FUNDS		4,175,630

DATA CENTER ADMINISTRATION

	APPROVED SALARY RATE	3,040,275	
2892	SALARIES AND BENEFITS POSITIONS FROM WORKING CAPITAL TRUST FUND	50.00 4,284,001	
2893	OTHER PERSONAL SERVICES FROM WORKING CAPITAL TRUST FUND	195,594	
2894	EXPENSES FROM WORKING CAPITAL TRUST FUND	1,086,009	
2895	OPERATING CAPITAL OUTLAY FROM WORKING CAPITAL TRUST FUND	27,000	
2896	SPECIAL CATEGORIES CONTRACTED SERVICES FROM WORKING CAPITAL TRUST FUND	527,981	
2897	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM WORKING CAPITAL TRUST FUND	7,800	
2898	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM WORKING CAPITAL TRUST FUND	10,574	
2899	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM WORKING CAPITAL TRUST FUND	17,928	
TOTAL: DATA CENTER ADMINISTRATION FROM TRUST FUNDS			
		6,156,887	
	TOTAL POSITIONS	50.00	
	TOTAL ALL FUNDS	6,156,887	

STATE DATA CENTER

	APPROVED SALARY RATE	9,002,428	
2900	SALARIES AND BENEFITS POSITIONS FROM WORKING CAPITAL TRUST FUND	164.00 12,180,509	
2901	OTHER PERSONAL SERVICES FROM WORKING CAPITAL TRUST FUND	434,221	
2902	EXPENSES FROM WORKING CAPITAL TRUST FUND	5,351,437	
2903	OPERATING CAPITAL OUTLAY FROM WORKING CAPITAL TRUST FUND	91,334	
2905	SPECIAL CATEGORIES CONTRACTED SERVICES FROM WORKING CAPITAL TRUST FUND	20,541,607	
From the funds provided in Specific Appropriation 2905, \$500,000 shall be held in reserve. The agency is authorized to submit budget amendments requesting the release of funds pursuant to the provisions of chapter 216, Florida Statutes. Any request for release of funds shall include a plan for how the funds will be expended for increases in customer services.			
2906	SPECIAL CATEGORIES CLOUD COMPUTING SERVICES FROM WORKING CAPITAL TRUST FUND	2,500,000	

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2907	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM WORKING CAPITAL TRUST FUND . .	108,653	
2908	SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS FROM WORKING CAPITAL TRUST FUND . .	5,505,252	
2909	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM WORKING CAPITAL TRUST FUND . .	4,740,774	
2910	SPECIAL CATEGORIES DISASTER RECOVERY SERVICE FROM WORKING CAPITAL TRUST FUND . .	4,527,033	
2911	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM WORKING CAPITAL TRUST FUND . .	57,759	
2912	DATA PROCESSING SERVICES CHILDREN AND FAMILIES DATA CENTER FROM WORKING CAPITAL TRUST FUND . .	52,000	
2913	DATA PROCESSING SERVICES OTHER DATA PROCESSING SERVICES FROM WORKING CAPITAL TRUST FUND . .	5,677,485	
TOTAL:	STATE DATA CENTER FROM TRUST FUNDS	61,768,064	
	TOTAL POSITIONS	164.00	
	TOTAL ALL FUNDS	61,768,064	
TOTAL:	MANAGEMENT SERVICES, DEPARTMENT OF FROM GENERAL REVENUE FUND	55,662,542	
	FROM TRUST FUNDS	625,255,045	
	TOTAL POSITIONS	1,323.00	
	TOTAL ALL FUNDS	680,917,587	
	TOTAL APPROVED SALARY RATE	68,376,828	
MILITARY AFFAIRS, DEPARTMENT OF			
PROGRAM: READINESS AND RESPONSE			
DRUG INTERDICTION AND PREVENTION			
2914	EXPENSES FROM FEDERAL GRANTS TRUST FUND . . .	75,000	
	FROM FEDERAL LAW ENFORCEMENT TRUST FUND	305,000	
2915	OPERATING CAPITAL OUTLAY FROM FEDERAL LAW ENFORCEMENT TRUST FUND	200,000	
2916	SPECIAL CATEGORIES PROJECTS, CONTRACTS AND GRANTS FROM FEDERAL GRANTS TRUST FUND . . .	6,600,000	
2917	SPECIAL CATEGORIES GRANTS AND AIDS TO COMMUNITY SERVICES FROM FEDERAL LAW ENFORCEMENT TRUST FUND	100,000	
2918	SPECIAL CATEGORIES CONTRACTED SERVICES FROM FEDERAL LAW ENFORCEMENT TRUST FUND	10,000	
2919	SPECIAL CATEGORIES MAINTENANCE AND OPERATIONS CONTRACTS FROM FEDERAL LAW ENFORCEMENT TRUST FUND	10,000	

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TOTAL:	DRUG INTERDICTION AND PREVENTION FROM TRUST FUNDS	7,300,000	
	TOTAL ALL FUNDS	7,300,000	
MILITARY READINESS AND RESPONSE			
	APPROVED SALARY RATE	4,113,925	
2920	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	108.00	
	FROM CAMP BLANDING MANAGEMENT TRUST FUND	4,655,606	
			1,196,394
2921	OTHER PERSONAL SERVICES FROM CAMP BLANDING MANAGEMENT TRUST FUND		18,172
2922	EXPENSES FROM GENERAL REVENUE FUND	4,690,563	
	FROM CAMP BLANDING MANAGEMENT TRUST FUND		95,005
2923	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	137,810	
2924	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM GENERAL REVENUE FUND	40,000	
	FROM CAMP BLANDING MANAGEMENT TRUST FUND		63,678
2925	SPECIAL CATEGORIES NATIONAL GUARD TUITION ASSISTANCE FROM GENERAL REVENUE FUND	3,506,900	
2926	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	413,500	
	FROM CAMP BLANDING MANAGEMENT TRUST FUND		25,000
2927	SPECIAL CATEGORIES MAINTENANCE AND OPERATIONS CONTRACTS FROM GENERAL REVENUE FUND	171,000	
	FROM CAMP BLANDING MANAGEMENT TRUST FUND		205,000
2928	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM CAMP BLANDING MANAGEMENT TRUST FUND		677,082
2929	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	30,744	
	FROM CAMP BLANDING MANAGEMENT TRUST FUND		8,575
2931	FIXED CAPITAL OUTLAY FLORIDA READINESS CENTERS REVITALIZATION PLAN - STATEWIDE FROM GENERAL REVENUE FUND	3,000,000	
	Funds in Specific Appropriation 2931 are provided for the restoration and revitalization of the West Palm Beach (Calloway) Armory.		
2932	FIXED CAPITAL OUTLAY FACILITIES SECURITY ENHANCEMENTS FROM GENERAL REVENUE FUND	2,000,000	

SECTION 6 - GENERAL GOVERNMENT

TOTAL: MILITARY READINESS AND RESPONSE			
FROM GENERAL REVENUE FUND	18,646,123		
FROM TRUST FUNDS		2,288,906	
TOTAL POSITIONS	108.00		
TOTAL ALL FUNDS		20,935,029	
EXECUTIVE DIRECTION AND SUPPORT SERVICES			
APPROVED SALARY RATE	1,882,498		
2933 SALARIES AND BENEFITS POSITIONS	26.00		
FROM GENERAL REVENUE FUND	2,637,747		
2934 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND	54,533		
2935 EXPENSES			
FROM GENERAL REVENUE FUND	673,195		
2936 OPERATING CAPITAL OUTLAY			
FROM GENERAL REVENUE FUND	108,126		
2937 SPECIAL CATEGORIES			
ACQUISITION OF MOTOR VEHICLES			
FROM GENERAL REVENUE FUND	25,000		
2938 SPECIAL CATEGORIES			
INFORMATION TECHNOLOGY			
FROM GENERAL REVENUE FUND	48,437		
2939 SPECIAL CATEGORIES			
LEGAL SERVICES CONTRACT			
FROM GENERAL REVENUE FUND	5,000		
2940 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND	30,200		
2941 SPECIAL CATEGORIES			
MAINTENANCE AND OPERATIONS CONTRACTS			
FROM GENERAL REVENUE FUND	22,000		
2942 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM GENERAL REVENUE FUND	10,000		
2943 SPECIAL CATEGORIES			
WORKER'S COMPENSATION FOR STATE ACTIVE			
DUTY - FLORIDA NATIONAL GUARD			
FROM GENERAL REVENUE FUND	148,338		
2944 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT			
SERVICES - HUMAN RESOURCES SERVICES			
PURCHASED PER STATEWIDE CONTRACT			
FROM GENERAL REVENUE FUND	8,914		
2945 DATA PROCESSING SERVICES			
STATE DATA CENTER - AGENCY FOR STATE			
TECHNOLOGY (AST)			
FROM GENERAL REVENUE FUND	44,914		
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES			
FROM GENERAL REVENUE FUND	3,816,404		
TOTAL POSITIONS	26.00		
TOTAL ALL FUNDS		3,816,404	
FEDERAL/STATE COOPERATIVE AGREEMENTS			
APPROVED SALARY RATE	10,591,744		
2946 SALARIES AND BENEFITS POSITIONS	319.00		
FROM GENERAL REVENUE FUND	447,723		
FROM FEDERAL GRANTS TRUST FUND		14,486,494	

SECTION 6 - GENERAL GOVERNMENT

2947 OTHER PERSONAL SERVICES			
FROM FEDERAL GRANTS TRUST FUND		87,000	
2948 EXPENSES			
FROM GENERAL REVENUE FUND	521,540		
FROM FEDERAL GRANTS TRUST FUND		12,298,596	
2949 OPERATING CAPITAL OUTLAY			
FROM FEDERAL GRANTS TRUST FUND		747,970	
2950 FOOD PRODUCTS			
FROM FEDERAL GRANTS TRUST FUND		500,000	
2951 SPECIAL CATEGORIES			
ACQUISITION OF MOTOR VEHICLES			
FROM FEDERAL GRANTS TRUST FUND		341,950	
2952 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND	2,643,150		
FROM FEDERAL GRANTS TRUST FUND		4,978,115	
2953 SPECIAL CATEGORIES			
MAINTENANCE AND OPERATIONS CONTRACTS			
FROM FEDERAL GRANTS TRUST FUND		920,000	
2954 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM FEDERAL GRANTS TRUST FUND		30,000	
2955 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT			
SERVICES - HUMAN RESOURCES SERVICES			
PURCHASED PER STATEWIDE CONTRACT			
FROM FEDERAL GRANTS TRUST FUND		110,378	
TOTAL: FEDERAL/STATE COOPERATIVE AGREEMENTS			
FROM GENERAL REVENUE FUND	3,612,413		
FROM TRUST FUNDS		34,500,503	
TOTAL POSITIONS	319.00		
TOTAL ALL FUNDS		38,112,916	
TOTAL: MILITARY AFFAIRS, DEPARTMENT OF			
FROM GENERAL REVENUE FUND	26,074,940		
FROM TRUST FUNDS		44,089,409	
TOTAL POSITIONS	453.00		
TOTAL ALL FUNDS		70,164,349	
TOTAL APPROVED SALARY RATE	16,588,167		
PUBLIC SERVICE COMMISSION			
PROGRAM: COMMISSIONERS AND ADMINISTRATIVE SERVICES			
PUBLIC SERVICE COMMISSIONERS			
APPROVED SALARY RATE	1,492,802		
2956 SALARIES AND BENEFITS POSITIONS	18.00		
FROM REGULATORY TRUST FUND		2,111,665	
2957 EXPENSES			
FROM REGULATORY TRUST FUND		341,722	
2958 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM REGULATORY TRUST FUND		6,859	
2959 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM REGULATORY TRUST FUND		5,299	

SECTION 6 - GENERAL GOVERNMENT

2960 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM REGULATORY TRUST FUND 5,516

TOTAL: PUBLIC SERVICE COMMISSIONERS
FROM TRUST FUNDS 2,471,061

TOTAL POSITIONS 18.00
TOTAL ALL FUNDS 2,471,061

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 3,057,580

2961 SALARIES AND BENEFITS POSITIONS 56.00
FROM REGULATORY TRUST FUND 4,096,837

2962 OTHER PERSONAL SERVICES
FROM REGULATORY TRUST FUND 97,258

2963 EXPENSES
FROM REGULATORY TRUST FUND 1,076,576

2964 OPERATING CAPITAL OUTLAY
FROM REGULATORY TRUST FUND 266,200

2964A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM REGULATORY TRUST FUND 60,000

From the funds provided in Specific Appropriation 2964A, the Public Service Commission may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the executive director that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.

2965 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM REGULATORY TRUST FUND 263,067

2966 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM REGULATORY TRUST FUND 17,704

2967 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM REGULATORY TRUST FUND 24,148

2968 DATA PROCESSING SERVICES
STATE DATA CENTER - AGENCY FOR STATE
TECHNOLOGY (AST)
FROM REGULATORY TRUST FUND 7,652

2969 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM REGULATORY TRUST FUND 45,699

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 5,955,141

TOTAL POSITIONS 56.00
TOTAL ALL FUNDS 5,955,141

LEGAL SERVICES

APPROVED SALARY RATE 1,645,052

2970 SALARIES AND BENEFITS POSITIONS 26.00
FROM GENERAL REVENUE FUND 72,013
FROM REGULATORY TRUST FUND 2,069,457

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2971 OTHER PERSONAL SERVICES
FROM REGULATORY TRUST FUND 17,000

2972 EXPENSES
FROM GENERAL REVENUE FUND 5,984
FROM REGULATORY TRUST FUND 348,768

2973 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM REGULATORY TRUST FUND 37,955

2974 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM REGULATORY TRUST FUND 8,663

2975 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 338
FROM REGULATORY TRUST FUND 10,085

TOTAL: LEGAL SERVICES
FROM GENERAL REVENUE FUND 78,335
FROM TRUST FUNDS 2,491,928

TOTAL POSITIONS 26.00
TOTAL ALL FUNDS 2,570,263

PROGRAM: UTILITY REGULATION AND CONSUMER ASSISTANCE

UTILITY REGULATION

APPROVED SALARY RATE 7,259,945

2976 SALARIES AND BENEFITS POSITIONS 140.00
FROM GENERAL REVENUE FUND 113,949
FROM REGULATORY TRUST FUND 9,439,860

2977 OTHER PERSONAL SERVICES
FROM REGULATORY TRUST FUND 86,330

2978 EXPENSES
FROM GENERAL REVENUE FUND 20,260
FROM REGULATORY TRUST FUND 1,299,063

2979 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM REGULATORY TRUST FUND 181,968

2980 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM REGULATORY TRUST FUND 44,280

2981 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 675
FROM REGULATORY TRUST FUND 46,209

TOTAL: UTILITY REGULATION
FROM GENERAL REVENUE FUND 134,884
FROM TRUST FUNDS 11,097,710

TOTAL POSITIONS 140.00
TOTAL ALL FUNDS 11,232,594

AUDITING AND PERFORMANCE ANALYSIS

APPROVED SALARY RATE 1,480,458

2982 SALARIES AND BENEFITS POSITIONS 28.00
FROM REGULATORY TRUST FUND 1,962,912

SECTION 6 - GENERAL GOVERNMENT

2983	EXPENSES			
	FROM REGULATORY TRUST FUND		375,375	
2984	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM REGULATORY TRUST FUND		12,955	
2985	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM REGULATORY TRUST FUND		8,958	
2986	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT			
	SERVICES - HUMAN RESOURCES SERVICES			
	PURCHASED PER STATEWIDE CONTRACT			
	FROM REGULATORY TRUST FUND		10,077	
TOTAL:	AUDITING AND PERFORMANCE ANALYSIS			
	FROM TRUST FUNDS	2,370,277		
	TOTAL POSITIONS	28.00		
	TOTAL ALL FUNDS		2,370,277	
TOTAL:	PUBLIC SERVICE COMMISSION			
	FROM GENERAL REVENUE FUND	213,219		
	FROM TRUST FUNDS		24,386,117	
	TOTAL POSITIONS	268.00		
	TOTAL ALL FUNDS		24,599,336	
	TOTAL APPROVED SALARY RATE	14,935,837		
REVENUE, DEPARTMENT OF				
PROGRAM: ADMINISTRATIVE SERVICES PROGRAM				
EXECUTIVE DIRECTION AND SUPPORT SERVICES				
	APPROVED SALARY RATE	13,665,082		
2987	SALARIES AND BENEFITS	POSITIONS	261.00	
	FROM GENERAL REVENUE FUND		10,210,075	
	FROM FEDERAL GRANTS TRUST FUND		5,910,882	
	FROM OPERATING TRUST FUND		2,341,707	
2988	OTHER PERSONAL SERVICES			
	FROM OPERATING TRUST FUND		73,740	
2989	EXPENSES			
	FROM GENERAL REVENUE FUND	355,008		
	FROM FEDERAL GRANTS TRUST FUND		461,726	
	FROM OPERATING TRUST FUND		1,324,170	
2990	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND	6,929		
	FROM OPERATING TRUST FUND		17,985	
2991	SPECIAL CATEGORIES			
	TRANSFER TO DIVISION OF ADMINISTRATIVE			
	HEARINGS			
	FROM GENERAL REVENUE FUND	1,215,169		
	FROM FEDERAL GRANTS TRUST FUND		2,358,859	
	FROM OPERATING TRUST FUND		66,509	
2992	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND	318,346		
	FROM FEDERAL GRANTS TRUST FUND		281,028	
	FROM OPERATING TRUST FUND		1,153,170	
2993	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND	29,334		
	FROM FEDERAL GRANTS TRUST FUND		6,288	
	FROM OPERATING TRUST FUND		58,122	

SECTION 6 - GENERAL GOVERNMENT

2994	SPECIAL CATEGORIES			
	TENANT BROKER COMMISSIONS			
	FROM OPERATING TRUST FUND		350,000	
2995	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND	16,864		
2996	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT			
	SERVICES - HUMAN RESOURCES SERVICES			
	PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND	1,395,366		
	FROM FEDERAL GRANTS TRUST FUND		153,670	
	FROM OPERATING TRUST FUND		233,048	
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	FROM GENERAL REVENUE FUND	13,547,091		
	FROM TRUST FUNDS		14,790,904	
	TOTAL POSITIONS	261.00		
	TOTAL ALL FUNDS		28,337,995	
PROPERTY TAX OVERSIGHT				
	APPROVED SALARY RATE	7,786,251		
2997	SALARIES AND BENEFITS	POSITIONS	169.00	
	FROM GENERAL REVENUE FUND		10,628,220	
	FROM CERTIFICATION PROGRAM TRUST			
	FUND		208,138	
2998	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND	21,170		
2999	EXPENSES			
	FROM GENERAL REVENUE FUND	885,509		
3000	AID TO LOCAL GOVERNMENTS			
	AERIAL PHOTOGRAPHY AND MAPPING			
	FROM GENERAL REVENUE FUND	258,720		
	FROM CERTIFICATION PROGRAM TRUST			
	FUND		876,266	
From the funds in Specific Appropriation 3000, \$258,720 in nonrecurring general revenue funds is provided to the Department of Revenue to fund aerial photography and mapping for counties with a population of 50,000 or less.				
3001	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND	16,012		
3002	SPECIAL CATEGORIES			
	ACQUISITION OF MOTOR VEHICLES			
	FROM GENERAL REVENUE FUND	60,000		
From the funds provided in Specific Appropriation 3002, the Department of Revenue may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the executive director that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida Statutes.				
3003	SPECIAL CATEGORIES			
	PROPERTY APPRAISER AND TAX COLLECTOR			
	CERTIFICATION PROGRAM			
	FROM CERTIFICATION PROGRAM TRUST			
	FUND		485,000	
3004	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND	258,311		
3005	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND	156,428		

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3006	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	22,000	
3006A	SPECIAL CATEGORIES FISCALLY CONSTRAINED COUNTIES - CONSERVATION LANDS FROM GENERAL REVENUE FUND	501,972	
3007	SPECIAL CATEGORIES FISCALLY CONSTRAINED COUNTIES FROM GENERAL REVENUE FUND	24,700,073	
TOTAL:	PROPERTY TAX OVERSIGHT FROM GENERAL REVENUE FUND FROM TRUST FUNDS	37,508,415	1,569,404
	TOTAL POSITIONS	169.00	
	TOTAL ALL FUNDS		39,077,819
CHILD SUPPORT ENFORCEMENT			
	APPROVED SALARY RATE	75,165,341	
3008	SALARIES AND BENEFITS POSITIONS 2,288.00 FROM GENERAL REVENUE FUND FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND FROM FEDERAL GRANTS TRUST FUND	34,979,587	1,479,411 70,798,470
3009	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND FROM FEDERAL GRANTS TRUST FUND	280,411	175,833 973,486
3010	EXPENSES FROM GENERAL REVENUE FUND FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND FROM FEDERAL GRANTS TRUST FUND	7,729,172	13,336 14,813,585

From the funds in Specific Appropriation 3010, \$153,801 in nonrecurring general revenue funds is provided to the Department of Revenue pursuant to Addendum 9 of Lease Number 730:0310 for reimbursement of tenant improvements made to leased space in the Arbor Shoreline Office Park in Clearwater, Florida owned by Golden Shoreline Limited Partnership that was vacated by the Department of Revenue on August 31, 2013. Prior to the release of such funds by the department, Golden Shoreline Limited Partnership shall sign a waiver releasing the state or any agency from any claims relating to the payment of unamortized tenant improvements for such leased space between the dates of August 31, 2013 and June 30, 2016.

3011	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	189,648	368,140
3012	SPECIAL CATEGORIES TRANSFER GENERAL REVENUE TO CHILD SUPPORT ENFORCEMENT FROM GENERAL REVENUE FUND	2,241,987	
3013	SPECIAL CATEGORIES CHILD SUPPORT ENFORCEMENT ANNUAL FEE FROM GENERAL REVENUE FUND	2,080,000	
3014	SPECIAL CATEGORIES PURCHASE OF SERVICES - CHILD SUPPORT ENFORCEMENT FROM GENERAL REVENUE FUND FROM CHILD SUPPORT INCENTIVE TRUST FUND	17,816,545	32,782,300

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	FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND FROM CLERK OF THE COURT CHILD SUPPORT ENFORCEMENT COLLECTION SYSTEM TRUST FUND FROM FEDERAL GRANTS TRUST FUND		1,107,103 1,004,243 66,835,896
3015	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	446,684	867,088
3016	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	98,994	192,164
3017	FINANCIAL ASSISTANCE PAYMENTS CHILD SUPPORT INCENTIVE PAYMENTS - POLITICAL SUBDIVISIONS FROM CHILD SUPPORT INCENTIVE TRUST FUND		750,000
3018	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	60,730	117,902
3019	DATA PROCESSING SERVICES NORTHWEST REGIONAL DATA CENTER (NWRDC) FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	471,246	914,770
TOTAL:	CHILD SUPPORT ENFORCEMENT FROM GENERAL REVENUE FUND FROM TRUST FUNDS	66,395,004	193,193,727
	TOTAL POSITIONS	2,288.00	
	TOTAL ALL FUNDS		259,588,731

GENERAL TAX ADMINISTRATION

	APPROVED SALARY RATE	93,016,152	
3020	SALARIES AND BENEFITS POSITIONS 2,244.00 FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM OPERATING TRUST FUND	79,877,757	19,629,569 29,961,439
3021	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM OPERATING TRUST FUND	6,292	72,100
3022	EXPENSES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM OPERATING TRUST FUND	1,543,383	4,440,366 13,768,593
3023	AID TO LOCAL GOVERNMENTS GRANTS AND AID TO LOCAL GOVERNMENT/ DISTRIBUTION TO CLERKS OF COURT FROM THE CLERKS OF THE COURT TRUST FUND		50,902,734
3024	AID TO LOCAL GOVERNMENTS EMERGENCY DISTRIBUTIONS FROM LOCAL GOVERNMENT HALF-CENT SALES TAX CLEARING TRUST FUND		21,407,042
3025	AID TO LOCAL GOVERNMENTS INMATE SUPPLEMENTAL DISTRIBUTION FROM LOCAL GOVERNMENT HALF-CENT SALES TAX CLEARING TRUST FUND		592,958
3026	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	64,556	

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	FROM FEDERAL GRANTS TRUST FUND . . .		27,701	
	FROM OPERATING TRUST FUND		608,081	
3027	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND	4,193,292		
	FROM FEDERAL GRANTS TRUST FUND		1,357,735	
	FROM OPERATING TRUST FUND		2,912,229	
3028	SPECIAL CATEGORIES			
	PURCHASE OF SERVICES - COLLECTION AGENCIES			
	FROM OPERATING TRUST FUND		2,500,000	
3029	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND	560,025		
	FROM OPERATING TRUST FUND		536,836	
3030	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND	214,749		
	FROM OPERATING TRUST FUND		127,251	
TOTAL:	GENERAL TAX ADMINISTRATION			
	FROM GENERAL REVENUE FUND	86,460,054		
	FROM TRUST FUNDS		148,844,634	
	TOTAL POSITIONS	2,244.00		
	TOTAL ALL FUNDS		235,304,688	
PROGRAM: INFORMATION SERVICES PROGRAM				
INFORMATION TECHNOLOGY				
	APPROVED SALARY RATE	7,646,158		
3031	SALARIES AND BENEFITS	POSITIONS	170.00	
	FROM GENERAL REVENUE FUND		4,422,870	
	FROM FEDERAL GRANTS TRUST FUND		2,134,803	
	FROM OPERATING TRUST FUND		3,968,876	
3032	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND	172,260		
	FROM FEDERAL GRANTS TRUST FUND		120,772	
	FROM OPERATING TRUST FUND		29,252	
3033	EXPENSES			
	FROM GENERAL REVENUE FUND	1,000		
	FROM FEDERAL GRANTS TRUST FUND		218,073	
	FROM OPERATING TRUST FUND		2,049,004	
3034	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND	2,233		
	FROM FEDERAL GRANTS TRUST FUND		227,029	
	FROM OPERATING TRUST FUND		274,310	
3035	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND	1,681,257		
	FROM FEDERAL GRANTS TRUST FUND		1,977,349	
	FROM OPERATING TRUST FUND		1,332,100	
3036	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND	2,444		
	FROM FEDERAL GRANTS TRUST FUND		15,995	
	FROM OPERATING TRUST FUND		16,199	
3037	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM FEDERAL GRANTS TRUST FUND		7,100	
	FROM OPERATING TRUST FUND		240,000	
3038	DATA PROCESSING SERVICES			
	STATE DATA CENTER - AGENCY FOR STATE			
	TECHNOLOGY (AST)			
	FROM GENERAL REVENUE FUND	367,859		
	FROM FEDERAL GRANTS TRUST FUND		35,812	

SECTION 6 - GENERAL GOVERNMENT

	FROM OPERATING TRUST FUND			1,671,544
3039	DATA PROCESSING SERVICES			
	NORTHWEST REGIONAL DATA CENTER (NWRDC)			
	FROM GENERAL REVENUE FUND	33,484		
	FROM FEDERAL GRANTS TRUST FUND		130,535	
	FROM OPERATING TRUST FUND		1,166,212	
TOTAL:	INFORMATION TECHNOLOGY			
	FROM GENERAL REVENUE FUND	6,683,407		
	FROM TRUST FUNDS		15,614,965	
	TOTAL POSITIONS	170.00		
	TOTAL ALL FUNDS		22,298,372	
TOTAL:	REVENUE, DEPARTMENT OF			
	FROM GENERAL REVENUE FUND	210,593,971		
	FROM TRUST FUNDS		374,013,634	
	TOTAL POSITIONS	5,132.00		
	TOTAL ALL FUNDS		584,607,605	
	TOTAL APPROVED SALARY RATE	197,278,984		
STATE, DEPARTMENT OF				
PROGRAM: OFFICE OF THE SECRETARY AND				
ADMINISTRATIVE SERVICES				
EXECUTIVE DIRECTION AND SUPPORT SERVICES				
	APPROVED SALARY RATE	5,421,325		
3040	SALARIES AND BENEFITS	POSITIONS	97.00	
	FROM GENERAL REVENUE FUND		5,711,905	
	FROM FEDERAL GRANTS TRUST FUND		1,386,358	
	FROM RECORDS MANAGEMENT TRUST FUND . .		86,108	
3041	OTHER PERSONAL SERVICES			
	FROM FEDERAL GRANTS TRUST FUND		12,661	
	FROM LAND ACQUISITION TRUST FUND . . .		67,733	
3042	EXPENSES			
	FROM GENERAL REVENUE FUND	591,350		
	FROM FEDERAL GRANTS TRUST FUND		6,555	
3043	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND	1,250		
3044	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND	28,574		
	FROM LAND ACQUISITION TRUST FUND . . .		139,901	
3045	SPECIAL CATEGORIES			
	LITIGATION EXPENSES			
	FROM GENERAL REVENUE FUND	500,000		
3046	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND	31,921		
3047	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND	28,529		
3048	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT			
	SERVICES - HUMAN RESOURCES SERVICES			
	PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND	26,896		
	FROM FEDERAL GRANTS TRUST FUND		3,992	
3049	DATA PROCESSING SERVICES			
	STATE DATA CENTER - AGENCY FOR STATE			
	TECHNOLOGY (AST)			
	FROM GENERAL REVENUE FUND	1,531,578		

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3050	DATA PROCESSING SERVICES OTHER DATA PROCESSING SERVICES FROM GENERAL REVENUE FUND	15,000	
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM GENERAL REVENUE FUND FROM TRUST FUNDS	8,467,003	1,703,308
	TOTAL POSITIONS	97.00	
	TOTAL ALL FUNDS		10,170,311
PROGRAM: ELECTIONS			
ELECTIONS			
	APPROVED SALARY RATE	2,155,709	
3051	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	56.00 1,167,694	1,929,002
3052	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	87,150	318,195
3053	EXPENSES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	725,950	604,437
3054	AID TO LOCAL GOVERNMENTS SPECIAL ELECTIONS FROM GENERAL REVENUE FUND	478,000	
3055	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	10,086	3,125
3056	SPECIAL CATEGORIES ADVERTISING OF PROPOSED AMENDMENTS TO THE CONSTITUTION FROM GENERAL REVENUE FUND	659,043	
3057	SPECIAL CATEGORIES VOTING SYSTEMS ASSISTANCE FROM FEDERAL GRANTS TRUST FUND		525,000
3058	SPECIAL CATEGORIES STATEWIDE VOTER REGISTRATION SYSTEM - HELP AMERICA VOTE ACT (HAVA) FROM FEDERAL GRANTS TRUST FUND		2,787,751
3059	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	283,502	300,058
3060	SPECIAL CATEGORIES ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES FROM FEDERAL GRANTS TRUST FUND		800,000
3061	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	92,715	
3062	SPECIAL CATEGORIES ELECTION FRAUD PREVENTION FROM GENERAL REVENUE FUND	445,379	
3063	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	29,669	
3064	SPECIAL CATEGORIES GRANTS AND AIDS - FEDERAL ELECTION ACTIVITIES (HELP AMERICA VOTE ACT) FROM FEDERAL GRANTS TRUST FUND		4,000,000

SECTION 6 - GENERAL GOVERNMENT

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.

3065	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	8,162	5,742
3066	DATA PROCESSING SERVICES STATE DATA CENTER - AGENCY FOR STATE TECHNOLOGY (AST) FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	93,734	56,524
TOTAL:	ELECTIONS FROM GENERAL REVENUE FUND FROM TRUST FUNDS	4,081,084	11,329,834
	TOTAL POSITIONS	56.00	
	TOTAL ALL FUNDS		15,410,918
PROGRAM: HISTORICAL RESOURCES			
HISTORICAL RESOURCES PRESERVATION AND EXHIBITION			
	APPROVED SALARY RATE	2,010,007	
3067	SALARIES AND BENEFITS POSITIONS FROM FEDERAL GRANTS TRUST FUND FROM LAND ACQUISITION TRUST FUND . . .	53.00	343,483 2,591,082
3068	OTHER PERSONAL SERVICES FROM FEDERAL GRANTS TRUST FUND FROM LAND ACQUISITION TRUST FUND . . .		388,090 1,407,423
3069	EXPENSES FROM FEDERAL GRANTS TRUST FUND FROM LAND ACQUISITION TRUST FUND . . .		471,690 1,112,549
3070	OPERATING CAPITAL OUTLAY FROM FEDERAL GRANTS TRUST FUND		15,625

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	FROM LAND ACQUISITION TRUST FUND . .	25,000	
3071	LUMP SUM		
	HISTORIC PROPERTIES MAINTENANCE		
	FROM LAND ACQUISITION TRUST FUND . .	500,000	
3072	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM FEDERAL GRANTS TRUST FUND . . .	39,245	
	FROM LAND ACQUISITION TRUST FUND . .	586,561	
3073	SPECIAL CATEGORIES		
	GRANTS AND AIDS - HISTORIC PRESERVATION		
	GRANTS		
	FROM FEDERAL GRANTS TRUST FUND . . .	118,250	
	FROM LAND ACQUISITION TRUST FUND . .	1,768,535	
	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.		
3074	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM LAND ACQUISITION TRUST FUND . .	36,566	
3075	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM FEDERAL GRANTS TRUST FUND . . .	3,931	
	FROM LAND ACQUISITION TRUST FUND . .	20,641	
3076	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM FEDERAL GRANTS TRUST FUND . . .	1,955	
	FROM LAND ACQUISITION TRUST FUND . .	19,195	
3077	DATA PROCESSING SERVICES		
	OTHER DATA PROCESSING SERVICES		
	FROM LAND ACQUISITION TRUST FUND . .	34,746	
3077A	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND		
	NONSTATE ENTITIES - FIXED CAPITAL OUTLAY		
	GRANTS AND AIDS - SPECIAL CATEGORIES -		
	ACQUISITION, RESTORATION OF HISTORIC		
	PROPERTIES		
	FROM GENERAL REVENUE FUND	5,914,713	
	FROM LAND ACQUISITION TRUST FUND . .	5,877,279	

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 Mauchula City Hall/Auditorium Restoration.....	500,000
Viscaya 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

SECTION 6 - GENERAL GOVERNMENT

TOTAL: HISTORICAL RESOURCES PRESERVATION AND EXHIBITION		
FROM GENERAL REVENUE FUND	5,914,713	
FROM TRUST FUNDS		15,361,846
TOTAL POSITIONS	53.00	
TOTAL ALL FUNDS		21,276,559

PROGRAM: CORPORATIONS

COMMERCIAL RECORDINGS AND REGISTRATIONS

	APPROVED SALARY RATE	3,658,029	
3078	SALARIES AND BENEFITS	POSITIONS	102.00
	FROM GENERAL REVENUE FUND		5,094,660
3079	EXPENSES		
	FROM GENERAL REVENUE FUND		1,703,802
3080	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		6,715
3081	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND		143,954
3082	SPECIAL CATEGORIES		
	RICO ACT - ALIEN CORPORATIONS		
	FROM GENERAL REVENUE FUND		261,369
3083	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND		91,007
3084	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND		5,880
3085	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND		39,026
3086	DATA PROCESSING SERVICES		
	STATE DATA CENTER - AGENCY FOR STATE		
	TECHNOLOGY (AST)		
	FROM GENERAL REVENUE FUND		43,606
TOTAL: COMMERCIAL RECORDINGS AND REGISTRATIONS			
FROM GENERAL REVENUE FUND		7,390,019	
TOTAL POSITIONS	102.00		
TOTAL ALL FUNDS			7,390,019

PROGRAM: LIBRARY AND INFORMATION SERVICES

LIBRARY, ARCHIVES AND INFORMATION SERVICES

	APPROVED SALARY RATE	2,844,095	
3087	SALARIES AND BENEFITS	POSITIONS	69.00
	FROM GENERAL REVENUE FUND		1,332,781
	FROM FEDERAL GRANTS TRUST FUND . . .		1,460,577
	FROM RECORDS MANAGEMENT TRUST FUND .		1,062,041
3088	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	73,251	
	FROM FEDERAL GRANTS TRUST FUND . . .		234,688
	FROM RECORDS MANAGEMENT TRUST FUND .		71,759
3089	EXPENSES		
	FROM GENERAL REVENUE FUND	1,601,831	
	FROM FEDERAL GRANTS TRUST FUND . . .		426,392
	FROM RECORDS MANAGEMENT TRUST FUND .		485,249

SECTION 6 - GENERAL GOVERNMENT

3090	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - LIBRARY COOPERATIVES FROM GENERAL REVENUE FUND	2,000,000	
3091	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - LIBRARY GRANTS FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	23,298,834	2,150,606
3092	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM RECORDS MANAGEMENT TRUST FUND .	24,960	40,498 9,740
3093	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM RECORDS MANAGEMENT TRUST FUND .	226,633	501,966 187,059
3094	SPECIAL CATEGORIES LIBRARY RESOURCES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	484,388	3,304,848
3095	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	23,112	
3096	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM RECORDS MANAGEMENT TRUST FUND .	18,101	7,308 3,724
3097	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM RECORDS MANAGEMENT TRUST FUND .	16,819	8,544 7,850
3097A	FIXED CAPITAL OUTLAY LIBRARY CONSTRUCTION GRANTS FROM GENERAL REVENUE FUND	3,000,000	

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.

TOTAL: LIBRARY, ARCHIVES AND INFORMATION SERVICES		
FROM GENERAL REVENUE FUND	32,100,710	
FROM TRUST FUNDS		9,962,849
TOTAL POSITIONS	69.00	
TOTAL ALL FUNDS		42,063,559

PROGRAM: CULTURAL AFFAIRS

CULTURAL AFFAIRS

APPROVED SALARY RATE	1,251,557	
3098 SALARIES AND BENEFITS POSITIONS	35.00	
FROM GENERAL REVENUE FUND	618,597	
FROM FEDERAL GRANTS TRUST FUND		444,473
FROM LAND ACQUISITION TRUST FUND . . .		796,765
3099 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	14,163	

SECTION 6 - GENERAL GOVERNMENT

	FROM LAND ACQUISITION TRUST FUND . . .		90,272
3100	EXPENSES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM LAND ACQUISITION TRUST FUND . . .	153,370	24,568 651,418
3101	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - ARTS GRANTS FROM FEDERAL GRANTS TRUST FUND		232,231
3102	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	1,100	
3102A	SPECIAL CATEGORIES GRANTS AND AIDS - CULTURE BUILDS FLORIDA FROM GENERAL REVENUE FUND	1,682,209	
3103	SPECIAL CATEGORIES GRANTS AND AIDS - CULTURAL AND MUSEUM GRANTS FROM GENERAL REVENUE FUND FROM GRANTS AND DONATIONS TRUST FUND	15,695,000	4,000,000

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

3103A	SPECIAL CATEGORIES GRANTS AND AIDS - FINE ARTS ENDOWMENT FROM GENERAL REVENUE FUND	480,000	
3103B	SPECIAL CATEGORIES GRANTS AND AIDS - FLORIDA AFRICAN-AMERICAN HERITAGE PRESERVATION NETWORK FROM GENERAL REVENUE FUND	400,000	

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.

3104	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM LAND ACQUISITION TRUST FUND . . .	90,709	18,000 25,000
3104A	SPECIAL CATEGORIES GRANTS AND AIDS - FLORIDA ENDOWMENT FOR THE HUMANITIES FROM GENERAL REVENUE FUND	500,000	

SECTION 6 - GENERAL GOVERNMENT

3105	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	16,884	
3105A	SPECIAL CATEGORIES FLORIDA HOLOCAUST MUSEUM - ST. PETERSBURG FROM GENERAL REVENUE FUND	750,000	
3106	SPECIAL CATEGORIES HOLOCAUST DOCUMENTATION AND EDUCATION CENTER FROM GENERAL REVENUE FUND	257,000	
3107	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND FROM LAND ACQUISITION TRUST FUND . .	2,094	5,796
3108	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND . . .	11,251	1,797
3108A	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AIDS - SPECIAL CATEGORIES - CULTURAL FACILITIES PROGRAM FROM GENERAL REVENUE FUND	13,140,751	

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:

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	

TOTAL: CULTURAL AFFAIRS		
FROM GENERAL REVENUE FUND	33,813,128	
FROM TRUST FUNDS		6,290,320
TOTAL POSITIONS	35.00	
TOTAL ALL FUNDS		40,103,448
TOTAL: STATE, DEPARTMENT OF		
FROM GENERAL REVENUE FUND	91,766,657	
FROM TRUST FUNDS		44,648,157
TOTAL POSITIONS	412.00	
TOTAL ALL FUNDS		136,414,814
TOTAL APPROVED SALARY RATE	17,340,722	

SECTION 6 - GENERAL GOVERNMENT

TOTAL OF SECTION 6		
FROM GENERAL REVENUE FUND	1,228,904,315	
FROM TRUST FUNDS		3,910,559,807
TOTAL POSITIONS	18,670.25	
TOTAL ALL FUNDS		5,139,464,122

SECTION 7 - JUDICIAL BRANCH

SPECIFIC
APPROPRIATION

The moneys contained herein are appropriated from the named funds to the State Courts System as the amounts to be used to pay salaries, other operational expenditures and fixed capital outlay.

STATE COURT SYSTEM

PROGRAM: SUPREME COURT

COURT OPERATIONS - SUPREME COURT

	APPROVED SALARY RATE	6,266,347		
3109	SALARIES AND BENEFITS POSITIONS	99.00		
	FROM GENERAL REVENUE FUND	4,395,808		
	FROM STATE COURTS REVENUE TRUST FUND		3,904,549	
3110	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND	323,876		
	FROM STATE COURTS REVENUE TRUST FUND		60,090	
3111	EXPENSES			
	FROM GENERAL REVENUE FUND	931,578		
3112	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND	19,371		
3113	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND	381,565		
3114	SPECIAL CATEGORIES			
	DISCRETIONARY FUNDS OF THE CHIEF JUSTICE			
	FROM GENERAL REVENUE FUND	15,000		
Funds in Specific Appropriation 3114 may be spent at the discretion of the Chief Justice to carry out the official duties of the court. These funds shall be disbursed by the Chief Financial Officer upon receipt of vouchers authorized by the Chief Justice.				
3115	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND	63,120		
3116	SPECIAL CATEGORIES			
	SALARY INCENTIVE PAYMENTS			
	FROM GENERAL REVENUE FUND	14,418		
3117	SPECIAL CATEGORIES			
	SUPREME COURT LAW LIBRARY			
	FROM GENERAL REVENUE FUND	248,018		
3118	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND	29,308		
3119	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND	25,218		
TOTAL:	COURT OPERATIONS - SUPREME COURT			
	FROM GENERAL REVENUE FUND	6,447,280		
	FROM TRUST FUNDS		3,964,639	
	TOTAL POSITIONS	99.00		
	TOTAL ALL FUNDS		10,411,919	

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 10,413,433

SECTION 7 - JUDICIAL BRANCH

3120	SALARIES AND BENEFITS POSITIONS	188.50		
	FROM GENERAL REVENUE FUND	5,460,528		
	FROM ADMINISTRATIVE TRUST FUND		342,439	
	FROM STATE COURTS REVENUE TRUST FUND		5,479,280	
	FROM COURT EDUCATION TRUST FUND		1,268,555	
	FROM FEDERAL GRANTS TRUST FUND		1,306,337	
3121	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND	184,241		
	FROM ADMINISTRATIVE TRUST FUND		225,104	
	FROM STATE COURTS REVENUE TRUST FUND		31,473	
	FROM COURT EDUCATION TRUST FUND		105,540	
	FROM FEDERAL GRANTS TRUST FUND		115,003	
3122	EXPENSES			
	FROM GENERAL REVENUE FUND	1,608,602		
	FROM ADMINISTRATIVE TRUST FUND		284,676	
	FROM COURT EDUCATION TRUST FUND		1,904,449	
	FROM FEDERAL GRANTS TRUST FUND		552,006	
	FROM GRANTS AND DONATIONS TRUST FUND		142,355	
3123	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND	176,329		
	FROM ADMINISTRATIVE TRUST FUND		50,000	
	FROM COURT EDUCATION TRUST FUND		10,000	
	FROM FEDERAL GRANTS TRUST FUND		111,376	
3124	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND	342,030		
	FROM ADMINISTRATIVE TRUST FUND		151,000	
	FROM COURT EDUCATION TRUST FUND		106,105	
	FROM FEDERAL GRANTS TRUST FUND		352,893	
	FROM GRANTS AND DONATIONS TRUST FUND		102,000	
3125	SPECIAL CATEGORIES			
	FLORIDA CASES SOUTHERN 2ND REPORTER			
	FROM GENERAL REVENUE FUND	625,344		
3126	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND	31,548		
3127	SPECIAL CATEGORIES			
	COMPUTER SUBSCRIPTION SERVICES			
	FROM GENERAL REVENUE FUND	181,450		
3128	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND	11,648		
	FROM COURT EDUCATION TRUST FUND		7,500	
	FROM FEDERAL GRANTS TRUST FUND		5,500	
3129	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND	38,457		
	FROM ADMINISTRATIVE TRUST FUND		221	
	FROM COURT EDUCATION TRUST FUND		4,127	
	FROM FEDERAL GRANTS TRUST FUND		4,216	
3130	DATA PROCESSING SERVICES			
	OTHER DATA PROCESSING SERVICES			
	FROM GENERAL REVENUE FUND	2,115,345		
	FROM ADMINISTRATIVE TRUST FUND		150,000	
	FROM FEDERAL GRANTS TRUST FUND		80,000	

SECTION 7 - JUDICIAL BRANCH

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		
FROM GENERAL REVENUE FUND	10,775,522	
FROM TRUST FUNDS		12,892,155
 TOTAL POSITIONS	188.50	
TOTAL ALL FUNDS		23,667,677

ADMINISTERED FUNDS - JUDICIAL

COURT OPERATIONS - ADMINISTERED FUNDS

3130A AID TO LOCAL GOVERNMENTS		
SMALL COUNTY COURTHOUSE FACILITIES		
FROM GENERAL REVENUE FUND	350,000	

The funds in Specific Appropriation 3130A are provided for the renovation or restoration of small county courthouses as follows:

Glades County Courthouse.....	350,000
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3130B AID TO LOCAL GOVERNMENTS		
COUNTY COURTHOUSE EXPANSION		
FROM GENERAL REVENUE FUND	1,000,000	

The funds in Specific Appropriation 3130B shall be used to expand the Charlotte County Justice Center.

3130C SPECIAL CATEGORIES		
COURTHOUSE EMERGENCY RENOVATION AND		
REPAIRS		
FROM GENERAL REVENUE FUND	500,000	

The funds in Specific Appropriation 3130C shall be used to address maintenance issues in the Nassau County Courthouse.

3131 SPECIAL CATEGORIES		
DUE PROCESS CONTINGENCY FUND		
POSITIONS	9.00	

The positions authorized in Specific Appropriation 3131 shall be held in reserve as a contingency in the event the state courts determine that some portion of Article V due process services needs to be shifted from a contractual basis to an employee model in one or more judicial circuits. The Chief Justice of the Supreme Court may request transfer of these positions to the salaries and benefits appropriation category within any of the state courts budget entities, consistent with requests for transfers of funds into those same budget entities. Such transfers are subject to the notice, review, and objection provisions of section 216.177, Florida Statutes.

TOTAL: COURT OPERATIONS - ADMINISTERED FUNDS		
FROM GENERAL REVENUE FUND	1,850,000	
 TOTAL POSITIONS	9.00	
TOTAL ALL FUNDS		1,850,000

PROGRAM: DISTRICT COURTS OF APPEAL

COURT OPERATIONS - APPELLATE COURTS

The Office of Program Policy Analysis and Government Accountability (OPPAGA) shall conduct a review of the Florida District Courts of Appeal to determine whether the current jurisdictional boundaries fairly and effectively distribute the workload of the circuit courts. OPPAGA shall identify options for rearranging the districts' boundaries to improve workload distribution and reduce costs to the court system. The Office of the State Courts Administrator (OSCA) shall provide OPPAGA with requested data to complete its study, including circuit and appellate workload data. The study shall be provided to the President of the Senate, the Speaker of the House of Representatives, the Chief Justice of the Florida Supreme Court, and the Governor no later than February 1, 2017.

APPROVED SALARY RATE	30,469,006
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SECTION 7 - JUDICIAL BRANCH

3132 SALARIES AND BENEFITS	POSITIONS	445.00	
FROM GENERAL REVENUE FUND		26,208,422	
FROM ADMINISTRATIVE TRUST FUND			1,858,066
FROM STATE COURTS REVENUE TRUST	FUND		13,277,483

3133 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	140,007	

3134 EXPENSES		
FROM GENERAL REVENUE FUND	3,101,286	
FROM ADMINISTRATIVE TRUST FUND		94,669

3135 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	85,364	
FROM ADMINISTRATIVE TRUST FUND		27,000

3136 SPECIAL CATEGORIES		
COMPENSATION TO RETIRED JUDGES		
FROM GENERAL REVENUE FUND	51,790	

3137 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	595,074	

3138 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	140,873	

3139 SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM STATE COURTS REVENUE TRUST	FUND	6,890

3140 SPECIAL CATEGORIES		
DISTRICT COURT OF APPEAL LAW LIBRARY		
FROM GENERAL REVENUE FUND	162,797	

3141 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND	62,686	

3142 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	104,945	
FROM ADMINISTRATIVE TRUST FUND		2,222

3143 DATA PROCESSING SERVICES		
OTHER DATA PROCESSING SERVICES		
FROM GENERAL REVENUE FUND	171,100	

3143A FIXED CAPITAL OUTLAY		
FACILITY STUDY		
FROM GENERAL REVENUE FUND	100,000	

3144 FIXED CAPITAL OUTLAY		
FOURTH DISTRICT COURT OF APPEAL NEW		
COURTHOUSE CONSTRUCTION - DMS MGD		
FROM GENERAL REVENUE FUND	7,275,757	

3146 FIXED CAPITAL OUTLAY		
3RD DCA - COURT BUILDING REMODELING FOR		
SECURITY AND BUILDING SYSTEM UPGRADES -		
DMS MGD		
FROM GENERAL REVENUE FUND	6,482,222	

3146A FIXED CAPITAL OUTLAY		
2ND DISTRICT COURT OF APPEALS - BUILDING		
RENOVATIONS - DMS MGD		
FROM GENERAL REVENUE FUND	500,000	

Funds in Specific Appropriation 3146A are provided for the repair and renovation of the roof of the 2nd District Court of Appeal courthouse in Lakeland and the remediation of air quality in the building.

SECTION 7 - JUDICIAL BRANCH

TOTAL: COURT OPERATIONS - APPELLATE COURTS		
FROM GENERAL REVENUE FUND	45,182,323	
FROM TRUST FUNDS		15,266,330
TOTAL POSITIONS	445.00	
TOTAL ALL FUNDS		60,448,653

PROGRAM: TRIAL COURTS

COURT OPERATIONS - CIRCUIT COURTS

APPROVED SALARY RATE	201,190,715	
3147 SALARIES AND BENEFITS POSITIONS	2,954.00	
FROM GENERAL REVENUE FUND	230,735,410	
FROM ADMINISTRATIVE TRUST FUND		194,380
FROM STATE COURTS REVENUE TRUST FUND		44,023,599
FROM FEDERAL GRANTS TRUST FUND		6,702,602
3148 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	1,210,535	
FROM STATE COURTS REVENUE TRUST FUND		163,098
FROM FEDERAL GRANTS TRUST FUND		25,748
3149 EXPENSES		
FROM GENERAL REVENUE FUND	7,239,582	
FROM ADMINISTRATIVE TRUST FUND		3,928
FROM FEDERAL GRANTS TRUST FUND		110,616
3150 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	286,883	
3151 SPECIAL CATEGORIES		
CIVIL TRAFFIC INFRACTION HEARING OFFICERS		
FROM GENERAL REVENUE FUND	2,123,854	
3152 SPECIAL CATEGORIES		
GRANTS AND AIDS - CHILD ADVOCACY CENTERS		
FROM GENERAL REVENUE FUND	5,493,240	

From the funds in Specific Appropriation 3152, \$3,500,000 in recurring general revenue funds and \$1,050,000 in nonrecurring general revenue funds shall be distributed to the 27 Children's Advocacy Centers throughout Florida based on the proportion of children provided with direct services by each center during calendar year 2015. This funding may not be used to supplant local government reductions in Children's Advocacy Center funding. Any reductions in local government funding for the centers shall result in the withholding of funds appropriated in this line item.

From the funds in Specific Appropriation 3152, the Florida Network of Children's Advocacy Centers may spend up to \$80,000 for contract monitoring and oversight.

From the funds in Specific Appropriation 3152, \$100,000 in recurring general revenue funds is provided to the Walton County Children's Advocacy Center for child advocacy services.

From the funds in Specific Appropriation 3152, \$300,000 in recurring general revenue funds shall be used to support child protection teams operating in Children's Advocacy Centers. These funds may not be used for administrative support.

From the funds in Specific Appropriation 3152, \$250,000 in nonrecurring general revenue funds is provided to the Nancy J. Cotterman Children's Advocacy and Rape Crisis Center for child advocacy services.

3153 SPECIAL CATEGORIES	
COMPENSATION TO RETIRED JUDGES	
FROM GENERAL REVENUE FUND	2,339,249
3154 SPECIAL CATEGORIES	
CONTRACTED SERVICES	
FROM GENERAL REVENUE FUND	13,134,610

From the funds in Specific Appropriation 3154, \$5,000,000 in recurring

SECTION 7 - JUDICIAL BRANCH

general revenue funds is provided for naltrexone extended-release injectable medication to treat alcohol- or opioid-addicted individuals involved in the criminal justice system, individuals who have a high likelihood of criminal justice involvement, or who are in court-ordered, community-based drug treatment. The Office of the State Courts Administrator shall use the funds to contract with a non-profit entity for the purpose of distributing the medication.

From the funds in Specific Appropriation 3154, \$5,000,000 in recurring general revenue funds and \$400,000 in nonrecurring general revenue funds are provided for treatment services for offenders in post-adjudicatory drug court programs in Broward, Escambia, Hillsborough, Marion, Okaloosa, Orange, Pinellas, Polk, and Volusia counties. Each program shall serve prison-bound offenders (at least 50 percent of participants shall have Criminal Punishment Code scores of greater than 44 points but no more than 60 points) and shall make residential treatment beds available for clients needing residential treatment.

From the funds in Specific Appropriation 3154, \$250,000 in nonrecurring general revenue funds is provided for GAP funding for housing and wraparound behavioral health treatment services provided by the Miami-Dade Homeless Trust for individuals referred by the 11th Judicial Circuit Criminal Mental Health Project and participating in jail diversion programs.

From the funds in Specific Appropriation 3154, \$940,000 in nonrecurring general revenue funds is provided for housing and wraparound behavioral health treatment services for individuals referred by the 12th Judicial Circuit Mental Health Jail Diversion Program.

From the funds in Specific Appropriation 3154, \$260,000 in nonrecurring general revenue funds is provided to the Grove Counseling Center to provide treatment services for the Seminole County Juvenile Drug Court.

3155 SPECIAL CATEGORIES	
DOMESTIC VIOLENCE OFFENDER MONITORING PROGRAM	
FROM GENERAL REVENUE FUND	316,000

The funds in Specific Appropriation 3155 are provided to the Eighteenth Judicial Circuit to continue its program to protect victims of domestic violence with Active Global Positioning Satellite (GPS) technology.

3156 SPECIAL CATEGORIES	
RISK MANAGEMENT INSURANCE	
FROM GENERAL REVENUE FUND	1,095,011

3157 SPECIAL CATEGORIES	
STATEWIDE GRAND JURY - EXPENSES	
FROM GENERAL REVENUE FUND	143,310

3158 SPECIAL CATEGORIES	
VETERANS COURT	
FROM GENERAL REVENUE FUND	2,225,000

Recurring general revenue funds in Specific Appropriation 3158 are provided to the following counties for felony and/or misdemeanor pretrial or post-adjudicatory veterans' treatment intervention programs:

Alachua.....	150,000
Clay.....	150,000
Duval.....	200,000
Escambia.....	150,000
Leon.....	125,000
Okaloosa.....	150,000
Orange.....	200,000
Pasco.....	150,000
Pinellas.....	150,000

Nonrecurring general revenue funds in Specific Appropriation 3158 are provided to the following counties for felony and/or misdemeanor pretrial or post-adjudicatory veterans' treatment intervention programs:

Manatee.....	150,000
Pinellas.....	350,000
Sarasota.....	150,000

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Seminole.....	150,000	
3159 SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	134,574	
3160 SPECIAL CATEGORIES MEDIATION/ARBITRATION SERVICES FROM GENERAL REVENUE FUND	3,188,619	
3161 SPECIAL CATEGORIES STATE COURTS DUE PROCESS COSTS FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND	20,817,084	1,104,930
3162 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	681,078	32,807
3163 DATA PROCESSING SERVICES OTHER DATA PROCESSING SERVICES FROM GENERAL REVENUE FUND	4,775,043	
TOTAL: COURT OPERATIONS - CIRCUIT COURTS FROM GENERAL REVENUE FUND FROM TRUST FUNDS	295,939,082	52,361,708
TOTAL POSITIONS	2,954.00	
TOTAL ALL FUNDS		348,300,790
COURT OPERATIONS - COUNTY COURTS		
APPROVED SALARY RATE	57,313,280	
3164 SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM STATE COURTS REVENUE TRUST FUND	644.00 78,054,839	6,189,377
3165 OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	15,000	
3166 EXPENSES FROM GENERAL REVENUE FUND	3,093,912	
3167 OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	15,000	
3168 SPECIAL CATEGORIES ADDITIONAL COMPENSATION FOR COUNTY JUDGES FROM GENERAL REVENUE FUND	75,000	
3169 SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	204,000	
3170 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	103,694	
3171 SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	78,792	
3172 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	147,079	

SECTION 7 - JUDICIAL BRANCH

TOTAL: COURT OPERATIONS - COUNTY COURTS FROM GENERAL REVENUE FUND FROM TRUST FUNDS	81,787,316	6,189,377
TOTAL POSITIONS	644.00	
TOTAL ALL FUNDS		87,976,693
PROGRAM: JUDICIAL QUALIFICATIONS COMMISSION		
JUDICIAL QUALIFICATIONS COMMISSION OPERATIONS		
APPROVED SALARY RATE	286,805	
3173 SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	4.00 368,397	
3174 EXPENSES FROM GENERAL REVENUE FUND	160,205	
3175 OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	5,442	
3176 SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	240,475	
3177 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	5,461	
3178 SPECIAL CATEGORIES LITIGATION EXPENSES FROM GENERAL REVENUE FUND	231,294	
Funds in Specific Appropriation 3178 are to be used only for case expenditures associated with the filing and prosecution of formal charges. These costs shall consist of attorney's fees, court reporting fees, investigators' fees, and similar charges associated with the adjudicatory process.		
3179 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	1,137	
TOTAL: JUDICIAL QUALIFICATIONS COMMISSION OPERATIONS FROM GENERAL REVENUE FUND	1,012,411	
TOTAL POSITIONS	4.00	
TOTAL ALL FUNDS		1,012,411
TOTAL: STATE COURT SYSTEM FROM GENERAL REVENUE FUND FROM TRUST FUNDS	442,993,934	90,674,209
TOTAL POSITIONS	4,343.50	
TOTAL ALL FUNDS		533,668,143
TOTAL APPROVED SALARY RATE	305,939,586	
TOTAL OF SECTION 7		
FROM GENERAL REVENUE FUND	442,993,934	
FROM TRUST FUNDS		90,674,209
TOTAL POSITIONS	4,343.50	
TOTAL ALL FUNDS		533,668,143

SECTION 8. EMPLOYEE COMPENSATION AND BENEFITS - FISCAL YEAR 2016-2017

Statement of Purpose

This section provides instructions for implementing the Fiscal Year 2016-2017 salary and benefit adjustments provided in this act. All allocations, distributions and uses of these funds are to be made in strict accordance with the provisions of this act.

(1) EMPLOYEE AND OFFICER COMPENSATION

The elected officers, members of commissions, and designated employees shall be paid at the annual rate, listed below, for the 2016-2017 fiscal year; however, these salaries may be reduced on a voluntary basis.

	7/1/16
Governor.....	130,273
Lieutenant Governor.....	124,851
Chief Financial Officer.....	128,972
Attorney General.....	128,972
Agriculture, Commissioner of.....	128,972
Supreme Court Justice.....	162,200
Judges - District Courts of Appeal.....	154,140
Judges - Circuit Courts.....	146,080
Judges - County Courts.....	138,020
State Attorneys.....	154,140
Public Defenders.....	154,140
Commissioner - Public Service Commission.....	131,036
Public Employees Relations Commission Chair.....	96,789
Public Employees Relations Commission Commissioners.....	45,862
Commissioner - Parole.....	91,724
Criminal Conflict and Civil Regional Counsels.....	105,000

None of the officers, commission members, or employees whose salaries have been fixed in this section shall receive any supplemental salary or benefits from any county or municipality.

(2) SPECIAL PAY ISSUES

Effective July 1, 2016, recurring funds are appropriated in Specific Appropriation 1962A to:

(a) The Department of Agriculture and Consumer Services from trust funds to provide competitive pay adjustments of \$2,000 for each unit member of the Florida State Fire Service bargaining unit and employees in the following job classes: Forest Area Supervisor (7622); Forestry Operations Administrator (7634); and the Forestry Program Administrator (7636); employed by the Florida Forest Service.

(b) The Department of Corrections from the General Revenue Fund to grant a competitive pay adjustment of 2.0 percent of each correctional employee's base rate of pay on June 30, 2016. For purposes of this paragraph (b), "correctional employee" means: 1) each eligible unit member of the security services collective bargaining unit; and 2) each eligible non-unit employee of the department who is in the command structure for those unit employees.

(c) The Florida Department of Law Enforcement from trust funds to increase the base rate of pay for Crime Laboratory Analyst Supervisors (8466) to \$72,000 annually or provide a minimum 10.0 percent increase over current salary; and to increase the salaries of current employees in certain job classes as follows: \$10,000 for Crime Laboratory Analyst (8463) and \$12,000 for Senior Crime Laboratory Analyst (8464).

(d) The judicial branch from the General Revenue Fund for the second phase of the position classification salary adjustments for judicial branch employees, excluding judges, to encourage employee retention, provide equity adjustments to equalize salaries between the judicial branch and other governmental entities for similar positions and duties, and provide market based adjustments necessary to remedy recurring employee recruiting problems for specific position classifications. The funds available for these adjustments shall be allocated proportionately among the circuit and county courts, the district courts of appeal, the Supreme Court, the Office of State Courts Administrator, and the Judicial Qualifications Commission, based upon the total number of full-time-equivalent positions, excluding judges, employed by each of those components of the judicial branch. The Chief Justice, based upon

recommendations from the Trial Court Budget Commission, District Court of Appeal Budget Commission, and the State Courts Administrator, shall submit a plan for such position classification salary adjustments pursuant to section 216.177(2), Florida Statutes, which plan must include a detailed description of the differences between the position classification salary adjustments under the proposed plan and the adjustments under the plan used to implement the position classification salary adjustments authorized by section 8(2)(a) of chapter 2014-51, Laws of Florida.

(e) The Department of Military Affairs from the General Revenue Fund to grant military personnel of the Florida National Guard on full-time military duty a pay raise to comply with section 250.10(1), Florida Statutes.

The Legislature intends that all eligible employees receive the increases specified herein, even if the increased compensation exceeds the maximum for each pay grade and pay band.

(3) BENEFITS: HEALTH, LIFE, AND DISABILITY INSURANCE

(a) State Life Insurance and State Disability Insurance

Funds are provided in each agency's budget to continue paying the state share of the current State Life Insurance Program and the State Disability Insurance Program premiums.

(b) State Health Insurance Plans and Benefits

1. For the period July 1, 2016, through June 30, 2017, the Department of Management Services shall continue within the State Group Insurance Program a State Group Health Insurance Standard Plan, a State Group Health Insurance High Deductible Plan, State Group Health Maintenance Organization Standard Plans and State Group Health Maintenance Organization High Deductible Plans.

2. For the period July 1, 2016, through June 30, 2017, the benefits provided under each of the plans shall be those benefits as provided in the current State Employees' PPO Plan Group Health Insurance Plan Booklet and Benefit Document, current Health Maintenance Organization contracts and benefit documents, and other such health benefits as approved by the Legislature.

3. Effective July 1, 2016, the state health insurance plans, as defined in subsection (3)(b), shall limit plan participant cost sharing (deductibles, coinsurance and copayments) for covered in-network medical services, the amount of which shall not exceed the annual cost sharing limitations for individual coverage or for family coverage as provided by the U.S. Department of Health and Human Services pursuant to the provisions of the federal Patient Protection and Affordable Care Act of 2010. Medical and prescription drug cost sharing amounts incurred by a plan participant for covered in-network services shall be aggregated to record the participant's total amount of plan cost sharing, which shall not exceed the annual cost sharing limitations. The plan shall pay 100 percent of covered in-network services for a plan participant during the applicable calendar year once the federal cost share limitations are reached.

4. The high deductible health plans shall continue to include an integrated Health Savings Account (HSA). Such plans and accounts shall be administered in accordance with the requirements and limitations of federal provisions related to the Medicare Prescription Drug Improvement, and Modernization Act of 2003. The state shall make a monthly contribution to an employee's health savings account, as authorized in section 110.123(12), Florida Statutes, of \$41.66 for employees with individual coverage and \$83.33 for employees with family coverage.

(c) State Health Insurance Premiums for the Period July 1, 2016, through June 30, 2017.

1. State Paid Premiums

a. For the coverage period beginning August 1, 2016, through March 31, 2017, the state share of the State Group Health Insurance Standard and High Deductible Health Plan premiums to the executive, legislative and judicial branch agencies shall continue at \$591.52 per month for individual coverage and \$1,264.06 per month for family coverage.

b. For the coverage period beginning April 1, 2017, the state share of

the State Group Health Insurance Standard and High Deductible Health Plan premiums to the executive, legislative and judicial branch agencies shall increase, effective March 1, 2017, from \$591.52 to \$642.84 per month for individual coverage and from \$1,264.06 to \$1,379.60 for family coverage.

c. Funds are provided in each state agency and university's budget to continue paying the State Group Health Insurance Program premiums for the fiscal year. Funds are provided in Specific Appropriation 1962A to pay the incremental cost of the premium increase, effective March 1, 2017.

d. The agencies shall continue to pay premiums on behalf of employees who have enhanced benefits as follows, including those employees participating in the Spouse Program in accordance with section 60P-2.0036, Florida Administrative Code, and those employees filling positions with "agency pay-all" benefits.

i. For the coverage period beginning August 1, 2016, through March 31, 2017, the state share of the State Group Health Insurance Standard Plan premiums to the executive, legislative and judicial branch agencies for employees with enhanced benefits, excluding Spouse Program participants, shall continue to be \$637.34 per month for individual coverage and \$1,429.06 per month for family coverage.

ii. For the coverage period beginning April 1, 2017, the state share of the State Group Health Insurance Standard Plan premiums to the executive, legislative and judicial branch agencies for employees with enhanced benefits, excluding Spouse Program participants, shall increase, effective March 1, 2017, from \$637.34 to \$684.50 per month for individual coverage and from \$1,429.06 to \$1,529.60 for family coverage.

iii. For the coverage period beginning August 1, 2016, through March 31, 2017, the state share of the State Group Health Insurance Standard Plan premiums to the executive, legislative and judicial branch agencies, for each employee participating in the Spouse Program shall continue to be \$714.55 per month for family coverage.

iv. For the coverage period beginning April 1, 2017, the state share of the State Group Health Insurance Standard Plan premiums to the executive, legislative and judicial branch agencies, for each employee participating in the Spouse Program shall increase, effective March 1, 2017, from \$714.55 to \$764.80 per month for family coverage.

v. For the coverage period beginning August 1, 2016, through March 31, 2017, the state share of the State Group Health Insurance High Deductible Plan premiums to the executive, legislative and judicial branch agencies for employees with enhanced benefits, excluding Spouse Program participants, shall continue to be \$598.18 per month for individual coverage and \$1,298.36 per month for family coverage.

vi. For the coverage period beginning April 1, 2017, the state share of the State Group Health Insurance High Deductible Plan premiums to the executive, legislative and judicial branch agencies for employees with enhanced benefits, excluding Spouse Program participants, shall increase, effective March 1, 2017, from \$598.18 to \$649.50 per month for individual coverage and from \$1,298.36 to \$1,413.90 per month for family coverage.

vii. For the coverage period beginning August 1, 2016, through March 31, 2017, the state share of the State Group Health Insurance High Deductible Plan Program premiums to the executive, legislative and judicial branch agencies, for each employee participating in the Spouse Program shall continue to be \$649.18 per month for family coverage.

viii. For the coverage period beginning April 1, 2017, the state share of the State Group Health Insurance High Deductible Plan Program premiums to the executive, legislative and judicial branch agencies, for each employee participating in the Spouse Program shall increase, effective March 1, 2017, from \$649.18 to \$706.95 per month for family coverage.

2. Premiums Paid by Employees

a. Effective July 1, 2016, for the coverage period beginning August 1, 2016, the employee's share of the health insurance premiums for the standard plans shall continue to be \$50 per month for individual coverage and \$180 per month for family coverage.

b. Effective July 1, 2016, for the coverage period beginning August 1,

2016, the employee's share of the health insurance premiums for the high deductible health plans shall continue to be \$15 per month for individual coverage and \$64.30 per month for family coverage.

c. Effective July 1, 2016, for the coverage period beginning August 1, 2016, the employee's share of the health insurance premiums for the standard plans and the high deductible health plans shall continue to be \$8.34 for individual coverage and \$30 per month for family coverage for employees filling positions with "agency payroll" benefits.

d. Effective July 1, 2016, for the coverage period beginning August 1, 2016, the employee's share of the health insurance premiums for the standard plans and the high deductible plans shall continue to be \$15 per month for each employee participating in the Spouse Program in accordance with section 60P-2.0036, Florida Administrative Code.

3. Premiums paid by Medicare Participants

a. For the coverage period beginning August 1, 2016, through March 31, 2017, the monthly premiums for Medicare participants participating in the State Group Health Insurance Standard Plan shall continue to be \$359.61 for "one eligible", \$1,036.90 for "one under/one over", and \$719.22 for "both eligible."

b. For the coverage period beginning April 1, 2017, the monthly premiums for Medicare participants participating in the State Group Health Insurance Standard Plan shall increase, effective March 1, 2017, from \$359.61 to \$388.38 for "one eligible", from \$1,036.90 to \$1,119.85 for "one under/one over", and from \$719.22 to \$776.76 for "both eligible."

c. For the coverage period beginning August 1, 2016, through March 31, 2017, the monthly premiums for Medicare participants participating in the State Group Health Insurance High Deductible Plan shall continue to be \$271.07 for "one eligible", \$849.19 for "one under/one over", and \$542.15 for "both eligible."

d. For the coverage period beginning April 1, 2017, the monthly premiums for Medicare participants participating in the State Group Health Insurance High Deductible Plan shall increase, effective March 1, 2017, from \$271.07 to \$292.76 for "one eligible", from \$849.19 to \$917.13 for "one under/one over", and from \$542.15 to \$585.51 for "both eligible."

e. For the coverage period beginning August 1, 2016, the monthly premiums for Medicare participants enrolled in a Health Maintenance Organization Standard Plan or High Deductible Health Plan shall be equal to the negotiated monthly premium for the selected state-contracted Health Maintenance Organization.

4. Premiums paid by "Early Retirees"

a. Effective July 1, 2016, for the coverage period beginning August 1, 2016, an "early retiree" participating in the State Group Health Insurance Standard Plan shall continue to pay a monthly premium equal to 100 percent of the total premium charged (state and employee contributions) for an active employee participating in the standard plan.

b. For the coverage period beginning August 1, 2016, through March 31, 2017, an "early retiree" participating in the State Group Health Insurance High Deductible Plan shall continue to pay a monthly premium equal to \$564.86 for individual coverage and \$1,245.03 for family coverage.

c. For the coverage period beginning April 1, 2017, the monthly premium for an "early retiree" participating in the State Group Health Insurance High Deductible Plan shall increase, effective March 1, 2017, from \$564.86 to \$616.18 for single coverage and from \$1,245.03 to \$1,360.57 for family coverage.

5. Premiums paid by COBRA participants

a. Effective July 1, 2016, for the coverage period beginning August 1, 2016, a COBRA participant participating in the State Group Health Insurance Program shall continue to pay a premium equal to 102 percent of the total premium charged (state and employee contributions) for an active employee participating in the Program.

(d) Under the State Employees' Prescription Drug Program, the following

shall apply:

1. Supply limits shall continue as provided in subsection 110.12315, Florida Statutes.

2. For the period July 1, 2016, through June 30, 2017, co-payments for the State Group Health Insurance Standard Plan shall be as follows:

- a. \$7 co-payment for generic drugs with card;
- b. \$30 for preferred brand name drug with card;
- c. \$50 for nonpreferred brand name drug with card;
- d. \$14 for generic mail-order drug;
- e. \$60 for preferred brand name mail order drug;
- f. \$100 for nonpreferred brand name mail order drug.

3. For the period July 1, 2016, through June 30, 2017, coinsurance for the State Group Health Insurance High Deductible Plan shall continue as provided in section 110.12315(11), Florida Statutes.

4. Effective July 1, 2016, and notwithstanding the provisions of subparagraph 2. to the contrary, for the purpose of encouraging an individual to change from brand name drugs to generic drugs, the department may continue to waive co-payments for a six month supply of a generic statin or a generic proton pump inhibitor.

5. The Department of Management Services shall maintain the preferred brand name drug list to be used in the administration of the State Employees' Prescription Drug Program.

6. The Department of Management Services shall maintain a listing of certain maintenance drugs that must be filled through mail order by participants of the Preferred Provider Organization option only. Effective July 1, 2016, those drugs on the maintenance list may initially be filled three times in a retail pharmacy; thereafter, any covered prescriptions must be filled through mail order, unless a retail pharmacy agrees to provide 90 day prescriptions for such drugs for no more than the reimbursement paid for prescriptions fulfilled by mail order, including the dispensing fee. Notwithstanding subparagraph (d)2., and for the period beginning July 1, 2016, the co-payments for such 90 day prescriptions at a retail pharmacy shall be \$14 for generic drugs with a card, \$60 for preferred brand name drugs with a card, and \$100 for nonpreferred name brand drugs with a card. This paragraph is contingent upon Senate Bill 2502 or similar legislation becoming law.

(e) The State Employees' Prescription Drug Program shall provide coverage for smoking cessation prescription drugs; however, members shall be responsible for appropriate co-payments and deductibles when applicable. The smoking cessation prescription drug benefit shall be limited to up to a six month supply within any plan year and maximum lifetime benefit of no more than nine months supplied.

(4) OTHER BENEFITS

(a) The following items shall be implemented in accordance with the provisions of this act and with the applicable negotiated collective bargaining agreement:

1. The state shall provide up to six (6) credit hours of tuition-free courses per term at a state university, state college or community college to full-time employees on a space available basis as authorized by law.

2. The state shall continue to reimburse, at current levels, for replacement of personal property.

3. Each agency, at the discretion of the agency head, may expend funds provided in this act for bar dues and for legal education courses for employees who are required to be a member of the Florida Bar as a condition of employment.

4. The state shall continue to provide, at current levels, clothing allowances and uniform maintenance and shoe allowances.

(b) All state branches, departments, and agencies which have established or approved personnel policies for the payment of accumulated and unused annual leave, shall not provide payment which exceeds a maximum of 480 hours of actual payment to each employee for accumulated and unused annual leave.

(c) Upon termination of employees in the Senior Management Service,

Selected Exempt Service, or positions with comparable benefits, payments for unused annual leave credits accrued on the member's last anniversary date shall be prorated at 1/12th of the last annual amount credited for each month, or portion thereof, worked subsequent to the member's last anniversary date.

(5) PAY ADDITIVES AND OTHER INCENTIVE PROGRAMS

The following pay additives and other incentive programs are authorized for the 2016-2017 fiscal year from existing agency resources consistent with provisions of sections 110.2035 and 216.251, Florida Statutes, the applicable rules promulgated by the Department of Management Services, and negotiated collective bargaining agreements.

(a) Each agency is authorized to continue to pay, at the levels in effect on June 30, 2007, on-call fees and shift differentials as necessary to perform normal operations of the agency.

(b) Each agency that had a training program in existence on June 30, 2006, which included granting pay additives to participating employees, is authorized to continue such training program for the 2016-2017 fiscal year. Such additives shall be granted under the provisions of the law, administrative rules, and collective bargaining agreements.

(c) The Department of Corrections may continue to grant hazardous duty pay additives, as necessary, to those employees assigned to the Department of Corrections institutions' Rapid Response Teams (including the baton, shotgun, and chemical agent teams) and the Correctional Emergency Response Teams.

(d) The Fish and Wildlife Conservation Commission may continue to grant temporary special duty pay additives to law enforcement officers who perform additional duties as K-9 handlers, as regional recruiters/media coordinators, and as breath test operators/inspectors, and may grant temporary special duty pay additives to law enforcement officers who perform additional duties as offshore patrol vessel crew members, as special operations group members, and as long-term covert investigators.

(e) The Department of Highway Safety and Motor Vehicles may grant special duty pay additives of \$2,000 for law enforcement officers who perform additional duties as K-9 handlers; felony officers; criminal interdiction officers; criminal investigation and intelligence officers; new recruit background checks and training, and technical support officers; drug recognition experts; hazardous material squad members; compliance investigation squad members; or motor cycle squad members. In addition, the department may grant a critical market pay additive of \$1,300 to non-sworn Florida Highway Patrol personnel working and residing in Miami-Dade and Broward Counties and grant a \$5,000 critical market pay additive, or the equivalent salary adjustment, for sworn Highway Patrol officers living and residing in the following counties: Hillsborough, Orange, Pinellas, Duval, Marion, and Escambia Counties, which was authorized as of July 1, 2015. These critical market pay additives shall be granted during the time the employee resides in, and is assigned duties within, those counties.

(f) The Fish and Wildlife Conservation Commission is authorized to grant critical market pay additives to employees residing in and assigned to Lee County, Collier County, Monroe County, Broward County, or Miami-Dade county, at the levels that the employing agency granted salary increases for similar purposes prior to July 1, 2006; and the Department of Highway Safety and Motor Vehicles is authorized to grant critical market pay additives to employees residing in and assigned to Lee County, Collier County, or Monroe County, at the levels that the employing agency granted salary increases for similar purposes prior to July 1, 2006. These pay additives shall be granted only during the time in which the employee resides in, and is assigned to duties within, those counties. In no instance may the employee receive an adjustment to the employee's base rate of pay and a critical market pay additive based on the employee residing in and being assigned in the specified counties.

(g) The Department of Transportation is authorized to continue its training program for employees in the areas of transportation engineering, right-of-way acquisition, relocation benefits administration, right-of-way property management, real estate appraisal, and business valuation under the same guidelines established for the training program prior to June 30, 2006.

(h) The Department of Highway Safety and Motor Vehicles is authorized to continue to grant a pay additive of \$162.50 per pay period for law enforcement officers assigned to the Office of Motor Carrier Compliance

who maintain certification by the Commercial Vehicle Safety Alliance.

(i) Each agency is authorized to continue to grant temporary special duties pay additives to employees assigned additional duties as a result of another employee being absent from work pursuant to the Family Medical Leave Act or authorized military leave. The notification process described in section 110.2035(6)(c), Florida Statutes, does not apply to additives authorized in this paragraph.

(j) Contingent upon the availability of funds, and at the agency head's discretion, each agency is authorized to grant competitive pay adjustments to address retention, pay inequities, or other staffing issues. The agency is responsible for retaining sufficient documentation justifying any adjustments provided herein.

(k) Each agency is authorized to grant merit pay increases based on the employee's exemplary performance as evidenced by a performance evaluation conducted pursuant to chapter 60L-35, Florida Administrative Code, or a similar performance evaluation applicable to other pay plans. The Chief Justice may exempt judicial branch employees from the performance evaluation requirements of this paragraph.

(l) Contingent upon the availability of funds and at the agency head's discretion, each agency is authorized to grant a temporary special duties pay additive, of up to 15 percent of the employee's base rate of pay, to each employee temporarily deployed to a facility or area closed due to emergency conditions from another area of the state that is not closed.

(6) COLLECTIVE BARGAINING

(a) All collective bargaining issues at impasse relating to mandatory subjects of collective bargaining shall be resolved by the Legislature.

SECTION 9. Pursuant to section 1013.40, Florida Statutes, the specified Florida College System institutions are authorized to acquire or construct the following facilities from non-PECO sources, which could require general revenue funds for operation and maintenance. If existing facilities are part of these projects, each such building or site must be certified to be free of asbestos or other hazardous materials before the stated college may acquire or expend construction funds on the facility. If the property to be acquired is not adjacent to an existing approved center or campus, then all necessary approvals from the State Board of Education must be received before any funds may be expended to acquire the property.

1. Florida Keys Community College - Acquire land/facilities and remodel/renovate facilities for instructional, office, support space and parking, from donations and local funds, as an annex of the State Board of Education approved Main (Key West) Campus.

2. Indian River State College - Acquire land/facilities and construct/remodel/renovate facilities for classrooms, labs, offices, support space, and parking for the State Board of Education approved Main (Ft. Pierce) Campus, Chastain (Stuart) Center, Mueller (Vero Beach) Special Purpose Center, Pruitt (Port St. Lucie) Center, Marine Science Special Purpose Center, Human Development & Resources Special Purpose Center, and the Dixon Hendry (Okeechobee) Center using local funds.

3. Miami Dade College - Acquire land/facilities and construct/remodel/renovate facilities for classrooms, labs, offices, support space, and parking for the State Board of Education approved North Campus, Kendall Campus, Wolfson Campus, Medical Campus, Homestead Campus, Interamerican Campus, Hialeah Campus, West Campus, and Entrepreneurial Educational Center using local funds.

4. Miami Dade College - Acquire land/facilities and construct/remodel/renovate facilities for classrooms, labs, offices, support space, and parking, for future growth and development of a new campus/center in Northwest Miami-Dade County, Northeast Miami-Dade County, and/or Miami Beach, subject to State Board of Education approval using local funds.

5. Pensacola State College - Construct a Welding Technology Building from local funds at the State Board of Education approved Pensacola Campus.

6. Pensacola State College - Construct a Visual Arts Building addition

from local funds at the State Board of Education approved Pensacola Campus.

7. Seminole State College of Florida - Acquire land with or without facilities and construct/remodel/renovate facilities for instructional, office, meeting room, auditorium, support space, and parking, utilizing private-public partnership funding, as an annex of the State Board of Education approved Main (Sanford/Lake Mary) Campus and/or Altamonte Springs Campus.

8. Seminole State College of Florida - Lease land with facilities and remodel/renovate facilities for instructional, office, support space and parking, as an annex of the State Board of Education approved Main (Sanford/Lake Mary) Campus and/or Altamonte Springs Campus using local funds.

9. State College of Florida, Manatee-Sarasota - Acquire land/facilities with local funds for future growth and development of a new campus/center in Manatee or Sarasota County, subject to State Board of Education approval, and construct/remodel/renovate facilities for classrooms, labs, offices, support space and parking.

10. Tallahassee Community College - Acquire land/facilities for instructional and support services and parking, to support the mission of the State Board of Education approved Wakulla Center using local funds.

11. Valencia College - Construct an academic and support services facility (Building 09 - Film, Sound, and Music Technology / Plant Operations) from local funds at the State Board of Education approved East Campus.

12. Valencia College - Acquire land/facilities and construct/remodel/renovate facilities for classrooms, labs, offices, support space and parking, from local funds at the State Board of Education approved campuses, centers, and special purpose centers.

13. Valencia College - Acquire land/facilities from local funds for future growth and development of a new campus/center in Southwest Orange County, Southeast Orange County, and/or Northeast Osceola County, subject to State Board of Education approval.

SECTION 10. From the unexpended balance of funds appropriated in Specific Appropriation 26 of chapter 2007-72, Laws of Florida, for Hillsborough Community College for Major Ren/Rem, New Entrance & RD - Brandon comp for \$3,000,000, the lesser of the unexpended balance or \$461,936 shall be re-appropriated immediately to Hillsborough Community College for the replacement of failing building envelopes on the Academic (BACA), Technology (BTEC), Humanities (BHUM), and Library (BLRC) buildings at the HCC Brandon Campus.

SECTION 11. Pursuant to section 1013.74 and section 1013.78, Florida Statutes, the following facilities may be constructed or acquired from non-appropriated sources, which upon completion will require general revenue funds for operation of Education and General space within the building. Main campus unless otherwise noted:

University of Florida - Innovation HUB Phase II - Design and construction of Phase II of the Florida Innovation Hub at UF. Multi-level technology building with conference rooms and office and laboratory space, 50,000 gsf.

University of Florida - Addiction Research Center in Yon Hall - Repurposing of vacated Living Well Auxiliary spaces in Yon Hall to house Addiction Research Center, 6,750 gsf.

University of Florida - Wilmont Gardens - will be used for horticultural research and teaching activities, 3,682 gsf.

UF-IFAS/Storage Building Fisheries - equipment storage for Fisheries and Aquatic Sciences, 5,000 gsf. Located at Gainesville.

UF-IFAS/Equipment Storage Wildlife - equipment storage for the Wildlife Ecology and Conservation Department, 3,200 gsf. Located at Gainesville.

UF-IFAS/Marine Lab Research Office Nature Coast Biological Station (BI850) - Research office building needed for Nature Coast Biological Station research activities and outreach programs, 1,789 gsf. Located at Cedar Key.

UF-IFAS/Pavilion Nature Coast Biological Station (B1852) - Pavilion is needed for Nature Coast Biological Station research activities and outreach programs, 396 gsf. Located at Cedar Key.

UF-IFAS/Beef Teaching Facility Animal Sciences (B0891) - A teaching facility to be located at Sand Hill for the Beef Teaching unit, 22,940 gsf. Located at Gainesville.

UF-IFAS/Greenhouse Multi-department (B1223) - New eight bay greenhouse at the on-campus Fifield greenhouse complex, 9,920 gsf. Located at Gainesville.

UF-IFAS/Franklin County Extension Office Extension (B1901) - Building will be used to support aquaculture research activities and extension outreach for Franklin County, 6,504 gsf. Located at Apalachicola.

UF-IFAS/Aquaculture Facility Extension (B1902) - Building will be used to support aquaculture research activities for Franklin County, 1,344 gsf. Located at Apalachicola.

UF-IFAS/Equipment Storage Extension (B1903) - Building will be used to support aquaculture research activities and extension outreach for Franklin County, 638 gsf. Located at Apalachicola.

UF-IFAS/Storage Building Extension (B1904) - Building will be used to support aquaculture research activities and extension outreach for Franklin County, 240 gsf. Located at Apalachicola.

UF-IFAS/Land Management Building Ordway-Swisher Biological Station (B2242) - Newly acquired building to support land management of the Ordway-Swisher Biological Station, 2,080 gsf. Located at Homestead.

UF-IFAS/Really Nolen Cabin Ordway-Swisher Biological Station (B2270) - residence to house visiting scientists, 912 gsf. Located at Melrose.

UF-IFAS/Storage Building Ordway-Swisher Biological Station (B2271) - residence building to store research equipment, 336 gsf. Located at Melrose.

UF-IFAS/Bunkhouse Ordway-Swisher Biological Station (B2280) - Bunkhouse will be used to house visiting scientists, 3,798 gsf. Located at Hawthorne.

UF-IFAS/Storage Building Ordway-Swisher Biological Station (B2281) - Will be used to store equipment in support of research, 200 gsf. Located at Hawthorne.

UF-IFAS/Storage Building Ordway-Swisher Biological Station (B2285) - Residence will be used to house visiting scientists, 1,286 gsf. Located at Hawthorne.

UF-IFAS/Equipment Storage Citrus REC (B7129) - equipment storage building, 280 gsf. Located at Lake Alfred.

UF-IFAS/Graduate Residence (B7201) - Graduate student residence in support of Equine Sciences Center, 1,120 gsf. Located at Lowell.

UF-IFAS/Mix/Load Facility Indian River REC (B7393) - New mix-load facility in support of grove management, 512 gsf. Located at Ft. Pierce.

UF-IFAS/Equipment Storage Plant Science REU (B7531) - Farm equipment storage, 12,000 gsf. Located at Citra.

UF-IFAS/Field Building Suwannee Valley Agricultural Extension Center (B8307) - New field building to protect irrigation control system, 220 gsf. Located at Live Oak.

UF-IFAS/Equipment Building Suwannee Valley Agricultural Extension Center (B8309) - Will be used to protect irrigation controls, 252 gsf. Located at Live Oak.

UF-IFAS/Equipment Storage Jay (B8420) - Equipment storage building needed to support farm operations equipment at the West Florida Research and Education Unit, 120 gsf. Located at Jay.

UF-IFAS/Equipment Storage Tropical Aquaculture Lab (B9411) - Equipment storage building for expanding research programs at Tropical Aquaculture facility, 2,720 gsf. Located at Ruskin.

Florida State University - JMS Building (Building No. 2021) - Building will be donated to FSU, will house an entrepreneurial and innovation center, 20,000 gsf.

University of Central Florida - Institute for Hospitality in Healthcare at Lake Nona - Offices, classrooms, teaching labs, 36,000 gsf.

University of Central Florida - District Energy IV Plant - Offices, 13,000 gsf.

University of Central Florida - CREOL - Research labs, 2,756 gsf.

University of Central Florida - BPW Building - Will house the College of Education Marriage and Family Research Institute, 4,038 gsf.

Florida International University - Ecology Laboratory Module - Teaching and research lab, 1,218 gsf.

Florida International University - Bayview Housing Academic Space - Advising and student study space open to all FIU students, 3,760 gsf.

Florida International University - University City Prosperity Project - Covered pedestrian Bridge, 2 elevators and 2 stairway plazas, 6,121 gsf.

SECTION 12. Pursuant to section 1010.62 and section 1013.171, Florida Statutes, and section 11(d) and (f), Art. VII of the State Constitution, the following fixed capital outlay projects may be constructed, acquired, and financed by a university or university direct support organization. Financing mechanisms include any form of approved debt or bonds authorized by the Board of Governors.

No state appropriation of funds will be associated with these projects. The Legislature has provided the Board of Governors general authority to consider debt financing for most classes of projects. However, certain athletic and commercial facilities require specific Legislative authorization as a prerequisite condition for these projects. Legislative authorization does not supersede any of the requirements for Board of Governors review and approval of all projects to be financed from debt.

Florida State University - Hotel Convention Center

Florida Atlantic University - Hotel Conference Center

University of Central Florida - Refinance UCF Foundation Properties

University of Central Florida - Bio-Medical Annex Renovation and Expansion.

SECTION 13. The unexpended balance of funds provided to the Department of Education Florida School for the Deaf and Blind for Koger Hall Construction from the General Revenue Fund in Specific Appropriation 25 of chapter 2015-232, Laws of Florida, is hereby reverted and reappropriated for Fiscal Year 2016-2017 to the Department of Education Florida School for the Deaf and Blind for Gore Hall remodeling.

SECTION 14. The Legislature hereby adopts by reference for the 2015-2016 fiscal year the alternate compliance calculation amounts as the reduction calculation to the class size operating categorical fund required by section 1003.03(4), Florida Statutes, as set forth in Budget Amendment EOG XXX as submitted on XXX, 2016, by the Governor on behalf of the Commissioner of Education for approval by the Legislative Budget Commission. The Commissioner of Education shall modify payments to school districts as required by section 1003.03(4), Florida Statutes, for the 2015-2016 fiscal year. This section is effective upon becoming law.

SECTION 15. The unexpended balance of funds provided to the Department of Education for the Personal Learning Scholarship Accounts in Specific Appropriation 105 and Section 27 of chapter 2015-232, Laws of Florida, is hereby reverted and reappropriated for the Gardiner Scholarship Program.

SECTION 16. The unexpended balance of funds provided for the Department of Education Workforce Student Information System in Specific Appropriation 118 and Section 26 of chapter 2015-232, Laws of Florida, is hereby reverted and reappropriated for the same purpose.

SECTION 17. The unexpended balance of funds provided to the Agency for Health Care Administration for the Grant Program for Community Primary

Care Services in Specific Appropriation 187A, chapter 2015-232, Laws of Florida, shall revert and is reappropriated in Fiscal Year 2016-17 for the same purpose. This section shall take effect upon becoming law.

SECTION 18. There is hereby appropriated \$410,555 in nonrecurring funds from the General Revenue Fund to the Agency for Health Care Administration to cover costs associated with the KidCare program for Fiscal Year 2015-2016. This section shall take effect upon becoming law.

SECTION 19. There is hereby appropriated \$16,276,674 in nonrecurring funds from the General Revenue Fund, \$132,962,786 in nonrecurring funds from the Grants and Donations Trust Fund and \$16,463,245 in nonrecurring funds from the Refugee Assistance Trust Fund to the Agency for Health Care Administration to cover costs associated with the Medicaid program for Fiscal Year 2015-2016.

SECTION 20. There is hereby appropriated \$1,400,000 in nonrecurring funds from the General Revenue Fund to the Agency for Health Care Administration to cover costs associated with the Tobacco Settlement Trust Fund in the Medicaid program for Fiscal Year 2015-2016. This section shall take effect upon becoming law.

SECTION 21. From the funds appropriated in Specific Appropriation 211 of chapter 2015-232, Laws of Florida, to the Agency for Health Care Administration, \$1,400,000 from the Tobacco Settlement Trust Fund is hereby reverted. This section shall take effect upon becoming law.

SECTION 22. The sum of \$24,414,352 from the General Revenue Fund provided to the Agency for Persons with Disabilities in Section 39 of chapter 2015-232, Laws of Florida, shall revert and is appropriated for Fiscal Year 2016-2017 in the Lump Sum - Home and Community Based Services Waiver category. The agency is authorized to submit budget amendments requesting release of funds pursuant to the provisions of chapter 216, Florida Statutes. Any requests for release of funds shall include a plan for how the funds will be expended for increases in Medicaid Home and Community Based Services Waiver cost plans resulting from the application of the U.S. Department of Labor Fair Standards to Domestic Service rule. Such plan must be based upon actuarial findings that detail the cost increases by service category, a comparative analysis between current service rates and those necessary to meet compliance, and the annualized need by fund source necessary to be in full compliance with federal law and regulations. This section shall take effect upon becoming law.

SECTION 23. The unexpended balance of funds from the General Revenue Fund provided to the Agency for Persons with Disabilities in Section 40 of chapter 2015-232, Laws of Florida, shall revert and is appropriated for Fiscal Year 2016-2017 in the Lump Sum - Home and Community Based Services Waiver category. The agency is authorized to submit budget amendments requesting release of funds pursuant to the provisions of chapter 216, Florida Statutes. Any requests for release of funds shall include a plan for how the funds will be expended for increases in Medicaid Home and Community Based Services Waiver cost plans resulting from the application of the U.S. Department of Labor Fair Standards to Domestic Service rule. Such plan must be based upon actuarial findings that detail the cost increases by service category, a comparative analysis between current service rates and those necessary to meet compliance, and the annualized need by fund source necessary to be in full compliance with federal law and regulations. This section shall take effect upon becoming law.

SECTION 24. The unexpended balance of funds provided in Specific Appropriation 251 of chapter 2015-232, Laws of Florida, provided to the Agency for Persons with Disabilities for the Home and Community Based Services Waiver, shall revert and is appropriated for Fiscal Year 2016-2017 in the Lump Sum - Home and Community Based Services Waiver category. The agency is authorized to submit budget amendments requesting the release of funds pursuant to the provisions of chapter 216, Florida Statutes. Any requests for release of funds shall include a plan for how the funds will be expended for increases in Medicaid Home and Community Based Services Waiver cost plans resulting from the application of the U.S. Department of Labor Fair Standards to Domestic Service rule. Such plan must be based upon actuarial findings that detail the cost increases by service category, a comparative analysis between current service rates and those necessary to meet compliance, and the annualized need by fund source necessary to be in full compliance with federal law and regulations. This section shall take effect upon becoming law.

SECTION 25. The unexpended balance in Section 41, chapter 2015-232,

Laws of Florida, provided to the Agency for Persons with Disabilities for the Client Data Management System and Electronic Visit Verification Qualified Expenditure Category shall revert and is appropriated to the Agency for Persons with Disabilities for Fiscal Year 2016-2017 in the Home and Community Services Administration category and shall be placed in reserve. The agency is authorized to submit budget amendments requesting release of funds pursuant to the provisions of chapter 216, Florida Statutes. Any request for release of funds shall include a detailed operational work and spending plan. This section shall take effect upon becoming law.

SECTION 26. The unexpended balance of funds appropriated to the Department of Children and Families in Specific Appropriation 377K of chapter 2015-232, Laws of Florida, for Central Receiving Facilities shall revert and is appropriated to the department for Fiscal Year 2016-17 for the same purpose.

SECTION 27. The unexpended balance of funds provided in Specific Appropriation 302A, Chapter 2015-232, Laws of Florida, for the Substance Abuse and Mental Health Financial and Services Accountability Management System, shall revert and is appropriated for Fiscal Year 2016-2017 to the Department of Children and Families for the same purpose.

SECTION 28. The unexpended balance of funds provided to the Department of Children and Families in Specific Appropriation 316 and Section 46, Chapter 2015-232, Laws of Florida, for motor vehicle insurance for children in foster care, shall revert and is appropriated for Fiscal Year 2016-2017 to the department for the same purpose.

SECTION 29. In the event and until the Federal Centers for Medicaid and Medicare Services reduces the federal matching percentage related to the Preadmission Screening and Resident Review (PASRR) activities, the Agency for Health Care Administration shall continue to pay the Department of Elder Affairs at the enhanced federal reimbursement rate for all CARES related activities through a transfer from the Grants and Donations Trust Fund until official approval of the amended cost allocation plan is received by the state.

SECTION 30. The unexpended balance of funds provided to the Department of Health for the Ed and Ethel Moore Alzheimer's Disease Research Program in Specific Appropriation 454B and Section 50, chapter 2015-232, Laws of Florida, shall revert and is appropriated for Fiscal Year 2016-2017 for the same purpose.

SECTION 31. The unexpended balance of funds from the General Revenue Fund provided to the Department of Health for the James and Esther King Biomedical Research Program in Section 53 of Chapter 2015-232, Laws of Florida, shall revert and is appropriated to Specific Appropriation 468 for Fiscal Year 2016-2017 for the same purpose.

SECTION 32. The unexpended balance of funds from the General Revenue Fund provided to the Department of Health for the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program in section 54 of chapter 2015-232, Laws of Florida, shall revert and is appropriated to Specific Appropriation 468 for Fiscal Year 2016-2017 for the same purpose.

SECTION 33. The unexpended balance of funds appropriated to the Department of Veterans' Affairs in Section 56 of chapter 2015-232, Laws of Florida, for Entrepreneur Training shall revert and is appropriated to the department for Fiscal Year 2016-17 for the same purpose.

SECTION 34. The unexpended balance of funds appropriated to the Department of Veterans' Affairs in Section 57 of chapter 2015-232, Laws of Florida, for Work Force Training Grants shall revert and is appropriated to the department for Fiscal Year 2016-17 for the same purpose.

SECTION 35. Effective upon becoming law or on June 30, 2016, whichever occurs earlier, the Chief Financial Officer is hereby authorized to transfer, using nonoperating authority, the nonrecurring sum of \$12,900,000 from the General Revenue Fund to the Clerks of the Court Trust Fund in the Department of Revenue to address the Clerks of the Courts' projected budget deficits for court-related functions in County Fiscal Year 2015-2016.

SECTION 36. The recurring sum of \$10,000,000 from the General Revenue Fund is appropriated for transfer to the Clerks of Court Trust Fund in the Department of Revenue to supplement the fines, fees, service charges

and costs for court-related functions of the Clerks of the Court during County Fiscal Year 2016-2017. These funds may not be released prior to October 1, 2016.

SECTION 37. The unexpended balance of funds provided to the Department of Law Enforcement for domestic security issues in Specific Appropriation 1984C of chapter 2015-232, Laws of Florida, and subsequently distributed to the Department of Law Enforcement pursuant to budget amendment EOG #B2016-####, is hereby reverted and reappropriated for Fiscal Year 2016-2017 for the purpose of the original appropriation within the Department of Law Enforcement.

SECTION 38. The unexpended balance of funds provided to the Department of Law Enforcement for domestic security issues in Specific Appropriation 1258 of chapter 2015-232, Laws of Florida, is hereby reverted and reappropriated for Fiscal Year 2016-2017 for the purpose of the original appropriation within the Department of Law Enforcement.

SECTION 39. The sum of \$5,500,000 from nonrecurring general revenue funds is hereby appropriated to the State Court System for Fiscal Year 2015-2016 to address the court's projected current year revenue deficit in its State Court Revenue Trust Fund. This section is effective upon becoming law.

SECTION 40. The unexpended balance of funds provided to the Department of Agriculture and Consumer Services pursuant to budget amendment EOG #B2013-0213 for storm damages associated with Tropical Storm Debby, and subsequently distributed to the Department of Agriculture and Consumer Services pursuant to budget amendment EOG #B2014-0005, shall revert and is appropriated for Fiscal Year 2015-2016 to the Department of Agriculture and Consumer Services for the same purpose. This section is effective upon becoming law.

SECTION 41. The unexpended balance of funds provided to the Department of Agriculture and Consumer Services for domestic security issues in Specific Appropriation 1979A of chapter 2014-51, Laws of Florida, and subsequently distributed to the Department of Agriculture and Consumer Services pursuant to budget amendment EOG #B2015-0014, shall revert and is appropriated for Fiscal Year 2015-2016 to the Department of Agriculture and Consumer Services for the same purpose. This section is effective upon becoming law.

SECTION 42. The unexpended balance of funds provided to the Department of Agriculture and Consumer Services from the Agricultural Emergency Eradication Trust Fund in Specific Appropriation 1499 of chapter 2014-51, Laws of Florida, for oyster planting activities, shall revert and is appropriated for Fiscal Year 2015-2016 to the Department of Agriculture and Consumer Services for the same purpose. This section is effective upon becoming law.

SECTION 43. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG# B2016-0258 as submitted on December 17, 2015 by the Governor on behalf of the Department of Agriculture and Consumer Services for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2015-2016 consistent with the amendment. This section is effective upon becoming law.

SECTION 44. The unexpended balance of funds provided to the Department of Business and Professional Regulation in Specific Appropriation 2005A of chapter 2015-232, Laws of Florida, for the implementation of the Florida Business Portal shall revert and is appropriated for Fiscal Year 2016-2017 to the department for the same purpose.

SECTION 45. The unexpended balance of the \$350,000 from the General Revenue Fund provided to the Department of Business and Professional Regulation in Specific Appropriation 1991 of chapter 2015-232, Laws of Florida, for legal costs for the Division of Alcoholic Beverages and Tobacco shall revert and is appropriated for Fiscal Year 2016-2017 to the department for the same purpose.

SECTION 46. Effective upon becoming law, the unexpended balance of funds in the Coastal Protection Trust Fund provided to the Department of Environmental Protection in Section 75, chapter 2015-232, Laws of Florida, by BP for Natural Resource Damage Assessment shall revert and is appropriated for Fiscal Year 2016-2017 to the Department of Environmental Protection for the same purpose.

SECTION 47. The sum of \$1,861,540 provided to the Department of Environmental Protection in Specific Appropriation 1645 of chapter

2014-51, Laws of Florida, for Springs Restoration shall revert and is appropriated for Fiscal Year 2016-2017 to the Department of Environmental Protection for Springs Restoration projects. Funds may be used for land acquisition to protect springs and for capital projects that protect the quality and quantity of water that flow from springs.

SECTION 48. Effective upon becoming law, \$4,517,821 is appropriated from the Internal Improvement Trust Fund to the Department of Environmental Protection for the 2015-2016 fiscal year for continued legal representation in the Florida vs. Georgia case before the United States Supreme Court.

SECTION 49. The sum of \$1,500,000 from the Solid Waste Management Trust Fund provided to the Department of Environmental Protection in Specific Appropriation 1693, chapter 2015-232, Laws of Florida, for Solid Waste Management shall revert and is appropriated for Fiscal Year 2015-2016 to the Department of Environmental Protection for Solid Waste Management grants to counties with populations less than 100,000 to be used for general solid waste management, litter prevention and control, and recycling and education programs. This section shall take effect upon becoming law.

SECTION 50. The unexpended balance of funds provided to the Department of Environmental Protection for the East Pass Inlet Management Plan in Specific Appropriation 1653 of chapter 2014-51, Laws of Florida, shall revert and is appropriated for Fiscal Year 2015-2016 to the Department of Environmental Protection to manage the project in coordination with the department's management of the Morriego Point Restoration and Recreation Natural Resource Damages Assessment project. This section is effective upon becoming law.

SECTION 51. Effective upon the act becoming law, the sum of \$2,864,990 appropriated from the Insurance Regulatory Trust Fund in Specific Appropriation 2331A of chapter 2015-232, Laws of Florida, for the replacement of the Florida Accounting Information Resource System (FIAIR) and Cash Management System (CMS) is hereby reverted and appropriated to the Department of Financial Services from the Insurance Regulatory Trust Fund solely to pay outstanding invoices related to the replacement of the Florida Accounting Information Resource System (FIAIR) and Cash Management System (CMS). The invoices authorized for payment include: BPS11 Business Requirements - Cycle 1 invoice number US0131372744; BPS13 - Level 2 Standardized Business Process Models invoice number US0131411035; and PROC13 - SSI Procurement Document Part 2 invoice number 12012015.

SECTION 52. The unexpended balance of funds provided to the Department of Management Services in Specific Appropriation 2726A of chapter 2014-51, Laws of Florida, for the Facilities Management Information System shall revert and is appropriated for Fiscal Year 2016-2017 to the department for the same purpose.

SECTION 53. The unexpended balance of funds provided to the Department of Management Services in Specific Appropriation 2841 of chapter 2015-232, Laws of Florida, for staff augmentation services to transition to a new contract for the SUNCOM Network shall revert and is appropriated for Fiscal Year 2016-2017 to the department for the same purpose.

SECTION 54. The sum of \$9,915,800 provided to the Department of Management Services in Specific Appropriation 2826 of chapter 2015-232, Laws of Florida, to support costs necessary to transition the state personnel information system and service centers to a new service provider upon completion of a competitive procurement shall revert immediately.

SECTION 55. From the funds appropriated in Specific Appropriations 3021 and 3022 of chapter 2015-232, Laws of Florida, to the Department of Revenue for Fiscally Constrained Counties, \$3,216,911 from the General Revenue Fund shall revert immediately. This section shall take effect upon becoming law.

SECTION 56. The unexpended balance of funds provided to the Department of Economic Opportunity for the State Small Business Credit Initiative in section 101 of chapter 2015-232, Laws of Florida, including the unexpended balance of funds held in reserve, are reverted and reappropriated for Fiscal Year 2016-2017 to the department for the same purpose. This section is effective upon becoming law.

SECTION 57. The Department of Economic Opportunity is hereby authorized to transfer, using nonoperating budget authority, \$4,000,000 from the

Special Employment Security Administration Trust Fund to the Employment Security Administration Trust Fund.

SECTION 58. The Department of Economic Opportunity is hereby authorized to transfer, using nonoperating budget authority, \$3,000,000 from the Displaced Homemaker Trust Fund to the Special Employment Security Administration Trust Fund.

SECTION 59. The unexpended balance of funds provided for domestic security projects in Specific Appropriation 1984C of chapter 2015-232, Laws of Florida, that was subsequently distributed to the Executive Office of the Governor, Division of Emergency Management in budget amendment EOG #B2016-0014, and the unexpended balance of funds provided for Fiscal Year 2015-2016 to the division in section 92 of chapter 2015-232, Laws of Florida, are reverted and reappropriated for Fiscal Year 2016-2017 to the division for the same purpose. This section is effective upon becoming law.

SECTION 60. The unexpended balance of funds provided to the Executive Office of the Governor, Division of Emergency Management for the federal Emergency Management Performance Grant for Fiscal Year 2015-2016 in Specific Appropriations 2555 and 2564 of chapter 2015-232, Laws of Florida, and the unexpended balance of funds provided for Fiscal Year 2015-2016 in section 93 of chapter 2015-232, Laws of Florida, are reverted and reappropriated for Fiscal Year 2016-2017 to the division for the same purpose. This section is effective upon becoming law.

SECTION 61. The unexpended balance of funds provided to the Executive Office of the Governor, Division of Emergency Management for the State and Local Implementation Grant for Fiscal Year 2015-2016 in section 94 of chapter 2015-232, Laws of Florida, is reverted and reappropriated for Fiscal Year 2016-2017 to the division for the same purpose. This section is effective upon becoming law.

SECTION 62. The unexpended balance of funds provided to the Department of Highway Safety and Motor Vehicles for the First Net State and Local Implementation Grants in section 95 of chapter 2015-232, Laws of Florida, is reverted and reappropriated to the department for Fiscal Year 2016-2017 for the same purpose. This section is effective upon becoming law.

SECTION 63. The unexpended balance of funds in Specific Appropriation 2634 of chapter 2015-232, Laws of Florida, provided to the Department of Highway Safety and Motor Vehicles for renovations of a state owned facility located on Hillsborough Avenue in Tampa, Florida shall revert immediately. In order to support the transition of driver license services to tax collectors, the Department of Highway Safety and Motor Vehicles is appropriated and authorized to transfer \$1,100,000 from the Highway Safety Operating Trust Fund to the Hillsborough County Tax Collector for the purpose of constructing a joint use facility to be constructed by the Hillsborough County Tax Collector which will house both Hillsborough County Tax Collector's driver license issuance staff and Department of Highway Safety and Motor Vehicles' staff.

SECTION 64. 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.

SECTION 65. From the funds appropriated in Specific Appropriation 1984 of chapter 2015-232, Laws of Florida, the amounts of \$5,479,579 from the General Revenue Fund and \$4,449,079 from trust funds provided for the Human Resources Assessment Increase shall revert immediately. This section shall take effect upon becoming law.

SECTION 66. Pursuant to section 215.32(2)(b)4.a., Florida Statutes, \$120,500,000 from unobligated cash balance amounts specified from the following trust funds shall be transferred to the General Revenue Fund for Fiscal Year 2016-2017:

AGENCY FOR HEALTH CARE ADMINISTRATION	
Grants and Donations Trust Fund.....	32,500,000
Health Care Trust Fund.....	5,000,000
Medical Care Trust Fund.....	10,000,000
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION	
Division of Florida Condominiums, Timeshares and Mobile Homes Trust Fund.....	3,000,000
Hotels and Restaurants Trust Fund.....	1,000,000

Professional Regulation Trust Fund.....	4,000,000
DEPARTMENT OF EDUCATION	
Institutional Assessment Trust Fund.....	3,000,000
DEPARTMENT OF ENVIRONMENTAL PROTECTION	
Air Pollution Control Trust Fund.....	6,000,000
Solid Waste Management Trust Fund.....	2,000,000
Inland Protection Trust Fund.....	35,000,000
DEPARTMENT OF FINANCIAL SERVICES	
Regulatory Trust Fund/Office of Financial Regulation.....	5,000,000
DEPARTMENT OF MANAGEMENT SERVICES	
Operating Trust Fund - Purchasing.....	4,000,000
FISH AND WILDLIFE CONSERVATION COMMISSION	
Invasive Plant Control Trust Fund.....	10,000,000

Funds specified above from each trust fund shall be transferred in four equal installments on a quarterly basis during the fiscal year.

This section shall take effect upon becoming law.

SECTION 67. The Chief Financial Officer is hereby authorized to transfer \$30,700,000 from the General Revenue Fund to the Budget Stabilization Fund for Fiscal Year 2016-2017 as required by section 215.32(2)(c), Florida Statutes.

SECTION 68. Any section of this act, or any appropriation herein contained, if found to be invalid shall in no way affect other sections or specific appropriations contained in this act.

SECTION 69. Except as otherwise provided herein, this act shall take effect July 1, 2016, or upon becoming law, whichever occurs later; however, if this act becomes law after July 1, 2016, then it shall operate retroactively to July 1, 2016.

TOTAL THIS GENERAL APPROPRIATION ACT

FROM GENERAL REVENUE FUND	30,169,135,352	
FROM TRUST FUNDS		50,800,376,302
TOTAL POSITIONS	112,908.82	
TOTAL ALL FUNDS		80,969,511,654
TOTAL APPROVED SALARY RATE	4,970,710,558	

ITEMIZATION OF EXPENDITURE TOTALS
(FOR INFORMATION ONLY)SPB 2500 FY 16-17
(\$ IN MILLIONS)

	GENERAL REVENUE	LOTTERY	PECO	TOBACCO	OTHER TRUST	ALL FUNDS	POSITIONS
<u>OPERATING</u>							
A - STATE OPERATIONS	5,455.4	.0	.0	68.1	7,324.0	12,847.5	112,908.82
B - AID TO LOC GOV - OPERATION	14,163.7	1,041.8	.0	.0	5,724.7	20,930.2	.00
C - PYMT OF PEN, BEN & CLAIMS	269.5	280.2	.0	.0	58.2	607.9	.00
D - PASS THRU/ST & FED FUNDS	2,893.7	103.8	.0	.0	3,999.6	6,997.1	.00
E - MEDICAID AND TANF	7,028.7	.0	.0	266.0	19,622.9	26,917.5	.00
H - TRANS TO OTHER ENTITIES	93.2	.0	.0	.0	239.9	333.2	.00
TOTAL OPERATING	29,904.2	1,425.8	.0	334.1	36,969.3	68,633.3	112,908.82
<u>FIXED CAPITAL OUTLAY</u>							
I - STATE CAPITAL OUTLAY - DMS	37.5	.0	.0	.0	14.9	52.4	.00
J - ST CAPITAL OUTLAY - AGENCY	45.7	.0	.0	.0	400.9	446.7	.00
K - STATE CAPITAL OUTLAY - DOT	.0	.0	.0	.0	9,099.7	9,099.7	.00
L - STATE CAPITAL OUTLAY-PECO	.0	.0	368.9	.0	35.0	403.9	.00
M - AID TO LOC GOVT-CAP OUTLAY	122.7	.0	.0	.0	437.9	560.7	.00
N - DEBT SERVICE	58.9	313.7	875.9	.0	524.2	1,772.8	.00
TOTAL FIXED CAPITAL OUTLAY	264.9	313.7	1,244.8	.0	10,512.7	12,336.2	.00
TOTAL ITEM. OF EXPENDITURES	30,169.1	1,739.5	1,244.8	334.1	47,482.0	80,969.5	112,908.82

NOTE: AMOUNTS ACROSS AND DOWN MAY NOT EQUAL DUE TO ROUNDING.

SUMMARY BY SECTION
(FOR INFORMATION ONLY)

SPB 2500 FY 16-17

	GEN REVENUE	TRUST FUNDS	ALL FUNDS
<u>SECTION 1 - EDUCATION ENHANCEMENT</u>			
<u>OPERATING</u>			
AID TO LOC GOV - OPERATION			
STATE FUNDS - NONMATCHING		1,041,825,245	1,041,825,245
TOTAL AID TO LOC GOV - OPERATION		1,041,825,245	1,041,825,245
PYMT OF PEN, BEN & CLAIMS			
STATE FUNDS - NONMATCHING		280,167,242	280,167,242
TOTAL PYMT OF PEN, BEN & CLAIMS		280,167,242	280,167,242
PASS THRU/ST & FED FUNDS			
STATE FUNDS - NONMATCHING		103,776,356	103,776,356
TOTAL PASS THRU/ST & FED FUNDS		103,776,356	103,776,356
<u>FIXED CAPITAL OUTLAY</u>			
DEBT SERVICE			
STATE FUNDS - NONMATCHING		313,702,666	313,702,666
TOTAL DEBT SERVICE		313,702,666	313,702,666
TOTAL SECTION 1		1,739,471,509	1,739,471,509
FUNDING SOURCE RECAP			
STATE FUNDS - NONMATCHING		1,739,471,509	1,739,471,509
TOTAL SPENDING AUTHORIZATIONS			
OPERATING		1,425,768,843	1,425,768,843
FIXED CAPITAL OUTLAY		313,702,666	313,702,666
<u>SECTION 2 - EDUCATION (ALL OTHER FUNDS)</u>			
<u>OPERATING</u>			
STATE OPERATIONS			
STATE FUNDS - NONMATCHING	174,978,855	45,784,831	220,763,686
STATE FUNDS - MATCHING	45,843,950	595,000	46,438,950
FEDERAL FUNDS		295,336,556	295,336,556
TRANS/RECIPIENT/FED FUNDS		501,232	501,232
POSITIONS			2,325.75
TOTAL STATE OPERATIONS	220,822,805	342,217,619	563,040,424
AID TO LOC GOV - OPERATION			
STATE FUNDS - NONMATCHING	11,627,245,540	2,092,895,576	13,720,141,116
STATE FUNDS - MATCHING	203,419,324		203,419,324
FEDERAL FUNDS		495,363,496	495,363,496
TOTAL AID TO LOC GOV - OPERATION	11,830,664,864	2,588,259,072	14,418,923,936
PYMT OF PEN, BEN & CLAIMS			
STATE FUNDS - NONMATCHING	233,625,162	7,901,409	241,526,571
FEDERAL FUNDS		3,355,000	3,355,000
TOTAL PYMT OF PEN, BEN & CLAIMS	233,625,162	11,256,409	244,881,571

SUMMARY BY SECTION
(FOR INFORMATION ONLY)

SPB 2500 FY 16-17

	GEN REVENUE	TRUST FUNDS	ALL FUNDS
SECTION 2 - EDUCATION (ALL OTHER FUNDS)			
<u>OPERATING</u>			
PASS THRU/ST & FED FUNDS			
STATE FUNDS - NONMATCHING	2,884,080,742	86,161,098	2,970,241,840
FEDERAL FUNDS		1,760,990,985	1,760,990,985
TOTAL PASS THRU/ST & FED FUNDS	2,884,080,742	1,847,152,083	4,731,232,825
TRANS TO OTHER ENTITIES			
STATE FUNDS - NONMATCHING	2,772,247	3,856,311	6,628,558
STATE FUNDS - MATCHING	114,061		114,061
FEDERAL FUNDS		2,321,425	2,321,425
TOTAL TRANS TO OTHER ENTITIES	2,886,308	6,177,736	9,064,044
<u>FIXED CAPITAL OUTLAY</u>			
STATE CAPITAL OUTLAY-PECO			
STATE FUNDS - NONMATCHING		403,938,438	403,938,438
TOTAL STATE CAPITAL OUTLAY-PECO		403,938,438	403,938,438
AID TO LOC GOVT-CAP OUTLAY			
STATE FUNDS - NONMATCHING	9,903,714		9,903,714
TOTAL AID TO LOC GOVT-CAP OUTLAY	9,903,714		9,903,714
DEBT SERVICE			
STATE FUNDS - NONMATCHING		1,014,054,611	1,014,054,611
TOTAL DEBT SERVICE		1,014,054,611	1,014,054,611
POSITIONS			
TOTAL SECTION 2	15,181,983,595	6,213,055,968	21,395,039,563
FUNDING SOURCE RECAP			
STATE FUNDS - NONMATCHING	14,932,606,260	3,654,592,274	18,587,198,534
STATE FUNDS - MATCHING	249,377,335	595,000	249,972,335
FEDERAL FUNDS		2,557,367,462	2,557,367,462
TRANS/RECIPIENT/FED FUNDS		501,232	501,232
TOTAL SPENDING AUTHORIZATIONS			
OPERATING	15,172,079,881	4,795,062,919	19,967,142,800
FIXED CAPITAL OUTLAY	9,903,714	1,417,993,049	1,427,896,763
SECTION 3 - HUMAN SERVICES			
<u>OPERATING</u>			
STATE OPERATIONS			
STATE FUNDS - NONMATCHING	233,116,385	721,375,151	954,491,536
STATE FUNDS - MATCHING	462,865,459	304,341,098	767,206,557
FEDERAL FUNDS		1,465,667,553	1,465,667,553
TRANS/RECIPIENT/FED FUNDS		110,601,189	110,601,189
POSITIONS			
TOTAL STATE OPERATIONS	695,981,844	2,601,984,991	3,297,966,835

SUMMARY BY SECTION
(FOR INFORMATION ONLY)

SPB 2500 FY 16-17

	GEN REVENUE	TRUST FUNDS	ALL FUNDS
SECTION 3 - HUMAN SERVICES			
<u>OPERATING</u>			
AID TO LOC GOV - OPERATION			
STATE FUNDS - NONMATCHING	538,414,173	84,851,891	623,266,064
STATE FUNDS - MATCHING	1,139,667,463	82,371,274	1,222,038,737
FEDERAL FUNDS		1,805,673,197	1,805,673,197
TRANS/RECIPIENT/FED FUNDS		128,837,890	128,837,890
TOTAL AID TO LOC GOV - OPERATION	1,678,081,636	2,101,734,252	3,779,815,888
PYMT OF PEN, BEN & CLAIMS			
STATE FUNDS - NONMATCHING	6,770,718	950,000	7,720,718
STATE FUNDS - MATCHING	11,243,619		11,243,619
TRANS/RECIPIENT/FED FUNDS		28,017	28,017
TOTAL PYMT OF PEN, BEN & CLAIMS	18,014,337	978,017	18,992,354
PASS THRU/ST & FED FUNDS			
STATE FUNDS - NONMATCHING	9,150,000		9,150,000
FEDERAL FUNDS		21,754,358	21,754,358
TOTAL PASS THRU/ST & FED FUNDS	9,150,000	21,754,358	30,904,358
MEDICAID AND TANF			
STATE FUNDS - NONMATCHING	800,000		800,000
STATE FUNDS - MATCHING	7,027,854,065	4,025,870,085	11,053,724,150
FEDERAL FUNDS		15,196,947,391	15,196,947,391
TRANS/RECIPIENT/FED FUNDS		666,065,787	666,065,787
TOTAL MEDICAID AND TANF	7,028,654,065	19,888,883,263	26,917,537,328
TRANS TO OTHER ENTITIES			
STATE FUNDS - NONMATCHING	10,140,861	7,427,651	17,568,512
STATE FUNDS - MATCHING	15,127,519	3,386,770	18,514,289
FEDERAL FUNDS		16,090,115	16,090,115
TRANS/RECIPIENT/FED FUNDS		388,817	388,817
TOTAL TRANS TO OTHER ENTITIES	25,268,380	27,293,353	52,561,733
<u>FIXED CAPITAL OUTLAY</u>			
STATE CAPITAL OUTLAY - DMS			
STATE FUNDS - MATCHING		2,363,644	2,363,644
FEDERAL FUNDS		4,389,624	4,389,624
TOTAL STATE CAPITAL OUTLAY - DMS		6,753,268	6,753,268
ST CAPITAL OUTLAY - AGENCY			
STATE FUNDS - NONMATCHING	6,190,434	2,402,150	8,592,584
TOTAL ST CAPITAL OUTLAY - AGENCY	6,190,434	2,402,150	8,592,584
AID TO LOC GOVT-CAP OUTLAY			
STATE FUNDS - NONMATCHING	11,048,367	7,533,960	18,582,327
TOTAL AID TO LOC GOVT-CAP OUTLAY	11,048,367	7,533,960	18,582,327

SUMMARY BY SECTION
(FOR INFORMATION ONLY)

SPB 2500 FY 16-17

	GEN REVENUE	TRUST FUNDS	ALL FUNDS
SECTION 3 - HUMAN SERVICES			
POSITIONS			
TOTAL SECTION 3	9,472,389,063	24,659,317,612	31,510,57
	=====	=====	=====
FUNDING SOURCE RECAP			
STATE FUNDS - NONMATCHING	815,630,938	824,540,803	1,640,171,741
STATE FUNDS - MATCHING	8,656,758,125	4,418,332,871	13,075,090,996
FEDERAL FUNDS		18,510,522,238	18,510,522,238
TRANS/RECIPIENT/FED FUNDS		905,921,700	905,921,700
	=====	=====	=====
TOTAL SPENDING AUTHORIZATIONS			
OPERATING	9,455,150,262	24,642,628,234	34,097,778,496
FIXED CAPITAL OUTLAY	17,238,801	16,689,378	33,928,179
	=====	=====	=====
SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS			
OPERATING			
STATE OPERATIONS			
STATE FUNDS - NONMATCHING	3,273,614,915	376,689,839	3,650,304,754
STATE FUNDS - MATCHING	10,858,631	10,828,552	21,687,183
FEDERAL FUNDS		54,910,543	54,910,543
TRANS/RECIPIENT/FED FUNDS		49,828,782	49,828,782
	=====	=====	=====
POSITIONS			
TOTAL STATE OPERATIONS	3,284,473,546	492,257,716	3,776,731,262
	=====	=====	=====
AID TO LOC GOV - OPERATION			
STATE FUNDS - NONMATCHING	248,558,277	34,199,297	282,757,574
STATE FUNDS - MATCHING	108,640		108,640
FEDERAL FUNDS		52,358,993	52,358,993
TRANS/RECIPIENT/FED FUNDS		1,049,069	1,049,069
	=====	=====	=====
TOTAL AID TO LOC GOV - OPERATION	248,666,917	87,607,359	336,274,276
	=====	=====	=====
PYMT OF PEN, BEN & CLAIMS			
STATE FUNDS - NONMATCHING		24,842,082	24,842,082
FEDERAL FUNDS		13,192,000	13,192,000
	=====	=====	=====
TOTAL PYMT OF PEN, BEN & CLAIMS		38,034,082	38,034,082
	=====	=====	=====
PASS THRU/ST & FED FUNDS			
STATE FUNDS - NONMATCHING		5,401,252	5,401,252
FEDERAL FUNDS		141,301,336	141,301,336
	=====	=====	=====
TOTAL PASS THRU/ST & FED FUNDS		146,702,588	146,702,588
	=====	=====	=====
TRANS TO OTHER ENTITIES			
STATE FUNDS - NONMATCHING	22,778,020	1,144,633	23,922,653
STATE FUNDS - MATCHING	19,917	25,330	45,247
FEDERAL FUNDS		25,366,022	25,366,022
TRANS/RECIPIENT/FED FUNDS		71,552	71,552
	=====	=====	=====
TOTAL TRANS TO OTHER ENTITIES	22,797,937	26,607,537	49,405,474
	=====	=====	=====
FIXED CAPITAL OUTLAY			
STATE CAPITAL OUTLAY - DMS			
STATE FUNDS - NONMATCHING	3,000,000		3,000,000
	=====	=====	=====
TOTAL STATE CAPITAL OUTLAY - DMS	3,000,000		3,000,000
	=====	=====	=====

SUMMARY BY SECTION
(FOR INFORMATION ONLY)

SPB 2500 FY 16-17

	GEN REVENUE	TRUST FUNDS	ALL FUNDS
SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS			
FIXED CAPITAL OUTLAY			
ST CAPITAL OUTLAY - AGENCY			
STATE FUNDS - NONMATCHING	18,625,000		18,625,000
	=====	=====	=====
TOTAL ST CAPITAL OUTLAY - AGENCY	18,625,000		18,625,000
	=====	=====	=====
DEBT SERVICE			
STATE FUNDS - NONMATCHING	58,942,666		58,942,666
	=====	=====	=====
TOTAL DEBT SERVICE	58,942,666		58,942,666
	=====	=====	=====
POSITIONS			
TOTAL SECTION 4	3,636,506,066	791,209,282	4,427,715,348
	=====	=====	=====
FUNDING SOURCE RECAP			
STATE FUNDS - NONMATCHING	3,625,518,878	442,277,103	4,067,795,981
STATE FUNDS - MATCHING	10,987,188	10,853,882	21,841,070
FEDERAL FUNDS		287,128,894	287,128,894
TRANS/RECIPIENT/FED FUNDS		50,949,403	50,949,403
	=====	=====	=====
TOTAL SPENDING AUTHORIZATIONS			
OPERATING	3,555,938,400	791,209,282	4,347,147,682
FIXED CAPITAL OUTLAY	80,567,666		80,567,666
	=====	=====	=====
SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION			
OPERATING			
STATE OPERATIONS			
STATE FUNDS - NONMATCHING	83,958,747	1,444,284,583	1,528,243,330
STATE FUNDS - MATCHING	247,956	42,755,475	43,003,431
FEDERAL FUNDS		187,549,786	187,549,786
TRANS/RECIPIENT/FED FUNDS		2,082,221	2,082,221
	=====	=====	=====
POSITIONS			
TOTAL STATE OPERATIONS	84,206,703	1,676,672,065	1,760,878,768
	=====	=====	=====
AID TO LOC GOV - OPERATION			
STATE FUNDS - NONMATCHING	18,231,989	107,512,870	125,744,859
STATE FUNDS - MATCHING	9,165,197		9,165,197
FEDERAL FUNDS		20,414,442	20,414,442
	=====	=====	=====
TOTAL AID TO LOC GOV - OPERATION	27,397,186	127,927,312	155,324,498
	=====	=====	=====
PASS THRU/ST & FED FUNDS			
STATE FUNDS - NONMATCHING		10,759,202	10,759,202
FEDERAL FUNDS		1,175,293,861	1,175,293,861
	=====	=====	=====
TOTAL PASS THRU/ST & FED FUNDS		1,186,053,063	1,186,053,063
	=====	=====	=====
TRANS TO OTHER ENTITIES			
STATE FUNDS - NONMATCHING	360,116	141,782,298	142,142,414
STATE FUNDS - MATCHING		408	408
FEDERAL FUNDS		326,511	326,511
	=====	=====	=====
TOTAL TRANS TO OTHER ENTITIES	360,116	142,109,217	142,469,333
	=====	=====	=====

SUMMARY BY SECTION
(FOR INFORMATION ONLY)

SPB 2500 FY 16-17

	GEN REVENUE	TRUST FUNDS	ALL FUNDS
SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION			
<u>FIXED CAPITAL OUTLAY</u>			
ST CAPITAL OUTLAY - AGENCY			
STATE FUNDS - NONMATCHING	14,655,350	373,186,417	387,841,767
FEDERAL FUNDS		16,532,636	16,532,636
TOTAL ST CAPITAL OUTLAY - AGENCY	14,655,350	389,719,053	404,374,403
STATE CAPITAL OUTLAY - DOT			
STATE FUNDS - NONMATCHING		6,706,581,747	6,706,581,747
STATE FUNDS - MATCHING		64,794,074	64,794,074
FEDERAL FUNDS		2,328,307,685	2,328,307,685
TOTAL STATE CAPITAL OUTLAY - DOT		9,099,683,506	9,099,683,506
AID TO LOC GOVT-CAP OUTLAY			
STATE FUNDS - NONMATCHING	63,685,357	134,532,870	198,218,227
STATE FUNDS - MATCHING	16,053,667		16,053,667
FEDERAL FUNDS		283,759,611	283,759,611
TOTAL AID TO LOC GOVT-CAP OUTLAY	79,739,024	418,292,481	498,031,505
DEBT SERVICE			
STATE FUNDS - NONMATCHING		355,631,218	355,631,218
TOTAL DEBT SERVICE		355,631,218	355,631,218
TOTAL SECTION 5 POSITIONS	206,358,379	13,396,087,915	15,058,25
FUNDING SOURCE RECAP			
STATE FUNDS - NONMATCHING	180,891,559	9,274,271,205	9,455,162,764
STATE FUNDS - MATCHING	25,466,820	107,549,957	133,016,777
FEDERAL FUNDS		4,012,184,532	4,012,184,532
TRANS/RECIPIENT/FED FUNDS		2,082,221	2,082,221
TOTAL SPENDING AUTHORIZATIONS			
OPERATING	111,964,005	3,132,761,657	3,244,725,662
FIXED CAPITAL OUTLAY	94,394,374	10,263,326,258	10,357,720,632
SECTION 6 - GENERAL GOVERNMENT			
<u>OPERATING</u>			
STATE OPERATIONS			
STATE FUNDS - NONMATCHING	703,445,649	1,766,777,196	2,470,222,845
STATE FUNDS - MATCHING	45,644,087	28,804,436	74,448,523
FEDERAL FUNDS		348,687,662	348,687,662
TRANS/RECIPIENT/FED FUNDS		44,060,798	44,060,798
TOTAL STATE OPERATIONS POSITIONS	749,089,736	2,188,330,092	18,670.25
AID TO LOC GOV - OPERATION			
STATE FUNDS - NONMATCHING	354,256,532	244,531,204	598,787,736
STATE FUNDS - MATCHING	17,816,545	11,986,763	29,803,308
FEDERAL FUNDS		561,609,208	561,609,208
TRANS/RECIPIENT/FED FUNDS		1,036,300	1,036,300
TOTAL AID TO LOC GOV - OPERATION	372,073,077	819,163,475	1,191,236,552

SUMMARY BY SECTION
(FOR INFORMATION ONLY)

SPB 2500 FY 16-17

	GEN REVENUE	TRUST FUNDS	ALL FUNDS
SECTION 6 - GENERAL GOVERNMENT			
<u>OPERATING</u>			
PYMT OF PEN, BEN & CLAIMS			
STATE FUNDS - NONMATCHING	17,876,823	7,898,581	25,775,404
TOTAL PYMT OF PEN, BEN & CLAIMS	17,876,823	7,898,581	25,775,404
PASS THRU/ST & FED FUNDS			
STATE FUNDS - NONMATCHING	501,972	474,427,835	474,929,807
STATE FUNDS - MATCHING		14,161,832	14,161,832
FEDERAL FUNDS		309,331,706	309,331,706
TOTAL PASS THRU/ST & FED FUNDS	501,972	797,921,373	798,423,345
TRANS TO OTHER ENTITIES			
STATE FUNDS - NONMATCHING	39,169,826	29,734,935	68,904,761
STATE FUNDS - MATCHING	1,747,701	216,762	1,964,463
FEDERAL FUNDS		7,553,482	7,553,482
TRANS/RECIPIENT/FED FUNDS		197,695	197,695
TOTAL TRANS TO OTHER ENTITIES	40,917,527	37,702,874	78,620,401
<u>FIXED CAPITAL OUTLAY</u>			
STATE CAPITAL OUTLAY - DMS			
STATE FUNDS - NONMATCHING	20,238,853	8,183,879	28,422,732
TOTAL STATE CAPITAL OUTLAY - DMS	20,238,853	8,183,879	28,422,732
ST CAPITAL OUTLAY - AGENCY			
STATE FUNDS - NONMATCHING	6,150,863	8,329,652	14,480,515
TRANS/RECIPIENT/FED FUNDS		494,000	494,000
TOTAL ST CAPITAL OUTLAY - AGENCY	6,150,863	8,823,652	14,974,515
AID TO LOC GOVT-CAP OUTLAY			
STATE FUNDS - NONMATCHING	22,055,464	9,077,279	31,132,743
STATE FUNDS - MATCHING		3,000,000	3,000,000
TOTAL AID TO LOC GOVT-CAP OUTLAY	22,055,464	12,077,279	34,132,743
DEBT SERVICE			
STATE FUNDS - NONMATCHING		30,458,602	30,458,602
TOTAL DEBT SERVICE		30,458,602	30,458,602
TOTAL SECTION 6 POSITIONS	1,228,904,315	3,910,559,807	18,670.25
FUNDING SOURCE RECAP			
STATE FUNDS - NONMATCHING	1,163,695,982	2,579,419,163	3,743,115,145
STATE FUNDS - MATCHING	65,208,333	58,169,793	123,378,126
FEDERAL FUNDS		1,227,182,058	1,227,182,058
TRANS/RECIPIENT/FED FUNDS		45,788,793	45,788,793
TOTAL SPENDING AUTHORIZATIONS			
OPERATING	1,180,459,135	3,851,016,395	5,031,475,530
FIXED CAPITAL OUTLAY	48,445,180	59,543,412	107,988,592

SUMMARY BY SECTION
(FOR INFORMATION ONLY)

SPB 2500 FY 16-17

	GEN REVENUE	TRUST FUNDS	ALL FUNDS
SECTION 7 - JUDICIAL BRANCH			
<u>OPERATING</u>			
STATE OPERATIONS			
STATE FUNDS - NONMATCHING	420,794,801	80,523,990	501,318,791
FEDERAL FUNDS		2,162,564	2,162,564
TRANS/RECIPIENT/FED FUNDS		7,944,062	7,944,062
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POSITIONS			4,343.50
TOTAL STATE OPERATIONS	420,794,801	90,630,616	511,425,417
	=====	=====	=====
AID TO LOC GOV - OPERATION			
STATE FUNDS - NONMATCHING	6,843,240		6,843,240
	-----	-----	-----
TOTAL AID TO LOC GOV - OPERATION	6,843,240		6,843,240
	=====	=====	=====
TRANS TO OTHER ENTITIES			
STATE FUNDS - NONMATCHING	997,914	6,570	1,004,484
FEDERAL FUNDS		4,216	4,216
TRANS/RECIPIENT/FED FUNDS		32,807	32,807
	-----	-----	-----
TOTAL TRANS TO OTHER ENTITIES	997,914	43,593	1,041,507
	=====	=====	=====
<u>FIXED CAPITAL OUTLAY</u>			
STATE CAPITAL OUTLAY - DMS			
STATE FUNDS - NONMATCHING	14,257,979		14,257,979
	-----	-----	-----
TOTAL STATE CAPITAL OUTLAY - DMS	14,257,979		14,257,979
	=====	=====	=====
ST CAPITAL OUTLAY - AGENCY			
STATE FUNDS - NONMATCHING	100,000		100,000
	-----	-----	-----
TOTAL ST CAPITAL OUTLAY - AGENCY	100,000		100,000
	=====	=====	=====
POSITIONS			4,343.50
TOTAL SECTION 7	442,993,934	90,674,209	533,668,143
	=====	=====	=====
FUNDING SOURCE RECAP			
STATE FUNDS - NONMATCHING	442,993,934	80,530,560	523,524,494
FEDERAL FUNDS		2,166,780	2,166,780
TRANS/RECIPIENT/FED FUNDS		7,976,869	7,976,869
	=====	=====	=====
TOTAL SPENDING AUTHORIZATIONS			
OPERATING	428,635,955	90,674,209	519,310,164
FIXED CAPITAL OUTLAY	14,357,979		14,357,979
	=====	=====	=====

SUMMARY FOR ALL SECTIONS
(FOR INFORMATION ONLY)

SPB 2500 FY 16-17

	GEN REVENUE	TRUST FUNDS	ALL FUNDS
ALL SECTIONS			
<u>OPERATING</u>			
STATE OPERATIONS			
STATE FUNDS - NONMATCHING	4,889,909,352	4,435,435,590	9,325,344,942
STATE FUNDS - MATCHING	565,460,083	387,324,561	952,784,644
FEDERAL FUNDS		2,354,314,664	2,354,314,664
TRANS/RECIPIENT/FED FUNDS		215,018,284	215,018,284
	-----	-----	-----
POSITIONS			112,908.82
TOTAL STATE OPERATIONS	5,455,369,435	7,392,093,099	12,847,462,534
	=====	=====	=====
AID TO LOC GOV - OPERATION			
STATE FUNDS - NONMATCHING	12,793,549,751	3,605,816,083	16,399,365,834
STATE FUNDS - MATCHING	1,370,177,169	94,358,037	1,464,535,206
FEDERAL FUNDS		2,935,419,336	2,935,419,336
TRANS/RECIPIENT/FED FUNDS		130,923,259	130,923,259
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TOTAL AID TO LOC GOV - OPERATION	14,163,726,920	6,766,516,715	20,930,243,635
	=====	=====	=====
PYMT OF PEN, BEN & CLAIMS			
STATE FUNDS - NONMATCHING	258,272,703	321,759,314	580,032,017
STATE FUNDS - MATCHING	11,243,619		11,243,619
FEDERAL FUNDS		16,547,000	16,547,000
TRANS/RECIPIENT/FED FUNDS		28,017	28,017
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TOTAL PYMT OF PEN, BEN & CLAIMS	269,516,322	338,334,331	607,850,653
	=====	=====	=====
PASS THRU/ST & FED FUNDS			
STATE FUNDS - NONMATCHING	2,893,732,714	680,525,743	3,574,258,457
STATE FUNDS - MATCHING		14,161,832	14,161,832
FEDERAL FUNDS		3,408,672,246	3,408,672,246
	-----	-----	-----
TOTAL PASS THRU/ST & FED FUNDS	2,893,732,714	4,103,359,821	6,997,092,535
	=====	=====	=====
MEDICAID AND TANF			
STATE FUNDS - NONMATCHING	800,000		800,000
STATE FUNDS - MATCHING	7,027,854,065	4,025,870,085	11,053,724,150
FEDERAL FUNDS		15,196,947,391	15,196,947,391
TRANS/RECIPIENT/FED FUNDS		666,065,787	666,065,787
	-----	-----	-----
TOTAL MEDICAID AND TANF	7,028,654,065	19,888,883,263	26,917,537,328
	=====	=====	=====
TRANS TO OTHER ENTITIES			
STATE FUNDS - NONMATCHING	76,218,984	183,952,398	260,171,382
STATE FUNDS - MATCHING	17,009,198	3,629,270	20,638,468
FEDERAL FUNDS		51,661,771	51,661,771
TRANS/RECIPIENT/FED FUNDS		690,871	690,871
	-----	-----	-----
TOTAL TRANS TO OTHER ENTITIES	93,228,182	239,934,310	333,162,492
	=====	=====	=====
<u>FIXED CAPITAL OUTLAY</u>			
STATE CAPITAL OUTLAY - DMS			
STATE FUNDS - NONMATCHING	37,496,832	8,183,879	45,680,711
STATE FUNDS - MATCHING		2,363,644	2,363,644
FEDERAL FUNDS		4,389,624	4,389,624
	-----	-----	-----
TOTAL STATE CAPITAL OUTLAY - DMS	37,496,832	14,937,147	52,433,979
	=====	=====	=====

SUMMARY FOR ALL SECTIONS
(FOR INFORMATION ONLY)

SPB 2500 FY 16-17

	GEN REVENUE	TRUST FUNDS	ALL FUNDS
ALL SECTIONS			
<u>FIXED CAPITAL OUTLAY</u>			
ST CAPITAL OUTLAY - AGENCY			
STATE FUNDS - NONMATCHING	45,721,647	383,918,219	429,639,866
FEDERAL FUNDS		16,532,636	16,532,636
TRANS/RECIPIENT/FED FUNDS		494,000	494,000
TOTAL ST CAPITAL OUTLAY - AGENCY	45,721,647	400,944,855	446,666,502
STATE CAPITAL OUTLAY - DOT			
STATE FUNDS - NONMATCHING		6,706,581,747	6,706,581,747
STATE FUNDS - MATCHING		64,794,074	64,794,074
FEDERAL FUNDS		2,328,307,685	2,328,307,685
TOTAL STATE CAPITAL OUTLAY - DOT		9,099,683,506	9,099,683,506
STATE CAPITAL OUTLAY-PECO			
STATE FUNDS - NONMATCHING		403,938,438	403,938,438
TOTAL STATE CAPITAL OUTLAY-PECO		403,938,438	403,938,438
AID TO LOC GOVT-CAP OUTLAY			
STATE FUNDS - NONMATCHING	106,692,902	151,144,109	257,837,011
STATE FUNDS - MATCHING	16,053,667	3,000,000	19,053,667
FEDERAL FUNDS		283,759,611	283,759,611
TOTAL AID TO LOC GOVT-CAP OUTLAY	122,746,569	437,903,720	560,650,289
DEBT SERVICE			
STATE FUNDS - NONMATCHING	58,942,666	1,713,847,097	1,772,789,763
TOTAL DEBT SERVICE	58,942,666	1,713,847,097	1,772,789,763
POSITIONS			112,908.82
TOTAL ALL SECTIONS	30,169,135,352	50,800,376,302	80,969,511,654
FUNDING SOURCE RECAP			
STATE FUNDS - NONMATCHING	21,161,337,551	18,595,102,617	39,756,440,168
STATE FUNDS - MATCHING	9,007,797,801	4,595,501,503	13,603,299,304
FEDERAL FUNDS		26,596,551,964	26,596,551,964
TRANS/RECIPIENT/FED FUNDS		1,013,220,218	1,013,220,218
TOTAL SPENDING AUTHORIZATIONS			
OPERATING	29,904,227,638	38,729,121,539	68,633,349,177
FIXED CAPITAL OUTLAY	264,907,714	12,071,254,763	12,336,162,477

SUMMARY BY SECTION BY DEPARTMENT
(FOR INFORMATION ONLY)SPB 2500 FY 16-17
(\$ IN MILLIONS)

	GENERAL REVENUE	LOTTERY	PECO	TOBACCO	OTHER TRUST	ALL FUNDS	POSITIONS
<u>OPERATING</u>							
SECTION 1 - EDUCATION ENHANCEMENT							
EDUCATION, DEPT OF.....	.0	1,425.8	.0	.0	.0	1,425.8	.00
TOTAL SECTION 1	.0	1,425.8	.0	.0	.0	1,425.8	.00
SECTION 2 - EDUCATION (ALL OTHER FUNDS)							
EDUCATION, DEPT OF.....	15,172.1	.0	.0	.0	4,795.1	19,967.1	2,325.75
TOTAL SECTION 2	15,172.1	.0	.0	.0	4,795.1	19,967.1	2,325.75
EDUCATION RECAP							
EDUCATION/EARLY LEARNING...	554.7	.0	.0	.0	477.1	1,031.8	100.00
EDUCATION/PUBLIC SCHOOLS...	10,813.2	583.9	.0	.0	1,989.9	13,386.9	.00
EDUCATION/FL COLLEGES.....	962.1	265.3	.0	.0	.0	1,227.4	.00
EDUCATION/UNIVERSITIES.....	2,422.1	296.4	.0	.0	1,962.2	4,680.7	.00
EDUCATION/OTHER.....	420.0	280.2	.0	.0	365.9	1,066.1	2,225.75
TOTAL EDUCATION RECAP	15,172.1	1,425.8	.0	.0	4,795.1	21,392.9	2,325.75
SECTION 3 - HUMAN SERVICES							
AGENCY/HEALTH CARE ADMIN....	6,562.9	.0	.0	266.0	19,707.5	26,536.4	1,545.00
AGENCY/PERSONS WITH DISABL...	516.0	.0	.0	.0	719.4	1,235.5	2,711.50
CHILDREN & FAMILIES.....	1,708.3	.0	.0	.0	1,354.4	3,062.7	11,872.50
ELDER AFFAIRS, DEPT OF.....	131.0	.0	.0	.0	170.0	301.0	433.50
HEALTH, DEPT OF.....	527.1	.0	.0	68.1	2,270.1	2,865.3	13,841.57
VETERANS' AFFAIRS, DEPT OF...	9.8	.0	.0	.0	87.0	96.9	1,106.50
TOTAL SECTION 3	9,455.2	.0	.0	334.1	24,308.6	34,097.8	31,510.57
SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS							
CORRECTIONS, DEPT OF.....	2,260.6	.0	.0	.0	71.4	2,331.9	23,892.00
FL COMMISSN/OFFENDER REVIEW...	9.8	.0	.0	.0	.1	9.9	132.00
JUSTICE ADMINISTRATION.....	733.4	.0	.0	.0	143.3	876.7	10,501.50
JUVENILE JUSTICE, DEPT OF...	384.0	.0	.0	.0	150.1	534.1	3,269.50
LAW ENFORCEMENT, DEPT OF...	115.3	.0	.0	.0	171.6	286.9	1,815.00
LEGAL AFFAIRS/ATTY GENERAL...	52.9	.0	.0	.0	254.8	307.7	1,390.50
TOTAL SECTION 4	3,555.9	.0	.0	.0	791.2	4,347.1	41,000.50
SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION							
AGRIC/CONSUMER SVCS/COMMR....	97.2	.0	.0	.0	1,530.2	1,627.4	3,632.25
ENVIR PROTECTION, DEPT OF....	11.0	.0	.0	.0	489.3	500.3	2,928.50
FISH/WILDLIFE CONSERV COMM....	3.8	.0	.0	.0	367.0	370.8	2,118.50
TRANSPORTATION, DEPT OF.....	.0	.0	.0	.0	746.3	746.3	6,379.00
TOTAL SECTION 5	112.0	.0	.0	.0	3,132.8	3,244.7	15,058.25
SECTION 6 - GENERAL GOVERNMENT							
ADMINISTERED FUNDS.....	399.8	.0	.0	.0	69.4	469.3	.00
BUSINESS/PROFESSIONAL REG....	2.5	.0	.0	.0	150.6	153.1	1,618.25
CITRUS, DEPT OF.....	.0	.0	.0	.0	41.8	41.8	55.00
ECONOMIC OPPORTUNITY.....	191.1	.0	.0	.0	1,239.7	1,430.9	1,537.50
FINANCIAL SERVICES.....	24.6	.0	.0	.0	321.5	346.0	2,604.50

NOTE: AMOUNTS ACROSS AND DOWN MAY NOT EQUAL DUE TO ROUNDING.

SUMMARY BY SECTION BY DEPARTMENT
(FOR INFORMATION ONLY)SPB 2500 FY 16-17
(\$ IN MILLIONS)

	GENERAL REVENUE	LOTTERY	PECO	TOBACCO	OTHER TRUST	ALL FUNDS	POSITIONS
<u>OPERATING</u>							
<u>SECTION 6 - GENERAL GOVERNMENT</u>							
GOVERNOR, EXECUTIVE OFFICE...	25.4	.0	.0	.0	330.9	356.3	433.00
HIWAY SAFETY/MTR VEH, DEPT...	.0	.0	.0	.0	459.5	459.5	4,414.00
LEGISLATIVE BRANCH.....	201.2	.0	.0	.0	2.5	203.6	.00
LOTTERY, DEPARTMENT OF THE...	.0	.0	.0	.0	167.1	167.1	420.00
MANAGEMENT SVCS, DEPT OF...	34.3	.0	.0	.0	586.6	620.9	1,323.00
MILITARY AFFAIRS, DEPT OF...	21.1	.0	.0	.0	44.1	65.2	453.00
PUBLIC SERVICE COMMISSION...	.2	.0	.0	.0	24.4	24.6	268.00
REVENUE, DEPARTMENT OF...	210.6	.0	.0	.0	374.0	584.6	5,132.00
STATE, DEPT OF.....	69.7	.0	.0	.0	38.8	108.5	412.00
TOTAL SECTION 6	1,180.5	.0	.0	.0	3,851.0	5,031.5	18,670.25
<u>SECTION 7 - JUDICIAL BRANCH</u>							
STATE COURT SYSTEM.....	428.6	.0	.0	.0	90.7	519.3	4,343.50
TOTAL SECTION 7	428.6	.0	.0	.0	90.7	519.3	4,343.50
TOTAL OPERATING	29,904.2	1,425.8	.0	334.1	36,969.3	68,633.3	112,908.82
<u>FIXED CAPITAL OUTLAY</u>							
<u>SECTION 1 - EDUCATION ENHANCEMENT</u>							
EDUCATION, DEPT OF.....	.0	313.7	.0	.0	.0	313.7	.00
TOTAL SECTION 1	.0	313.7	.0	.0	.0	313.7	.00
<u>SECTION 2 - EDUCATION (ALL OTHER FUNDS)</u>							
EDUCATION, DEPT OF.....	9.9	.0	1,244.8	.0	173.1	1,427.9	.00
TOTAL SECTION 2	9.9	.0	1,244.8	.0	173.1	1,427.9	.00
<u>EDUCATION RECAP</u>							
EDUCATION/EARLY LEARNING...	3.0	.0	.0	.0	.0	3.0	.00
EDUCATION/PUBLIC SCHOOLS...	6.9	.0	.0	.0	.0	6.9	.00
EDUCATION/FL COLLEGES.....	.0	.0	.0	.0	.0	.0	.00
EDUCATION/UNIVERSITIES.....	.0	.0	.0	.0	.0	.0	.00
EDUCATION/OTHER.....	.0	313.7	1,244.8	.0	173.1	1,731.7	.00
TOTAL EDUCATION RECAP	9.9	313.7	1,244.8	.0	173.1	1,741.6	.00
<u>SECTION 3 - HUMAN SERVICES</u>							
AGENCY/PERSONS WITH DISABL...	4.7	.0	.0	.0	.0	4.7	.00
CHILDREN & FAMILIES.....	3.8	.0	.0	.0	.0	3.8	.00
ELDER AFFAIRS, DEPT OF.....	.2	.0	.0	.0	.0	.2	.00
HEALTH, DEPT OF.....	8.6	.0	.0	.0	7.9	16.5	.00
VETERANS' AFFAIRS, DEPT OF...	.0	.0	.0	.0	8.8	8.8	.00
TOTAL SECTION 3	17.2	.0	.0	.0	16.7	33.9	.00
<u>SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS</u>							
CORRECTIONS, DEPT OF.....	71.8	.0	.0	.0	.0	71.8	.00
JUVENILE JUSTICE, DEPT OF...	5.8	.0	.0	.0	.0	5.8	.00
LAW ENFORCEMENT, DEPT OF...	3.0	.0	.0	.0	.0	3.0	.00

NOTE: AMOUNTS ACROSS AND DOWN MAY NOT EQUAL DUE TO ROUNDING.

SUMMARY BY SECTION BY DEPARTMENT
(FOR INFORMATION ONLY)SPB 2500 FY 16-17
(\$ IN MILLIONS)

	GENERAL REVENUE	LOTTERY	PECO	TOBACCO	OTHER TRUST	ALL FUNDS	POSITIONS
<u>FIXED CAPITAL OUTLAY</u>							
<u>SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS</u>							
TOTAL SECTION 4	80.6	.0	.0	.0	.0	80.6	.00
<u>SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION</u>							
AGRIC/CONSUMER SVCS/COMMR...	25.1	.0	.0	.0	15.9	41.0	.00
ENVIR PROTECTION, DEPT OF...	66.5	.0	.0	.0	958.7	1,025.2	.00
FISH/WILDLIFE CONSERV COMM...	2.8	.0	.0	.0	11.2	14.0	.00
TRANSPORTATION, DEPT OF.....	.0	.0	.0	.0	9,277.6	9,277.6	.00
TOTAL SECTION 5	94.4	.0	.0	.0	10,263.3	10,357.7	.00
<u>SECTION 6 - GENERAL GOVERNMENT</u>							
CITRUS, DEPT OF.....	.0	.0	.0	.0	.1	.1	.00
ECONOMIC OPPORTUNITY.....	.0	.0	.0	.0	3.7	3.7	.00
FINANCIAL SERVICES.....	.0	.0	.0	.0	.4	.4	.00
GOVERNOR, EXECUTIVE OFFICE...	.0	.0	.0	.0	3.0	3.0	.00
HIWAY SAFETY/MTR VEH, DEPT...	.0	.0	.0	.0	7.9	7.9	.00
MANAGEMENT SVCS, DEPT OF...	21.4	.0	.0	.0	38.6	60.0	.00
MILITARY AFFAIRS, DEPT OF...	5.0	.0	.0	.0	.0	5.0	.00
STATE, DEPT OF.....	22.1	.0	.0	.0	5.9	27.9	.00
TOTAL SECTION 6	48.4	.0	.0	.0	59.5	108.0	.00
<u>SECTION 7 - JUDICIAL BRANCH</u>							
STATE COURT SYSTEM.....	14.4	.0	.0	.0	.0	14.4	.00
TOTAL SECTION 7	14.4	.0	.0	.0	.0	14.4	.00
TOTAL FIXED CAPITAL OUTLAY	264.9	313.7	1,244.8	.0	10,512.7	12,336.2	.00
<u>OPERATING AND FIXED CAPITAL OUTLAY</u>							
<u>SECTION 1 - EDUCATION ENHANCEMENT</u>							
EDUCATION, DEPT OF.....	.0	1,739.5	.0	.0	.0	1,739.5	.00
TOTAL SECTION 1	.0	1,739.5	.0	.0	.0	1,739.5	.00
<u>SECTION 2 - EDUCATION (ALL OTHER FUNDS)</u>							
EDUCATION, DEPT OF.....	15,182.0	.0	1,244.8	.0	4,968.2	21,395.0	2,325.75
TOTAL SECTION 2	15,182.0	.0	1,244.8	.0	4,968.2	21,395.0	2,325.75
<u>EDUCATION RECAP</u>							
EDUCATION/EARLY LEARNING...	557.7	.0	.0	.0	477.1	1,034.8	100.00
EDUCATION/PUBLIC SCHOOLS...	10,820.1	583.9	.0	.0	1,989.9	13,393.9	.00
EDUCATION/FL COLLEGES.....	962.1	265.3	.0	.0	.0	1,227.4	.00
EDUCATION/UNIVERSITIES.....	2,422.1	296.4	.0	.0	1,962.2	4,680.7	.00
EDUCATION/OTHER.....	420.0	593.9	1,244.8	.0	539.0	2,797.8	2,225.75
TOTAL EDUCATION RECAP	15,182.0	1,739.5	1,244.8	.0	4,968.2	23,134.5	2,325.75

NOTE: AMOUNTS ACROSS AND DOWN MAY NOT EQUAL DUE TO ROUNDING.

SUMMARY BY SECTION BY DEPARTMENT
(FOR INFORMATION ONLY)SPB 2500 FY 16-17
(\$ IN MILLIONS)

	GENERAL REVENUE	LOTTERY	PECO	TOBACCO	OTHER TRUST	ALL FUNDS	POSITIONS
<u>OPERATING AND FIXED CAPITAL OUTLAY</u>							
SECTION 3 - HUMAN SERVICES							
AGENCY/HEALTH CARE ADMIN.....	6,562.9	.0	.0	266.0	19,707.5	26,536.4	1,545.00
AGENCY/PERSONS WITH DISABL....	520.7	.0	.0	.0	719.4	1,240.2	2,711.50
CHILDREN & FAMILIES.....	1,712.1	.0	.0	.0	1,354.4	3,066.5	11,872.50
ELDER AFFAIRS, DEPT OF.....	131.2	.0	.0	.0	170.0	301.2	433.50
HEALTH, DEPT OF.....	535.7	.0	.0	68.1	2,278.1	2,881.8	13,841.57
VETERANS' AFFAIRS, DEPT OF....	9.8	.0	.0	.0	95.8	105.6	1,106.50
TOTAL SECTION 3	9,472.4	.0	.0	334.1	24,325.2	34,131.7	31,510.57
=====							
SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS							
CORRECTIONS, DEPT OF.....	2,332.3	.0	.0	.0	71.4	2,403.7	23,892.00
FL COMMISSN/OFFENDER REVIEW....	9.8	.0	.0	.0	.1	9.9	132.00
JUSTICE ADMINISTRATION.....	733.4	.0	.0	.0	143.3	876.7	10,501.50
JUVENILE JUSTICE, DEPT OF....	389.8	.0	.0	.0	150.1	539.9	3,269.50
LAW ENFORCEMENT, DEPT OF.....	118.3	.0	.0	.0	171.6	289.9	1,815.00
LEGAL AFFAIRS/ATTY GENERAL....	52.9	.0	.0	.0	254.8	307.7	1,390.50
TOTAL SECTION 4	3,636.5	.0	.0	.0	791.2	4,427.7	41,000.50
=====							
SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION							
AGRIC/CONSUMER SVCS/COMMR....	122.3	.0	.0	.0	1,546.1	1,668.3	3,632.25
ENVIR PROTECTION, DEPT OF.....	77.5	.0	.0	.0	1,447.9	1,525.4	2,928.50
FISH/WILDLIFE CONSERV COMM....	6.6	.0	.0	.0	378.2	384.8	2,118.50
TRANSPORTATION, DEPT OF.....	.0	.0	.0	.0	10,023.9	10,023.9	6,379.00
TOTAL SECTION 5	206.4	.0	.0	.0	13,396.1	13,602.4	15,058.25
=====							
SECTION 6 - GENERAL GOVERNMENT							
ADMINISTERED FUNDS.....	399.8	.0	.0	.0	69.4	469.3	.00
BUSINESS/PROFESSIONAL REG....	2.5	.0	.0	.0	150.6	153.1	1,618.25
CITRUS, DEPT OF.....	.0	.0	.0	.0	41.9	41.9	55.00
ECONOMIC OPPORTUNITY.....	191.1	.0	.0	.0	1,243.4	1,434.6	1,537.50
FINANCIAL SERVICES.....	24.6	.0	.0	.0	321.9	346.4	2,604.50
GOVERNOR, EXECUTIVE OFFICE....	25.4	.0	.0	.0	333.9	359.3	433.00
HIWAY SAFETY/MTR VEH, DEPT....	.0	.0	.0	.0	467.4	467.4	4,414.00
LEGISLATIVE BRANCH.....	201.2	.0	.0	.0	2.5	203.6	.00
LOTTERY, DEPARTMENT OF THE....	.0	.0	.0	.0	167.1	167.1	420.00
MANAGEMENT SRVCS, DEPT OF....	55.7	.0	.0	.0	625.3	680.9	1,323.00
MILITARY AFFAIRS, DEPT OF....	26.1	.0	.0	.0	44.1	70.2	453.00
PUBLIC SERVICE COMMISSION....	.2	.0	.0	.0	24.4	24.6	268.00
REVENUE, DEPARTMENT OF.....	210.6	.0	.0	.0	374.0	584.6	5,132.00
STATE, DEPT OF.....	91.8	.0	.0	.0	44.6	136.4	412.00
TOTAL SECTION 6	1,228.9	.0	.0	.0	3,910.6	5,139.5	18,670.25
=====							
SECTION 7 - JUDICIAL BRANCH							
STATE COURT SYSTEM.....	443.0	.0	.0	.0	90.7	533.7	4,343.50
TOTAL SECTION 7	443.0	.0	.0	.0	90.7	533.7	4,343.50
=====							
TOTAL OPERATING AND FCO	30,169.1	1,739.5	1,244.8	334.1	47,482.0	80,969.5	112,908.82
=====							

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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)

2-3-16

Meeting Date

2500

Bill Number (if applicable)

Topic #8 Veterans Nursing Home in Marion County

Amendment Barcode (if applicable)

Name Earl Annett

Job Title Marion County Commissioner

Address 601 SE 25th Ave

Phone 352 438 2323

Street

Ocala

City

FL

State

34471

Zip

Email _____

Speaking: ☒ For ☐ Against ☐ Information

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

Representing _____

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.

THE FLORIDA SENATE
APPEARANCE RECORD

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

2-3-2016

Meeting Date

Bill Number (if applicable)

Topic Senate Education Sub Committee Budget Proposal

Amendment Barcode (if applicable)

Name Daniel Lyons

Job Title Chief Executive Officer

Address 10634 Summit Square Dr.

Phone 772-263-2723

Street

Leesburg

FL

34788

Email dlyons@flabgc.org

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Florida Alliance of Boys & Girls Clubs

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.

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)

2-3-2016

Meeting Date

Bill Number (if applicable)

Topic Senate Education Sub Committee Budget Proposal

Amendment Barcode (if applicable)

Name Lynn Dorler

Job Title Chief Executive Officer

Address 21450 Gibraltar Drive # 10

Phone 941-235-2472

Street

Port Charlotte

FL

33952

Email ldorler@bgcofcc.org

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Boys & Girls Clubs of Charlotte County

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.

THE FLORIDA SENATE
APPEARANCE RECORD

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

2-3-2016

Meeting DateBill Number (if applicable)Topic Senate Education Sub Committee Budget ProposalAmendment Barcode (if applicable)Name Theresa J. ShawJob Title Chief Executive OfficerAddress 7500 Davis BlvdPhone 239-250-0109StreetNaplesFL34104Email tshaw@bgccc.comCityStateZipSpeaking: ☐ For ☐ Against ☐ InformationWaive Speaking: ☐ In Support ☒ Against
(The Chair will read this information into the record.)Representing Boys & Girls Clubs of Collier CountyAppearing at request of Chair: ☐ Yes ☐ NoLobbyist 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.

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)

2-3-2016

Meeting Date

Bill Number (if applicable)

Topic Senate Education Sub Committee Budget Proposal

Amendment Barcode (if applicable)

Name Dawn Stanhope

Job Title Chief Executive Officer

Address 1215 Manatee Ave W

Phone 941-761-2582 x.102

Street

Bradenton

FL

34205

City

State

Zip

Email dawn.stanhope@bgcmanatee.org

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Boys & Girls Clubs of Manatee County

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.

S-001 (10/14/14)

2-3-2016

Bill Number (if applicable)

Topic Senate Education Sub Committee Budget Proposal

Amendment Barcode (if applicable)

Name Brian Quail

Job Title Chief Executive Officer

Address 877 NW 61st Street

Phone 954-537-1010

Fort Lauderdale

FL

33309

Email bquail@bgcbc.org

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

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

Representing **Boys & Girls Clubs of Broward County**

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.

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)

2-3-2016

Meeting Date

Bill Number (if applicable)

Topic Senate Education Sub Committee Budget Proposal

Amendment Barcode (if applicable)

Name Shervin Rassa

Job Title Chief Executive Officer

Address 923 Denton Blvd.

Phone 850-862-1616

Street

Fort Walton Beach

FL

32547

City

State

Zip

Email srassa@bgcec.com

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Boys & Girls Clubs of the Emerald Coast

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.

S-001 (10/14/14)

THE FLORIDA SENATE

February 3, 2016

SPB2500

Topic 96A - Aid to Local Governments Grants and Aids - After Care and Mentoring Program from General Revenue Fund

Name Cary Ombres

Job Title Director of Programs

Address 105 E. Robinson Street, Suite 540

Phone 407-898-0787

Orlando

FL

32801

Email CaryOmbres@bestbuddies.org

State

Zip

Speaking: ☐ For ☒ Against ☐ Information

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

Representing **Best Buddies International, 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.

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

S0011054/05

THE FLORIDA SENATE
APPEARANCE RECORD

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

FEB 3, 2016

Meeting Date

SB 2500

Bill Number (if applicable)

Topic MENTORING FUNDING

Amendment Barcode (if applicable)

Name JUDI MILLER

Job Title CEO, Big Brothers Big Sisters

Address 403 NORTH US 1

Phone (772) 466-8535 ext. 202

Street

Ft. Pierce

City

FL

State

34950

Zip

Email Judi bbbs@gmail.com

Speaking: ☐ For ☒ Against ☒ Information

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

Representing BIG BROTHERS BIG SISTERS

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.

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 Committee on Appropriations

BILL: SB 2502

INTRODUCER: Appropriations Committee

SUBJECT: Implementing the 2016-2017 General Appropriations Act

DATE: February 3, 2016

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. McSwain	Kynoch		AP Submitted as Committee Bill

I. Summary:

SB 2502 provides the statutory authority necessary to implement and execute the General Appropriations Act for Fiscal Year 2016-2017. Statutory changes are temporary and expire on July 1, 2017.

The bill provides an effective date of July 1, 2016, except as otherwise provided.

II. Present Situation:

Article III, s. 12 of the Florida Constitution provides that “[l]aws making appropriations for salaries of public officers and other current expenses of the state shall contain provisions on no other subject.” This language has been interpreted to defeat proviso language attached to appropriations that have the effect of changing general law.¹ For this reason, when general law changes are required to effectuate appropriations, those changes are placed in a general bill implementing the appropriations act instead of in the general appropriations act. The statutory changes are effective only for one year and either expire on July 1 of the next fiscal year or the language of the amended statute reverts that which existed before the changes made by the bill.

III. Effect of Proposed Changes:

Section 1 provides legislative intent that the implementing and administering provisions of this act apply to the General Appropriations Act for Fiscal Year 2016-2017.

Section 2 incorporates the Florida Education Finance Program (FEFP) work papers by reference for the purpose of displaying the calculations used by the Legislature.

Section 3 provides that funds provided for instructional materials shall be released and expended as required in the proviso language attached to Specific Appropriation 94.

¹ *Brown v. Firestone*, 382 So.2d 654 (Fla. 1980); *Chiles v. Milligan*, 659 So.2d 1055 (Fla. 1995).

Section 4 provides that any district school board that generates less than \$2 million dollars in revenue from one mill of ad valorem tax shall contribute 0.75 mill, rather than 1.5 mills, for Fiscal Year 2016-2017 to the cost of funded special facilities projects.

Sections 5, 6, and 7 provide changes, for the 2016-2017 fiscal year, to the calculation of multiple components of the Florida Education Finance Program (FEFP), including:

- Providing funding for the 300 lowest performing elementary schools through funds allocated in the Supplemental Academic Instruction (SAI) and the Research-Based Reading Instruction Allocation categoricals and amends the SAI calculation.
- Modifying the sparsity supplement calculation to compute the sparsity supplement for larger eligible districts with a full-time equivalent (FTE) student membership of between 20,000 and 24,000, by dividing the total number of full-time equivalent students in all programs by the number of permanent senior high school centers in the district, not in excess of four.
- Reauthorizing the federally connected student supplement to provide funding to school districts to support the education of students connected with federally-owned military installations, National Aeronautics and Space Administration (NASA) property, and Indian lands. To be eligible for this supplement, the district must also be eligible for federal impact aid funds, pursuant to Title VIII of the Elementary and Secondary Education Act of 1965.
- Authorizing a recalculation of the ESE Guaranteed Allocation based on actual FTE as reported on the October FTE survey.
- Conforming a cross-reference in s.1011.71, F.S., changed as a result of the addition of the federally connected student supplement as a new subsection of law in s.1011.62, F.S.

Sections 8 and 9 extend the Adults with Disabilities Pilot Program through July 1, 2017.

Section 10 authorizes state universities to expend university reserves for fixed capital outlay projects approved by the Board of Governors which include significant academic instructional space or critical deferred maintenance needs in this area.

Section 11 reauthorizes the State University System (SUS) Performance-Based Incentive funding model, for Fiscal Year 2016-2017, to evaluate the state universities' performance on specified metrics. Funding for the SUS Performance Based Incentive consists of a state investment, plus an institutional investment consisting of funds redistributed from SUS base funding.

Section 12 reauthorizes the Florida College System (FCS) Performance Based Incentive funding model, for Fiscal Year 2016-2017, to evaluate the FCS institutions' performance on specified metrics. Funding for the FCS Performance Based Incentive consists of a state investment, plus an institutional investment consisting of funds redistributed from the Florida College System Program Fund.

Section 13 requires the Department of Education to administer an educator liability insurance program, which provides a minimum of \$2 million in liability coverage for all full-time public school instructional personnel.

Section 14 establishes the Distinguished Florida College System program which recognizes the highest performing Florida Colleges.

Sections 15 and 16 amend the preeminent state research universities program by modifying the academic and research excellence standards and requiring the Board of Governors (BOG) to designate each state university that meets at least six of the 12 academic and research excellence standards as an “emerging preeminent state research university.”

Section 17 provides that the Agency for Health Care Administration is authorized to submit a budget amendment to realign Medicaid funding based on the parameters of various hospital funding programs included in the document titled “Medicaid Hospital Funding Programs” incorporated by reference in SPB 2502, consistent with legislative intent.

Section 18 provides parameters to the Agency for Persons with Disabilities for removing clients from the wait list for home and community-based waiver services and provides client prioritization for that process.

Section 19 provides requirements to the Agency for Persons with Disabilities for setting iBudget amounts for clients receiving home and community-based waiver services. Provides parameters under which a client’s iBudget amount may be increased.

Section 20 amends s. 296.37(3), F.S., for the 2016-2017 fiscal year, to maintain the personal needs allowance for residents of state veterans' nursing homes at \$105 per month. Otherwise, the amount would fall to \$35 per month on July 1, 2016.

Section 21 requires the Agency for Health Care Administration to ensure that nursing facility residents eligible for funds to transition to home and community-based services waivers must first have resided in a skilled nursing facility for at least 60 consecutive days.

Section 22 requires the Agency for Health Care Administration (AHCA) and the Department of Elder Affairs (DOEA) to prioritize individuals for enrollment in the Long Term Care waiver using a frailty based screening instrument resulting in a prioritization score and shall enroll individuals in the Long Term Care waiver in accordance with the assigned priority score as funds are available. The AHCA may adopt rules, pursuant to s. 409.919, F.S., and enter into interagency agreements necessary to administer s. 409.979(3), F.S. Any rules or interagency agreements adopted by the AHCA relating to the scoring process may delegate to the DOEA, pursuant to 409.978, F.S., responsibility for implementing and administering the scoring process, providing notice of Medicaid fair hearing rights, and responsibility for defending, as needed, the scores assigned to persons on the Long Term Care waiver waitlist in any resulting Medicaid fair hearings. The DOEA may delegate the provision of notice of Medicaid fair hearing rights to its contractors.

Section 23 authorizes the Agency for Health Care Administration to submit a budget amendment to realign funding based on the implementation of the Managed Medical Assistance component of the Statewide Medicaid Managed Care program in order to reflect the actual enrollment changes due to the transfer of beneficiaries from fee-for-service to capitated managed care plans for medical assistance services.

Section 24 provides that the calculations of the Medicaid Low-Income Pool, Disproportionate Share Hospital, and hospital reimbursement programs for the 2016-2017 fiscal year contained in the document titled “Medicaid Hospital Funding Programs,” dated _____, 2016, and filed with the Secretary of the Senate, are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with the requirements of state law, in making appropriations for the Medicaid Low-Income Pool, Disproportionate Share Hospital, and hospital reimbursement programs.

Section 25 amends s. 893.055(17), F.S., to provide that, for the 2016-2017 fiscal year only, the Department of Health may use state funds appropriated in the 2016-2017 General Appropriations Act to administer the prescription drug monitoring program. Also provides that neither the state attorney general nor the department may use funds received as part of a settlement agreement to administer the program.

Section 26 amends s. 216.262, F.S., to allow the Executive Office of the Governor (EOG) to request additional positions and appropriations from unallocated general revenue funds during the 2016-2017 fiscal year for the Department of Corrections (DOC) if the actual inmate population of the DOC exceeds certain Criminal Justice Estimating Conference forecasts. The additional positions and appropriations may be used for essential staff, fixed capital improvements, and other resources to provide classification, security, food services, health services, and other variable expenses within the institutions to accommodate the estimated increase in the inmate population, and are subject to Legislative Budget Commission review and approval.

Section 27 authorizes the Department of Legal Affairs to expend appropriated funds in those specific appropriations on the same programs that were funded by the department pursuant to specific appropriations made in general appropriations acts in prior years.

Section 28 amends s. 932.7055, F.S., relating to the disbursement of proceeds from the sale of forfeited property, to extend for another year the authorization for a municipality to expend funds in a special law enforcement trust fund to reimburse the general fund of the municipality for moneys advanced from the general fund to the special law enforcement trust fund prior to October 1, 2001.

Section 29 amends s. 215.18, F.S., to provide the Chief Justice the authority to request a trust fund loan.

Section 30 prohibits the Department of Corrections from transferring funds from salaries and benefits to any other appropriations category without the approval of the Legislative Budget Commission.

Section 31 requires the Department of Juvenile Justice to ensure that counties are fulfilling their financial responsibilities and to report any deficiencies to the Department of Revenue. If the Department of Juvenile Justice determines that a county has not met its obligations, it must direct the Department of Revenue to deduct the amount owed to the Department of Juvenile Justice from shared revenue funds provided to the county under s. 218.23, F.S.

Sections 32 and 33 amend s. 27.5304, F.S., to permit the Legislature to increase the statutory compensation limits for fees paid to court-appointed attorneys in two case categories: noncapital, nonlife felonies and life felonies. These changes allow the Legislature to increase flat fees paid to attorneys in these categories in the General Appropriations Act.

Section 34 amends s. 28.36, F.S., to provide for the distribution of the funds appropriated from general revenue to augment the Clerks of the Court revenues for County Fiscal Year 2015-2016 and for County Fiscal Year 2016-2017, to address ongoing revenue deficits of the Clerks of the Court.

Section 35 requires the Department of Management Services (DMS) and agencies to utilize a tenant broker to renegotiate private lease agreements, in excess of 2,000 square feet, expiring before June 30, 2019.

Sections 36 and 37 reenact s. 624.502, F.S., to require that fees for service of process against the Department of Financial Services or Office of Insurance Regulation be deposited to the Administrative Trust Fund rather than the Insurance Regulatory Trust Fund.

Sections 38 and 39 reenact s. 282.709, F.S., relating to the Joint Task Force on State Agency Law Enforcement Communications, by removing a representative from the Department of Transportation from the task force and adding a representative from the Department of Agriculture and Consumer Services to the task force.

Section 40 provides that the online procurement system transaction fee authorized in ss. 287.042(1)(h)1 and 287.057(22)(c), F.S., will remain at 0.7 percent for the 2016-2017 fiscal year only.

Section 41 amends s. 259.105, F.S., related to the distribution of proceeds in the Florida Forever Trust Fund, to provide \$22,256,206 to only the Division of State Lands within the Department of Environmental Protection (DEP) for the Board of Trustees Florida Forever Priority List land acquisition projects, to provide \$30 million to the Florida Communities Trust Program, and to require the allocation of 66.67 percent of funds available for the Florida Communities Trust for projects acquiring conservation or recreation lands to enhance recreational opportunities for individuals with unique abilities. Additionally, the DEP is authorized to waive local government match requirements for Florida Communities Trust projects that acquire conservation or recreational lands to enhance recreational opportunities for individuals with unique abilities.

Section 42 requires that a minimum of thirty percent of the Fiscal Year 2016-2017 funding for the Florida Development Assistance Program (FRDAP) be used exclusively for projects that provide recreational enhancements and opportunities for individuals with unique abilities and that the DEP establish a separate application process for such projects.

Section 43 expands the powers of the Florida Communities Trust to include authority necessary to undertake, coordinate, and fund projects that provide accessibility, availability, or adaptability of conservation or recreation lands for individuals with unique abilities.

Section 44 amends s. 216.181(11)(d), F.S., to authorize the Legislative Budget Commission to increase amounts appropriated to the Fish and Wildlife Conservation Commission or the DEP for fixed capital outlay projects. The increase in fixed capital outlay budget authority is authorized for funds provided to the state from the Gulf Environmental Benefit Fund administered by the National Fish and Wildlife Foundation, the Gulf Coast Restoration Trust Fund related to the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast Act of 2012 (RESTORE Act), or from British Petroleum Corporation (BP) for natural resources damage assessment early restoration projects. Any continuing commitment for future appropriations by the Legislature must be specifically identified.

Sections 45 and 46 eliminate certain revenues from the calculation of the unobligated balance of the Water Quality Assurance Trust Fund within the Department of Environmental Protection which are used to determine the excise tax rates that supports the expenditures within the trust fund.

Section 47 establishes a solid waste management closure account within the Solid Waste Management Trust Fund within the DEP to provide funding for the closing and long-term care of solid waste management facilities.

Section 48 amends s. 403.7095, F.S., to require the DEP to award \$1.5 million in Fiscal Year 2015-2016 and \$3,750,000 in Fiscal Year 2016-2017, of grant funds equally to counties having populations of fewer than 100,000 for waste tire, litter prevention, recycling and education, and general solid waste programs under the solid waste management grant program.

Section 49 amends s. 215.18(3), F.S., to authorize the Governor to temporarily transfer moneys, from one or more of the trust funds in the State Treasury, to a land acquisition trust fund (LATF) within the Department of Agriculture and Consumer Services, the DEP, the Department of State, or the Fish and Wildlife Conservation Commission, whenever there is a deficiency that would render the LATF temporarily insufficient to meet its just requirements, including the timely payment of appropriations from that trust fund. These funds must be expended solely and exclusively in accordance with Art. X, s. 28 of the Florida Constitution. This transfer is a temporary loan and the funds must be repaid to the trust funds from which the moneys were loaned by the end of the 2016-2017 fiscal year. Any action proposed pursuant to this subsection is subject to the notice, review, and objection procedures of s. 216.177, F.S., and the Governor shall provide notice of such action at least seven days before the effective date of the transfer of trust funds.

Section 50 provides that, in order to implement specific appropriations from the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of Environmental Protection (DEP), the Fish and Wildlife Conservation Commission, and the Department of State, the DEP will transfer a proportionate share of revenues in the Land Acquisition Trust Fund within the DEP on a monthly basis, after subtracting required debt service payments, to each agency and retain a proportionate share within the Land Acquisition Trust Fund within the DEP. Total distributions to a land acquisition trust fund within the other agencies may not exceed the total appropriations for the fiscal year.

Sections 51 and 52 authorizes the transfer of interest earnings from the Inland Protection Trust Fund to the Water Quality Assurance Trust Fund within the DEP as authorized in the General Appropriations Act.

Sections 53 and 54 amend s. 288.047, F.S., to specifically authorize CareerSource Florida, Inc., (CareerSource) to approve applications and execute Quick Response Training (QRT) agreements with terms not to exceed 24 months, as long as the total amount of contractual obligations at any given time does not exceed \$30,000,000, and to provide that the total amount of reimbursements approved for payment by CareerSource, based on actual performance under grant agreements, may not exceed the amount appropriated to CareerSource for the QRT program during Fiscal Year 2016-2017. The Department of Economic Opportunity (DEO) is required to transfer funds to CareerSource only as needed to make reimbursement payments; however, CareerSource may request an advance to reimburse estimated claims for the first quarter of Fiscal Year 2016-2017. Additionally:

- An obsolete reference to the term “enterprise zone” is replaced with the term “rural area of opportunity,” for purposes of the six month set-aside for training programs for businesses located in certain areas;
- Educational institutions are authorized to be a party to QRT grant agreements, in addition to CareerSource and the business; and
- Matching contributions received during the fiscal year from businesses participating in the QRT program may be counted as private sector support for Enterprise Florida, Inc.

Section 55 requires the Department of Transportation (DOT) to fund a statewide system of multi-use trails and related facilities, notwithstanding ss. 339.135(4)(a) and (5)(a), F.S., relating to geographic equity requirements for funding transportation projects. The section also provides that this funding may not impact any existing projects for multi-use trails and related facilities that are in the work program as of July 1, 2016.

Section 55 also amends s. 339.135, F.S., to authorize the DOT to use up to \$15 million of appropriated funds to pay the costs of strategic and regionally significant transportation projects. Funds may be used to provide up to 75 percent of projects costs for production-ready eligible projects. Preference must be given to projects that support the state’s economic regions or have been identified as regionally significant in accordance with s. 339.155(4)(c), (d), and (e), F.S., and that have an increased level of non-state match.

Section 56 provides that, notwithstanding s. 339.2818(2)(a), F.S., the DOT may use appropriated funds to serve any county with a population of 170,000 or less through the Small County Outreach Program in the 5-year work program for the 2016-2017 fiscal year.

Sections 57 and 58 reenact s. 341.302(10), F.S., to authorize the DOT to approve and provide matching grant funding for railroad quiet zones.

Section 59 and 60 amend s. 339.2816(3), F.S., to allow the DOT 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 2016-2017 fiscal year.

Section 61 amends s. 420.9072, F.S., relating to the State Housing Initiatives Partnership (SHIP) Program, to provide exceptions to the limitations on using SHIP funds for rent subsidies and to allow counties and eligible municipalities to use up to 25 percent of available SHIP funds for rental housing.

Section 62 amends s. 420.5087, F.S., relating to the State Apartment Incentive Loan (SAIL) Program, to change requirements for reserving percentages of available SAIL funding for specified tenant groups to reflect the projected housing needs for those groups. Additionally, notwithstanding requirements that SAIL funds be used for housing for very-low income persons and specified percentages of the units in SAIL projects be reserved for persons or families of specified income levels, the Florida Housing Finance Corporation is directed to issue, during Fiscal Year 2016-2017, a notice of fund availability for \$20 million for loans to construct workforce housing to serve primarily low-income persons.

Section 63 amends s. 427.013, F.S., to authorize the Transportation Disadvantaged Commission to make distributions during Fiscal Year 2016-2017 to community transportation coordinators:

- That do not receive federal Urbanized Area Formula Funds to provide services for persons with disabilities, older adults and low-income persons to access health care, employment, education and other life-sustaining activities, using the commission's Transportation Trip and Equipment allocation methodology;
- As competitive grants to address unique transportation challenges of persons with disabilities, older adults and low-income persons seeking to obtain or maintain employment, to allow residents of inner-city, urban or rural neighborhoods to access jobs, and to provide transportation services for persons who work later at night or on weekends; and
- As competitive grants to support transportation projects to enhance access to specified activities, to assist in development of transportation systems in nonurbanized areas, to promote efficient coordination of services, to support inner-city bus transportation, and to encourage private transportation providers to participate.

Sections 64 and 65 reenact amendments to s. 216.292(2)(a), F.S., that remove language limiting scope of legislative review of "five percent" budget transfers. The Legislature would continue to be able to object that a proposed action exceeds delegated authority or is contrary to legislative policy and intent.

Section 66 provides that no state agency may initiate a competitive solicitation for a product or service if the completion of such competitive solicitation would require a change in law or require a change to the agency's budget other than a transfer authorized in s. 216.292(2) or (3), F.S., unless the initiation of such competitive solicitation is specifically authorized in law or in the General Appropriations Act or by the Legislative Budget Commission.

Section 67 authorizes the EOG to transfer funds in the appropriation category "Special Categories-Risk Management Insurance" between departments in order to align the budget authority granted with the premiums paid by each department for risk management insurance.

Section 68 authorizes the EOG to transfer funds in the appropriation category "Special Categories-Transfer to DMS-Human Resources Services Purchased Per Statewide Contract" of the 2016-2017 General Appropriations Act between departments, in order to align the budget

authority granted with the assessments that must be paid by each agency to the DMS for human resources management services.

Section 69 amends s. 112.24, F.S., to provide that the reassignment of an employee of a state agency may be made if recommended by the Governor or Chief Justice, as appropriate, and approved by the chairs of the Senate and House budget committees. Such actions shall be deemed approved if neither chair provides written notice of objection within 14 days after receiving notice of the action, pursuant to s. 216.177, F.S. This requirement applies to state employee reassignments regardless of which agency (sending or receiving) is responsible for pay and benefits of assigned employee.

Section 70 maintains legislative salaries at the July 1, 2010, level.

Sections 71 and 72 amend s. 215.32(2)(b), F.S., in order to implement the transfer of moneys to the General Revenue Fund from trust funds in the 2016-2017 General Appropriations Act.

Section 73 provides that, in order to implement the issuance of new debt authorized in the 2016-2017 General Appropriations Act, and pursuant to the requirements of s. 215.98, F.S., the Legislature determines that the authorization and issuance of debt for the 2016-2017 fiscal year should be implemented and is in the best interest of the state.

Section 74 provides that funds appropriated for travel by state employees be limited to travel for activities that are critical to each state agency's mission. The section prohibits funds from being used to travel to foreign countries, other states, conferences, staff-training, or other administrative functions unless the agency head approves in writing. The agency head is required to consider the use of teleconferencing and electronic communication to meet needs of activity before approving travel.

Section 75 provides that the EOG is authorized to transfer funds appropriated in any appropriation category used to pay for data processing in the GAA between agencies in order to align the budget authority granted with the utilization rate of each department.

Section 76 provides that the EOG is authorized to transfer funds in the specific appropriation category "Data Processing Services - State Data Center - AST" between agencies in order to align the budget authority granted with the AST estimated billing cycle and methodology.

Section 77 notwithstanding s. 216.292(2)(a), F.S., which authorizes agency budget transfers of up to 5 percent of approved budget between categories. Except for transfers approved pursuant to sections 75 and 76 of the Implementing Bill, agencies are prohibited from transferring funds from a data center appropriation category to a category other than a data center appropriation category.

Section 78 provides that the EOG is authorized to transfer funds appropriated in the appropriations category "expenses" between agencies in order to allocate a reduction relating to SUNCOM Services.

Sections 79 and 80 reenact amendments to s. 110.12315, F.S., that: modify copayments associated with the state employees' group health insurance program consistent with decisions that have been made in the General Appropriations Act; authorize the Department of Management Services, for the state employees' prescription drug program, to negotiate the pharmacy dispensing fee, to implement a 90-day supply limit program for certain maintenance drugs at retail pharmacies for state employees under certain circumstances, and to maintain a list of maintenance drugs and preferred brand name drugs; and provide that copayments for state employees for a 90-day supply of prescription drugs at a retail pharmacy will be the same as a 90-day supply through mail order.

Section 81 specifies that no section of the bill shall take effect if the appropriations and proviso to which it relates are vetoed.

Section 82 provides that a permanent change made by another law to any of the same statutes amended by this bill will take precedence over the provision in this bill.

Section 83 provides a severability clause.

Section 84 provides an effective date.

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:

Because SB 2502 implements provisions of the Senate General Appropriations Act for Fiscal Year 2016-2017, SB 2500, no direct fiscal impacts are created by this bill.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1011.62, 1011.71, 1004.935, 1013.74, 1001.92, 1012.75, 1001.7065, 296.37, 893.055, 216.262, 932.7055, 215.18, 27.5304, 28.36, 259.105, 375.075, 380.507, 216.181, 403.709, 403.7095, 215.18, 376.3071, 288.047, 339.135, 339.2818, 339.2816, 420.9072, 420.5087, 427.013, and 112.24.

This bill creates the following sections of the Florida Statutes: 1001.66 and 1001.67.

This bill creates undesignated sections of Florida Law.

This bill reenacts the following provisions of the Florida Statutes: 624.502, 282.709(2)(a), 341.302(10), 216.292(2)(a), 215.32(2)(b), and 110.12315.

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.

FOR CONSIDERATION By the Committee on Appropriations

576-02766-16

20162502pb

1 A bill to be entitled
 2 An act implementing the 2016-2017 General
 3 Appropriations Act; providing legislative intent;
 4 incorporating by reference certain calculations of the
 5 Florida Education Finance Program; providing that
 6 funds for instructional materials must be released and
 7 expended as required in specified proviso language;
 8 specifying the required ad valorem tax millage
 9 contribution by certain district school boards for
 10 certain funded construction projects; amending s.
 11 1011.62, F.S.; revising the method for allocating
 12 funds for exceptional student education programs;
 13 extending by 1 fiscal year the requirement that
 14 specified school districts use certain funds toward
 15 additional intensive reading instruction; specifying
 16 the method for determining the 300 lowest-performing
 17 elementary schools; requiring categorical funds for
 18 supplemental academic instruction to be provided for
 19 in the Florida Education Finance Program; specifying
 20 the method of determining the allocation of
 21 categorical funding; providing for the recalculation
 22 of categorical funding; requiring an allocation to be
 23 prorated if certain conditions exist; revising the
 24 computation of the district sparsity index for
 25 districts that meet certain criteria; deleting
 26 obsolete language; creating a federally connected
 27 student supplement for school districts; specifying
 28 eligibility requirements and calculations for
 29 allocations of the supplement; conforming cross-
 30 references; amending s. 1011.71, F.S.; conforming a
 31 cross-reference; providing for the future expiration
 32 and reversion of specified statutory text; amending s.

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

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20162502pb

33 1004.935, F.S.; extending the date by which the Adults
 34 with Disabilities Workforce Education Pilot Program
 35 may operate; providing for the future expiration and
 36 reversion of specified statutory text; amending s.
 37 1013.74, F.S.; authorizing a university board of
 38 trustees to expend certain reserve or carry forward
 39 balances from a prior year for specified capital
 40 outlay projects if certain conditions are met;
 41 amending s. 1001.92, F.S.; revising requirements for
 42 the performance-based metrics adopted by the Board of
 43 Governors of the State University System for purposes
 44 of the State University System Performance-Based
 45 Incentive; requiring the Board of Governors to
 46 establish eligibility thresholds to determine a state
 47 university's eligibility to receive performance
 48 funding; creating s. 1001.66, F.S.; requiring a
 49 Florida College System Performance-Based Incentive to
 50 be awarded to Florida College System institutions
 51 using certain performance-based metrics and benchmarks
 52 adopted by the State Board of Education; specifying
 53 allocation of the funds; requiring the State Board of
 54 Education to establish eligibility thresholds to
 55 determine an institution's eligibility to receive
 56 performance funding; requiring certain funds to be
 57 withheld from, and certain improvement plans to be
 58 submitted to the State Board of Education by,
 59 institutions based on specified performance;
 60 specifying monitoring and reporting requirements for
 61 improvement plans; requiring the Commissioner of

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576-02766-16

20162502pb

62 Education to withhold disbursement of specified funds
 63 until certain conditions are met; specifying
 64 requirements regarding the distribution of funds;
 65 requiring the State Board of Education to report to
 66 the Governor and the Legislature regarding the
 67 performance funding allocation; amending s. 1012.75,
 68 F.S.; extending by 1 fiscal year provisions
 69 authorizing the Department of Education to administer
 70 an educator liability insurance program; creating s.
 71 1001.67, F.S.; establishing the Distinguished Florida
 72 College System institution program; specifying the
 73 excellence standards for purposes of the program;
 74 prescribing minimum criteria for an institution to
 75 receive a distinguished college designation;
 76 specifying that designated institutions are eligible
 77 for funding as provided in the General Appropriations
 78 Act; amending s. 1001.7065, F.S., and reenacting
 79 subsection (1), relating to the preeminent state
 80 research universities program; revising academic and
 81 research excellence standards for the preeminent state
 82 research universities program; requiring the Board of
 83 Governors to designate a state university that meets
 84 certain criteria as an "emerging preeminent state
 85 research university"; revising provisions governing
 86 the award of funds to a designated preeminent state
 87 research university; requiring an emerging preeminent
 88 state research university to submit a benchmark plan
 89 to the board; specifying the method of determining
 90 funding amounts; deleting a provision establishing the

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20162502pb

91 Preeminent State Research University Enhancement
 92 Initiative; removing authority for a state research
 93 university to establish special course requirements;
 94 providing for the future expiration and reversion of
 95 specified statutory text; authorizing the Agency for
 96 Health Care Administration to submit a budget
 97 amendment to realign funding based upon a specified
 98 model, methodology, and framework; specifying
 99 requirements for such realignment; requiring the
 100 Agency for Persons with Disabilities to offer
 101 enrollment in the Medicaid home and community-based
 102 waiver to certain individuals; specifying criteria for
 103 enrollment prioritization; requiring an individual to
 104 be allowed to receive home and community-based
 105 services if his or her parent or legal guardian is an
 106 active-duty servicemember transferred to this state
 107 under certain circumstances; providing that
 108 individuals remaining on the wait list are not
 109 entitled to a hearing in accordance with federal law
 110 or an administrative proceeding under state law;
 111 specifying the requirements that apply to the iBudgets
 112 of clients on the home and community-based services
 113 waiver until the Agency for Persons with Disabilities
 114 adopts a new allocation algorithm and methodology by
 115 final rule; providing for application of the new
 116 allocation algorithm and methodology after adoption of
 117 the final rule; providing requirements for an increase
 118 in iBudget funding allocations; amending s. 296.37,
 119 F.S.; extending for 1 fiscal year the requirement that

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576-02766-16

20162502pb

120 certain residents of a veterans' nursing home
 121 contribute to their maintenance and support; requiring
 122 the Agency for Health Care Administration to ensure
 123 that nursing facility residents who are eligible for
 124 funds to transition to home and community-based
 125 services waivers have resided in a skilled nursing
 126 facility residency for a specified period; requiring
 127 the Agency for Health Care Administration and the
 128 Department of Elderly Affairs to prioritize
 129 individuals for enrollment in the Medicaid Long-Term
 130 Care Waiver program using a certain frailty-based
 131 screening; authorizing the Agency for Health Care
 132 Administration to adopt rules and enter into certain
 133 interagency agreements with respect to program
 134 enrollment; authorizing the delegation of certain
 135 responsibilities with respect to program enrollment;
 136 authorizing the Agency for Health Care Administration,
 137 in consultation with the Department of Health, to
 138 submit a budget amendment to reflect certain
 139 enrollment changes within the Children's Medical
 140 Services Network; authorizing the agency to submit a
 141 request for nonoperating budget authority to transfer
 142 federal funds to the Department of Health under
 143 certain circumstances; incorporating by reference
 144 certain calculations of the Medicaid Low-Income Pool,
 145 Disproportionate Share Hospital, and hospital
 146 reimbursement programs for the 2016-2017 fiscal year;
 147 amending s. 893.055, F.S.; extending for 1 fiscal year
 148 the authority of the Department of Health to use

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149 certain funds to administer the prescription drug
 150 monitoring program; prohibiting the use of funds
 151 received from a settlement agreement to administer the
 152 program; amending s. 216.262, F.S.; extending for 1
 153 fiscal year the authority of the Department of
 154 Corrections to submit a budget amendment for
 155 additional positions and appropriations under certain
 156 circumstances; authorizing the Department of Legal
 157 Affairs to expend certain appropriated funds on
 158 programs that were funded by the department from
 159 specific appropriations in general appropriations acts
 160 in previous years; amending s. 932.7055, F.S.;
 161 extending for 1 fiscal year the authority for a
 162 municipality to expend funds from its special law
 163 enforcement trust fund to reimburse its general fund
 164 for certain moneys; amending s. 215.18, F.S.;
 165 extending for 1 fiscal year the authority and related
 166 repayment requirements for trust fund loans to the
 167 state court system which are sufficient to meet the
 168 system's appropriation; prohibiting the Department of
 169 Corrections from transferring funds from a salaries
 170 and benefits category to another category unless
 171 approved by the Legislative Budget Commission;
 172 requiring the Department of Juvenile Justice to review
 173 county juvenile detention payments to determine if the
 174 county has met specified financial responsibilities;
 175 requiring amounts owed by the county for such
 176 financial responsibilities to be deducted from certain
 177 county funds; requiring the Department of Revenue to

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178 ensure that such deductions do not reduce
 179 distributions below amounts necessary for certain
 180 payments relating to bonds; requiring the Department
 181 of Revenue to notify the Department of Juvenile
 182 Justice if bond payment requirements require a
 183 reduction in deductions for amounts owed by a county;
 184 amending s. 27.5304, F.S.; revising certain
 185 limitations on compensation for private court-
 186 appointed counsel; providing for the future expiration
 187 and reversion of specified statutory text; amending s.
 188 28.36, F.S.; prescribing procedures regarding the
 189 distribution of funds appropriated in the General
 190 Appropriations Act for the clerks of the court for the
 191 2015-2016 and the 2016-2017 county fiscal years;
 192 specifying the manner in which funds must be released;
 193 requiring the Department of Management Services to use
 194 tenant broker services to renegotiate or reprocur
 195 private lease agreements for office or storage space;
 196 requiring the Department of Management Services to
 197 provide a report to the Governor and the Legislature
 198 by a specified date; reenacting s. 624.502, F.S.,
 199 relating to the deposit of fees for service of process
 200 made upon the Chief Financial Officer or the Director
 201 of the Office of Insurance Regulation into the
 202 Administrative Trust Fund; providing for the future
 203 expiration and reversion of specified statutory text;
 204 reenacting s. 282.709(2)(a), F.S., relating to the
 205 creation and membership of the Joint Task Force on
 206 State Agency Law Enforcement Communications; providing

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207 for the future expiration and reversion of specified
 208 statutory text; specifying the amount of the
 209 transaction fee to be collected for use of the online
 210 procurement system; amending s. 259.105, F.S.;
 211 revising the distribution of certain proceeds from
 212 cash payments or bonds issued pursuant to the Florida
 213 Forever Act for the 2016-2017 fiscal year; requiring
 214 that a minimum allocation of funds for the Florida
 215 Communities Trust be applied towards projects
 216 acquiring conservation or recreation lands to enhance
 217 recreational opportunities for individuals with unique
 218 abilities; amending s. 375.075, F.S.; requiring that a
 219 minimum amount of funds for the Florida Recreation
 220 Development Assistance Program be used towards
 221 projects providing recreational enhancements and
 222 opportunities for individuals with unique abilities;
 223 requiring the Department of Environmental Protection
 224 to award grants by a specified date; revising the
 225 limitation on the number of grant applications a local
 226 government may submit; requiring the department to
 227 prioritize certain projects; amending s. 380.507,
 228 F.S.; revising the powers of the Florida Communities
 229 Trust to authorize the undertaking, coordination, and
 230 funding of projects that provide accessibility,
 231 availability, or adaptability of conservation or
 232 recreation lands for individuals with unique
 233 abilities; amending s. 216.181, F.S.; extending by 1
 234 fiscal year the authority for the Legislative Budget
 235 Commission to increase amounts appropriated to the

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236 Fish and Wildlife Conservation Commission or the
 237 Department of Environmental Protection for certain
 238 fixed capital outlay projects; amending s. 206.9935,
 239 F.S.; exempting specified revenues from the
 240 calculation of the unobligated balance of the Water
 241 Quality Assurance Trust Fund; providing for the future
 242 expiration and reversion of specified statutory text;
 243 amending s. 403.709, F.S.; extending by 1 fiscal year
 244 provisions governing the establishment of a solid
 245 waste landfill closure account within the Solid Waste
 246 Management Trust Fund; reviving, reenacting, and
 247 amending s. 403.7095(5), F.S.; requiring the
 248 Department of Environmental Protection to award a
 249 certain sum of grant funds for specified solid waste
 250 management programs to counties that meet certain
 251 criteria; amending s. 215.18, F.S.; extending by 1
 252 fiscal year the authority for the Governor to transfer
 253 funds from other trust funds in the State Treasury as
 254 a temporary loan to certain land acquisition trust
 255 funds with a deficit; requiring the Department of
 256 Environmental Protection to transfer revenues
 257 deposited in the Land Acquisition Trust Fund within
 258 the department to land acquisition trust funds in the
 259 Department of Agriculture and Consumer Services, the
 260 Department of State, and the Fish and Wildlife
 261 Conservation Commission according to specified
 262 parameters and calculations; defining the term
 263 "department"; requiring the department to retain a
 264 proportionate share of revenues; specifying a limit on

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265 distributions; amending s. 376.3071, F.S.; specifying
 266 that earned interest may be transferred between the
 267 Inland Protection Trust Fund and the Water Quality
 268 Assurance Trust Fund as authorized by the General
 269 Appropriations Act; providing for the future
 270 expiration and reversion of specified statutory text;
 271 amending s. 288.047, F.S.; specifying requirements and
 272 limitations with respect to the approval of
 273 applications, the execution of agreements, and
 274 reimbursement amounts under the Quick-Response
 275 Training Program; requiring the Department of Economic
 276 Opportunity to transfer funds to CareerSource Florida,
 277 Inc., if certain conditions exist; authorizing
 278 CareerSource Florida, Inc., to request an advance of
 279 the appropriation for the program; requiring
 280 CareerSource Florida, Inc., to set aside a specified
 281 percent of a certain appropriation to fund
 282 instructional programs for businesses located in a
 283 rural area of opportunity under certain circumstances;
 284 authorizing, rather than requiring, an educational
 285 institution receiving program funding to be included
 286 in the grant agreement prepared by CareerSource
 287 Florida, Inc.; authorizing certain matching
 288 contributions to be counted toward the private sector
 289 support of Enterprise Florida, Inc.; providing for the
 290 future expiration and reversion of specified statutory
 291 text; amending s. 339.135, F.S., and reviving,
 292 reenacting, and amending paragraphs (4)(j) and (5)(c);
 293 extending by 1 fiscal year provisions requiring the

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294 Department of Transportation to use appropriated funds
 295 for purposes related to the establishment of a
 296 multiuse trail system; authorizing the department to
 297 use up to a certain amount of appropriated funds for
 298 strategic and regionally significant transportation
 299 projects; amending s. 339.2818, F.S.; redefining the
 300 term "small county" for purposes of the Small County
 301 Outreach Program; reenacting s. 341.302(10), F.S.,
 302 relating to the Department of Transportation's duties
 303 and responsibilities for the rail program; providing
 304 for the future expiration and reversion of specified
 305 statutory text; amending s. 339.2816, F.S.; specifying
 306 the amount of funding from the State Transportation
 307 Trust Fund that may be used for the Small County Road
 308 Assistance Program for the 2016-2017 fiscal year;
 309 providing for the future expiration and reversion of
 310 specified statutory text; amending s. 420.9072, F.S.;
 311 extending by 1 fiscal year provisions authorizing each
 312 county and eligible municipality to use its portion of
 313 the local housing distribution for certain purposes;
 314 amending s. 420.5087, F.S.; extending by 1 fiscal year
 315 provisions specifying the reservation of funds for the
 316 tenant groups within each notice of fund availability
 317 with respect to the State Apartment Incentive Loan
 318 Program; requiring the Florida Housing Finance
 319 Corporation to issue a notice of fund availability for
 320 loans to be used for certain purposes; amending s.
 321 427.013, F.S.; requiring the Commission for the
 322 Transportation Disadvantaged to allocate and award

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323 appropriated funds for specified purposes; reenacting
 324 s. 216.292(2)(a), F.S., relating to exceptions for
 325 nontransferable appropriations; providing for the
 326 future expiration and reversion of specified statutory
 327 text; prohibiting a state agency from initiating a
 328 competitive solicitation for a product or service
 329 under certain circumstances; providing an exception;
 330 authorizing the Executive Office of the Governor to
 331 transfer funds between departments for purposes of
 332 aligning amounts paid for risk management premiums and
 333 for human resource management services; amending s.
 334 112.24, F.S.; extending by 1 fiscal year the
 335 authorization, subject to specified requirements, for
 336 the assignment of an employee of a state agency under
 337 an employee interchange agreement; providing that the
 338 annual salaries of the members of the Legislature
 339 shall be maintained at a specified level; reenacting
 340 s. 215.32(2)(b), F.S., relating to the source and use
 341 of certain trust funds; providing for the future
 342 expiration and reversion of specified statutory text;
 343 providing a legislative determination that the
 344 issuance of new debt is in the best interests of the
 345 state; limiting the use of travel funds to activities
 346 that are critical to an agency's mission; providing
 347 exceptions; authorizing the Executive Office of the
 348 Governor to transfer funds appropriated for data
 349 processing between agencies for a specified purpose;
 350 authorizing the Executive Office of the Governor to
 351 transfer funds appropriated for certain data

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352 processing services between departments for a
 353 specified purpose; prohibiting an agency from
 354 transferring funds from a data processing category to
 355 another category that is not a data processing
 356 category; authorizing the Executive Office of the
 357 Governor to transfer certain funds between agencies in
 358 order to allocate a reduction relating to SUNCOM
 359 Network services; reenacting s. 110.12315, F.S.,
 360 relating to the state employees' prescription drug
 361 program; providing for the future expiration and
 362 reversion of specified statutory text; providing for
 363 the effect of a veto of one or more specific
 364 appropriations or proviso to which implementing
 365 language refers; providing for the continued operation
 366 of certain provisions notwithstanding a future repeal
 367 or expiration provided by the act; providing for
 368 severability; providing effective dates.

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

372 Section 1. It is the intent of the Legislature that the
 373 implementing and administering provisions of this act apply to
 374 the General Appropriations Act for the 2016-2017 fiscal year.

375 Section 2. In order to implement Specific Appropriations 7,
 376 8, 9, 94, and 95 of the 2016-2017 General Appropriations Act,
 377 the calculations of the Florida Education Finance Program for
 378 the 2016-2017 fiscal year in the document titled "Public School
 379 Funding: The Florida Education Finance Program," dated XX XX,
 380 2016, and filed with the Secretary of the Senate, are

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381 incorporated by reference for the purpose of displaying the
 382 calculations used by the Legislature, consistent with the
 383 requirements of state law, in making appropriations for the
 384 Florida Education Finance Program. This section expires July 1,
 385 2017.

386 Section 3. In order to implement Specific Appropriations 7
 387 and 94 of the 2016-2017 General Appropriations Act and
 388 notwithstanding ss. 1002.20, 1003.02, 1006.28-1006.42,
 389 1011.62(6)(b)5., and 1011.67, Florida Statutes, relating to the
 390 expenditure of funds provided for instructional materials, for
 391 the 2016-2017 fiscal year, funds provided for instructional
 392 materials shall be released and expended as required in the
 393 proviso language for Specific Appropriation 94 of the 2016-2017
 394 General Appropriations Act. This section expires July 1, 2017.

395 Section 4. In order to implement Specific Appropriation 23
 396 of the 2016-2017 General Appropriations Act and notwithstanding
 397 s. 1013.64(2), Florida Statutes, any district school board that
 398 generates less than \$2 million in revenue from a 1-mill levy of
 399 ad valorem tax shall contribute 0.75 mill for the 2016-2017
 400 fiscal year toward the cost of funded special facilities
 401 construction projects. This section expires July 1, 2017.

402 Section 5. In order to implement Specific Appropriations 7
 403 and 94 of the 2016-2017 General Appropriations Act, paragraphs
 404 (e) and (f) of subsection (1), paragraph (a) of subsection (4),
 405 paragraph (b) of subsection (7), paragraph (a) of subsection
 406 (9), and present subsection (13) of section 1011.62, Florida
 407 Statutes, are amended, present subsections (13), (14), and (15)
 408 of that section are renumbered as subsections (14), (15), and
 409 (16), respectively, and a new subsection (13) is added to that

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section, to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR OPERATION.—The following procedure shall be followed in determining the annual allocation to each district for operation:

(e) *Funding model for exceptional student education programs.*—

1.a. The funding model uses basic, at-risk, support levels IV and V for exceptional students and career Florida Education Finance Program cost factors, and a guaranteed allocation for exceptional student education programs. Exceptional education cost factors are determined by using a matrix of services to document the services that each exceptional student will receive. The nature and intensity of the services indicated on the matrix shall be consistent with the services described in each exceptional student's individual educational plan. The Department of Education shall review and revise the descriptions of the services and supports included in the matrix of services for exceptional students and shall implement those revisions before the beginning of the 2012-2013 school year.

b. In order to generate funds using one of the two weighted cost factors, a matrix of services must be completed at the time of the student's initial placement into an exceptional student

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education program and at least once every 3 years by personnel who have received approved training. Nothing listed in the matrix shall be construed as limiting the services a school district must provide in order to ensure that exceptional students are provided a free, appropriate public education.

c. Students identified as exceptional, in accordance with chapter 6A-6, Florida Administrative Code, who do not have a matrix of services as specified in sub-subparagraph b. shall generate funds on the basis of full-time-equivalent student membership in the Florida Education Finance Program at the same funding level per student as provided for basic students. Additional funds for these exceptional students will be provided through the guaranteed allocation designated in subparagraph 2.

2. For students identified as exceptional who do not have a matrix of services and students who are gifted in grades K through 8, there is created a guaranteed allocation to provide these students with a free appropriate public education, in accordance with s. 1001.42(4)(1) and rules of the State Board of Education, which shall be allocated initially annually to each school district in the amount provided in the General Appropriations Act. These funds shall be supplemental ~~in addition~~ to the funds appropriated for the basic funding level on the basis of FTE student membership in the Florida Education Finance Program, and the amount allocated for each school district shall ~~not~~ be recalculated once during the year, based on actual student membership from the October FTE survey. Upon recalculation, if the generated allocation is greater than the amount provided in the General Appropriations Act, the total shall be prorated to the level of the appropriation based on

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each district's share of the total recalculated amount. These funds shall be used to provide special education and related services for exceptional students and students who are gifted in grades K through 8. ~~Beginning with the 2007-2008 fiscal year, A~~ district's expenditure of funds from the guaranteed allocation for students in grades 9 through 12 who are gifted may not be greater than the amount expended during the 2006-2007 fiscal year for gifted students in grades 9 through 12.

(f) *Supplemental academic instruction; categorical fund.*—

1. There is created a categorical fund to provide supplemental academic instruction to students in kindergarten through grade 12. This paragraph may be cited as the "Supplemental Academic Instruction Categorical Fund."

2. ~~The categorical fund funds for supplemental academic instruction shall be allocated annually to each school district in the amount provided in the General Appropriations Act. These funds~~ shall be in addition to the funds appropriated on the basis of FTE student membership in the Florida Education Finance Program and shall be included in the total potential funds of each district. These funds shall be used to provide supplemental academic instruction to students enrolled in the K-12 program. For the 2016-2017 ~~2014-2015~~ fiscal year, each school district that has one or more of the 300 lowest-performing elementary schools based on the state reading assessment shall use these funds, together with the funds provided in the district's research-based reading instruction allocation and other available funds, to provide an additional hour of instruction beyond the normal school day for each day of the entire school year for intensive reading instruction for the students in each

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of these schools. This additional hour of instruction must be provided by teachers or reading specialists who are effective in teaching reading or by a K-5 mentoring reading program that is supervised by a teacher who is effective in at teaching reading. Students enrolled in these schools who have level 5 assessment scores may participate in the additional hour of instruction on an optional basis. Exceptional student education centers may ~~shall~~ not be included in the 300 schools. For the 2016-2017 fiscal year, the 300 lowest-performing elementary schools shall be based on the 2015-2016 state reading assessment. After this requirement has been met, supplemental instruction strategies may include, but are not limited to: use of a modified curriculum, reading instruction, after-school instruction, tutoring, mentoring, a reduction in class size ~~reduction~~, an extended school year, intensive skills development in summer school, and other methods of ~~for~~ improving student achievement. Supplemental instruction may be provided to a student in any manner and at any time during or beyond the regular 180-day term identified by the school as being the most effective and efficient way to best help that student progress from grade to grade and to graduate.

3. Categorical funds for supplemental academic instruction shall be provided annually in the Florida Education Finance Program as specified in the General Appropriations Act. These funds shall be provided as a supplement to the funds appropriated for the basic funding level and shall be included in the total funds of each district. The allocation shall consist of a base amount that shall have a workload adjustment based on changes in unweighted FTE. In addition, districts that

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have elementary schools included in the 300 lowest-performing schools designation shall be allocated additional funds to assist those districts in providing intensive reading instruction to students in those schools. The amount provided shall be based on each district's level of per-student funding in the reading instruction allocation and the supplemental academic instruction categorical fund and on the total FTE for each of the schools. The categorical funding shall be recalculated once during the fiscal year following an updated designation of the 300 lowest-performing elementary schools and shall be based on actual student membership from the October FTE survey. Upon recalculation of funding for the supplemental academic instruction categorical fund, if the total allocation is greater than the amount provided in the General Appropriations Act, the allocation shall be prorated to the level provided to support the appropriation, based on each district's share of the total.

4.3- Effective with the 1999-2000 fiscal year, funding on the basis of FTE membership beyond the 180-day regular term shall be provided in the FEFP only for students enrolled in juvenile justice education programs or in education programs for juveniles placed in secure facilities or programs under s. 985.19. Funding for instruction beyond the regular 180-day school year for all other K-12 students shall be provided through the supplemental academic instruction categorical fund and other state, federal, and local fund sources with ample flexibility for schools to provide supplemental instruction to assist students in progressing from grade to grade and graduating.

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5.4- The Florida State University School, as a lab school, is authorized to expend from its FEFP or Lottery Enhancement Trust Fund allocation the cost to the student of remediation in reading, writing, or mathematics for any graduate who requires remediation at a postsecondary educational institution.

6.5- Beginning in the 1999-2000 school year, dropout prevention programs as defined in ss. 1003.52, 1003.53(1)(a), (b), and (c), and 1003.54 shall be included in group 1 programs under subparagraph (d)3.

(4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The Legislature shall prescribe the aggregate required local effort for all school districts collectively as an item in the General Appropriations Act for each fiscal year. The amount that each district shall provide annually toward the cost of the Florida Education Finance Program for kindergarten through grade 12 programs shall be calculated as follows:

(a) *Estimated taxable value calculations.*—

1.a. Not later than 2 working days prior to July 19, the Department of Revenue shall certify to the Commissioner of Education its most recent estimate of the taxable value for school purposes in each school district and the total for all school districts in the state for the current calendar year based on the latest available data obtained from the local property appraisers. The value certified shall be the taxable value for school purposes for that year, and no further adjustments shall be made, except those made pursuant to paragraphs (c) and (d), or an assessment roll change required by final judicial decisions as specified in paragraph (15)(b) ~~(14)(b)~~. Not later than July 19, the Commissioner of Education

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shall compute a millage rate, rounded to the next highest one one-thousandth of a mill, which, when applied to 96 percent of the estimated state total taxable value for school purposes, would generate the prescribed aggregate required local effort for that year for all districts. The Commissioner of Education shall certify to each district school board the millage rate, computed as prescribed in this subparagraph, as the minimum millage rate necessary to provide the district required local effort for that year.

b. The General Appropriations Act shall direct the computation of the statewide adjusted aggregate amount for required local effort for all school districts collectively from ad valorem taxes to ensure that no school district's revenue from required local effort millage will produce more than 90 percent of the district's total Florida Education Finance Program calculation as calculated and adopted by the Legislature, and the adjustment of the required local effort millage rate of each district that produces more than 90 percent of its total Florida Education Finance Program entitlement to a level that will produce only 90 percent of its total Florida Education Finance Program entitlement in the July calculation.

2. On the same date as the certification in subparagraph 1.a., the Department of Revenue shall certify to the Commissioner of Education for each district:

a. Each year for which the property appraiser has certified the taxable value pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a.

b. For each year identified in sub-subparagraph a., the

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taxable value certified by the appraiser pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a. This is the certification that reflects all final administrative actions of the value adjustment board.

(7) DETERMINATION OF SPARSITY SUPPLEMENT.—

(b) The district sparsity index shall be computed by dividing the total number of full-time equivalent students in all programs in the district by the number of senior high school centers in the district, not in excess of three, which centers are approved as permanent centers by a survey made by the Department of Education. For districts with a full-time equivalent student membership of at least 20,000, but no more than 24,000, the index shall be computed by dividing the total number of full-time equivalent students in all programs by the number of permanent senior high school centers in the district, not in excess of four.

(9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

(a) The research-based reading instruction allocation is created to provide comprehensive reading instruction to students in kindergarten through grade 12. For the ~~2016-2017~~ 2014-2015 fiscal year, in each school district that has one or more of the 300 lowest-performing elementary schools based on the state reading assessment, priority shall be given to providing an additional hour per day of intensive reading instruction beyond the normal school day for each day of the entire school year for the students in each school. For the 2016-2017 fiscal year, the 300 lowest-performing elementary schools shall be based on the 2015-2016 state reading assessment. Students enrolled in these

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schools who have level 5 assessment scores may participate in the additional hour of instruction on an optional basis. Exceptional student education centers ~~may shall~~ not be included in the 300 schools. The intensive reading instruction delivered in this additional hour and for other students shall include: research-based reading instruction that has been proven to accelerate progress of students exhibiting a reading deficiency; differentiated instruction based on student assessment data to meet students' specific reading needs; explicit and systematic reading development in phonemic awareness, phonics, fluency, vocabulary, and comprehension, with more extensive opportunities for guided practice, error correction, and feedback; and the integration of social studies, science, and mathematics-text reading, text discussion, and writing in response to reading. ~~For the 2012-2013 and 2013-2014 fiscal years, a school district may not hire more reading coaches than were hired during the 2011-2012 fiscal year unless all students in kindergarten through grade 5 who demonstrate a reading deficiency, as determined by district and state assessments, including students scoring Level 1 or Level 2 on the statewide, standardized reading assessment or, upon implementation, the English Language Arts assessment, are provided an additional hour per day of intensive reading instruction beyond the normal school day for each day of the entire school year.~~

(13) FEDERALLY CONNECTED STUDENT SUPPLEMENT.—The federally connected student supplement is created to provide supplemental funding for school districts to support the education of students connected with federally owned military installations, National Aeronautics and Space Administration (NASA) real

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property, and Indian lands. To be eligible for this supplement, the district must be eligible for federal Impact Aid Program funds under s. 8003 of Title VIII of the Elementary and Secondary Education Act of 1965. The supplement shall be allocated annually to each eligible school district in the amount provided in the General Appropriations Act. The supplement shall be the sum of the student allocation and an exempt property allocation.

(a) The student allocation shall be calculated based on the number of students reported for federal Impact Aid Program funds, including students with disabilities, who meet one of the following criteria:

1. The student has a parent who is on active duty in the uniformed services or is an accredited foreign government official and military officer. Students with disabilities shall also be reported separately for this category.

2. The student resides on eligible federally owned Indian lands. Students with disabilities shall also be reported separately for this category.

3. The student resides with a civilian parent who lives or works on eligible federal property connected with a military installation or NASA. The number of these students shall be multiplied by a factor of 0.5.

(b) The total number of federally connected students calculated under paragraph (a) shall be multiplied by a percentage of the base student allocation as provided in the General Appropriations Act. The total of the number of students with disabilities as reported separately under subparagraphs (a)1. and (a)2. shall be multiplied by an additional percentage

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of the base student allocation as provided in the General Appropriations Act. The base amount and the amount for students with disabilities shall be summed to provide the student allocation.

(c) The exempt property allocation shall be equal to the tax-exempt value of federal impact aid lands reserved as military installations, real property owned by NASA, or eligible federally owned Indian lands located in the district, as of January 1 of the previous year, multiplied by the millage authorized and levied under s. 1011.71(2).

(14)~~(13)~~ QUALITY ASSURANCE GUARANTEE.—The Legislature may annually in the General Appropriations Act determine a percentage increase in funds per K-12 unweighted FTE as a minimum guarantee to each school district. The guarantee shall be calculated from prior year base funding per unweighted FTE student which shall include the adjusted FTE dollars as provided in subsection (15) ~~(14)~~, quality guarantee funds, and actual nonvoted discretionary local effort from taxes. From the base funding per unweighted FTE, the increase shall be calculated for the current year. The current year funds from which the guarantee shall be determined shall include the adjusted FTE dollars as provided in subsection (15) ~~(14)~~ and potential nonvoted discretionary local effort from taxes. A comparison of current year funds per unweighted FTE to prior year funds per unweighted FTE shall be computed. For those school districts which have less than the legislatively assigned percentage increase, funds shall be provided to guarantee the assigned percentage increase in funds per unweighted FTE student. Should appropriated funds be less than the sum of this calculated

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amount for all districts, the commissioner shall prorate each district's allocation. This provision shall be implemented to the extent specifically funded.

Section 6. In order to implement Specific Appropriations 7 and 94 of the 2016-2017 General Appropriations Act, subsection (1) of section 1011.71, Florida Statutes, is amended to read:

1011.71 District school tax.—

(1) If the district school tax is not provided in the General Appropriations Act or the substantive bill implementing the General Appropriations Act, each district school board desiring to participate in the state allocation of funds for current operation as prescribed by s. 1011.62(15) ~~s. 1011.62(14)~~ shall levy on the taxable value for school purposes of the district, exclusive of millage voted under the provisions of s. 9(b) or s. 12, Art. VII of the State Constitution, a millage rate not to exceed the amount certified by the commissioner as the minimum millage rate necessary to provide the district required local effort for the current year, pursuant to s. 1011.62(4)(a)1. In addition to the required local effort millage levy, each district school board may levy a nonvoted current operating discretionary millage. The Legislature shall prescribe annually in the appropriations act the maximum amount of millage a district may levy.

Section 7. The amendments made by this act to ss. 1011.62 and 1011.71, Florida Statutes, expire July 1, 2017, and the text of those sections shall revert to that in existence on June 30, 2015, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions

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of text which expire pursuant to this section.

Section 8. In order to implement Specific Appropriations 10 and 122 of the 2016-2017 General Appropriations Act, subsection (1) of section 1004.935, Florida Statutes, is amended to read:

1004.935 Adults with Disabilities Workforce Education Pilot Program.—

(1) The Adults with Disabilities Workforce Education Pilot Program is established in the Department of Education through June 30, 2017 ~~2016~~, in Hardee, DeSoto, Manatee, and Sarasota Counties to provide the option of receiving a scholarship for instruction at private schools for up to 30 students who:

(a) Have a disability;

(b) Are 22 years of age;

(c) Are receiving instruction from an instructor in a private school to meet the high school graduation requirements in s. 1002.3105(5) or s. 1003.4282;

(d) Do not have a standard high school diploma or a special high school diploma; and

(e) Receive "supported employment services," which means employment that is located or provided in an integrated work setting with earnings paid on a commensurate wage basis and for which continued support is needed for job maintenance.

As used in this section, the term "student with a disability" includes a student who is documented as having an intellectual disability; a speech impairment; a language impairment; a hearing impairment, including deafness; a visual impairment, including blindness; a dual sensory impairment; an orthopedic impairment; another health impairment; an emotional or

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behavioral disability; a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia; a traumatic brain injury; a developmental delay; or autism spectrum disorder.

Section 9. The amendment made by this act to s. 1004.935(1), Florida Statutes, expires July 1, 2017, and the text of that subsection shall revert to that in existence on June 30, 2016, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 10. In order to implement Specific Appropriations 13 and 142 through 150 of the 2016-2017 General Appropriations Act, subsection (7) is added to section 1013.74, Florida Statutes, to read:

1013.74 University authorization for fixed capital outlay projects.—

(7) For the 2016-2017 fiscal year, a university board of trustees may expend reserve or carry forward balances from prior year operational and programmatic appropriations for fixed capital outlay projects approved by the Board of Governors which include significant academic instructional space or critical deferred maintenance needs in this area. This subsection expires July 1, 2017.

Section 11. In order to implement Specific Appropriation 142 of the 2016-2017 General Appropriations Act, section 1001.92, Florida Statutes, is amended to read:

1001.92 State University System Performance-Based Incentive.—

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816 (1) A State University System Performance-Based Incentive
 817 shall be awarded to state universities using performance-based
 818 metrics adopted by the Board of Governors of the State
 819 University System. The performance-based metrics must include
 820 graduation rates;~~;~~ retention rates;~~;~~ postgraduation education
 821 rates;~~;~~ degree production;~~;~~ affordability;~~;~~ postgraduation
 822 employment and salaries, including wage thresholds that reflect
 823 the added value of a baccalaureate degree; access;~~;~~ and other
 824 metrics approved by the board in a formally noticed meeting. The
 825 board shall adopt benchmarks to evaluate each state university's
 826 performance on the metrics to measure the state university's
 827 achievement of institutional excellence or need for improvement
 828 and minimum requirements for eligibility to receive performance
 829 funding.

830 (2) Each fiscal year, the amount of funds available for
 831 allocation to the state universities based on the performance-
 832 based funding model metrics shall consist of the state's
 833 investment in appropriation for performance funding, including
 834 increases in base funding plus institutional investments
 835 consisting of funds deducted from the base funding of each state
 836 university in the State University System, in an amount provided
 837 in the General Appropriations Act. The Board of Governors shall
 838 establish minimum performance funding eligibility thresholds for
 839 the state's investment and the institutional investments. A
 840 state university that fails to meet the minimum state investment
 841 performance funding eligibility threshold is ineligible for a
 842 share of the state's investment in performance funding. The
 843 institutional investment shall be restored for each institution
 844 eligible for the state's investment under the performance-based

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845 funding model metrics.

846 (3) (a) A state university that fails to meet the Board of
 847 Governors' minimum institutional investment performance funding
 848 eligibility threshold shall have ~~a portion of~~ its institutional
 849 investment withheld by the board and must submit an improvement
 850 plan to the board ~~which that~~ specifies the activities and
 851 strategies for improving the state university's performance. The
 852 board must review and approve the improvement plan and, if the
 853 plan is approved, must monitor the state university's progress
 854 in implementing the activities and strategies specified in the
 855 improvement plan. The state university shall submit monitoring
 856 reports to the board by December 31 and May 31 of each year in
 857 which an improvement plan is in place. The ability of a state
 858 university to submit an improvement plan to the board is limited
 859 to 1 fiscal year.

860 (b) The Chancellor of the State University System shall
 861 withhold disbursement of the institutional investment until the
 862 monitoring report is approved by the Board of Governors. A state
 863 university ~~that is~~ determined by the board to be making
 864 satisfactory progress on implementing the improvement plan may
 865 not shall receive ~~no~~ more than one-half of the withheld
 866 institutional investment in January and the balance of the
 867 withheld institutional investment in June. A state university
 868 that fails to make satisfactory progress may not have its full
 869 institutional investment restored. Any institutional investment
 870 funds that are not restored shall be redistributed in accordance
 871 with the board's performance-based metrics.

872 (4) Distributions of performance funding, as provided in
 873 this section, shall be made to each of the state universities

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874 listed in the Education and General Activities category in the
875 General Appropriations Act.

876 (5) By October 1 of each year, the Board of Governors shall
877 submit to the Governor, the President of the Senate, and the
878 Speaker of the House of Representatives a report on the previous
879 fiscal year's performance funding allocation, which must reflect
880 the rankings and award distributions.

881 (6) This section expires July 1, 2017 ~~2016~~.

882 Section 12. In order to implement Specific Appropriation
883 126 of the 2016-2017 General Appropriations Act, section
884 1001.66, Florida Statutes, is created to read:

885 1001.66 Florida College System Performance-Based
886 Incentive.-

887 (1) A Florida College System Performance-Based Incentive
888 shall be awarded to Florida College System institutions using
889 performance-based metrics adopted by the State Board of
890 Education. The performance-based metrics must include retention
891 rates; program completion and graduation rates; postgraduation
892 employment, salaries, and continuing education for workforce
893 education and baccalaureate programs, with wage thresholds that
894 reflect the added value of the certificate or degree; and
895 outcome measures appropriate for associate of arts degree
896 recipients. The State Board of Education shall adopt benchmarks
897 to evaluate each institution's performance on the metrics to
898 measure the institution's achievement of institutional
899 excellence or need for improvement and minimum requirements for
900 eligibility to receive performance funding.

901 (2) Each fiscal year, the amount of funds available for
902 allocation to the Florida College System institutions based on

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903 the performance-based funding model shall consist of the state's
904 investment in performance funding plus institutional investments
905 consisting of funds to be redistributed from the base funding of
906 the Florida College System Program Fund as determined in the
907 General Appropriations Act. The State Board of Education shall
908 establish minimum performance funding eligibility thresholds for
909 the state's investment and the institutional investments. An
910 institution that fails to meet the minimum state investment
911 performance funding eligibility threshold is ineligible for a
912 share of the state's investment in performance funding. The
913 institutional investment shall be restored for all institutions
914 eligible for the state's investment under the performance-based
915 funding model.

916 (3) (a) Each Florida College System institution's share of
917 the performance funding shall be calculated based on its
918 relative performance on the established metrics in conjunction
919 with the institutional size and scope.

920 (b) A Florida College System institution that fails to meet
921 the State Board of Education's minimum institutional investment
922 performance funding eligibility threshold shall have its
923 institutional investment withheld by the state board and must
924 submit an improvement plan to the state board which specifies
925 the activities and strategies for improving the institution's
926 performance. The state board must review and approve the
927 improvement plan and, if the plan is approved, must monitor the
928 institution's progress in implementing the activities and
929 strategies specified in the improvement plan. The institution
930 shall submit monitoring reports to the state board by December
931 31 and May 31 of each year in which an improvement plan is in

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place. The ability of an institution to submit an improvement plan to the state board is limited to 1 fiscal year.

(c) The Commissioner of Education shall withhold disbursement of the institutional investment until the monitoring report is approved by the State Board of Education. A Florida College System institution determined by the state board to be making satisfactory progress on implementing the improvement plan may not receive more than one-half of the withheld institutional investment in January and the balance of the withheld institutional investment in June. An institution that fails to make satisfactory progress may not have its full institutional investment restored. Any institutional investment funds that are not restored shall be redistributed in accordance with the state board's performance-based metrics.

(4) Distributions of performance funding, as provided in this section, shall be made to each of the Florida College System institutions listed in the Florida Colleges category in the General Appropriations Act.

(5) By October 1 of each year, the State Board of Education shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report on the previous fiscal year's performance funding allocation, which must reflect the rankings and award distributions.

(6) This section expires July 1, 2017.

Section 13. In order to implement Specific Appropriation 104 of the 2016-2017 General Appropriations Act, subsection (3) of section 1012.75, Florida Statutes, is amended to read:

1012.75 Liability of teacher or principal; excessive force.—

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(3) The Department of Education shall administer an educator liability insurance program, as provided in the General Appropriations Act, to protect full-time instructional personnel from liability for monetary damages and the costs of defending actions resulting from claims made against the instructional personnel arising out of occurrences in the course of activities within the instructional personnel's professional capacity. For purposes of this subsection, the terms "full-time," "part-time," and "administrative personnel" shall be defined by the individual district school board. For purposes of this subsection, the term "instructional personnel" has the same meaning as provided in s. 1012.01(2).

(a) Liability coverage of at least \$2 million shall be provided to all full-time instructional personnel. Liability coverage may be provided to the following individuals who choose to participate in the program, at cost: part-time instructional personnel, administrative personnel, and students enrolled in a state-approved teacher preparation program pursuant to s. 1012.39(3).

(b) By August 1, the department shall notify the personnel specified in paragraph (a) of the pending procurement for liability coverage. By September 1, each district school board shall notify the personnel specified in paragraph (a) of the liability coverage provided pursuant to this subsection. The department shall develop the form of the notice which shall be used by each district school board. The notice must be on an 8 1/2-inch by 5 1/2-inch postcard and include the amount of coverage, a general description of the nature of the coverage, and the contact information for coverage and claims questions.

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The notification shall be provided separately from any other correspondence. Each district school board shall certify to the department, by September 15, that the notification required by this paragraph has been provided.

(c) The department shall consult with the Department of Financial Services to select the most economically prudent and cost-effective means of implementing the program through self-insurance, a risk management program, or competitive procurement.

(d) This subsection expires July 1, ~~2017~~ 2016.

Section 14. In order to implement Specific Appropriation 126 of the 2016-2017 General Appropriations Act, section 1001.67, Florida Statutes, is created to read:

1001.67 Distinguished Florida College System institution program.—A collaborative partnership is established between the State Board of Education and the Legislature to recognize the excellence of Florida's highest-performing Florida College System institutions.

(1) EXCELLENCE STANDARDS.—The following excellence standards are established for the program:

(a) A 150 percent-of-normal-time completion rate of 50 percent or higher, as calculated by the Division of Florida Colleges.

(b) A 150 percent-of-normal-time completion rate for Pell Grant recipients of 40 percent or higher, as calculated by the Division of Florida Colleges.

(c) A retention rate of 70 percent or higher, as calculated by the Division of Florida Colleges.

(d) A continuing education, or transfer, rate of 72 percent

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or higher for students graduating with an associate of arts degree, as reported by the Florida Education and Training Placement Information Program (FETPIP).

(e) A licensure passage rate on the National Council Licensure Examination for Registered Nurses (NCLEX-RN) of 90 percent or higher for first-time exam takers, as reported by the Board of Nursing.

(f) A job placement or continuing education rate of 88 percent or higher for workforce programs, as reported by FETPIP.

(g) A time-to-degree for students graduating with an associate of arts degree of 2.25 years or less for first-time-in-college students with accelerated college credits, as reported by the Southern Regional Education Board.

(2) DISTINGUISHED COLLEGE DESIGNATION.—The State Board of Education shall designate each Florida College System institution that meets five of the seven standards identified in subsection (1) as a distinguished college.

(3) DISTINGUISHED COLLEGE SUPPORT.—A Florida College System institution designated as a distinguished college by the State Board of Education is eligible for funding as specified in the General Appropriations Act.

(4) EXPIRATION.—This section expires July 1, 2017.

Section 15. In order to implement Specific Appropriation 142 of the 2016-2017 General Appropriations Act, subsection (1) of section 1001.7065, Florida Statutes, is reenacted, and subsections (2), (3), and (5) through (9) of that section are amended, to read:

1001.7065 Preeminent state research universities program.—

(1) STATE UNIVERSITY SYSTEM SHARED GOVERNANCE

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COLLABORATION.—A collaborative partnership is established between the Board of Governors and the Legislature to elevate the academic and research preeminence of Florida's highest-performing state research universities in accordance with this section. The partnership stems from the State University System Governance Agreement executed on March 24, 2010, wherein the Board of Governors and leaders of the Legislature agreed to a framework for the collaborative exercise of their joint authority and shared responsibility for the State University System. The governance agreement confirmed the commitment of the Board of Governors and the Legislature to continue collaboration on accountability measures, the use of data, and recommendations derived from such data.

(2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—~~Effective July 1, 2013,~~ The following academic and research excellence standards are established for the preeminent state research universities program:

(a) An average weighted grade point average of 4.0 or higher on a 4.0 scale and an average SAT score of 1800 or higher on a 2400-point scale or 1200 or higher on a 1600-point scale for fall semester incoming freshmen, as reported annually.

(b) A top-50 ranking on at least two well-known and highly respected national public university rankings, reflecting national preeminence, which includes, but is not limited to, the U.S. News and World Report rankings, using most recent rankings.

(c) A freshman retention rate of 90 percent or higher for full-time, first-time-in-college students, as reported annually to the Integrated Postsecondary Education Data System (IPEDS).

(d) A 6-year graduation rate of 70 percent or higher for

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full-time, first-time-in-college students, as reported annually to the IPEDS.

(e) Six or more faculty members at the state university who are members of a national academy, as reported by the Center for Measuring University Performance in the Top American Research Universities (TARU) annual report or the official membership directories maintained by each national academy.

(f) Total annual research expenditures, including federal research expenditures, of \$200 million or more, as reported annually by the National Science Foundation (NSF).

(g) Total annual research expenditures in diversified nonmedical sciences of \$150 million or more, based on data reported annually by the NSF.

(h) A top-100 university national ranking for research expenditures in five or more science, technology, engineering, or mathematics fields of study, as reported annually by the NSF.

(i) One hundred or more total patents awarded by the United States Patent and Trademark Office for the most recent 3-year period.

(j) Four hundred or more doctoral degrees awarded annually, including professional doctoral degrees awarded in medical and health care disciplines, as reported in the Board of Governors Annual Accountability Report.

(k) Two hundred or more postdoctoral appointees annually, as reported in the TARU annual report.

(l) An endowment of \$500 million or more, as reported in the Board of Governors Annual Accountability Report.

(3) ~~PREEMINENT STATE RESEARCH~~ UNIVERSITY DESIGNATION.— The Board of Governors shall designate each state ~~research~~

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university that annually meets:

(a) At least 11 of the 12 academic and research excellence standards identified in subsection (2) as a "preeminent state research university."

(b) At least 6 of the 12 academic and research excellence standards identified in subsection (2) as an "emerging preeminent state research university."

(5) ~~PROGRAM PREEMINENT STATE RESEARCH UNIVERSITY SUPPORT.-~~

(a) A state ~~research~~ university designated as a preeminent state research university that, ~~as of July 1, 2013, meets all 12 of the academic and research excellence standards identified in subsection (2), as verified by the Board of Governors,~~ shall submit to the Board of Governors a 5-year benchmark plan with target rankings on key performance metrics for national excellence. Upon approval by the Board of Governors, and upon the university's meeting the benchmark plan goals annually, the Board of Governors shall award the university its proportionate share of any funds provided annually to support the program created under this section ~~an amount specified in the General Appropriations Act to be provided annually throughout the 5-year period. Funding for this purpose is contingent upon specific appropriation in the General Appropriations Act.~~

(b) A state university designated as an emerging preeminent state research university shall submit to the Board of Governors a 5-year benchmark plan with target rankings on key performance metrics for national excellence. Upon approval by the Board of Governors, and upon the university's meeting the benchmark plan goals annually, the Board of Governors shall award the university its proportionate share of any funds provided

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annually to support the program created under this section.

(c) The award of funds under this subsection is contingent upon funding provided in the General Appropriations Act to support the preeminent state research universities program created under this section. Funding increases appropriated beyond the amounts funded in the previous fiscal year shall be distributed as follows:

1. Each designated preeminent state research university that meets the criteria in paragraph (a) shall receive an equal amount of funding.

2. Each designated emerging preeminent state research university that meets the criteria in paragraph (b) shall receive an amount of funding that is equal to one-half of the total increased amount awarded to each designated preeminent state research university.

~~(6) PREEMINENT STATE RESEARCH UNIVERSITY ENHANCEMENT INITIATIVE.-A state research university that, as of July 1, 2013, meets 11 of the 12 academic and research excellence standards identified in subsection (2), as verified by the Board of Governors, shall submit to the Board of Governors a 5-year benchmark plan with target rankings on key performance metrics for national excellence. Upon the university's meeting the benchmark plan goals annually, the Board of Governors shall award the university an amount specified in the General Appropriations Act to be provided annually throughout the 5-year period for the purpose of recruiting National Academy Members, expediting the provision of a master's degree in cloud virtualization, and instituting an entrepreneurs-in-residence program throughout its campus. Funding for this purpose is~~

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contingent upon specific appropriation in the General Appropriations Act.

~~(7) PREEMINENT STATE RESEARCH UNIVERSITY SPECIAL COURSE REQUIREMENT AUTHORITY. In order to provide a jointly shared educational experience, a university that is designated a preeminent state research university may require its incoming first-time-in-college students to take a 9-to-12-credit set of unique courses specifically determined by the university and published on the university's website. The university may stipulate that credit for such courses may not be earned through any acceleration mechanism pursuant to s. 1007.27 or s. 1007.271 or any other transfer credit. All accelerated credits earned up to the limits specified in ss. 1007.27 and 1007.271 shall be applied toward graduation at the student's request.~~

~~(6)(8) PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY AUTHORITY.~~—The Board of Governors is encouraged to identify and grant all reasonable, feasible authority and flexibility to ensure that a designated preeminent state research university is free from unnecessary restrictions.

~~(7)(9) PROGRAMS OF EXCELLENCE THROUGHOUT THE STATE UNIVERSITY SYSTEM.~~—The Board of Governors is encouraged to establish standards and measures whereby individual programs in state universities that objectively reflect national excellence can be identified and make recommendations to the Legislature as to how any such programs could be enhanced and promoted.

Section 16. The amendment made by this act to s. 1001.7065, Florida Statutes, expires July 1, 2017, and the text of that section shall revert to that in existence on June 30, 2016, except that any amendments to such text enacted other than by

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this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 17. In order to implement Specific Appropriations 199, 206, 207, 208, 211, and 218 of the 2016-2017 General Appropriations Act, the Agency for Health Care Administration is authorized to submit a budget amendment pursuant to chapter 216, Florida Statutes, to realign funding based on the model, methodology, and framework in the "Medicaid Hospital Funding Programs" document incorporated by reference in Senate Proposed Bill 2502. Funding changes shall be consistent with the intent of the model, methodology, and framework displayed, demonstrated, and explained in the "Medicaid Hospital Funding Programs" document, while allowing for the appropriate realignment to appropriation categories related to Medicaid Low-Income Pool, Disproportionate Share Hospital, Graduate Medical Education, Inpatient Hospital and Outpatient Hospital programs, Prepaid Health Plans, and the diagnosis related groups (DRG) methodology for hospital reimbursement for the 2016-2017 fiscal year, including requests for additional trust fund budget authority. Notwithstanding s. 216.177, Florida Statutes, if the chair or vice chair of the Legislative Budget Commission or the President of the Senate or the Speaker of the House of Representatives timely advises the Executive Office of the Governor, in writing, that the budget amendment exceeds the delegated authority of the Executive Office of the Governor or is contrary to legislative policy or intent, the Executive Office of the Governor shall void the action. This section expires July 1, 2017.

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1222 Section 18. (1) In order to implement Specific
 1223 Appropriation 259 of the 2016-2017 General Appropriations Act,
 1224 and notwithstanding s. 393.065(5), Florida Statutes, the Agency
 1225 for Persons with Disabilities shall offer enrollment in the
 1226 Medicaid home and community-based waiver program in the
 1227 following order of priority:
 1228 (a) Individuals in category 1, which includes clients
 1229 deemed to be in crisis as described in rule.
 1230 (b) Individuals in category 2, which includes:
 1231 1. Individuals on the wait list who are from the child
 1232 welfare system with an open case in the Department of Children
 1233 and Families' statewide automated child welfare information
 1234 system and who are:
 1235 a. Transitioning out of the child welfare system at the
 1236 finalization of an adoption, a reunification with family
 1237 members, a permanent placement with a relative, or a
 1238 guardianship with a nonrelative; or
 1239 b. At least 18 years old but not yet 22 years old and need
 1240 both waiver services and extended foster care services.
 1241 2. Individuals on the wait list who are at least 18 years
 1242 old but not yet 22 years old and who withdrew consent pursuant
 1243 to s. 39.6251(5)(c), Florida Statutes, to remain in the extended
 1244 foster care system.
 1245
 1246 For individuals who are at least 18 years old but not yet 22
 1247 years old and who are eligible under sub-subparagraph 1.b., the
 1248 Agency for Persons with Disabilities shall provide waiver
 1249 services, including residential habilitation; and the community-
 1250 based care lead agency shall fund room and board at the rate

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1251 established in s. 409.145(4), Florida Statutes, and provide case
 1252 management and related services as defined in s. 409.986(3)(e),
 1253 Florida Statutes. Individuals may receive both waiver services
 1254 and services under s. 39.6251, Florida Statutes. Services may
 1255 not duplicate services available through the Medicaid state
 1256 plan.
 1257 (c) Individuals in categories 3 and 4 in an order based on
 1258 the Agency for Persons with Disabilities Waitlist Prioritization
 1259 Tool, dated March 15, 2013. Using the tool, the agency shall
 1260 move those individuals whose needs score highest to the waiver
 1261 during the 2016-2017 fiscal year, to the extent funds are
 1262 available.
 1263 (d) Individuals in category 6 shall be moved to the waiver
 1264 during the 2016-2017 fiscal year, to the extent funds are
 1265 available, based on meeting the following criteria:
 1266 1. The individual is 30 years of age or older;
 1267 2. The individual resides in the family home;
 1268 3. The individual has been on the wait list for waiver
 1269 services for at least 10 continuous years; and
 1270 4. The individual is classified at a level of need equal to
 1271 Level 3, Level 4, or Level 5 based on the Questionnaire for
 1272 Situational Information.
 1273 (2) The agency shall allow an individual who meets the
 1274 eligibility requirements under s. 393.065(1), Florida Statutes,
 1275 to receive home and community-based services in this state if
 1276 the individual's parent or legal guardian is an active-duty
 1277 military servicemember and, at the time of the servicemember's
 1278 transfer to this state, the individual was receiving home and
 1279 community-based services in another state.

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1280 (3) Upon the placement of individuals on the waiver
 1281 pursuant to subsection (1), individuals remaining on the wait
 1282 list are deemed not to have been substantially affected by
 1283 agency action and are, therefore, not entitled to a hearing
 1284 under s. 393.125, Florida Statutes, or an administrative
 1285 proceeding under chapter 120, Florida Statutes.

1286 (4) This section expires July 1, 2017.

1287 Section 19. In order to implement Specific Appropriation
 1288 259 of the 2016-2017 General Appropriations Act:

1289 (1) Until the Agency for Persons with Disabilities adopts a
 1290 new allocation algorithm and methodology by final rule pursuant
 1291 to s. 393.0662, Florida Statutes:

1292 (a) Each client's iBudget in effect as of July 1, 2016,
 1293 shall remain at its July 1, 2016, funding level.

1294 (b) The Agency for Persons with Disabilities shall
 1295 determine the iBudget for a client newly enrolled on the home
 1296 and community-based services waiver on or after July 1, 2016,
 1297 using the same allocation algorithm and methodology used for the
 1298 iBudgets in effect as of July 1, 2016.

1299 (2) After a new algorithm and methodology is adopted by
 1300 final rule, a client's new iBudget shall be determined based on
 1301 the new allocation algorithm and methodology and shall take
 1302 effect as of the client's next support plan update.

1303 (3) Funding allocated under subsections (1) and (2) may be
 1304 increased pursuant to s. 393.0662(1)(b), Florida Statutes. A
 1305 client's funding allocation may also be increased if the client
 1306 has a significant need for transportation services to a waiver-
 1307 funded adult day training program or to a waiver-funded
 1308 supported employment where such need cannot be accommodated

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1309 within the funding authorized by the client's iBudget amount
 1310 without affecting the health and safety of the client, where
 1311 public transportation is not an option due to the unique needs
 1312 of the client, and where no other transportation resources are
 1313 reasonably available. However, such increases may not result in
 1314 the total of all clients' projected annual iBudget expenditures
 1315 exceeding the agency's appropriation for waiver services.

1316 (4) This section expires July 1, 2017.

1317 Section 20. In order to implement Specific Appropriations
 1318 569 through 578 of the 2016-2017 General Appropriations Act,
 1319 subsection (3) of section 296.37, Florida Statutes, is amended
 1320 to read:

1321 296.37 Residents; contribution to support.—

1322 (3) Notwithstanding subsection (1), each resident of the
 1323 home who receives a pension, compensation, or gratuity from the
 1324 United States Government, or income from any other source, of
 1325 more than \$105 per month shall contribute to his or her
 1326 maintenance and support while a resident of the home in
 1327 accordance with a payment schedule determined by the
 1328 administrator and approved by the director. The total amount of
 1329 such contributions shall be to the fullest extent possible, but,
 1330 in no case, shall exceed the actual cost of operating and
 1331 maintaining the home. This subsection expires July 1, 2017 ~~2016~~.

1332 Section 21. In order to implement Specific Appropriation
 1333 231 of the 2016-2017 General Appropriations Act, the Agency for
 1334 Health Care Administration shall ensure that nursing facility
 1335 residents who are eligible for funds to transition to home and
 1336 community-based services waivers must first have resided in a
 1337 skilled nursing facility for at least 60 consecutive days. This

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section expires July 1, 2017.

Section 22. In order to implement Specific Appropriation 232 of the 2016-2017 General Appropriations Act, the Agency for Health Care Administration and the Department of Elderly Affairs shall prioritize individuals for enrollment in the Medicaid Long-Term Care Waiver program using a frailty-based screening that provides a priority score (the "scoring process") and shall enroll individuals in the program according to the assigned priority score as funds are available. The agency may adopt rules, pursuant to s. 409.919, Florida Statutes, and enter into interagency agreements necessary to administer s. 409.979(3), Florida Statutes. Such rules or interagency agreements adopted by the agency relating to the scoring process may delegate to the Department of Elderly Affairs, pursuant to s. 409.978, Florida Statutes, the responsibility for implementing and administering the scoring process, providing notice of Medicaid fair hearing rights, and the responsibility for defending, as needed, the scores assigned to persons on the program wait list in any resulting Medicaid fair hearings. The Department of Elderly Affairs may delegate the provision of notice of Medicaid fair hearing rights to its contractors. This section expires July 1, 2017.

Section 23. In order to implement Specific Appropriations 192A through 226 and 541 of the 2016-2017 General Appropriations Act and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the Agency for Health Care Administration, in consultation with the Department of Health, may submit a budget amendment, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes, to realign funding

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within and between agencies based on implementation of the Managed Medical Assistance component of the Statewide Medicaid Managed Care program for the Children's Medical Services program of the Department of Health. The funding realignment shall reflect the actual enrollment changes due to the transfer of beneficiaries from fee-for-service to the capitated Children's Medical Services Network. The Agency for Health Care Administration may submit a request for nonoperating budget authority to transfer the federal funds to the Department of Health, pursuant to s. 216.181(12), Florida Statutes. This section expires July 1, 2017.

Section 24. In order to implement Specific Appropriations 199, 206, 207, 208, 211, and 218 of the 2016-2017 General Appropriations Act, the calculations of the Medicaid Low-Income Pool, Disproportionate Share Hospital, and hospital reimbursement programs for the 2016-2017 fiscal year contained in the document titled "Medicaid Hospital Funding Programs," dated XX XX, 2016, and filed with the Secretary of the Senate, are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with the requirements of state law, in making appropriations for the Medicaid Low-Income Pool, Disproportionate Share Hospital, and hospital reimbursement programs. This section expires July 1, 2017.

Section 25. In order to implement Specific Appropriation 524 of the 2016-2017 General Appropriations Act, subsection (17) of section 893.055, Florida Statutes, is amended to read:

893.055 Prescription drug monitoring program.—

(17) Notwithstanding subsection (10), and for the 2016-2017

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1396 ~~2015-2016~~ fiscal year only, the department may use state funds
 1397 appropriated in the 2016-2017 ~~2015-2016~~ General Appropriations
 1398 Act to administer the prescription drug monitoring program.
 1399 Neither the Attorney General nor the department may use funds
 1400 received as part of a settlement agreement to administer the
 1401 prescription drug monitoring program. This subsection expires
 1402 July 1, 2017 ~~2016~~.

1403 Section 26. In order to implement Specific Appropriations
 1404 599 through 706 and 721 through 755 of the 2016-2017 General
 1405 Appropriations Act, subsection (4) of section 216.262, Florida
 1406 Statutes, is amended to read:

1407 216.262 Authorized positions.—

1408 (4) Notwithstanding the provisions of this chapter relating
 1409 to increasing the number of authorized positions, and for the
 1410 2016-2017 ~~2015-2016~~ fiscal year only, if the actual inmate
 1411 population of the Department of Corrections exceeds the inmate
 1412 population projections of the December 17, 2015 ~~February 27,~~
 1413 ~~2015~~, Criminal Justice Estimating Conference by 1 percent for 2
 1414 consecutive months or 2 percent for any month, the Executive
 1415 Office of the Governor, with the approval of the Legislative
 1416 Budget Commission, shall immediately notify the Criminal Justice
 1417 Estimating Conference, which shall convene as soon as possible
 1418 to revise the estimates. The Department of Corrections may then
 1419 submit a budget amendment requesting the establishment of
 1420 positions in excess of the number authorized by the Legislature
 1421 and additional appropriations from unallocated general revenue
 1422 sufficient to provide for essential staff, fixed capital
 1423 improvements, and other resources to provide classification,
 1424 security, food services, health services, and other variable

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1425 expenses within the institutions to accommodate the estimated
 1426 increase in the inmate population. All actions taken pursuant to
 1427 this subsection are subject to review and approval by the
 1428 Legislative Budget Commission. This subsection expires July 1,
 1429 2017 ~~2016~~.

1430 Section 27. In order to implement Specific Appropriations
 1431 1283 and 1284 of the 2016-2017 General Appropriations Act, the
 1432 Department of Legal Affairs may expend appropriated funds in
 1433 those specific appropriations on the same programs that were
 1434 funded by the department pursuant to specific appropriations
 1435 made in general appropriations acts in previous years. This
 1436 section expires July 1, 2017.

1437 Section 28. In order to implement Specific Appropriations
 1438 1219 and 1224 of the 2016-2017 General Appropriations Act,
 1439 paragraph (d) of subsection (4) of section 932.7055, Florida
 1440 Statutes, is amended to read:

1441 932.7055 Disposition of liens and forfeited property.—

1442 (4) The proceeds from the sale of forfeited property shall
 1443 be disbursed in the following priority:

1444 (d) Notwithstanding any other provision of this subsection,
 1445 and for the 2016-2017 ~~2015-2016~~ fiscal year only, the funds in a
 1446 special law enforcement trust fund established by the governing
 1447 body of a municipality may be expended to reimburse the general
 1448 fund of the municipality for moneys advanced from the general
 1449 fund to the special law enforcement trust fund before October 1,
 1450 2001. This paragraph expires July 1, 2017 ~~2016~~.

1451 Section 29. In order to implement section 7 of the 2016-
 1452 2017 General Appropriations Act, subsection (2) of section
 1453 215.18, Florida Statutes, is amended to read:

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1454 215.18 Transfers between funds; limitation.-
 1455 (2) The Chief Justice of the Supreme Court may receive one
 1456 or more trust fund loans to ensure that the state court system
 1457 has funds sufficient to meet its appropriations in the 2016-2017
 1458 ~~2015-2016~~ General Appropriations Act. If the Chief Justice
 1459 accesses the loan, he or she must notify the Governor and the
 1460 chairs of the legislative appropriations committees in writing.
 1461 The loan must come from other funds in the State Treasury which
 1462 are for the time being or otherwise in excess of the amounts
 1463 necessary to meet the just requirements of such last-mentioned
 1464 funds. The Governor shall order the transfer of funds within 5
 1465 days after the written notification from the Chief Justice. If
 1466 the Governor does not order the transfer, the Chief Financial
 1467 Officer shall transfer the requested funds. The loan of funds
 1468 from which any money is temporarily transferred must be repaid
 1469 by the end of the 2016-2017 ~~2015-2016~~ fiscal year. This
 1470 subsection expires July 1, 2017 ~~2016~~.
 1471 Section 30. In order to implement appropriations for
 1472 salaries and benefits in the 2016-2017 General Appropriations
 1473 Act for the Department of Corrections and notwithstanding s.
 1474 216.292, Florida Statutes, the Department of Corrections may not
 1475 transfer funds from a salaries and benefits category to any
 1476 other category within the department other than a salaries and
 1477 benefits category without approval of the Legislative Budget
 1478 Commission. This section expires July 1, 2017.
 1479 Section 31. (1) In order to implement Specific
 1480 Appropriations 1093 through 1105 of the 2016-2017 General
 1481 Appropriations Act, the Department of Juvenile Justice shall
 1482 review county juvenile detention payments for the purpose of

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1483 ensuring that counties fulfill their financial responsibilities
 1484 required in s. 985.686, Florida Statutes. If the Department of
 1485 Juvenile Justice determines that a county has not met its
 1486 obligations, the department shall direct the Department of
 1487 Revenue to deduct the amount owed to the Department of Juvenile
 1488 Justice from the funds provided to the county under s. 218.23,
 1489 Florida Statutes. The Department of Revenue shall transfer the
 1490 funds withheld to the Shared County/State Juvenile Detention
 1491 Trust Fund.
 1492 (2) As an assurance to holders of bonds issued by counties
 1493 before July 1, 2015, for which distributions made pursuant to s.
 1494 218.23, Florida Statutes, are pledged, or bonds issued to refund
 1495 such bonds which mature no later than the bonds they refunded
 1496 and which result in a reduction of debt service payable in each
 1497 fiscal year, the amount available for distribution to a county
 1498 shall remain as provided by law and continue to be subject to
 1499 any lien or claim on behalf of the bondholders. The Department
 1500 of Revenue must ensure, based on information provided by an
 1501 affected county, that any reduction in amounts distributed
 1502 pursuant to subsection (1) does not reduce the amount of
 1503 distribution to a county below the amount necessary for the
 1504 timely payment of principal and interest when due on the bonds
 1505 and the amount necessary to comply with any covenant under the
 1506 bond resolution or other documents relating to the issuance of
 1507 the bonds. If a reduction to a county's monthly distribution
 1508 must be decreased in order to comply with this subsection, the
 1509 Department of Revenue must notify the Department of Juvenile
 1510 Justice of the amount of the decrease, and the Department of
 1511 Juvenile Justice must send a bill for payment of such amount to

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the affected county.

(3) This section expires July 1, 2017.

Section 32. In order to implement Specific Appropriation 780 of the 2016-2017 General Appropriations Act, subsection (5) of section 27.5304, Florida Statutes, is amended to read:

27.5304 Private court-appointed counsel; compensation; notice.—

(5) The compensation for representation in a criminal proceeding ~~may shall~~ not exceed the following:

(a) For misdemeanors and juveniles represented at the trial level: \$1,000.

(b) For noncapital, nonlife felonies represented at the trial level: \$15,000 ~~\$6,000~~.

(c) For life felonies represented at the trial level: \$15,000 ~~\$9,000~~.

(d) For capital cases represented at the trial level: \$25,000. For purposes of this paragraph, a "capital case" is any offense for which the potential sentence is death and the state has not waived seeking the death penalty.

(e) For representation on appeal: \$9,000.

Section 33. The amendment made by this act to s. 27.5304(5), Florida Statutes, expires July 1, 2017, and the text of that subsection shall revert to that in existence on June 30, 2016, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 34. Effective upon becoming a law and in order to implement Specific Appropriation 3023 and sections 35 and 36 of

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the 2016-2017 General Appropriations Act, subsections (5) and (6) are added to section 28.36, Florida Statutes, to read:

28.36 Budget procedure.—There is established a budget procedure for the court-related functions of the clerks of the court.

(5) Funds appropriated in the General Appropriations Act to augment the revenues received from fines, fees, service charges, and costs for court-related functions by the clerks of the court during the 2015-2016 county fiscal year shall be distributed by the Department of Revenue to clerks of the court in accordance with this subsection. The Florida Clerks of Court Operations Corporation shall certify to the Department of Revenue a proposed distribution of a portion of the appropriated funds for each clerk with a deficit after retaining all of the projected collections from the court-related fines, fees, service charges, and costs and for which a distribution under subsection (3) is not available to relieve that deficit; however, each clerk's expenditures may not exceed the amount approved for the 2015-2016 county fiscal year by the Legislative Budget Commission. The Department of Revenue shall certify the amount needed for each individual clerk to the Executive Office of the Governor and request release authority for such amounts from the Clerks of Court Trust Fund. Notwithstanding s. 216.192, the Executive Officer of the Governor may approve the release of funds in accordance with the notice, review, and objection procedures set forth in s. 216.177 and provide notice to the Department of Revenue and the Chief Financial Officer. The Department of Revenue and the Chief Financial Officer shall release the funds to each clerk in accordance with the release approved by the

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Governor. This subsection expires July 1, 2017.

(6) Funds appropriated in the General Appropriations Act for the clerks of the court for the 2016-2017 county fiscal year shall augment the amount of revenues projected to be received from fines, fees, service charges, and costs for court-related functions by the clerks of the court when each clerk of the court prepares, summarizes, and submits their budget to the Florida Clerks of Court Operations Corporation pursuant to subsection (2). The Florida Clerks of Court Operations Corporation shall determine the portion of the appropriated funds which shall be included in each individual clerk's proposed budget submitted pursuant to subsection (2). The proposed budgets for each clerk of court submitted to the Legislative Budget Commission pursuant to s. 28.35(2)(h) shall separately identify the amount of the appropriated funds proposed to be distributed to each clerk of the court. During consideration of the clerks' of the court budget pursuant to s. 28.35(2)(h), the Legislative Budget Commission shall consider the proposed distribution of the appropriated funds and shall approve, disapprove, or amend and approve the distribution of appropriated funds as a part of the clerks' combined budgets or any individual clerk's budget. If the Legislative Budget Commission fails to approve or amend and approve the clerks' combined budgets or amend and approve each individual clerk's budget, including the appropriated funds, before October 1, 2016, the corporation shall certify to the Department of Revenue a proposed distribution of a portion of the appropriated funds for each clerk with a deficit after retaining all of the projected collections from the court-related fines, fees,

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service charges, and costs and for which a distribution under subsection (3) is not available to relieve that deficit; however, each clerk's expenditures may not exceed the amount approved by the Legislative Budget Commission for the 2015-2016 county fiscal year. The Department of Revenue shall certify the amount needed for each individual clerk to the Executive Office of the Governor and request release authority for such amounts from the Clerks of Court Trust Fund. Notwithstanding s. 216.192, the Executive Officer of the Governor may approve the release of funds in accordance with the notice, review, and objection procedures set forth in s. 216.177 and provide notice to the Department of Revenue and the Chief Financial Officer. The Department of Revenue and the Chief Financial Officer shall release the funds to each clerk in accordance with the release approved by the Governor. This subsection expires July 1, 2017.

Section 35. In order to implement appropriations used for the payments of existing lease contracts for private lease space in excess of 2,000 square feet in the 2016-2017 General Appropriations Act, the Department of Management Services, with the cooperation of the agencies having the existing lease contracts for office or storage space, shall use tenant broker services to renegotiate or reprocure all private lease agreements for office or storage space expiring between July 1, 2017, and June 30, 2019, in order to reduce costs in future years. The department shall incorporate this initiative into its 2016 master leasing report required under s. 255.249(7), Florida Statutes, and may use tenant broker services to explore the possibilities of collocating office or storage space, to review the space needs of each agency, and to review the length and

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1628 terms of potential renewals or renegotiations. The department
 1629 shall provide a report to the Executive Office of the Governor,
 1630 the President of the Senate, and the Speaker of the House of
 1631 Representatives by November 1, 2016, which lists each lease
 1632 contract for private office or storage space, the status of
 1633 renegotiations, and the savings achieved. This section expires
 1634 July 1, 2017.

1635 Section 36. In order to implement Specific Appropriations
 1636 2257 through 2265 of the 2016-2017 General Appropriations Act,
 1637 section 624.502, Florida Statutes, is reenacted to read:

1638 624.502 Service of process fee.—In all instances as
 1639 provided in any section of the insurance code and s. 48.151(3)
 1640 in which service of process is authorized to be made upon the
 1641 Chief Financial Officer or the director of the office, the
 1642 plaintiff shall pay to the department or office a fee of \$15 for
 1643 such service of process, which fee shall be deposited into the
 1644 Administrative Trust Fund.

1645 Section 37. The amendment to s. 624.502, Florida Statutes,
 1646 as carried forward by this act from chapter 2013-41, Laws of
 1647 Florida, expires July 1, 2017, and the text of that section
 1648 shall revert to that in existence on June 30, 2013, except that
 1649 any amendments to such text enacted other than by this act shall
 1650 be preserved and continue to operate to the extent that such
 1651 amendments are not dependent upon the portions of text which
 1652 expire pursuant to this section.

1653 Section 38. In order to implement Specific Appropriations
 1654 2834 through 2845 of the 2016-2017 General Appropriations Act,
 1655 paragraph (a) of subsection (2) of section 282.709, Florida
 1656 Statutes, is reenacted to read:

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1657 282.709 State agency law enforcement radio system and
 1658 interoperability network.—

1659 (2) The Joint Task Force on State Agency Law Enforcement
 1660 Communications is created adjunct to the department to advise
 1661 the department of member-agency needs relating to the planning,
 1662 designing, and establishment of the statewide communication
 1663 system.

1664 (a) The Joint Task Force on State Agency Law Enforcement
 1665 Communications shall consist of the following members:

1666 1. A representative of the Division of Alcoholic Beverages
 1667 and Tobacco of the Department of Business and Professional
 1668 Regulation who shall be appointed by the secretary of the
 1669 department.

1670 2. A representative of the Division of Florida Highway
 1671 Patrol of the Department of Highway Safety and Motor Vehicles
 1672 who shall be appointed by the executive director of the
 1673 department.

1674 3. A representative of the Department of Law Enforcement
 1675 who shall be appointed by the executive director of the
 1676 department.

1677 4. A representative of the Fish and Wildlife Conservation
 1678 Commission who shall be appointed by the executive director of
 1679 the commission.

1680 5. A representative of the Department of Corrections who
 1681 shall be appointed by the secretary of the department.

1682 6. A representative of the Division of State Fire Marshal
 1683 of the Department of Financial Services who shall be appointed
 1684 by the State Fire Marshal.

1685 7. A representative of the Department of Agriculture and

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Consumer Services who shall be appointed by the Commissioner of Agriculture.

Section 39. The amendment to s. 282.709(2)(a), Florida Statutes, as carried forward by this act from chapter 2014-53, Laws of Florida, expires July 1, 2017, and the text of that paragraph shall revert to that in existence on June 30, 2014, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 40. In order to implement Specific Appropriations 2740 through 2752 of the 2016-2017 General Appropriations Act, and notwithstanding rule 60A-1.031, Florida Administrative Code, the transaction fee collected for use of the online procurement system, authorized in ss. 287.042(1)(h)1. and 287.057(22)(c), Florida Statutes, shall be seven-tenths of 1 percent for the 2016-2017 fiscal year only. This section expires July 1, 2017.

Section 41. In order to implement Specific Appropriations 1533 and 1534 of the 2016-2017 General Appropriations Act, paragraph (m) of subsection (3) of section 259.105, Florida Statutes, is amended, and paragraph (n) is added to that subsection, to read:

259.105 The Florida Forever Act.—

(3) Less the costs of issuing and the costs of funding reserve accounts and other costs associated with bonds, the proceeds of cash payments or bonds issued pursuant to this section shall be deposited into the Florida Forever Trust Fund created by s. 259.1051. The proceeds shall be distributed by the Department of Environmental Protection in the following manner:

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(m) Notwithstanding paragraphs (a)-(j) and for the 2016-2017 2015-2016 fiscal year only, \$22,256,206 ~~\$17.4 million~~ to only the Division of State Lands within the Department of Environmental Protection for the Board of Trustees Florida Forever Priority List land acquisition projects and \$30 million to the Florida Communities Trust. This paragraph expires July 1, 2017 2016.

(n)1. For the 2016-2017 fiscal year:

a. Notwithstanding any allocation required pursuant to paragraph (c), 66.67 percent of the funds available to the Florida Communities Trust shall be allocated for projects acquiring conservation or recreation lands to enhance recreational opportunities for individuals with unique abilities.

b. The Department of Environmental Protection may waive the local government matching fund requirement in paragraph (c) for projects acquiring conservation or recreation lands to enhance recreational opportunities for individuals with unique abilities.

2. This paragraph expires July 1, 2017.

Section 42. In order to implement Specific Appropriation 1698A of the 2016-2017 General Appropriations Act, subsection (4) is added to section 375.075, Florida Statutes, to read:

375.075 Outdoor recreation; financial assistance to local governments.—

(4)(a) For the 2016-2017 fiscal year:

1. Notwithstanding any other provision of this section, at least 30 percent of the program funds for projects must be used exclusively for projects that provide recreational enhancements

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and opportunities for individuals with unique abilities. The department shall conduct a separate grant application process exclusively for such projects. The department shall make the schedule for the grant application process for projects that provide recreational enhancements and opportunities for individuals with unique abilities publicly available and shall award the grants for such projects by December 31, 2016.

2. Notwithstanding subsection (3), a local government may submit up to three grant applications for projects, if at least one of those projects provides recreational enhancements and opportunities for individuals with unique abilities. The maximum project grant for each project application that provides recreational enhancements and opportunities for individuals with unique abilities may not exceed \$500,000 in state funds.

(b) The selection criteria used by the department for grant applications submitted pursuant to this subsection shall prioritize projects that allocate the greatest share of state funds to provide recreational enhancements and opportunities for individuals with unique abilities.

(c) This subsection expires July 1, 2017.

Section 43. In order to implement Specific Appropriation 1534 of the 2016-2017 General Appropriations Act, paragraph (h) is added to subsection (2) of section 380.507, Florida Statutes, to read:

380.507 Powers of the trust.—The trust shall have all the powers necessary or convenient to carry out the purposes and provisions of this part, including:

(2) To undertake, coordinate, or fund activities and projects which will help bring local comprehensive plans into

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compliance and help implement the goals, objectives, and policies of the conservation, recreation and open space, and coastal elements of local comprehensive plans, or which will otherwise serve to conserve natural resources and resolve land use conflicts, including, but not limited to:

(h) Projects that provide accessibility, availability, or adaptability of conservation or recreation lands for individuals with unique abilities. This paragraph expires July 1, 2017.

Section 44. In order to implement Specific Appropriations 1599, 1599A, 1599B, and 1748 of the 2016-2017 General Appropriations Act, paragraph (d) of subsection (11) of section 216.181, Florida Statutes, is amended to read:

216.181 Approved budgets for operations and fixed capital outlay.—

(11)

(d) Notwithstanding paragraph (b) and paragraph (2)(b), and for the 2016-2017 ~~2015-2016~~ fiscal year only, the Legislative Budget Commission may increase the amounts appropriated to the Fish and Wildlife Conservation Commission or the Department of Environmental Protection for fixed capital outlay projects, including additional fixed capital outlay projects, using funds provided to the state from the Gulf Environmental Benefit Fund administered by the National Fish and Wildlife Foundation; funds provided to the state from the Gulf Coast Restoration Trust Fund related to the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast Act of 2012 (RESTORE Act); or funds provided by the British Petroleum Corporation (BP) for natural resource damage assessment early restoration projects. Concurrent with submission of an amendment

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to the Legislative Budget Commission pursuant to this paragraph, any project that carries a continuing commitment for future appropriations by the Legislature must be specifically identified, together with the projected amount of the future commitment associated with the project and the fiscal years in which the commitment is expected to commence. This paragraph expires July 1, 2017 ~~2016~~.

The provisions of this subsection are subject to the notice and objection procedures set forth in s. 216.177.

Section 45. In order to implement specific appropriations from the Water Quality Assurance Trust Fund within the Department of Environmental Protection contained in the 2016-2017 General Appropriations Act, paragraph (b) of subsection (2) of section 206.9935, Florida Statutes, is amended to read:

206.9935 Taxes imposed.—

(2) TAX FOR WATER QUALITY.—

(b) The excise tax shall be the applicable rate as specified in subparagraph 1. per barrel or per unit of pollutant, or equivalent measure as established by the department, produced in or imported into the state. If the unobligated balance of the Water Quality Assurance Trust Fund is or falls below \$3 million, the tax shall be increased to the applicable rates specified in subparagraph 2. and shall remain at said rates until the unobligated balance in the fund exceeds \$5 million, at which time the tax shall be imposed at the rates specified in subparagraph 1. If the unobligated balance of the fund exceeds \$12 million, the levy of the tax shall be discontinued until the unobligated balance of the fund falls

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below \$5 million, at which time the tax shall be imposed at the rates specified in subparagraph 1. Changes in the tax rates pursuant to this paragraph shall take effect on the first day of the month after 30 days' notification to the Department of Revenue when the unobligated balance of the fund falls below or exceeds a limit set pursuant to this paragraph. The unobligated balance of the Water Quality Assurance Trust Fund as it relates to determination of the applicable excise tax rate shall exclude the unobligated balances of funds of the Dry Cleaning, Operator Certification, and nonagricultural nonpoint source programs, and other required reservations of fund balance. The unobligated balance in the Water Quality Assurance Trust Fund is based upon the current unreserved fund balance, projected revenues, authorized legislative appropriations, and funding for the department's base budget for the subsequent fiscal year. Revenues for penalties collected pursuant to s. 403.121(11) and all moneys recovered under s. 373.430(7) are exempt from the calculation of the unobligated balance of the Water Quality Assurance Trust Fund. Determination of the unobligated balance of the Water Quality Assurance Trust Fund shall be performed annually subsequent to the annual legislative appropriations becoming law.

1. As provided in this paragraph, the tax shall be 2.36 cents per gallon of solvents, 1 cent per gallon of motor oil or other lubricants, and 2 cents per barrel of petroleum products, pesticides, ammonia, and chlorine.

2. As provided in this paragraph, the tax shall be 5.9 cents per gallon of solvents, 2.5 cents per gallon of motor oil or other lubricants, 2 cents per barrel of ammonia, and 5 cents

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per barrel of petroleum products, pesticides, and chlorine.

Section 46. The amendment made by this act to s. 206.9935(2)(b), Florida Statutes, expires July 1, 2017, and the text of that paragraph shall revert to that in existence on June 30, 2016, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 47. In order to implement Specific Appropriation 1670 of the 2016-2017 General Appropriations Act, subsection (5) of section 403.709, Florida Statutes, is amended to read:

403.709 Solid Waste Management Trust Fund; use of waste tire fees.—There is created the Solid Waste Management Trust Fund, to be administered by the department.

(5)(a) Notwithstanding subsection (1), a solid waste landfill closure account is established within the Solid Waste Management Trust Fund to provide funding for the closing and long-term care of solid waste management facilities. The department may use funds from the account to contract with a third party for the closing and long-term care of a solid waste management facility if:

1. The facility has or had a department permit to operate the facility;

2. The permittee provided proof of financial assurance for closure in the form of an insurance certificate;

3. The facility is deemed to be abandoned or was ordered to close by the department;

4. Closure is accomplished in substantial accordance with a closure plan approved by the department; and

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5. The department has written documentation that the insurance company issuing the closure insurance policy will provide or reimburse the funds required to complete closing and long-term care of the facility.

(b) The department shall deposit the funds received from the insurance company as reimbursement for the costs of closing or long-term care of the facility into the solid waste landfill closure account.

(c) This subsection expires July 1, 2017 2016.

Section 48. Effective upon becoming a law and in order to implement Specific Appropriation 1674 and section 49 of the 2016-2017 General Appropriations Act, and notwithstanding the expiration of subsection (5) of section 403.7095, Florida Statutes, which occurred on July 1, 2015, that subsection is revived, reenacted, and amended to read:

403.7095 Solid waste management grant program.—

(5) Notwithstanding any other provision of this section, and for the 2015-2016 and 2016-2017 ~~2014-2015~~ fiscal years ~~year~~ only, the Department of Environmental Protection shall award the sum of \$1,500,000 in grants in the 2015-2016 fiscal year and the sum of \$3,750,000 ~~\$3 million~~ in grants in the 2016-2017 fiscal year equally to counties having populations of fewer than 100,000 for waste tire and litter prevention, recycling education, and general solid waste programs. This subsection expires July 1, 2017 ~~2015~~.

Section 49. In order to implement specific appropriations from the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, and the Fish

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1918 and Wildlife Conservation Commission which are contained in the
 1919 2016-2017 General Appropriations Act, subsection (3) of section
 1920 215.18, Florida Statutes, is amended to read:

1921 215.18 Transfers between funds; limitation.-

1922 (3) Notwithstanding subsection (1) and only with respect to
 1923 a land acquisition trust fund in the Department of Agriculture
 1924 and Consumer Services, the Department of Environmental
 1925 Protection, the Department of State, or the Fish and Wildlife
 1926 Conservation Commission, whenever there is a deficiency in a
 1927 land acquisition trust fund which would render that trust fund
 1928 temporarily insufficient to meet its just requirements,
 1929 including the timely payment of appropriations from that trust
 1930 fund, and other trust funds in the State Treasury have moneys
 1931 that are for the time being or otherwise in excess of the
 1932 amounts necessary to meet the just requirements, including
 1933 appropriated obligations, of those other trust funds, the
 1934 Governor may order a temporary transfer of moneys from one or
 1935 more of the other trust funds to a land acquisition trust fund
 1936 in the Department of Agriculture and Consumer Services, the
 1937 Department of Environmental Protection, the Department of State,
 1938 or the Fish and Wildlife Conservation Commission. Any action
 1939 proposed pursuant to this subsection is subject to the notice,
 1940 review, and objection procedures of s. 216.177, and the Governor
 1941 shall provide notice of such action at least 7 days before the
 1942 effective date of the transfer of trust funds, except that
 1943 during July 2016 ~~2015~~, notice of such action shall be provided
 1944 at least 3 days before the effective date of a transfer unless
 1945 such 3-day notice is waived by the chair and vice-chair of the
 1946 Legislative Budget Commission. Any transfer of trust funds to a

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1947 land acquisition trust fund in the Department of Agriculture and
 1948 Consumer Services, the Department of Environmental Protection,
 1949 the Department of State, or the Fish and Wildlife Conservation
 1950 Commission must be repaid to the trust funds from which the
 1951 moneys were loaned by the end of the 2016-2017 ~~2015-2016~~ fiscal
 1952 year. The Legislature has determined that the repayment of the
 1953 other trust fund moneys temporarily loaned to a land acquisition
 1954 trust fund in the Department of Agriculture and Consumer
 1955 Services, the Department of Environmental Protection, the
 1956 Department of State, or the Fish and Wildlife Conservation
 1957 Commission pursuant to this subsection is an allowable use of
 1958 the moneys in a land acquisition trust fund because the moneys
 1959 from other trust funds temporarily loaned to a land acquisition
 1960 trust fund shall be expended solely and exclusively in
 1961 accordance with s. 28, Art. X of the State Constitution. This
 1962 subsection expires July 1, 2017 ~~2016~~.

1963 Section 50. (1) In order to implement specific
 1964 appropriations from the land acquisition trust funds within the
 1965 Department of Agriculture and Consumer Services, the Department
 1966 of Environmental Protection, the Department of State, and the
 1967 Fish and Wildlife Conservation Commission which are contained in
 1968 the 2016-2017 General Appropriations Act, the Department of
 1969 Environmental Protection shall transfer revenues in the Land
 1970 Acquisition Trust Fund within the department to the land
 1971 acquisition trust funds within the Department of Agriculture and
 1972 Consumer Services, the Department of State, and the Fish and
 1973 Wildlife Conservation Commission, as provided in this section.
 1974 As used in this section, the term "department" means the
 1975 Department of Environmental Protection.

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

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1976 (2) After subtracting any required debt service payments,
 1977 the proportionate share of revenues to be transferred to a land
 1978 acquisition trust fund shall be calculated by dividing the
 1979 appropriations from each of the land acquisition trust funds for
 1980 the fiscal year by the total appropriations from the Land
 1981 Acquisition Trust Fund within the department and the land
 1982 acquisition trust funds within the Department of Agriculture and
 1983 Consumer Services, the Department of State, and the Fish and
 1984 Wildlife Commission for the fiscal year. The department shall
 1985 transfer a proportionate share of the revenues deposited into
 1986 the Land Acquisition Trust Fund within the department on a
 1987 monthly basis to the land acquisition trust funds within the
 1988 Department of Agriculture and Consumer Services, the Department
 1989 of State, and the Fish and Wildlife Commission and shall retain
 1990 a proportionate share of the revenues in the Land Acquisition
 1991 Trust Fund within the department. Total distributions to a land
 1992 acquisition trust fund within the Department of Agriculture and
 1993 Consumer Services, the Department of State, and the Fish and
 1994 Wildlife Commission may not exceed the total appropriations from
 1995 such trust fund for the fiscal year.

1996 (3) This section expires July 1, 2017.

1997 Section 51. In order to implement Specific Appropriation
 1998 1623B of the 2016-2017 General Appropriations Act, subsection
 1999 (9) of section 376.3071, Florida Statutes, is amended to read:

2000 376.3071 Inland Protection Trust Fund; creation; purposes;
 2001 funding.—

2002 (9) INVESTMENTS; INTEREST.—Moneys in the fund which are not
 2003 needed currently to meet the obligations of the department in
 2004 the exercise of its responsibilities under this section and s.

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2005 376.3073 shall be deposited with the Chief Financial Officer to
 2006 the credit of the fund and may be invested in such manner as
 2007 provided by law. The interest received on such investment shall
 2008 be credited to the fund. Any provisions of law to the contrary
 2009 notwithstanding, such interest may be freely transferred between
 2010 the trust fund and the Water Quality Assurance Trust Fund in the
 2011 discretion of the department or as authorized in the General
 2012 Appropriations Act.

2013 Section 52. The amendment made by this act to s.
 2014 376.3071(9), Florida Statutes, expires July 1, 2017, and the
 2015 text of that subsection shall revert to that in existence on
 2016 June 30, 2016, except that any amendments to such text enacted
 2017 other than by this act shall be preserved and continue to
 2018 operate to the extent that such amendments are not dependent
 2019 upon the portions of text which expire pursuant to this section.

2020 Section 53. In order to implement Specific Appropriation
 2021 2198 of the 2016-2017 General Appropriations Act, subsections
 2022 (4), (5), and (9) of section 288.047, Florida Statutes, are
 2023 amended to read:

2024 288.047 Quick-response training for economic development.—

2025 (4)(a)1. CareerSource Florida, Inc., may approve
 2026 applications and execute agreements with terms not to exceed 24
 2027 months under the Quick-Response Training Program as provided in
 2028 this section. However, the total amount of contractual
 2029 obligations at any given time may not exceed \$30,000,000
 2030 million.

2031 2. The total amount of reimbursements approved for payment
 2032 by CareerSource Florida, Inc., based on actual performance under
 2033 the grant agreement, may not exceed the amount appropriated to

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CareerSource Florida, Inc., for such purposes in fiscal year 2016-2017. The department shall transfer funds to CareerSource Florida, Inc., as needed to make reimbursement payments. CareerSource Florida, Inc., may request an advance of the appropriation for the Quick-Response Training Program in an amount sufficient to reimburse estimated claims for the first quarter of fiscal year 2016-2017.

(b) For the first 6 months of each fiscal year, CareerSource Florida, Inc., shall set aside 30 percent of the amount appropriated by the Legislature for the Quick-Response Training Program to fund instructional programs for businesses located in a rural area of opportunity ~~an enterprise zone or~~ brownfield area. Any unencumbered funds remaining ~~undisbursed~~ from this set-aside at the end of the 6-month period may be used to provide funding for a program that qualifies for funding pursuant to this section.

(5) ~~Prior to the allocation of funds for a request made pursuant to this section,~~ CareerSource Florida, Inc., shall prepare a grant agreement ~~with between~~ the business or industry requesting funds, ~~the educational institution receiving funding through the program, and CareerSource Florida, Inc.~~ Such agreement may include an educational institution receiving funding through the program and must include, but is not limited to:

(a) An identification of the personnel necessary to conduct the instructional program, the qualifications of such personnel, and the respective responsibilities of the parties for paying costs associated with the employment of such personnel.

(b) An identification of the estimated length of the

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instructional program.

(c) An identification of all direct, training-related costs, including tuition and fees, curriculum development, books and classroom materials, and overhead or indirect costs, not to exceed 5 percent of the grant amount.

(d) An identification of special program requirements that are not addressed otherwise in the agreement.

(e) Permission to access information specific to the wages and performance of participants upon the completion of instruction for evaluation purposes. Information which, if released, would disclose the identity of the person to whom the information pertains or disclose the identity of the person's employer is confidential and exempt from ~~the provisions of~~ s. 119.07(1). The agreement must specify that any evaluations published subsequent to the instruction may not identify the employer or any individual participant.

(9) Notwithstanding any other provision of law, eligible matching contributions received during the fiscal year from a business or an industry participating in ~~under this section from~~ the Quick-Response Training Program may be counted toward the private sector support of Enterprise Florida, Inc., under s. 288.904.

Section 54. The amendments made by this act to s. 288.047(4), (5), and (9), Florida Statutes, expire July 1, 2017, and the text of those subsections shall revert to that in existence on June 30, 2016, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to

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this section.

Section 55. In order to implement Specific Appropriation 1895 of the 2016-2017 General Appropriations Act, paragraph (i) of subsection (4) and paragraph (b) of subsection (5) of section 339.135, Florida Statutes, are amended, and notwithstanding the expiration of paragraph (j) of subsection (4) and paragraph (c) of subsection (5) of that section, which occurred on July 1, 2015, those paragraphs are revived, reenacted, and amended, to read:

339.135 Work program; legislative budget request; definitions; preparation, adoption, execution, and amendment.—

(4) FUNDING AND DEVELOPING A TENTATIVE WORK PROGRAM.—

(i) Notwithstanding paragraph (a), and for the 2016-2017 ~~2015-2016~~ fiscal year only, 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 ~~2015~~, in the department's 5-year work program. This paragraph expires July 1, 2017 ~~2016~~.

(j) Notwithstanding paragraph (a) and for the 2016-2017 ~~2014-2015~~ fiscal year only, the department may use up to \$15 million of appropriated funds to pay the costs of strategic and regionally significant transportation projects. Funds may be used to provide up to 75 percent of project costs for production-ready eligible projects. Preference shall be given to projects that support the state's economic regions, or that have

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been identified as regionally significant in accordance with s. 339.155(4)(c), (d), and (e), and that have an increased level of nonstate match. This paragraph expires July 1, 2017 ~~2015~~.

(5) ADOPTION OF THE WORK PROGRAM.—

(b) Notwithstanding paragraph (a), and for the 2016-2017 ~~2015-2016~~ fiscal year only, the department 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 ~~2015~~, in the department's 5-year work program. This paragraph expires July 1, 2017 ~~2016~~.

(c) Notwithstanding paragraph (a), and for the 2016-2017 ~~2014-2015~~ fiscal year only, the department may use appropriated funds to pay the costs of strategic and regionally significant transportation projects as provided in paragraph (4)(j). Funds specifically appropriated for this purpose may not reduce, delete, or defer any existing projects funded as of July 1, 2016 ~~2014~~, in the department's 5-year work program. This paragraph expires July 1, 2017 ~~2015~~.

Section 56. In order to implement Specific Appropriation 1890 of the 2016-2017 General Appropriations Act, subsection (2) of section 339.2818, Florida Statutes, is amended to read:

339.2818 Small County Outreach Program.—

(2)(a) For the purposes of this section, the term "small county" means any county that has a population of 150,000 or less as determined by the most recent official estimate pursuant to s. 186.901.

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2150 (b) Notwithstanding paragraph (a), for the 2016-2017 ~~2015-~~
 2151 ~~2016~~ fiscal year, for purposes of this section, the term "small
 2152 county" means any county that has a population of 170,000
 2153 ~~165,000~~ or less as determined by the most recent official
 2154 estimate pursuant to s. 186.901. This paragraph expires July 1,
 2155 2017 ~~2016~~.

2156 Section 57. In order to implement Specific Appropriation
 2157 1874 of the 2016-2017 General Appropriations Act, subsection
 2158 (10) of section 341.302, Florida Statutes, is reenacted to read:

2159 341.302 Rail program; duties and responsibilities of the
 2160 department.—The department, in conjunction with other
 2161 governmental entities, including the rail enterprise and the
 2162 private sector, shall develop and implement a rail program of
 2163 statewide application designed to ensure the proper maintenance,
 2164 safety, revitalization, and expansion of the rail system to
 2165 assure its continued and increased availability to respond to
 2166 statewide mobility needs. Within the resources provided pursuant
 2167 to chapter 216, and as authorized under federal law, the
 2168 department shall:

2169 (10)(a) Administer rail operating and construction
 2170 programs, which programs shall include the regulation of maximum
 2171 train operating speeds, the opening and closing of public grade
 2172 crossings, the construction and rehabilitation of public grade
 2173 crossings, the installation of traffic control devices at public
 2174 grade crossings, the approval and implementation of quiet zones,
 2175 and administration of the programs by the department, including
 2176 participation in the cost of the programs.

2177 (b) Provide grant funding to assist with the implementation
 2178 of quiet zones that have been approved by the department, which

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2179 funding may not exceed 50 percent of the nonfederal and
 2180 nonprivate share of the total costs of any quiet zone capital
 2181 improvement project.

2182 (c) Coordinate and work closely with local, state, and
 2183 federal agencies to provide technical support to local agencies
 2184 for the development of quiet zone plans.

2185 (d) Monitor crossing incidents at approved quiet zone
 2186 locations and suspend the operation of a quiet zone at any time
 2187 the department determines that a significant deterioration in
 2188 safety is resulting from quiet zone implementation.

2189 Section 58. The amendment to s. 341.302(10), Florida
 2190 Statutes, as carried forward by this act from chapter 2014-53,
 2191 Laws of Florida, expires July 1, 2017, and the text of that
 2192 subsection shall revert to that in existence on June 30, 2014,
 2193 except that any amendments to such text enacted other than by
 2194 this act shall be preserved and continue to operate to the
 2195 extent that such amendments are not dependent upon the portions
 2196 of text which expire pursuant to this section.

2197 Section 59. In order to implement Specific Appropriation
 2198 1889 of the 2016-2017 General Appropriations Act, subsection (3)
 2199 of section 339.2816, Florida Statutes is amended to read:

2200 339.2816 Small County Road Assistance Program.—

2201 (3) In the 2016-2017 fiscal year ~~Beginning with fiscal year~~
 2202 ~~1999-2000 until fiscal year 2009-2010, and beginning again with~~
 2203 ~~fiscal year 2012-2013,~~ up to \$50 ~~\$25~~ million ~~annually~~ from the
 2204 State Transportation Trust Fund may be used for the purposes of
 2205 funding the Small County Road Assistance Program as described in
 2206 this section.

2207 Section 60. The amendment made by this act to s.

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2208 339.2816(3), Florida Statutes, expires July 1, 2017, and the
 2209 text of that subsection shall revert to that in existence on
 2210 June 30, 2015, except that any amendments to such text enacted
 2211 other than by this act shall be preserved and continue to
 2212 operate to the extent that such amendments are not dependent
 2213 upon the portions of text which expire pursuant to this section.

2214 Section 61. In order to implement Specific Appropriation
 2215 2224 of the 2016-2017 General Appropriations Act, subsection
 2216 (10) of section 420.9072, Florida Statutes, is amended to read:

2217 420.9072 State Housing Initiatives Partnership Program.—The
 2218 State Housing Initiatives Partnership Program is created for the
 2219 purpose of providing funds to counties and eligible
 2220 municipalities as an incentive for the creation of local housing
 2221 partnerships, to expand production of and preserve affordable
 2222 housing, to further the housing element of the local government
 2223 comprehensive plan specific to affordable housing, and to
 2224 increase housing-related employment.

2225 (10) Notwithstanding ss. 420.9071(26) and 420.9075(5) and
 2226 subsection (7), for the 2016-2017 ~~2015-2016~~ fiscal year:

2227 (a) The term “rent subsidies” means ongoing monthly rental
 2228 assistance.

2229 (b) Up to 25 percent of the funds made available in each
 2230 county and each eligible municipality from the local housing
 2231 distribution may be used for rental assistance and rent
 2232 subsidies as provided in paragraph (c).

2233 (c) A county or an eligible municipality may expend its
 2234 portion of the local housing distribution to provide the
 2235 following types of rental assistance and rent subsidies:

2236 1. Security and utility deposit assistance.

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2237 2. Eviction prevention subsidies not to exceed 6 months’
 2238 rent.

2239 3. Rent subsidies for very-low-income households with at
 2240 least one adult who is a person with special needs as defined in
 2241 s. 420.0004 or a person who is homeless as defined in s. 420.621
 2242 when the person initially qualified for a rent subsidy. The
 2243 period of rental subsidy may not exceed 12 months for any
 2244 eligible household or person.

2245 (d) This subsection expires July 1, 2017 ~~2016~~.

2246 Section 62. In order to implement Specific Appropriation
 2247 2223 of the 2016-2017 General Appropriations Act, subsection
 2248 (10) of section 420.5087, Florida Statutes, is amended to read:

2249 420.5087 State Apartment Incentive Loan Program.—There is
 2250 hereby created the State Apartment Incentive Loan Program for
 2251 the purpose of providing first, second, or other subordinated
 2252 mortgage loans or loan guarantees to sponsors, including for-
 2253 profit, nonprofit, and public entities, to provide housing
 2254 affordable to very-low-income persons.

2255 (10)(a) Notwithstanding subsection (3), for the 2016-2017
 2256 ~~2015-2016~~ fiscal year, the reservation of funds for the tenant
 2257 groups within each notice of fund availability shall be:

2258 1. Not less than 10 percent of the funds available at that
 2259 time for the following tenant groups:

- 2260 a. Families;
- 2261 b. Persons who are homeless;
- 2262 c. Persons with special needs; and
- 2263 d. Elderly persons.

2264 2. Not less than 5 percent of the funds available at that
 2265 time for the commercial fishing workers and farmworkers tenant

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group.

(b) Notwithstanding the provisions of this section which require program funds be used for housing for very-low income persons and the provisions of subparagraph (6)(c)4. which require that specified percentages of the units in a project be reserved for persons or families of specified income levels, for the 2016-2017 fiscal year, the corporation shall issue a notice of fund availability for \$20 million for loans for the construction of workforce housing to serve primarily low-income persons, as defined in s. 420.0004.

(c) This subsection expires July 1, 2017 2016.

Section 63. In order to implement Specific Appropriation 1856 of the 2016-2017 General Appropriations Act, subsection (30) is added to section 427.013, Florida Statutes, to read:

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

(30) For the 2016-2017 fiscal year and notwithstanding any other provision of this section:

(a) Allocate, from funds provided in the General Appropriations Act, to community transportation coordinators who

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do not receive Urbanized Area Formula funds pursuant to 49 U.S.C. s. 5307 to provide transportation services for persons with disabilities, older adults, and low-income persons 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.

(b) Award, from funds provided in the General Appropriations Act, competitive grants to community transportation coordinators to address unique transportation challenges of persons with disabilities, older adults, and low-income persons seeking to obtain or maintain employment; to allow residents of inner-city, urban, or rural neighborhoods 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 unavailable.

(c) Award, from funds provided in the General Appropriations Act, competitive grants to community transportation coordinators to support transportation projects to:

1. Enhance access 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 inner-city bus transportation; and
5. Encourage private transportation providers to participate.

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2324 (d) This subsection expires July 1, 2017.

2325 Section 64. In order to implement the salaries and
2326 benefits, expenses, other personal services, contracted
2327 services, special categories, and operating capital outlay
2328 categories of the 2016-2017 General Appropriations Act,
2329 paragraph (a) of subsection (2) of section 216.292, Florida
2330 Statutes, is reenacted to read:

2331 216.292 Appropriations nontransferable; exceptions.—

2332 (2) The following transfers are authorized to be made by
2333 the head of each department or the Chief Justice of the Supreme
2334 Court whenever it is deemed necessary by reason of changed
2335 conditions:

2336 (a) The transfer of appropriations funded from identical
2337 funding sources, except appropriations for fixed capital outlay,
2338 and the transfer of amounts included within the total original
2339 approved budget and plans of releases of appropriations as
2340 furnished pursuant to ss. 216.181 and 216.192, as follows:

2341 1. Between categories of appropriations within a budget
2342 entity, if no category of appropriation is increased or
2343 decreased by more than 5 percent of the original approved budget
2344 or \$250,000, whichever is greater, by all action taken under
2345 this subsection.

2346 2. Between budget entities within identical categories of
2347 appropriations, if no category of appropriation is increased or
2348 decreased by more than 5 percent of the original approved budget
2349 or \$250,000, whichever is greater, by all action taken under
2350 this subsection.

2351 3. Any agency exceeding salary rate established pursuant to
2352 s. 216.181(8) on June 30th of any fiscal year shall not be

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2353 authorized to make transfers pursuant to subparagraphs 1. and 2.
2354 in the subsequent fiscal year.

2355 4. Notice of proposed transfers under subparagraphs 1. and
2356 2. shall be provided to the Executive Office of the Governor and
2357 the chairs of the legislative appropriations committees at least
2358 3 days prior to agency implementation in order to provide an
2359 opportunity for review.

2360 Section 65. The amendment to s. 216.292(2)(a), Florida
2361 Statutes, as carried forward by this act from chapter 2014-53,
2362 Laws of Florida, expires July 1, 2017, and the text of that
2363 paragraph shall revert to that in existence on June 30, 2014,
2364 except that any amendments to such text enacted other than by
2365 this act shall be preserved and continue to operate to the
2366 extent that such amendments are not dependent upon the portions
2367 of text which expire pursuant to this section.

2368 Section 66. In order to implement the appropriation of
2369 funds in the contracted services and expenses categories of the
2370 2016-2017 General Appropriations Act, a state agency may not
2371 initiate a competitive solicitation for a product or service if
2372 the completion of such competitive solicitation would:

2373 (1) Require a change in law; or

2374 (2) Require a change to the agency's budget other than a
2375 transfer authorized in s. 216.292(2) or (3), Florida Statutes,
2376 unless the initiation of such competitive solicitation is
2377 specifically authorized in law, in the General Appropriations
2378 Act, or by the Legislative Budget Commission.

2379
2380 This section does not apply to a competitive solicitation for
2381 which the agency head certifies that a valid emergency exists.

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This section expires July 1, 2017.

Section 67. In order to implement the appropriation of funds in the appropriation category "Special Categories-Risk Management Insurance" in the 2016-2017 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in that category between departments in order to align the budget authority granted with the premiums paid by each department for risk management insurance. This section expires July 1, 2017.

Section 68. In order to implement the appropriation of funds in the appropriation category "Special Categories-Transfer to Department of Management Services-Human Resources Services Purchased per Statewide Contract" in the 2016-2017 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in that category between departments in order to align the budget authority granted with the assessments that must be paid by each agency to the Department of Management Services for human resource management services. This section expires July 1, 2017.

Section 69. In order to implement appropriations for salaries and benefits in the 2016-2017 General Appropriations Act, subsection (6) of section 112.24, Florida Statutes, is amended to read:

112.24 Intergovernmental interchange of public employees.—
To encourage economical and effective utilization of public employees in this state, the temporary assignment of employees

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among agencies of government, both state and local, and including school districts and public institutions of higher education is authorized under terms and conditions set forth in this section. State agencies, municipalities, and political subdivisions are authorized to enter into employee interchange agreements with other state agencies, the Federal Government, another state, a municipality, or a political subdivision including a school district, or with a public institution of higher education. State agencies are also authorized to enter into employee interchange agreements with private institutions of higher education and other nonprofit organizations under the terms and conditions provided in this section. In addition, the Governor or the Governor and Cabinet may enter into employee interchange agreements with a state agency, the Federal Government, another state, a municipality, or a political subdivision including a school district, or with a public institution of higher learning to fill, subject to the requirements of chapter 20, appointive offices which are within the executive branch of government and which are filled by appointment by the Governor or the Governor and Cabinet. Under no circumstances shall employee interchange agreements be utilized for the purpose of assigning individuals to participate in political campaigns. Duties and responsibilities of interchange employees shall be limited to the mission and goals of the agencies of government.

(6) For the 2016-2017 ~~2015-2016~~ fiscal year only, the assignment of an employee of a state agency as provided in this section may be made if recommended by the Governor or Chief Justice, as appropriate, and approved by the chairs of the

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legislative appropriations committees. Such actions shall be deemed approved if neither chair provides written notice of objection within 14 days after receiving notice of the action pursuant to s. 216.177. This subsection expires July 1, 2017 ~~2016~~.

Section 70. In order to implement Specific Appropriations 2652 and 2653 of the 2016-2017 General Appropriations Act and notwithstanding s. 11.13(1), Florida Statutes, the authorized salaries for members of the Legislature for the 2016-2017 fiscal year shall be set at the same level in effect on July 1, 2010. This section expires July 1, 2017.

Section 71. In order to implement the transfer of funds to the General Revenue Fund from trust funds in the 2016-2017 General Appropriations Act, paragraph (b) of subsection (2) of section 215.32, Florida Statutes, is reenacted to read:

215.32 State funds; segregation.—

(2) The source and use of each of these funds shall be as follows:

(b)1. The trust funds shall consist of moneys received by the state which under law or under trust agreement are segregated for a purpose authorized by law. The state agency or branch of state government receiving or collecting such moneys is responsible for their proper expenditure as provided by law. Upon the request of the state agency or branch of state government responsible for the administration of the trust fund, the Chief Financial Officer may establish accounts within the trust fund at a level considered necessary for proper accountability. Once an account is established, the Chief Financial Officer may authorize payment from that account only

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upon determining that there is sufficient cash and releases at the level of the account.

2. In addition to other trust funds created by law, to the extent possible, each agency shall use the following trust funds as described in this subparagraph for day-to-day operations:

a. Operations or operating trust fund, for use as a depository for funds to be used for program operations funded by program revenues, with the exception of administrative activities when the operations or operating trust fund is a proprietary fund.

b. Operations and maintenance trust fund, for use as a depository for client services funded by third-party payors.

c. Administrative trust fund, for use as a depository for funds to be used for management activities that are departmental in nature and funded by indirect cost earnings and assessments against trust funds. Proprietary funds are excluded from the requirement of using an administrative trust fund.

d. Grants and donations trust fund, for use as a depository for funds to be used for allowable grant or donor agreement activities funded by restricted contractual revenue from private and public nonfederal sources.

e. Agency working capital trust fund, for use as a depository for funds to be used pursuant to s. 216.272.

f. Clearing funds trust fund, for use as a depository for funds to account for collections pending distribution to lawful recipients.

g. Federal grant trust fund, for use as a depository for funds to be used for allowable grant activities funded by restricted program revenues from federal sources.

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To the extent possible, each agency must adjust its internal accounting to use existing trust funds consistent with the requirements of this subparagraph. If an agency does not have trust funds listed in this subparagraph and cannot make such adjustment, the agency must recommend the creation of the necessary trust funds to the Legislature no later than the next scheduled review of the agency's trust funds pursuant to s. 215.3206.

3. All such moneys are hereby appropriated to be expended in accordance with the law or trust agreement under which they were received, subject always to the provisions of chapter 216 relating to the appropriation of funds and to the applicable laws relating to the deposit or expenditure of moneys in the State Treasury.

4.a. Notwithstanding any provision of law restricting the use of trust funds to specific purposes, unappropriated cash balances from selected trust funds may be authorized by the Legislature for transfer to the Budget Stabilization Fund and General Revenue Fund in the General Appropriations Act.

b. This subparagraph does not apply to trust funds required by federal programs or mandates; trust funds established for bond covenants, indentures, or resolutions whose revenues are legally pledged by the state or public body to meet debt service or other financial requirements of any debt obligations of the state or any public body; the Division of Licensing Trust Fund in the Department of Agriculture and Consumer Services; the State Transportation Trust Fund; the trust fund containing the net annual proceeds from the Florida Education Lotteries; the

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Florida Retirement System Trust Fund; trust funds under the management of the State Board of Education or the Board of Governors of the State University System, where such trust funds are for auxiliary enterprises, self-insurance, and contracts, grants, and donations, as those terms are defined by general law; trust funds that serve as clearing funds or accounts for the Chief Financial Officer or state agencies; trust funds that account for assets held by the state in a trustee capacity as an agent or fiduciary for individuals, private organizations, or other governmental units; and other trust funds authorized by the State Constitution.

Section 72. The amendment to s. 215.32(2)(b), Florida Statutes, as carried forward by this act from chapter 2011-47, Laws of Florida, expires July 1, 2017, and the text of that paragraph shall revert to that in existence on June 30, 2011, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 73. In order to implement the issuance of new debt authorized in the 2016-2017 General Appropriations Act, and pursuant to s. 215.98, Florida Statutes, the Legislature determines that the authorization and issuance of debt for the 2016-2017 fiscal year should be implemented and is in the best interest of the state. This section expires July 1, 2017.

Section 74. In order to implement appropriations in the 2016-2017 General Appropriations Act for state employee travel, the funds appropriated to each state agency which may be used for travel by state employees shall be limited during the 2016-

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2017 fiscal year to travel for activities that are critical to each state agency's mission. Funds may not be used for travel by state employees to foreign countries, other states, conferences, staff training activities, or other administrative functions unless the agency head has approved, in writing, that such activities are critical to the agency's mission. The agency head shall consider using teleconferencing and other forms of electronic communication to meet the needs of the proposed activity before approving mission-critical travel. This section does not apply to travel for law enforcement purposes, military purposes, emergency management activities, or public health activities. This section expires July 1, 2017.

Section 75. In order to implement Specific Appropriations 2892 through 2913 of the 2016-2017 General Appropriations Act, funded from the data processing appropriation category for computing services of user agencies, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated for data processing in the 2016-2017 General Appropriations Act between agencies in order to align the budget authority granted with the utilization rate of each department. This section expires July 1, 2017.

Section 76. In order to implement the appropriation of funds in the appropriation category "Data Processing Services-State Data Center-Agency for State Technology (AST)" in the 2016-2017 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in that category between departments in order

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to align the budget authority granted based on the estimated billing cycle and methodology used by the Agency for State Technology for data processing services provided by the State Data Center. This section expires July 1, 2017.

Section 77. In order to implement appropriations authorized in the 2016-2017 General Appropriations Act for data center services, and notwithstanding s. 216.292(2)(a), Florida Statutes, except as authorized in sections 75 and 76 of this act, an agency may not transfer funds from a data processing category to a category other than another data processing category. This section expires July 1, 2017.

Section 78. In order to implement Specific Appropriation 2826 of the 2016-2017 General Appropriations Act, the Executive Office of the Governor may transfer funds appropriated in the appropriation category "Expenses" of the 2016-2017 General Appropriations Act between agencies in order to allocate a reduction relating to SUNCOM Network services. This section expires July 1, 2017.

Section 79. In order to implement section 8 of the 2015-2016 General Appropriations Act, section 110.12315, Florida Statutes, is reenacted to read:

110.12315 Prescription drug program.—The state employees' prescription drug program is established. This program shall be administered by the Department of Management Services, according to the terms and conditions of the plan as established by the relevant provisions of the annual General Appropriations Act and implementing legislation, subject to the following conditions:

(1) The department shall allow prescriptions written by health care providers under the plan to be filled by any

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licensed pharmacy pursuant to contractual claims-processing provisions. Nothing in this section may be construed as prohibiting a mail order prescription drug program distinct from the service provided by retail pharmacies.

(2) In providing for reimbursement of pharmacies for prescription medicines dispensed to members of the state group health insurance plan and their dependents under the state employees' prescription drug program:

(a) Retail pharmacies participating in the program must be reimbursed at a uniform rate and subject to uniform conditions, according to the terms and conditions of the plan.

(b) There shall be a 30-day supply limit for prescription card purchases, a 90-day supply limit for maintenance prescription drug purchases, and a 90-day supply limit for mail order or mail order prescription drug purchases.

(c) The pharmacy dispensing fee shall be negotiated by the department.

(3) Pharmacy reimbursement rates shall be as follows:

(a) For mail order and specialty pharmacies contracting with the department, reimbursement rates shall be as established in the contract.

(b) For retail pharmacies, the reimbursement rate shall be at the same rate as mail order pharmacies under contract with the department.

(4) The department shall maintain the preferred brand name drug list to be used in the administration of the state employees' prescription drug program.

(5) The department shall maintain a list of maintenance drugs.

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(a) Preferred provider organization health plan members may have prescriptions for maintenance drugs filled up to three times as a 30-day supply through a retail pharmacy; thereafter, prescriptions for the same maintenance drug must be filled as a 90-day supply either through the department's contracted mail order pharmacy or through a retail pharmacy.

(b) Health maintenance organization health plan members may have prescriptions for maintenance drugs filled as a 90-day supply either through a mail order pharmacy or through a retail pharmacy.

(6) Copayments made by health plan members for a 90-day supply through a retail pharmacy shall be the same as copayments made for a 90-day supply through the department's contracted mail order pharmacy.

(7) The department shall establish the reimbursement schedule for prescription pharmaceuticals dispensed under the program. Reimbursement rates for a prescription pharmaceutical must be based on the cost of the generic equivalent drug if a generic equivalent exists, unless the physician prescribing the pharmaceutical clearly states on the prescription that the brand name drug is medically necessary or that the drug product is included on the formulary of drug products that may not be interchanged as provided in chapter 465, in which case reimbursement must be based on the cost of the brand name drug as specified in the reimbursement schedule adopted by the department.

(8) The department shall conduct a prescription utilization review program. In order to participate in the state employees' prescription drug program, retail pharmacies dispensing

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prescription medicines to members of the state group health insurance plan or their covered dependents, or to subscribers or covered dependents of a health maintenance organization plan under the state group insurance program, shall make their records available for this review.

(9) The department shall implement such additional cost-saving measures and adjustments as may be required to balance program funding within appropriations provided, including a trial or starter dose program and dispensing of long-term-maintenance medication in lieu of acute therapy medication.

(10) Participating pharmacies must use a point-of-sale device or an online computer system to verify a participant's eligibility for coverage. The state is not liable for reimbursement of a participating pharmacy for dispensing prescription drugs to any person whose current eligibility for coverage has not been verified by the state's contracted administrator or by the department.

(11) Under the state employees' prescription drug program copayments must be made as follows:

(a) Effective January 1, 2013, for the State Group Health Insurance Standard Plan:

1. For generic drug with card.....\$7.
2. For preferred brand name drug with card.....\$30.
3. For nonpreferred brand name drug with card.....\$50.
4. For generic mail order drug.....\$14.
5. For preferred brand name mail order drug.....\$60.
6. For nonpreferred brand name mail order drug.....\$100.

(b) Effective January 1, 2006, for the State Group Health Insurance High Deductible Plan:

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1. Retail coinsurance for generic drug with card.....30%.

2. Retail coinsurance for preferred brand name drug with card.....30%.

3. Retail coinsurance for nonpreferred brand name drug with card.....50%.

4. Mail order coinsurance for generic drug.....30%.

5. Mail order coinsurance for preferred brand name drug.....30%.

6. Mail order coinsurance for nonpreferred brand name drug.....50%.

(c) The department shall create a preferred brand name drug list to be used in the administration of the state employees' prescription drug program.

Section 80. (1) The amendment to s. 110.12315(2)(b), Florida Statutes, as carried forward by this act from chapter 2014-53, Laws of Florida, expires July 1, 2017, and the text of that paragraph shall revert to that in existence on June 30, 2012, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

(2) The amendments to s. 110.12315(2)(c) and (3)-(6), Florida Statutes, as carried forward by this act from chapter 2014-53, Laws of Florida, expire July 1, 2017, and the text of that paragraph and the text and numbering of those subsections shall revert to those in existence on June 30, 2014, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

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2730 (3) The amendment to s. 110.12315(7), Florida Statutes, as
 2731 carried forward by this act from chapter 2014-53, Laws of
 2732 Florida, expires July 1, 2017, and the text of that subsection
 2733 shall revert to that in existence on December 31, 2010, except
 2734 that any amendments to such text enacted other than by this act
 2735 shall be preserved and continue to operate to the extent that
 2736 such amendments are not dependent upon the portions of text
 2737 which expire pursuant to this section.

2738 Section 81. Any section of this act which implements a
 2739 specific appropriation or specifically identified proviso
 2740 language in the 2016-2017 General Appropriations Act is void if
 2741 the specific appropriation or specifically identified proviso
 2742 language is vetoed. Any section of this act which implements
 2743 more than one specific appropriation or more than one portion of
 2744 specifically identified proviso language in the 2016-2017
 2745 General Appropriations Act is void if all the specific
 2746 appropriations or portions of specifically identified proviso
 2747 language are vetoed.

2748 Section 82. If any other act passed during the 2016 Regular
 2749 Session contains a provision that is substantively the same as a
 2750 provision in this act, but that removes or is otherwise not
 2751 subject to the future repeal applied to such provision by this
 2752 act, the Legislature intends that the provision in the other act
 2753 takes precedence and continues to operate, notwithstanding the
 2754 future repeal provided by this act.

2755 Section 83. If any provision of this act or its application
 2756 to any person or circumstance is held invalid, the invalidity
 2757 does not affect other provisions or applications of the act
 2758 which can be given effect without the invalid provision or

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2759 application, and to this end the provisions of this act are
 2760 severable.

2761 Section 84. Except as otherwise expressly provided in this
 2762 act and except for this section, which shall take effect upon
 2763 this act becoming a law, this act shall take effect July 1,
 2764 2016.

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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 Committee on Appropriations

BILL: SB 2504

INTRODUCER: Appropriations Committee

SUBJECT: State Employees

DATE: February 3, 2016

REVISED: _____

ANALYST

McSwain

STAFF DIRECTOR

Kynoch

REFERENCE

ACTION

AP Submitted as Committee Bill

I. Summary:

SB 2504 directs the resolution of the collective bargaining issues at impasse for the 2015-2016 fiscal year regarding state employees. These issues will be resolved based on the spending decisions included in the General Appropriations Act for the 2015-2016 fiscal year.

This bill is effective July 1, 2016.

II. Present Situation:

Chapter 447, F.S., specifies the process for collective bargaining for public employees. The bargaining agent and the negotiator for the state must bargain collectively in the determination of the wages, hours, terms, and conditions of employment of the employees within the bargaining unit. Any collective bargaining agreement reached must be reduced to writing, signed by the chief executive officer for the state and the bargaining agent for the union, and submitted to the members of the bargaining unit for ratification.

Upon execution of the collective bargaining agreement, the Governor must request the Legislature to appropriate amounts sufficient to fund the provisions of the agreement. If the Legislature appropriates funds that are not sufficient to fund the agreement, the agreement must be administered on the basis of the amounts actually appropriated.

Typically, at the state level, an agreement is not reached. In that instance, and pursuant to s. 216.163(6), F.S., an impasse is declared on all unresolved issues when the Governor's budget recommendations are released to the Legislature. Within five days of the start of the impasse period, each party is required to notify the presiding officers of the Legislature of the unresolved issues. A joint select committee of members of the Florida House of Representatives and the Senate is appointed to review the positions of the parties. The committee's recommendation to the Legislature regarding the resolution of those issues is presented to the presiding officers no later than 10 days before the start of the regular legislative session. During the session, the

Legislature may take action to address the issues. Any actions taken by the Legislature are binding upon the parties.

Following the resolution of the impasse issues, the parties are required to reduce to writing an agreement that includes those issues agreed to by the parties as well as those issues resolved by the Legislature. The agreement must be signed by the chief executive officer and the bargaining agent and then presented to the members of the bargaining unit for ratification.

If the members ratify the agreement, all the provisions of the agreement take effect. If the members do not ratify the agreement, the issues resolved by the Legislature take effect for the first fiscal year which was the subject of the negotiations.

The certified bargaining units for state employees and the respective bargaining agents include:

- **American Federation of State, County and Municipal Employees, Council 79.**

- Administrative and Clerical Unit.
- Operational Services Unit.
- Human Services Unit.
- Professional Unit.

- **Florida Nurses Association.**

- Professional Health Care Unit.

- **Police Benevolent Association.**

- Special Agent Unit.
- Law Enforcement Unit.
- Lottery Law Enforcement Unit.
- Florida Highway Patrol Unit.

- **Teamsters Local Unit No. 2011.**

- Security Services Unit.

- **Florida State Fire Service Association.**

- Fire Service Unit.

- **Federation of Physicians and Dentists.**

- Supervisory Nonprofessional Unit.
- Physicians Unit.
- State Employees Attorneys Guild.

- **Federation of Public Employees.**

- Lottery Administrative and Support Unit.

III. Effect of Proposed Changes:

Section 1 provides that all collective bargaining issues at impasse for the 2015-2016 fiscal year regarding state employees will be resolved pursuant to the spending decisions contained in the General Appropriations Act for the 2016-2017 fiscal year.

Section 2 provides an effective date of 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:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates an undesignated section of Florida law.

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.

FOR CONSIDERATION By the Committee on Appropriations

576-02233-16

20162504pb

A bill to be entitled

An act relating to state employees; providing for the resolution of collective bargaining issues at impasse between the state and certified bargaining units of state employees; providing an effective date.

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

Section 1. All collective bargaining issues for which negotiations have reached an impasse for the 2016-2017 fiscal year between the state and the legal representatives of the certified bargaining units for state employees shall be resolved pursuant to the instructions provided in the General Appropriations Act and the relevant provisions of any legislation enacted to implement the General Appropriations Act for the 2016-2017 fiscal year.

Section 2. 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 Committee on Appropriations

BILL: SB 7042

INTRODUCER: Governmental Oversight and Accountability Committee

SUBJECT: State-administered Retirement Systems

DATE: February 2, 2016

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>McSwain</u>	<u>McVaney</u> <u>Kynoch</u>	<u>AP</u>	GO Submitted as Committee Bill Favorable

I. Summary:

SB 7042 establishes the contribution rates paid by employers participating in the Florida Retirement System (FRS) beginning July 1, 2016. These rates are intended to fund the full normal cost and the amortization of the unfunded actuarial liability of the FRS. With these modifications to employer contribution rates, the FRS Trust Fund will receive roughly \$62.6 million more in revenue on an annual basis beginning July 1, 2016. The public employers that will incur these additional costs are state agencies, state universities and colleges, school districts, counties, and certain municipalities and other governmental entities.

The bill also increases the assessment paid by employers to pay the costs of administering the FRS investment plan and providing educational services to all members of the FRS. With the increased contribution rates, the State Board of Administration's Administrative Trust Fund will receive roughly \$5.7 million more on an annual basis beginning July 1, 2016. The public employers that will incur these additional costs are state agencies, state universities and colleges, school districts, counties, and certain municipalities and other governmental entities.

The bill also corrects the name of the trust fund which receives the employer-paid assessments for administrative and educational costs associated with the FRS. The correct name is the Administrative Trust Fund rather than the FRS Investment Plan Trust Fund.

II. Present Situation:

The Florida Retirement System

The Florida Retirement System (FRS) was established in 1970 when the Legislature consolidated the Teachers' Retirement System, the State and County Officers and Employees' Retirement System, and the Highway Patrol Pension Fund. In 1972, the Judicial Retirement System was consolidated into the FRS, and in 2007, the Institute of Food and Agricultural Sciences Supplemental Retirement Program was consolidated under the Regular Class of the FRS as a

closed group.¹ The FRS is a contributory system, with most members contributing three percent of their salaries.²

The FRS is a multi-employer, contributory plan, governed by the Florida Retirement System Act in Chapter 121, F.S. As of June 30, 2014, the FRS had 622,089 active members, 363,034 annuitants, 16,137 disabled retirees, and 38,058 active participants of the Deferred Retirement Option Program (DROP).³ As of June 30, 2014, the FRS consisted of 1,014 total employers; it is the primary retirement plan for employees of state and county government agencies, district school boards, Florida College institutions, and state universities, and also includes the 186 cities and 262 special districts that have elected to join the system.⁴

The membership of the FRS is divided into five membership classes:

- The Regular Class⁵ consists of 537,993 active members, plus 5,402 in renewed membership;
- The Special Risk Class⁶ includes 68,593 active members;
- The Special Risk Administrative Support Class⁷ has 84 active members;
- The Elected Officers' Class⁸ has 2,040 active members, plus 147 in renewed membership; and
- The Senior Management Service Class⁹ has 7,607 members, plus 184 in renewed membership.¹⁰

Investment Plan

In 2000, the Legislature created the Public Employee Optional Retirement Program (investment plan), a defined contribution plan offered to eligible employees as an alternative to the FRS Pension Plan.

Benefits under the investment plan accrue in individual member accounts funded by both employee and employer contributions and earnings. Benefits are provided through employee-directed investments offered by approved investment providers.

¹ The Florida Retirement System Pension Plan and Other State Administered Systems Comprehensive Annual Financial Report Fiscal Year Ended June 30, 2014, at p. 29. Available online at: https://www.rol.frs.state.fl.us/forms/2013-14_CAFR.pdf.

² Prior to 1975, members of the FRS were required to make employee contributions of either 4 percent for Regular Class employees or 6 percent for Special Risk Class members. Employees were again required to contribute to the system after July 1, 2011. Members in the Deferred Retirement Option Program do not contribute to the system.

³ Florida Retirement System Annual Financial Report Fiscal Year Ended June 30, 2014, at 112.

⁴ *Id.*, at 146.

⁵ The Regular Class is for all members who are not assigned to another class. Section 121.021(12), F.S.

⁶ The Special Risk Class is for members employed as law enforcement officers, firefighters, correctional officers, probation officers, paramedics and emergency technicians, among others. Section 121.0515, F.S.

⁷ The Special Risk Administrative Support Class is for a special risk member who moved or was reassigned to a nonspecial risk law enforcement, firefighting, correctional, or emergency medical care administrative support position with the same agency, or who is subsequently employed in such a position under the Florida Retirement System. Section 121.0515(8), F.S.

⁸ The Elected Officers' Class is for elected state and county officers, and for those elected municipal or special district officers whose governing body has chosen Elected Officers' Class participation for its elected officers. Section 121.052, F.S.

⁹ The Senior Management Service Class is for members who fill senior management level positions assigned by law to the Senior Management Service Class or authorized by law as eligible for Senior Management Service designation. Section 121.055, F.S.

¹⁰ All figures from Florida Retirement System Annual Financial Report Fiscal Year Ended June 30, 2014, at 115.

A member vests immediately in all employee contributions paid to the investment plan.¹¹ With respect to the employer contributions, a member vests after completing one work year of employment with an FRS employer.¹² Vested benefits are payable upon termination or death as a lump-sum distribution, direct rollover distribution, or periodic distribution.¹³ The investment plan also provides disability coverage for both inline-of-duty and regular disability retirement benefits.¹⁴ An FRS member who qualifies for disability while enrolled in the investment plan must apply for benefits as if the employee were a member of the pension plan. If approved for retirement disability benefits, the member is transferred to the pension plan.¹⁵

The State Board of Administration (SBA) is primarily responsible for administering the investment plan.¹⁶ The SBA is comprised of the Governor as chair, the Chief Financial Officer, and the Attorney General.¹⁷

Pension Plan

The pension plan is administered by the secretary of the Department of Management Services through the Division of Retirement.¹⁸ Investment management is handled by the State Board of Administration.

Any member initially enrolled in the pension plan before July 1, 2011, vests in the pension plan after completing six years of service with an FRS employer.¹⁹ For members enrolled on or after July 1, 2011, the member vests in the pension plan after eight years of creditable service.²⁰ Benefits payable under the pension plan are calculated based on the member's years of creditable service multiplied by the service accrual rate multiplied by the member's average final compensation.²¹ For most members of the pension plan, normal retirement occurs at the earliest attainment of 30 years of service or age 62.²² For public safety employees in the Special Risk and Special Risk Administrative Support Classes, normal retirement is the earliest of 25 years of service or age 55.²³ Members initially enrolled in the pension plan on or after July 1, 2011, have

¹¹ Section 121.4501(6)(a), F.S.

¹² If a member terminates employment before vesting in the investment plan, the nonvested money is transferred from the member's account to the SBA for deposit and investment by the SBA in its suspense account for up to five years. If the member is not reemployed as an eligible employee within five years, then any nonvested accumulations transferred from a member's account to the SBA's suspense account are forfeited. Section 121.4501(6)(b) – (d), F.S.

¹³ Section 121.591, F.S.

¹⁴ See s. 121.4501(16), F.S.

¹⁵ Pension plan disability retirement benefits, which apply for investment plan members who qualify for disability, compensate an in-line-of-duty disabled member up to 65 percent of the average monthly compensation as of the disability retirement date for special risk class members. Other members may receive up to 42 percent of the member's average monthly compensation for disability retirement benefits. If the disability occurs other than in the line of duty, the monthly benefit may not be less than 25 percent of the average monthly compensation as of the disability retirement date. Section 121.091(4)(f), F.S.

¹⁶ Section 121.4501(8), F.S.

¹⁷ FLA CONST. art. IV, s. 4.

¹⁸ Section 121.025, F.S.

¹⁹ Section 121.021(45)(a), F.S.

²⁰ Section 121.021(45)(b), F.S.

²¹ Section 121.091, F.S.

²² Section 121.021(29)(a)1., F.S.

²³ Section 121.021(29)(b)1., F.S.

longer vesting requirements. For members initially enrolled after that date, the member must complete 33 years of service or attain age 65, and members in the Special Risk classes must complete 30 years of service or attain age 60.²⁴

Optional Retirement Programs

Eligible employees may choose to participate in one of three retirement programs instead of participating in the FRS:

- Members of the Senior Management Service Class may elect to enroll in the Senior Management Service Optional Annuity Program;²⁵
- Members in specified positions in the State University System may elect to enroll in the State University System Optional Retirement Program;²⁶ and
- Members in specified positions at a Florida College institution may elect to enroll in the State Community College System Optional Retirement Program.²⁷

Contribution Rates

FRS employers are responsible for contributing a specified percentage of the member's monthly compensation to the Division of Retirement to be distributed into the FRS Contributions Clearing Trust Fund. The employer contribution rate is a blended contribution rate set by statute, which is the same percentage regardless of whether the member participates in the pension plan or the investment plan.²⁸ The rate is determined annually based on an actuarial study by the Department of Management Services that calculates the necessary level of funding to support all of the benefit obligations under both FRS retirement plans.

In the annual actuarial valuation of the Florida Retirement System based on July 1, 2015, plan assets and liabilities, Milliman, Inc., the state actuary, determined the following key data relating to the FRS pension plan.

	Valuation Results (in \$ billions)			
	July 1, 2012	July 1, 2013	July 1, 2014	July 1, 2015
Actuarial Liability	\$147.2	\$153.3	\$160.1	\$165.5
Actuarial Value of Assets	\$127.9	\$131.7	\$138.6	\$143.2
Unfunded Actuarial Liability	\$ 19.3	\$ 21.6	\$21.5	\$22.3
Funded Percentage	86.9%	85.9%	86.6%	86.5%

²⁴ Sections 121.021(29)(a)2. and (b)2., F.S.

²⁵ The Senior Management Service Optional Annuity Program (SMSOAP) was established in 1986 for members of the Senior Management Service Class. Employees in eligible positions may irrevocably elect to participate in the SMSOAP rather than the FRS. Section 121.055(6), F.S.

²⁶ Eligible participants of the State University System Optional Retirement Program (SUSORP) are automatically enrolled in the SUSORP. However, the member must execute a contract with a SUSORP provider within the first 90 days of employment or the employee will default into the pension plan. If the employee decides to remain in the SUSORP, the decision is irrevocable and the member must remain in the SUSORP as long as the member remains in a SUSORP-eligible position. Section 121.35, F.S.

²⁷ If the member is eligible for participation in a State Community College System Optional Retirement Program, the member must elect to participate in the program within 90 days of employment. Unlike the other optional programs, an employee who elects to participate in this optional retirement program has one opportunity to transfer to the FRS. Section 1012.875, F.S.

²⁸ Section 121.70(1), F.S.

The state actuary determines a rate associated with the normal cost of the pension plan (funding the prospective benefits) and a rate necessary to amortize the unfunded actuarial liabilities (UAL) over a thirty year period. The following are the current employer contribution rates²⁹ for each class and the blended rates recommended by the state actuary beginning in July 2016:³⁰

Membership Class	Current Rates Effective July 1, 2015		Recommended Rates to be effective July 1, 2016	
	Normal Cost	UAL Rate	Normal Cost	UAL Rate
Regular Class	2.91%	2.65%	2.97%	2.83%
Special Risk Class	11.35%	8.99%	11.35%	8.92%
Special Risk Administrative Support Class	3.71%	27.54%	3.87%	22.47%
Elected Officer's Class				
• Legislators, Governor, Lt. Governor, Cabinet Officers, State Attorneys, Public Defenders	6.48%	37.62%	6.63%	33.75
• Justices and Judges	11.39%	22.62%	11.68%	23.30%
• County Officers	8.48%	32.09%	8.55%	32.30%
Senior Management Service Class	4.32%	15.41%	4.38%	15.67%
Deferred Retirement Option Program	4.10%	7.12%	4.17%	7.10%

For all membership classes, except the DROP and certain members with renewed membership, employees contribute three percent of their compensation towards retirement.³¹

After employer and employee contributions are placed into the FRS Contributions Clearing Trust Fund, the allocations under the investment plan are transferred to third-party administrators to be placed in the employee's individual investment accounts, whereas contributions under the pension plan are transferred into the FRS Trust Fund.³²

Administrative and Educational Expenses

Section 121.74, F.S., requires all employers participating in the FRS to pay additional contributions equal to 0.04 percent of the employer's covered payroll. These assessments are deposited into the State Board of Administration's Administrative Trust Fund to offset the costs of administering the investment plan and providing educational services to all members of the FRS. The assessment rates have been as high as 0.15 percent in Fiscal Year 2002-2003 (the third year of the investment plan) and were 0.05 percent from Fiscal Year 2005-2006 through Fiscal Year 2009-2010. In Fiscal Year 2010-2011, the Legislature reduced the assessment rate to ensure

²⁹ Section 121.71(4) and (5), F.S.

³⁰ Letter to Mr. Dan Drake, *Re: Blended Proposed Statutory Rates for the 2016-2017 Plan Year Reflecting a Uniform UAL Rate for All Membership Classes and DROP*, dated December 2, 2015 (on file with the Senate Committee on Governmental Accountability and Oversight).

³¹ Section 121.71(3), F.S.

³² See ss. 121.4503 and 121.72(1), F.S.

that the forfeiture account balances were reduced in a timely and appropriate manner to comply with the federal tax code.

The table below shows the assessment rate and the revenues and expenditures associated with the contributions. While the revenues into the Administrative Trust Fund have remained consistent, the estimated expenditures from the trust fund appear to have grown dramatically in recent years. This is a result of the State Board of Administration spending down monies that have been forfeited by investment plan members. As the forfeiture account balance reaches zero, more of the overall costs incurred by the SBA will be borne by the Administrative Trust Fund – resulting in the Administrative Trust Fund experiencing significantly lower ending cash balances.

State Board of Administration Administrative Trust Fund				
Fiscal Year	Assessment Rate	Revenues	Expenditures	End of Year Balance
2011-2012	0.03%	\$ 7.86 m	\$ 9.94 m	\$36.03 m
2012-2013	0.03%	\$ 7.90 m	\$ 7.71 m	\$36.65 m
2013-2014	0.03%	\$ 8.03 m	\$12.22 m	\$33.83 m
2014-2015	0.04%	\$10.71 m	\$17.64 m	\$26.14 m
2015-2016	0.04%	\$11.10 m ¹	\$22.55 m ¹	\$14.69 m ¹
2016-2017	0.04%	\$11.41 m ¹	\$22.75 m ¹	\$ 3.35 m ¹
1. Estimated amounts				

III. Effect of Proposed Changes:

The bill modifies the employer-paid contributions for FRS retirement benefits and administrative and educational expenses.

Section 1 amends s. 121.4501, F.S., to correct the name of the trust fund which receives the employer-paid assessments for administrative and educational costs associated with the FRS. The correct name is the Administrative Trust Fund rather than the FRS Investment Plan Trust Fund.

Section 2 amends s. 121.71, F.S., to set the employer-paid contributions to the Florida Retirement System Trust Fund for each membership class of the FRS.

Section 3 amends s. 121.74, F.S., to increase the employer-paid contributions to the SBA's Administrative Trust Fund from 0.04% of payroll to 0.06% of payroll. These revenues are used to offset the costs of administering the investment plan as well as providing educational services to all FRS members.

Section 4 provides findings that the bill fulfills an important state interest.

The bill provides an effective date of July 1, 2016.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

Article VII, s. 18(a) of the Florida Constitution provides that: “No county or municipality shall be bound by any general law requiring such county or municipality to spend funds...unless the legislature has determined that such law fulfills an important state interest and unless: ...the expenditure is required to comply with a law that applies to all persons similarly situated...”

This bill includes legislative findings that the bill fulfills important state interests, and the bill applies to all persons similarly situated (those employers participating in the Florida Retirement System), including state agencies, school boards, community colleges, 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:

None.

C. Government Sector Impact:**Florida Retirement System**

The aggregate employer contributions anticipated to be paid into the Florida Retirement System Trust Fund in Fiscal Year 2016-2017 will increase by approximately \$62.6 million when compared to the employer contributions paid in Fiscal Year 2015-2016. The impacts by employer group for Fiscal Year 2016-2017 are noted below.

Employer Group	Additional Contributions
State Agencies	\$8.4 m
Universities	\$7.8 m
Colleges	\$2.7 m
School Boards	\$31.1 m
Counties	\$9.6 m
Other	\$3.1 m
Total	\$62.6 m

State Board of Administration's Administrative Trust Fund

With the enactment of SB 7042, the revenues expected to flow into the SBA's Administrative Trust Fund will increase by approximately \$5.7 million annually. These revenues are a result of the assessment increasing from 0.04% of payroll to 0.06% of payroll. The increases by employer group for Fiscal Year 2016-2017 are noted below.

Employer Group	Additional Contributions
State Agencies	\$0.87 m
Universities	\$0.26 m
Colleges	\$0.20 m
School Boards	\$2.54 m
Counties	\$1.52 m
Other	\$0.31 m
Total	\$5.70 m

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends sections 121.71 and 121.74 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 the Committee on Governmental Oversight and Accountability

585-01991-16

20167042__

A bill to be entitled

An act relating to state-administered retirement systems; amending s. 121.4501, F.S.; correcting a reference to the trust fund to which certain employer assessments are transferred; amending s. 121.71, F.S.; revising required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System; amending s. 121.74, F.S.; revising the employer assessment rate for offsetting administrative and educational costs related to the Florida Retirement System; providing a declaration of important state interest; providing an effective date.

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

Section 1. Paragraph (c) of subsection (5) of section 121.4501, Florida Statutes, is amended to read:

121.4501 Florida Retirement System Investment Plan.—

(5) CONTRIBUTIONS.—

(c) The state board, acting as plan fiduciary, must ensure that all plan assets are held in a trust, pursuant to s. 401 of the Internal Revenue Code. The fiduciary must ensure that such contributions are allocated as follows:

1. The employer and employee contribution portion earmarked for member accounts shall be used to purchase interests in the appropriate investment vehicles as specified by the member, or in accordance with paragraph (4) (d).

2. The employer contribution portion earmarked for administrative and educational expenses shall be transferred to the state board's Administrative Florida Retirement System Investment Plan Trust Fund.

3. The employer contribution portion earmarked for

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

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disability benefits shall be transferred to the Florida Retirement System Trust Fund.

Section 2. Subsections (4) and (5) of section 121.71, Florida Statutes, are amended to read:

121.71 Uniform rates; process; calculations; levy.—

(4) Required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System for both retirement plans are as follows:

Membership Class	Percentage of Gross Compensation, Effective	
	July 1, <u>2016</u>	2015
Regular Class	<u>2.97%</u>	2.91%
Special Risk Class	11.35%	
Special Risk Administrative Support Class	<u>3.87%</u>	3.71%
Elected Officers' Class— Legislators, Governor, Lt. Governor, Cabinet Officers,	<u>6.63%</u>	6.48%

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

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State Attorneys, Public Defenders		
Elected Officers' Class— Justices, Judges	<u>11.68%</u>	11.39%
Elected Officers' Class— County Elected Officers	<u>8.55%</u>	8.48%
Senior Management Class	<u>4.38%</u>	4.32%
DROP	<u>4.17%</u>	4.10%
(5) In order to address unfunded actuarial liabilities of the system, the required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System for both retirement plans are as follows:		
	Percentage of Gross Compensation, Effective July 1, <u>2016</u>	2015
Membership Class		
Regular Class	<u>2.83%</u>	2.65%

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Special Risk Class	<u>8.92%</u>	8.99%
Special Risk Administrative Support Class	<u>22.47%</u>	27.54%
Elected Officers' Class— Legislators, Governor, Lt. Governor, Cabinet Officers, State Attorneys, Public Defenders	<u>33.75%</u>	37.62%
Elected Officers' Class— Justices, Judges	<u>23.30%</u>	22.62%
Elected Officers' Class— County Elected Officers	<u>32.20%</u>	32.09%
Senior Management Service Class	<u>15.67%</u>	15.41%
DROP	<u>7.10%</u>	7.12%
Section 3. Section 121.74, Florida Statutes, is amended to read: 121.74 Administrative and educational expenses.—In addition to contributions required to fund member accounts under ss. 121.71 and 121.73, effective July 1, 2010, through June 30,		

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 73 2014, employers participating in the Florida Retirement System
 74 shall contribute an employer assessment amount equal to 0.03
 75 percent of the payroll reported for each class or subclass of
 76 Florida Retirement System membership. Effective July 1, 2014,
 77 the employer assessment is 0.04 percent of the payroll reported
 78 for each class or subclass of membership. Effective July 1,
 79 2016, the employer assessment is 0.06 percent of the payroll
 80 reported for each class or subclass of membership. The amount
 81 assessed shall be transferred by the Division of Retirement from
 82 the Florida Retirement System Contributions Clearing Trust Fund
 83 to the State Board of Administration's Administrative Trust Fund
 84 to offset the costs of administering the investment plan and the
 85 costs of providing educational services to members of the
 86 Florida Retirement System. Approval of the trustees is required
 87 before the expenditure of these funds. Payments for third-party
 88 administrative or educational expenses shall be made only
 89 pursuant to the terms of the approved contracts for such
 90 services.

91 Section 4. The Legislature finds that a proper and
 92 legitimate state interest is served when employees, officers,
 93 and retirees of the state and its political subdivisions, and
 94 the dependents, survivors, and beneficiaries of such employees,
 95 officers, and retirees, are extended the basic protections
 96 afforded by governmental retirement systems. These persons must
 97 be provided benefits that are fair and adequate and that are
 98 managed, administered, and funded in an actuarially sound
 99 manner, as required by s. 14, Article X of the State
 100 Constitution and part VII of chapter 112, Florida Statutes.
 101 Therefore, the Legislature determines and declares that this act

585-01991-16 20167042__
 102 fulfills an important state interest.
 103 Section 5. This act shall take effect July 1, 2016.



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Governmental Oversight and Accountability, *Chair*
Judiciary, *Vice Chair*
Appropriations
Appropriations Subcommittee on Education
Children, Families, and Elder Affairs
Commerce and Tourism

SENATOR JEREMY RING

29th District

January 18, 2016

Senator Tom Lee, Chair
Committee on Appropriations
201 The Capitol
404 South Monroe Street
Tallahassee, FL 32399

Dear Chairman Lee,

I am writing to respectfully request your cooperation in placing Senate Bill 7042, relating to State Administered Retirement Systems, on the Committee on Appropriations agenda at your earliest convenience. I would greatly appreciate the opportunity to discuss the bill at greater length before your committee.

Thank you in advance for your assistance. As always, please do not hesitate to contact me with any questions or comments you may have.

Very Truly Yours,

A handwritten signature in cursive script that reads "Jeremy Ring".

Jeremy Ring
Senator District 29

cc: Cindy Kynoch, Staff Director
Alicia Weiss, Committee Administrative Assistant

REPLY TO:

- ☐ 5790 Margate Boulevard, Margate, Florida 33063 (954) 917-1392 FAX: (954) 917-1394
- ☐ 405 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5029

Senate's Website: www.flsenate.gov

ANDY GARDINER
President of the Senate

GARRETT RICHTER
President Pro Tempore

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 Committee on Appropriations

BILL: SB 2506

INTRODUCER: Appropriations Committee

SUBJECT: Compensation for Representation

DATE: February 3, 2016

REVISED: _____

ANALYST
Harkness

STAFF DIRECTOR
Kynoch

REFERENCE

ACTION
AP Submitted as Committee Bill

I. Summary:

SB 2506 modifies compensation limits of fees paid to court-appointed attorneys. The bill conforms the statutes, relating to court-appointed counsel, to the Senate Proposed General Appropriations, SPB 2500, for Fiscal Year 2016-2017. The bill amends section 27.5304, Florida Statutes.

The bill has no fiscal impact per se, but permits the Legislature to increase the fee rates paid to court-appointed attorneys annually.

The bill provides an effective date of July 1, 2016.

II. Present Situation:

Pursuant to section 27.51, F.S., the Office of the Public Defender in each judicial circuit is primarily responsible for representing indigent defendants who have been charged or arrested for criminal offenses. If the Office of the Public Defender has a conflict of interest, then the judge appoints the Office of Criminal Conflict and Civil Regional Counsel to provide legal services.¹ If the Office of Criminal Conflict and Civil Regional Counsel has a conflict, then the judge appoints counsel from a registry of private attorneys willing to take these conflict cases.² Private court-appointed attorneys are compensated according to a schedule of flat fees listed each year in the General Appropriations Act (GAA). Section 27.5304(1), F.S., requires that the GAA annually set out the actual specific attorney fee. The specific attorney fees listed in the GAA annually may not exceed limits, or caps, established in section 27.5304(5), F.S.

Until 2014, the flat fees paid to private court-appointed counsel had not changed significantly since 1981. In a legislatively-directed report published in 2013, the Office of the State Court Administrator questioned whether the flat fees were adequate or reasonable and recommended

¹ Section 27.511(5), F.S.

² Section 27.40(2)(a), F.S.

rate adjustments.³ As a result, the 2014 Legislature passed SB 2510, which increased the flat fee statutory caps for noncapital, nonlife felonies, life felonies, capital cases, and appeals cases. The Legislature then adjusted the flat fees for eight case types, shown below, in the General Appropriations Act but did not adjust the fees for the remaining 22 case types.

Case Description	Flat Fee Before SB 2510	Statutory Cap Before SB 2510	Revised Flat Fee
Capital – 1 st Degree Murder (Lead/Co-counsel)	\$15,000	\$15,000	\$25,000
Capital – 1 st Degree – Death Penalty Waived (Lead Counsel)	\$2,500	\$3,000	\$9,000
Felony Life	\$2,500	\$3,000	\$5,000
Felony Life - RICO	\$2,500	\$3,000	\$9,000
Capital Appeals	\$2,000	\$2,500	\$9,000
Capital Sexual Battery	\$2,000	\$3,000	\$4,000
Felony Punishable by Life – RICO	\$2,000	\$2,500	\$6,000
Felony – 1 st Degree - RICO	\$1,500	\$2,500	\$5,000

Flat fees can vary significantly for similar case types. For example, the flat fee paid to an attorney who represents a defendant charged with murder varies depending on the classification, or degree, of the murder charge. Attorneys defending a client charged with capital murder are paid \$25,000 but only \$9,000 if the death penalty is waived. Further, an attorney representing a client charged with second degree murder may only receive a flat fee of \$5,000, the fee for “Felony Life”, or \$2,000 for “Felony – Punishable by Life”.⁴

Murder cases, regardless of the degree, can be complex and time-consuming. For example, murder cases will require more preparatory time for preliminary hearings and motions than other less serious case types. A murder case, regardless of the degree, may have significant discovery requirements, involve numerous witnesses, and may include complex scientific evidence, such as DNA evidence.

III. Effect of Proposed Changes:

Section 1 revises the statutory maximum compensation for court-appointed attorneys handling noncapital, nonlife and life felony cases at the trial level. The changes provide higher compensation maximums for two classes of cases:

Case Type	Current Maximum Fee	Proposed Maximum Fee
Noncapital, nonlife felonies	\$6,000	\$15,000
Life felony cases	\$9,000	\$15,000

These changes give the Legislature more flexibility to change the flat fee payments for felony cases, which are set annually in the GAA. For example, these changes would permit the Legislature to pay a maximum of \$15,000 for all murder cases, regardless of the degree.

³ Office of the State Court Administrator, *A Study of the Compensation of Private Court-Appointed Conflict Counsel in Criminal Cases in Florida*, January 15, 2013.

⁴ Pursuant to s. 782.04(2), “[t]he unlawful killing of a human being, when perpetrated by any act imminently dangerous to another and evincing a depraved mind regardless of human life, although without any premeditated design to effect the death of any particular individual, is murder in the second degree and constitutes a felony of the first degree, punishable by imprisonment for a term of years not exceeding life or as provided in s. [775.082](#), s. [775.083](#), or s. [775.084](#).”

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:

SB 2506 increases the statutory maximum compensation for court-appointed attorneys handling selected case types. However, since the actual flat fee rates are established in the GAA, the bill does not have a fiscal impact. The bill will only have a fiscal impact if the Legislature changes the flat fee rates in the GAA.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 27.5304 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.

FOR CONSIDERATION By the Committee on Appropriations

576-02592-16

20162506pb

A bill to be entitled

An act relating to compensation for representation;
amending s. 27.5304, F.S.; revising compensation
amounts for representation in a criminal proceeding;
providing an effective date.

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

Section 1. Subsection (5) of section 27.5304, Florida
Statutes, is amended to read:

27.5304 Private court-appointed counsel; compensation;
notice.—

(5) The compensation for representation in a criminal
proceeding shall not exceed the following:

(a) For misdemeanors and juveniles represented at the trial
level: \$1,000.

(b) For noncapital, nonlife felonies represented at the
trial level: \$15,000 ~~\$6,000~~.

(c) For life felonies represented at the trial level:
\$15,000 ~~\$9,000~~.

(d) For capital cases represented at the trial level:
\$25,000. For purposes of this paragraph, a "capital case" is any
offense for which the potential sentence is death and the state
has not waived seeking the death penalty.

(e) For representation on appeal: \$9,000.

Section 2. 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 Committee on Appropriations

BILL: SB 2508

INTRODUCER: Appropriations Committee

SUBJECT: Health Care Services

DATE: February 3, 2016

REVISED: _____

ANALYST

Brown

STAFF DIRECTOR

Kynoch

REFERENCE

ACTION

AP Submitted as Committee Bill

I. Summary:

SB 2508 revises various statutes relating to aspects of the Medicaid program and the Florida Kidcare program, including:

- The definition of “rural hospital;”
- Eligibility for Medicaid and Kidcare;
- Fair hearings to appeal decisions made by various state agencies;
- Reimbursement of Medicaid providers;
- Overpayments to Medicaid providers;
- The Statewide Medicaid Residency Program;
- Disproportionate Share Hospital programs;
- Statewide Medicaid Managed Care; and
- The Program for All-Inclusive Care for the Elderly.

The bill conforms Medicaid-related statutes to the Senate General Appropriations Bill for Fiscal Year 2016-2017, SB 2500.

II. Present Situation:

The Medicaid Program

The Florida Medicaid program is a partnership between the federal and state governments. Each state operates its own Medicaid program under a state plan that must be approved by the federal Centers for Medicare & Medicaid Services (CMS). The state plan outlines Medicaid eligibility standards, policies, and reimbursement methodologies.

Florida Medicaid is administered by the Agency for Health Care Administration (AHCA) and financed with federal and state funds. Over 3.9 million Floridians are currently enrolled in

Medicaid, and the program's estimated expenditures for the 2015-2016 fiscal year are over \$24.9 billion.¹

Eligibility for Florida Medicaid is based on a number of factors, including age, household or individual income, and assets. State Medicaid eligibility payment guidelines are provided in statute under s. 409.903, F.S., (Mandatory Payments for Eligible Persons) and s. 409.904, F.S., (Optional Payments for Eligible Persons). Minimum coverage thresholds are established in federal law for certain population groups, such as children.

Statewide Medicaid Managed Care

Part IV of ch. 409, F.S., was created in 2011 by ch. 2011-134, L.O.F., and governs the Statewide Medicaid Managed Care program (SMMC). The program, authorized under federal Medicaid waivers, is designed for the AHCA to issue invitations to negotiate² and competitively procure contracts with managed care plans in 11 regions of the state to provide comprehensive Medicaid coverage for most of the state's enrollees in the Medicaid program. SMMC has two components: managed medical assistance (MMA) and long-term care managed care (LTCMC).

The LTCMC component began enrolling Medicaid recipients in August 2013 and completed its statewide roll-out in March 2014. The MMA component began enrolling Medicaid recipients in May 2014 and finished its roll-out in August 2014. As of December 2015, 3.19 million Medicaid recipients were enrolled in an SMMC plan while 793,515 were enrolled in Medicaid on a fee-for-service basis.³

Rural Hospitals

Part III of ch. 395, F.S., governs rural hospitals. A rural hospital is defined in s. 395.602(2)(e), F.S., as a licensed, acute care hospital having 100 or fewer licensed beds and an emergency room which is:

- The sole provider in a county with a population density no greater than 100 persons per square mile;
- An acute care hospital in a county with a population density no greater than 100 persons per square mile which is at least 30 minutes of travel time from any other acute care hospital in the same county;
- A hospital supported by a tax district or sub-district whose boundaries encompass an area of 100 persons or fewer per square mile;
- A hospital with a service area of fewer than 100 persons per square mile, with service area being defined as the fewest number of zip codes that account for 75 percent of the hospital's discharges for the most recent five-year period; or

¹ Agency For Health Care Administration Presentation to Senate Health and Human Services Committee October 20, 2015 available at <http://bit.ly/1ZZ8nYU> (last visited Jan. 29, 2016).

² An "invitation to negotiate" is a written or electronically posted solicitation for vendors to submit competitive, sealed replies for the purpose of selecting one or more vendors with which to commence negotiations for the procurement of commodities or contractual services. See s. 287.012(17), F.S.

³ The Agency for Health Care Administration, "Florida Statewide Medicaid Monthly Enrollment Report," December 2015, available at http://ahca.myflorida.com/Medicaid/Finance/data_analytics/enrollment_report/index.shtml (last visited Dec. 23, 2015).

- A hospital designated as a critical access hospital under s. 408.07(15), F.S.⁴

An acute care hospital that has not previously been designated as a rural hospital and that meets the criteria of the definition will be granted rural hospital status upon submitting an application, including supporting documentation, to the Agency for Health Care Administration (AHCA).⁵

Currently, 28 hospitals meet the statutory definition of rural hospitals:

Rural Hospital	County	City	Beds
Baptist Medical Center - Nassau	Nassau	Fernandina Beach	62
Calhoun-Liberty Hospital	Calhoun	Blountstown	25
Campbellton-Graceville Hospital	Jackson	Graceville	25
Desoto Memorial Hospital	Desoto	Arcadia	49
Doctors Memorial Hospital	Holmes	Bonifay	20
Doctors' Memorial Hospital Inc.	Taylor	Perry	48
Ed Fraser Memorial Hospital	Baker	MacClenny	25
Fishermen's Hospital	Monroe	Marathon	25
Florida Hospital Flagler	Flagler	Palm Coast	99
Florida Hospital Wauchula	Hardee	Wauchula	25
George E Weems Memorial Hospital	Franklin	Apalachicola	25
Healthmark Regional Medical Center	Walton	Defuniak Springs	50
Hendry Regional Medical Center	Hendry	Clewiston	25
Jackson Hospital	Jackson	Marianna	100
Jay Hospital	Santa Rosa	Jay	49
Lake Butler Hospital Hand Surgery Center	Union	Lake Butler	25
Lakeside Medical Center	Palm Beach	Belle Glade	70
Madison County Memorial Hospital	Madison	Madison	25
Mariners Hospital	Monroe	Tavernier	25
Northwest Florida Community Hospital	Washington	Chipley	59
Putnam Community Medical Center	Putnam	Palatka	99
Raulerson Hospital	Okeechobee	Okeechobee	100
Regional General Hospital Williston ⁶	Levy	Williston	40
Sacred Heart Hospital On The Emerald Coast	Walton	Miramar Beach	58
Sacred Heart Hospital On The Gulf	Gulf	Port Saint Joe	19
Shands Lake Shore Regional Medical Center	Columbia	Lake City	99
Shands Live Oak Regional Medical Center	Suwannee	Live Oak	25
Shands Starke Regional Medical Center	Bradford	Starke	49

Rural hospitals are eligible to participate in Medicaid's rural hospital financial assistance programs under s. 409.9116, F.S. Rural hospitals may also receive special consideration in the General Appropriations Act for Medicaid reimbursement due to their rural status.

⁴ Section 408.07(15), F.S., defines a critical access hospital as "a hospital that meets the definition of 'critical access hospital' in s. 1861(mm)(1) of the Social Security Act and that is certified by the Secretary of Health and Human Services as a critical access hospital."

⁵ See s. 395.602(2)(e), F.S.

⁶ Formerly known as Tri County Hospital - Williston.

Sole Community Hospitals

The federal Medicare program classifies a hospital as a “sole community hospital” based on criteria specified in title 42, s. 412.92, of the Code of Federal Regulations, including whether the hospital is situated in a federally-designated rural area, the hospital’s capacity, and the hospital’s distance from other hospitals. A sole community hospital is given special treatment and is eligible for payment adjustments from the Medicare program due to the federal government’s consideration of the hospital’s accessibility to residents of rural areas who have limited options for hospital services.

Florida contains seven sole community hospitals.⁷ In 2014, the Legislature amended the definition of rural hospital to include hospitals classified as sole community hospitals having up to 340 licensed beds, beginning in the 2014-2015 fiscal year.⁸ Prior to the 2014-2015 fiscal year, two of Florida’s sole community hospitals did not qualify under Florida statutes as rural hospitals.⁹ The 2014 legislation had the effect of classifying all seven sole community hospitals as rural hospitals. However, one year later, the Legislature amended the definition once again to remove the provision added in 2014, which means the two sole community hospitals newly classified as rural in Fiscal Year 2014-2015 no longer meet the definition.

Fair Hearings

Under federal regulations, Medicaid applicants and recipients are entitled to adequate notice of state agency actions and a meaningful opportunity for a hearing to review those decisions whenever a claim for benefits is denied or not acted upon with reasonable promptness. This includes any action or inaction that affects either the person’s eligibility to be enrolled in Medicaid or the person’s receipt of a particular medical service covered by the program.¹⁰

State agency hearings of such Medicaid appeals are often called “fair hearings.” The same notice and hearing rights apply to disputes regarding Medicaid eligibility and to disputes regarding whether an eligible Medicaid enrollee has a medical need for a particular service, regardless of whether the benefits are administered through the fee-for-service system or a Medicaid managed care plan.

The Department of Children and Families (DCF) currently handles fair hearings related to its duty to determine eligibility for the Medicaid program. Additionally, under s. 409.285, F.S., s. 65-2.042, F.A.C., and a memorandum of understanding between the DCF and the AHCA, the DCF also handles fair hearings related to decisions made by the AHCA or a Medicaid managed care plan to deny, reduce, suspend, or terminate Medicaid services. This is a remnant of the dissolution of the former Department of Health and Rehabilitative Services, which was once the

⁷ The sole community hospitals in Florida are: Desoto Memorial Hospital (Arcadia); Doctors’ Memorial Hospital (Perry); Ed Fraser Memorial Hospital (MacClenny); Flagler Hospital (St. Augustine); Raulerson Hospital (Okeechobee); Jackson Hospital (Marianna); and Lower Keys Medical Center (Key West).

⁸ See ch. 2014-57, Laws of Florida.

⁹ Flagler Hospital and Lower Keys Medical Center.

¹⁰ See 42 CFR Part 431, Subpart E, available at <http://www.ecfr.gov/cgi-bin/retrieveECFR?n=sp42.4.431.e>, last visited Dec. 23, 2015.

single state agency that administered both the Medicaid eligibility system and the entire Medicaid health care delivery system.¹¹

For the Medicaid waiver authorizing the Agency for Persons with Disabilities (APD) to administer programs for home and community-based services, s. 393.125, F.S., provides parameters for APD waiver clients or applicants, or their parents, guardians, or authorized representatives, to request a fair hearing. Under s. 393.125(1)(a), F.S., such hearings related to the APD waiver are provided by the DCF.

With the implementation of SMMC, the AHCA's role in fair hearings has changed when hearings are related to actions taken by Medicaid managed care plans. Such hearings are not directly related to actions taken by the AHCA. Most, if not all, of the witnesses involved in fair hearings related to SMMC are employees or subcontractors of the managed care plan in which the Medicaid recipient is enrolled. Likewise, any documentary evidence at issue in a fair hearing related to SMMC are documents created by, and in the sole possession of, the managed care plan.¹²

Federal law requires that in fair hearings directly related to decisions made by a managed care plan, the plan itself must appear as a party to the fair hearing. However, the DCF's current rule governing DCF fair hearings pre-dates the implementation of SMMC and conflicts with federal law in that the rule limits parties to fair hearings to include only the appellant and state agencies.¹³

Florida Kidcare Program

The Florida Kidcare Program (Kidcare) was created in 1998 by the Florida Legislature in response to the federal enactment of the Children's Health Insurance Program (CHIP) in 1997.¹⁴ Initially authorized for 10 years, the program was re-authorized¹⁵ by Congress through 2019 with federal funding through September 30, 2015.

To address re-authorization again, federal funding for the CHIP was extended in April 2015 for an additional two-year period through September 30, 2017.¹⁶ Figure 1 below illustrates the re-authorization timeline for CHIP since its inception.

¹¹ Email from the Agency for Health Care Administration, Sept. 23, 2015, on file with staff of the Senate Appropriations Subcommittee on Health and Human Services.

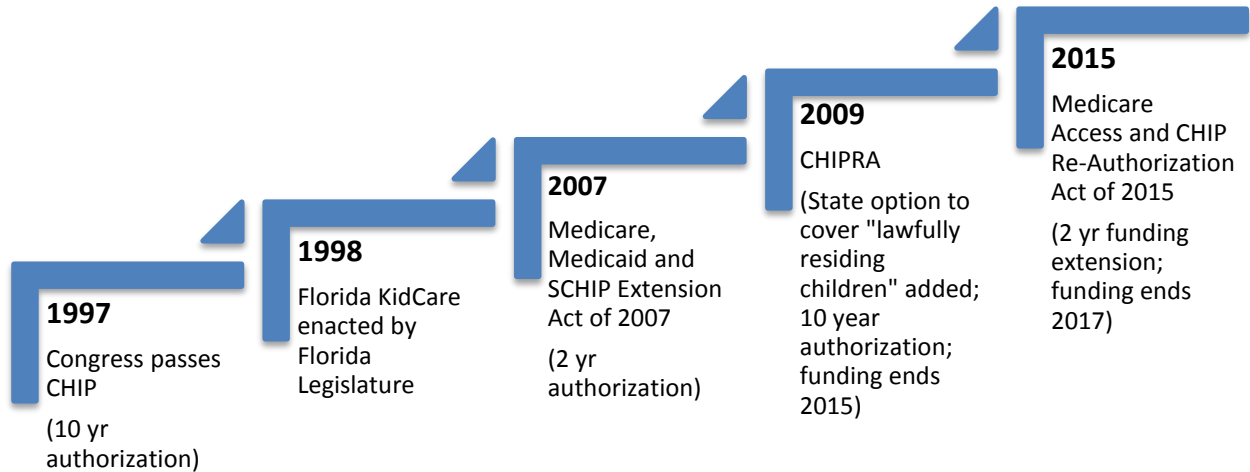
¹² *Id.*

¹³ *Id.*

¹⁴ Social Security Administration, *Title XXI - State Children's Health Insurance Program*, http://www.ssa.gov/OP_Home/ssact/title21/2100.htm (last visited Oct. 27, 2015).

¹⁵ Children's Health Insurance Re-Authorization Act of 2009, Pub. Law 2009-3, <http://www.gpo.gov/fdsys/pkg/PLAW-111publ3/pdf/PLAW-111publ3.pdf> (last visited Oct. 27, 2015).

¹⁶ See Pub. L. No. 114-10, s. 301 (2015).

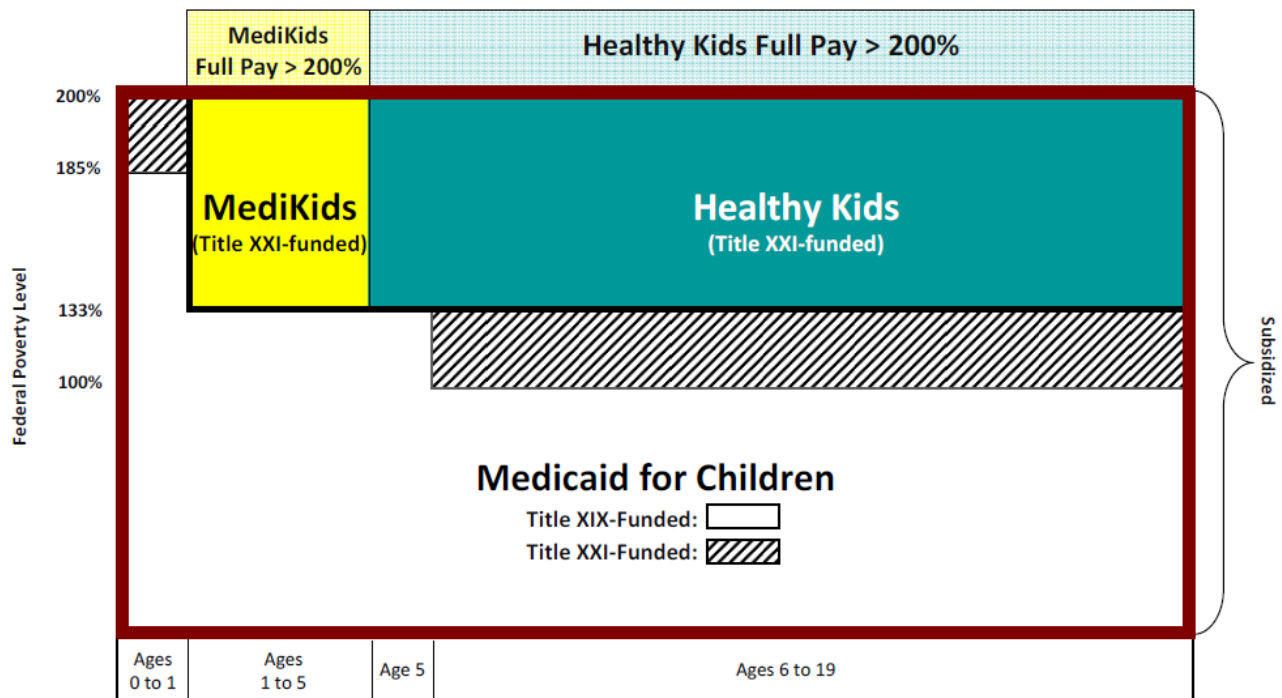
Figure 1-Milestones in the Medicaid and CHIP Program

The CHIP provides subsidized health insurance to uninsured children who do not qualify for Medicaid but who have family incomes under 200 percent of the federal poverty level (FPL) and meet other eligibility criteria.

The state statutory authority for Kidcare is found under part II of ch. 409, ss. 409.810 through 409.821, F.S. Kidcare includes four operating components: Medicaid for children, Medikids, the Children's Medical Services Network (CMS Network), and the Florida Healthy Kids Corporation (FHKC). The following chart illustrates the different program components and funding sources:¹⁷

¹⁷ State of Florida, Florida KidCare Program, State Plan Amendment #25 to Florida's Title XXI Child Health Insurance Plan (July 1, 2014), p. 5. available at https://ahca.myflorida.com/medicaid/Policy_and_Quality/Policy/program_policy/FLKidCare/PDF/KidCare_Program_Amendment_25_to_Title_XXI_2014-07-01.pdf (last visited Oct. 27, 2015).

Florida KidCare Eligibility



Eff. 1/1/2014

CMS Network
(Title XIX and Title XXI)

Coverage for the non-Medicaid components are funded through Title XXI of the federal Social Security Act. Title XIX of the Social Security Act (Medicaid), state funds, and family contributions also provide funding for the different components. Family contributions under the Title XXI component are based on family size, household incomes, and other eligibility factors. Families above the income limits for premium assistance or who are not otherwise eligible for premium assistance are offered the opportunity to participate in Kidcare at a non-subsidized rate (full pay). Currently, the income limit for premium assistance is 200 percent of the FPL.

Several state agencies and the FHKC share responsibilities for Kidcare. The AHCA, the Department of Children and Families (DCF), the Department of Health (DOH), and the FHKC have specific duties under Kidcare as detailed in part II of ch. 409, F.S. The DCF determines eligibility for Medicaid. The FHKC receives all Kidcare applications and screens for Medicaid eligibility and determines eligibility for all Title XXI programs, referring applications to the DCF, as appropriate, for a complete Medicaid determination.

To enroll in Kidcare, families may apply online or use a paper application that determines eligibility for multiple programs, including Medicaid and CHIP, for the entire family. Applications are available in English, Spanish, and Creole. Eligibility for premium assistance is determined first through electronic data matches with available databases or, in cases where

income cannot be verified electronically, through submission of current pay stubs, tax returns, or W-2 forms.

The 2015-2016 General Appropriations Act appropriated \$405,203,249 for the Title XXI (CHIP) components.¹⁸ As of September 1, 2015, a total of 2,391,259 children were enrolled in Kidcare.¹⁹

PROGRAM	ENROLLMENT
Medicaid - Title XIX funded	2,054,470
Medicaid - Title XXI funded	119,999
Healthy Kids - Total	176,001
Children's Medical Services Network	11,429
Medikids	29,360
Total Florida Kidcare Enrollment:	2,391,259

Under s. 409.814, F.S., Kidcare's eligibility guidelines are described in conformity with current Title XIX and Title XXI terminology and requirements for each funding component. A child who is an alien, but does not meet the definition of a qualified alien in the United States, is specifically excluded from eligibility from Title XXI premium assistance.

Eligibility of Alien Children for Medicaid and the CHIP

The Immigration and Nationality Act (INA) was created in 1952 to consolidate a variety of statutes governing immigration law. The INA has been amended numerous times since 1952. The INA defines the term "alien" as "any person not a citizen or national of the United States."²⁰ Nationals of the United States are citizens of the United States, or persons who, though not a citizen of the United States, owe permanent allegiance to the United States.²¹

Generally, under the INA, an alien is not eligible for any state or local public benefit, including health benefits, unless the alien is:²²

- A qualified alien;²³
- A nonimmigrant alien;²⁴ or
- An alien who is paroled into the United States under the INA.²⁵

There are limited exceptions to the ineligibility for public benefits for treatment of emergency medical conditions, emergency disaster relief, immunizations, and services such as soup kitchens, crisis counseling and intervention, and short-term shelter.²⁶

¹⁸ Chapter 2015-232, ss. 167-172, Laws of Florida.

¹⁹ The Agency for Health Care Administration, *Florida Kidcare Enrollment Report - September 2015*, (on file with the Senate Committee on Health Policy).

²⁰ See 8 U.S.C. s. 1101(a)(3).

²¹ See 8 U.S.C. s. 1101(a)(21) and (22).

²² See 8 U.S.C. s. 1621(a).

²³ See 8 U.S.C. s. 1641(b) and (c). There are nine classes of qualified aliens.

²⁴ See 8 U.S.C. s. 1101(a)(15). There are 22 classes of nonimmigrant aliens identified in this section.

²⁵ See 8 U.S.C. s. 1182(d)(5).

²⁶ See 8 U.S.C. s. 1621(b).

The INA gives states the authority to provide that an alien who is not lawfully present in the United States is eligible for any state or local public benefit for which the alien would otherwise not be eligible, but only through the enactment of a state law which affirmatively provides for such eligibility.²⁷

The enactment of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 (Public Law 104-193), placed limitations on federal funding for health care of immigrant families. The law imposed a 5-year waiting period on certain groups of qualified aliens, including most children and pregnant women who were otherwise eligible for Medicaid.²⁸ Medicaid coverage for individuals subject to the 5-year waiting period and for those who do not meet the definition of qualified alien was limited to treatment of an emergency medical condition. The 5-year waiting period also applies to children and pregnant women under the CHIP. The PRWORA did not affect eligibility of undocumented aliens, and these individuals remain ineligible for services, except for emergency services under Medicaid.

The Children's Health Insurance Program Reauthorization Act (CHIPRA) of 2009 (Public Law No. 111-3), permits states to cover certain children and pregnant women who are "lawfully residing in the United States" in both Medicaid and CHIP, notwithstanding certain provisions under PRWORA. States may elect to cover these groups under Medicaid only or under both Medicaid and CHIP. The law does not permit states to cover these new groups in the CHIP without also extending the option to Medicaid children.²⁹

Prior to the enactment of the CHIPRA, the term "lawfully residing" had not been used to define eligibility for either Medicaid or CHIP; however, the term has been used by the U.S. Department of Agriculture (USDA) and the Social Security Administration (SSA). The federal Centers for Medicare & Medicaid Services utilized existing regulations from these agencies to define a lawful presence for Medicaid and CHIP through a letter to state health officials dated July 1, 2010.³⁰ The letter states that children and pregnant women who fall into one of the following categories will be considered "lawfully present:"

- A qualified alien as defined in section 431 of the PRWORA;
- An alien in non-immigrant status who has not violated the terms of the status under which he or she was admitted or to which he or she has changed after admission;
- An alien who has been paroled into the United States pursuant to section 212(d)(5) of the INA for less than 1 year, except for an alien paroled for prosecution, for deferred inspection or pending removal proceedings;
- An alien who belongs to one of the following classes:
 - Temporary resident status pursuant to section 210 or 245A of the INA (8 U.S.C. s. 1160 or 1255a, respectively);
 - Temporary Protected Status (TPS) pursuant to section 244 of the INA (8 U.S.C. s. 1254a), and pending applicants for TPS who have been granted employment authorization under 8 C.F.R. s. 274a.12(c)(9), (10), (16), (18), (20), (22), or (24);

²⁷ See 8 U.S.C. s. 1621(d).

²⁸ Section 403 of Pub. L No. 104-193, H.R. 3734, 104th Congress (Aug. 22, 1996).

²⁹ See 42 U.S.C. s. 1397gg(e).

³⁰ Centers for Medicare and Medicaid Services, *Medicaid and CHIP Coverage of "Lawfully Residing" Children and Pregnant Women*, State Health Official Letter, CHIPRA#17 (July 1, 2010), <http://downloads.cms.gov/cmsgov/archived-downloads/SMDL/downloads/SHO10006.pdf> (last visited Oct. 27, 2015).

- Family Unity beneficiaries pursuant to section 301 of Public Law 101-649, as amended;
- Deferred Enforced Departure (DED) pursuant to a decision made by the president of the United States;
- Deferred action status; or,
- Visa petition has been approved and has a pending application for adjustment of status;
- A pending applicant for asylum under section 208(a) of the INA (8 U.S.C. s. 1158) or for withholding of removal under section 241(b)(3) of the INA (8 U.S.C. s. 1231) or under the Convention Against Torture, who has been guaranteed employment authorization, and such an applicant under the age of 14 who has had an application pending for at least 180 days;
- An alien who has been granted withholding of removal under the Convention Against Torture;
- A child who has a pending application for Special Immigrant Juvenile status as described in section 101(a)(27)(J) of the INA (8 U.S.C. s. 1101 (a)(27)(J));
- An alien who is lawfully present in the Commonwealth of the Northern Mariana Islands under 48 U.S.C. s. 1806(e); or
- An alien who is lawfully present in American Samoa under the immigration laws of American Samoa.

These individuals are eligible for Medicaid and CHIP, if the state elects the option under the CHIPRA and if the child or pregnant woman meets the state residency requirements and other Medicaid or CHIP eligibility requirements. As of January 2015, 28 states cover lawfully residing children under Medicaid or CHIP without the five-year waiting period.³¹

Medicaid Payments for Hospital Emergency Department Visits

In 2012, the Legislature amended s. 409.905(5), F.S., to require the AHCA to limit payment for hospital emergency department visits for non-pregnant Medicaid recipients 21 years of age or older to six visits per fiscal year. When this provision was enacted, the cost savings were estimated at \$19.6 million in general revenue for Fiscal Year 2012-13.³² The limitation became effective August 1, 2012,³³ roughly two years prior to the statewide phase-in of the MMA component of SMMC.

The AHCA implemented this limitation to payments made by the AHCA directly to hospitals on a fee-for-service basis for emergency department services. The limitation was not applied to emergency department visits by recipients enrolled in Medicaid managed care plans. With the implementation of SMMC, the limitation pertains to only a small portion of Florida's Medicaid population.

The AHCA applied to federal CMS for an amendment to Florida's Medicaid state plan to the effect of the limitation. On December 13, 2012, CMS denied the AHCA's state plan amendment. The AHCA requested reconsideration of the denial; however, CMS has still not approved the

³¹ Based on results from a national survey by the Kaiser Commission on Medicaid and the Uninsured and the Georgetown University Center for Children and Families, 2015, <http://kff.org/report-section/modern-era-medicare-and-chip-eligibility/> (last visited Oct. 27, 2015).

³² Staff of the Senate Budget Committee, "Bill Analysis and Fiscal Impact Statement," SB 1988, Feb. 15, 2012, available at <http://www.flsenate.gov/Session/Bill/2012/1988/Analyses/2012s1988.bc.PDF>, last visited Dec. 23, 2015.

³³ See s. 5 of ch. 2012-33, L.O.F.

state plan amendment and has suggested that continuation of this policy could jeopardize Florida's federal matching funds for Medicaid.³⁴

Medicaid Coverage of Housing-Related Activities

On June 26, 2015, federal CMS published an informational bulletin³⁵ to assist states in designing Medicaid benefits and to clarify the circumstances under which Medicaid reimburses for certain housing-related activities with the goal of promoting community integration for individuals with disabilities, older adults needing long-term services and supports, and those experiencing chronic homelessness. According to the bulletin, housing-related activities include a range of flexible services and supports available to eligible individuals, including:

- Individual Housing Transition Services – services that support an individual's ability to prepare for and transition to housing;
- Individual Housing & Tenancy Sustaining Services – services that support the individual in being a successful tenant in his/her housing arrangement and thus able to sustain tenancy; and
- State-level Housing Related Collaborative Activities – services that support collaborative efforts across public agencies and the private sector that assist a state in identifying and securing housing options for individuals with disabilities, older adults needing long-term services and supports, and those experiencing chronic homelessness.

Section 1915(i) of the Social Security Act

The Deficit Reduction Act of 2005 added section 1915(i) to the Social Security Act, providing states the option to offer home and community-based services (HCBS) through the a state's Medicaid state plan, which had previously been available only through a waiver. Initially, states could only serve individuals eligible under the state plan with incomes at or below 150 percent of the federal poverty level and could offer some, but not all, HCBS services and supports available through a waiver. In addition, states were not able to target 1915(i) state plan options to particular populations within the state.

In 2010, coverable services under section 1915(i) were expanded to include any HCBS permitted through a waiver, certain services for individuals with mental health and substance use disorders, and other services requested by a state and approved by the Secretary of the U.S. Department of Health and Human Services. In addition, the changes require states to offer the benefit statewide and enable states to target 1915(i) state plan HCBS to particular groups of participants but not limit the number of participants who may receive the benefit.³⁶

³⁴ *Supra*, note 11.

³⁵ Bulletin from Vikki Wachino, Director, Center for Medicaid and CHIP Services, Centers for Medicare & Medicaid Services, June 26, 2015, available at <https://www.medicaid.gov/federal-policy-guidance/downloads/CIB-06-26-2015.pdf> (last visited Jan. 25, 2016)

³⁶ Centers for Medicare & Medicaid Services, "Fact Sheet: Summary of the Key Provisions of the Final Rule for 1915(i) Home and Community-Based Services State Plan Option," January 10, 2014, available at <http://bit.ly/1JMbKR3> (last visited Jan. 29, 2016)

Phelan-McDermid Syndrome

Phelan-McDermid Syndrome, also known as 22q13.3 deletion syndrome, is a disorder in humans caused by the loss of a small piece of chromosome 22. The deletion occurs near the end of the chromosome at a location designated q13.3.³⁷

Characteristic signs and symptoms include developmental delay, moderate to profound intellectual disability, decreased muscle tone (hypotonia), and absent or delayed speech. Some people with this condition have autism or autistic-like behavior that affects communication and social interaction, such as poor eye contact, sensitivity to touch, and aggressive behaviors. They may also chew on non-food items such as clothing. Less frequently, people with this condition have seizures.³⁸

Individuals with Phelan-McDermid Syndrome tend to have a decreased sensitivity to pain. Many also have a reduced ability to sweat, which can lead to a greater risk of overheating and dehydration. Some people with this condition have episodes of frequent vomiting and nausea (cyclic vomiting) and backflow of stomach acids into the esophagus (gastroesophageal reflux).³⁹

People with Phelan-McDermid Syndrome typically have distinctive facial features, including a long, narrow head; prominent ears; a pointed chin; droopy eyelids (ptosis); and deep-set eyes. Other physical features seen with this condition include large and fleshy hands and/or feet, a fusion of the second and third toes (syndactyly), and small or abnormal toenails. Some affected individuals have accelerated growth.⁴⁰

The condition is rare; however, due to difficulties with diagnosis, an accurate and well-recognized measure of the prevalence of the disorder has not been made. At least 500 cases are known to exist.⁴¹ The Phelan-McDermid Syndrome Foundation estimates that roughly 55 households in Florida include a family member with Phelan-McDermid Syndrome.⁴²

Overpayments to Out-of-Business Medicaid Providers

Under s. 409.907, F.S., a Medicaid provider agreement is a voluntary contract between a provider and the AHCA, and an entity that agrees to become a Medicaid provider must comply with all laws, rules, and policies related to Florida's Medicaid program.

The Medicaid Program Integrity unit, within the Office of Inspector General at the AHCA, routinely audits Medicaid providers and may determine that an overpayment has occurred. In such cases, the provider is required to return funds to the Medicaid program. When the AHCA discovers an overpayment has been made to a provider that has since gone out of business, a

³⁷ National Institutes of Health, "22q13.3 Deletion Syndrome," September 2009, available at <http://ghr.nlm.nih.gov/condition/22q133-deletion-syndrome> (last visited Jan. 29, 2016)

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² Email from the Phelan-McDermid Syndrome Foundation, Jan. 22, 2016. On file with staff of the Senate Appropriations Subcommittee on Health and Human Services.

refund from the provider is still pursued, but, historically, less than one percent of such overpayment debts are recovered.⁴³

Under federal law, the state is required to refund to federal CMS the federal share of the overpayment no later than one year after the state discovers that an overpayment has been made, regardless of whether the state has collected a refund from the provider.⁴⁴

However, federal law provides that the requirement to refund the federal share to CMS can be waived in cases in which the state is unable to recover the overpayment because the provider has been determined bankrupt or out of business.⁴⁵ For an out-of-business provider, in order for the federal refund requirement to be waived, the state must, within one year of discovering the overpayment:

- Document its efforts to locate the provider and its assets; and
- Make available an affidavit or certification from the appropriate state legal authority establishing that the provider is out of business and that the overpayment cannot be collected under state law and procedures.⁴⁶

Currently, the AHCA is not afforded a means under state law and procedures to certify that a Medicaid provider is out of business. Therefore, the provision for the federal refund requirement to be waived cannot be triggered. During Fiscal Year 2012-13, the AHCA was required to refund to CMS approximately \$520,000, which represented the federal share of overpayments made to providers that had gone out of business. In Fiscal Year 2011-12, the sum was approximately \$2.9 million.⁴⁷

School-based Medicaid Services and the Certified School Match Program

The purpose of Florida's Medicaid certified school match program is to provide reimbursement for medically necessary services provided by or arranged by a school district for certain Medicaid-eligible students. School districts that are part of the public education system are eligible to participate in the certified school match program. School districts determine how the funding will be distributed among the individual schools. All 67 school districts are enrolled in Florida Medicaid to provide services through the certified school match program.⁴⁸

A charter school may participate in the program if participation is allowed in its contract with its school district. Under such an arrangement, the school district submits Medicaid claims for services provided by or through the charter school, as is done for public schools. The AHCA reports having no information on the number of charter schools that are contracted with their school districts to participate.⁴⁹ Private schools are not eligible to participate in the program because public school expenditures for the services count as the state share of Medicaid funds

⁴³ *Supra*, note 11.

⁴⁴ *See* 42 CFR 433.312(a)(2).

⁴⁵ *See* 42 CFR 433.312(b).

⁴⁶ *See* 42 CFR 433.318(d).

⁴⁷ *Supra*, note 11.

⁴⁸ Email from the AHCA, Jan. 24, 2016. On file with staff of the Senate Appropriations Subcommittee on Health and Human Services.

⁴⁹ *Id.*

that draw federal match, and such expenditures by private entities do not qualify as the state share under federal law.⁵⁰

School-based services that may be provided under the certified school match program are available to children with specified disabilities who are eligible for both Medicaid and part B or part H of the federal Individuals with Disabilities Education Act or who meet other developmental disability criteria.⁵¹

Services include, but are not limited to, physical, occupational, and speech therapy services, behavioral health services, mental health services, transportation services, Early Periodic Screening, Diagnosis, and Treatment (EPSDT) administrative outreach for the purpose of determining eligibility for exceptional student education, and any other such services,⁵² including autism therapy services allowed by federal law.⁵³ Services specifically excluded from the certified school match program are family planning, immunizations, and prenatal care.

Medicaid Nursing Home Reimbursement

Medicaid reimburses nursing home providers through a cost-based reimbursement methodology. Cost-based reimbursement is accomplished through establishing a reimbursement rate based upon each individual nursing home's historic cost of providing services, which is then indexed using pre-determined health care inflation indices to provide an inflationary increase. The AHCA collects the cost data from annual cost reports submitted by the nursing homes to use in calculating and setting cost-based reimbursement rates. Other provider types that are reimbursed using a cost-based methodology include intermediate care facilities for the developmentally disabled, hospital outpatient services, rural health clinics, county health departments, hospices, and federally qualified health centers. These provider types may be subject to specified reimbursement ceilings and targets.

In 2008, the Legislature directed the AHCA to establish provider rates for hospitals, nursing homes, county health departments, intermediate care facilities for the developmentally disabled, and prepaid health plans in a manner that would ensure no automatic increase in statewide expenditures resulting from a change in unit costs for a period of two fiscal years beginning July 1, 2009.⁵⁴ In 2011, the Legislature revised this provision to ensure no automatic increase in statewide expenditures resulting from a change in unit costs based on the July 1, 2011, unit costs.⁵⁵ The 2011 revision was made effective in perpetuity. In 2015, intermediate care facilities for the developmentally disabled were removed from the list of providers to which the provision applies.

⁵⁰ The Agency for Health Care Administration, "Certified School Match: School District Provider Qualifications," available at <http://www.fdhc.state.fl.us/medicaid/childhealthservices/schools/index.shtml> (last visited Feb. 1, 2016)

⁵¹ See s. 409.9071(1), F.S.

⁵² See s. 1011.70(1), F.S.

⁵³ See s. 1011.70(4), F.S.

⁵⁴ See ch. 2008-143, Laws of Florida.

⁵⁵ See ch. 2011-61, Laws of Florida.

Graduate Medical Education and the Statewide Medicaid Residency Program

In 2013, the Legislature created the Statewide Medicaid Residency Program (SMRP) to fund graduate medical education (GME).⁵⁶ GME is the education and training of physicians following graduation from a medical school in which physicians refine the clinical skills necessary to practice in a specific medical field (surgery, dermatology, family practice, etc.). GME or “residency” programs for allopathic and osteopathic physicians include internships, residency training, and fellowships, and can range from three to six years or more in length of time.⁵⁷

Under the SMRP:

- A resident is defined as a medical intern, fellow, or resident enrolled in a program accredited by the Accreditation Council for Graduate Medical Education, the American Association of Colleges of Osteopathic Medicine, or the American Osteopathic Association.
- A full-time equivalent (FTE) is defined as a resident who is in his or her initial residency period, not to exceed five years. A resident training beyond the initial residency period is counted as one-half of one FTE, unless his or her chosen specialty is in general surgery or primary care, in which case the resident is counted as one FTE. For the SMRP, primary care specialties include:
 - Family medicine;
 - General internal medicine;
 - General pediatrics;
 - Preventive medicine;
 - Geriatric medicine;
 - Osteopathic general practice;
 - Obstetrics and gynecology; and
 - Emergency medicine.
- Medicaid payments are defined as payments made to reimburse a hospital for direct inpatient services, as determined by the AHCA, during the fiscal year preceding the date on which calculations for the program’s allocations take place for any fiscal year.
- On or before September 15 of each year, the AHCA is required to calculate an allocation fraction for each hospital participating in the program based on a formula defined in statute.
- A hospital’s annual allocation equals the funds appropriated for the SMRP in the GAA multiplied by its allocation fraction. However, if the calculation results in an annual allocation that exceeds two times the average per FTE resident amount for all hospitals, the hospital’s annual allocation must be reduced to a sum that equals no more than two times the average per FTE resident amount and the excess funds must be redistributed to participating hospitals whose annual allocation does not exceed two times the average per FTE resident amount for all hospitals.
- The AHCA is required to distribute to each participating hospital one-fourth of that hospital’s annual allocation on the final business day of each quarter of a state fiscal year.

⁵⁶ See ch. 2013-48, Laws of Florida.

⁵⁷ Florida Department of Health, *Annual Report on Graduate Medical Education in Florida*, January 2010.

Disproportionate Share Hospital Programs

Federal law requires state Medicaid programs to make Disproportionate Share Hospital (DSH) payments to qualifying hospitals that serve a large number of Medicaid recipients and uninsured individuals. The federal government annually provides a limited DSH allotment to each state. States may appropriate these federal funds based on the amount of state dollars appropriated as matching funds for the federal DSH allotment, up to but not exceeding the federal limit. The Legislature delineates how DSH funds will be distributed to each eligible facility in the General Appropriations Act and according to parameters within the Florida Statutes.

For states to receive DSH payments, federal law requires states to submit an independent certified audit and an annual report to the secretary of the U.S. Department of Health and Human Services, describing DSH payments made to each DSH hospital. Florida law requires the AHCA to use audited data from specified years to determine the amount of Medicaid and charity care to be used in calculating DSH payments.⁵⁸

Payments by Medicaid Managed Care Plans for Emergency Services

Three sections of the Florida Statutes contain requirements for the amounts a Medicaid managed care plan must pay a non-contracted provider for emergency services.⁵⁹ Federal law also contains certain requirements for such payments.⁶⁰ Florida law is not consistent with federal law.

Section 409.9128(5), F.S.,⁶¹ provides that reimbursement for emergency services provided to an enrollee of a Medicaid managed care plan by a provider that does not have a contract with the managed care plan must be the lesser of the:

- Provider's charges;
- Usual and customary provider charges for similar services in the community where the services were provided;
- Charge mutually agreed to by the managed care plan and the provider within 60 days after submittal of the claim; or
- Medicaid rate.

Section 409.967(2)(b), F.S., provides that Medicaid managed care plans operating under MMA must pay for emergency services rendered by a non-contracted provider at a rate equaling the lesser of the:

- Provider's charges;
- Usual and customary provider charges for similar services in the community where the services were provided;
- Charge mutually agreed to by the managed care plan and the provider within 60 days after submittal of the claim; or

⁵⁸ See s. 409.911(2), F.S.

⁵⁹ See ss. 409.9128(5), 409.967(2)(b), and 641.513(6), F.S.

⁶⁰ See 42 U.S.C. s. 1396u-2(b)(2)(D).

⁶¹ This section of statute predates SMMC and was applied to Medicaid managed care plans operating in Florida prior to the implementation of SMMC. For plans participating in SMMC, s. 409.967(2)(b), F.S., supersedes s. 409.9128(5), F.S., by virtue of s. 409.961, F.S. However, s. 409.9128(5), F.S., may still be applied if managed care plans are engaged to participate in Medicaid outside of SMMC.

- Rate the AHCA would have paid on the most recent October 1st.

Section 641.513(6), F.S., which is part of the Florida Insurance Code, provides that reimbursement for emergency services provided by a non-contracted provider to subscribers of a health maintenance organization who are Medicaid recipients must be the lesser of the:

- Provider's charges;
- Usual and customary provider charges for similar services in the community where the services were provided;
- Charge mutually agreed to by the managed care plan and the provider within 60 days after submittal of the claim; or
- Medicaid rate.⁶²

The Rogers Amendment

The requirements of federal law, however, differ from the requirements of Florida law found in the statutes cited above. Under 42 U.S.C. s. 1396u-2(b)(2)(D), federal law provides:

Any provider of emergency services that does not have in effect a contract with a Medicaid managed care entity that establishes payment amounts for services furnished to a beneficiary enrolled in the entity's Medicaid managed care plan must accept as payment in full no more than the amounts (less any payments for indirect costs of medical education and direct costs of graduate medical education) that it could collect if the beneficiary received medical assistance under this subchapter other than through enrollment in such an entity...

This provision of federal law, commonly known as the Rogers Amendment, requires that, in Florida, a payment by a Medicaid managed care plan to a non-contracted provider of emergency services must be no more than the fee-for-service rate that the AHCA would pay, less any amounts included in the AHCA's fee-for-service rate that represent indirect costs of medical education and direct costs of graduate medical education. Meanwhile, Florida law requires that such a payment must not exceed "the Medicaid rate," without accounting for the medical education costs that federal law requires to be deducted from the Medicaid rate.

The Rogers Amendment was included in the federal Deficit Reduction Act of 2005,⁶³ which was enacted on February 8, 2006. On March 31, 2006, federal CMS sent guidance to all state Medicaid programs regarding implementation of the Rogers Amendment, directing states to amend contracts with Medicaid managed care plans in order to comply with the Rogers Amendment no later than January 1, 2007.⁶⁴ The AHCA's model contract for MMA managed

⁶² These provisions are identical to those found under s. 409.9128(5), F.S.

⁶³ See Pub. L. No. 109.171.

⁶⁴ Letter from Dennis G. Smith, Director, Center for Medicaid and State Operations, Centers for Medicare & Medicaid Services, March 31, 2006, available at <https://www.medicaid.gov/Federal-Policy-Guidance/downloads/SMD06010.pdf> (last visited Jan. 22, 2016)

care plans, dated November 1, 2015,⁶⁵ requires that managed care plans pay non-contracted providers for emergency services according to s. 409.967(2)(b), F.S., as opposed to the requirements of the Rogers Amendment.

SMMC Waiver Authority

Florida's federal waiver authority for SMMC waives a number of federal Medicaid laws and regulations and covers provisions related to enrollment, benefit packages, cost-sharing, delivery systems, consumer protections, choice counseling, and the Low Income Pool, among other provisions. The Special Terms and Conditions for the waiver authority, as amended on October 15, 2015,⁶⁶ specify that "All requirements of the Medicaid Program expressed in law, regulation, and policy statement, not expressly waived or identified as not applicable in the waiver and expenditure authority documents (of which these terms and conditions are part), apply to this demonstration."⁶⁷ Florida's waiver authority for SMMC does not expressly waive the requirements of the Rogers Amendment.

Medical Education Costs in Hospital Reimbursement

Florida Medicaid uses a prospective payment system known as a diagnosis-related group, or DRG, methodology for calculating fee-for-service rates for hospital inpatient services⁶⁸ that does not include costs for medical education in hospital inpatient reimbursement. For hospital outpatient services, however, the state uses a cost-based methodology for determining reimbursement rates, which includes some costs of graduate medical education (GME) incurred by hospitals.

The Governor's proposed budget for Fiscal Year 2016-2017 includes a realignment of \$17.3 million out of the hospital outpatient and prepaid health plan categories and into the GME category,⁶⁹ which is part of the Governor's proposal to transition from the current cost-based reimbursement methodology for hospital outpatient services to a prospective payment system. The sum of \$17.3 million represents GME costs that are currently contained in outpatient reimbursement that would no longer be part of outpatient reimbursement if the prospective payment system proposed by the Governor were to be implemented.

MMA Essential Providers

Section 409.975(1), F.S., creates a designation in MMA of Medicaid providers known as "essential Medicaid providers" and a separate designation for "statewide essential providers." These designations relate to requirements for Medicaid managed care plans to maintain adequate provider networks. Plans are allowed to limit the providers in their networks based on credentials, quality indicators, and price, except for the requirements found in s. 409.975, F.S.

⁶⁵ Agency for Health Care Administration, "SMMC Plans, Model Contract, Attachment II – Core Contract Provisions, Exhibit II-A, Managed Medical Assistance Program," November 1, 2015, p. 27, available at http://ahca.myflorida.com/Medicaid/statewide_mc/plans.shtml (last visited Jan. 22, 2016).

⁶⁶ Centers for Medicare & Medicaid Services, "Florida Managed Medical Assistance Program, Special Terms and Conditions," Oct. 15, 2015, available at <http://bit.ly/1neCQWb> (last visited Jan. 22, 2016).

⁶⁷ *Id.*, p. 5.

⁶⁸ See s. 409.905(5)(c), F.S.

⁶⁹ Governor Rick Scott's Florida First Budget, 2016-2017, Medicaid Services to Individuals, Realignment of Graduate Medical Education Expenditures, available at <http://bit.ly/1ndKZdG> (last visited Jan. 22, 2016).

Essential Medicaid Providers

Under s. 409.975(1)(a), F.S., a managed care plan is required to contract with all providers in a region that are classified by the AHCA as essential Medicaid providers, unless the AHCA approves of an alternative arrangement for the plan to secure the types of services offered by such providers. The statute specifies that providers are essential for serving Medicaid enrollees if:

- They offer services that are not available from any other provider within a reasonable access standard, or
- They provided a substantial share of the total units of a particular service used by Medicaid patients within the region during the last three years and the combined capacity of other service providers in the region is insufficient to meet the total needs of the Medicaid patients.

Using the criteria above, the AHCA is charged with determining which individual providers are classified as essential Medicaid providers. The AHCA is required to make those determinations within, at a minimum, four categories of providers:

- Federally qualified health centers;
- Statutory teaching hospitals;
- Trauma centers; and
- Hospitals located at least 25 miles from any other hospital with similar services.

A managed care plan that has not contracted with all essential Medicaid providers in its region or regions as of the first date of recipient enrollment, or with whom an essential provider has terminated its contract, must negotiate in good faith with the non-contracted essential provider or providers for one year or until an agreement is reached, whichever is first.

- During that year, payments for services rendered by a non-contracted essential provider must be made at the applicable Medicaid rate as of the first day of the contract between the AHCA and the plan, and a rate schedule for all essential providers must be attached to the contract between the AHCA and the plan;
- At the end of the year, a managed care plan that is unable to contract with one or more essential providers must notify the AHCA and propose an alternative arrangement for securing the essential services for Medicaid enrollees;
- An alternative arrangement, if proposed, must rely on contracts with other participating providers, regardless of whether those providers are located within the same region as the non-contracted essential provider;
- If an alternative arrangement is approved by the AHCA, payments to the non-contracted essential provider or providers in question after the date of the AHCA's approval must equal 90 percent of the applicable Medicaid rate; and
- If the alternative arrangement is not approved by the AHCA, a plan's payment to the non-contracted essential provider or providers in question must equal 110 percent of the applicable Medicaid rate.

The AHCA is prohibited from classifying physicians and individual practitioners as essential providers.

Statewide Essential Providers

Under s. 409.975(1)(b), F.S., certain providers are classified as “statewide essential providers” for all managed care plans in all regions. All managed care plans must include these statewide essential providers in their networks. Statewide essential providers include:

- Faculty plans of Florida medical schools;
- Regional perinatal intensive care centers (RPICCs);⁷⁰
- Specialty children’s hospitals; and
- Accredited and integrated systems serving medically complex children comprising separately licensed, but commonly owned, health care providers delivering at least the following services:
 - Medical group home;
 - In-home and outpatient nursing care and therapies;
 - Pharmacy services;
 - Durable medical equipment; and
 - Prescribed pediatric extended care.

Managed care plans that have not contracted with all statewide essential providers in all regions as of the first date of recipient enrollment must continue to negotiate in good faith. In such instances, under s. 409.975(1)(b), F.S.:

- Payments to physicians on the faculty of non-contracted Florida medical schools must be made at the applicable Medicaid rate;
- Payments for services rendered by RPICCs must be made at the applicable Medicaid rate as of the first day of the contract between the AHCA and the plan; and
- Payments to non-contracted specialty children’s hospitals must equal the highest rate established by contract between that provider and any other Medicaid managed care plan.

Excluding Essential Providers from Managed Care Plan Networks

Under s. 409.975(1)(c), F.S., after an essential provider has actively participated in a managed care plan’s network for 12 months, the plan may exclude the essential provider from its network for failure to meet quality or performance criteria. If a plan excludes an essential provider from its network under this provision, the plan must provide written notice to all recipients who have chosen that provider for care, and the notice must be provided at least 30 days before the effective date of the exclusion.

MMA Rates, Methods, and Terms of Payment for Managed Care Plans and Hospitals

Section 409.975(6), F.S., contains requirements for managed care plans participating in MMA relating to the rates, methods, and terms of payment negotiated between the plans and hospitals. For rates, methods, and terms of payment negotiated after a contract between the AHCA and the managed care plan is executed, which resulted from the competitive procurement for the MMA component of SMMC, managed care plans are required to negotiate with hospitals for rates of

⁷⁰ Regional perinatal intensive care centers are units within a hospital specifically designed to provide a full range of obstetrical services to women with high-risk pregnancies and health care for newborns with special health needs, such as critical illness or low birth weight. *See* ch. 383, F.S. Eleven Florida hospitals are designated by the Department of Health as RPICC hospitals.

payment that must be no lower than the rate the AHCA would have paid the hospital on the first day that the contract between the plan and the hospital takes effect.

While such rates of payment are required to be no less than the AHCA's fee-for-service rates, when those rates are negotiated after a managed care plan executes a contract with the AHCA following the competitive procurement, payments by the plan to contracted hospitals also must not exceed 120 percent of the AHCA rate unless specifically approved by the AHCA.

These provisions of current law have the effect of limiting the reimbursement amounts that a managed care plan may negotiate with a hospital following the competitive procurement to a range of no less than the fee-for-service rate and no more than 120 percent of the fee-for-service rate, unless the AHCA specifically approves a contracted rate greater than 120 percent of the fee-for-service rate. The statute makes no allowance for a managed care plan to negotiate a rate less than the fee-for-service rate and is silent on the terms of multi-year contracts between managed care plans and hospitals that may have been in effect prior to a competitive procurement.

The statute is also silent on how the rates, methods, and terms of payment within a managed care plan contract with a hospital may be measured in order to achieve an accurate comparison between managed care plan payments and the AHCA's fee-for-service rates. Managed care plan payments might or might not use the same basis and methodologies used by the AHCA, which could result in inaccurate or incompatible comparisons.

Program of All-Inclusive Care for the Elderly (PACE)

PACE is a capitated benefit model authorized by the federal Balanced Budget Act of 1997 that features a comprehensive service delivery system and integrated federal Medicare and state Medicaid financing. The model was tested through CMS demonstration projects that began in the mid-1980s. The PACE model was developed to address the needs of long-term care clients, providers, and payers.

For most participants, the comprehensive service package permits them to continue living at home while receiving services rather than receiving services in other more costly long term care settings. Capitated financing allows providers to deliver all the services that participants need rather than being limited to those services reimbursable under the Medicare and Medicaid fee-for-service systems.

The Balanced Budget Act of 1997 established the PACE model of care as a permanent entity within the Medicare program and enabled states to provide the PACE services to Medicaid recipients as a state option without a Medicaid waiver. The state plan must include PACE as an optional Medicaid benefit before the state and federal governments can enter into program agreements with PACE providers.

A PACE organization is a not-for-profit private or public entity that is primarily engaged in providing the PACE services and must:

- Have a governing board that includes community representation;
- Be able to provide the complete service package regardless of frequency or duration of services;

- Have a physical site to provide adult day services;
- Have a defined service area;
- Have safeguards against conflicts of interest;
- Have demonstrated fiscal soundness; and
- Have a formal participant bill of rights.

PACE is a unique federal/state partnership. The federal government establishes the PACE organization requirements and application process. The state Medicaid agency or other state agency is responsible for oversight of the entire application process, which includes reviewing the initial application and providing an on-sight readiness review before a PACE organization can be authorized to serve patients. An approved PACE organization must sign a contract with the CMS and the state Medicaid agency.

Florida PACE Project

The Florida PACE project is one project among many that provide alternative, long-term care options for elders who qualify for Medicare and the state Medicaid program. The PACE project was initially authorized in ch. 98-327, L.O.F., and is codified in s. 430.707(2), F.S. The PACE model targets individuals who would otherwise qualify for Medicaid nursing home placement and provides them with a comprehensive array of home and community based services at a cost less than the cost of nursing home care. The PACE project is administered by the Department of Elder Affairs in consultation with the AHCA.

In addition to receiving the necessary legislative authority, the development of a new PACE organization or the expansion of an existing program is a lengthy process that includes: identifying a service area, acquiring and renovating a PACE facility, and processing the PACE application through the state and the federal review systems.

In 2012, the Legislature directed the AHCA, subject to federal approval, to contract with a current PACE organization authorized to provide PACE services in Southeast Florida to develop and operate a PACE program in Broward County to serve frail elders residing in that county with up to 150 initial enrollee slots.⁷¹

III. Effect of Proposed Changes:

Section 1 amends s. 322.143, F.S., to provide that, for the purpose of combatting health care fraud, the Department of Highway Safety and Motor Vehicles will provide photographic access, pursuant to a written agreement, with hospitals, insurance companies, or their software providers, for the purpose of verifying a patient's identity or Medicaid eligibility by swiping an individual's driver's license or identification card.

Section 2 amends s. 395.602, F.S., to provide that a hospital classified as a sole community hospital which has up to 175 licensed beds is included in the definition of "rural hospital."

Section 3 amends s. 409.285, F.S., to provide the following regarding Medicaid fair hearings:

⁷¹ See s. 18, ch. 2012-33, L.O.F.

- Appeals related to Medicaid programs directly administered by the Agency for Health Care Administration (AHCA), including those related to Statewide Medicaid Managed Care, must be directed to the AHCA;
- The hearing authority for Medicaid appeals heard by the AHCA may be the Secretary of the AHCA, a panel of AHCA officials, or a hearing officer appointed for that purpose;
- The AHCA's hearing authority is responsible for a final administrative decision on behalf of the AHCA, and such a decision is final and binding on the AHCA and must be carried out promptly;
- Notwithstanding ss. 120.569 and 120.57, F.S., fair hearings conducted by the AHCA are exempt from the uniform rules of procedure under s. 120.54(5), F.S., and do not need to be conducted by an administrative law judge;
- The AHCA is required to seek federal approval necessary to implement the bill's provisions related to Medicaid fair hearings;
- The AHCA is authorized to adopt rules necessary to implement the bill's provisions related to Medicaid fair hearings; and
- Appeals related to Medicaid programs administered by the Agency for Persons with Disabilities (APD) are subject to the APD's appeals process provided under s. 393.125, F.S.

Section 4 amends definitions under s. 409.811, F.S., to permit certain non-citizen children to receive federal financial premium assistance under Medicaid or the Children's Health Insurance Program (CHIP).

A definition of a "lawfully residing child" is added to s. 409.811, F.S., and is a child who:

- Is present in the United States as defined under 8 C.F.R. s. 103.12(a);
- Meets Medicaid or CHIP residency requirements, and
- May be eligible for federal financial premium assistance under s. 214 of the Children's Health Insurance Program Reauthorization Act (CHIPRA) and related federal regulations.

The definition of a "resident" in s. 409.811, F.S., is amended to substitute "lawfully residing child" in place of "qualified alien." And, the definition for a "qualified alien" is deleted from s. 409.811, F.S.

Section 5 amends s. 409.814, F.S., to replace a reference to "qualified alien" with a reference to "lawfully residing child" when referring to children who are not eligible for Title XXI funded premium assistance. The bill also clarifies that Kidcare program eligibility is not being extended to undocumented immigrants.

Section 6 amends s. 409.904, F.S., relating to optional Medicaid payments, to designate that a child younger than 19 years of age who is a lawfully residing child, as defined in s. 409.811, F.S., is eligible for Medicaid under s. 409.903, F.S. The bill also clarifies that Medicaid eligibility is not being extended to undocumented immigrants.

Section 7 amends s. 409.905, F.S., to delete the requirement for the AHCA to limit payment for hospital emergency department visits for non-pregnant Medicaid recipients 21 years of age or older to six visits per fiscal year.

Section 8 amends s. 409.906, F.S., to require the AHCA to seek federal approval to pay for flexible services for persons with severe mental illness or substance abuse disorders, including, but not limited to, temporary housing assistance. Payment for such services may be made as enhanced rates or incentive payments to managed care plans within Statewide Medicaid Managed Care.

Section 9 creates s. 409.9064, F.S., to require the AHCA to seek federal approval of a section 1915(i) state plan option for home and community-based services for individuals diagnosed with Phelan-McDermid Syndrome. The bill requires that financial eligibility for Medicaid benefits under such a state plan option will be determined in the same manner as the home and community-based services waiver currently administered by the Agency for Persons with Disabilities.

Section 10 amends s. 409.907, F.S., to authorize the AHCA to certify that a Medicaid provider is out of business and that any overpayments made to the provider cannot be collected under state law.

Section 11 creates s. 409.9072, F.S., to authorize the AHCA to reimburse private schools and charter schools for providing Medicaid school-based services identical to those offered under the Medicaid certified school match program and under the same eligibility criteria as children eligible for services under that program.

Private and charter schools wishing to become Medicaid providers of such school-based services must apply to the AHCA and agree to specified conditions, such as verifying Medicaid eligibility, developing and maintaining financial and individual education plan records needed to document the appropriate use of state and federal funds, complying with all state and federal laws, rules, regulations, and policies relating to Medicaid, and being responsible for reimbursing the cost of any state or federal disallowance that results from failure to comply with state or federal Medicaid laws, rules, or regulations. The Senate General Appropriations Bill for Fiscal Year 2016-2017, SB 2500, appropriates \$4 million of recurring general revenue to serve as the state share of Medicaid funding for private schools and charter schools that are not participating in the certified school match program and which become Medicaid providers under the bill.

For reimbursements to private and charter schools, the AHCA is directed to apply the reimbursement schedule developed for providers within the certified school match program.

Section 12 amends s. 409.908, F.S., to remove nursing homes from the list of providers for which the AHCA is required to set rates at levels that ensure no increase in statewide expenditures resulting from changes in unit costs, effective July 1, 2017.

Section 13 amends s. 409.909, F.S., to add psychiatry to the list of primary care specialties as specified within the Statewide Medicaid Residency Program.

Section 14 amends s. 409.911, F.S., to require the AHCA to use the average of the 2007, 2008, and 2009 audited disproportionate share hospital (DSH) data to determine each hospital's Medicaid days and charity care for the 2016-2017 fiscal year. The bill also provides that, notwithstanding the provisions of s. 409.911, F.S., to the contrary, for the 2016-2017 fiscal year,

the AHCA must distribute moneys to hospitals providing a disproportionate share of Medicaid or charity care services as provided in the 2016-2017 General Appropriations Act (GAA).

Section 15 amends s. 409.9113, F.S., to provide that, notwithstanding the provisions of s. 409.9113, F.S., to the contrary, for the 2016-2017 fiscal year, the AHCA must make disproportionate share payments to teaching hospitals, as defined in s. 408.07, F.S.,⁷² as provided in the 2016-2017 GAA.

Section 16 amends s. 409.9115, F.S., to provide that, notwithstanding the provisions of s. 409.9115, F.S., to the contrary, for the 2016-2017 fiscal year, and for hospitals that qualify for mental health disproportionate share payments under s. 409.9115(2), F.S., the AHCA must distribute funds for the DSH program for mental health hospitals under the same manner as in the 2015-2016 fiscal year.

Section 17 amends s. 409.9119, F.S., to provide that, notwithstanding the provisions of s. 409.9119, F.S., to the contrary, for the 2016-2017 fiscal year, and for hospitals that fully comply with requirements under the DSH program for specialty children's hospitals under s. 409.9119(3), F.S., the AHCA must make disproportionate share payments to children's specialty hospitals as provided in the 2016-2017 GAA.

Section 18 amends s. 409.9128, F.S., to conform that statute to federal law regarding the requirements of the Rogers Amendment and to provide a cross-reference to changes made in Section 19 of the bill.

Section 19 amends s. 409.967, F.S., regarding payments required of a managed care plan within the Statewide Medicaid Managed Care program to a non-contracted provider that has rendered emergency services to a member of the managed care plan. The bill conforms this statute to federal law regarding the requirements of the Rogers Amendment. The bill also requires the AHCA to post on its website annually, or more frequently as needed, the applicable fee-for-service fee schedules and their effective dates, less any amounts for indirect costs of medical education and direct costs of graduate medical education that would otherwise be included in the fee-for-service payments.

Section 20 amends s. 409.968, F.S., to require the AHCA to establish a payment methodology to fund managed care plans within Statewide Medicaid Managed Care for flexible services for persons with severe mental illness and substance abuse disorders, including, but not limited to, temporary housing assistance. After receiving such payments for at least one year, a managed care plan must document the results of its efforts to maintain the target population in stable housing up to the maximum duration allowed under federal approval.

⁷² Section 408.07(45), F.S., provides that "teaching hospital" means any Florida hospital officially affiliated with an accredited Florida medical school which exhibits activity in the area of graduate medical education as reflected by at least seven different graduate medical education programs accredited by the Accreditation Council for Graduate Medical Education or the Council on Postdoctoral Training of the American Osteopathic Association and the presence of 100 or more full-time equivalent resident physicians, and that the director of the AHCA is responsible for determining which hospitals meet this definition.

Section 21 amends s. 409.975, F.S., to clarify that the term “essential provider” includes providers determined to be essential Medicaid providers under s. 409.975(1)(a), F.S., and providers specified as statewide essential providers under s. 409.975(1)(b), F.S., for the purpose of applying the criteria for excluding an essential provider from a managed care plan network for failure to meet quality or performance standards under s. 409.975(1)(c), F.S.

The bill provides a cross-reference to changes made in Section 19 of the bill regarding payments required of a managed care plan within the Statewide Medicaid Managed Care program to a non-contracted provider that has rendered emergency services to a member of the managed care plan, in order to comply with the Rogers Amendment.

The bill also deletes the provision in s. 409.975(6), F.S., requiring that for rates, methods, and terms of payment negotiated after an MMA contract between the AHCA a managed care plan has been executed, the managed care plan must pay hospitals within its provider networks, at a minimum, the rate that the AHCA would have paid on the first day of the contract between the provider and the plan. The bill also deletes the provision requiring that such payments to hospitals cannot exceed 120 percent of the rate the AHCA would have paid on the first day of the contract between the provider and the plan, unless specifically approved by the AHCA.

Section 22 amends s. 624.91, F.S., the Florida Healthy Kids Corporation Act, to conform to changes made under the bill and update references to modified or deleted terms.

Section 23 amends s. 641.513, F.S., to provide that, as part of the Florida Insurance Code, the amount of reimbursement paid by a health maintenance organization (HMO) to a non-contracted provider for emergency services provided to a member of the HMO who is a Medicaid recipient, will be determined under ch. 409. The bill also provides, as required by the Rogers Amendment, that the amount of reimbursement for emergency services provided to subscribers who are enrolled in an HMO pursuant to the Florida Healthy Kids program by a provider for whom no contract exists between the provider and the HMO, will be the lesser of the:

- Provider’s charges;
- Usual and customary provider charges for similar services in the community where the services were provided;
- Charge mutually agreed to by the managed care plan and the provider within 60 days after submittal of the claim; or
- Medicaid rate.

Section 24 creates a non-statutory provision of Florida law authorizing a current Program of All-Inclusive Care for the Elderly (PACE) organization that is authorized to provide PACE services for up to 150 frail elders in Broward County under ch. 2012-33, L.O.F., to also use those PACE slots for frail elders residing in Miami-Dade County, subject to federal approval and a contract amendment with the AHCA.

Section 25 creates a non-statutory provision of Florida law directing the AHCA, subject to federal approval to become a PACE site, to contract with one private, not-for-profit hospice organization located in Escambia County that owns and manages health care organizations

licensed in Hospice Service Areas 1, 2A, and 2B⁷³ which provide comprehensive services, including, but not limited to, hospice and palliative care, to frail elders residing in the specified hospice service areas. Under the bill, such a PACE organization is exempt from the requirements of ch. 641, F.S. The bill authorizes up to 100 initial enrollee slots, subject to an appropriation by the Legislature.

Section 26 provides that, except as otherwise expressly provided, the bill has an effective date of 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:

Sole community hospitals that meet the definition of “rural hospital” under SB 2508 may experience increased Medicaid reimbursements for inpatient services.

Expanding eligibility for Medicaid and the Children’s Health Insurance Program (CHIP) to additional children who may currently be uninsured may have a positive fiscal impact on health care providers. Accordingly, uncompensated care costs incurred by health care providers for currently uninsured children may be reduced to the extent that children who become eligible under the bill actually enroll in Medicaid or the CHIP.

Families that include individuals with Phelan-McDermid Syndrome who qualify for home and community-based services under the bill may experience relief from the financial constraints associated with caring for persons with the disorder.

⁷³ Florida has 27 hospice service areas, established by local area health councils. Hospice Service Area 1 comprises Escambia, Okaloosa, Santa Rosa, and Walton counties. Hospice Service Area 2A comprises Bay, Calhoun, Gulf, Holmes, Jackson, and Washington counties. Hospice Service Area 2B comprises Franklin, Gadsden, Jefferson, Leon, Liberty, Madison, Taylor, and Wakulla counties.

Medicaid managed care plans and non-contracted providers of emergency services may experience differences in payments made by plans to such providers. Florida Healthy Kids health maintenance organizations and non-contracted providers of emergency services may experience differences in payments made by plans to such providers.

C. Government Sector Impact:

The Senate General Appropriations Bill for Fiscal Year 2016-2017, SB 2500, contains the following appropriations related to the provisions in SB 2508:

- \$250,000 of non-recurring general revenue is appropriated to the Agency for Health Care Administration (AHCA) to competitively procure a contract for enhanced Medicaid fraud prevention services in Miami-Dade County. The vendor must be capable of applying biometrics and the use of photographic images to ensure that Medicaid services are provided to eligible recipients.
- \$935,762 of non-recurring general revenue and \$1,464,246 of non-recurring federal matching funds are provided to increase inpatient reimbursements for sole community hospitals that qualify as rural hospitals.
- Two full-time equivalent (FTE) positions, plus \$31,954 of recurring general revenue and \$26,414 of recurring federal matching funds, are transferred from the Department of Children and Families (DCF) to the AHCA for the purpose of transferring the responsibility for fair hearings related to Medicaid programs administered by the AHCA.
- A \$28,835,214 recurring increase in federal matching funds is appropriated for the purpose of eliminating the five-year wait period for lawfully residing children in terms of Medicaid and Kidcare eligibility. This provision is estimated to have no impact on the General Revenue Fund.⁷⁴
- \$4 million of recurring general revenue and \$6,259,041 of recurring federal matching funds are appropriated for flexible services for persons with severe mental illness or substance abuse disorders, including, but not limited to, temporary housing assistance, subject to federal approval.
- \$2 million of recurring general revenue and \$3,129,520 of recurring federal matching funds are appropriated for home and community-based services for individuals diagnosed with Phelan-McDermid Syndrome, subject to federal approval.
- \$4 million of recurring general revenue and \$6,259,041 of recurring federal matching funds are appropriated for school-based services provided by private schools or charter schools that are not participating in the certified school match program.
- The regular Disproportionate Share Hospital (DSH) program is appropriated \$7,295,351 of recurring general revenue, \$87,562,687 of recurring funds from the Grants and Donations Trust Fund, and \$148,954,120 of recurring federal matching funds.

VI. Technical Deficiencies:

None.

⁷⁴ The Agency for Health Care Administration, *2016 Legislative Bill Analysis, HB 89*. On file with staff of the Senate Appropriations Subcommittee on Health and Human Services.

VII. Related Issues:

The Agency for Health Care Administration must submit amendments to the federally-required state plans for both Medicaid and CHIP for federal approval to implement the Medicaid and Kidcare eligibility changes contained in SB 2508.

VIII. Statutes Affected:

The bill substantially amends the following sections of the Florida Statutes: 322.143, 395.602, 409.285, 409.811, 409.814, 409.904, 409.905, 409.906, 409.907, 409.908, 409.909, 409.911, 409.9113, 409.9115, 409.9119, 409.9128, 409.967, 409.968, 409.975, 624.91, and 641.513.

The bill creates the following sections of the Florida Statutes: 409.9064 and 409.9072.

The bill creates two undesignated sections of Florida Law.

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.

FOR CONSIDERATION By the Committee on Appropriations

576-02765-16

20162508pb

1 A bill to be entitled
 2 An act relating to health care services; amending s.
 3 322.143, F.S.; providing an exception to the
 4 prohibition against a private entity swiping an
 5 individual's driver license or identification card for
 6 certain entities for certain purposes; amending s.
 7 395.602, F.S.; including specified hospitals in the
 8 definition of "rural hospital"; amending s. 409.285,
 9 F.S.; requiring appeals related to Medicaid programs
 10 directly administered by the Agency for Health Care
 11 Administration to be directed to the agency; providing
 12 requirements for appeals directed to the agency;
 13 providing an exemption from the uniform rules of
 14 procedure and from a requirement that certain
 15 proceedings be heard before an administrative law
 16 judge for specified hearings; requiring the agency to
 17 seek federal approval of its authority to oversee
 18 appeals; providing that appeals related to Medicaid
 19 programs administered by the Agency for Persons with
 20 Disabilities are subject to that agency's hearing
 21 rights process; amending s. 409.811, F.S.; defining
 22 the term "lawfully residing child"; deleting the
 23 definition of the term "qualified alien"; conforming
 24 provisions to changes made by the act; amending s.
 25 409.814, F.S.; revising eligibility for the Florida
 26 Kidcare program to conform to changes made by the act;
 27 clarifying that undocumented immigrants are excluded
 28 from eligibility; amending s. 409.904, F.S.; providing
 29 eligibility for optional payments for medical
 30 assistance and related services for certain lawfully
 31 residing children; clarifying that undocumented
 32 immigrants are excluded from eligibility for optional

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

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33 Medicaid payments or related services; amending s.
 34 409.905, F.S.; deleting the limitation on the number
 35 of hospital emergency department visits that may be
 36 paid for by the Agency for Health Care Administration
 37 for certain recipients; amending s. 409.906, F.S.;
 38 directing the agency to seek federal approval to
 39 provide temporary housing assistance for certain
 40 persons; creating s. 409.9064, F.S.; directing the
 41 agency to seek federal approval to provide home and
 42 community-based services for individuals diagnosed
 43 with Phelan-McDermid Syndrome; providing a method for
 44 determining financial eligibility for Medicaid
 45 benefits in certain circumstances; amending s.
 46 409.907, F.S.; authorizing the agency to certify that
 47 a Medicaid provider is out of business; creating s.
 48 409.9072, F.S.; directing the agency to pay private
 49 schools and charter schools that are Medicaid
 50 providers for specified school-based services under
 51 certain parameters; authorizing the agency to review a
 52 school that has applied to the program for capability
 53 requirements; providing a reimbursement schedule;
 54 providing for a waiver of agency and school
 55 confidentiality under certain circumstances; amending
 56 s. 409.908, F.S.; revising the list of provider types
 57 that are subject to certain statutory provisions
 58 relating to the establishment of rates; amending s.
 59 409.909; adding psychiatry to a list of primary care
 60 specialties under the Statewide Medicaid Residency
 61 Program; amending s. 409.911, F.S.; updating the

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

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20162508pb

62 fiscal year for determining each hospital's Medicaid
 63 days and charity care; providing an exception for the
 64 distribution of moneys to certain hospitals for the
 65 2016-2017 state fiscal year; amending ss. 409.9113,
 66 409.9115, and 409.9119, F.S.; providing an exception
 67 for the distribution of moneys to certain hospitals
 68 for the 2016-2017 state fiscal year; amending s.
 69 409.9128, F.S.; conforming provisions to changes made
 70 by the act; amending s. 409.967, F.S.; defining the
 71 term "Medicaid rate" for the purpose of determining
 72 specified managed care plan payments for emergency
 73 services in compliance with federal law; requiring
 74 annual publication of fee schedules on the agency's
 75 website; amending s. 409.968, F.S.; directing the
 76 agency to establish a payment methodology for managed
 77 care plans providing housing assistance to specified
 78 persons; amending s. 409.975, F.S.; providing for the
 79 determination of applicable Medicaid rates for
 80 emergency services; defining the term "essential
 81 provider"; deleting requirements relating to
 82 contracted rates between managed care plans and
 83 hospitals; conforming provisions to changes made by
 84 the act; amending s. 624.91, F.S.; conforming
 85 provisions to changes made by the act; amending s.
 86 641.513, F.S.; specifying parameters for payments by a
 87 health maintenance organization to a noncontracted
 88 provider of emergency services under certain
 89 circumstances; conforming provisions to changes made
 90 by the act; authorizing a Program of All-Inclusive

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91 Care for the Elderly organization granted certain
 92 enrollee slots for frail elders residing in Broward
 93 County to also use the slots for enrollees residing in
 94 Miami-Dade County; authorizing the agency to contract
 95 with an organization in Escambia County to provide
 96 services under the federal Program of All-inclusive
 97 Care for the Elderly in specified areas; exempting the
 98 organization from ch. 641, F.S., relating to health
 99 care service programs; authorizing enrollment slots
 100 for the program in such areas, subject to
 101 appropriation; providing effective dates.
 102

103 Be It Enacted by the Legislature of the State of Florida:
 104

105 Section 1. Subsection (2) of section 322.143, Florida
 106 Statutes, is amended and subsection (10) is added to that
 107 section, to read:

108 322.143 Use of a driver license or identification card.—

109 (2) Except as provided in subsections (6) and (10)
 110 ~~subsection (6)~~, a private entity may not swipe an individual's
 111 driver license or identification card, except for the following
 112 purposes:

113 (a) To verify the authenticity of a driver license or
 114 identification card or to verify the identity of the individual
 115 if the individual pays for a good or service with a method other
 116 than cash, returns an item, or requests a refund.

117 (b) To verify the individual's age when providing an age-
 118 restricted good or service.

119 (c) To prevent fraud or other criminal activity if an

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individual returns an item or requests a refund and the private entity uses a fraud prevention service company or system.

(d) To transmit information to a check services company for the purpose of approving negotiable instruments, electronic funds transfers, or similar methods of payment.

(e) To comply with a legal requirement to record, retain, or transmit the driver license information.

(10) To combat health care fraud, the Department of Highway Safety and Motor Vehicles shall provide photographic access, pursuant to a written agreement, with hospitals, insurance companies, or their software providers, for the purpose of verifying a patient's identity or Medicaid eligibility by swiping an individual's driver license or identification card.

Section 2. Paragraph (e) of subsection (2) of section 395.602, Florida Statutes, is amended to read:

395.602 Rural hospitals.—

(2) DEFINITIONS.—As used in this part, the term:

(e) "Rural hospital" means an acute care hospital licensed under this chapter, having 100 or fewer licensed beds and an emergency room, which is:

1. The sole provider within a county with a population density of up to 100 persons per square mile;

2. An acute care hospital, in a county with a population density of up to 100 persons per square mile, which is at least 30 minutes of travel time, on normally traveled roads under normal traffic conditions, from any other acute care hospital within the same county;

3. A hospital supported by a tax district or subdistrict whose boundaries encompass a population of up to 100 persons per

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square mile;

4. A hospital classified as a sole community hospital under 42 C.F.R. s. 412.92 which has up to 175 licensed beds.

~~5.4.~~ A hospital with a service area that has a population of up to 100 persons per square mile. As used in this subparagraph, the term "service area" means the fewest number of zip codes that account for 75 percent of the hospital's discharges for the most recent 5-year period, based on information available from the hospital inpatient discharge database in the Florida Center for Health Information and Policy Analysis at the agency; or

~~6.5.~~ A hospital designated as a critical access hospital, as defined in s. 408.07.

Population densities used in this paragraph must be based upon the most recently completed United States census. A hospital that received funds under s. 409.9116 for a quarter beginning no later than July 1, 2002, is deemed to have been and shall continue to be a rural hospital from that date through June 30, 2021, if the hospital continues to have up to 100 licensed beds and an emergency room. An acute care hospital that has not previously been designated as a rural hospital and that meets the criteria of this paragraph shall be granted such designation upon application, including supporting documentation, to the agency. A hospital that was licensed as a rural hospital during the 2010-2011 or 2011-2012 fiscal year shall continue to be a rural hospital from the date of designation through June 30, 2021, if the hospital continues to have up to 100 licensed beds and an emergency room.

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178 Section 3. Section 409.285, Florida Statutes, is amended to
179 read:

180 409.285 Opportunity for hearing and appeal.—

181 (1) If an application for public assistance is not acted
182 upon within a reasonable time after the filing of the
183 application, or is denied in whole or in part, or if an
184 assistance payment is modified or canceled, the applicant or
185 recipient may appeal the decision to the Department of Children
186 and Families in the manner and form prescribed by the
187 department.

188 (a)(2) The hearing authority may be the Secretary of
189 Children and Families, a panel of department officials, or a
190 hearing officer appointed for that purpose. The hearing
191 authority is responsible for a final administrative decision in
192 the name of the department on all issues that have been the
193 subject of a hearing. With regard to the department, the
194 decision of the hearing authority is final and binding. The
195 department is responsible for seeing that the decision is
196 carried out promptly.

197 (b)(3) The department may adopt rules to administer this
198 subsection ~~section~~. Rules for the Temporary Assistance for Needy
199 Families block grant programs must be similar to the federal
200 requirements for Medicaid programs.

201 (2) Appeals related to Medicaid programs directly
202 administered by the Agency for Health Care Administration,
203 including appeals related to Florida's Statewide Medicaid
204 Managed Care program and associated federal waivers, must be
205 directed to the Agency for Health Care Administration in the
206 manner and form prescribed by the agency.

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207 (a) The hearing authority for appeals heard by the Agency
208 for Health Care Administration may be the secretary of the
209 agency, a panel of agency officials, or a hearing officer
210 appointed for that purpose. The hearing authority is responsible
211 for a final administrative decision in the name of the agency on
212 all issues that have been the subject of a hearing. A decision
213 of the hearing authority is final and binding on the agency. The
214 agency is responsible for seeing that the decision is promptly
215 carried out.

216 (b) Notwithstanding ss. 120.569 and 120.57, hearings
217 conducted by the Agency for Health Care Administration pursuant
218 to this subsection are exempt from the uniform rules of
219 procedure under s. 120.54(5) and do not need to be conducted by
220 an administrative law judge assigned by the Division of
221 Administrative Hearings.

222 (c) The Agency for Health Care Administration shall seek
223 federal approval necessary to implement this subsection and may
224 adopt rules necessary to administer this subsection.

225 (3) Appeals related to Medicaid programs administered by
226 the Agency for Persons with Disabilities are subject to s.
227 393.125.

228 Section 4. Present subsections (17) through (22) of section
229 409.811, Florida Statutes, are redesignated as subsections (18)
230 through (23), respectively, a new subsection (17) is added to
231 that section, and present subsections (23) and (24) of that
232 section are amended, to read:

233 409.811 Definitions relating to Florida Kidcare Act.—As
234 used in ss. 409.810-409.821, the term:

235 (17) "Lawfully residing child" means a child who is

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lawfully present in the United States, meets Medicaid or
 Children's Health Insurance Program (CHIP) residency
 requirements, and may be eligible for medical assistance with
 federal financial participation as provided under s. 214 of the
 Children's Health Insurance Program Reauthorization Act of 2009,
 Pub. L. No. 111-3, and related federal regulations.

~~(23) "Qualified alien" means an alien as defined in s. 431
 of the Personal Responsibility and Work Opportunity
 Reconciliation Act of 1996, as amended, Pub. L. No. 104-193.~~

(24) "Resident" means a United States citizen, or lawfully
 residing child ~~qualified alien~~, who is domiciled in this state.

Section 5. Paragraph (c) of subsection (4) of section
 409.814, Florida Statutes, is amended to read:

409.814 Eligibility.—A child who has not reached 19 years
 of age whose family income is equal to or below 200 percent of
 the federal poverty level is eligible for the Florida Kidcare
 program as provided in this section. If an enrolled individual
 is determined to be ineligible for coverage, he or she must be
 immediately disenrolled from the respective Florida Kidcare
 program component.

(4) The following children are not eligible to receive
 Title XXI-funded premium assistance for health benefits coverage
 under the Florida Kidcare program, except under Medicaid if the
 child would have been eligible for Medicaid under s. 409.903 or
 s. 409.904 as of June 1, 1997:

(c) A child who is an alien, but who does not meet the
 definition of a lawfully residing child ~~qualified alien~~, in the
United States. This paragraph does not extend eligibility for
the Florida Kidcare program to an undocumented immigrant.

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Section 6. Present subsections (8) and (9) of section
 409.904, Florida Statutes, are redesignated as subsections (9)
 and (10), respectively, and a new subsection (8) is added to
 that section, to read:

409.904 Optional payments for eligible persons.—The agency
 may make payments for medical assistance and related services on
 behalf of the following persons who are determined to be
 eligible subject to the income, assets, and categorical
 eligibility tests set forth in federal and state law. Payment on
 behalf of these Medicaid eligible persons is subject to the
 availability of moneys and any limitations established by the
 General Appropriations Act or chapter 216.

(8) A child who has not attained 19 years of age and who,
notwithstanding s. 414.095(3), would be eligible for Medicaid
under s. 409.903, except that the child is a lawfully residing
child as defined in s. 409.811. This subsection does not extend
eligibility for optional Medicaid payments or related services
to an undocumented immigrant.

Section 7. Subsection (5) of section 409.905, Florida
 Statutes, is amended to read:

409.905 Mandatory Medicaid services.—The agency may make
 payments for the following services, which are required of the
 state by Title XIX of the Social Security Act, furnished by
 Medicaid providers to recipients who are determined to be
 eligible on the dates on which the services were provided. Any
 service under this section shall be provided only when medically
 necessary and in accordance with state and federal law.
 Mandatory services rendered by providers in mobile units to
 Medicaid recipients may be restricted by the agency. Nothing in

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294 this section shall be construed to prevent or limit the agency
 295 from adjusting fees, reimbursement rates, lengths of stay,
 296 number of visits, number of services, or any other adjustments
 297 necessary to comply with the availability of moneys and any
 298 limitations or directions provided for in the General
 299 Appropriations Act or chapter 216.

300 (5) HOSPITAL INPATIENT SERVICES.—The agency shall pay for
 301 all covered services provided for the medical care and treatment
 302 of a recipient who is admitted as an inpatient by a licensed
 303 physician or dentist to a hospital licensed under part I of
 304 chapter 395. However, the agency shall limit the payment for
 305 inpatient hospital services for a Medicaid recipient 21 years of
 306 age or older to 45 days or the number of days necessary to
 307 comply with the General Appropriations Act. Effective August 1,
 308 2012, the agency shall limit payment for hospital emergency
 309 department visits for a nonpregnant Medicaid recipient 21 years
 310 of age or older to six visits per fiscal year.

311 (a) The agency may implement reimbursement and utilization
 312 management reforms in order to comply with any limitations or
 313 directions in the General Appropriations Act, which may include,
 314 but are not limited to: prior authorization for inpatient
 315 psychiatric days; prior authorization for nonemergency hospital
 316 inpatient admissions for individuals 21 years of age and older;
 317 authorization of emergency and urgent-care admissions within 24
 318 hours after admission; enhanced utilization and concurrent
 319 review programs for highly utilized services; reduction or
 320 elimination of covered days of service; adjusting reimbursement
 321 ceilings for variable costs; adjusting reimbursement ceilings
 322 for fixed and property costs; and implementing target rates of

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323 increase. The agency may limit prior authorization for hospital
 324 inpatient services to selected diagnosis-related groups, based
 325 on an analysis of the cost and potential for unnecessary
 326 hospitalizations represented by certain diagnoses. Admissions
 327 for normal delivery and newborns are exempt from requirements
 328 for prior authorization. In implementing the provisions of this
 329 section related to prior authorization, the agency shall ensure
 330 that the process for authorization is accessible 24 hours per
 331 day, 7 days per week and authorization is automatically granted
 332 when not denied within 4 hours after the request. Authorization
 333 procedures must include steps for review of denials. Upon
 334 implementing the prior authorization program for hospital
 335 inpatient services, the agency shall discontinue its hospital
 336 retrospective review program.

337 (b) A licensed hospital maintained primarily for the care
 338 and treatment of patients having mental disorders or mental
 339 diseases is not eligible to participate in the hospital
 340 inpatient portion of the Medicaid program except as provided in
 341 federal law. However, the department shall apply for a waiver,
 342 within 9 months after June 5, 1991, designed to provide
 343 hospitalization services for mental health reasons to children
 344 and adults in the most cost-effective and lowest cost setting
 345 possible. Such waiver shall include a request for the
 346 opportunity to pay for care in hospitals known under federal law
 347 as "institutions for mental disease" or "IMD's." The waiver
 348 proposal shall propose no additional aggregate cost to the state
 349 or Federal Government, and shall be conducted in Hillsborough
 350 County, Highlands County, Hardee County, Manatee County, and
 351 Polk County. The waiver proposal may incorporate competitive

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bidding for hospital services, comprehensive brokering, prepaid capitated arrangements, or other mechanisms deemed by the department to show promise in reducing the cost of acute care and increasing the effectiveness of preventive care. When developing the waiver proposal, the department shall take into account price, quality, accessibility, linkages of the hospital to community services and family support programs, plans of the hospital to ensure the earliest discharge possible, and the comprehensiveness of the mental health and other health care services offered by participating providers.

(c) The agency shall implement a prospective payment methodology for establishing reimbursement rates for inpatient hospital services. Rates shall be calculated annually and take effect July 1 of each year. The methodology shall categorize each inpatient admission into a diagnosis-related group and assign a relative payment weight to the base rate according to the average relative amount of hospital resources used to treat a patient in a specific diagnosis-related group category. The agency may adopt the most recent relative weights calculated and made available by the Nationwide Inpatient Sample maintained by the Agency for Healthcare Research and Quality or may adopt alternative weights if the agency finds that Florida-specific weights deviate with statistical significance from national weights for high-volume diagnosis-related groups. The agency shall establish a single, uniform base rate for all hospitals unless specifically exempt pursuant to s. 409.908(1).

1. Adjustments may not be made to the rates after October 31 of the state fiscal year in which the rates take effect, except for cases of insufficient collections of

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intergovernmental transfers authorized under s. 409.908(1) or the General Appropriations Act. In such cases, the agency shall submit a budget amendment or amendments under chapter 216 requesting approval of rate reductions by amounts necessary for the aggregate reduction to equal the dollar amount of intergovernmental transfers not collected and the corresponding federal match. Notwithstanding the \$1 million limitation on increases to an approved operating budget contained in ss. 216.181(11) and 216.292(3), a budget amendment exceeding that dollar amount is subject to notice and objection procedures set forth in s. 216.177.

2. Errors in source data or calculations discovered after October 31 must be reconciled in a subsequent rate period. However, the agency may not make any adjustment to a hospital's reimbursement more than 5 years after a hospital is notified of an audited rate established by the agency. The prohibition against adjustments more than 5 years after notification is remedial and applies to actions by providers involving Medicaid claims for hospital services. Hospital reimbursement is subject to such limits or ceilings as may be established in law or described in the agency's hospital reimbursement plan. Specific exemptions to the limits or ceilings may be provided in the General Appropriations Act.

(d) The agency shall implement a comprehensive utilization management program for hospital neonatal intensive care stays in certain high-volume participating hospitals, select counties, or statewide, and replace existing hospital inpatient utilization management programs for neonatal intensive care admissions. The program shall be designed to manage appropriate admissions and

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discharges for children being treated in neonatal intensive care units and must seek medically appropriate discharge to the child's home or other less costly treatment setting. The agency may competitively bid a contract for the selection of a qualified organization to provide neonatal intensive care utilization management services. The agency may seek federal waivers to implement this initiative.

(e) The agency may develop and implement a program to reduce the number of hospital readmissions among the non-Medicare population eligible in areas 9, 10, and 11.

Section 8. Paragraph (e) is added to subsection (13) of section 409.906, Florida Statutes, to read:

409.906 Optional Medicaid services.—Subject to specific appropriations, the agency may make payments for services which are optional to the state under Title XIX of the Social Security Act and are furnished by Medicaid providers to recipients who are determined to be eligible on the dates on which the services were provided. Any optional service that is provided shall be provided only when medically necessary and in accordance with state and federal law. Optional services rendered by providers in mobile units to Medicaid recipients may be restricted or prohibited by the agency. Nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216. If necessary to safeguard the state's systems of providing services to elderly and disabled persons and subject

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to the notice and review provisions of s. 216.177, the Governor may direct the Agency for Health Care Administration to amend the Medicaid state plan to delete the optional Medicaid service known as "Intermediate Care Facilities for the Developmentally Disabled." Optional services may include:

(13) HOME AND COMMUNITY-BASED SERVICES.—

(e) The agency shall seek federal approval to pay for flexible services for persons with severe mental illness or substance abuse disorders, including, but not limited to, temporary housing assistance. Payments may be made as enhanced capitation rates or incentive payments to managed care plans that meet the requirements of s. 409.968(4).

Section 9. Section 409.9064, Florida Statutes, is created to read:

409.9064 Medicaid Services for Individuals with Phelan-McDermid Syndrome.—The agency shall seek federal approval of a Section 1915(i) state plan option for home and community-based services for individuals diagnosed with Phelan-McDermid Syndrome. Financial eligibility for Medicaid benefits under this plan option will be determined in the same manner as the home and community-based services waiver for persons with developmental disabilities.

Section 10. Present subsection (12) of section 409.907, Florida Statutes, is redesignated as subsection (13), and a new subsection (12) is added to that subsection, to read:

409.907 Medicaid provider agreements.—The agency may make payments for medical assistance and related services rendered to Medicaid recipients only to an individual or entity who has a provider agreement in effect with the agency, who is performing

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services or supplying goods in accordance with federal, state, and local law, and who agrees that no person shall, on the grounds of handicap, race, color, or national origin, or for any other reason, be subjected to discrimination under any program or activity for which the provider receives payment from the agency.

(12) In accordance with 42 C.F.R. s. 433.318(d)(2)(ii), the agency may certify that a provider is out of business and that any overpayments made to the provider cannot be collected under state law.

Section 11. Section 409.9072, Florida Statutes, is created to read:

409.9072 Medicaid provider agreements for charter schools and private schools.—

(1) Subject to a specific appropriation by the Legislature, the agency shall reimburse private schools as defined in s. 1002.01 and schools designated as charter schools under s. 1002.33 which are Medicaid providers for school-based services pursuant to the rehabilitative services option provided under 42 U.S.C. s. 1396d(a)(13) to children younger than 21 years of age with specified disabilities who are eligible for both Medicaid and part B or part H of the Individuals with Disabilities Education Act (IDEA) or the exceptional student education program, or who have an individualized educational plan.

(2) Schools that wish to enroll as Medicaid providers and receive Medicaid reimbursement under this section must apply to the agency for a provider agreement and must agree to:

(a) Verify Medicaid eligibility. The agency shall work cooperatively with a private school or a charter school that is

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a Medicaid provider to facilitate the school's verification of Medicaid eligibility.

(b) Develop and maintain the financial and individual education plan records needed to document the appropriate use of state and federal Medicaid funds.

(c) Comply with all state and federal Medicaid laws, rules, regulations, and policies, including, but not limited to, those related to the confidentiality of records and freedom of choice of providers.

(d) Be responsible for reimbursing the cost of any state or federal disallowance that results from failure to comply with state or federal Medicaid laws, rules, or regulations.

(3) The types of school-based services for which schools may be reimbursed under this section are those included in s. 1011.70(1). Private schools and charter schools may not be reimbursed by the agency for providing services that are excluded by that subsection.

(4) Within 90 days after a private school or a charter school applies to enroll as a Medicaid provider under this section, the agency may conduct a review to ensure that the school has the capability to comply with its responsibilities under subsection (2). A finding by the agency that the school has the capability to comply does not relieve the school of its responsibility to correct any deficiencies or to reimburse the cost of the state or federal disallowances identified pursuant to any subsequent state or federal audits.

(5) For reimbursements to private schools and charter schools under this section, the agency shall apply the reimbursement schedule developed under s. 409.9071(5). Health

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care practitioners engaged by a school to provide services under this section must be enrolled as Medicaid providers and meet the qualifications specified under 42 C.F.R. s. 440.110, as applicable. Each school's continued participation in providing Medicaid services under this section is contingent upon the school providing to the agency an annual accounting of how the Medicaid reimbursements are used.

(6) For Medicaid provider agreements issued under this section, the agency's and the school's confidentiality is waived in relation to the state's efforts to control Medicaid fraud. The agency and the school shall provide any information or documents relating to this section to the Medicaid Fraud Control Unit in the Department of Legal Affairs, upon request, pursuant to the Attorney General's authority under s. 409.920.

Section 12. Effective July 1, 2017, paragraph (c) of subsection (23) of section 409.908, Florida Statutes, is amended to read:

409.908 Reimbursement of Medicaid providers.—Subject to specific appropriations, the agency shall reimburse Medicaid providers, in accordance with state and federal law, according to methodologies set forth in the rules of the agency and in policy manuals and handbooks incorporated by reference therein. These methodologies may include fee schedules, reimbursement methods based on cost reporting, negotiated fees, competitive bidding pursuant to s. 287.057, and other mechanisms the agency considers efficient and effective for purchasing services or goods on behalf of recipients. If a provider is reimbursed based on cost reporting and submits a cost report late and that cost report would have been used to set a lower reimbursement rate

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for a rate semester, then the provider's rate for that semester shall be retroactively calculated using the new cost report, and full payment at the recalculated rate shall be effected retroactively. Medicare-granted extensions for filing cost reports, if applicable, shall also apply to Medicaid cost reports. Payment for Medicaid compensable services made on behalf of Medicaid eligible persons is subject to the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216. Further, nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act, provided the adjustment is consistent with legislative intent.

(23)

(c) This subsection applies to the following provider types:

1. Inpatient hospitals.
2. Outpatient hospitals.
- ~~3. Nursing homes.~~
- 3.4 County health departments.
- ~~4.5~~ Prepaid health plans.

Section 13. Paragraph (a) of subsection (2) of section 409.909, Florida Statutes, is amended to read:

409.909 Statewide Medicaid Residency Program.—

(2) On or before September 15 of each year, the agency shall calculate an allocation fraction to be used for

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distributing funds to participating hospitals. On or before the final business day of each quarter of a state fiscal year, the agency shall distribute to each participating hospital one-fourth of that hospital's annual allocation calculated under subsection (4). The allocation fraction for each participating hospital is based on the hospital's number of full-time equivalent residents and the amount of its Medicaid payments. As used in this section, the term:

(a) "Full-time equivalent," or "FTE," means a resident who is in his or her residency period, with the initial residency period defined as the minimum number of years of training required before the resident may become eligible for board certification by the American Osteopathic Association Bureau of Osteopathic Specialists or the American Board of Medical Specialties in the specialty in which he or she first began training, not to exceed 5 years. The residency specialty is defined as reported using the current residency type codes in the Intern and Resident Information System (IRIS), required by Medicare. A resident training beyond the initial residency period is counted as 0.5 FTE, unless his or her chosen specialty is in primary care, in which case the resident is counted as 1.0 FTE. For the purposes of this section, primary care specialties include:

1. Family medicine;
2. General internal medicine;
3. General pediatrics;
4. Preventive medicine;
5. Geriatric medicine;
6. Osteopathic general practice;

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7. Obstetrics and gynecology;

8. Emergency medicine; ~~and~~

9. General surgery; and

10. Psychiatry.

Section 14. Paragraph (a) of subsection (2) of section 409.911, Florida Statutes, is amended, and subsection (10) is added to that section, to read:

409.911 Disproportionate share program.—Subject to specific allocations established within the General Appropriations Act and any limitations established pursuant to chapter 216, the agency shall distribute, pursuant to this section, moneys to hospitals providing a disproportionate share of Medicaid or charity care services by making quarterly Medicaid payments as required. Notwithstanding the provisions of s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for hospitals serving a disproportionate share of low-income patients.

(2) The Agency for Health Care Administration shall use the following actual audited data to determine the Medicaid days and charity care to be used in calculating the disproportionate share payment:

(a) The average of the 2007, 2008, and 2009 audited disproportionate share data to determine each hospital's Medicaid days and charity care for the 2016-2017 ~~2015-2016~~ state fiscal year.

(10) Notwithstanding the provisions of this section to the contrary, for the 2016-2017 state fiscal year, the agency shall distribute moneys to hospitals providing a disproportionate share of Medicaid or charity care services as provided in the

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2016-2017 General Appropriations Act.

Section 15. Subsection (3) is added to section 409.9113, Florida Statutes, to read:

409.9113 Disproportionate share program for teaching hospitals.—In addition to the payments made under s. 409.911, the agency shall make disproportionate share payments to teaching hospitals, as defined in s. 408.07, for their increased costs associated with medical education programs and for tertiary health care services provided to the indigent. This system of payments must conform to federal requirements and distribute funds in each fiscal year for which an appropriation is made by making quarterly Medicaid payments. Notwithstanding s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for hospitals serving a disproportionate share of low-income patients. The agency shall distribute the moneys provided in the General Appropriations Act to statutorily defined teaching hospitals and family practice teaching hospitals, as defined in s. 395.805, pursuant to this section. The funds provided for statutorily defined teaching hospitals shall be distributed as provided in the General Appropriations Act. The funds provided for family practice teaching hospitals shall be distributed equally among family practice teaching hospitals.

(3) Notwithstanding the provisions of this section to the contrary, for the 2016-2017 state fiscal year, the agency shall make disproportionate share payments to teaching hospitals, as defined in s. 408.07, as provided in the 2016-2017 General Appropriations Act.

Section 16. Subsection (3) is added to section 409.9115,

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Florida Statutes, to read:

409.9115 Disproportionate share program for mental health hospitals.—The Agency for Health Care Administration shall design and implement a system of making mental health disproportionate share payments to hospitals that qualify for disproportionate share payments under s. 409.911. This system of payments shall conform with federal requirements and shall distribute funds in each fiscal year for which an appropriation is made by making quarterly Medicaid payments. Notwithstanding s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for patients.

(3) Notwithstanding the provisions of this section to the contrary, for the 2016-2017 state fiscal year, for hospitals that qualify under subsection (2), the agency shall distribute funds for the disproportionate share program for mental health hospitals in the same manner as in the 2015-2016 state fiscal year.

Section 17. Subsection (4) is added to section 409.9119, Florida Statutes, to read:

409.9119 Disproportionate share program for specialty hospitals for children.—In addition to the payments made under s. 409.911, the Agency for Health Care Administration shall develop and implement a system under which disproportionate share payments are made to those hospitals that are licensed by the state as specialty hospitals for children and were licensed on January 1, 2000, as specialty hospitals for children. This system of payments must conform to federal requirements and must distribute funds in each fiscal year for which an appropriation is made by making quarterly Medicaid payments. Notwithstanding

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s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for hospitals that serve a disproportionate share of low-income patients. The agency may make disproportionate share payments to specialty hospitals for children as provided for in the General Appropriations Act.

(4) Notwithstanding the provisions of this section to the contrary, for the 2016-2017 state fiscal year, for hospitals achieving full compliance under subsection (3), the agency shall make disproportionate share payments to specialty hospitals for children as provided in the 2016-2017 General Appropriations Act.

Section 18. Subsection (5) of section 409.9128, Florida Statutes, is amended to read:

409.9128 Requirements for providing emergency services and care.—

(5) Reimbursement for services provided to an enrollee of a managed care plan under this section by a provider who does not have a contract with the managed care plan shall be the lesser of:

(a) The provider's charges;

(b) The usual and customary provider charges for similar services in the community where the services were provided;

(c) The charge mutually agreed to by the entity and the provider within 60 days after submittal of the claim; or

(d) The Medicaid rate, as provided in s. 409.967(2)(b).

Section 19. Paragraph (b) of subsection (2) of section 409.967, Florida Statutes, is amended to read:

409.967 Managed care plan accountability.—

(2) The agency shall establish such contract requirements

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as are necessary for the operation of the statewide managed care program. In addition to any other provisions the agency may deem necessary, the contract must require:

(b) *Emergency services.*—Managed care plans shall pay for services required by ss. 395.1041 and 401.45 and rendered by a noncontracted provider. The plans must comply with s. 641.3155. Reimbursement for services under this paragraph is the lesser of:

1. The provider's charges;

2. The usual and customary provider charges for similar services in the community where the services were provided;

3. The charge mutually agreed to by the entity and the provider within 60 days after submittal of the claim; or

4. The Medicaid rate, which, for the purposes of this paragraph, means the amount the provider would collect from the agency on a fee-for-service basis, less any amounts for the indirect costs of medical education and the direct costs of graduate medical education that are otherwise included in the agency's fee-for-service payment, as required under 42 U.S.C. s. 1396u-2(b)(2)(D) ~~The rate the agency would have paid on the most recent October 1st.~~

For the purpose of establishing the amounts specified in subparagraph 4., the agency shall publish on its website annually, or more frequently as needed, the applicable fee-for-service fee schedules and their effective dates, less any amounts for indirect costs of medical education and direct costs of graduate medical education that are otherwise included in the agency's fee-for-service payments.

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Section 20. Present subsection (4) of section 409.968, Florida Statutes, is redesignated as subsection (5) and a new subsection (4) is added to that section, to read:

409.968 Managed care plan payments.—

(4) (a) Subject to a specific appropriation and federal approval under s. 409.906(13) (e), the agency shall establish a payment methodology to fund managed care plans for flexible services for persons with severe mental illness and substance abuse disorders, including, but not limited to, temporary housing assistance. A managed care plan eligible for these payments must do all of the following:

1. Participate as a specialty plan for severe mental illness or substance abuse disorders or participate in counties designated by the General Appropriations Act;

2. Include providers of behavioral health services pursuant to chapters 394 and 397 in the managed care plan's provider network; and

3. Document a capability to provide housing assistance through agreements with housing providers, relationships with local housing coalitions, and other appropriate arrangements.

(b) After receiving payments authorized by this section for at least 1 year, a managed care plan must document the results of its efforts to maintain the target population in stable housing up to the maximum duration allowed under federal approval.

Section 21. Subsections (1) and (6) of section 409.975, Florida Statutes, are amended to read:

409.975 Managed care plan accountability.—In addition to the requirements of s. 409.967, plans and providers

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participating in the managed medical assistance program shall comply with the requirements of this section.

(1) PROVIDER NETWORKS.—Managed care plans must develop and maintain provider networks that meet the medical needs of their enrollees in accordance with standards established pursuant to s. 409.967(2) (c). Except as provided in this section, managed care plans may limit the providers in their networks based on credentials, quality indicators, and price.

(a) Plans must include all providers in the region that are classified by the agency as essential Medicaid providers, unless the agency approves, in writing, an alternative arrangement for securing the types of services offered by the essential providers. Providers are essential for serving Medicaid enrollees if they offer services that are not available from any other provider within a reasonable access standard, or if they provided a substantial share of the total units of a particular service used by Medicaid patients within the region during the last 3 years and the combined capacity of other service providers in the region is insufficient to meet the total needs of the Medicaid patients. The agency may not classify physicians and other practitioners as essential providers. The agency, at a minimum, shall determine which providers in the following categories are essential Medicaid providers:

1. Federally qualified health centers.

2. Statutory teaching hospitals as defined in s. 408.07(45).

3. Hospitals that are trauma centers as defined in s. 395.4001(14).

4. Hospitals located at least 25 miles from any other

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816 hospital with similar services.

817

818 Managed care plans that have not contracted with all essential
819 providers in the region as of the first date of recipient
820 enrollment, or with whom an essential provider has terminated
821 its contract, must negotiate in good faith with such essential
822 providers for 1 year or until an agreement is reached, whichever
823 is first. Payments for services rendered by a nonparticipating
824 essential provider shall be made at the applicable Medicaid rate
825 as of the first day of the contract between the agency and the
826 plan. A rate schedule for all essential providers shall be
827 attached to the contract between the agency and the plan. After
828 1 year, managed care plans that are unable to contract with
829 essential providers shall notify the agency and propose an
830 alternative arrangement for securing the essential services for
831 Medicaid enrollees. The arrangement must rely on contracts with
832 other participating providers, regardless of whether those
833 providers are located within the same region as the
834 nonparticipating essential service provider. If the alternative
835 arrangement is approved by the agency, payments to
836 nonparticipating essential providers after the date of the
837 agency's approval shall equal 90 percent of the applicable
838 Medicaid rate. Except for payment for emergency services, if the
839 alternative arrangement is not approved by the agency, payment
840 to nonparticipating essential providers shall equal 110 percent
841 of the applicable Medicaid rate.

842 (b) Certain providers are statewide resources and essential
843 providers for all managed care plans in all regions. All managed
844 care plans must include these essential providers in their

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845 networks. Statewide essential providers include:

846

1. Faculty plans of Florida medical schools.

847

2. Regional perinatal intensive care centers as defined in
848 s. 383.16(2).

849

3. Hospitals licensed as specialty children's hospitals as
850 defined in s. 395.002(28).

851

4. Accredited and integrated systems serving medically
852 complex children which comprise ~~that are comprised of~~ separately
853 licensed, but commonly owned, health care providers delivering
854 at least the following services: medical group home, in-home and
855 outpatient nursing care and therapies, pharmacy services,
856 durable medical equipment, and Prescribed Pediatric Extended
857 Care.

858

859 Managed care plans that have not contracted with all statewide
860 essential providers in all regions as of the first date of
861 recipient enrollment must continue to negotiate in good faith.
862 Payments to physicians on the faculty of nonparticipating
863 Florida medical schools shall be made at the applicable Medicaid
864 rate. Payments for services rendered by regional perinatal
865 intensive care centers shall be made at the applicable Medicaid
866 rate as of the first day of the contract between the agency and
867 the plan. Except for payments for emergency services, payments
868 to nonparticipating specialty children's hospitals shall equal
869 the highest rate established by contract between that provider
870 and any other Medicaid managed care plan.

871

(c) After 12 months of active participation in a plan's
872 network, the plan may exclude any essential provider from the
873 network for failure to meet quality or performance criteria. If

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874 the plan excludes an essential provider from the plan, the plan
 875 must provide written notice to all recipients who have chosen
 876 that provider for care. The notice shall be provided at least 30
 877 days before the effective date of the exclusion. For the
 878 purposes of this paragraph, the term "essential provider"
 879 includes providers determined by the agency to be essential
 880 Medicaid providers under paragraph (a) and the statewide
 881 essential providers specified in paragraph (b).

882 (d) The applicable Medicaid rates for emergency services
 883 paid by a plan under this section to a provider with which the
 884 plan does not have an active contract, shall be determined under
 885 the requirements of s. 409.967(2)(b).

886 (e) Each managed care plan must offer a network contract to
 887 each home medical equipment and supplies provider in the region
 888 which meets quality and fraud prevention and detection standards
 889 established by the plan and which agrees to accept the lowest
 890 price previously negotiated between the plan and another such
 891 provider.

892 (6) PROVIDER PAYMENT.—Managed care plans and hospitals
 893 shall negotiate mutually acceptable rates, methods, and terms of
 894 payment. ~~For rates, methods, and terms of payment negotiated~~
 895 ~~after the contract between the agency and the plan is executed,~~
 896 ~~plans shall pay hospitals, at a minimum, the rate the agency~~
 897 ~~would have paid on the first day of the contract between the~~
 898 ~~provider and the plan. Such payments to hospitals may not exceed~~
 899 ~~120 percent of the rate the agency would have paid on the first~~
 900 ~~day of the contract between the provider and the plan, unless~~
 901 ~~specifically approved by the agency.~~ Payment rates may be
 902 updated periodically.

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903 Section 22. Paragraph (b) of subsection (3) of section
 904 624.91, Florida Statutes, is amended to read:

905 624.91 The Florida Healthy Kids Corporation Act.—

906 (3) ELIGIBILITY FOR STATE-FUNDED ASSISTANCE.—Only the
 907 following individuals are eligible for state-funded assistance
 908 in paying Florida Healthy Kids premiums:

909 (b) Notwithstanding s. 409.814, a legal alien ~~aliens~~ who is
 910 ~~are~~ enrolled in the Florida Healthy Kids program as of January
 911 31, 2004, who does ~~do~~ not qualify for Title XXI federal funds
 912 because he or she is ~~they are~~ not a lawfully residing child
 913 ~~qualified aliens~~ as defined in s. 409.811.

914 Section 23. Subsection (6) of section 641.513, Florida
 915 Statutes, is amended, and subsection (7) is added to that
 916 section, to read:

917 641.513 Requirements for providing emergency services and
 918 care.—

919 (6) Reimbursement for services under this section provided
 920 to subscribers who are Medicaid recipients by a provider for
 921 whom no contract exists between the provider and the health
 922 maintenance organization shall be determined under chapter 409
 923 ~~the lesser of:~~

924 ~~(a) The provider's charges;~~

925 ~~(b) The usual and customary provider charges for similar~~
 926 ~~services in the community where the services were provided;~~

927 ~~(c) The charge mutually agreed to by the entity and the~~
 928 ~~provider within 60 days after submittal of the claim; or~~

929 ~~(d) The Medicaid rate.~~

930 (7) Reimbursement for services under this section provided
 931 to subscribers who are enrolled in a health maintenance

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932 organization pursuant to s. 624.91 by a provider for whom no
 933 contract exists between the provider and the health maintenance
 934 organization shall be the lesser of:

935 (a) The provider's charges;

936 (b) The usual and customary provider charges for similar
 937 services in the community where the services were provided;

938 (c) The charge mutually agreed to by the entity and the
 939 provider within 60 days after submittal of the claim; or

940 (d) The Medicaid rate.

941 Section 24. Subject to federal approval and adoption of a
 942 contract amendment with the Agency for Health Care
 943 Administration, an organization that is currently authorized to
 944 provide Program of All-Inclusive Care for the Elderly (PACE)
 945 services in southeast Florida and that is granted authority
 946 under section 18 of chapter 2012-33, Laws of Florida, for up to
 947 150 enrollee slots to serve frail elders residing in Broward
 948 County may also use those PACE slots for frail elders residing
 949 in Miami-Dade County.

950 Section 25. Subject to federal approval of the application
 951 to be a site for the Program of All-inclusive Care for the
 952 Elderly (PACE), the Agency for Health Care Administration shall
 953 contract with one private, not-for-profit hospice organization
 954 located in Escambia County that owns and manages health care
 955 organizations licensed in Hospice Service Areas 1, 2A, and 2B
 956 which provide comprehensive services, including, but not limited
 957 to, hospice and palliative care, to frail elders who reside in
 958 those Hospice Service Areas. The organization is exempt from the
 959 requirements of chapter 641, Florida Statutes. The agency, in
 960 consultation with the Department of Elderly Affairs and subject

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

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961 to the appropriation of funds by the Legislature, shall approve
 962 up to 100 initial enrollees in the Program of All-inclusive Care
 963 for the Elderly established by the organization to serve frail
 964 elders who reside in Hospice Service Areas 1, 2A, and 2B.

965 Section 26. Except as otherwise expressly provided in this
 966 act and except for this section, which shall take effect upon
 967 this act becoming a law, this act shall take effect July 1,
 968 2016.

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

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 Committee on Appropriations

BILL: SB 2510

INTRODUCER: Appropriations Committee

SUBJECT: Alzheimer's Disease Research

DATE: February 3, 2016

REVISED: _____

ANALYST

Loe

STAFF DIRECTOR

Kynoch

REFERENCE

ACTION

AP Submitted as Committee Bill

I. Summary:

SB 2510 conforms statutes to the funding decisions included to the Senate General Appropriations Bill, SB 2500, for Fiscal Year 2016-2017.

The bill amends s. 381.82, F.S., allowing the Ed and Ethel Moore Alzheimer's Disease Research Program to carry forward appropriations from the General Revenue Fund up to five years after an appropriation's effective date if the appropriation is obligated by June 30 of the fiscal year for which the funds were appropriated.

The Senate General Appropriations Act, SB 2500, provides a \$3,000,000 recurring general revenue appropriation for this purpose.

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

II. Present Situation:

The Florida Legislature created the Ed and Ethel Moore Alzheimer's Disease Research Program in 2014 (program). The program is housed in the Department of Health (DOH) and is administered by the 11-member Alzheimer's Disease Research Grant Advisory Board (board). The program's purpose is to fund research leading to prevention of, or a cure for, Alzheimer's disease.

The board consists of 11 members appointed by the State Surgeon General and must include two gerontologists, two geriatric psychiatrists, two geriatricians, two neuroscientists, and three neurologists, who serve four-year staggered terms. The board must elect a chairperson from the membership of the board who serves a term of two years, establish operating procedures, follow guidelines for ethical conduct, and adhere to a policy regarding to conflicts of interest. The DOH staff assists the board in carrying out its duties. Board members do not receive compensation, or reimbursement for per diem or travel. Board activities are exempt from public records requirements.

The board must submit recommendations for funding of research proposals to the State Surgeon General by December 15 of each year. Upon receipt of the board's recommendation, the State Surgeon General is authorized to award grants on the basis of scientific merit. Applications for research funding may be submitted by any university or established research institute in the state, and all qualified investigators in the state have equal access and opportunity to compete for research funding. The implementation of the program is subject to legislative appropriation. The types of applications which may be considered for funding, include:

- Investigatory-initiated research grants;
- Institutional research grants;
- Pre-doctoral and post-doctoral research fellowships; and
- Collaborative research grants, including those that advance the finding of cures through basic or applied research.

Annually, the board must submit a fiscal-year progress report on the research program to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the State Surgeon General by February 15. The report must include:

- A list of research projects supported by grants or fellowships awarded under the program;
- A list of recipients of program grants or fellowships;
- A list of publications in peer-reviewed journals involving research supported by grants or fellowships awarded under the program;
- The state ranking and total amount of Alzheimer's disease research funding currently flowing into the state from the National Institute of Health;
- New grants for Alzheimer's disease research which were funded based on research supported by grants or fellowships awarded under the program;
- Progress toward programmatic goals, particularly in the prevention, diagnosis, treatment, and cure of Alzheimer's disease; and
- Recommendations to further the mission of the program.

The recommendations contained in the Alzheimer's Disease Research Grant Advisory Board Annual Report for 2014-2015, to further the mission of the program identified difficulties researchers have with completing their research within the one year time frame that a general revenue appropriation allows. The board recommended future appropriations made to the Ed and Ethel Moore Alzheimer's Disease Research Program be funded from the Biomedical Research Trust Fund so as to permit research projects to span multiple years.¹

In 2014, the Legislature appropriated \$3,000,000 of general revenue funds to the Ed and Ethel Moore Alzheimer's Disease Research Program. The program awarded eleven grants ranging from \$112,500 to \$500,000, fully encumbering the \$3,000,000 appropriation for Fiscal Year 2014-2015.² By default, general revenue appropriations that remain unspent at the end of a fiscal year revert to the state.³ However, the Legislature may supersede this provision by passing a law that specifically authorizes the appropriation to be carried forward.⁴ In 2015, the Legislature

¹ See Alzheimer's Disease Research Grant Advisory Board, Annual Report 2014-15 p. 6.

² See Alzheimer's Disease Research Grant Advisory Board, Annual Report 2014-15 p.4.

³ s. 216.301, F.S.

⁴ s.216.351, F.S.

appropriated \$3,000,000 in general revenue funds to the Ed and Ethel Moore Alzheimer's Disease Research Program and carried forward the unexpended balance of funds from Fiscal Year 2014-2015 in s. 50 of ch. 2015-232, Laws of Florida.

III. Effect of Proposed Changes:

The bill implements the board's recommendation to allow the Ed and Ethel Moore Alzheimer's Disease Research Program to carry forward unspent general revenue appropriations up to five years after an appropriation's effective date if obligated by June 30 of the year the funds were appropriated thus allowing research projects to span multiple years. In the past, the Department of Health has indicated that such a change would allow them to offer longer grant periods, thus enabling researchers to conduct clinical trials that are more likely to result in a marketable product.⁵ Five years is consistent with grant timeframes seen in other research programs such as the National Institutes of Health.⁶

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:

Under SB 2510, researchers will be able to perform multiyear projects and will benefit from having access to allocated grant funds over the course of a five year period.

C. Government Sector Impact:

The bill provides a \$3 million recurring general revenue appropriation for the Ed and Ethel Moore Alzheimer's Disease Research Program.

⁵ See generally Health and Human Services Committee Bill Analysis of 2012, House Bill 655 p. 4 (3/26/12).

⁶ National Institutes of Health, http://grants.nih.gov/grants/funding/funding_program.htm (last visited 3/5/2015).

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 381.82 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.

FOR CONSIDERATION By the Committee on Appropriations

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1 A bill to be entitled
2 An act relating to Alzheimer's disease research;
3 amending s. 381.82, F.S.; providing for the
4 carryforward of any unexpended balance of an
5 appropriation for the Ed and Ethel Moore Alzheimer's
6 Disease Research Program; providing an effective date.
7
8 Be It Enacted by the Legislature of the State of Florida:
9
10 Section 1. Subsection (8) is added to section 381.82,
11 Florida Statutes, to read:
12 381.82 Ed and Ethel Moore Alzheimer's Disease Research
13 Program.—
14 (8) Notwithstanding s. 216.301 and pursuant to s. 216.351,
15 the balance of any appropriation from the General Revenue Fund
16 for the Ed and Ethel Moore Alzheimer's Disease Research Program
17 which is not disbursed but which is obligated pursuant to
18 contract or committed to be expended by June 30 of the fiscal
19 year in which the funds are appropriated may be carried forward
20 for up to 5 years after the effective date of the original
21 appropriation.
22 Section 2. 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 Committee on Appropriations

BILL: SB 7060

INTRODUCER: Appropriations Committee

SUBJECT: Working Capital Trust Fund Within the Department of Children and Families/Operations
and Maintenance Trust Fund Within the Department of Health

DATE: February 3, 2016

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Brown	Kynoch		AP Submitted as Committee Bill

I. Summary:

SB 7060 (1) terminates one trust fund within the Department of Children and Families: the Working Capital Trust Fund; (2) terminates one trust fund within the Department of Health: the Operations and Maintenance Trust Fund; and (3) conforms Florida Statutes to the termination of the trust funds.

The bill is effective July 1, 2015, and has no fiscal impact on state or local funds.

II. Present Situation:

Section 215.3208, F.S., requires legislative review of each trust fund at least once every four years. The review schedule is included in the legislative budget instructions developed in accordance with s. 216.023, F.S. The review indicated one trust fund within the DCF and one trust fund within the DOH are no longer needed and can be terminated.

The Working Capital Trust Fund within the Department of Children and Families (DCF) originally paid for data processing centers and information technology within the DCF.¹ During its use, the DCF maintained the fund with receipts from data processing sales and indirect recoveries.² Monies in the trust fund were transferred to General Revenue and Federal Grants Trust Fund in Fiscal Year 2013-2014. The trust fund has no funds and no future receipts are anticipated.

The Operations and Maintenance Trust Fund within the Department of Health (DOH) pays for health care services and other uses as deemed appropriate.³ The DOH maintains the fund with

¹ See s. 216.272, F.S.

² See s. 215.31, F.S.

³ See s. 20.435(5), F.S.

receipts from third party payers of health care services such as Medicare and Medicaid.⁴ The trust fund has no funds and no future receipts are anticipated.

In 2012, the Legislature transferred the Nursing Student Loan Forgiveness Trust Fund from the DOH to the Department of Education. However, the Legislature did not remove all statutory references to the trust fund as it existed under DOH administration.⁵

III. Effect of Proposed Changes:

The Working Capital Trust Fund within the DCF is terminated. The trust fund currently has no balance, and any revenues of the trust fund will be transferred to the Federal Grants Trust Fund within the DCF.

The Operations and Maintenance Trust Fund within the DOH is terminated. The trust fund currently has no balance, and any revenues of the trust fund will be transferred to the Federal Grants Trust Fund within the DOH.

The bill amends ss. 17.61(3)(c) and 20.195, F.S., to conform Florida Statutes to the termination of the Working Capital Trust Fund within the DCF.

The bill amends ss. 20.435 and 215.5601, F.S., to conform Florida Statutes to the termination of the Operations and Maintenance Trust Fund within the DOH and the transfer of the Nursing Student Loan Forgiveness Trust Fund from the DOH to the Department of Education.

The bill repeals s. 392.69, F.S., to conform Florida Statutes to the termination of the Operations and Maintenance Trust Fund within the DOH and to delete obsolete statutory provisions related to the trust fund.

The bill's effective date is July 1, 2016.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

⁴ *Id.*

⁵ *See* s. 20.435(16), F.S.

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

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

SB 7060 has no fiscal impact on state agencies or state funds, local governments as a whole, or the private sector. It simply terminates existing state trust funds that are no longer needed.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 17.61, 20.195, 20.435, and 215.5601.

This bill repeals the following section of the Florida Statutes: 392.69.

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

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

None.

B. Amendments:

None.



440284

LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
02/05/2016	.	
	.	
	.	
	.	

The Committee on Appropriations (Garcia) recommended the following:

Senate Amendment

Delete line 34
and insert:
within the Department of Health, FLAIR number 20-2-516004, is

FOR CONSIDERATION By the Committee on Appropriations

576-02801-16

20167060pb

A bill to be entitled

An act relating to trust funds; terminating the Working Capital Trust Fund within the Department of Children and Families and the Operations and Maintenance Trust Fund within the Department of Health; providing for the disposition of balances in, revenues of, and all outstanding appropriations of the trust funds; prescribing procedures for the termination of the trust funds; amending ss. 17.61, 20.195, and 20.435, F.S.; conforming provisions and removing a reference to the Nursing Student Loan Forgiveness Trust Fund in the Department of Health; amending s. 215.5601, F.S.; conforming a cross-reference; repealing s. 392.69, F.S., relating to appropriations, funding, and additional powers of the Department of Health regarding tuberculosis control, to conform; providing an effective date.

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

Section 1. (1) The Working Capital Trust Fund within the Department of Children and Families, FLAIR number 60-2-792014, is terminated.

(2) All current balances remaining in, and all revenues of, the trust fund shall be transferred to the Federal Grants Trust Fund within the Department of Children and Families.

(3) The Department of Children and Families shall pay any outstanding debts or obligations of the terminated fund as soon as practicable, and the Chief Financial Officer shall close out and remove the terminated fund from various state accounting systems using generally accepted accounting principles concerning warrants outstanding, assets, and liabilities.

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Section 2. (1) The Operations and Maintenance Trust Fund within the Department of Health, FLAIR number 20-2-516003, is terminated.

(2) All current balances remaining in, and all revenues of, the trust fund shall be transferred to the Federal Grants Trust Fund within the Department of Health.

(3) The Department of Health shall pay any outstanding debts or obligations of the terminated fund as soon as practicable, and the Chief Financial Officer shall close out and remove the terminated fund from various accounting systems using generally accepted accounting principles concerning warrants outstanding, assets, and liabilities.

Section 3. Paragraph (c) of subsection (3) of section 17.61, Florida Statutes, is amended to read:

17.61 Chief Financial Officer; powers and duties in the investment of certain funds.—

(3)

(c) Except as provided in this paragraph and except for moneys described in paragraph (d), the following agencies may not invest trust fund moneys as provided in this section, but shall retain such moneys in their respective trust funds for investment, with interest appropriated to the General Revenue Fund, pursuant to s. 17.57:

1. The Agency for Health Care Administration, except for the Tobacco Settlement Trust Fund.
2. The Agency for Persons with Disabilities, except for:
 - a. The Federal Grants Trust Fund.
 - b. The Tobacco Settlement Trust Fund.
 3. The Department of Children and Families, except for:

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62 a. The Alcohol, Drug Abuse, and Mental Health Trust Fund.
 63 b. The Social Services Block Grant Trust Fund.
 64 c. The Tobacco Settlement Trust Fund.
 65 ~~d. The Working Capital Trust Fund.~~
 66 4. The Department of Corrections.
 67 5. The Department of Elderly Affairs, except for:
 68 a. The Federal Grants Trust Fund.
 69 b. The Tobacco Settlement Trust Fund.
 70 6. The Department of Health, except for:
 71 a. The Federal Grants Trust Fund.
 72 b. The Grants and Donations Trust Fund.
 73 c. The Maternal and Child Health Block Grant Trust Fund.
 74 d. The Tobacco Settlement Trust Fund.
 75 7. The Department of Highway Safety and Motor Vehicles,
 76 only for the Security Deposits Trust Fund.
 77 8. The Department of Juvenile Justice.
 78 9. The Department of Law Enforcement.
 79 10. The Department of Legal Affairs.
 80 11. The Department of State, only for:
 81 a. The Grants and Donations Trust Fund.
 82 b. The Records Management Trust Fund.
 83 12. The Department of Economic Opportunity, only for the
 84 Economic Development Trust Fund.
 85 13. The Florida Public Service Commission, only for the
 86 Florida Public Service Regulatory Trust Fund.
 87 14. The Justice Administrative Commission.
 88 15. The state courts system.
 89 Section 4. Subsection (11) of section 20.195, Florida
 90 Statutes, is amended to read:

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91 20.195 Department of Children and Families; trust funds.—
 92 The following trust funds shall be administered by the
 93 Department of Children and Families:
 94 ~~(11) Working Capital Trust Fund.~~
 95 ~~(a) Funds to be credited to and uses of the trust fund~~
 96 ~~shall be administered in accordance with the provisions of s.~~
 97 ~~215.32.~~
 98 ~~(b) Notwithstanding the provisions of s. 216.301 and~~
 99 ~~pursuant to s. 216.351, any balance in the trust fund at the end~~
 100 ~~of any fiscal year shall remain in the trust fund at the end of~~
 101 ~~the year and shall be available for carrying out the purposes of~~
 102 ~~the trust fund.~~
 103 Section 5. Present subsections (6) through (15) and present
 104 subsections (17) through (21) of section 20.435, Florida
 105 Statutes, are renumbered as subsections (5) through (19),
 106 respectively, and present subsections (5) and (16) of that
 107 section are amended, to read:
 108 20.435 Department of Health; trust funds.—The following
 109 trust funds shall be administered by the Department of Health:
 110 ~~(5) Operations and Maintenance Trust Fund.~~
 111 ~~(a) Funds to be credited to the trust fund shall consist of~~
 112 ~~receipts from third-party payors of health care services such as~~
 113 ~~Medicare and Medicaid. Funds shall be used for the purpose of~~
 114 ~~providing health care services to department clients and for~~
 115 ~~other such purposes as may be appropriate and shall be expended~~
 116 ~~only pursuant to legislative appropriation or an approved~~
 117 ~~amendment to the department's operating budget pursuant to the~~
 118 ~~provisions of chapter 216.~~
 119 ~~(b) Notwithstanding the provisions of s. 216.301 and~~

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20167060pb

pursuant to s. 216.351, any balance in the trust fund at the end of any fiscal year shall remain in the trust fund at the end of the year and shall be available for carrying out the purposes of the trust fund.

~~(16) Nursing Student Loan Forgiveness Trust Fund.~~

~~(a) Funds to be credited to and uses of the trust fund shall be administered in accordance with the provisions of s. 1009.66.~~

~~(b) Notwithstanding the provisions of s. 216.301 and pursuant to s. 216.351, any balance in the trust fund at the end of any fiscal year shall remain in the trust fund at the end of the year and shall be available for carrying out the purposes of the trust fund.~~

Section 6. Paragraph (e) of subsection (5) of section 215.5601, Florida Statutes, is amended to read:

215.5601 Lawton Chiles Endowment Fund.—

(5) AVAILABILITY OF FUNDS; USES.—

(e) Notwithstanding s. 216.301 and pursuant to s. 216.351, all unencumbered balances of appropriations from each department's respective Tobacco Settlement Trust Fund as of June 30 or undisbursed balances as of September 30 shall revert to the endowment's principal. Unencumbered balances in the Biomedical Research Trust Fund shall be managed as provided in s. 20.435(7)(b) ~~s. 20.435(8)(b)~~.

Section 7. Section 392.69, Florida Statutes, is repealed.

Section 8. 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 Committee on Appropriations

BILL: PCS/SB 90 (311396)

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on General Government) and Senator Simpson

SUBJECT: Natural Gas Rebate Program

DATE: February 2, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Wiehle	Caldwell	CU	Favorable
2.	Blizzard	DeLoach	AGG	Recommend: Fav/CS
3.	Blizzard	Kynoch	AP	Pre-meeting

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Technical Changes

I. Summary:

PCS/SB 90 amends section 377.810, Florida Statutes, to authorize the Department of Agriculture and Consumer Services (DACS) to use unencumbered funds from the natural gas fuel fleet vehicle rebate program for additional rebates, giving preference to governmental applicants. Any remaining, unencumbered funds may be expended for commercial applicant rebates.

The DACS will not require additional resources to implement the provisions in this bill.

The bill provides an effective date of July 1, 2016.

II. Present Situation:

Section 377.810, F.S., creates the natural gas fuel fleet vehicle rebate program within the DACS for the purpose of helping to reduce transportation costs in this state and encourage freight mobility investments that contribute to the economic growth of the state.

Chapter 213-198, F.S., appropriates \$6 million from the General Revenue Fund beginning in Fiscal Year 2013-2014, and each year thereafter through Fiscal Year 2017-2018, to the DACS to award rebates for eligible costs defined under the natural gas fuel fleet vehicle rebate program.

Forty percent of the annual refund allocation is reserved for governmental applicants, with the remaining funds allocated for commercial applicants. A rebate may not exceed 50 percent of the eligible costs of a natural gas fuel fleet vehicle with a dedicated or bi-fuel natural gas fuel operating system placed into service on or after July 1, 2013. An applicant is eligible to receive a maximum rebate of \$25,000 per vehicle up to a total of \$250,000 per fiscal year. All natural gas fuel fleet vehicles eligible for the rebate must comply with applicable United States Environmental Protection Agency emission standards.

An applicant seeking to obtain a rebate must submit an application to the DACS by a specified date each year as established by department rule. The application must include:

- A complete description of all eligible costs,
- Proof of purchase or lease of the vehicle for which the applicant is seeking a rebate,
- A copy of the vehicle registration certificate,
- A description of the total rebate sought by the applicant,
- An affidavit from the applicant certifying that all information contained in the application is true and correct; and
- Any other information deemed necessary by the DACS.

The total amount of rebates allocated to certified applicants in each fiscal year may not exceed the amount appropriated for the program in the fiscal year. Rebates are allocated to eligible applicants on a first-come, first-served basis, determined by the date the application is received, until all appropriated funds for the fiscal year are expended or the program ends, whichever comes first. Incomplete applications submitted to the DACS are not accepted and do not secure a place in the first-come, first-served application process.

The DACS is required to determine and publish on its website, on an ongoing basis, the amount of available funding for rebates remaining in each fiscal year.

By October 1 of each year that the program is funded, the DACS must provide an annual assessment of the use of the rebate program during the previous fiscal year to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Office of Program Policy Analysis and Government Accountability. The assessment must include, at a minimum, the following information:

- The name of each applicant awarded a rebate;
- The amount of the rebates awarded to each applicant;
- The type and description of each eligible vehicle for which each applicant applied for a rebate; and
- The aggregate amount of funding awarded for all applicants claiming rebates.

By January 31, 2016, the Office of Program Policy Analysis and Government Accountability must release a report reviewing the rebate program to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The review must include an analysis of the economic benefits resulting to the state from the program.

III. Effect of Proposed Changes:

The bill amends s. 377.810, F.S., to authorize the DACS to use unencumbered natural gas fuel fleet vehicle rebate program funds for additional rebates. The DACS is authorized to receive additional applications between June 1 and June 30 from applicants that have reached the program maximum of \$250,000 per fiscal year. The bill clarifies that any unencumbered funds remaining after June 30 of each fiscal year will not revert to the General Revenue Fund as required by ss. 216.301 and 216.351, F.S. The DACS is authorized to expend the unencumbered funds to award additional or new rebates, with preference given to governmental applicants. Any remaining unencumbered funds may be expended for commercial applicant rebates. Applicants are eligible to receive rebates on a first come, first-served basis, until all funds for the fiscal year are expended or the program ends, whichever comes first.

The bill provides an effective date of 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:

PCS/SB 90 may have a positive fiscal impact on commercial applicants, should unencumbered funds be available to award additional rebates.

C. Government Sector Impact:

The bill authorizes the DACS to receive additional applications between June 1 and June 30 of each fiscal year from applicants that have reached the program maximum of \$250,000. The DACS is authorized to use unencumbered funds remaining after June 30 of each fiscal year to award additional or new rebates of up to \$250,000, with preference given to governmental applicants. Any remaining, unencumbered funds may be expended for commercial applicant rebates. In Fiscal Year 2014-2015, \$769,348 from the General Revenue Fund was unencumbered and reverted from the natural gas fuel fleet vehicle

rebate program. Under the provisions of the bill, unencumbered funds appropriated for the program will not revert to the General Revenue Fund.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 377.810 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.)

Recommended CS by Appropriations Subcommittee on General Government on November 18, 2015:

The committee substitute clarifies that any unencumbered funds remaining in the natural gas fuel fleet vehicle rebate program after June 30 of each fiscal year will not revert to the General Revenue Fund as required in ss. 216.301 and 216.351, F.S.

B. Amendments:

None.



323716

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/04/2016	.	
	.	
	.	
	.	

The Committee on Appropriations (Hukill) recommended the following:

Senate Amendment (with title amendment)

Delete lines 30 - 37
and insert:
up to a total of \$250,000. Governmental applicants shall have preference, and any other remaining funds may be used by commercial applicants. Rebates shall be allocated to eligible applicants on a first-come, first-served basis, determined by the date the department receives the application, until all appropriated



323716

11
12 ===== T I T L E A M E N D M E N T =====
13 And the title is amended as follows:
14 Delete lines 5 - 7
15 and insert:
16 additional rebate applications from certain
17 applicants; specifying preference for such
18 applications;



500770

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/04/2016	.	
	.	
	.	
	.	

The Committee on Appropriations (Hukill) recommended the following:

Senate Amendment

Delete lines 38 - 39
and insert:
funds for the fiscal year are expended. All natural gas fuel
fleet vehicles



311396

576-01395-16

Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on General Government)

A bill to be entitled

An act relating to a natural gas rebate program;
amending s. 377.810, F.S.; authorizing the Department
of Agriculture and Consumer Services to receive
additional applications from certain applicants;
authorizing any remaining unencumbered funds to be
used by the department to award additional rebates;
providing an effective date.

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

Section 1. Subsection (3) of section 377.810, Florida
Statutes, is amended to read:

377.810 Natural gas fuel fleet vehicle rebate program.—

(3) NATURAL GAS FUEL FLEET VEHICLE REBATE.—The department
shall award rebates for eligible costs as defined in this
section. Forty percent of the annual allocation shall be
reserved for governmental applicants, with the remaining funds
allocated for commercial applicants. A rebate may not exceed 50
percent of the eligible costs of a natural gas fuel fleet
vehicle with a dedicated or bi-fuel natural gas fuel operating
system placed into service on or after July 1, 2013. An
applicant is eligible to receive a maximum rebate of \$25,000 per
vehicle up to a total of \$250,000 per fiscal year. Between June
1 and June 30 of each fiscal year, the department may receive
additional applications from applicants that have met the
program maximum of \$250,000 per fiscal year. Those applicants



311396

576-01395-16

may apply for additional funds for vehicles that have not
received a rebate, for a maximum rebate of \$25,000 per vehicle
up to a total of \$250,000. Notwithstanding ss. 216.301 and
216.351, any unencumbered funds remaining after June 30 of each
fiscal year do not revert and may be used by the department to
award the additional rebates. Governmental applicants shall have
preference, and all remaining unencumbered funds may be used by
commercial applicants. Rebates shall be allocated to eligible
applicants on a first-come, first-served basis, determined by
the date the application is received, until all appropriated
funds for the fiscal year are expended or the program ends,
whichever comes first. All natural gas fuel fleet vehicles
eligible for the rebate must comply with applicable United
States Environmental Protection Agency emission standards.

Section 2. 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 Committee on Appropriations

BILL: CS/SB 90

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on General Government) and Senator Simpson

SUBJECT: Natural Gas Rebate Program

DATE: February 4, 2016

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Wiehle	Caldwell	CU	Favorable
2. Blizzard	DeLoach	AGG	Recommend: Fav/CS
3. Blizzard	Kynoch	AP	Fav/CS

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Technical Changes

I. Summary:

CS/SB 90 amends section 377.810, Florida Statutes, to authorize the Department of Agriculture and Consumer Services (DACS) to receive applications for additional rebates from the natural gas fuel fleet vehicle rebate program, giving preference to governmental applicants. Any remaining funds may be expended for commercial applicant rebates.

The DACS will not require additional resources to implement the provisions in this bill.

The bill provides an effective date of July 1, 2016.

II. Present Situation:

Section 377.810, F.S., creates the natural gas fuel fleet vehicle rebate program within the DACS for the purpose of helping to reduce transportation costs in this state and encourage freight mobility investments that contribute to the economic growth of the state.

Chapter 2013-198, Laws of Florida, appropriates \$6 million from the General Revenue Fund beginning in Fiscal Year 2013-2014, and each year thereafter through Fiscal Year 2017-2018, to the DACS to award rebates for eligible costs defined under the natural gas fuel fleet vehicle rebate program.

Forty percent of the annual refund allocation is reserved for governmental applicants, with the remaining funds allocated for commercial applicants. A rebate may not exceed 50 percent of the eligible costs of a natural gas fuel fleet vehicle with a dedicated or bi-fuel natural gas fuel operating system placed into service on or after July 1, 2013. An applicant is eligible to receive a maximum rebate of \$25,000 per vehicle up to a total of \$250,000 per fiscal year. All natural gas fuel fleet vehicles eligible for the rebate must comply with applicable United States Environmental Protection Agency emission standards.

An applicant seeking to obtain a rebate must submit an application to the DACS by a specified date each year as established by department rule. The application must include:

- A complete description of all eligible costs,
- Proof of purchase or lease of the vehicle for which the applicant is seeking a rebate,
- A copy of the vehicle registration certificate,
- A description of the total rebate sought by the applicant,
- An affidavit from the applicant certifying that all information contained in the application is true and correct; and
- Any other information deemed necessary by the DACS.

The total amount of rebates allocated to certified applicants in each fiscal year may not exceed the amount appropriated for the program in the fiscal year. Rebates are allocated to eligible applicants on a first-come, first-served basis, determined by the date the application is received, until all appropriated funds for the fiscal year are expended or the program ends, whichever comes first. Incomplete applications submitted to the DACS are not accepted and do not secure a place in the first-come, first-served application process.

The DACS is required to determine and publish on its website, on an ongoing basis, the amount of available funding for rebates remaining in each fiscal year.

By October 1 of each year that the program is funded, the DACS must provide an annual assessment of the use of the rebate program during the previous fiscal year to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Office of Program Policy Analysis and Government Accountability. The assessment must include, at a minimum, the following information:

- The name of each applicant awarded a rebate;
- The amount of the rebates awarded to each applicant;
- The type and description of each eligible vehicle for which each applicant applied for a rebate; and
- The aggregate amount of funding awarded for all applicants claiming rebates.

Chapter 2013-198, Laws of Florida, required the Office of Program Policy Analysis and Government Accountability (OPPAGA) to prepare a report reviewing the rebate program to the Governor, the President of the Senate, and the Speaker of the House of Representatives, including an analysis of the economic benefits resulting to the state from the program.

OPPAGA released Report No. 15-09 in November 2015, which found that the natural gas rebate program recipients are generally satisfied with the program. OPPAGA also recommended that

the rebate program would benefit from a more comprehensive application review process, improved information gathering, and an enhanced monitoring process. In its response, the DACS did not concur with OPPAGA's recommendation regarding the program's application review and monitoring processes.

III. Effect of Proposed Changes:

The bill amends s. 377.810, F.S., to authorize the DACS to receive additional applications between June 1 and June 30 from applicants that have reached the program maximum of \$250,000 of rebates per fiscal year. The DACS is authorized to expend funds remaining available on June 1 of each year to award additional or new rebates, with preference given to governmental applicants. Any such remaining funds may be expended for commercial applicant rebates. Applicants are eligible to receive rebates on a first come, first-served basis, until all funds for the fiscal year are expended. The maximum additional amount an applicant after June 1 of each year may receive is \$25,000 per vehicle, up to a total of \$250,000. Any unencumbered funds remaining in the natural gas fuel fleet vehicle rebate program after June 30 of each fiscal year will revert to the General Revenue Fund.

The bill provides an effective date of 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:

CS/SB 90 may have a positive fiscal impact on commercial applicants, should funds be available to award additional rebates.

C. Government Sector Impact:

The bill authorizes the DACS to receive additional applications between June 1 and June 30 of each fiscal year from applicants that have reached the program maximum of

\$250,000 of rebates. Any remaining funds may be expended for commercial applicant rebates. The maximum additional amount an applicant after June 1 of each year may receive is \$25,000 per vehicle, up to a total of \$250,000.

Any unencumbered funds remaining in the natural gas fuel fleet vehicle rebate program after June 30 of each fiscal year will revert to the General Revenue Fund. In Fiscal Year 2014-2015, \$769,348 from the General Revenue Fund was unencumbered and reverted from the natural gas fuel fleet vehicle rebate program.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 377.810 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.)

CS by Appropriations on February 3, 2016:

The committee substitute clarifies that any unencumbered funds remaining in the natural gas fuel fleet vehicle rebate program after June 30 of each fiscal year will revert to the General Revenue Fund as required in ss. 216.301 and 216.351, F.S.

B. Amendments:

None.



248866

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
02/01/2016	.	
	.	
	.	
	.	

The Committee on Appropriations (Hukill) recommended the following:

Senate Amendment (with title amendment)

Delete lines 30 - 33
and insert:
up to a total of \$250,000. Governmental applicants must be given preference, and any other remaining funds may be

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 5 - 7



248866

11 and insert:
12 additional rebate applications from certain
13 applicants; specifying preference for such
14 applications;

By Senator Simpson

18-00068-16

201690__

A bill to be entitled

An act relating to a natural gas rebate program; amending s. 377.810, F.S.; authorizing the Department of Agriculture and Consumer Services to receive additional applications from certain applicants; authorizing any remaining unencumbered funds to be used by the department to award additional rebates; providing an effective date.

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

Section 1. Subsection (3) of section 377.810, Florida Statutes, is amended to read:

377.810 Natural gas fuel fleet vehicle rebate program.—

(3) NATURAL GAS FUEL FLEET VEHICLE REBATE.—The department shall award rebates for eligible costs as defined in this section. Forty percent of the annual allocation shall be reserved for governmental applicants, with the remaining funds allocated for commercial applicants. A rebate may not exceed 50 percent of the eligible costs of a natural gas fuel fleet vehicle with a dedicated or bi-fuel natural gas fuel operating system placed into service on or after July 1, 2013. An applicant is eligible to receive a maximum rebate of \$25,000 per vehicle up to a total of \$250,000 per fiscal year. Between June 1 and June 30 of each fiscal year, the department may receive additional applications from applicants that have met the program maximum of \$250,000 per fiscal year. Those applicants may apply for additional funds for vehicles that have not received a rebate, for a maximum rebate of \$25,000 per vehicle

Page 1 of 2

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

18-00068-16

201690__

up to a total of \$250,000. Any unencumbered funds remaining after June 30 of each fiscal year may be used by the department to award the additional rebates. Governmental applicants shall have preference, and all remaining unencumbered funds may be used by commercial applicants. Rebates shall be allocated to eligible applicants on a first-come, first-served basis, determined by the date the application is received, until all appropriated funds for the fiscal year are expended or the program ends, whichever comes first. All natural gas fuel fleet vehicles eligible for the rebate must comply with applicable United States Environmental Protection Agency emission standards.

Section 2. This act shall take effect July 1, 2016.

Page 2 of 2

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



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Community Affairs, *Chair*
Environmental Preservation and Conservation,
Vice Chair
Appropriations Subcommittee on General Government
Finance and Tax
Judiciary
Transportation

JOINT COMMITTEE:

Joint Legislative Auditing Committee

SENATOR WILTON SIMPSON

18th District

November 18, 2015

Honorable Tom Lee
Committee on Appropriation
201 The Capitol
404 S. Monroe Street
Tallahassee, FL 32399-1100

Chairman Lee,

Please place Senate Bill 90 relating to Natural Gas Rebate Program, on the next Committee on Appropriation agenda.

Please contact my office with any questions. Thank you.

A handwritten signature in black ink, appearing to read "Wilton Simpson".

Wilton Simpson
Senator, 18th District

CC: Cindy Kynoch, Staff Director

REPLY TO:

- ☐ 322 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5018
- ☐ Post Office Box 938, Brooksville, Florida 34605
- ☐ Post Office Box 787, New Port Richey, Florida 34656-0787 (727) 816-1120 FAX: (888) 263-4821

Senate's Website: www.flsenate.gov

ANDY GARDINER
President of the Senate

GARRETT RICHTER
President Pro Tempore

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/3/16

Meeting Date

SB 90

Bill Number (if applicable)

Topic Natural Gas Rebate Program

Amendment Barcode (if applicable)

Name Brewster Bevis

Job Title Senior VP

Address 516 N. Adams St

Phone 850-224-7173

Street

Tallahassee

FL

32312

City

State

Zip

Email bbevis@aif.com

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Associated Industries of Florida

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.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

2-3-16

Meeting Date

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

90

Bill Number (if applicable)

Topic

Amendment Barcode (if applicable)

Name

Dale Calhoun

Job Title

Address

201 S Monroe St Unit A

Street

Tallahassee

City

FL

State

32301

Zip

Phone

850 681 0496

Email

Speaking:

☐

For

☐

Against

☐

Information

Waive Speaking:

☒

In Support

☐

Against

(The Chair will read this information into the record.)

Representing

Florida Natural Gas 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.

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

SB90
Bill Number (if applicable)

Topic NATURAL GAS

Amendment Barcode (if applicable)

Name CHARLIE LATHAM

Job Title FLORIDA CHAPTER CHAIR

Address 2016 GAIL AVE

Phone 904-910-4004

Street

JAX BEACH FL 32250

City

State

Zip

Email WLATHAM@WM.COM

Speaking: ☐ For ☐ Against ☐ Information

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

Representing NATIONAL WASTE & RECYCLING 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.

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)

FEB 3

Meeting Date

90

Bill Number (if applicable)

Topic

SB 90

Amendment Barcode (if applicable)

Name

CHRISTOPHER EMMANUEL

Job Title

POLICY DIRECTOR

Address

136 S BLANCHARD ST

Street

T2H

City

FL

State

32301

Zip

Phone

CEMMANUEL@FLCHAMBERS

Email

85092331223

Speaking:

☐

For

☐

Against

☐

Information

Waive Speaking:

☒

In Support

☐

Against

(The Chair will read this information into the record.)

Representing

FLORIDA CHAMBER OF COMMERCE

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.

S-001 (10/14/14)

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 Committee on Appropriations

BILL: CS/SB 100

INTRODUCER: Appropriations Committee and Senator Simpson

SUBJECT: Petroleum Restoration Program

DATE: February 5, 2016

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Hinton</u>	<u>Rogers</u>	<u>EP</u>	Favorable
2. <u>Howard</u>	<u>DeLoach</u>	<u>AGG</u>	Recommend: Favorable
3. <u>Howard</u>	<u>Kynoch</u>	<u>AP</u>	Fav/CS

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 100 revises certain provisions of the Petroleum Restoration Program. Specifically, the bill:

- Expands the eligibility requirements of the Abandoned Tanks Restoration Program (ATRP);
- Specifies that sites participating in the Petroleum Cleanup Participation Program (PCPP) are not eligible for the ATRP;
- Removes the provision that a property owner must provide evidence that he or she had a complete understanding of the previous ownership and use of the property prior to acquiring the property;
- Removes the exclusion eligibility for sites which are owned by a person who had knowledge of the polluting condition when title was acquired;
- Increases the amount of money that may be encumbered from the Inland Protection Trust Fund each year to fund the “low scored site initiative” (LSSI) from \$10 million to \$15 million, increasing the funding limit per site from \$30,000 to \$35,000, and allowing for an additional \$35,000 for limited remediation activities needed to achieve a “No Further Action” order;
- Removes the reporting deadline for sites to participate in the PCPP;
- Decreases the number of sites that may be bundled and eligible to compete for performance based contracts under the Advanced Cleanup Program (ACP) from 20 to 5;
- Increases the annual funding cap from \$15 million to \$25 million for the ACP;

- Allows a property owner or responsible party to enter into a voluntary cost share agreement for bundling multiple sites and specifies the sites are not subject to the agency term contractor assignment pursuant to rule;
- Directs the Department of Environmental Protection (DEP) to make efficiency and productivity a priority in the administration of the petroleum restoration program and encourages the DEP to contract with private services; and
- Authorizes the DEP to approve supplemental funding as part of the petroleum cleanup participation program of up to \$100,000 for additional remediation and monitoring if it will lead to a determination of “No Further Action”.

While the bill has significant fiscal impacts (see Section V. Fiscal Impact Statement), SB 2500, the Senate’s proposed General Appropriations Bill for Fiscal Year 2016-2017, provides \$125 million from the Inland Protection Trust Fund within the DEP to support these programs.

The bill provides an effective date of July 1, 2016.

II. Present Situation:

Water Quality Standards

Under s. 303 of the federal Clean Water Act (CWA), states are incentivized to adopt water quality standards (WQSs) for their navigable waters and must review and update those standards at least once every three years. These standards include:

- Designation of a waterbody’s beneficial uses, such as water supply, recreation, fish propagation, and navigation;
- Water quality criteria that define the amounts of pollutants, in either numeric or narrative standards, that the waterbody can contain without impairment of the designated beneficial uses; and
- Anti-degradation requirements.¹

Petroleum Restoration Program

Petroleum is stored in thousands of underground and aboveground storage tank systems throughout Florida. Releases of petroleum into the environment may occur as a result of accidental spills, storage tank system leaks, or poor maintenance practices.² These discharges pose a significant threat to groundwater quality, and Florida relies on groundwater for 90 percent of its drinking water.³ The identification and cleanup of petroleum contamination is particularly challenging due to Florida’s diverse geology, diverse water systems, and the complex dynamics between contaminants and the environment.⁴

In 1983, Florida began enacting legislation to regulate underground and aboveground storage tank systems in an effort to protect Florida’s groundwater from past and future petroleum

¹ 33 U.S.C. s. 1313(c)(2)(A) (2014); 40 C.F.R. ss. 131.6 and 131.10-131.12.

² DEP, Guide to Florida’s Petroleum Cleanup Program 1 (2002), (on file with the Senate Committee on Environmental Preservation and Conservation.

³ *Id.*

⁴ *Id.*

releases.⁵ The Department of Environmental Protection (DEP) is responsible for regulating these storage tank systems. In 1986, the Legislature enacted the State Underground Petroleum Environmental Response Act (SUPER Act) to address the pollution problems caused by leaking underground petroleum storage systems.⁶ The SUPER Act authorized the DEP to establish criteria for the prioritization, assessment and cleanup, and reimbursement for cleanup of contaminated areas, which led to the creation of the Petroleum Restoration Program (Restoration Program). The Restoration Program establishes the requirements and procedures for cleaning up contaminated land as well as the circumstances under which the state will pay for the cleanup.

Abandoned Tank Restoration Program

In 1990, the Legislature established the Abandoned Tank Restoration Program (ATRP). The ATRP was created to address the contamination at facilities that had out-of-service or abandoned tanks as of March 1990. The ATRP originally had a one-year application period, but the deadline was subsequently extended twice, to 1992 and then to 1994. In 1996, the Legislature waived the deadline indefinitely for owners who are unable to pay for the closure of abandoned tanks. To be eligible for the ATRP, applicants must certify that the petroleum system has not stored petroleum products for consumption, use, or sale since March 1, 1990.⁷

Site Rehabilitation

Florida law requires land contaminated by petroleum to be cleaned up, or rehabilitated, so that the concentration of each contaminant in the ground is below a certain level.⁸ These levels are known as Cleanup Target Levels (CTLs).⁹ Once the CTLs for a contaminated site¹⁰ has been attained, rehabilitation is complete and the site may be closed. When a site is closed, no further cleanup action is required unless the contaminant levels increase above the CTLs or another discharge occurs.¹¹

State Funding Assistance for Rehabilitation

In 2002, the average cost to rehabilitate a site was approximately \$300,000, but some sites may cost millions of dollars to rehabilitate.¹² Under Florida law, an owner of contaminated land (site owner) is responsible for rehabilitating the land unless the site owner can show that the contamination resulted from the activities of a previous owner or other third party (responsible party), who is then responsible.¹³ Over the years, different eligibility programs have been implemented to provide state financial assistance to certain site owners and responsible parties

⁵ Ch. 83-310, Laws of Fla.

⁶ Ch. 86-159, Laws of Fla.

⁷ Chapter 89-188, Laws of Fla.

⁸ Section 376.3071(5)(b)3., F.S.

⁹ *Id.*

¹⁰ A "site" is any contiguous land, sediment, surface water, or groundwater area upon or into which a discharge of petroleum or petroleum products has occurred or for which evidence exists that such a discharge has occurred. The site is the full extent of the contamination, regardless of property boundaries.

¹¹ DEP, Guide to Florida's Petroleum Cleanup Program 24 (2002), (on file with the Senate Committee on Environmental Preservation and Conservation.

¹² *Id.* at 26.

¹³ Section 376.308, F.S.

for site rehabilitation. To receive rehabilitation funding assistance, a site must qualify under one of the programs outlined in the following table:

Table 1: State Assisted Petroleum Cleanup Eligibility Programs		
Program Name	Program Dates	Program Description
Early Detection Incentive Program (EDI) (s. 376.30371(9), F.S.)	Discharges must have been reported between July 1, 1986, and December 31, 1988, to be eligible	<ul style="list-style-type: none"> • First state-assisted cleanup program • 100 percent state funding for cleanup if site owners reported releases • Originally gave site owners the option of conducting cleanup themselves and receiving reimbursement from the state or having the state conduct the cleanup in priority order • Reimbursement option was phased out, so all cleanups are now conducted by the state
Petroleum Liability and Restoration Insurance Program (PLRIP) (s. 376.3072, F.S.)	Discharges must have been reported between January 1, 1989, and December 31, 1998, to be eligible	<ul style="list-style-type: none"> • Required facilities to purchase third party liability insurance to be eligible • Provides varying amounts of state-funded site restoration coverage
Abandoned Tank Restoration Program (ATRP) (s. 376.305(6), F.S.)	Applications must have been submitted between June 1, 1990, and June 30, 1996 ¹⁴	Provides 100 percent state funding for cleanup, less deductible, at facilities that had out-of-service or abandoned tanks as of March 1990
Innocent Victim Petroleum Storage System Restoration Program (s. 376.30715, F.S.)	The application period began on July 1, 2005, and remains open	Provides 100 percent state funding for a site acquired before July 1, 1990, that ceased operating as a petroleum storage or retail business before January 1, 1985
Petroleum Cleanup Participation Program (PCPP) (s. 376.3071(13), F.S.)	PCPP began on July 1, 1996, and accepted applications until December 31, 1998	<ul style="list-style-type: none"> • Created to provide financial assistance for sites that had missed all previous opportunities • Only discharges that occurred before 1995 were eligible • Site owner or responsible party must pay 25 percent of cleanup costs¹⁵ • Originally had a \$300,000 cap on the amount of coverage, which was raised to \$400,000 beginning July 1, 2008
Consent Order (aka “Hardship” or “Indigent”) (s. 376.3071(7)(c), F.S.)	The program began in 1986 and remains open	<ul style="list-style-type: none"> • Created to provide financial assistance under certain circumstances for sites that the DEP initiates an enforcement action to clean up • An agreement is formed whereby the DEP conducts the cleanup and the site owner or responsible party pays for a portion of the costs

¹⁴ The ATRP originally had a one-year application period, but the deadline was extended. The deadline is now waived indefinitely for site owners who are financially unable to pay for the closure of abandoned tanks. Section 376.305(6)(b), F.S.

¹⁵ The 25 percent copay requirement can be reduced or eliminated if the site owner and all responsible parties demonstrate that they are financially unable to comply. Section 376.3071(13)(c), F.S.

As of January 2015, there are 19,261 sites eligible for state funding through one of the above programs. Of these, approximately 8,348 have been rehabilitated and closed, approximately 5,059 are currently undergoing some phase of rehabilitation, and approximately 5,854 await rehabilitation.¹⁶

Inland Protection Trust Fund

To fund the cleanup of contaminated sites, the SUPER Act created the Inland Protection Trust Fund (IPTF).¹⁷ The IPTF is funded by an excise tax per barrel on petroleum and petroleum products in or imported into the state.¹⁸ The amount of the excise tax per barrel is determined by a formula, which is dependent upon the unobligated balance of the IPTF.¹⁹ At present, the excise tax is \$10.80 per barrel.²⁰ For the last three years, on average approximately \$193 million from the excise tax is deposited into the IPTF, of which \$120 million has been appropriated for site rehabilitation.

Funding for rehabilitation of a site is based on a relative risk scoring system. Each funding-eligible site receives a numeric score based on the threat the site contamination poses to the environment or to human health, safety, or welfare.²¹ Sites currently in the Restoration Program range in score from 5 to 115 points, with a score of 115 representing a substantial threat and a score of 5 representing a very low threat. Sites are rehabilitated in priority order beginning with the highest score, with funding based on available budget.²² The DEP sets the priority score funding threshold, which is the minimum score a site must be assigned to receive restoration funding at a particular point in time. Currently, the threshold is set at 30 points.²³

Expediting Site Rehabilitation

As described above, eligible contaminated sites typically receive state rehabilitation funding in priority order based on their numeric score. However, there are some programs that allow sites to receive funding for rehabilitation or site closure out of priority score order, as long as the sites are eligible under one of the programs in Table 1. Two of these programs are Advanced Cleanup and Low Scored Site Initiative.

Advanced Cleanup

Advanced Cleanup (formerly known as Preapproved Advanced Cleanup) is a program that was created in 1996 to allow an eligible site to receive state rehabilitation funding even if the site's

¹⁶ DEP, *Senate Bill 314 Agency Analysis*, (Mar. 13, 2015) (on file with the Senate Committee on Environmental Preservation and Conservation).

¹⁷ Section 376.3071(3)-(4), F.S.

¹⁸ Sections 206.9935(3) and 376.3071(6), F.S.

¹⁹ The amount of the excise tax per barrel is based on the following formula: 30 cents if the unobligated balance is between \$100 million and \$150 million; 60 cents if the unobligated balance is between \$50 million and \$100 million; and 80 cents if the unobligated balance is \$50 million or less. Section 206.9935(3), F.S.

²⁰ DOR, Pollutants Tax, <http://dor.myflorida.com/dor/taxes/fuel/pollutants.html> (last visited Oct. 19, 2015).

²¹ Fla. Admin. Code R. 62-771.100.

²² Fla. Admin. Code R. 62-771.300.

²³ DEP, *Senate Bill 314 Agency Analysis*, (Mar. 13, 2015) (on file with the Senate Committee on Environmental Preservation and Conservation).

priority score does not fall within the threshold currently being funded.²⁴ The purpose of creating Advanced Cleanup was to facilitate property transactions or public works projects on contaminated sites.²⁵ To participate in Advanced Cleanup, a site must be eligible for state rehabilitation funding under the Early Detection Incentive Program (EDI), the Petroleum Liability and Restoration Insurance Program (PLRIP), the Abandoned Tank Restoration Program (ATRP), the Innocent Victim Petroleum Storage System Restoration Program (Innocent Victim), or the Petroleum Cleanup Participation Program (PCPP).²⁶

To apply for Advanced Cleanup, a site owner or responsible party must bid a cost share of the total site rehabilitation.²⁷ The cost share must be at least 25 percent of the total cost of rehabilitation.²⁸ For PCPP sites, the cost share must be at least 25 percent of the state's share of the rehabilitation, as the site owner or responsible party is already required to pay for 25 percent of the total cost of rehabilitation to be eligible for PCPP.²⁹ Alternatively, an applicant may use a commitment to pay, a demonstrated cost savings to the DEP, or both to meet this requirement if the application proposes a performance-based contract for the cleanup of 20 or more sites.³⁰

In years when the DEP runs a bid cycle, bids may be accepted in two windows of May 1 through June 30 and November 1 through December 31.³¹ Bids are awarded based solely on the proposed cost-share percentage and not the estimated dollar amount of that share.³² The DEP may enter into Advanced Cleanup contracts for a total of up to \$15 million per fiscal year,³³ and no more than \$5 million per fiscal year may be approved for rehabilitation work at an individual facility.³⁴

Low Scored Site Initiative

The Low Scored Site Initiative (LSSI) was created to expedite the assessment and closure of sites that contain minimal contamination and that are not a threat to human health or the environment. To participate in LSSI, a site owner or responsible party must demonstrate that the following criteria are met:

- Upon assessment, the site retains a priority ranking score of 29 points or less;
- No excessively contaminated soil exists onsite;
- A minimum of six months of groundwater monitoring indicates that the plume is shrinking or stable;
- The remaining contamination resulting from petroleum products does not adversely affect adjacent surface waters;

²⁴ Section 376.30713(1), F.S.

²⁵ *Id.*

²⁶ For PCPP sites, Advanced Cleanup is only available if the 25 percent copay requirement of PCPP has not been reduced or eliminated. Section 376.30713(1)(d), F.S.

²⁷ Section 376.30713(2)(a), F.S.

²⁸ *Id.*

²⁹ Section 376.30713(1)(d)-(2)(a), F.S.

³⁰ Section 376.30713(2)(a)1., F.S.

³¹ Section 376.30713(2)(a), F.S.

³² Section 376.30713(2)(b), F.S.

³³ Section 376.30713(4), F.S.

³⁴ A "facility" includes, but is not limited to, "multiple site facilities such as airports, port facilities, and terminal facilities even though such enterprises may be treated as separate facilities for other purposes under this chapter." Section 376.30713(4), F.S.

- The area of groundwater contamination is less than one-quarter acre and is confined to the source property boundary; and
- Soils onsite found between the land surface and two feet below the land surface must meet the soil cleanup target levels (SCTLs) established by the DEP unless human exposure is limited by appropriate institutional or engineering controls.³⁵

An assessment is conducted to determine whether the above criteria are met.³⁶ The state pays the assessment costs for sites eligible for funding under EDI, ATRP, Innocent Victim, PLRIP, or PCPP.³⁷ Funding for LSSI is limited to \$10 million per fiscal year, which may only be used to fund site assessments.³⁸ Each site has a funding cap of \$30,000, and each site owner or responsible party is limited to ten eligible sites per fiscal year.³⁹ Funds are allocated on a first-come, first-served basis.⁴⁰ Sites not eligible for state rehabilitation funding may still qualify for closure under LSSI if an assessment reveals that the above criteria are met, but the state will not pay for the assessment.⁴¹

If the assessment shows the above criteria are met, there are three options for site closure:

- If no contamination is detected during the assessment, the DEP may issue a site rehabilitation completion order;⁴²
- If the assessment demonstrates that minimal contamination exists onsite, but the above criteria are met, the DEP may issue an LSSI no further action administrative order. This determination acknowledges that the contamination is not a threat to human health or the environment; or⁴³
- If soil between the land surface and two feet below the land surface exceeds SCTLs, but the above criteria are otherwise met, the DEP may issue a site rehabilitation completion order with conditions. This determination requires that institutional and/or engineering controls be put in place to prevent human or environmental exposure to the contamination. The state is not authorized to fund such controls.⁴⁴

If at any time data collected during the assessment indicate that the above criteria for closure will not be met, assessment activities will be terminated.⁴⁵ LSSI funding will be discontinued if it is determined at any point that a closure cannot be accomplished within the \$30,000 funding limit, unless the site owner or responsible party is willing to contribute funds to the assessment work.⁴⁶ A site determined to be ineligible for LSSI funding retains its current program eligibility and will receive rehabilitation funding in priority order.

³⁵ Section 376.3071(11)(b)1., F.S.

³⁶ DEP Petroleum Restoration Program, Procedural and Technical Guidance for the Low-Scored Site Initiative 9 (2013), available at http://www.dep.state.fl.us/Waste/quick_topics/publications/pss/pcp/screening/LSSI-Guidance_30Aug13.pdf (last accessed Oct. 5, 2015).

³⁷ *Id.* at 3.

³⁸ Section 376.3071(11)(b)3.c., F.S.

³⁹ *Id.*

⁴⁰ *Id.*

⁴¹ DEP, Petroleum Restoration Program, Procedural and Technical Guidance for the Low-Scored Site Initiative 1-2 (2013).

⁴² Section 376.3071(12)(b)2., F.S.

⁴³ *Id.*

⁴⁴ DEP Petroleum Restoration Program, Procedural and Technical Guidance for the Low-Scored Site Initiative 3 (2013).

⁴⁵ *Id.* at 11.

⁴⁶ *Id.*

III. Effect of Proposed Changes:

Section 1 amends s. 376.305, F.S., concerning the Abandoned Tank Restoration Program.

The bill expands the Abandoned Tank Restoration Program (ATRP) program by removing the reporting deadline, which currently separates eligible from ineligible sites. The expansion of the program will provide state funding eligibility for remediation of a large but indeterminate number of discharges. It also specifies that a site eligible for the PCPP may not participate in the ATRP.

The bill removes a provision specifying that the owner of a site in the ATRP must provide evidence that he or she had a complete understanding of the use of the property prior to acquisition.

The bill removes a section that excludes site owners from eligibility for site rehabilitation funding when the site owner, “had knowledge of the polluting condition when title was acquired, unless the person acquired title to the site after issuance of a notice of site eligibility by the Department of Environmental Protection (DEP).”

Section 2 amends s. 376.3071, F.S., concerning the Inland Protection Trust Fund to:

- Require the DEP to make efficiency and productivity a priority in the administration of the petroleum restoration program and encourages the DEP to consider using contracted inspection and professional resources.
- Make permanent (by repealing an expiration date of July 1, 2016), the DEP’s authority to pay for program deductibles, copayments, and limited contamination assessment reports that otherwise would be paid by another state agency for state-funded petroleum contamination site rehabilitation when inland contamination poses a public health or safety issue.
- Provide that issuance of a site rehabilitation order does not alter a project’s eligibility for state-funded remediation if the DEP determines that site conditions are not protective of human health.
- Authorize payment for institutional controls (approved by the DEP) associated with:
 - A professional land survey, if needed;
 - Specific purpose survey, if needed;
 - Obtaining a title report; and
 - Recording fees.

In addition, the bill makes changes to the Low Scored Site Initiative (LSSI) program and requires a responsible party who wishes to participate in LSSI to provide evidence of authorization from the property owner.

To participate in LSSI, the bill requires a property owner or responsible party to submit a “No Further Action” proposal that demonstrates the required criteria are met. In addition, the bill revises the criteria to:

- Provide a more specific standard for the prohibition on the presence of excessively contaminated soil on the site. Specifically, soil saturated with petroleum or petroleum products, or soil that causes a total corrected hydrocarbon measurement of 500 parts per million (ppm) or higher for Gasoline Analytical Group or 50 ppm or higher for Kerosene

Analytical Group, as defined by DEP rule, must not exist onsite as a result of a release of petroleum product.

- Specify that a minimum of 12 months of groundwater monitoring indicates whether the plume is shrinking or stable.
- Specify that the requirement that contamination remaining at the site does not adversely affect adjacent surface waters includes the effects of those waters on human health and the environment.
- Remove the requirement that the area of groundwater contamination is less than one-quarter acre.
- Allow an area to contain petroleum products' chemicals of concern that is confined to the source property boundaries of the real property on which the discharge originated or has migrated from the source property onto or beneath a transportation facility for which DEP has approved, and the governmental entity owning the transportation facility has agreed to institutional controls. The bill stipulates that this does not impose any legal liability on the transportation facility owner, obligate such owner to engage in remediation, or waive such owner's right to recovery costs for damages.
- Add a requirement that the groundwater contamination containing the petroleum products' chemicals of concern is not a threat to any permitted potable water supply well.

If the DEP determines that the property owner or responsible party has demonstrated that these conditions are met, the DEP must issue a site rehabilitation completion order that incorporates the "No Further Action" proposal. This determination acknowledges that minimal contamination exists onsite and that such contamination is not a threat to the public health, safety, or welfare, water resources, or the environment. If the DEP determines that a discharge for which a site rehabilitation completion order was issued pursuant to LSSI may pose a threat to the public health, safety, or welfare, water resources, or the environment, the issuance of the site rehabilitation completion order does not alter eligibility for state-funded rehabilitation that would otherwise apply.

Additionally, the bill:

- Allows the DEP to approve the cost of the assessment, including 12 months, rather than six months, of groundwater monitoring and 12 months of limited remediation activities in one or more task assignments.
- Authorizes the DEP to approve the cost of both the assessment *and* remediation if that will result in a finding of "No Further Action". The approval may be provided in one or more task assignments or modifications and the total amount authorized for a particular site is increased from \$30,000 to \$35,000.
- Authorizes the DEP to pay the costs associated with a professional land survey or specific purpose survey, if needed, and costs associated with obtaining a title report and recording fees.
- Authorizes the DEP to approve up to an additional \$35,000 for limited remediation, if needed, to achieve a determination of "No Further Action", after the DEP approves the initial site assessment provided by the property owner or a responsible party.
- Authorizes the DEP to approve supplemental funding of up to \$100,000 for additional remediation and monitoring if such remediation and monitoring is necessary to achieve a determination of "No Further Action".

- Increases the amount of time within which assessment and remediation work must be completed from six months to 15 months. If groundwater monitoring is required following the assessment in order to satisfy the LSSI conditions, the DEP may authorize an additional 12 months to complete the monitoring.

Finally, the annual amount of money that may be encumbered from the Inland Protection Trust Fund to fund LSSI is increased from \$10 million to \$15 million.

Section 3 amends s. 376.30713, F.S., concerning Advanced Cleanup.

The DEP is authorized to consider an applicant's cost savings demonstration of 25 percent rather than a commitment to pay 25 percent or more of the total cleanup cost.

The bill reduces the minimum number of sites that a facility owner or operator or other responsible party must bundle in order to meet the cost share requirement under Advanced Cleanup from 20 to an aggregate cleanup of five or more sites submitted in one of two formats to meet cost-share requirements. The formats include:

- For an individual application proposing that the DEP enter into a performance-based contract may use a commitment to pay, a demonstrated cost savings to the DEP, or both to meet requirements.
- For an individual application relying on a demonstrated cost savings to the DEP, the applicant shall, in conjunction with the proposed agency term contractor, establish and provide in the application a 25 percent cost savings to the DEP for cleanup of the site under the application compared to the cost of cleanup of the same site using the current rates provided to the DEP by the proposed agency term contractor.

The bill clarifies that an Advanced Cleanup application requires that a contractor must have a site access agreement from the property owner(s) and evidence of authorization. The agreement must be in the form of a DEP site access agreement approved by the DEP that does not violate state law concerning required elements of an advanced cleanup application.

The bill increases the annual allocation for Advanced Cleanup contracts from \$15 million to \$25 million.

The bill allows a property owner or responsible party to enter into a voluntary cost share agreement for bundling multiple sites and to provide a list of the sites to be included in future bundles. The sites that will be included in a future bundle are not subject to agency term contractor assignment pursuant to rule. The DEP may terminate or amend the voluntary cost share agreement for any identified site under the voluntary cost-share agreement if the property owner or responsible party fails to submit an application to bundle any site, not already covered by an advance cleanup contract, under a voluntary cost-share agreement within a subsequent open application period. This provision will extend the period of time listed sites will be remediated because they are not subject to the agency term contractor assignment.

Section 4 provides an effective date of 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:

CS/SB 100 appears to have an indeterminate positive fiscal impact on the private sector since more rehabilitation contracts may be awarded as a result of increasing the total funding limits for the Advanced Cleanup and Low-Scored Site Initiative (LSSI) programs.

C. Government Sector Impact:

The bill amends the eligibility requirements for the Abandoned Tank Restoration Program (ATRP) which is estimated to have an increased recurring cost of \$4.7 million. The revisions to the Petroleum Clean Participation Program (PCPP) are estimated to have a total cost of \$14.9 million.

For the Low-Scored Site Initiative (LSSI), the bill increases the amount of funding that will be available from \$10 million to \$15 million and increases the funding limit per site from \$30,000 to \$35,000. In addition, the bill allows for the approval of an additional \$35,000 per site for limited remediation activities to achieve a “No Further Action” order. The estimated total cost is \$16.5 million over four years; however, \$6 million in cost savings may be achieved based on a number of sites receiving a “No Further Action” closure order. These savings could reduce the overall cost increases in the program.

The bill authorizes the Department of Environmental Protection (DEP) to approve supplemental funding as part of the petroleum cleanup participation program of up to \$100,000 for additional remediation and monitoring if it will lead to a determination of “No Further Action”. The DEP estimates that these costs will be between \$1,350,000 to \$13,500,000, but likely will be toward the lower end of that range.

Increases to the annual allocation for the Advanced Cleanup Program contracts from \$15 million to \$25 million and reductions to the number of sites that must be bundled to be eligible to compete for performance-based contracts (from 20 to 5), should result in more sites being cleaned up sooner. This may result in an indeterminate cost savings over time.

The Inland Protection Trust Fund within the Department of Environmental Protection (DEP) is the fund source that supports all petroleum restoration programs that is included each fiscal year in the General Appropriations Act. The changes to the funding levels for each program provided in the bill should not increase the DEP's overall annual appropriation, as this amount is based on annual revenues estimated by the Revenue Estimating Conference and deposited into the trust fund. Increasing the annual funding for the Low-Risk Site Initiative and Preapproved Advanced Cleanup programs could reduce the funds available for other remaining programs supported by this fund. However, all eligibility petroleum restoration programs are prioritized and funded based on the risk to public health and safety.

The DEP was appropriated \$125 million in the Fiscal Year 2015-2016 General Appropriations Act from the Inland Protection Trust Fund for the Petroleum Tanks Cleanup programs; SB 2500, the Senate proposed 2016-2017 General Appropriations Bill includes \$125 million for the Petroleum Tanks Cleanup programs funded from the Inland Protection Trust Fund.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 376.305, 376.3071, and 376.30713.

IX. Additional Information:

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

CS by Appropriations on February 3, 2016:

The committee substitute:

- Directs the Department of Environmental Protection (DEP) to make efficiency and productivity a priority in the administration of the petroleum restoration program and encourages the DEP to contract with private services;
- Makes permanent (by repealing an expiration date of July 1, 2016) a provision directing the DEP to obligate money to pay for program deductibles, copayments and limited contamination assessment reports that otherwise would be paid by another

state agency for state-funded petroleum contamination site rehabilitation when inland contamination poses a public health and safety issue;

- Provides that a site rehabilitation order does not alter a project's eligibility for state-funded remediation if the DEP determines that site conditions are not protective of human health;
- Relaxes the prohibition that institutional controls may not be acquired with moneys from the fund by authorizing cost associated with professional land surveying, specific purpose surveys, obtaining a title report and recording fees;
- Leaves the name "low-scored site" rather than changing it to "low-risk site";
- Retains current law making the low-scored site initiative applicable only to sites with a priority ranking score of 29 points or less;
- Authorizes the DEP to approve the cost of limited remediation activities for 12 months instead of 6 months for in one or more task assignments and for groundwater monitoring;
- Extends the time limit from 6 months to 15 months for state funded assessment and limited remediation work to be completed and allows the DEP to authorize an additional 12 months to complete the monitoring;
- Limits the conditions of when a "No Further Action" order is issued by the DEP;
- Requires a determination of "No Further Action" to include a minimum of 12 months of groundwater monitoring that shows the petroleum plume is shrinking or stable;
- Authorizes the DEP to approve supplemental funding as part of the petroleum cleanup participation program of up to \$100,000 for additional remediation and monitoring if it will lead to a determination of "No Further Action";
- Authorizes the DEP to approve advanced site cleanup notwithstanding the site's priority ranking;
- Revises language authorizing the DEP to consider an applicant's cost savings demonstration of 25 percent rather than a commitment to pay 25 percent or more of the total cleanup cost to satisfy cost-share requirements;
- Authorizes applications for the aggregate cleanup of five or more sites rather than 20 or more sites;
- Allows cost savings to be demonstrated by comparison with the current rates provided to the DEP by DEP's proposed agency term contractor; and
- Authorizes the DEP to amend, not just terminate, an agreement with a property owner or responsible party who fails to submit an application to bundle a site within certain time frames.

B. Amendments:

None.



705458

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
02/01/2016	.	
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The Committee on Appropriations (Hukill) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (6) of section 376.305, Florida
Statutes, is amended to read:

376.305 Removal of prohibited discharges.—

(6) The Legislature created the Abandoned Tank Restoration
Program in response to the need to provide financial assistance
for cleanup of sites that have abandoned petroleum storage



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systems. For purposes of this subsection, the term "abandoned petroleum storage system" means a petroleum storage system that has not stored petroleum products for consumption, use, or sale since March 1, 1990. The department shall establish the Abandoned Tank Restoration Program to facilitate the restoration of sites contaminated by abandoned petroleum storage systems.

(a) To be included in the program:

1. An application must be submitted to the department ~~by June 30, 1996,~~ certifying that the system has not stored petroleum products for consumption, use, or sale at the facility since March 1, 1990.

2. The owner or operator of the petroleum storage system when it was in service must have ceased conducting business involving consumption, use, or sale of petroleum products at that facility on or before March 1, 1990.

3. The site is not otherwise eligible for the cleanup programs pursuant to ~~s. 376.3071~~ or s. 376.3072.

4. The site is not otherwise eligible for the Petroleum Cleanup Participation Program under s. 376.3071(13) based on any discharge reporting form received by the department before January 1, 1995, or a written report of contamination submitted to the department on or before December 31, 1998.

(b) In order to be eligible for the program, petroleum storage systems from which a discharge occurred must be closed pursuant to department rules before an eligibility determination. However, if the department determines that the owner of the facility cannot financially comply with the department's petroleum storage system closure requirements and all other eligibility requirements are met, the petroleum



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storage system closure requirements shall be waived. The department shall take into consideration the owner's net worth and the economic impact on the owner in making the determination of the owner's financial ability. ~~The June 30, 1996, application deadline shall be waived for owners who cannot financially comply.~~

(c) Sites accepted in the program are eligible for site rehabilitation funding as provided in s. 376.3071.

(d) The following sites are excluded from eligibility:

1. Sites on property of the Federal Government;
2. Sites contaminated by pollutants that are not petroleum products; or

3. Sites where the department has been denied site access; ~~or~~

~~4. Sites which are owned by a person who had knowledge of the polluting condition when title was acquired unless the person acquired title to the site after issuance of a notice of site eligibility by the department.~~

(e) Participating sites are subject to a deductible as determined by rule, not to exceed \$10,000.

~~This subsection does not relieve a person who has acquired title after July 1, 1992, from the duty to establish by a preponderance of the evidence that he or she undertook, at the time of acquisition, all appropriate inquiry into the previous ownership and use of the property consistent with good commercial or customary practice in an effort to minimize liability, as required by s. 376.308(1)(c).~~

Section 2. Subsection (4), paragraph (b) of subsection (5),



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paragraph (b) of subsection (12), and subsection (13) of section 376.3071, Florida Statutes, are amended to read:

376.3071 Inland Protection Trust Fund; creation; purposes; funding.—

(4) USES.—Whenever, in its determination, incidents of inland contamination related to the storage of petroleum or petroleum products may pose a threat to the public health, safety, or welfare, water resources, or the environment, the department shall obligate moneys available in the fund to provide for:

(a) Prompt investigation and assessment of contamination sites.

(b) Expeditious restoration or replacement of potable water supplies as provided in s. 376.30(3)(c)1.

(c) Rehabilitation of contamination sites, which shall consist of cleanup of affected soil, groundwater, and inland surface waters, using the most cost-effective alternative that is technologically feasible and reliable and that provides adequate protection of the public health, safety, and welfare, and water resources, and that minimizes environmental damage, pursuant to the site selection and cleanup criteria established by the department under subsection (5), except that this paragraph does not authorize the department to obligate funds for payment of costs which may be associated with, but are not integral to, site rehabilitation, such as the cost for retrofitting or replacing petroleum storage systems.

(d) Maintenance and monitoring of contamination sites.

(e) Inspection and supervision of activities described in this subsection.



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(f) Payment of expenses incurred by the department in its efforts to obtain from responsible parties the payment or recovery of reasonable costs resulting from the activities described in this subsection.

(g) Payment of any other reasonable costs of administration, including those administrative costs incurred by the Department of Health in providing field and laboratory services, toxicological risk assessment, and other assistance to the department in the investigation of drinking water contamination complaints and costs associated with public information and education activities.

(h) Establishment and implementation of the compliance verification program as authorized in s. 376.303(1)(a), including contracting with local governments or state agencies to provide for the administration of such program through locally administered programs, to minimize the potential for further contamination sites.

(i) Funding of the provisions of ss. 376.305(6) and 376.3072.

(j) Activities related to removal and replacement of petroleum storage systems, exclusive of costs of any tank, piping, dispensing unit, or related hardware, if soil removal is approved as a component of site rehabilitation and requires removal of the tank where remediation is conducted under this section or if such activities were justified in an approved remedial action plan.

(k) Reasonable costs of restoring property as nearly as practicable to the conditions which existed before activities associated with contamination assessment or remedial action



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taken under s. 376.303(4).

(l) Repayment of loans to the fund.

(m) Expenditure of sums from the fund to cover ineligible sites or costs as set forth in subsection (13), if the department in its discretion deems it necessary to do so. In such cases, the department may seek recovery and reimbursement of costs in the same manner and pursuant to the same procedures established for recovery and reimbursement of sums otherwise owed to or expended from the fund.

(n) Payment of amounts payable under any service contract entered into by the department pursuant to s. 376.3075, subject to annual appropriation by the Legislature.

(o) Petroleum remediation pursuant to this section throughout a state fiscal year. The department shall establish a process to uniformly encumber appropriated funds throughout a state fiscal year and shall allow for emergencies and imminent threats to public health, safety, and welfare, water resources, and the environment as provided in paragraph (5)(a). This paragraph does not apply to appropriations associated with the free product recovery initiative provided in paragraph (5)(c) or the advanced cleanup program provided in s. 376.30713.

(p) Enforcement of this section and ss. 376.30-376.317 by the Fish and Wildlife Conservation Commission. The department shall disburse moneys to the commission for such purpose.

(q) Payments for program deductibles, copayments, and limited contamination assessment reports that otherwise would be paid by another state agency for state-funded petroleum contamination site rehabilitation. ~~This paragraph expires July 1, 2016.~~



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Upon the issuance of a site rehabilitation completion order pursuant to subsection (5) or an order pursuant to paragraph (12)(b), for contamination eligible for programs funded by this section, the issuance of such orders does not alter eligibility for state-funded remediation where the department determines that site conditions are not protective of human health under actual or proposed circumstances of exposure under subsection (5).

The Inland Protection Trust Fund may only be used to fund the activities in ss. 376.30-376.317 except ss. 376.3078 and 376.3079. Amounts on deposit in the fund in each fiscal year shall first be applied or allocated for the payment of amounts payable by the department pursuant to paragraph (n) under a service contract entered into by the department pursuant to s. 376.3075 and appropriated in each year by the Legislature before making or providing for other disbursements from the fund. This subsection does not authorize the use of the fund for cleanup of contamination caused primarily by a discharge of solvents as defined in s. 206.9925(6), or polychlorinated biphenyls when their presence causes them to be hazardous wastes, except solvent contamination which is the result of chemical or physical breakdown of petroleum products and is otherwise eligible. Facilities used primarily for the storage of motor or diesel fuels as defined in ss. 206.01 and 206.86 are not excluded from eligibility pursuant to this section.

(5) SITE SELECTION AND CLEANUP CRITERIA.—

(b) It is the intent of the Legislature to protect the



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health of all people under actual circumstances of exposure. The secretary shall establish criteria by rule for the purpose of determining, on a site-specific basis, the rehabilitation program tasks that compose ~~comprise~~ a site rehabilitation program and the level at which a rehabilitation program task and a site rehabilitation program are completed. In establishing the rule, the department shall incorporate, to the maximum extent feasible, risk-based corrective action principles to achieve protection of the public health, safety, and welfare, water resources, and the environment in a cost-effective manner as provided in this subsection. Criteria for determining what constitutes a rehabilitation program task or completion of site rehabilitation program tasks and site rehabilitation programs shall be based upon the factors set forth in paragraph (a) and the following additional factors:

1. The current exposure and potential risk of exposure to humans and the environment including multiple pathways of exposure.

2. The appropriate point of compliance with cleanup target levels for petroleum products' chemicals of concern. The point of compliance must ~~shall~~ be at the source of the petroleum contamination. However, the department may temporarily move the point of compliance to the boundary of the property, or to the edge of the plume when the plume is within the property boundary, while cleanup, including cleanup through natural attenuation processes in conjunction with appropriate monitoring, is proceeding. The department may also, pursuant to criteria provided ~~for~~ in this paragraph, temporarily extend the point of compliance beyond the property boundary with



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appropriate monitoring, if such extension is needed to facilitate natural attenuation or to address the current conditions of the plume, if the public health, safety, and welfare, water resources, and the environment are adequately protected. Temporary extension of the point of compliance beyond the property boundary, as provided in this subparagraph, must include notice to local governments and owners of any property into which the point of compliance is allowed to extend.

3. The appropriate site-specific cleanup goal. The site-specific cleanup goal is ~~shall be~~ that all petroleum contamination sites ultimately achieve the applicable cleanup target levels provided in this paragraph. However, the department may allow concentrations of the petroleum products' chemicals of concern to temporarily exceed the applicable cleanup target levels while cleanup, including cleanup through natural attenuation processes in conjunction with appropriate monitoring, is proceeding, if the public health, safety, and welfare, water resources, and the environment are adequately protected.

4. The appropriateness of using institutional or engineering controls. Site rehabilitation programs may include the use of institutional or engineering controls to eliminate the potential exposure to petroleum products' chemicals of concern to humans or the environment. Use of such controls must have prior department approval, and institutional controls may not be acquired with moneys from the fund, with the exception of the costs associated with a specific purpose survey, if needed, or a professional land survey, and costs associated with obtaining a title report and recording fees. When institutional



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or engineering controls are implemented to control exposure, the removal of such controls must have prior department approval and must be accompanied immediately by the resumption of active cleanup or other approved controls unless cleanup target levels pursuant to this paragraph have been achieved.

5. The additive effects of the petroleum products' chemicals of concern. The synergistic effects of petroleum products' chemicals of concern must also be considered when the scientific data becomes available.

6. Individual site characteristics which must include, but not be limited to, the current and projected use of the affected groundwater in the vicinity of the site, current and projected land uses of the area affected by the contamination, the exposed population, the degree and extent of contamination, the rate of contaminant migration, the apparent or potential rate of contaminant degradation through natural attenuation processes, the location of the plume, and the potential for further migration in relation to site property boundaries.

7. Applicable state water quality standards.

a. Cleanup target levels for petroleum products' chemicals of concern found in groundwater shall be the applicable state water quality standards. Where such standards do not exist, the cleanup target levels for groundwater shall be based on the minimum criteria specified in department rule. The department shall consider the following, as appropriate, in establishing the applicable minimum criteria: calculations using a lifetime cancer risk level of 1.0E-6; a hazard index of 1 or less; the best achievable detection limit; the naturally occurring background concentration; or nuisance, organoleptic, and



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aesthetic considerations.

b. Where surface waters are exposed to petroleum contaminated groundwater, the cleanup target levels for the petroleum products' chemicals of concern shall be based on the surface water standards as established by department rule. The point of measuring compliance with the surface water standards shall be in the groundwater immediately adjacent to the surface water body.

8. Whether deviation from state water quality standards or from established criteria is appropriate. The department may issue a "No Further Action Order" based upon the degree to which the desired cleanup target level is achievable and can be reasonably and cost-effectively implemented within available technologies or engineering and institutional control strategies. Where a state water quality standard is applicable, a deviation may not result in the application of cleanup target levels more stringent than the standard. In determining whether it is appropriate to establish alternate cleanup target levels at a site, the department may consider the effectiveness of source removal that has been completed at the site and the practical likelihood of the use of low yield or poor quality groundwater; the use of groundwater near marine surface water bodies; the current and projected use of the affected groundwater in the vicinity of the site; or the use of groundwater in the immediate vicinity of the storage tank area, where it has been demonstrated that the groundwater contamination is not migrating away from such localized source, if the public health, safety, and welfare, water resources, and the environment are adequately protected.



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9. Appropriate cleanup target levels for soils.

a. In establishing soil cleanup target levels for human exposure to petroleum products' chemicals of concern found in soils from the land surface to 2 feet below land surface, the department shall consider the following, as appropriate: calculations using a lifetime cancer risk level of $1.0E-6$; a hazard index of 1 or less; the best achievable detection limit; or the naturally occurring background concentration.

b. Leachability-based soil target levels shall be based on protection of the groundwater cleanup target levels or the alternate cleanup target levels for groundwater established pursuant to this paragraph, as appropriate. Source removal and other cost-effective alternatives that are technologically feasible shall be considered in achieving the leachability soil target levels established by the department. The leachability goals do not apply if the department determines, based upon individual site characteristics, that petroleum products' chemicals of concern will not leach into the groundwater at levels which pose a threat to public health, safety, and welfare, water resources, or the environment.

This paragraph does not restrict the department from temporarily postponing completion of any site rehabilitation program for which funds are being expended whenever such postponement is necessary in order to make funds available for rehabilitation of a contamination site with a higher priority status.

(12) SITE CLEANUP.—

(b) *Low-scored site initiative.*—Notwithstanding subsections (5) and (6), a site with a priority ranking score of 29 points



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or less may voluntarily participate in the low-scored site initiative regardless of whether the site is eligible for state restoration funding.

1. To participate in the low-scored site initiative, the ~~responsible party or~~ property owner, or a responsible party that provides evidence of authorization from the property owner, must submit a "No Further Action" proposal and affirmatively demonstrate that the ~~following~~ conditions under subparagraph 4. are met.÷

~~a. Upon reassessment pursuant to department rule, the site retains a priority ranking score of 29 points or less.~~

~~b. Excessively contaminated soil, as defined by department rule, does not exist onsite as a result of a release of petroleum products.~~

~~c. A minimum of 6 months of groundwater monitoring indicates that the plume is shrinking or stable.~~

~~d. The release of petroleum products at the site does not adversely affect adjacent surface waters, including their effects on human health and the environment.~~

~~e. The area of groundwater containing the petroleum products' chemicals of concern is less than one-quarter acre and is confined to the source property boundaries of the real property on which the discharge originated.~~

~~f. Soils onsite that are subject to human exposure found between land surface and 2 feet below land surface meet the soil cleanup target levels established by department rule or human exposure is limited by appropriate institutional or engineering controls.~~

2. Upon affirmative demonstration that ~~of~~ the conditions



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under subparagraph 4. are met ~~subparagraph 1.~~, the department shall issue a site rehabilitation completion order incorporating the determination of "No Further Action." proposal submitted by the property owner or the responsible party which provides evidence of authorization from the property owner ~~Such determination acknowledges that minimal contamination exists onsite and that such contamination is not a threat to the public health, safety, or welfare, water resources, or the environment.~~ If no contamination is detected, the department may issue a site rehabilitation completion order.

3. Sites that are eligible for state restoration funding may receive payment of costs for the low-scored site initiative as follows:

a. A ~~responsible party or~~ property owner, or a responsible party that provides evidence of authorization from the property owner, may submit an assessment and limited remediation plan designed to affirmatively demonstrate that the site meets the conditions under subparagraph 4 ~~subparagraph 1.~~ Notwithstanding the priority ranking score of the site, the department may approve the cost of the assessment and limited remediation, including up to 6 months and 12 months, respectively, of groundwater monitoring and limited remediation activities, in one or more task assignments, or modifications thereof, not to exceed the threshold amount provided in s. 287.017 for CATEGORY TWO, \$30,000 for each site where the department has determined that the assessment and limited remediation, if applicable, will likely result in a determination of "No Further Action." The department may not pay the costs associated with the establishment of institutional or engineering controls, with the



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exception of the costs associated with a specific purpose survey, if needed, or a professional land survey, and the costs associated with obtaining a title report and paying recording fees.

b. After the approval of initial site assessment results provided pursuant to state funding under sub-subparagraph a., the department may approve an additional amount not to exceed the threshold amount provided in s. 287.017 for CATEGORY TWO for limited remediation where needed to achieve a determination of "No Further Action."

~~c.b.~~ The assessment and limited remediation work shall be completed no later than 15 ~~6~~ months after the department authorizes the start of a state-funded, low-scored site initiative task ~~issues its approval~~. If groundwater monitoring is required after the assessment and limited remediation in order to satisfy the conditions under subparagraph 4., the department may authorize an additional 6 months to complete the monitoring.

~~d.e.~~ No more than \$15 ~~\$10~~ million for the low-scored site initiative may be encumbered from the fund in any fiscal year. Funds shall be made available on a first-come, first-served basis and shall be limited to 10 sites in each fiscal year for each ~~responsible party or~~ property owner or each responsible party that provides evidence of authorization from the property owner.

~~e.d.~~ Program deductibles, copayments, and the limited contamination assessment report requirements under paragraph (13) (d) ~~(13)(e)~~ do not apply to expenditures under this paragraph.



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417 4. The department shall issue an order incorporating the
418 "No Further Action" proposal submitted by a property owner or a
419 responsible party that provides evidence of authorization from
420 the property owner upon affirmative demonstration that all of
421 the following conditions are met:

422 a. Excessively contaminated soil, as defined by department
423 rule, does not exist onsite as a result of a release of
424 petroleum products.

425 b. A minimum of 6 months of groundwater monitoring
426 indicates that the plume is shrinking or stable.

427 c. The release of petroleum products at the site does not
428 adversely affect adjacent surface waters, including their
429 effects on human health and the environment.

430 d. The area of groundwater containing the petroleum
431 products' chemicals of concern is confined to the source
432 property boundaries of the real property on which the discharge
433 originated, or has migrated from the source property to only a
434 transportation facility of the Department of Transportation.

435 e. The groundwater contamination containing the petroleum
436 products' chemicals of concern is not a threat to any permitted
437 potable water supply well.

438 f. Soils onsite found between land surface and 2 feet below
439 land surface which are subject to human exposure meet the soil
440 cleanup target levels established in subparagraph (5)(b)9., or
441 human exposure is limited by appropriate institutional or
442 engineering controls.

443
444 Issuance of a site rehabilitation completion order under this
445 paragraph acknowledges that minimal contamination exists onsite



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and that such contamination is not a threat to the public health, safety, or welfare; water resources; or the environment. Pursuant to subsection (4), the issuance of the site rehabilitation completion order, with or without conditions, does not alter eligibility for state-funded rehabilitation which would otherwise be applicable under this section.

(13) PETROLEUM CLEANUP PARTICIPATION PROGRAM.—To encourage detection, reporting, and cleanup of contamination caused by discharges of petroleum or petroleum products, the department shall, within the guidelines established in this subsection, implement a cost-sharing cleanup program to provide rehabilitation funding assistance for all property contaminated by discharges of petroleum or petroleum products from a petroleum storage system occurring before January 1, 1995, subject to a copayment provided for in a Petroleum Cleanup Participation Program site rehabilitation agreement. Eligibility is subject to an annual appropriation from the fund. Additionally, funding for eligible sites is contingent upon annual appropriation in subsequent years. Such continued state funding is not an entitlement or a vested right under this subsection. Eligibility shall be determined in the program, notwithstanding any other provision of law, consent order, order, judgment, or ordinance to the contrary.

(a)1. The department shall accept any discharge reporting form received before January 1, 1995, as an application for this program, and the facility owner or operator need not reapply.

2. Owners or operators of property, regardless of whether ownership has changed, contaminated by petroleum or petroleum products from a petroleum storage system may apply for such



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program by filing a written report of the contamination incident, including evidence that such incident occurred before January 1, 1995, with the department. Incidents of petroleum contamination discovered after December 31, 1994, at sites which have not stored petroleum or petroleum products for consumption, use, or sale after such date shall be presumed to have occurred before January 1, 1995. An operator's filed report shall be an application of the owner for all purposes. ~~Sites reported to the department after December 31, 1998, are not eligible for the program.~~

(b) Subject to annual appropriation from the fund, sites meeting the criteria of this subsection are eligible for up to \$400,000 of site rehabilitation funding assistance in priority order pursuant to subsections (5) and (6). Sites meeting the criteria of this subsection for which a site rehabilitation completion order was issued before June 1, 2008, do not qualify for the 2008 increase in site rehabilitation funding assistance and are bound by the pre-June 1, 2008, limits. Sites meeting the criteria of this subsection for which a site rehabilitation completion order was not issued before June 1, 2008, regardless of whether they have previously transitioned to nonstate-funded cleanup status, may continue state-funded cleanup pursuant to this section until a site rehabilitation completion order is issued or the increased site rehabilitation funding assistance limit is reached, whichever occurs first. The department may not pay expenses incurred beyond the scope of an approved contract.

(c) The department may approve an additional amount up to \$100,000 for additional remediation and monitoring where needed to achieve a determination of "No Further Action."



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(d)~~(e)~~ Upon notification by the department that rehabilitation funding assistance is available for the site pursuant to subsections (5) and (6), the property owner, operator, or person otherwise responsible for site rehabilitation shall provide the department with a limited contamination assessment report and shall enter into a Petroleum Cleanup Participation Program site rehabilitation agreement with the department. ~~The agreement must provide for a 25-percent copayment by the owner, operator, or person otherwise responsible for conducting site rehabilitation. The owner, operator, or person otherwise responsible for conducting site rehabilitation shall adequately demonstrate the ability to meet the copayment obligation. The limited contamination assessment report and the copayment costs may be reduced or eliminated if the owner and all operators responsible for restoration under s. 376.308 demonstrate that they cannot financially comply with the copayment and limited contamination assessment report requirements. The department shall take into consideration the owner's and operator's net worth in making the determination of financial ability. In the event the department and the owner, operator, or person otherwise responsible for site rehabilitation cannot complete negotiation of the cost sharing agreement within 120 days after beginning negotiations, the department shall terminate negotiations and the site shall be ineligible for state funding under this subsection and all liability protections provided for in this subsection shall be revoked.~~

(e)~~(d)~~ A report of a discharge made to the department by a person pursuant to this subsection or any rules adopted pursuant



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to this subsection may not be used directly as evidence of liability for such discharge in any civil or criminal trial arising out of the discharge.

(f)~~(e)~~ This subsection does not preclude the department from pursuing penalties under s. 403.141 for violations of any law or any rule, order, permit, registration, or certification adopted or issued by the department pursuant to its lawful authority.

(g)~~(f)~~ Upon the filing of a discharge reporting form under paragraph (a), the department or local government may not pursue any judicial or enforcement action to compel rehabilitation of the discharge. This paragraph does not prevent any such action with respect to discharges determined ineligible under this subsection or to sites for which rehabilitation funding assistance is available pursuant to subsections (5) and (6).

(h)~~(g)~~ The following are excluded from participation in the program:

1. Sites at which the department has been denied reasonable site access to implement this section.

2. Sites that were active facilities when owned or operated by the Federal Government.

3. Sites that are identified by the United States Environmental Protection Agency to be on, or which qualify for listing on, the National Priorities List under Superfund. This exception does not apply to those sites for which eligibility has been requested or granted as of the effective date of this act under the Early Detection Incentive Program established pursuant to s. 15, chapter 86-159, Laws of Florida.

4. Sites for which contamination is covered under the Early



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Detection Incentive Program, the Abandoned Tank Restoration Program, or the Petroleum Liability and Restoration Insurance Program, in which case site rehabilitation funding assistance shall continue under the respective program.

Section 3. Paragraph (d) of subsection (1) and subsections (2) and (4) of section 376.30713, Florida Statutes, are amended to read:

376.30713 Advanced cleanup.—

(1) In addition to the legislative findings provided in s. 376.3071, the Legislature finds and declares:

(d) It is appropriate for a person who is responsible for site rehabilitation to share the costs associated with managing and conducting advanced cleanup, to facilitate the opportunity for advanced cleanup, and to mitigate the additional costs that will be incurred by the state in conducting site rehabilitation in advance of the site's priority ranking. Such cost sharing will result in more contaminated sites being cleaned up and greater environmental benefits to the state. This section is only available for sites eligible for restoration funding under EDI, ATRP, or PLRIP. This section is available for discharges eligible for restoration funding under the petroleum cleanup participation program for the state's cost share of site rehabilitation. ~~Applications must include a cost-sharing commitment for this section in addition to the 25-percent copayment requirement of the petroleum cleanup participation program. This section is not available for any discharge under a petroleum cleanup participation program where the 25-percent copayment requirement of the petroleum cleanup participation program has been reduced or eliminated pursuant to s.~~



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~~376.3071(13)(c).~~

(2) The department may approve an application for advanced cleanup at eligible sites, notwithstanding ~~before funding based on~~ the site's priority ranking established pursuant to s. 376.3071(5)(a), pursuant to this section. Only the facility owner or operator or the person otherwise responsible for site rehabilitation qualifies as an applicant under this section.

(a) Advanced cleanup applications may be submitted between May 1 and June 30 and between November 1 and December 31 of each fiscal year. Applications submitted between May 1 and June 30 shall be for the fiscal year beginning July 1. An application must consist of:

1. A commitment to pay 25 percent or more of the total cleanup cost deemed recoverable under this section along with proof of the ability to pay the cost share.

a. An application proposing that the department enter into a performance-based contract for the cleanup of five ~~20~~ or more sites may use a commitment to pay, a demonstrated cost savings to the department, or both to meet the cost-share requirement. For an application relying on a demonstrated cost savings to the department, the applicant shall, in conjunction with the proposed agency term contractor, establish and provide in the application the percentage of cost savings in the aggregate that is being provided to the department for cleanup of the sites under the application compared to the cost of cleanup of those same sites using the current rates provided to the department by the proposed agency term contractor. The department shall determine whether the cost savings demonstration is acceptable. Such determination is not subject to chapter 120.



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b. An application proposing that the department enter into a performance-based contract for the cleanup of an individual site may use a commitment to pay, a demonstrated cost savings to the department, or both to meet the cost-share requirement. For an individual site application relying on a demonstrated cost savings to the department, the applicant shall, in conjunction with the proposed agency term contractor, establish and demonstrate in the application a 25-percent cost savings to the department for cleanup of the site under the application compared to the cost of cleanup of the same site using the current rates provided to the department by the proposed agency term contractor. The department shall determine whether the demonstration of cost savings is acceptable. Such determination is not subject to chapter 120.

2. A nonrefundable review fee of \$250 to cover the administrative costs associated with the department's review of the application.

3. A limited contamination assessment report.

4. A proposed course of action.

5. A site access agreement from the property owner and evidence of authorization from the property owner for petroleum site rehabilitation program tasks consistent with the proposed course of action when the applicant is not the property owner of any of the sites contained in the application.

The limited contamination assessment report must be sufficient to support the proposed course of action and to estimate the cost of the proposed course of action. Costs incurred related to conducting the limited contamination assessment report are not



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refundable from the Inland Protection Trust Fund. Site eligibility under this subsection or any other provision of this section is not an entitlement to advanced cleanup or continued restoration funding. The applicant shall certify to the department that the applicant has the prerequisite authority to enter into an advanced cleanup contract with the department. The certification must be submitted with the application.

(b) The department shall rank the applications based on the percentage of cost-sharing commitment proposed by the applicant, with the highest ranking given to the applicant who proposes the highest percentage of cost sharing. If the department receives applications that propose identical cost-sharing commitments and that exceed the funds available to commit to all such proposals during the advanced cleanup application period, the department shall proceed to rerank those applicants. Those applicants submitting identical cost-sharing proposals that exceed funding availability must be so notified by the department and offered the opportunity to raise their individual cost-share commitments, in a period specified in the notice. At the close of the period, the department shall proceed to rerank the applications pursuant to this paragraph.

(4) The department may enter into contracts for a total of up to \$25 ~~\$15~~ million of advanced cleanup work in each fiscal year. However, a facility or an applicant who bundles multiple sites as specified in subparagraph (2)(a)1. may not be approved for more than \$5 million of cleanup activity in each fiscal year. A property owner or responsible party may enter into a voluntary cost-share agreement where the property owner or responsible party commits to bundle multiple sites and lists the



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facilities that will be included in those future bundles. The
facilities listed are not subject to agency term contractor
assignment pursuant to department rule. The department shall
reserve the right to terminate or amend the voluntary cost-share
agreement, for any identified site under the voluntary cost-
share agreement, if the property owner or responsible party
fails to submit an application to bundle any site under such the
voluntary cost-share agreement, not already covered by an
advance cleanup contract, within a subsequent open application
period during which it is eligible to participate. A property
owner or responsible party may not enter into a voluntary cost-
share agreement for future individual sites. For the purposes of
this section, the term "facility" includes, but is not limited
to, multiple site facilities such as airports, port facilities,
and terminal facilities even though such enterprises may be
treated as separate facilities for other purposes under this
chapter.

Section 4. This act shall take effect July 1, 2016.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled
An act relating to the Petroleum Restoration Program;
amending s. 376.305, F.S.; revising the eligibility
requirements of the Abandoned Tank Restoration
Program; deleting provisions prohibiting the relief of
liability for persons who acquired title after a



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certain date; amending s. 376.3071, F.S.; deleting an expiration date for a requirement that the Department of Environmental Protection obligate certain funds to provide payment for deductibles, copayments, and certain reports in certain circumstances; specifying that the issuance of a site rehabilitation completion order does not affect eligibility for state-funded remediation under certain circumstances; providing an exception for the payment of certain survey, title, and recording expenses; revising the conditions for eligibility and methods for payment of costs for the low-score site initiative; revising the eligibility requirements for receiving rehabilitation funding; clarifying that a change in ownership does not preclude a site from entering into the program; providing additional funding for remediation and monitoring under certain circumstances; deleting requirements for the Petroleum Cleanup Participation Program site rehabilitation agreement; amending s. 376.30713, F.S.; conforming provisions to changes made by the act; reducing the number of sites that may be proposed for certain advanced cleanup applications; providing for advanced cleanup applications for individual sites; requiring a performance-based contract for such cleanup; amending the application requirements for the advanced cleanup program; increasing the total amount for which the department may contract for advanced cleanup work in a fiscal year; authorizing property owners and responsible



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736 parties to enter into voluntary cost-share agreements
737 under certain circumstances; prohibiting property
738 owners and responsible parties from entering into such
739 agreement for future individual sites; providing an
740 effective date.



334112

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/03/2016	.	
	.	
	.	
	.	

The Committee on Appropriations (Hukill) recommended the following:

Senate Amendment (with title amendment)

Delete lines 89 - 395
and insert:

Section 2. Paragraph (b) of subsection (2), subsection (4), paragraph (b) of subsection (5), paragraph (b) of subsection (12), and subsection (13) of section 376.3071, Florida Statutes, are amended to read:

376.3071 Inland Protection Trust Fund; creation; purposes; funding.—



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(2) INTENT AND PURPOSE.—

(b) It is the intent of the Legislature that the department implement rules and procedures to improve the efficiency and productivity of the Petroleum Restoration Program. The department is directed to implement rules and policies to eliminate and reduce duplication of site rehabilitation efforts, paperwork, and documentation, and micromanagement of site rehabilitation tasks. The department shall make efficiency and productivity a priority in the administration of the Petroleum Restoration Program and to this end, when necessary, shall use petroleum program contracted services to improve the efficiency and productivity of the program. Furthermore, when implementing rules and procedures to improve such efficiency and productivity, the department shall recognize and consider the potential value of utilizing contracted inspection and professional resources to efficiently and productively administer the program.

(4) USES.—Whenever, in its determination, incidents of inland contamination related to the storage of petroleum or petroleum products may pose a threat to the public health, safety, or welfare, water resources, or the environment, the department shall obligate moneys available in the fund to provide for:

(a) Prompt investigation and assessment of contamination sites.

(b) Expeditionary restoration or replacement of potable water supplies as provided in s. 376.30(3)(c)1.

(c) Rehabilitation of contamination sites, which shall consist of cleanup of affected soil, groundwater, and inland



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surface waters, using the most cost-effective alternative that is technologically feasible and reliable and that provides adequate protection of the public health, safety, and welfare, and water resources, and that minimizes environmental damage, pursuant to the site selection and cleanup criteria established by the department under subsection (5), except that this paragraph does not authorize the department to obligate funds for payment of costs which may be associated with, but are not integral to, site rehabilitation, such as the cost for retrofitting or replacing petroleum storage systems.

(d) Maintenance and monitoring of contamination sites.

(e) Inspection and supervision of activities described in this subsection.

(f) Payment of expenses incurred by the department in its efforts to obtain from responsible parties the payment or recovery of reasonable costs resulting from the activities described in this subsection.

(g) Payment of any other reasonable costs of administration, including those administrative costs incurred by the Department of Health in providing field and laboratory services, toxicological risk assessment, and other assistance to the department in the investigation of drinking water contamination complaints and costs associated with public information and education activities.

(h) Establishment and implementation of the compliance verification program as authorized in s. 376.303(1)(a), including contracting with local governments or state agencies to provide for the administration of such program through locally administered programs, to minimize the potential for



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further contamination sites.

(i) Funding of the provisions of ss. 376.305(6) and 376.3072.

(j) Activities related to removal and replacement of petroleum storage systems, exclusive of costs of any tank, piping, dispensing unit, or related hardware, if soil removal is approved as a component of site rehabilitation and requires removal of the tank where remediation is conducted under this section or if such activities were justified in an approved remedial action plan.

(k) Reasonable costs of restoring property as nearly as practicable to the conditions which existed before activities associated with contamination assessment or remedial action taken under s. 376.303(4).

(l) Repayment of loans to the fund.

(m) Expenditure of sums from the fund to cover ineligible sites or costs as set forth in subsection (13), if the department in its discretion deems it necessary to do so. In such cases, the department may seek recovery and reimbursement of costs in the same manner and pursuant to the same procedures established for recovery and reimbursement of sums otherwise owed to or expended from the fund.

(n) Payment of amounts payable under any service contract entered into by the department pursuant to s. 376.3075, subject to annual appropriation by the Legislature.

(o) Petroleum remediation pursuant to this section throughout a state fiscal year. The department shall establish a process to uniformly encumber appropriated funds throughout a state fiscal year and shall allow for emergencies and imminent



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threats to public health, safety, and welfare, water resources, and the environment as provided in paragraph (5)(a). This paragraph does not apply to appropriations associated with the free product recovery initiative provided in paragraph (5)(c) or the advanced cleanup program provided in s. 376.30713.

(p) Enforcement of this section and ss. 376.30-376.317 by the Fish and Wildlife Conservation Commission. The department shall disburse moneys to the commission for such purpose.

(q) Payments for program deductibles, copayments, and limited contamination assessment reports that otherwise would be paid by another state agency for state-funded petroleum contamination site rehabilitation. ~~This paragraph expires July 1, 2016.~~

The issuance of a site rehabilitation completion order pursuant to subsection (5) or paragraph (12)(b) for contamination eligible for programs funded by this section does not alter the project's eligibility for state-funded remediation if the department determines that site conditions are not protective of human health under actual or proposed circumstances of exposure under subsection (5). The Inland Protection Trust Fund may ~~only~~ be used only to fund the activities in ss. 376.30-376.317 except ss. 376.3078 and 376.3079. Amounts on deposit in the fund in each fiscal year must ~~shall~~ first be applied or allocated for the payment of amounts payable by the department pursuant to paragraph (n) under a service contract entered into by the department pursuant to s. 376.3075 and appropriated in each year by the Legislature before making or providing for other disbursements from the fund. This subsection does not authorize



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the use of the fund for cleanup of contamination caused primarily by a discharge of solvents as defined in s. 206.9925(6), or polychlorinated biphenyls when their presence causes them to be hazardous wastes, except solvent contamination which is the result of chemical or physical breakdown of petroleum products and is otherwise eligible. Facilities used primarily for the storage of motor or diesel fuels as defined in ss. 206.01 and 206.86 are not excluded from eligibility pursuant to this section.

(5) SITE SELECTION AND CLEANUP CRITERIA.—

(b) It is the intent of the Legislature to protect the health of all people under actual circumstances of exposure. The secretary shall establish criteria by rule for the purpose of determining, on a site-specific basis, the rehabilitation program tasks that comprise a site rehabilitation program and the level at which a rehabilitation program task and a site rehabilitation program are completed. In establishing the rule, the department shall incorporate, to the maximum extent feasible, risk-based corrective action principles to achieve protection of the public health, safety, and welfare, water resources, and the environment in a cost-effective manner as provided in this subsection. Criteria for determining what constitutes a rehabilitation program task or completion of site rehabilitation program tasks and site rehabilitation programs shall be based upon the factors set forth in paragraph (a) and the following additional factors:

1. The current exposure and potential risk of exposure to humans and the environment including multiple pathways of exposure.



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2. The appropriate point of compliance with cleanup target levels for petroleum products' chemicals of concern. The point of compliance shall be at the source of the petroleum contamination. However, the department may temporarily move the point of compliance to the boundary of the property, or to the edge of the plume when the plume is within the property boundary, while cleanup, including cleanup through natural attenuation processes in conjunction with appropriate monitoring, is proceeding. The department may also, pursuant to criteria provided for in this paragraph, temporarily extend the point of compliance beyond the property boundary with appropriate monitoring, if such extension is needed to facilitate natural attenuation or to address the current conditions of the plume, if the public health, safety, and welfare, water resources, and the environment are adequately protected. Temporary extension of the point of compliance beyond the property boundary, as provided in this subparagraph, must include notice to local governments and owners of any property into which the point of compliance is allowed to extend.

3. The appropriate site-specific cleanup goal. The site-specific cleanup goal shall be that all petroleum contamination sites ultimately achieve the applicable cleanup target levels provided in this paragraph. However, the department may allow concentrations of the petroleum products' chemicals of concern to temporarily exceed the applicable cleanup target levels while cleanup, including cleanup through natural attenuation processes in conjunction with appropriate monitoring, is proceeding, if the public health, safety, and welfare, water resources, and the environment are adequately protected.



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185 4. The appropriateness of using institutional or
186 engineering controls. Site rehabilitation programs may include
187 the use of institutional or engineering controls to eliminate
188 the potential exposure to petroleum products' chemicals of
189 concern to humans or the environment. Use of such controls must
190 have prior department approval, and institutional controls may
191 not be acquired with moneys from the fund other than the costs
192 associated with a professional land survey or a specific purpose
193 survey, if such is needed, and costs associated with obtaining a
194 title report and recording fees. When institutional or
195 engineering controls are implemented to control exposure, the
196 removal of such controls must have prior department approval and
197 must be accompanied immediately by the resumption of active
198 cleanup or other approved controls unless cleanup target levels
199 pursuant to this paragraph have been achieved.

200 5. The additive effects of the petroleum products'
201 chemicals of concern. The synergistic effects of petroleum
202 products' chemicals of concern must also be considered when the
203 scientific data becomes available.

204 6. Individual site characteristics which must include, but
205 not be limited to, the current and projected use of the affected
206 groundwater in the vicinity of the site, current and projected
207 land uses of the area affected by the contamination, the exposed
208 population, the degree and extent of contamination, the rate of
209 contaminant migration, the apparent or potential rate of
210 contaminant degradation through natural attenuation processes,
211 the location of the plume, and the potential for further
212 migration in relation to site property boundaries.

213 7. Applicable state water quality standards.



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214 a. Cleanup target levels for petroleum products' chemicals
215 of concern found in groundwater shall be the applicable state
216 water quality standards. Where such standards do not exist, the
217 cleanup target levels for groundwater shall be based on the
218 minimum criteria specified in department rule. The department
219 shall consider the following, as appropriate, in establishing
220 the applicable minimum criteria: calculations using a lifetime
221 cancer risk level of 1.0E-6; a hazard index of 1 or less; the
222 best achievable detection limit; the naturally occurring
223 background concentration; or nuisance, organoleptic, and
224 aesthetic considerations.

225 b. Where surface waters are exposed to petroleum
226 contaminated groundwater, the cleanup target levels for the
227 petroleum products' chemicals of concern shall be based on the
228 surface water standards as established by department rule. The
229 point of measuring compliance with the surface water standards
230 shall be in the groundwater immediately adjacent to the surface
231 water body.

232 8. Whether deviation from state water quality standards or
233 from established criteria is appropriate. The department may
234 issue a "No Further Action Order" based upon the degree to which
235 the desired cleanup target level is achievable and can be
236 reasonably and cost-effectively implemented within available
237 technologies or engineering and institutional control
238 strategies. Where a state water quality standard is applicable,
239 a deviation may not result in the application of cleanup target
240 levels more stringent than the standard. In determining whether
241 it is appropriate to establish alternate cleanup target levels
242 at a site, the department may consider the effectiveness of



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source removal that has been completed at the site and the practical likelihood of the use of low yield or poor quality groundwater; the use of groundwater near marine surface water bodies; the current and projected use of the affected groundwater in the vicinity of the site; or the use of groundwater in the immediate vicinity of the storage tank area, where it has been demonstrated that the groundwater contamination is not migrating away from such localized source, if the public health, safety, and welfare, water resources, and the environment are adequately protected.

9. Appropriate cleanup target levels for soils.

a. In establishing soil cleanup target levels for human exposure to petroleum products' chemicals of concern found in soils from the land surface to 2 feet below land surface, the department shall consider the following, as appropriate: calculations using a lifetime cancer risk level of 1.0E-6; a hazard index of 1 or less; the best achievable detection limit; or the naturally occurring background concentration.

b. Leachability-based soil target levels shall be based on protection of the groundwater cleanup target levels or the alternate cleanup target levels for groundwater established pursuant to this paragraph, as appropriate. Source removal and other cost-effective alternatives that are technologically feasible shall be considered in achieving the leachability soil target levels established by the department. The leachability goals do not apply if the department determines, based upon individual site characteristics, that petroleum products' chemicals of concern will not leach into the groundwater at levels which pose a threat to public health, safety, and



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welfare, water resources, or the environment.

This paragraph does not restrict the department from temporarily postponing completion of any site rehabilitation program for which funds are being expended whenever such postponement is necessary in order to make funds available for rehabilitation of a contamination site with a higher priority status.

(12) SITE CLEANUP.—

(b) *Low-scored site initiative.*—Notwithstanding subsections (5) and (6), a site with a priority ranking score of 29 points or less may voluntarily participate in the low-scored site initiative regardless of whether the site is eligible for state restoration funding.

1. To participate in the low-scored site initiative, the ~~responsible party or~~ property owner, or a responsible party who provides evidence of authorization from the property owner, must submit a “No Further Action” proposal and affirmatively demonstrate that the ~~following~~ conditions imposed under subparagraph 4. are met.÷

~~a. Upon reassessment pursuant to department rule, the site retains a priority ranking score of 29 points or less.~~

~~b. Excessively contaminated soil, as defined by department rule, does not exist onsite as a result of a release of petroleum products.~~

~~c. A minimum of 6 months of groundwater monitoring indicates that the plume is shrinking or stable.~~

~~d. The release of petroleum products at the site does not adversely affect adjacent surface waters, including their effects on human health and the environment.~~



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~~e. The area of groundwater containing the petroleum products' chemicals of concern is less than one-quarter acre and is confined to the source property boundaries of the real property on which the discharge originated.~~

~~f. Soils onsite that are subject to human exposure found between land surface and 2 feet below land surface meet the soil cleanup target levels established by department rule or human exposure is limited by appropriate institutional or engineering controls.~~

2. Upon affirmative demonstration that ~~of~~ the conditions imposed under subparagraph 4. are met ~~subparagraph 1.~~, the department shall issue a site rehabilitation completion order incorporating the determination of "No Further Action." proposal submitted by the property owner or the responsible party, who must provide evidence of authorization from the property owner ~~Such determination acknowledges that minimal contamination exists onsite and that such contamination is not a threat to the public health, safety, or welfare, water resources, or the environment.~~ If no contamination is detected, the department may issue a site rehabilitation completion order.

3. Sites that are eligible for state restoration funding may receive payment of costs for the low-scored site initiative as follows:

a. ~~A responsible party or~~ property owner, or a responsible party who provides evidence of authorization from the property owner, may submit an assessment and limited remediation plan designed to affirmatively demonstrate that the site meets the conditions imposed under subparagraph 4 ~~subparagraph 1.~~ Notwithstanding the priority ranking score of the site, the



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department may approve the cost of the assessment and limited remediation, including up to 6 months of groundwater monitoring and 12 months of limited remediation activities in one or more task assignments or modifications thereof, not to exceed the threshold amount provided in s. 287.017 for CATEGORY TWO, \$30,000 for each site where the department has determined that the assessment and limited remediation, if applicable, will likely result in a determination of "No Further Action." The department may not pay the costs associated with the establishment of institutional or engineering controls other than the costs associated with a professional land survey or a specific purpose survey, if such is needed, and the costs associated with obtaining a title report and paying recording fees.

b. After the approval of initial site assessment results provided pursuant to state funding under sub-subparagraph a., the department may approve an additional amount not to exceed the threshold amount provided in s. 287.017 for CATEGORY TWO for limited remediation needed to achieve a determination of "No Further Action."

c.~~b.~~ The assessment and limited remediation work shall be completed no later than 15 6 months after the department authorizes the start of a state-funded, low-score site initiative task. If groundwater monitoring is required after the assessment and limited remediation in order to satisfy the conditions under subparagraph 4., the department may authorize an additional 6 months to complete the monitoring ~~issues its approval.~~

d.~~c.~~ No more than \$15 \$10 million for the low-scored site



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initiative may be encumbered from the fund in any fiscal year. Funds shall be made available on a first-come, first-served basis and shall be limited to 10 sites in each fiscal year for each ~~responsible party or~~ property owner or each responsible party who provides evidence of authorization from the property owner.

e.~~d.~~ Program deductibles, copayments, and the limited contamination assessment report requirements under paragraph (13) (d) ~~(13) (e)~~ do not apply to expenditures under this paragraph.

4. The department shall issue an order incorporating the "No Further Action" proposal submitted by a property owner or a responsible party who provides evidence of authorization from the property owner upon affirmative demonstration that all of the following conditions are met:

a. Soil saturated with petroleum or petroleum products, or soil that causes a total corrected hydrocarbon measurement of 500 parts per million or higher for the Gasoline Analytical Group or 50 parts per million or higher for the Kerosene Analytical Group, as defined by department rule, does not exist onsite as a result of a release of petroleum products.

b. A minimum of 6 months of groundwater monitoring indicates that the plume is shrinking or stable.

c. The release of petroleum products at the site does not adversely affect adjacent surface waters, including their effects on human health and the environment.

d. The area containing the petroleum products' chemicals of concern:

(I) Is confined to the source property boundaries of the



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real property on which the discharge originated; or

(II) Has migrated from the source property onto or beneath a transportation facility as defined s. 334.03(30) for which the department has approved, and governmental entity owning the transportation facility has agreed to institutional controls as defined in s. 376.301(21). This sub-sub-subparagraph does not, however, impose any legal liability on the transportation facility owner, obligate such owner to engage in remediation, or waive such owner's right to recover costs for damages.

e. The groundwater contamination containing the petroleum products' chemicals of concern is not a threat to any permitted potable water supply well.

f. Soils onsite found between land surface and 2 feet below land surface which are subject to human exposure meet the soil cleanup target levels established in subparagraph (5)(b)9., or human exposure is limited by appropriate institutional or engineering controls.

Issuance of a site rehabilitation completion order under this paragraph acknowledges that minimal contamination exists onsite and that such contamination is not a threat to the public health, safety, or welfare; water resources; or the environment. Pursuant to subsection (4), the issuance of the site rehabilitation completion order, with or without conditions, does not alter eligibility for state-funded rehabilitation that would otherwise be applicable under this section.

(13) PETROLEUM CLEANUP PARTICIPATION PROGRAM.—To encourage detection, reporting, and cleanup of contamination caused by discharges of petroleum or petroleum products, the department



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shall, within the guidelines established in this subsection, implement a cost-sharing cleanup program to provide rehabilitation funding assistance for all property contaminated by discharges of petroleum or petroleum products from a petroleum storage system occurring before January 1, 1995, subject to a copayment provided for in a Petroleum Cleanup Participation Program site rehabilitation agreement. Eligibility is subject to an annual appropriation from the fund. Additionally, funding for eligible sites is contingent upon annual appropriation in subsequent years. Such continued state funding is not an entitlement or a vested right under this subsection. Eligibility shall be determined in the program, notwithstanding any other provision of law, consent order, order, judgment, or ordinance to the contrary.

(a)1. The department shall accept any discharge reporting form received before January 1, 1995, as an application for this program, and the facility owner or operator need not reapply.

2. Regardless of whether ownership has changed, owners or operators of property that is contaminated by petroleum or petroleum products from a petroleum storage system may apply for such program by filing a written report of the contamination incident, including evidence that such incident occurred before January 1, 1995, with the department. Incidents of petroleum contamination discovered after December 31, 1994, at sites which have not stored petroleum or petroleum products for consumption, use, or sale after such date shall be presumed to have occurred before January 1, 1995. An operator's filed report shall be an application of the owner for all purposes. ~~Sites reported to the department after December 31, 1998, are not eligible for the~~



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~~program.~~

(b) Subject to annual appropriation from the fund, sites meeting the criteria of this subsection are eligible for up to \$400,000 of site rehabilitation funding assistance in priority order pursuant to subsections (5) and (6). Sites meeting the criteria of this subsection for which a site rehabilitation completion order was issued before June 1, 2008, do not qualify for the 2008 increase in site rehabilitation funding assistance and are bound by the pre-June 1, 2008, limits. Sites meeting the criteria of this subsection for which a site rehabilitation completion order was not issued before June 1, 2008, regardless of whether they have previously transitioned to nonstate-funded cleanup status, may continue state-funded cleanup pursuant to this section until a site rehabilitation completion order is issued or the increased site rehabilitation funding assistance limit is reached, whichever occurs first. The department may not pay expenses incurred beyond the scope of an approved contract.

(c) The department may also approve supplemental funding of up to \$100,000 for additional remediation and monitoring if such remediation and monitoring is necessary to achieve a determination of "No Further Action."

(d) Upon notification by the department that rehabilitation funding assistance is available for the site pursuant to subsections (5) and (6), the property owner, operator, or person otherwise responsible for site rehabilitation shall provide the department with a limited contamination assessment report and shall enter into a Petroleum Cleanup Participation Program site rehabilitation agreement with the department. The agreement must provide for a 25-percent copayment by the owner, operator, or



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person otherwise responsible for conducting site rehabilitation. The owner, operator, or person otherwise responsible for conducting site rehabilitation shall adequately demonstrate the ability to meet the copayment obligation. The limited contamination assessment report and the copayment costs may be reduced or eliminated if the owner and all operators responsible for restoration under s. 376.308 demonstrate that they cannot financially comply with the copayment and limited contamination assessment report requirements. The department shall take into consideration the owner's and operator's net worth in making the determination of financial ability. In the event the department and the owner, operator, or person otherwise responsible for site rehabilitation cannot complete negotiation of the cost-sharing agreement within 120 days after beginning negotiations, the department shall terminate negotiations and the site shall be ineligible for state funding under this subsection and all liability protections provided for in this subsection shall be revoked.

(e)~~(d)~~ A report of a discharge made to the department by a person pursuant to this subsection or any rules adopted pursuant to this subsection may not be used directly as evidence of liability for such discharge in any civil or criminal trial arising out of the discharge.

(f)~~(e)~~ This subsection does not preclude the department from pursuing penalties under s. 403.141 for violations of any law or any rule, order, permit, registration, or certification adopted or issued by the department pursuant to its lawful authority.

(g)~~(f)~~ Upon the filing of a discharge reporting form under



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paragraph (a), the department or local government may not pursue any judicial or enforcement action to compel rehabilitation of the discharge. This paragraph does not prevent any such action with respect to discharges determined ineligible under this subsection or to sites for which rehabilitation funding assistance is available pursuant to subsections (5) and (6).

(h) ~~(g)~~ The following are excluded from participation in the program:

1. Sites at which the department has been denied reasonable site access to implement this section.

2. Sites that were active facilities when owned or operated by the Federal Government.

3. Sites that are identified by the United States Environmental Protection Agency to be on, or which qualify for listing on, the National Priorities List under Superfund. This exception does not apply to those sites for which eligibility has been requested or granted as of the effective date of this act under the Early Detection Incentive Program established pursuant to s. 15, chapter 86-159, Laws of Florida.

4. Sites for which contamination is covered under the Early Detection Incentive Program, the Abandoned Tank Restoration Program, or the Petroleum Liability and Restoration Insurance Program, in which case site rehabilitation funding assistance shall continue under the respective program.

Section 3. Paragraph (d) of subsection (1), paragraph (a) of subsection (2), and subsection (4) of section 376.30713, Florida Statutes, are amended to read:

376.30713 Advanced cleanup.—

(1) In addition to the legislative findings provided in s.



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376.3071, the Legislature finds and declares:

(d) It is appropriate for a person who is responsible for site rehabilitation to share the costs associated with managing and conducting advanced cleanup, to facilitate the opportunity for advanced cleanup, and to mitigate the additional costs that will be incurred by the state in conducting site rehabilitation in advance of the site's priority ranking. Such cost sharing will result in more contaminated sites being cleaned up and greater environmental benefits to the state. This section is only available for sites eligible for restoration funding under EDI, ATRP, or PLRIP. This section is available for discharges eligible for restoration funding under the petroleum cleanup participation program for the state's cost share of site rehabilitation. Applications must include a cost-sharing commitment for this section in addition to the 25-percent-copayment requirement of the petroleum cleanup participation program. This section is not available for any discharge under a petroleum cleanup participation program where the 25-percent-copayment requirement of the petroleum cleanup participation program has been reduced or eliminated pursuant to s. 376.3071(13)(d) ~~s. 376.3071(13)(e)~~.

(2) The department may approve an application for advanced cleanup at eligible sites, notwithstanding ~~before funding based on~~ the site's priority ranking established pursuant to s. 376.3071(5)(a), pursuant to this section. Only the facility owner or operator or the person otherwise responsible for site rehabilitation qualifies as an applicant under this section.

(a) Advanced cleanup applications may be submitted between May 1 and June 30 and between November 1 and December 31 of each



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fiscal year. Applications submitted between May 1 and June 30 shall be for the fiscal year beginning July 1. An application must consist of:

1. A commitment to pay 25 percent or more of the total cleanup cost deemed recoverable under this section along with proof of the ability to pay the cost share. The department shall determine whether the cost savings demonstration is acceptable. Such determination is not subject to chapter 120.

a. Applications for the aggregate cleanup of 5 or more may be submitted in one of two formats to meet the cost-share requirement:

(I) For an aggregate application proposing that the department enter into a performance-based contract ~~for the cleanup of 20 or more sites~~ may use a commitment to pay, a demonstrated cost savings to the department, or both to meet the ~~cost-share~~ requirement.

(II) For an aggregate application relying on a demonstrated cost savings to the department, the applicant shall, in conjunction with the proposed agency term contractor, establish and provide in the application the percentage of cost savings in the aggregate that is being provided to the department for cleanup of the sites under the application compared to the cost of cleanup of those same sites using the current rates provided to the department by the proposed agency term contractor. ~~The department shall determine whether the cost savings demonstration is acceptable. Such determination is not subject to chapter 120.~~

b. Applications for the cleanup of individual sites may be submitted in one of two formats to meet the cost-share



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requirement:

(I) For an individual application proposing that the department enter into a performance-based contract may use a commitment to pay, a demonstrated cost savings to the department, or both to meet the requirement.

(II) For an individual application relying on a demonstrated cost savings to the department, the applicant shall, in conjunction with the proposed agency term contractor, establish and provide in the application a 25-percent cost savings to the department for cleanup of the site under the application compared to the cost of cleanup of the same site using the current rates provided to the department by the proposed agency term contractor.

2. A nonrefundable review fee of \$250 to cover the administrative costs associated with the department's review of the application.

3. A limited contamination assessment report.

4. A proposed course of action.

5. A site access agreement from the property owner or owners, as applicable, and evidence of authorization from such owner or owners for petroleum site rehabilitation program tasks consistent with the proposed course of action where the applicant is not the property owner for any of the sites contained in the application.

The limited contamination assessment report must be sufficient to support the proposed course of action and to estimate the cost of the proposed course of action. Costs incurred related to conducting the limited contamination assessment report are not



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refundable from the Inland Protection Trust Fund. Site eligibility under this subsection or any other provision of this section is not an entitlement to advanced cleanup or continued restoration funding. The applicant shall certify to the department that the applicant has the prerequisite authority to enter into an advanced cleanup contract with the department. The certification must be submitted with the application.

(4) The department may enter into contracts for a total of up to ~~\$25~~ ~~\$15~~ million of advanced cleanup work in each fiscal year. However, a facility or an applicant who bundles multiple sites as specified in subparagraph (2)(a)1. may not be approved for more than \$5 million of cleanup activity in each fiscal year. A property owner or responsible party may enter into a voluntary cost-share agreement in which the property owner or responsible party commits to bundle multiple sites and lists the facilities that will be included in those future bundles. The facilities listed are not subject to agency term contractor assignment pursuant to department rule. The department reserves the right to terminate or amend the voluntary cost-share agreement for any identified site under the voluntary cost-share agreement if the property owner or responsible party fails to submit an application to bundle any site, not already covered by an advance cleanup contract, under such voluntary cost-share agreement within a subsequent open application

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 7 - 16
and insert:



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649 certain date; amending s. 376.3071, F.S.; revising
650 legislative intent and purpose; deleting an expiration
651 date; revising the criteria for determining what
652 constitutes certain rehabilitation program tasks;
653 revising the conditions for eligibility and methods
654 for payment of costs for the low-scored site
655 initiative; revising the eligibility requirements for
656 receiving rehabilitation funding; specifying that the
657 issuance of a site rehabilitation completion order
658 does not alter eligibility for state-funded
659 remediation under certain circumstances; clarifying
660 that a change in ownership does not preclude a site
661 from entering into the program; providing additional
662 funding for remediation and monitoring under certain
663 circumstances; amending s. 376.30713, F.S.; revising
664 advanced cleanup application requirements;



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/03/2016	.	
	.	
	.	
	.	

The Committee on Appropriations (Hukill) recommended the following:

Senate Amendment to Amendment (334112)

Delete lines 331 - 610
and insert:
remediation, including up to 12 6 months of groundwater
monitoring and 12 months of limited remediation activities in
one or more task assignments or modifications thereof, not to
exceed the threshold amount provided in s. 287.017 for CATEGORY
TWO, \$30,000 for each site where the department has determined
that the assessment and limited remediation, if applicable, will



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likely result in a determination of "No Further Action." The department may not pay the costs associated with the establishment of institutional or engineering controls other than the costs associated with a professional land survey or a specific purpose survey, if such is needed, and the costs associated with obtaining a title report and paying recording fees.

b. After the approval of initial site assessment results provided pursuant to state funding under sub-subparagraph a., the department may approve an additional amount not to exceed the threshold amount provided in s. 287.017 for CATEGORY TWO for limited remediation needed to achieve a determination of "No Further Action."

~~c.~~ The assessment and limited remediation work shall be completed no later than 15 ~~6~~ months after the department authorizes the start of a state-funded, low-score site initiative task. If groundwater monitoring is required after the assessment and limited remediation in order to satisfy the conditions under subparagraph 4., the department may authorize an additional 12 months to complete the monitoring ~~issues its approval.~~

~~d.~~ No more than \$15 ~~\$10~~ million for the low-scored site initiative may be encumbered from the fund in any fiscal year. Funds shall be made available on a first-come, first-served basis and shall be limited to 10 sites in each fiscal year for each ~~responsible party or~~ property owner or each responsible party who provides evidence of authorization from the property owner.

~~e.~~ Program deductibles, copayments, and the limited



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contamination assessment report requirements under paragraph (13) (d) ~~(13) (e)~~ do not apply to expenditures under this paragraph.

4. The department shall issue an order incorporating the "No Further Action" proposal submitted by a property owner or a responsible party who provides evidence of authorization from the property owner upon affirmative demonstration that all of the following conditions are met:

a. Soil saturated with petroleum or petroleum products, or soil that causes a total corrected hydrocarbon measurement of 500 parts per million or higher for the Gasoline Analytical Group or 50 parts per million or higher for the Kerosene Analytical Group, as defined by department rule, does not exist onsite as a result of a release of petroleum products.

b. A minimum of 12 months of groundwater monitoring indicates that the plume is shrinking or stable.

c. The release of petroleum products at the site does not adversely affect adjacent surface waters, including their effects on human health and the environment.

d. The area containing the petroleum products' chemicals of concern:

(I) Is confined to the source property boundaries of the real property on which the discharge originated; or

(II) Has migrated from the source property onto or beneath a transportation facility as defined s. 334.03(30) for which the department has approved, and governmental entity owning the transportation facility has agreed to institutional controls as defined in s. 376.301(21). This sub-sub-subparagraph does not, however, impose any legal liability on the transportation



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69 facility owner, obligate such owner to engage in remediation, or
70 waive such owner's right to recover costs for damages.

71 e. The groundwater contamination containing the petroleum
72 products' chemicals of concern is not a threat to any permitted
73 potable water supply well.

74 f. Soils onsite found between land surface and 2 feet below
75 land surface which are subject to human exposure meet the soil
76 cleanup target levels established in subparagraph (5)(b)9., or
77 human exposure is limited by appropriate institutional or
78 engineering controls.

79
80 Issuance of a site rehabilitation completion order under this
81 paragraph acknowledges that minimal contamination exists onsite
82 and that such contamination is not a threat to the public
83 health, safety, or welfare; water resources; or the environment.
84 Pursuant to subsection (4), the issuance of the site
85 rehabilitation completion order, with or without conditions,
86 does not alter eligibility for state-funded rehabilitation that
87 would otherwise be applicable under this section.

88 (13) PETROLEUM CLEANUP PARTICIPATION PROGRAM.—To encourage
89 detection, reporting, and cleanup of contamination caused by
90 discharges of petroleum or petroleum products, the department
91 shall, within the guidelines established in this subsection,
92 implement a cost-sharing cleanup program to provide
93 rehabilitation funding assistance for all property contaminated
94 by discharges of petroleum or petroleum products from a
95 petroleum storage system occurring before January 1, 1995,
96 subject to a copayment provided for in a Petroleum Cleanup
97 Participation Program site rehabilitation agreement. Eligibility



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is subject to an annual appropriation from the fund.
Additionally, funding for eligible sites is contingent upon annual appropriation in subsequent years. Such continued state funding is not an entitlement or a vested right under this subsection. Eligibility shall be determined in the program, notwithstanding any other provision of law, consent order, order, judgment, or ordinance to the contrary.

(a)1. The department shall accept any discharge reporting form received before January 1, 1995, as an application for this program, and the facility owner or operator need not reapply.

2. Regardless of whether ownership has changed, owners or operators of property that is contaminated by petroleum or petroleum products from a petroleum storage system may apply for such program by filing a written report of the contamination incident, including evidence that such incident occurred before January 1, 1995, with the department. Incidents of petroleum contamination discovered after December 31, 1994, at sites which have not stored petroleum or petroleum products for consumption, use, or sale after such date shall be presumed to have occurred before January 1, 1995. An operator's filed report shall be an application of the owner for all purposes. ~~Sites reported to the department after December 31, 1998, are not eligible for the program.~~

(b) Subject to annual appropriation from the fund, sites meeting the criteria of this subsection are eligible for up to \$400,000 of site rehabilitation funding assistance in priority order pursuant to subsections (5) and (6). Sites meeting the criteria of this subsection for which a site rehabilitation completion order was issued before June 1, 2008, do not qualify



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for the 2008 increase in site rehabilitation funding assistance and are bound by the pre-June 1, 2008, limits. Sites meeting the criteria of this subsection for which a site rehabilitation completion order was not issued before June 1, 2008, regardless of whether they have previously transitioned to nonstate-funded cleanup status, may continue state-funded cleanup pursuant to this section until a site rehabilitation completion order is issued or the increased site rehabilitation funding assistance limit is reached, whichever occurs first. The department may not pay expenses incurred beyond the scope of an approved contract.

(c) The department may also approve supplemental funding of up to \$100,000 for additional remediation and monitoring if such remediation and monitoring is necessary to achieve a determination of "No Further Action."

(d) Upon notification by the department that rehabilitation funding assistance is available for the site pursuant to subsections (5) and (6), the property owner, operator, or person otherwise responsible for site rehabilitation shall provide the department with a limited contamination assessment report and shall enter into a Petroleum Cleanup Participation Program site rehabilitation agreement with the department. The agreement must provide for a 25-percent copayment by the owner, operator, or person otherwise responsible for conducting site rehabilitation. The owner, operator, or person otherwise responsible for conducting site rehabilitation shall adequately demonstrate the ability to meet the copayment obligation. The limited contamination assessment report and the copayment costs may be reduced or eliminated if the owner and all operators responsible for restoration under s. 376.308 demonstrate that they cannot



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156 financially comply with the copayment and limited contamination
157 assessment report requirements. The department shall take into
158 consideration the owner's and operator's net worth in making the
159 determination of financial ability. In the event the department
160 and the owner, operator, or person otherwise responsible for
161 site rehabilitation cannot complete negotiation of the cost-
162 sharing agreement within 120 days after beginning negotiations,
163 the department shall terminate negotiations and the site shall
164 be ineligible for state funding under this subsection and all
165 liability protections provided for in this subsection shall be
166 revoked.

167 (e)~~(d)~~ A report of a discharge made to the department by a
168 person pursuant to this subsection or any rules adopted pursuant
169 to this subsection may not be used directly as evidence of
170 liability for such discharge in any civil or criminal trial
171 arising out of the discharge.

172 (f)~~(e)~~ This subsection does not preclude the department
173 from pursuing penalties under s. 403.141 for violations of any
174 law or any rule, order, permit, registration, or certification
175 adopted or issued by the department pursuant to its lawful
176 authority.

177 (g)~~(f)~~ Upon the filing of a discharge reporting form under
178 paragraph (a), the department or local government may not pursue
179 any judicial or enforcement action to compel rehabilitation of
180 the discharge. This paragraph does not prevent any such action
181 with respect to discharges determined ineligible under this
182 subsection or to sites for which rehabilitation funding
183 assistance is available pursuant to subsections (5) and (6).

184 (h)~~(g)~~ The following are excluded from participation in the



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program:

1. Sites at which the department has been denied reasonable site access to implement this section.

2. Sites that were active facilities when owned or operated by the Federal Government.

3. Sites that are identified by the United States Environmental Protection Agency to be on, or which qualify for listing on, the National Priorities List under Superfund. This exception does not apply to those sites for which eligibility has been requested or granted as of the effective date of this act under the Early Detection Incentive Program established pursuant to s. 15, chapter 86-159, Laws of Florida.

4. Sites for which contamination is covered under the Early Detection Incentive Program, the Abandoned Tank Restoration Program, or the Petroleum Liability and Restoration Insurance Program, in which case site rehabilitation funding assistance shall continue under the respective program.

Section 3. Paragraph (d) of subsection (1), paragraph (a) of subsection (2), and subsection (4) of section 376.30713, Florida Statutes, are amended to read:

376.30713 Advanced cleanup.—

(1) In addition to the legislative findings provided in s. 376.3071, the Legislature finds and declares:

(d) It is appropriate for a person who is responsible for site rehabilitation to share the costs associated with managing and conducting advanced cleanup, to facilitate the opportunity for advanced cleanup, and to mitigate the additional costs that will be incurred by the state in conducting site rehabilitation in advance of the site's priority ranking. Such cost sharing



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will result in more contaminated sites being cleaned up and greater environmental benefits to the state. This section is only available for sites eligible for restoration funding under EDI, ATRP, or PLRIP. This section is available for discharges eligible for restoration funding under the petroleum cleanup participation program for the state's cost share of site rehabilitation. Applications must include a cost-sharing commitment for this section in addition to the 25-percent-copayment requirement of the petroleum cleanup participation program. This section is not available for any discharge under a petroleum cleanup participation program where the 25-percent-copayment requirement of the petroleum cleanup participation program has been reduced or eliminated pursuant to s. 376.3071(13)(d) ~~s. 376.3071(13)(e)~~.

(2) The department may approve an application for advanced cleanup at eligible sites, notwithstanding ~~before funding based on~~ the site's priority ranking established pursuant to s. 376.3071(5)(a), pursuant to this section. Only the facility owner or operator or the person otherwise responsible for site rehabilitation qualifies as an applicant under this section.

(a) Advanced cleanup applications may be submitted between May 1 and June 30 and between November 1 and December 31 of each fiscal year. Applications submitted between May 1 and June 30 shall be for the fiscal year beginning July 1. An application must consist of:

1. A commitment to pay 25 percent or more of the total cleanup cost deemed recoverable under this section along with proof of the ability to pay the cost share. The department shall determine whether the cost savings demonstration is acceptable.



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Such determination is not subject to chapter 120.

a. Applications for the aggregate cleanup of 5 or more sites may be submitted in one of two formats to meet the cost-share requirement:

(I) For an aggregate application proposing that the department enter into a performance-based contract ~~for the cleanup of 20 or more sites~~ may use a commitment to pay, a demonstrated cost savings to the department, or both to meet the ~~cost-share~~ requirement.

(II) For an aggregate application relying on a demonstrated cost savings to the department, the applicant shall, in conjunction with the proposed agency term contractor, establish and provide in the application the percentage of cost savings in the aggregate that is being provided to the department for cleanup of the sites under the application compared to the cost of cleanup of those same sites using the current rates provided to the department by the proposed agency term contractor. ~~The department shall determine whether the cost savings demonstration is acceptable. Such determination is not subject to chapter 120.~~

b. Applications for the cleanup of individual sites may be submitted in one of two formats to meet the cost-share requirement:

(I) For an individual application proposing that the department enter into a performance-based contract may use a commitment to pay, a demonstrated cost savings to the department, or both to meet the requirement.

(II) For an individual application relying on a demonstrated cost savings to the department, the applicant



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shall, in conjunction with the proposed agency term contractor, establish and provide in the application a 25-percent cost savings to the department for cleanup of the site under the application compared to the cost of cleanup of the same site using the current rates provided to the department by the proposed agency term contractor.

2. A nonrefundable review fee of \$250 to cover the administrative costs associated with the department's review of the application.

3. A limited contamination assessment report.

4. A proposed course of action.

5. A department site access agreement, or similar agreements approved by the department that do not violate state law, entered into with the property owner or owners, as applicable, and evidence of authorization from such



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/03/2016	.	
	.	
	.	
	.	

The Committee on Appropriations (Hukill) recommended the following:

Senate Amendment to Amendment (334112)

Delete line 570
and insert:
a. Applications for the aggregate cleanup of 5 or more
sites may

By Senator Simpson

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A bill to be entitled

An act relating to the Petroleum Restoration Program; amending s. 376.305, F.S.; revising the eligibility requirements of the Abandoned Tank Restoration Program; deleting provisions prohibiting the relief of liability for persons who acquired title after a certain date; amending s. 376.3071, F.S.; renaming "the low-scored site initiative" as "the low-risk site initiative"; revising the conditions for eligibility and methods for payment of costs for the low-risk site initiative; revising the eligibility requirements for receiving rehabilitation funding; clarifying that a change in ownership does not preclude a site from entering into the program; amending s. 376.30713, F.S.; reducing the number of sites that may be proposed for certain advanced cleanup applications; increasing the total amount for which the department may contract for advanced cleanup work in a fiscal year; authorizing property owners and responsible parties to enter into voluntary cost-share agreements under certain circumstances; providing an effective date.

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

Section 1. Subsection (6) of section 376.305, Florida Statutes, is amended to read:

376.305 Removal of prohibited discharges.—

(6) The Legislature created the Abandoned Tank Restoration

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

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Program in response to the need to provide financial assistance for cleanup of sites that have abandoned petroleum storage systems. For purposes of this subsection, the term "abandoned petroleum storage system" means a petroleum storage system that has not stored petroleum products for consumption, use, or sale since March 1, 1990. The department shall establish the Abandoned Tank Restoration Program to facilitate the restoration of sites contaminated by abandoned petroleum storage systems.

(a) To be included in the program:

1. An application must be submitted to the department ~~by June 30, 1996,~~ certifying that the system has not stored petroleum products for consumption, use, or sale at the facility since March 1, 1990.

2. The owner or operator of the petroleum storage system when it was in service must have ceased conducting business involving consumption, use, or sale of petroleum products at that facility on or before March 1, 1990.

3. The site is not otherwise eligible for the cleanup programs pursuant to ~~s. 376.3071 or~~ s. 376.3072.

4. The site is not otherwise eligible for the Petroleum Cleanup Participation Program under s. 376.3071(13) based on any discharge reporting form received by the department before January 1, 1995, or a written report of contamination submitted to the department on or before December 31, 1998.

(b) In order to be eligible for the program, petroleum storage systems from which a discharge occurred must be closed pursuant to department rules before an eligibility determination. However, if the department determines that the owner of the facility cannot financially comply with the

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department's petroleum storage system closure requirements and all other eligibility requirements are met, the petroleum storage system closure requirements shall be waived. The department shall take into consideration the owner's net worth and the economic impact on the owner in making the determination of the owner's financial ability. ~~The June 30, 1996, application deadline shall be waived for owners who cannot financially comply.~~

(c) Sites accepted in the program are eligible for site rehabilitation funding as provided in s. 376.3071.

(d) The following sites are excluded from eligibility:

1. Sites on property of the Federal Government;
2. Sites contaminated by pollutants that are not petroleum products; or

3. Sites where the department has been denied site access;
~~or~~
4. ~~Sites which are owned by a person who had knowledge of the polluting condition when title was acquired unless the person acquired title to the site after issuance of a notice of site eligibility by the department.~~

(e) Participating sites are subject to a deductible as determined by rule, not to exceed \$10,000.

~~This subsection does not relieve a person who has acquired title after July 1, 1992, from the duty to establish by a preponderance of the evidence that he or she undertook, at the time of acquisition, all appropriate inquiry into the previous ownership and use of the property consistent with good commercial or customary practice in an effort to minimize~~

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~~liability, as required by s. 376.308(1)(e).~~

Section 2. Paragraph (b) of subsection (12) and subsection (13) of section 376.3071, Florida Statutes, are amended, and paragraph (c) is added to subsection (12) of that section, to read:

376.3071 Inland Protection Trust Fund; creation; purposes; funding.—

(12) SITE CLEANUP.—

(b) Low-risk ~~Low-scored~~ site initiative.—Notwithstanding subsections (5) and (6), a site ~~with a priority ranking score of 29 points or less~~ may voluntarily participate in the low-risk ~~low-scored~~ site initiative regardless of whether the site is eligible for state restoration funding.

1. To participate in the low-risk ~~low-scored~~ site initiative, the ~~responsible party~~ responsible party of property owner, or a responsible party that provides evidence of authorization from the property owner, must submit a "No Further Action" proposal and affirmatively demonstrate that the following conditions under subparagraph 4. are met.

a. ~~Upon reassessment pursuant to department rule, the site retains a priority ranking score of 29 points or less.~~

b. ~~Excessively contaminated soil, as defined by department rule, does not exist onsite as a result of a release of petroleum products.~~

c. ~~A minimum of 6 months of groundwater monitoring indicates that the plume is shrinking or stable.~~

d. ~~The release of petroleum products at the site does not adversely affect adjacent surface waters, including their effects on human health and the environment.~~

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e. ~~The area of groundwater containing the petroleum products' chemicals of concern is less than one-quarter acre and is confined to the source property boundaries of the real property on which the discharge originated.~~

~~f. Soils onsite that are subject to human exposure found between land surface and 2 feet below land surface meet the soil cleanup target levels established by department rule or human exposure is limited by appropriate institutional or engineering controls.~~

2. Upon affirmative demonstration that of the conditions under subparagraph 4. are met ~~subparagraph 1.~~, the department shall issue a site rehabilitation completion order incorporating the determination of "No Further Action." proposal submitted by the property owner or the responsible party that provides evidence of authorization from the property owner ~~Such determination acknowledges that minimal contamination exists onsite and that such contamination is not a threat to the public health, safety, or welfare, water resources, or the environment.~~ If no contamination is detected, the department may issue a site rehabilitation completion order.

3. Sites that are eligible for state restoration funding may receive payment of costs for the low-risk ~~low-scored~~ site initiative as follows:

a. ~~A responsible party or property owner, or a responsible party that provides evidence of authorization from the property owner,~~ may submit an assessment and limited remediation plan designed to affirmatively demonstrate that the site meets the conditions under subparagraph 4 ~~subparagraph 1.~~ Notwithstanding the priority ranking score of the site, the department may

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approve the cost of the assessment and limited remediation, including up to 6 months of groundwater monitoring, in one or more task assignments, or modifications thereof, not to exceed the threshold amount provided in s. 287.017 for CATEGORY TWO, ~~\$30,000~~ for each site where the department has determined that the assessment and limited remediation, if applicable, will likely result in a determination of "No Further Action." The department may not pay the costs associated with the establishment of institutional or engineering controls, with the exception of the costs associated with a professional land survey or specific purpose survey, if needed, and the costs associated with obtaining a title report and paying recording fees.

b. After the approval of initial site assessment results provided pursuant to state funding under sub-subparagraph a., the department may approve an additional amount not to exceed the threshold amount provided in s. 287.017 for CATEGORY TWO for limited remediation where needed to achieve a determination of "No Further Action."

~~c.~~ The assessment and limited remediation work shall be completed no later than 9 6 months after the department authorizes the start of a state-funded, low-risk site initiative task issues its approval. If groundwater monitoring is required after the assessment and limited remediation in order to satisfy the conditions under subparagraph 4., the department may authorize an additional 6 months to complete the monitoring.

~~d.e.~~ No more than \$15 \$10 million for the low-risk low-scored site initiative may be encumbered from the fund in any fiscal year. Funds shall be made available on a first-come,

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first-served basis and shall be limited to 10 sites in each fiscal year for each ~~responsible party or~~ property owner or each responsible party that provides evidence of authorization from the property owner.

~~e.~~ Program deductibles, copayments, and the limited contamination assessment report requirements under paragraph (13)(c) do not apply to expenditures under this paragraph.

4. The department shall issue a site rehabilitation completion order incorporating the "No Further Action" proposal submitted by a property owner or a responsible party that provides evidence of authorization from the property owner upon affirmative demonstration that all of the following conditions are met:

a. Soil saturated with petroleum or petroleum products, or soil that causes a total corrected hydrocarbon measurement of 500 parts per million or higher for Gasoline Analytical Group or 50 parts per million or higher for Kerosene Analytical Group, as defined by department rule, does not exist onsite as a result of a release of petroleum products.

b. A minimum of 6 months of groundwater monitoring indicates that the plume is shrinking or stable.

c. The release of petroleum products at the site does not adversely affect adjacent surface waters, including their effects on human health and the environment.

d. The area of groundwater containing the petroleum products' chemicals of concern is confined to the source property boundaries of the real property on which the discharge originated, or has migrated from the source property to only a transportation facility of the Department of Transportation.

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e. The groundwater contamination containing the petroleum products' chemicals of concern is not a threat to any permitted potable water supply well.

f. Soils onsite found between land surface and 2 feet below land surface which are subject to human exposure meet the soil cleanup target levels established in subparagraph (5)(b)9., or human exposure is limited by appropriate institutional or engineering controls.

Issuance of a site rehabilitation completion order under this paragraph acknowledges that minimal contamination exists onsite and that such contamination is not a threat to the public health, safety, or welfare, water resources, or the environment. If the department determines that a discharge for which a site rehabilitation completion order was issued pursuant to this paragraph may pose a threat to the public health, safety, or welfare, water resources, or the environment, the issuance of the site rehabilitation completion order, with or without conditions, does not alter eligibility for state-funded rehabilitation that would otherwise be applicable under this section.

(13) PETROLEUM CLEANUP PARTICIPATION PROGRAM.—To encourage detection, reporting, and cleanup of contamination caused by discharges of petroleum or petroleum products, the department shall, within the guidelines established in this subsection, implement a cost-sharing cleanup program to provide rehabilitation funding assistance for all property contaminated by discharges of petroleum or petroleum products from a petroleum storage system occurring before January 1, 1995,

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subject to a copayment provided for in a Petroleum Cleanup Participation Program site rehabilitation agreement. Eligibility is subject to an annual appropriation from the fund. Additionally, funding for eligible sites is contingent upon annual appropriation in subsequent years. Such continued state funding is not an entitlement or a vested right under this subsection. Eligibility shall be determined in the program, notwithstanding any other provision of law, consent order, order, judgment, or ordinance to the contrary.

(a)1. The department shall accept any discharge reporting form received before January 1, 1995, as an application for this program, and the facility owner or operator need not reapply.

2. Owners or operators of property, regardless of whether ownership has changed, which is contaminated by petroleum or petroleum products from a petroleum storage system may apply for such program by filing a written report of the contamination incident, including evidence that such incident occurred before January 1, 1995, with the department. Incidents of petroleum contamination discovered after December 31, 1994, at sites which have not stored petroleum or petroleum products for consumption, use, or sale after such date shall be presumed to have occurred before January 1, 1995. An operator's filed report shall be an application of the owner for all purposes. ~~Sites reported to the department after December 31, 1998, are not eligible for the program.~~

(b) Subject to annual appropriation from the fund, sites meeting the criteria of this subsection are eligible for up to \$400,000 of site rehabilitation funding assistance in priority order pursuant to subsections (5) and (6). Sites meeting the

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criteria of this subsection for which a site rehabilitation completion order was issued before June 1, 2008, do not qualify for the 2008 increase in site rehabilitation funding assistance and are bound by the pre-June 1, 2008, limits. Sites meeting the criteria of this subsection for which a site rehabilitation completion order was not issued before June 1, 2008, regardless of whether they have previously transitioned to nonstate-funded cleanup status, may continue state-funded cleanup pursuant to this section until a site rehabilitation completion order is issued or the increased site rehabilitation funding assistance limit is reached, whichever occurs first. The department may not pay expenses incurred beyond the scope of an approved contract.

(c) Upon notification by the department that rehabilitation funding assistance is available for the site pursuant to subsections (5) and (6), the owner, operator, or person otherwise responsible for site rehabilitation shall provide the department with a limited contamination assessment report and shall enter into a Petroleum Cleanup Participation Program site rehabilitation agreement with the department. The agreement must provide for a 25-percent copayment by the owner, operator, or person otherwise responsible for conducting site rehabilitation. The owner, operator, or person otherwise responsible for conducting site rehabilitation shall adequately demonstrate the ability to meet the copayment obligation. The limited contamination assessment report and the copayment costs may be reduced or eliminated if the owner and all operators responsible for restoration under s. 376.308 demonstrate that they cannot financially comply with the copayment and limited contamination assessment report requirements. The department shall take into

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consideration the owner's and operator's net worth in making the determination of financial ability. In the event the department and the owner, operator, or person otherwise responsible for site rehabilitation cannot complete negotiation of the cost-sharing agreement within 120 days after beginning negotiations, the department shall terminate negotiations and the site shall be ineligible for state funding under this subsection and all liability protections provided for in this subsection shall be revoked.

(d) A report of a discharge made to the department by a person pursuant to this subsection or any rules adopted pursuant to this subsection may not be used directly as evidence of liability for such discharge in any civil or criminal trial arising out of the discharge.

(e) This subsection does not preclude the department from pursuing penalties under s. 403.141 for violations of any law or any rule, order, permit, registration, or certification adopted or issued by the department pursuant to its lawful authority.

(f) Upon the filing of a discharge reporting form under paragraph (a), the department or local government may not pursue any judicial or enforcement action to compel rehabilitation of the discharge. This paragraph does not prevent any such action with respect to discharges determined ineligible under this subsection or to sites for which rehabilitation funding assistance is available pursuant to subsections (5) and (6).

(g) The following are excluded from participation in the program:

1. Sites at which the department has been denied reasonable site access to implement this section.

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2. Sites that were active facilities when owned or operated by the Federal Government.

3. Sites that are identified by the United States Environmental Protection Agency to be on, or which qualify for listing on, the National Priorities List under Superfund. This exception does not apply to those sites for which eligibility has been requested or granted as of the effective date of this act under the Early Detection Incentive Program established pursuant to s. 15, chapter 86-159, Laws of Florida.

4. Sites for which contamination is covered under the Early Detection Incentive Program, the Abandoned Tank Restoration Program, or the Petroleum Liability and Restoration Insurance Program, in which case site rehabilitation funding assistance shall continue under the respective program.

Section 3. Paragraph (a) of subsection (2) and subsection (4) of section 376.30713, Florida Statutes, are amended to read:

376.30713 Advanced cleanup.—

(2) The department may approve an application for advanced cleanup at eligible sites, before funding based on the site's priority ranking established pursuant to s. 376.3071(5)(a), pursuant to this section. Only the facility owner or operator or the person otherwise responsible for site rehabilitation qualifies as an applicant under this section.

(a) Advanced cleanup applications may be submitted between May 1 and June 30 and between November 1 and December 31 of each fiscal year. Applications submitted between May 1 and June 30 shall be for the fiscal year beginning July 1. An application must consist of:

1. A commitment to pay 25 percent or more of the total

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cleanup cost deemed recoverable under this section along with proof of the ability to pay the cost share. An application proposing that the department enter into a performance-based contract for the cleanup of 10 ~~20~~ or more sites may use a commitment to pay, a demonstrated cost savings to the department, or both to meet the cost-share requirement. For an application relying on a demonstrated cost savings to the department, the applicant shall, in conjunction with the proposed agency term contractor, establish and provide in the application the percentage of cost savings in the aggregate that is being provided to the department for cleanup of the sites under the application compared to the cost of cleanup of those same sites using the current rates provided to the department by the proposed agency term contractor. The department shall determine whether the cost savings demonstration is acceptable. Such determination is not subject to chapter 120.

2. A nonrefundable review fee of \$250 to cover the administrative costs associated with the department's review of the application.

3. A limited contamination assessment report.

4. A proposed course of action.

The limited contamination assessment report must be sufficient to support the proposed course of action and to estimate the cost of the proposed course of action. Costs incurred related to conducting the limited contamination assessment report are not refundable from the Inland Protection Trust Fund. Site eligibility under this subsection or any other provision of this section is not an entitlement to advanced cleanup or continued

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restoration funding. The applicant shall certify to the department that the applicant has the prerequisite authority to enter into an advanced cleanup contract with the department. The certification must be submitted with the application.

(4) The department may enter into contracts for a total of up to \$25 ~~\$15~~ million of advanced cleanup work in each fiscal year. However, a facility or an applicant who bundles multiple sites as specified in subparagraph (2)(a)1. may not be approved for more than \$5 million of cleanup activity in each fiscal year. A property owner or responsible party may enter into a voluntary cost-share agreement in which the property owner or responsible party commits to bundle multiple sites and lists the facilities that will be included in those future bundles. The facilities listed are not subject to agency term contractor assignment pursuant to department rule. The department reserves the right to terminate the voluntary cost-share agreement if the property owner or responsible party fails to submit an application to bundle multiple sites within an open application period during which it is eligible to participate. For the purposes of this section, the term "facility" includes, but is not limited to, multiple site facilities such as airports, port facilities, and terminal facilities even though such enterprises may be treated as separate facilities for other purposes under this chapter.

Section 4. 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 Committee on Appropriations

BILL: SB 284

INTRODUCER: Senator Thompson

SUBJECT: Commercial Transactions in Fresh Produce Markets

DATE: February 2, 2016

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Akhavein	Becker	AG	Favorable
2. Brown	Pigott	AHS	Recommend: Favorable
3. Brown	Kynoch	AP	Favorable

I. Summary:

SB 284 permits an owner or operator of a market that sells fresh produce to allow a non-competing third party that has been authorized by the U.S. Department of Agriculture (USDA) to be a Supplemental Nutrition Services Program (SNAP) retailer to establish an Electronic Benefit Transfer (EBT) system to accept SNAP payments for the market's produce sellers, to the extent allowed by federal law and regulation. The bill does not require a market owner or operator to operate or maintain an EBT system for its produce sellers. It also does not prohibit an authorized Food Nutrition Service produce seller from operating its own EBT system for its own customers.

The bill has no fiscal impact to the state.

The bill has an effective date of July 1, 2016.

II. Present Situation:

According to the Food Research and Action Center, it is well documented that the SNAP program that delivers monthly benefits through EBT cards (formerly known as the federal Food Stamp Program) is beneficial to the health of children and adults and the well-being of low-income people in the United States by enhancing the food purchasing power of eligible low-income families. However, many venues, especially in low-income communities, do not accept SNAP cards.¹

The Johns Hopkins Center for a Livable Future issued a report in the summer of 2012 detailing the relationship between nutritious food, farmers' markets, and the SNAP program. The report states that low-income consumers lack access to farmers' markets because the SNAP program cannot be used at many such markets since they lack wireless terminals to process EBT sales.

¹ See <http://frac.org/wp-content/uploads/2011/06/SNAPstrategies.pdf>. (last visited October 26, 2015).

According to the Johns Hopkins report, SNAP redemptions at farmers' markets fell by half between 1992 and 2009 with the transition to EBT, which started in 1993. The report concludes that improving EBT technology at farmers' markets has the potential to improve SNAP participants' diets and health by increasing access to fresh, local fruits and vegetables.²

The federal government pays 100 percent of the SNAP benefits while the federal and state governments share administrative costs.³ The SNAP program for retailers and the certification of a retailer to use an EBT system to process SNAP payments are administered by the USDA Food and Nutrition Service.⁴

The USDA defines farmers' market as a multi-stall market at which farmer-producers sell agricultural products directly to the general public at a central or fixed location, particularly fresh fruit and vegetables (but also meat products, dairy products, and/or grains).⁵ While there has been a boom in the number of farmers' markets in the last two decades, there is still limited access for the nation's poorest consumers. Data from USDA shows there were 7,864 farmers' markets of which 1,645, about one out of five, accepted SNAP payments as of mid-year 2012.⁶

In order to encourage greater EBT participation by farmers' markets, the USDA provided grant money for a farmers' market to implement an EBT system if the market was not already an authorized SNAP retailer on or before November 18, 2011. On July 27, 2012, the Florida Department of Children and Families (DCF) announced the availability of the USDA grant money and engaged in a marketing campaign to encourage more farmers' markets to participate in EBT. That effort has resulted in fourteen markets participating in the program with one more in the implementation phase.⁷ Grant money is still available to provide EBT systems to authorized participants.

The Florida Department of Agriculture and Consumer Services (DACS) operates 12 "State Farmers' Markets" under the authority contained in s. 570.07(18), F.S. Of the 12 markets, five have retail businesses that sell products to the public and three of these have installed EBT systems at their own expense. Other farmers' markets are operated by local governments, not-for-profit organizations, private organizations, business development groups, and individuals, each of which has its own system for accepting payment for products.⁸

There are various reasons why a farmers' market might not have an EBT system. These include a decision by the owner not to accept SNAP benefits, a lack of access to electricity and phone lines needed for vendors to accept EBT cards, or a business decision not to fund the wireless technology and associated costs of implementation that are typically necessary to handle EBT sales. Southern Food Policy Advocates, an organization whose self-defined mission is to address

² See http://www.jhsph.edu/research/centers-and-institutes/johns-hopkins-center-for-a-livable-future/_pdf/projects/ffp/farm_bill/Reuniting-Snap-Participants-and-Farmers-Markets.pdf. (last visited October 26, 2015).

³ See <http://frac.org/federal-foodnutrition-programs/snapfood-stamps/>. (last visited October 26, 2015).

⁴ See SB 552 by Senator Thompson from the 2014 Legislative Session.

⁵ See <http://www.fns.usda.gov/ebt/what-farmers-market> (last visited October 26, 2015).

⁶ See <http://www.usnews.com/news/articles/2012/08/06/farmers-market-boom-not-reaching-many-food-stamp-users> (last visited October 26, 2015).

⁷ See SB 552 by Senator Thompson from the 2014 Legislative Session.

⁸ Correspondence dated October 29, 2015, from Office of Legislative Affairs, Department of Agriculture and Consumer Services. (on file with Senate Agriculture Committee).

issues concerning food, nutrition, and fitness of Floridians,⁹ points out that while the USDA program gives emphasis to farmers' markets, fresh produce is also sold at other venues, such as flea markets and open air markets.¹⁰

III. Effect of Proposed Changes:

Section 1 creates an undesignated section of Florida law relating to transactions in markets that sell fresh produce. The bill provides the following definitions: a "market" means a farmers' market, community farmers' market, flea market, or other open air market, and "SNAP" means the federal Supplemental Nutrition Assistance Program.

The bill permits an owner or operator of a market that sells fresh produce, but who is not already a SNAP retailer, to allow specified, authorized third parties, which may not be a competitor market, to accept SNAP benefits on behalf of the market's produce sellers to the extent allowed by federal law and regulation. It requires the market owner or operator to reasonably accommodate the authorized third party in the implementation and operation of an EBT system.

The bill does not apply to a market selling fresh produce whose owner or operator has a system in place for accepting SNAP benefits nor does it prohibit an authorized Food and Nutrition Service produce seller from operating its own EBT system for its customers' transactions. Finally, the bill does not require a market owner or operator to create, operate, or maintain an EBT system on behalf of its produce sellers.

Section 2 provides that the bill takes effect 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.

⁹ See <http://southfpa.blogspot.com/> (last visited October 26, 2015).

¹⁰ See SB 552 by Senator Thompson from the 2014 Legislative Session.

B. Private Sector Impact:

Under SB 284, SNAP beneficiaries will be able to use their EBT cards to purchase fresh produce at additional markets if markets selling fresh produce allow an EBT system to be established in their marketplace. Food and Nutrition Service groups, associations, or other specified parties that are authorized SNAP retailers may be able to offer EBT services at participating fresh produce markets.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates an undesignated section of Florida law.

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.

By Senator Thompson

12-00367-16

2016284__

A bill to be entitled

An act relating to commercial transactions in fresh produce markets; defining terms; authorizing owners or operators of certain farmers' markets, community farmers' markets, flea markets, and other open-air markets to allow certain Food and Nutrition Service groups, associations, or third-party organizations to implement and operate an electronic benefits transfer system in such markets for the purpose of accepting SNAP benefits; requiring the owners or operators of such markets to reasonably accommodate such groups in the implementation and operation of an electronic benefits transfer system in the market; providing applicability; providing an effective date.

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

Section 1. (1) As used in this section, the term:

(a) "Market" means a farmers' market, community farmers' market, flea market, or other open-air market.

(b) "SNAP" means the Supplemental Nutrition Assistance Program established under 7 U.S.C. ss. 2011 et seq.

(2) The owner or operator of a market selling fresh produce who is not an authorized SNAP retailer may, to the extent and manner allowed by federal law and regulation, allow an authorized Food and Nutrition Service group or association of produce sellers which is actively participating in fresh produce sales in the market, or an authorized Food and Nutrition Service third-party organization, to implement and operate an electronic

Page 1 of 2

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

12-00367-16

2016284__

benefits transfer system in the market for the purpose of accepting SNAP benefits on behalf of the market's fresh produce sellers.

(a) The market owner or operator shall reasonably accommodate the authorized Food and Nutrition Service group, association, or third-party organization in the implementation and operation of the electronic benefits transfer system.

(b) The authorized Food and Nutrition Service group, association, or third-party organization responsible for the implementation and operation of the electronic benefits transfer system may not be a competing market.

(3) This section does not:

(a) Apply to a market selling fresh produce whose owner or operator has an electronic benefits transfer system for accepting SNAP benefits in the market;

(b) Prohibit an authorized Food and Nutrition Service produce seller in a market selling fresh produce from operating his or her own electronic benefits transfer system as part of his or her customer transaction options; or

(c) Require a market owner or operator to create, operate, or maintain an electronic benefits transfer system on behalf of the market produce sellers.

Section 2. This act shall take effect July 1, 2016.

Page 2 of 2

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



The Florida Senate

Committee Agenda Request

SENATE APPROPRIATIONS
RECEIVED

16 JAN 11 AM 11:53

CLERK _____
STAFF DIR. _____ STAFF _____
TELEPHONE _____

To: Senator Tom Lee, Chair
Committee on Appropriations

Subject: Committee Agenda Request

Date: January 11, 2016

I respectfully request that **Senate Bill # 284**, relating to Commercial Transactions in Fresh Produce Markets , be placed on the:

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

A handwritten signature in blue ink that reads "Geraldine F. Thompson".

Senator Geraldine F. Thompson
Florida Senate, District 12

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 Committee on Appropriations

BILL: PCS/SB 350 (814970)

INTRODUCER: Senator Montford and others

SUBJECT: Online Procurement

DATE: February 2, 2016

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Peacock	McVaney	GO	Favorable
2. Sikes	Elwell	AED	Recommend: Fav/CS
3. Sikes	Kynoch	AP	Pre-meeting

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/SB 350 authorizes district school boards, Florida College System institution boards of trustees and university boards of trustees to make purchases through an online procurement system, electronic auction service, or other efficient procurement tool.

The bill has an indeterminate fiscal impact. Online procurement may result in costs savings for district school boards, Florida College System institution boards of trustees and university boards of trustees; however, the extent of those potential cost savings is not known.

The bill is effective July 1, 2016.

II. Present Situation:

Chapter 287, F.S., regulates state agency¹ procurement of personal property and services.² Agencies may use a variety of procurement methods, depending on the cost and characteristics

¹ As defined in s. 287.012(1), F.S., “agency” means any of the various state officers, departments, boards, commissions, divisions, bureaus, and councils and any other unit of organization, however designated, of the executive branch of state government. “Agency” does not include the university and college boards of trustees or the state universities and colleges.

² Local governments are not subject to the provisions of ch. 287, F.S. Local governmental units may look to the chapter for guidance in the procurement of goods and services, but many have local policies or ordinances to address competitive solicitations.

of the needed good or service, the complexity of the procurement, and the number of available vendors. These include the following:

- "Single source contracts," which are used when an agency determines that only one vendor is available to provide a commodity or service at the time of purchase;
- "Invitations to bid (ITB)," which are used when an agency determines that standard services or goods will meet needs, wide competition is available, and the vendor's experience will not greatly influence the agency's results;
- "Requests for proposals (RFP)," which are used when the procurement requirements allow for consideration of various solutions and the agency believes more than two or three vendors exist who can provide the required goods or services; and
- "Invitations to negotiate (ITN)," which are used when negotiations are determined to be necessary to obtain the best value and involve a request for high complexity, customized, mission-critical services, by an agency dealing with a limited number of vendors.³

Contracts for commodities or contractual services in excess of \$35,000 must be procured utilizing a competitive solicitation process.⁴ However, specified contractual services and commodities are not subject to competitive-solicitation requirements.⁵

Chapters 120 and 287, F.S., establish a process by which a person may file an action protesting a decision or intended decision pertaining to contracts administered by the Department of Management Services (DMS), a water management district, or state agencies.⁶

Online Procurement of Commodities and Contractual Services

Pursuant to s. 287.057(22), F.S., the DMS is required to maintain a program for online procurement of commodities and contractual services in consultation with the Chief Financial Officer (Department of Financial Services) and the Agency for State Technology (AST). The DMS has authority to contract for equipment and services to develop and implement online procurement in consultation with the AST and in compliance with standards of AST.⁷ The DMS is required to adopt rules for the administration of the program for online procurement.⁸ The DMS may also impose and collect fees for use of the online procurement system.⁹

The DMS's online procurement program is MyFloridaMarketPlace (MFMP). MFMP is used by the Division of State Purchasing for formal solicitations (ITB, RFP, and ITN) and by state

³ See ss. 287.012(6) and 287.057, F.S.

⁴ Section 287.057(1), F.S., requires all projects that exceed the Category Two (\$35,000) threshold contained in s. 287.017, F.S., to be competitively bid. As defined in s. 287.012(6), F.S., "competitive solicitation" means the process of requesting and receiving two or more sealed bids, proposals, or replies submitted by responsive vendors in accordance with the terms of a competitive process, regardless of the method of procurement.

⁵ See s. 287.057(3)(e), F.S.

⁶ See ss. 287.042(2)(c) and 120.57(3), F.S.

⁷ Section 287.057(22)(a), F.S. Also, see s. 282.0051(4), F.S. (AST has responsibility to perform project oversight on all state agency information technology project costs of \$10 million or more that are funded in the General Appropriations Act or other law.)

⁸ Section 287.057(22)(b), F.S. See Rules 60A-1.030-1.033, F.A.C.

⁹ Section 287.057(22)(c), F.S.

agencies for informal quotes and electronic invoicing.¹⁰ MFMP has been in operation for more than ten years.¹¹

III. Effect of Proposed Changes:

The bill authorizes district school boards, Florida College System institution boards of trustees and university boards of trustees to make purchases through an online procurement system, an electronic auction service, or other efficient procurement tools.

The bill provides an effective date of July 1, 2016.

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 a state tax shares 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:

PCS/SB 350 may have an indeterminate fiscal impact on the private sector.

C. Government Sector Impact:

The bill has an indeterminate fiscal impact on the government sector. Online procurement may result in costs savings for district school boards, Florida College System institutions and universities, but the extent of those potential cost savings is not known.

VI. Technical Deficiencies:

None.

¹⁰ Analysis from the DMS dated February 3, 2015, on file with the Committee on Governmental Oversight and Accountability.

¹¹ See http://www.dms.myflorida.com/business_operations/state_purchasing.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1010.04 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.)

Recommended CS by Appropriations Subcommittee on Education on December 3, 2015:

The committee substitute:

- Removes the definition of “online procurement” or “electronic procurement” created under s. 287.012, F.S.
- Removes the authorization for district school boards to adopt rules under s. 1001.42 (12)(i), F.S., to facilitate the efficient and effective procurement of materials, supplies, and services, including the use of online procurement as defined in the bill.
- Removes the reference to district school boards using online procurement, as defined in the bill, to facilitate the purchase of school buses and related equipment under s. 1006.27, F.S.

B. Amendments:

None.



541770

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/04/2016	.	
	.	
	.	
	.	

The Committee on Appropriations (Ring) recommended the following:

Senate Amendment (with directory and title amendments)

Between lines 13 and 14
insert:

(1)(a) Purchases and leases by school districts and Florida College System institutions shall comply with the requirements of law and rules of the State Board of Education.

(b) Before purchasing nonacademic commodities and contractual services, each district school board and Florida College System institution board of trustees shall review the



541770

purchasing agreements and state term contracts available under
s. 287.056 to determine whether it is in the school board's or
the board of trustees' economic advantage to use the agreements
and contracts. Each bid specification for nonacademic
commodities and contractual services must include a statement
indicating that the purchasing agreements and state term
contracts available under s. 287.056 have been reviewed. Each
district school board may also use the cooperative state
purchasing programs managed through the regional consortiums
service organizations pursuant to their authority under s.
1001.451(3).

(c)~~(b)~~ Purchases and leases by state universities shall
comply with the requirements of law and regulations of the Board
of Governors.

=====D I R E C T O R Y C L A U S E A M E N D M E N T=====

And the directory clause is amended as follows:

Delete lines 11 - 12
and insert:

Section 1. Subsections (1) and (2) of section 1010.04,
Florida Statutes, are amended to read:

=====T I T L E A M E N D M E N T=====

And the title is amended as follows:

Between lines 3 and 4
insert:
requiring each district school board and Florida
College System institution board of trustees to review
certain agreements and contracts before purchasing



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40 nonacademic commodities and contractual services under
41 certain circumstances to determine whether the use of
42 the agreements and contracts is economically
43 advantageous; requiring that bid specifications
44 include a specified statement; authorizing each
45 district school board to also use specified
46 cooperative state purchasing programs;



814970

576-01816-16

Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on Education)

A bill to be entitled

An act relating to procurement procedures for
educational institutions; amending s. 1010.04, F.S.;
authorizing specified educational institutions to make
purchases through an online procurement system, an
electronic auction service, or other efficient
procurement tool; providing an effective date.

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

Section 1. Subsection (2) of section 1010.04, Florida
Statutes, is amended to read:

1010.04 Purchasing.—

(2) Each district school board and Florida College System
institution board of trustees shall adopt rules, and each
university board of trustees shall adopt regulations, to be
followed in making purchases. Purchases may be made through an
online procurement system, an electronic auction service, or
other efficient procurement tool.

Section 2. 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 Committee on Appropriations

BILL: CS/SB 350

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on Education); and Senator Montford and others

SUBJECT: Online Procurement

DATE: February 3, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Peacock	McVaney	GO	Favorable
2.	Sikes	Elwell	AED	Recommend: Fav/CS
3.	Sikes	Kynoch	AP	Fav/CS

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 350 authorizes district school boards, Florida College System institution boards of trustees and university boards of trustees to make purchases through an online procurement system, electronic auction service, or other efficient procurement tool.

In addition, the bill requires each district school board and Florida College System institution board of trustees to review the purchasing agreements and state term contracts available through the Department of Management Services pursuant to s. 287.056, F.S., before purchasing nonacademic commodities and services. The bill also:

- Requires each bid specification for nonacademic commodities and services include a statement that the purchasing agreements and state term contracts have been reviewed, and
- Authorizes each district school board to use the cooperative state purchasing programs managed through the regional consortium service organizations.

The bill has an indeterminate fiscal impact. Online procurement may result in costs savings for district school boards, Florida College System institution boards of trustees and university boards of trustees. District school boards and Florida College System institutions may realize some cost savings to the extent goods and services are available at lower costs through the state term contracts and purchasing agreements. District school boards may also realize cost savings by utilizing cooperative state purchasing programs managed through regional consortium service organizations. However, the extent of these potential cost savings is not known.

The bill is effective July 1, 2016.

II. Present Situation:

Chapter 287, F.S., regulates state agency¹ procurement of personal property and services.² Agencies may use a variety of procurement methods, depending on the cost and characteristics of the needed good or service, the complexity of the procurement, and the number of available vendors. These include the following:

- "Single source contracts," which are used when an agency determines that only one vendor is available to provide a commodity or service at the time of purchase;
- "Invitations to bid (ITB)," which are used when an agency determines that standard services or goods will meet needs, wide competition is available, and the vendor's experience will not greatly influence the agency's results;
- "Requests for proposals (RFP)," which are used when the procurement requirements allow for consideration of various solutions and the agency believes more than two or three vendors exist who can provide the required goods or services; and
- "Invitations to negotiate (ITN)," which are used when negotiations are determined to be necessary to obtain the best value and involve a request for high complexity, customized, mission-critical services, by an agency dealing with a limited number of vendors.³

Contracts for commodities or contractual services in excess of \$35,000 must be procured utilizing a competitive solicitation process.⁴ However, specified contractual services and commodities are not subject to competitive-solicitation requirements.⁵

Chapters 120 and 287, F.S., establish a process by which a person may file an action protesting a decision or intended decision pertaining to contracts administered by the Department of Management Services (DMS), a water management district, or state agencies.⁶

State Contracts and Purchasing Agreements

DMS's Division of State Purchasing procures state term contracts and establishes purchasing agreements for selected products and services.⁷ Section 287.056(1), F.S., requires state agencies to purchase commodities and contractual services from purchasing agreements and state term

¹ As defined in s. 287.012(1), F.S., "agency" means any of the various state officers, departments, boards, commissions, divisions, bureaus, and councils and any other unit of organization, however designated, of the executive branch of state government. "Agency" does not include the university and college boards of trustees or the state universities and colleges.

² Local governments are not subject to the provisions of ch. 287, F.S. Local governmental units may look to the chapter for guidance in the procurement of goods and services, but many have local policies or ordinances to address competitive solicitations.

³ See ss. 287.012(6) and 287.057, F.S.

⁴ Section 287.057(1), F.S., requires all projects that exceed the Category Two (\$35,000) threshold contained in s. 287.017, F.S., to be competitively bid. As defined in s. 287.012(6), F.S., "competitive solicitation" means the process of requesting and receiving two or more sealed bids, proposals, or replies submitted by responsive vendors in accordance with the terms of a competitive process, regardless of the method of procurement.

⁵ See s. 287.057(3)(e), F.S.

⁶ See ss. 287.042(2)(c) and 120.57(3), F.S.

⁷ Section 287.042(1)(a) and (2)(a), F.S.

contracts in accordance with s. 287.057, F.S. Other eligible users of state term contracts and purchasing agreements include any local government, school board or other special district, authority, or government entity, and any independent, nonprofit college or university located within the state and accredited by the Southern Association of Colleges and Schools.⁸ Statewide contracts and purchasing agreements enable eligible users to pool their buying power to lower total costs and reduce administrative burden in the purchase of products and services.

Online Procurement of Commodities and Contractual Services

Pursuant to s. 287.057(22), F.S., the DMS is required to maintain a program for online procurement of commodities and contractual services in consultation with the Chief Financial Officer (Department of Financial Services) and the Agency for State Technology (AST). The DMS has authority to contract for equipment and services to develop and implement online procurement in consultation with the AST and in compliance with standards of AST.⁹ The DMS is required to adopt rules for the administration of the program for online procurement.¹⁰ The DMS may also impose and collect fees for use of the online procurement system.¹¹

The DMS's online procurement program is MyFloridaMarketPlace (MFMP). MFMP is used by the Division of State Purchasing for formal solicitations (ITB, RFP, and ITN) and by state agencies for informal quotes and electronic invoicing.¹² MFMP has been in operation for more than ten years.¹³

District School Boards

Purchases and leases by school districts must comply with requirements of law and rules of the State Board of Education.¹⁴ Each school district is required to establish purchasing rules.¹⁵ Section 1010.04(3), F.S., permits the district school board to purchase from current county contracts if such contracts are to the economic advantage of these entities and the county purchasing agent is authorized by law to make purchases for the benefit of other governmental agencies within the county.

Section 1001.451, F.S., authorizes school districts with 20,000 or fewer unweighted full-time equivalent students to enter into cooperative agreements to form regional consortium service organizations to provide purchasing.

Section 1006.27, F.S., requires the Department of Education to assist district school boards with procuring school buses, contractual needs, equipment, and supplies at reasonable prices by

⁸ See s. 287.056(1), F.S., and Rule 60A-1.005, F.A.C.

⁹ Section 287.057(22)(a), F.S. Also, see s. 282.0051(4), F.S. (AST has responsibility to perform project oversight on all state agency information technology project costs of \$10 million or more that are funded in the General Appropriations Act or other law.)

¹⁰ Section 287.057(22)(b), F.S. See Rules 60A-1.030-1.033, F.A.C.

¹¹ Section 287.057(22)(c), F.S.

¹² Analysis from the DMS dated February 3, 2015, on file with the Committee on Governmental Oversight and Accountability.

¹³ See http://www.dms.myflorida.com/business_operations/state_purchasing.

¹⁴ Section 1010.04(1)(a), F.S. See also s. 1001.42(12)(j), F.S.

¹⁵ Section 1010.04(2), F.S. See also Rule 6A-1.012, F.A.C.

providing a plan under which district school boards may voluntarily pool their bids for such purchases.

Section 1006.283, F.S., authorizes a consortium of school districts to implement an instructional materials program that includes purchase of instructional materials.

III. Effect of Proposed Changes:

The bill authorizes district school boards, Florida College System institution boards of trustees and university boards of trustees to make purchases through an online procurement system, an electronic auction service, or other efficient procurement tools.

The bill requires each district school board and Florida College System institution board of trustees to review the purchasing agreements and state term contracts available through the Department of Management Services under s. 287.056, F.S., before purchasing nonacademic commodities and services. The bill also:

- Requires each bid specification for nonacademic commodities and services include a statement that the purchasing agreements and state term contracts have been reviewed, and
- Authorizes each district school board to use the cooperative state purchasing programs managed through the regional consortium service organizations.

The bill provides an effective date of July 1, 2016.

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 a state tax shares 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:

CS/SB 350 may have an indeterminate fiscal impact on the private sector. The bill may shift some contracting dollars towards businesses that have entered into purchasing agreements with the Department of Management Services and vendors who hold state term contracts.

C. Government Sector Impact:

The bill has an indeterminate fiscal impact on the government sector. Online procurement may result in costs savings for district school boards, Florida College System institutions and universities. District school boards and Florida College System institutions may realize some cost savings to the extent goods and services are available at lower costs through the state term contracts and purchasing agreements. District school boards may also realize cost savings by utilizing cooperative state purchasing programs managed through regional consortium service organizations. However, the extent of these potential cost savings is not known.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1010.04 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.)

CS by Appropriations on February 3, 2016:

The committee substitute:

- Removes the definition of “online procurement” or “electronic procurement” created under s. 287.012, F.S.
- Removes the authorization for district school boards to adopt rules under s. 1001.42 (12)(i), F.S., to facilitate the efficient and effective procurement of materials, supplies, and services, including the use of online procurement as defined in the bill.
- Removes the reference to district school boards using online procurement, as defined in the bill, to facilitate the purchase of school buses and related equipment under s. 1006.27, F.S.
- Requires district school boards to review the Department of Management Services’ purchasing agreements and state term contracts prior to purchasing nonacademic commodities and contractual services, rather than requiring district school boards use

these purchasing agreements and state term contracts, and extends the review requirement to Florida College System institution boards of trustees.

- Requires each bid specification for nonacademic commodities and services include a statement that the purchasing agreements and state term contracts have been reviewed.
- Authorizes each district school board to use the cooperative state purchasing programs managed through the regional consortium service organizations.

B. Amendments:

None.

By Senator Montford

3-00261-16

2016350__

1 A bill to be entitled
 2 An act relating to online procurement; amending s.
 3 287.012, F.S.; defining the term "online procurement";
 4 amending s. 1001.42, F.S.; revising the powers and
 5 duties of the district school board to authorize the
 6 adoption of rules regarding procurement practices;
 7 amending s. 1006.27, F.S.; authorizing a district
 8 school board to use online procurement for certain
 9 services and purchases; amending s. 1010.04, F.S.;
 10 authorizing each district school board, Florida
 11 College System board of trustees, and university board
 12 of trustees to make purchases through an online
 13 procurement system; providing an effective date.
 14
 15 Be It Enacted by the Legislature of the State of Florida:
 16
 17 Section 1. Present subsections (20) through (29) of section
 18 287.012, Florida Statutes, are redesignated as subsections (21)
 19 through (30), respectively, and a new subsection (20) is added
 20 to that section, to read:
 21 287.012 Definitions.—As used in this part, the term:
 22 (20) "Online procurement" or "electronic procurement" means
 23 a competitive bid process that uses a vendor bid system, an
 24 electronic auction service, or other types of procurement that
 25 use a web-based system developed by a governmental entity or a
 26 third-party software, and that conforms to the procurement
 27 process specified in s. 287.057 or by rules adopted by the State
 28 Board of Education, school districts, or other state agencies.
 29 Section 2. Paragraph (i) of subsection (12) of section

Page 1 of 3

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3-00261-16

2016350__

30 1001.42, Florida Statutes, is amended to read:
 31 1001.42 Powers and duties of district school board.—The
 32 district school board, acting as a board, shall exercise all
 33 powers and perform all duties listed below:
 34 (12) FINANCE.—Take steps to assure students adequate
 35 educational facilities through the financial procedure
 36 authorized in chapters 1010 and 1011 and as prescribed below:
 37 (i) *Contracts for materials, supplies, and services.*—
 38 Contract for materials, supplies, and services needed for the
 39 district school system. No contract for supplying these needs
 40 shall be made with any member of the district school board, with
 41 the district school superintendent, or with any business
 42 organization in which any district school board member or the
 43 district school superintendent has any financial interest
 44 whatsoever. The district school board may adopt rules to
 45 facilitate the efficient and effective procurement of materials,
 46 supplies, and services, including the use of online procurement
 47 as defined in s. 287.012.
 48 Section 3. Subsection (1) of section 1006.27, Florida
 49 Statutes, is amended to read:
 50 1006.27 Pooling of school buses and related purchases by
 51 district school boards; transportation services contracts.—
 52 (1) The department shall assist district school boards in
 53 securing school buses, contractual needs, equipment, and
 54 supplies at as reasonable prices as possible by providing a plan
 55 under which district school boards may voluntarily pool their
 56 bids for such purchases. The department shall prepare bid forms
 57 and specifications, obtain quotations of prices and make such
 58 information available to district school boards in order to

Page 2 of 3

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

3-00261-16

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59 facilitate this service and may use online procurement, as
60 defined in s. 287.012. District school boards from time to time,
61 as prescribed by State Board of Education rule, shall furnish
62 the department with information concerning the prices paid for
63 such items and the department shall furnish to district school
64 boards periodic information concerning the lowest prices at
65 which school buses, equipment, and related supplies are
66 available based upon comparable specifications.

67 Section 4. Subsection (2) of section 1010.04, Florida
68 Statutes, is amended to read:

69 1010.04 Purchasing.—

70 (2) Each district school board and Florida College System
71 institution board of trustees shall adopt rules, and each
72 university board of trustees shall adopt regulations, to be
73 followed in making purchases. Purchases may be made through an
74 online procurement system that includes electronic auction
75 services or through other efficient procurement tools.

76 Section 5. This act shall take effect July 1, 2016.



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Agriculture, *Chair*
Appropriations Subcommittee on Education, *Vice Chair*
Appropriations
Banking and Insurance
Education Pre-K - 12
Reapportionment
Rules

SENATOR BILL MONTFORD

3rd District

January 19, 2016

Senator Tom Lee, Chair
Senate Appropriations Committee
201 The Capitol
Tallahassee, Florida 32399-1100

Dear Chair Lee:

I respectfully request that the following bills be placed on the next agenda for the Senate Appropriations Committee meeting:

SB 350 Online Procurement
SB 374 State-Leased Space

Your consideration in the matter would be greatly appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Bill Montford".

William "Bill" Montford
State Senator, District 3

WM/md

REPLY TO:

- ☐ 214 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5003
- ☐ 20 East Washington Street, Suite D, Quincy, Florida 32351 (850) 627-9100

Senate's Website: www.flsenate.gov

ANDY GARDINER
President of the Senate

GARRETT RICHTER
President Pro Tempore

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/3/14
Meeting Date

350
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Cynthia Henderson

Job Title _____

Address 108 E. Jefferson St. Suite A

Phone 850 559 0855

Street

Tallahassee

FL

32303

City

State

Zip

Email Cyhenderson@me.com

Speaking: ☒ For ☐ Against ☐ Information

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

Representing Crowne Consulting

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.

FORM 1-01-14 (01/14)

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 Committee on Appropriations

BILL: PCS/CS/SB 372 (278904)

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on General Government); Judiciary Committee; and Senator Lee

SUBJECT: Administrative Procedures

DATE: February 2, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Cibula	Cibula	JU	Fav/CS
2.	Davis	DeLoach	AGG	Recommend: Fav/CS
3.	Davis	Kynoch	AP	Pre-meeting

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Technical Changes

I. Summary:

PCS/CS/SB 372 revises the Administrative Procedure Act, which governs agency rulemaking and decision making. The most significant changes to the act by the bill:

- Require an agency to commence and complete rulemaking activities generally within 180 days after it holds a public hearing on a petition to initiate rulemaking activities on an unadopted rule and chooses to initiate rulemaking.
- Require the dissemination of additional notices of agency rulemaking activities on the Florida Administrative Register and through e-mails by an agency to its licensees and other interested persons.
- Authorize a person to challenge agency action by asserting that a rule or unadopted rule used as a basis for the agency's action is invalid.
- Require agencies to review their rules to identify rules the violation of which would constitute a minor violation and for which a notice of noncompliance will be the first enforcement action.

The bill has an indeterminate fiscal impact.

II. Present Situation:

Rulemaking and the Administrative Procedure Act

The Administrative Procedure Act (APA) in ch. 120, F.S., sets forth uniform procedures that agencies must follow when exercising rulemaking authority. A rule is an agency statement of general applicability which interprets, implements, or prescribes law or policy, including the procedure and practice requirements of an agency.¹ Rulemaking authority is delegated by the Legislature² through statute and authorizes an agency to “adopt, develop, establish, or otherwise create”³ a rule. Agencies do not have discretion whether to engage in rulemaking.⁴ To adopt a rule, an agency must have a general grant of authority to implement a specific law through rulemaking.⁵ The grant of rulemaking authority itself need not be detailed.⁶ The specific statute being interpreted or implemented through rulemaking must provide specific standards and guidelines to preclude the administrative agency from exercising unbridled discretion in creating policy or applying the law.⁷

Petition to Initiate Rulemaking Directed to an Unadopted Rule

An agency may initiate rulemaking on its own or upon a petition to initiate rulemaking by a person regulated by the agency or having a substantial interest in an agency rule.⁸ A petition to initiate rulemaking must specify the proposed rule and the action requested.⁹ If the petition relates to an unadopted rule, the agency must initiate rulemaking within 30 days or hold a public hearing on the petition. The agency, if it does not initiate rulemaking or comply with the petition, must publish a statement of its reasons for not doing so in the Florida Administrative Register within 30 days after the hearing.

If an agency chooses to hold a hearing on the petition, the agency must consider public comments relating to the scope and application of the proposed rule and consider whether the public interest is adequately served by applying the rule on a case-by-case basis instead of a formally adopted rule. If the agency elects to pursue rulemaking after the hearing, it is not subject to any deadlines for commencing or completing the rulemaking process.

Attorney Fees

The Florida Equal Access to Justice Act is intended to diminish the deterrent effect of seeking review of, or defending against governmental actions.¹⁰ Under the act, a small business that prevails in a legal action initiated by a state agency is entitled to attorney fees and costs if the

¹ Section 120.52(16), F.S.; *Florida Dep’t of Financial Services v. Capital Collateral Regional Counsel-Middle Region*, 969 So. 2d 527, 530 (Fla. 1st DCA 2007).

² *Southwest Fla. Water Mgmt. Dist. v. Save the Manatee Club, Inc.*, 773 So. 2d 594 (Fla. 1st DCA 2000).

³ Section 120.52(17), F.S.

⁴ Section 120.54(1)(a), F.S.

⁵ Sections 120.52(8) and 120.536(1), F.S.

⁶ *Southwest Fla. Water Mgmt. Dist. v. Save the Manatee Club, Inc.*, 773 So. 2d 594 at 599.

⁷ *Sloban v. Fla. Bd. of Pharmacy*, 982 So. 2d 26, 29-30 (Fla. 1st DCA 2008) (internal citations omitted); *Bd. of Trustees of the Internal Improvement Trust Fund v. Day Cruise Assoc., Inc.*, 794 So. 2d 696, 704 (Fla. 1st DCA 2001).

⁸ Section 120.54, F.S.

⁹ Section 120.54(7), F.S.

¹⁰ Section 57.111, F.S.

actions of the agency were not substantially justified or special circumstances exist which would make the award unjust. An agency action is reasonably justified if it had a reasonable basis in law and fact at the time it was initiated by a state agency.

In addition to the special attorney fee provisions in the Equal Access to Justice Act, the APA authorizes the recovery of attorney fees when:

- A non-prevailing party has participated for an improper purpose;
- An agency's actions are not substantially justified;
- An agency relies upon an unadopted rule and is successfully challenged after 30 days' notice of the need to adopt rules; and
- An agency loses an appeal in a proceeding challenging an unadopted rule.¹¹

An agency defense to attorney fees available in actions challenging agency statements defined as rules is that the agency did not know and should not have known that the agency statement was an unadopted rule. Additionally, attorney fees in such actions may be awarded only upon a finding that the agency received notice that the agency statement may constitute an unadopted rule at least 30 days before a petition challenging the agency statement is filed, and the agency fails to publish a notice of rulemaking within that 30 day period.¹²

The authorization for attorney fees in the Equal Access to Justice Act supplement other statutes authorizing attorney fees.¹³

Notice of Rules

Under current law, the Department of State (DOS) is required to publish the Florida Administrative Register on the Internet.¹⁴ This document must contain:

- Notices relating to the adoption or repeal of a rule.
- Notices of public meetings, hearing, and workshops.
- Notices of requests for authorization to amend or repeal an existing rule or for the adoption of a new uniform rule.
- Notices of petitions for declaratory statements or administrative determinations.
- Summaries of objections to rules filed by the Administrative Procedures Committee.
- Other material required by law or deemed useful by the department.

Additionally, DOS allows users of its e-rulemaking website to subscribe to receive free e-mail notification of notices submitted by agencies.¹⁵

Burden of Proof

In general, laws carry a presumption of validity, and those challenging the validity of a law carry the burden of proving invalidity. The APA retains this presumption of validity by requiring those

¹¹ Section 120.595, F.S.

¹² Section 120.595(4)(b), F.S.

¹³ See s. 120.595(6), F.S. (providing that a statute authorizing attorney fees in challenges to agency actions does not affect the availability of attorney fees and costs under other statutes including ss. 57.105, and 57.111, F.S.).

¹⁴ Section 120.55, F.S.

¹⁵ See Florida Department of State, Florida Administrative Code & Florida Administrative Register, *FLRules FAQ* at <https://www.flrules.org/Help/newHelp.asp#sub> (last visited Nov. 10, 2015).

challenging adopted rules to carry the burden of proving a rule's invalidity.¹⁶ However, in the case of proposed rules, the APA places the burden on the agency to demonstrate the validity of the rule as proposed, once the challenger has raised specific objections to the rule's validity.¹⁷ In addition, a rule may not be filed for adoption until any pending challenge is resolved.¹⁸

In the case of a statement or policy in force that was not adopted as a rule, a challenger must prove that the statement or policy meets the definition of a rule under the APA. If so, and if the statement or policy has not been validly adopted, the agency must prove that rulemaking is not feasible or practicable.¹⁹

Rulemaking is presumed feasible unless the agency proves that:

- The agency needs more time to obtain the knowledge and experience to reasonably address a statement by rulemaking.
- Related matters must be sufficiently resolved before the agency can engage in rulemaking.²⁰

Additionally, rulemaking is presumed practicable unless the agency proves that:

- Detail or precision in the establishment of principles, criteria, or standards for agency decisions is not reasonable under the circumstances.
- The particular questions addressed are of such a narrow scope that more specific resolution of the matter is impractical outside of an adjudication based on individual circumstances.²¹

Proceedings Involving Rule Challenges

The APA presently applies different procedures in rule challenges when proposed rules, existing rules, and unadopted rules are challenged by petition, compared to a challenge to the validity of an existing rule, or an unadopted rule defensively in a proceeding initiated by agency action. In addition to the attorney fees awardable to small businesses under the Equal Access to Justice Act, the APA provides attorney fee awards when a party petitions for the invalidation of a rule or unadopted rule, but not when the same successful legal case is made in defense of an enforcement action or grant or denial of a permit or license.

The APA does provide that an administrative law judge with the Division of Administrative Hearings (DOAH) may determine that an agency has attempted to rely on an unadopted rule in proceedings initiated by agency action. However, this is qualified by a provision that an agency may overrule the DOAH determination if it's clearly erroneous. If the agency rejects the DOAH determination and is later reversed on appeal, the challenger is awarded attorney fees for the entire proceeding.²² Additionally, in proceedings initiated by agency action, if a DOAH judge determines that a rule constitutes an invalid exercise of delegated legislative authority the agency has full de novo authority to reject or modify such conclusions of law, provided the final order states with particularity the reasons for rejecting or modifying the determination.²³

¹⁶ Section 120.56(3), F.S.

¹⁷ Section 120.56(2), F.S.

¹⁸ Section 120.54(3)(e)2., F.S.

¹⁹ Section 120.56(4), F.S.

²⁰ Section 120.54(1)(a)1., F.S.

²¹ Section 120.54(1)(a)2., F.S.

²² Section 120.57(1)(e)3., F.S.

²³ Section 120.57(1)(k-l), F.S.

In proceedings initiated by a party challenging a rule or unadopted rule, the DOAH judge enters a final order that cannot be overturned by the agency. The only appeal is to the District Court of Appeal.

Final Orders

An agency has 90 days to render a final order in any proceeding, after the hearing if the agency conducts the hearing, or after the recommended order is submitted to the agency if DOAH conducts the hearing (excepting the rule challenge proceedings described above in which the DOAH judge enters the final order).

Judicial Review

A notice of appeal of an appealable order under the APA must be filed within 30 days after the rendering of the order.²⁴ An order, however, is rendered when filed with the agency clerk. On occasion, a party might not receive notice of the order in time to meet the 30 day appeal deadline. Under the current statute, a party may not seek judicial review of the validity of a rule by appealing its adoption, but the statute authorizes an appeal from a final order in a rule challenge.²⁵

Minor Violations

The APA directs agencies to issue a “notice of noncompliance” as the first response when the agency encounters a first minor violation of a rule.²⁶ The law provides that a violation is a minor violation if it “does not result in economic or physical harm to a person or adversely affect the public health, safety, or welfare or create a significant threat of such harm.” Agencies are authorized to designate those rules for which a violation would be a minor violation. An agency’s designation of rules under the provision is excluded from challenge under the APA but may be subject to review and revision by the Governor or Governor and Cabinet.²⁷ An agency under the direction of a cabinet officer has the discretion not to use the “notice of noncompliance” once each licensee is provided a copy of all rules upon issuance of a license, and annually thereafter.

Rules Ombudsman

Section 288.7015, F.S., requires the Governor to appoint a rules ombudsman in the Executive Office of the Governor, for considering the impact of agency rules on the state’s citizens and businesses. The rules ombudsman must carry out the duties related to rule adoption procedures with respect to small businesses; review state agency rules that adversely or disproportionately impact businesses, particularly those relating to small and minority businesses; and make

²⁴ Section 120.68(2)(a), F.S.

²⁵ Section 120.68(9), F.S.

²⁶ Section 120.695, F.S. The statute contains the following legislative intent: “It is the intent of the Legislature that an agency charged with enforcing rules shall issue a notice of noncompliance as its first response to a minor violation of a rule in any instance in which it is reasonable to assume that the violator was unaware of the rule or unclear as to how to comply with it.”

²⁷ Section 120.695(2)(c), (d), F.S. The statute provides for final review and revision of these agency designations to be at the discretion of elected constitutional officers.

recommendations on any existing or proposed rules to alleviate unnecessary or disproportionate adverse effects to business. Each state agency must cooperate fully with the rules ombudsman in identifying such rules, and take the necessary steps to waive, modify, or otherwise minimize such adverse effects of any such rules.

III. Effect of Proposed Changes:

Deadlines for Rulemaking Following Public Hearing on an Unadopted Rule (Section 1)

Under existing law, s. 120.54, F.S., there are no statutory deadlines for an agency to commence or complete rulemaking after a public hearing on a petition to initiate rulemaking which was directed to an unadopted rule. The bill requires an agency to commence the rulemaking process by publishing a notice of rule development within 30 days after the hearing and generally requires agencies to publish a notice of proposed rule within 180 days after the hearing.

Additionally, the bill prohibits an agency from relying on the unadopted rule during the rulemaking process following the public hearing unless the agency publishes in the Florida Administrative Register an explanation of why rulemaking is not feasible or practicable until the conclusion of the rulemaking proceeding. Under existing s. 120.54(1)(a), F.S., an agency's failure to engage in rulemaking is excusable if the agency proves that rulemaking is not feasible or practicable.²⁸

Dissemination of Notices Rulemaking Activities (Section 2)

The bill adds the following to the list of items that must be published by the Department of State in the Florida Administrative Register:

- Notices of rule development and rule development workshops.
- Notices of negotiated rulemaking.
- A list of all rules filed for adoption within the previous seven days.
- A list of rules filed for legislative ratification.

The bill also requires agencies that provide an e-mail notification service to licensees and other registered recipients of notices to use that service to provide notice of the following rulemaking activities:

- Rule development and rule development workshops.
- Negotiated rulemaking.
- The intent to adopt, amend, or repeal a rule.
- Public hearings on a propose rule.
- Changes to a proposed rule.
- The withdrawal of a proposed rule.

The notices above must also include links to a website containing the proposed or final rule.

²⁸ The extent to which an agency's explanation or failure to provide an explanation may impact agency enforcement actions or challenges to an unadopted rule is not clear.

The bill further provides (lines 222-224) that the failure to comply with the requirements to publish notice of rulemaking activities may not be raised in a proceeding to challenge a rule. This statement effectively means that the violation of the publication requirements is not a legally sufficient ground for the invalidation of a rule.²⁹

Rule Challenges (Section 3)

The bill revises several subsections of s. 120.56, F.S., which set forth the pleading requirements for a petition challenging a proposed, adopted, or unadopted rule. The changes made by the bill appear to be a rewording without any substantive changes, but the changes could be interpreted as a reduction in the pleading requirements for a person challenging a rule.³⁰

General Procedures

Existing s. 120.56(1), F.S., which sets forth the general procedures for rule challenges, requires a person who challenges an agency rule or proposed rule as an invalid exercise of delegated legislative authority to file a petition stating:

...with *particularity* the provisions alleged to be invalid with *sufficient explanation* of the facts or grounds for the alleged invalidity and facts sufficient to show that the person challenging a rule is substantially affected by it, or that the person challenging a proposed rule would be substantially affected by it.

The bill revises s. 120.56(1), F.S., to refer to the “particular” provisions alleged to be invalid and a “statement,” instead of a sufficient explanation, of the facts or grounds for the alleged invalidity. However, the bill still requires a petitioner to be substantially affected by a rule or proposed rule.

Special Provisions for Proposed Rules

Existing s. 120.56(2), F.S., which sets forth special provisions for challenges to proposed rules, requires the petition challenging a proposed rule to “*state with particularity* the objections to the proposed rule and the reasons that the proposed rule is an invalid exercise of delegated legislative authority.” The statute further states that the “petitioner has the burden of going forward.” Case law interpreted these provisions as imposing a burden on a party challenging a proposed rule to establish the factual basis for its objections to the rule.³¹

The bill replaces the particularity requirement in s. 120.56(2), F.S., with the general provisions in subsection (1) which require a petition challenging a proposed rule to include a statement of the

²⁹ Compare s. 120.56(1)(c), F.S., which states in part, “The failure of an agency to follow the applicable rulemaking procedures set forth in this chapter shall be presumed to be material.”

³⁰ One argument that the deletion of the word “particularity” as it relates to the pleading requirements in a rule challenge, is a substantive change, not a rewording, is that the bill does not eliminate similar particularity requirements imposed on agencies in ss. 120.545, 120.569, 120.57, and 120.60, F.S.

³¹ *St. Johns River Water Management Dist. v. Consolidated-Tamoka Land Co.* 717 So. 2d 72, 76-77 (Fla 1st DCA 1998) (superseded by statute on other grounds). Once the petitioner’s burden is met, ‘the agency has the ultimate burden of persuasion to show that the proposed rule is a valid exercise of delegated legislative authority.’ *Id.*

facts or grounds for the alleged invalidity. Instead of a burden of going forward with the evidence supporting its objections, the bill provides that the petitioner has a burden “to prove by a preponderance of the evidence that it would be substantially affected by the proposed rule.”

Challenges to Unadopted Rules

Existing s. 120.56(4), F.S., sets forth special provisions for challenges to unadopted rules. The subsection, requires a petition to “*state with particularity* facts sufficient to show that the statement constitutes” an unadopted rule. The bill deletes the words “with particularity” but still requires the petition to state sufficient facts.

Agency Decisions Based on an Unadopted Rule or Invalid Rule (Section 4)

Hearings Involving Disputed Facts

The bill expressly authorizes a person to challenge an agency action proposing to determine his or her substantial interests by asserting that the agency’s action is based on an invalid rule or an unadopted rule. This challenge is subject to the procedures governing rule challenges. The bill also allows an administrative law judge to consolidate a rule challenge with a proceeding to determine a person’s substantial interests.³²

The consolidation of a rule challenge with a substantial interest proceeding will likely shorten the time period that would have been available for discovery activities.³³ Existing s. 120.56(1)(c), F.S., requires an administrative law judge to conduct a hearing on a rule challenge within 40 days after the filing of a petition challenging a rule, unless a continuance is granted for good cause shown. However, hearings on a petition to challenge an agency action to determine a person’s substantial interests are not subject to a statutory deadline.³⁴

The bill in its revisions to the law governing hearings involving disputed issues of fact also provides that a petition may pursue a separate rule challenge even if an adequate remedy exists in the hearing to determine the petitioner’s substantial interests.³⁵

³² Consolidation of proceedings is currently allowed under Rule 28-106.108 of the Florida Administrative Code which states:
If there are separate matters which involve similar issues of law or fact, or identical parties, the matters may be consolidated if it appears that consolidation would promote the just, speedy, and inexpensive resolution of the proceedings, and would not unduly prejudice the rights of a party.

³³ The consolidation of proceedings may also shorten time periods for the issuance of a final order. The final order in a rule challenge must be issued within 30 days after the hearing. Section 120.56(1)(d), F.S. The final order in a hearing under s. 120.57(1), F.S., that doesn’t contain a rule challenge component is not due for at least 90 days after the hearing. Section 120.569(2)(l), F.S.

³⁴ Section 120.569(2)(o), F.S., describes the timeframes for a typical hearing under s. 120.57(1), F.S., as follows:
On the request of any party, the administrative law judge shall enter an initial scheduling order to facilitate the just, speedy, and inexpensive determination of the proceeding. The initial scheduling order shall establish a discovery period, including a deadline by which all discovery shall be completed, and the date by which the parties shall identify expert witnesses and their opinions. The initial scheduling order also may require the parties to meet and file a joint report by a date certain.

³⁵ The bill, however, does not clearly indicate whether a person could assert both a rule challenge during a substantial interest hearing and during a separate rule challenge proceeding. The Legislature may wish to consider whether only one rule challenge proceeding should be authorized.

Hearings Not Involving Disputed Facts

Existing s. 120.57(2), F.S., provides additional procedures for hearings not involving disputed issues of material fact. The bill adds to that subsection a statement prohibiting an agency from basing its decisions on an unadopted rule or a rule that is an invalid exercise of delegated legislative authority. The prohibition, however, appears to be a restatement of the limits on an agency's authority as opposed to a new, substantive requirement.

Unlike the bill's changes to s. 120.57(1), F.S., the changes to s. 120.57(2), F.S., do not expressly authorize a person to challenge a rule or unadopted rule used as the basis of an agency's action.³⁶ Additionally, nothing in the bill appears to allow an administrative law judge to consolidate a rule challenge with a hearing before an agency hearing officer which does not involve disputed facts. As such, a person likely must file a separate rule challenge petition with the Division of Administrative Hearings to assert the invalidity of a rule or unadopted rule that an agency is using as a basis for an agency decision in a proceeding not involving disputed facts.

Judicial Review (Section 5)

Existing s. 120.68, F.S., sets forth a person's rights to seek judicial review of final agency action and other preliminary, procedural, or intermediate orders of an agency or administrative law judge. The revisions by section 5 of the bill authorize a person to seek judicial review of orders resolving a challenge to a rule during a substantial interest hearing involving a disputed issue of material fact and a similar order issued during a hearing not involving a disputed issue of material fact.

Section 4 of the bill expressly authorizes a person to assert a rule challenge during a substantial interest hearing involving a disputed issue of material fact, which is a hearing under s. 120.57(1), F.S., and provides procedures for raising and adjudicating those challenges. However, the bill does not provide similar procedures for a rule challenge raised during a hearing not involving a disputed issue of material fact under s. 120.57(2), F.S. As a result, how a rule challenge will be raised and resolved during a hearing under s. 120.57(2), F.S., is not clear. The lack of procedures for raising and resolving a rule challenge during a hearing under s. 120.57(2), F.S., implies that section 5 gives appellate courts jurisdiction over a rule challenge raised for the first time during the appeal of an order from a hearing conducted under s. 120.57(2), F.S.

Minor Rule Violations (Section 6)

Existing s. 120.695, F.S., required most agencies to review their rules and designate those for which a violation would be a minor violation and for which a notice of noncompliance must be the first enforcement action taken. This review was required to have been completed by December 1, 1995, for some agencies and by January 1, 1996, for other agencies. The bill requires agencies to perform a similar review by June 30, 2017, and within 3 months after a request by the rules ombudsman in the Executive Office of the Governor. Similarly, for each rule

³⁶ Although s. 120.57(2), F.S., as amended by the bill, does not expressly authorize a rule challenge in a proceeding not involving a disputed issue of material fact, section 5 of the bill suggests that the bill may have been intended to allow those challenges. Section 5 allows a person to seek judicial review of an order issued under s. 120.57(2)(b), F.S., resulting from a rule challenge. If the Legislature intends to allow rule challenges under s. 120.57(2)(b), F.S., it may wish to set forth additional procedures governing those challenges.

filed for adoption, an agency head must certify whether a violation of the rule constitutes a minor rule violation.

Each agency must publish a list of all rules the violation of which is a minor violation on their websites and incorporate them in their disciplinary guidelines adopted as a rule. Agencies must also ensure that their investigative and enforcement personnel are knowledgeable about minor rule violations.

Technical Changes (Section 7)

Section 7 makes a technical change conforming a cross-reference to other changes made by the bill.

Effective Date (Section 8)

The bill takes effect 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:

PCS/CS/SB 372, if interpreted as lowering the pleading requirements for a rule challenge petition, may facilitate challenges to agency rules by persons regulated or substantially affected by agency actions. However, the bill may simplify the resolution of disputes by expressly authorizing the consolidation of rule challenges and substantial interest hearings under s. 120.57(1), F.S.

C. Government Sector Impact:

The bill has an indeterminate fiscal impact. The bill may require some additional workload on state agencies and a minimal increase in expenditures related to state

agencies filing more frequently in the Florida Administrative Register, email notifications, and publications on the agency's website. However, the impact is likely insignificant and can be absorbed within existing resources.

In addition, this bill, if interpreted as lowering the pleading requirements for a rule challenge petition, may facilitate challenges to agency rules by persons regulated or substantially affected by agency actions, which would have an indeterminate fiscal impact resulting from additional litigation and costs.

VI. Technical Deficiencies:

There are several potentially ambiguous provisions in this bill, all of which are noted in the Effect of Proposed Changes section of this bill analysis.

VII. Related Issues:

After the 2015 Session, Governor Scott vetoed HB 435 (2015), relating to administrative procedures. The Governor explained the basis of his objections as follows:

This bill alters the long-standing deference granted to agencies by shifting final action authority to an administrative law judge. This change has the potential to result in prolonged litigation impeding an agency's ability to perform core functions like sanctioning bad actors and protecting public health and safety. These changes create a situation that could paralyze agency rulemaking, delay enforcement actions, and create a backlog of court cases at an increased cost to the taxpayer.³⁷

Although the bill has some commonality with HB 435 (2015), it does not contain the provisions that would have shifted final action authority from an agency to an administrative law judge.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 120.54, 120.55, 120.56, 120.57, 120.68, 120.695, and 120.595.

IX. Additional Information:

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

Recommended CS/CS by Appropriations Subcommittee on General Government on January 13, 2016:

Makes two technical changes. The bill prohibits an agency from relying on an unadopted rule during the rulemaking process following the public hearing unless the agency publishes in the Florida Administrative Register an explanation of why rulemaking was not feasible or practicable before the hearing. The first technical amendment requires a

³⁷ Veto of Fla. CS for CS for CS for HB 435 (2015) (letter from Gov. Rick Scott to Sec'y of State Kenneth W. Detzner, June 16, 2015) available at <http://www.flgov.com/wp-content/uploads/2015/06/Transmittal-Letter-6.16.15-HB-435.pdf>.

published explanation of why rulemaking is not feasible or practicable until the conclusion of the rulemaking hearing. The second technical amendment corrects a cross reference in the bill.

CS by Judiciary on November 17, 2015:

The changes to s. 120.57(2), F.S., made by the committee substitute, may lower the pleading requirements for a challenge to a proposed agency rule. Under the amendment, a petitioner must prove by the preponderance of the evidence that the petitioner would be substantially affected by the proposed rule. In contrast, the underlying bill provided that the petitioner had the burden of going forward with evidence sufficient to support the rule challenge petition, which appeared to relate to the petitioner's factual basis for its objections to the proposed rule.

B. Amendments:

None.



853154

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/04/2016	.	
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The Committee on Appropriations (Lee) recommended the following:

Senate Amendment (with title amendment)

Between lines 597 and 598
insert:

Section 7. Section 403.8141, Florida Statutes, is amended
to read:

403.8141 Special event permits.—

(1) The department shall issue permits for special events
under s. 253.0345. The permits must be for a period that runs
concurrently with the lease or letter of consent issued pursuant
to s. 253.0345 and must allow for the movement of temporary



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structures within the footprint of the lease area.

(2) Administrative challenges to any proposed regulatory permits related to special events are subject to the summary hearing provisions of s. 120.574, except that the summary proceeding must be conducted within 30 days after a party files a motion for a summary hearing, regardless of whether the parties agree to the summary proceeding.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete line 38

and insert:

notice; providing applicability; amending s. 403.8141,
F.S.; providing that administrative challenges to
proposed regulatory permits related to special events
are subject to certain summary hearing provisions;
amending s. 120.595,



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Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on General Government)

A bill to be entitled

An act relating to administrative procedures; amending s. 120.54, F.S.; providing procedures for agencies to follow when initiating rulemaking after certain public hearings; limiting reliance upon an unadopted rule in certain circumstances; amending s. 120.55, F.S.; providing for publication of notices of rule development and of rules filed for adoption; providing for additional notice of rule development, proposals, and adoptions in the Florida Administrative Register; requiring certain agencies to provide additional e-mail notifications concerning specified rulemaking and rule development activities; providing that failure to follow certain provisions does not constitute grounds to challenge validity of a rule; amending s. 120.56, F.S.; clarifying language regarding challenges to rules; specifying the petitioner's burden of proof in proposed rule challenges; amending s. 120.57, F.S.; conforming proceedings that oppose agency action based on an invalid or unadopted rule to proceedings used for challenging rules; authorizing the administrative law judge to make certain findings on the validity of certain alleged unadopted rules; authorizing a petitioner to file certain collateral challenges regarding the validity of a rule; authorizing the administrative law judge to consolidate proceedings in such rule challenges; providing that agency action may



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not be based on an invalid or unadopted rule; amending s. 120.68, F.S.; specifying legal authority to file a petition challenging an agency rule as an invalid exercise of delegated legislative authority; amending s. 120.695, F.S.; removing obsolete provisions with respect to required agency review and designation of minor violations; requiring agency review and certification of minor violation rules by a specified date; requiring minor violation certification for all rules adopted after a specified date; requiring public notice; providing applicability; amending s. 120.595, F.S.; conforming a cross-reference; providing an effective date.

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

Section 1. Paragraph (c) of subsection (7) of section 120.54, Florida Statutes, is amended, and paragraph (d) is added to that subsection, to read:

120.54 Rulemaking.—

(7) PETITION TO INITIATE RULEMAKING.—

(c) If the agency does not initiate rulemaking or otherwise comply with the requested action within 30 days after following the public hearing provided for in by paragraph (b), ~~if the agency does not initiate rulemaking or otherwise comply with the requested action,~~ the agency shall publish in the Florida Administrative Register a statement of its reasons for not initiating rulemaking or otherwise complying with the requested action, and of any changes it will make in the scope or



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application of the unadopted rule. The agency shall file the statement with the committee. The committee shall forward a copy of the statement to the substantive committee with primary oversight jurisdiction of the agency in each house of the Legislature. The committee or the committee with primary oversight jurisdiction may hold a hearing directed to the statement of the agency. The committee holding the hearing may recommend to the Legislature the introduction of legislation making the rule a statutory standard or limiting or otherwise modifying the authority of the agency.

(d) If the agency initiates rulemaking after the public hearing provided for in paragraph (b), the agency shall publish a notice of rule development within 30 days after the hearing and file a notice of proposed rule within 180 days after the notice of rule development unless, before the 180th day, the agency publishes in the Florida Administrative Register a statement explaining its reasons for not having filed the notice. If rulemaking is initiated under this paragraph, the agency may not rely on the unadopted rule unless the agency publishes in the Florida Administrative Register a statement explaining why rulemaking under paragraph (1)(a) is not feasible or practicable until the conclusion of the rulemaking proceeding.

Section 2. Section 120.55, Florida Statutes, is amended to read:

120.55 Publication.—

(1) The Department of State shall:

(a) 1. Through a continuous revision and publication system, compile and publish electronically, on a ~~an Internet~~ website



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managed by the department, the "Florida Administrative Code." The Florida Administrative Code shall contain all rules adopted by each agency, citing the grant of rulemaking authority and the specific law implemented pursuant to which each rule was adopted, all history notes as authorized in s. 120.545(7), complete indexes to all rules contained in the code, and any other material required or authorized by law or deemed useful by the department. The electronic code shall display each rule chapter currently in effect in browse mode and allow full text search of the code and each rule chapter. The department may contract with a publishing firm for a printed publication; however, the department shall retain responsibility for the code as provided in this section. The electronic publication shall be the official compilation of the administrative rules of this state. The Department of State shall retain the copyright over the Florida Administrative Code.

2. Rules general in form but applicable to only one school district, community college district, or county, or a part thereof, or state university rules relating to internal personnel or business and finance shall not be published in the Florida Administrative Code. Exclusion from publication in the Florida Administrative Code shall not affect the validity or effectiveness of such rules.

3. At the beginning of the section of the code dealing with an agency that files copies of its rules with the department, the department shall publish the address and telephone number of the executive offices of each agency, the manner by which the agency indexes its rules, a listing of all rules of that agency excluded from publication in the code, and a statement as to



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where those rules may be inspected.

4. Forms shall not be published in the Florida Administrative Code; but any form which an agency uses in its dealings with the public, along with any accompanying instructions, shall be filed with the committee before it is used. Any form or instruction which meets the definition of "rule" provided in s. 120.52 shall be incorporated by reference into the appropriate rule. The reference shall specifically state that the form is being incorporated by reference and shall include the number, title, and effective date of the form and an explanation of how the form may be obtained. Each form created by an agency which is incorporated by reference in a rule notice of which is given under s. 120.54(3)(a) after December 31, 2007, must clearly display the number, title, and effective date of the form and the number of the rule in which the form is incorporated.

5. The department shall allow adopted rules and material incorporated by reference to be filed in electronic form as prescribed by department rule. When a rule is filed for adoption with incorporated material in electronic form, the department's publication of the Florida Administrative Code on its ~~Internet~~ website must contain a hyperlink from the incorporating reference in the rule directly to that material. The department may not allow hyperlinks from rules in the Florida Administrative Code to any material other than that filed with and maintained by the department, but may allow hyperlinks to incorporated material maintained by the department from the adopting agency's website or other sites.

(b) Electronically publish on a ~~an Internet~~ website managed



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by the department a continuous revision and publication entitled the "Florida Administrative Register," which shall serve as the official publication and must contain:

1. All notices required by s. 120.54(2) and (3)(a) ~~120.54(3)(a)~~, showing the text of all rules proposed for consideration.

2. All notices of public meetings, hearings, and workshops conducted in accordance with s. 120.525, including a statement of the manner in which a copy of the agenda may be obtained.

3. A notice of each request for authorization to amend or repeal an existing uniform rule or for the adoption of new uniform rules.

4. Notice of petitions for declaratory statements or administrative determinations.

5. A summary of each objection to any rule filed by the Administrative Procedures Committee.

6. A list of rules filed for adoption in the previous 7 days.

7. A list of all rules filed for adoption pending legislative ratification under s. 120.541(3). A rule shall be removed from the list once notice of ratification or withdrawal of the rule is received.

~~8.6-~~ Any other material required or authorized by law or deemed useful by the department.

The department may contract with a publishing firm for a printed publication of the Florida Administrative Register and make copies available on an annual subscription basis.

(c) Prescribe by rule the style and form required for



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rules, notices, and other materials submitted for filing.

(d) Charge each agency using the Florida Administrative Register a space rate to cover the costs related to the Florida Administrative Register and the Florida Administrative Code.

(e) Maintain a permanent record of all notices published in the Florida Administrative Register.

(2) The Florida Administrative Register ~~Internet~~ website must allow users to:

(a) Search for notices by type, publication date, rule number, word, subject, and agency.

(b) Search a database that makes available all notices published on the website for a period of at least 5 years.

(c) Subscribe to an automated e-mail notification of selected notices to be sent out before or concurrently with publication of the electronic Florida Administrative Register. Such notification must include in the text of the e-mail a summary of the content of each notice.

(d) View agency forms and other materials submitted to the department in electronic form and incorporated by reference in proposed rules.

(e) Comment on proposed rules.

(3) Publication of material required by paragraph (1)(b) on the Florida Administrative Register ~~Internet~~ website does not preclude publication of such material on an agency's website or by other means.

(4) Each agency shall provide copies of its rules upon request, with citations to the grant of rulemaking authority and the specific law implemented for each rule.

(5) Each agency that provides an e-mail notification



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service to inform licensees or other registered recipients of notices shall use that service to notify recipients of each notice required under s. 120.54(2) and (3) and provide Internet links to the appropriate rule page on the Secretary of State's website or Internet links to an agency website that contains the proposed rule or final rule.

(6)(5) Any publication of a proposed rule promulgated by an agency, whether published in the Florida Administrative Register or elsewhere, shall include, along with the rule, the name of the person or persons originating such rule, the name of the agency head who approved the rule, and the date upon which the rule was approved.

(7)(6) Access to the Florida Administrative Register ~~Internet~~ website and its contents, including the e-mail notification service, shall be free for the public.

(8)(7)(a) All fees and moneys collected by the Department of State under this chapter shall be deposited in the Records Management Trust Fund for the purpose of paying for costs incurred by the department in carrying out this chapter.

(b) The unencumbered balance in the Records Management Trust Fund for fees collected pursuant to this chapter may not exceed \$300,000 at the beginning of each fiscal year, and any excess shall be transferred to the General Revenue Fund.

(9) The failure to comply with this section may not be raised in a proceeding challenging the validity of a rule pursuant to s. 120.52(8)(a).

Section 3. Subsection (1), paragraph (a) of subsection (2), paragraph (a) of subsection (3), and subsection (4) of section 120.56, Florida Statutes, are amended to read:



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231 120.56 Challenges to rules.-

232 (1) GENERAL PROCEDURES ~~FOR CHALLENGING THE VALIDITY OF A~~
233 ~~RULE OR A PROPOSED RULE.-~~

234 (a) Any person substantially affected by a rule or a
235 proposed rule may seek an administrative determination of the
236 invalidity of the rule on the ground that the rule is an invalid
237 exercise of delegated legislative authority.

238 (b) The petition challenging the validity of a proposed or
239 adopted rule under this section seeking an administrative
240 determination must state: with particularity

241 1. The particular provisions alleged to be invalid and a
242 statement with sufficient explanation of the facts or grounds
243 for the alleged invalidity. and

244 2. Facts sufficient to show that the petitioner person
245 challenging a rule is substantially affected by the challenged
246 adopted rule it, or that the person challenging a proposed rule
247 would be substantially affected by the proposed rule it.

248 (c) The petition shall be filed by electronic means with
249 the division which shall, immediately upon filing, forward by
250 electronic means copies to the agency whose rule is challenged,
251 the Department of State, and the committee. Within 10 days after
252 receiving the petition, the division director shall, if the
253 petition complies with ~~the requirements of~~ paragraph (b), assign
254 an administrative law judge who shall conduct a hearing within
255 30 days thereafter, unless the petition is withdrawn or a
256 continuance is granted by agreement of the parties or for good
257 cause shown. Evidence of good cause includes, but is not limited
258 to, written notice of an agency's decision to modify or withdraw
259 the proposed rule or a written notice from the chair of the



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260 committee stating that the committee will consider an objection
261 to the rule at its next scheduled meeting. The failure of an
262 agency to follow the applicable rulemaking procedures or
263 requirements set forth in this chapter shall be presumed to be
264 material; however, the agency may rebut this presumption by
265 showing that the substantial interests of the petitioner and the
266 fairness of the proceedings have not been impaired.

267 (d) Within 30 days after the hearing, the administrative
268 law judge shall render a decision and state the reasons for his
269 or her decision ~~therefor~~ in writing. The division shall
270 forthwith transmit by electronic means copies of the
271 administrative law judge's decision to the agency, the
272 Department of State, and the committee.

273 (e) Hearings held under this section shall be de novo in
274 nature. The standard of proof shall be the preponderance of the
275 evidence. Hearings shall be conducted in the same manner as
276 provided by ss. 120.569 and 120.57, except that the
277 administrative law judge's order shall be final agency action.
278 The petitioner and the agency whose rule is challenged shall be
279 adverse parties. Other substantially affected persons may join
280 the proceedings as intervenors on appropriate terms which shall
281 not unduly delay the proceedings. Failure to proceed under this
282 section ~~does shall~~ not constitute failure to exhaust
283 administrative remedies.

284 (2) CHALLENGING PROPOSED RULES; SPECIAL PROVISIONS.-

285 (a) ~~A substantially affected person may seek an~~
286 ~~administrative determination of the invalidity of a proposed~~
287 ~~rule by filing a petition alleging the invalidity of a proposed~~
288 ~~rule shall be filed seeking such a determination with the~~



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289 ~~division~~ within 21 days after the date of publication of the
290 notice required by s. 120.54(3)(a); within 10 days after the
291 final public hearing is held on the proposed rule as provided by
292 s. 120.54(3)(e)2.; within 20 days after the statement of
293 estimated regulatory costs or revised statement of estimated
294 regulatory costs, if applicable, has been prepared and made
295 available as provided in s. 120.541(1)(d); or within 20 days
296 after the date of publication of the notice required by s.
297 120.54(3)(d). ~~The petition must state with particularity the~~
298 ~~objections to the proposed rule and the reasons that the~~
299 ~~proposed rule is an invalid exercise of delegated legislative~~
300 ~~authority.~~ The petitioner has the burden to prove by a
301 preponderance of the evidence that it would be substantially
302 affected by the proposed rule of going forward. The agency then
303 has the burden to prove by a preponderance of the evidence that
304 the proposed rule is not an invalid exercise of delegated
305 legislative authority as to the objections raised. ~~A person who~~
306 ~~is substantially affected by a change in the proposed rule may~~
307 ~~seek a determination of the validity of such change.~~ A person
308 who is not substantially affected by the proposed rule as
309 initially noticed, but who is substantially affected by the rule
310 as a result of a change, may challenge any provision of the
311 resulting proposed rule and is not limited to challenging the
312 change to the proposed rule.

313 (3) CHALLENGING ~~EXISTING~~ RULES IN EFFECT; SPECIAL
314 PROVISIONS.—

315 (a) A petition alleging substantially affected person may
316 ~~seek an administrative determination of the invalidity of an~~
317 ~~existing rule~~ may be filed at any time during which the



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318 ~~existence of the rule is in effect.~~ The petitioner has the a
319 burden of proving by a preponderance of the evidence that the
320 existing rule is an invalid exercise of delegated legislative
321 authority as to the objections raised.

322 (4) CHALLENGING AGENCY STATEMENTS DEFINED AS UNADOPTED
323 RULES; SPECIAL PROVISIONS.—

324 (a) Any person substantially affected by an agency
325 statement that is an unadopted rule may seek an administrative
326 determination that the statement violates s. 120.54(1)(a). The
327 petition shall include the text of the statement or a
328 description of the statement and shall state ~~with particularity~~
329 facts sufficient to show that the statement constitutes an
330 unadopted a rule under s. 120.52 and that the agency has not
331 ~~adopted the statement by the rulemaking procedure provided by s.~~
332 ~~120.54.~~

333 (b) The administrative law judge may extend the hearing
334 date beyond 30 days after assignment of the case for good cause.
335 Upon notification to the administrative law judge provided
336 before the final hearing that the agency has published a notice
337 of rulemaking under s. 120.54(3), such notice shall
338 automatically operate as a stay of proceedings pending adoption
339 of the statement as a rule. The administrative law judge may
340 vacate the stay for good cause shown. A stay of proceedings
341 pending rulemaking shall remain in effect so long as the agency
342 is proceeding expeditiously and in good faith to adopt the
343 statement as a rule.

344 (c) If a hearing is held and the petitioner proves the
345 allegations of the petition, the agency shall have the burden of
346 proving that rulemaking is not feasible or not practicable under



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s. 120.54(1)(a).

~~(d)(e)~~ The administrative law judge may determine whether all or part of a statement violates s. 120.54(1)(a). The decision of the administrative law judge shall constitute a final order. The division shall transmit a copy of the final order to the Department of State and the committee. The Department of State shall publish notice of the final order in the first available issue of the Florida Administrative Register.

~~(e)(d)~~ If an administrative law judge enters a final order that all or part of an unadopted rule ~~agency statement~~ violates s. 120.54(1)(a), the agency must immediately discontinue all reliance upon the unadopted rule ~~statement~~ or any substantially similar statement as a basis for agency action.

~~(f)(e)~~ If proposed rules addressing the challenged unadopted rule ~~statement~~ are determined to be an invalid exercise of delegated legislative authority as defined in s. 120.52(8)(b)-(f), the agency must immediately discontinue reliance ~~upon~~ ~~on~~ the unadopted rule ~~statement~~ and any substantially similar statement until rules addressing the subject are properly adopted, and the administrative law judge shall enter a final order to that effect.

~~(g)(f)~~ All proceedings to determine a violation of s. 120.54(1)(a) shall be brought pursuant to this subsection. A proceeding pursuant to this subsection may be consolidated with a proceeding under subsection (3) or under any other section of this chapter. This paragraph does not prevent a party whose substantial interests have been determined by an agency action from bringing a proceeding pursuant to s. 120.57(1)(e).



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Section 4. Paragraphs (e) and (h) of subsection (1) and subsection (2) of section 120.57, Florida Statutes, are amended to read:

120.57 Additional procedures for particular cases.—

(1) ADDITIONAL PROCEDURES APPLICABLE TO HEARINGS INVOLVING DISPUTED ISSUES OF MATERIAL FACT.—

(e)1. An agency or an administrative law judge may not base agency action that determines the substantial interests of a party on an unadopted rule or a rule that is an invalid exercise of delegated legislative authority. ~~The administrative law judge shall determine whether an agency statement constitutes an unadopted rule.~~ This subparagraph does not preclude application of valid adopted rules and applicable provisions of law to the facts.

2. In a matter initiated as a result of agency action proposing to determine the substantial interests of a party, the party's timely petition for hearing may challenge the proposed agency action based on a rule that is an invalid exercise of delegated legislative authority or based on an alleged unadopted rule. For challenges brought under this subparagraph:

a. The challenge may be pled as a defense using the procedures set forth in s. 120.56(1)(b).

b. Section 120.56(3)(a) applies to a challenge alleging that a rule is an invalid exercise of delegated legislative authority.

c. Section 120.56(4)(c) applies to a challenge alleging an unadopted rule.

d. This subparagraph does not preclude the consolidation of any proceeding under s. 120.56 with any proceeding under this



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paragraph.

~~3.2-~~ Notwithstanding subparagraph 1., if an agency demonstrates that the statute being implemented directs it to adopt rules, that the agency has not had time to adopt those rules because the requirement was so recently enacted, and that the agency has initiated rulemaking and is proceeding expeditiously and in good faith to adopt the required rules, then the agency's action may be based upon those unadopted rules if, subject to de novo review by the administrative law judge determines that rulemaking is neither feasible nor practicable and the unadopted rules would not constitute an invalid exercise of delegated legislative authority if adopted as rules. An unadopted rule The agency action shall not be presumed valid or invalid. The agency must demonstrate that the unadopted rule:

a. Is within the powers, functions, and duties delegated by the Legislature or, if the agency is operating pursuant to authority vested in the agency by ~~derived from~~ the State Constitution, is within that authority;

b. Does not enlarge, modify, or contravene the specific provisions of law implemented;

c. Is not vague, establishes adequate standards for agency decisions, or does not vest unbridled discretion in the agency;

d. Is not arbitrary or capricious. A rule is arbitrary if it is not supported by logic or the necessary facts; a rule is capricious if it is adopted without thought or reason or is irrational;

e. Is not being applied to the substantially affected party without due notice; and

f. Does not impose excessive regulatory costs on the



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regulated person, county, or city.

~~4.3-~~ The recommended and final orders in any proceeding shall be governed by ~~the provisions of~~ paragraphs (k) and (l), except that the administrative law judge's determination regarding an unadopted rule under subparagraph 1. or subparagraph 2. shall not be rejected by the agency unless the agency first determines from a review of the complete record, and states with particularity in the order, that such determination is clearly erroneous or does not comply with essential requirements of law. In any proceeding for review under s. 120.68, if the court finds that the agency's rejection of the determination regarding the unadopted rule does not comport with ~~the provisions of~~ this subparagraph, the agency action shall be set aside and the court shall award to the prevailing party the reasonable costs and a reasonable attorney ~~attorney's~~ fee for the initial proceeding and the proceeding for review.

5. A petitioner may pursue a separate, collateral challenge under s. 120.56 even if an adequate remedy exists through a proceeding under this section. The administrative law judge may consolidate the proceedings.

(h) Any party to a proceeding in which an administrative law judge ~~of the Division of Administrative Hearings~~ has final order authority may move for a summary final order when there is no genuine issue as to any material fact. A summary final order shall be rendered if the administrative law judge determines from the pleadings, depositions, answers to interrogatories, and admissions on file, together with affidavits, if any, that no genuine issue as to any material fact exists and that the moving



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party is entitled as a matter of law to the entry of a final order. A summary final order shall consist of findings of fact, if any, conclusions of law, a disposition or penalty, if applicable, and any other information required by law to be contained in the final order.

(2) ADDITIONAL PROCEDURES APPLICABLE TO HEARINGS NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT.—In any case to which subsection (1) does not apply:

(a) The agency shall:

1. Give reasonable notice to affected persons of the action of the agency, whether proposed or already taken, or of its decision to refuse action, together with a summary of the factual, legal, and policy grounds therefor.

2. Give parties or their counsel the option, at a convenient time and place, to present to the agency or hearing officer written or oral evidence in opposition to the action of the agency or to its refusal to act, or a written statement challenging the grounds upon which the agency has chosen to justify its action or inaction.

3. If the objections of the parties are overruled, provide a written explanation within 7 days.

(b) An agency may not base agency action that determines the substantial interests of a party on an unadopted rule or a rule that is an invalid exercise of delegated legislative authority.

(c) ~~(b)~~ The record shall only consist of:

1. The notice and summary of grounds.
2. Evidence received.
3. All written statements submitted.



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4. Any decision overruling objections.

5. All matters placed on the record after an ex parte communication.

6. The official transcript.

7. Any decision, opinion, order, or report by the presiding officer.

Section 5. Subsections (1) and (9) of section 120.68, Florida Statutes, are amended to read:

120.68 Judicial review.—

(1) (a) A party who is adversely affected by final agency action is entitled to judicial review.

(b) A preliminary, procedural, or intermediate order of the agency or of an administrative law judge of the Division of Administrative Hearings is immediately reviewable if review of the final agency decision would not provide an adequate remedy.

(9) A ~~No~~ petition challenging an agency rule as an invalid exercise of delegated legislative authority shall not be instituted pursuant to this section, except to review an order entered pursuant to a proceeding under s. 120.56, s. 120.57(1)(e)1., or s. 120.57(2)(b) or an agency's findings of immediate danger, necessity, and procedural fairness prerequisite to the adoption of an emergency rule pursuant to s. 120.54(4), unless the sole issue presented by the petition is the constitutionality of a rule and there are no disputed issues of fact.

Section 6. Section 120.695, Florida Statutes, is amended to read:

120.695 Notice of noncompliance; designation of minor violation of rules.—



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521 (1) It is the policy of the state that the purpose of
522 regulation is to protect the public by attaining compliance with
523 the policies established by the Legislature. Fines and other
524 penalties may be provided in order to assure compliance;
525 however, the collection of fines and the imposition of penalties
526 are intended to be secondary to the primary goal of attaining
527 compliance with an agency's rules. It is the intent of the
528 Legislature that an agency charged with enforcing rules shall
529 issue a notice of noncompliance as its first response to a minor
530 violation of a rule in any instance in which it is reasonable to
531 assume that the violator was unaware of the rule or unclear as
532 to how to comply with it.

533 (2) (a) Each agency shall issue a notice of noncompliance as
534 a first response to a minor violation of a rule. A "notice of
535 noncompliance" is a notification by the agency charged with
536 enforcing the rule issued to the person or business subject to
537 the rule. A notice of noncompliance may not be accompanied with
538 a fine or other disciplinary penalty. It must identify the
539 specific rule that is being violated, provide information on how
540 to comply with the rule, and specify a reasonable time for the
541 violator to comply with the rule. A rule is agency action that
542 regulates a business, occupation, or profession, or regulates a
543 person operating a business, occupation, or profession, and
544 that, if not complied with, may result in a disciplinary
545 penalty.

546 (b) Each agency shall review all of its rules and designate
547 those for which a violation would be a minor violation and for
548 which a notice of noncompliance must be the first enforcement
549 action taken against a person or business subject to regulation.



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550 A violation of a rule is a minor violation if it does not result
551 in economic or physical harm to a person or adversely affect the
552 public health, safety, or welfare or create a significant threat
553 of such harm. ~~If an agency under the direction of a cabinet~~
554 ~~officer mails to each licensee a notice of the designated rules~~
555 ~~at the time of licensure and at least annually thereafter, the~~
556 ~~provisions of paragraph (a) may be exercised at the discretion~~
557 ~~of the agency. Such notice shall include a subject-matter index~~
558 ~~of the rules and information on how the rules may be obtained.~~

559 (c) 1. No later than June 30, 2017, and after such date
560 within 3 months after any request of the rules ombudsman in the
561 Executive Office of the Governor, The agency's review and
562 designation must be completed by December 1, 1995; each agency
563 shall review under the direction of the Governor shall make a
564 report to the Governor, and each agency under the joint
565 direction of the Governor and Cabinet shall report to the
566 Governor and Cabinet by January 1, 1996, on which of its rules
567 and certify to the President of the Senate, the Speaker of the
568 House of Representatives, the committee, and the rules ombudsman
569 those rules that have been designated as rules the violation of
570 which would be a minor violation under paragraph (b), consistent
571 with the legislative intent stated in subsection (1).

572 2. Beginning July 1, 2017, each agency shall:

573 a. Publish all rules that the agency has designated as
574 rules the violation of which would be a minor violation, either
575 as a complete list on the agency's website or by incorporation
576 of the designations in the agency's disciplinary guidelines
577 adopted as a rule.

578 b. Ensure that all investigative and enforcement personnel



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579 are knowledgeable about the agency's designations under this
580 section.

581 3. For each rule filed for adoption, the agency head shall
582 certify whether any part of the rule is designated as a rule the
583 violation of which would be a minor violation and shall update
584 the listing required by sub-subparagraph 2.a.

585 (d) The Governor or the Governor and Cabinet, as
586 appropriate ~~pursuant to paragraph (e)~~, may evaluate the review
587 and designation effects of each agency subject to the direction
588 and supervision of such authority and may direct ~~apply~~ a
589 different designation than that applied by such ~~the~~ agency.

590 (e) Notwithstanding s. 120.52(1)(a), this section does not
591 apply to:

592 1. The Department of Corrections;

593 2. Educational units;

594 3. The regulation of law enforcement personnel; or

595 4. The regulation of teachers.

596 (f) Designation pursuant to this section is not subject to
597 challenge under this chapter.

598 Section 7. Paragraph (a) of subsection (4) of section
599 120.595, Florida Statutes, is amended to read:

600 120.595 Attorney's fees.—

601 (4) CHALLENGES TO AGENCY ACTION PURSUANT TO SECTION
602 120.56(4).—

603 (a) If the appellate court or administrative law judge
604 determines that all or part of an agency statement violates s.
605 120.54(1)(a), or that the agency must immediately discontinue
606 reliance on the statement and any substantially similar
607 statement pursuant to s. 120.56(4)(f) ~~s. 120.56(4)(e)~~, a



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608 judgment or order shall be entered against the agency for
609 reasonable costs and reasonable attorney's fees, unless the
610 agency demonstrates that the statement is required by the
611 Federal Government to implement or retain a delegated or
612 approved program or to meet a condition to receipt of federal
613 funds.

614 Section 8. 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 Committee on Appropriations

BILL: CS/CS/SB 372

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on General Government); Judiciary Committee; and Senator Lee

SUBJECT: Administrative Procedures

DATE: February 5, 2016

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Cibula	Cibula	JU	Fav/CS
2. Davis	DeLoach	AGG	Recommend: Fav/CS
3. Davis	Kynoch	AP	Fav/CS

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 372 revises the Administrative Procedure Act (APA), which governs agency rulemaking and decision making. The most significant changes to the act by the bill:

- Require an agency to commence and complete rulemaking activities generally within 180 days after it holds a public hearing on a petition to initiate rulemaking activities on an unadopted rule and chooses to initiate rulemaking.
- Require the dissemination of additional notices of agency rulemaking activities on the Florida Administrative Register and through e-mails by an agency to its licensees and other interested persons.
- Authorize a person to challenge agency action by asserting that a rule or unadopted rule used as a basis for the agency's action is invalid.
- Require agencies to review their rules to identify rules the violation of which would constitute a minor violation and for which a notice of noncompliance will be the first enforcement action.

In addition, the bill specifies that administrative challenges to any proposed regulatory permits related to special events are subject to the APA's summary hearing procedures in s. 120.574, F.S., with certain exceptions.

The bill has an indeterminate fiscal impact.

II. Present Situation:

Rulemaking and the Administrative Procedure Act

The Administrative Procedure Act (APA) in ch. 120, F.S., sets forth uniform procedures that agencies must follow when exercising rulemaking authority. A rule is an agency statement of general applicability which interprets, implements, or prescribes law or policy, including the procedure and practice requirements of an agency.¹ Rulemaking authority is delegated by the Legislature² through statute and authorizes an agency to “adopt, develop, establish, or otherwise create”³ a rule. Agencies do not have discretion whether to engage in rulemaking.⁴ To adopt a rule, an agency must have a general grant of authority to implement a specific law through rulemaking.⁵ The grant of rulemaking authority itself need not be detailed.⁶ The specific statute being interpreted or implemented through rulemaking must provide specific standards and guidelines to preclude the administrative agency from exercising unbridled discretion in creating policy or applying the law.⁷

Petition to Initiate Rulemaking Directed to an Unadopted Rule

An agency may initiate rulemaking on its own or upon a petition to initiate rulemaking by a person regulated by the agency or having a substantial interest in an agency rule.⁸ A petition to initiate rulemaking must specify the proposed rule and the action requested.⁹ If the petition relates to an unadopted rule, the agency must initiate rulemaking within 30 days or hold a public hearing on the petition. The agency, if it does not initiate rulemaking or comply with the petition, must publish a statement of its reasons for not doing so in the Florida Administrative Register within 30 days after the hearing.

If an agency chooses to hold a hearing on the petition, the agency must consider public comments relating to the scope and application of the proposed rule and consider whether the public interest is adequately served by applying the rule on a case-by-case basis instead of a formally adopted rule. If the agency elects to pursue rulemaking after the hearing, it is not subject to any deadlines for commencing or completing the rulemaking process.

Attorney Fees

The Florida Equal Access to Justice Act is intended to diminish the deterrent effect of seeking review of, or defending against governmental actions.¹⁰ Under the act, a small business that prevails in a legal action initiated by a state agency is entitled to attorney fees and costs if the

¹ Section 120.52(16), F.S.; *Florida Dep’t of Financial Services v. Capital Collateral Regional Counsel-Middle Region*, 969 So. 2d 527, 530 (Fla. 1st DCA 2007).

² *Southwest Fla. Water Mgmt. Dist. v. Save the Manatee Club, Inc.*, 773 So. 2d 594 (Fla. 1st DCA 2000).

³ Section 120.52(17), F.S.

⁴ Section 120.54(1)(a), F.S.

⁵ Sections 120.52(8) and 120.536(1), F.S.

⁶ *Southwest Fla. Water Mgmt. Dist. v. Save the Manatee Club, Inc.*, 773 So. 2d 594 at 599.

⁷ *Sloban v. Fla. Bd. of Pharmacy*, 982 So. 2d 26, 29-30 (Fla. 1st DCA 2008) (internal citations omitted); *Bd. of Trustees of the Internal Improvement Trust Fund v. Day Cruise Assoc., Inc.*, 794 So. 2d 696, 704 (Fla. 1st DCA 2001).

⁸ Section 120.54, F.S.

⁹ Section 120.54(7), F.S.

¹⁰ Section 57.111, F.S.

actions of the agency were not substantially justified or special circumstances exist which would make the award unjust. An agency action is reasonably justified if it had a reasonable basis in law and fact at the time it was initiated by a state agency.

In addition to the special attorney fee provisions in the Equal Access to Justice Act, the APA authorizes the recovery of attorney fees when:

- A non-prevailing party has participated for an improper purpose;
- An agency's actions are not substantially justified;
- An agency relies upon an unadopted rule and is successfully challenged after 30 days' notice of the need to adopt rules; and
- An agency loses an appeal in a proceeding challenging an unadopted rule.¹¹

An agency defense to attorney fees available in actions challenging agency statements defined as rules is that the agency did not know and should not have known that the agency statement was an unadopted rule. Additionally, attorney fees in such actions may be awarded only upon a finding that the agency received notice that the agency statement may constitute an unadopted rule at least 30 days before a petition challenging the agency statement is filed, and the agency fails to publish a notice of rulemaking within that 30 day period.¹²

The authorization for attorney fees in the Equal Access to Justice Act supplement other statutes authorizing attorney fees.¹³

Notice of Rules

Under current law, the Department of State (DOS) is required to publish the Florida Administrative Register on the Internet.¹⁴ This document must contain:

- Notices relating to the adoption or repeal of a rule.
- Notices of public meetings, hearing, and workshops.
- Notices of requests for authorization to amend or repeal an existing rule or for the adoption of a new uniform rule.
- Notices of petitions for declaratory statements or administrative determinations.
- Summaries of objections to rules filed by the Administrative Procedures Committee.
- Other material required by law or deemed useful by the department.

Additionally, DOS allows users of its e-rulemaking website to subscribe to receive free e-mail notification of notices submitted by agencies.¹⁵

Burden of Proof

In general, laws carry a presumption of validity, and those challenging the validity of a law carry the burden of proving invalidity. The APA retains this presumption of validity by requiring those

¹¹ Section 120.595, F.S.

¹² Section 120.595(4)(b), F.S.

¹³ See s. 120.595(6), F.S. (providing that a statute authorizing attorney fees in challenges to agency actions does not affect the availability of attorney fees and costs under other statutes including ss. 57.105, and 57.111, F.S.).

¹⁴ Section 120.55, F.S.

¹⁵ See Florida Department of State, Florida Administrative Code & Florida Administrative Register, *FLRules FAQ* at <https://www.flrules.org/Help/newHelp.asp#sub> (last visited Nov. 10, 2015).

challenging adopted rules to carry the burden of proving a rule's invalidity.¹⁶ However, in the case of proposed rules, the APA places the burden on the agency to demonstrate the validity of the rule as proposed, once the challenger has raised specific objections to the rule's validity.¹⁷ In addition, a rule may not be filed for adoption until any pending challenge is resolved.¹⁸

In the case of a statement or policy in force that was not adopted as a rule, a challenger must prove that the statement or policy meets the definition of a rule under the APA. If so, and if the statement or policy has not been validly adopted, the agency must prove that rulemaking is not feasible or practicable.¹⁹

Rulemaking is presumed feasible unless the agency proves that:

- The agency needs more time to obtain the knowledge and experience to reasonably address a statement by rulemaking.
- Related matters must be sufficiently resolved before the agency can engage in rulemaking.²⁰

Additionally, rulemaking is presumed practicable unless the agency proves that:

- Detail or precision in the establishment of principles, criteria, or standards for agency decisions is not reasonable under the circumstances.
- The particular questions addressed are of such a narrow scope that more specific resolution of the matter is impractical outside of an adjudication based on individual circumstances.²¹

Proceedings Involving Rule Challenges

The APA presently applies different procedures in rule challenges when proposed rules, existing rules, and unadopted rules are challenged by petition, compared to a challenge to the validity of an existing rule, or an unadopted rule defensively in a proceeding initiated by agency action. In addition to the attorney fees awardable to small businesses under the Equal Access to Justice Act, the APA provides attorney fee awards when a party petitions for the invalidation of a rule or unadopted rule, but not when the same successful legal case is made in defense of an enforcement action or grant or denial of a permit or license.

The APA does provide that an administrative law judge with the Division of Administrative Hearings (DOAH) may determine that an agency has attempted to rely on an unadopted rule in proceedings initiated by agency action. However, this is qualified by a provision that an agency may overrule the DOAH determination if it's clearly erroneous. If the agency rejects the DOAH determination and is later reversed on appeal, the challenger is awarded attorney fees for the entire proceeding.²² Additionally, in proceedings initiated by agency action, if a DOAH judge determines that a rule constitutes an invalid exercise of delegated legislative authority the agency has full de novo authority to reject or modify such conclusions of law, provided the final order states with particularity the reasons for rejecting or modifying the determination.²³

¹⁶ Section 120.56(3), F.S.

¹⁷ Section 120.56(2), F.S.

¹⁸ Section 120.54(3)(e)2., F.S.

¹⁹ Section 120.56(4), F.S.

²⁰ Section 120.54(1)(a)1., F.S.

²¹ Section 120.54(1)(a)2., F.S.

²² Section 120.57(1)(e)3., F.S.

²³ Section 120.57(1)(k-l), F.S.

In proceedings initiated by a party challenging a rule or unadopted rule, the DOAH judge enters a final order that cannot be overturned by the agency. The only appeal is to the District Court of Appeal.

Summary Hearings

The APA outlines a process by which the parties to an administrative dispute may request an expedited hearing known as a summary hearing. Within five business days after the DOAH receives a request for hearing, the DOAH must issue and serve all original parties an initial order that assigns the case to a specific administrative law judge (ALJ) and provides general information regarding practice and procedure before the DOAH. In addition, the initial order must contain a statement advising the parties that a summary hearing is available upon the agreement of all parties and describe the summary hearing process. Within 15 days after service of the initial order, any party may file a motion for summary hearing. If all original parties agree in writing to the summary proceeding, the hearing must be conducted within 30 days after the agreement.²⁴

In a summary hearing, time sequences are expedited, discovery is limited, and the motions that may be raised are limited.²⁵ The ALJ is required to render a decision within 30 days after the conclusion of the final hearing or the filing of the transcript thereof, whichever is later. The ALJ's decision, which is final agency action subject to judicial review, must include findings of fact, conclusions of law, imposition of a fine or penalty (if applicable), and any other information required by law or rule to be contained in a final order.²⁶

Final Orders

An agency has 90 days to render a final order in any proceeding, after the hearing if the agency conducts the hearing, or after the recommended order is submitted to the agency if DOAH conducts the hearing (excepting the rule challenge proceedings described above in which the DOAH judge enters the final order).

Judicial Review

A notice of appeal of an appealable order under the APA must be filed within 30 days after the rendering of the order.²⁷ An order, however, is rendered when filed with the agency clerk. On occasion, a party might not receive notice of the order in time to meet the 30 day appeal deadline. Under the current statute, a party may not seek judicial review of the validity of a rule by appealing its adoption, but the statute authorizes an appeal from a final order in a rule challenge.²⁸

²⁴ Section 120.574(1)(a)-(b), F.S.

²⁵ Section 120.574, F.S.

²⁶ Section 120.574(f), F.S.

²⁷ Section 120.68(2)(a), F.S.

²⁸ Section 120.68(9), F.S.

Minor Violations

The APA directs agencies to issue a “notice of noncompliance” as the first response when the agency encounters a first minor violation of a rule.²⁹ The law provides that a violation is a minor violation if it “does not result in economic or physical harm to a person or adversely affect the public health, safety, or welfare or create a significant threat of such harm.” Agencies are authorized to designate those rules for which a violation would be a minor violation. An agency’s designation of rules under the provision is excluded from challenge under the APA but may be subject to review and revision by the Governor or Governor and Cabinet.³⁰ An agency under the direction of a cabinet officer has the discretion not to use the “notice of noncompliance” once each licensee is provided a copy of all rules upon issuance of a license, and annually thereafter.

Rules Ombudsman

Section 288.7015, F.S., requires the Governor to appoint a rules ombudsman in the Executive Office of the Governor, for considering the impact of agency rules on the state’s citizens and businesses. The rules ombudsman must carry out the duties related to rule adoption procedures with respect to small businesses; review state agency rules that adversely or disproportionately impact businesses, particularly those relating to small and minority businesses; and make recommendations on any existing or proposed rules to alleviate unnecessary or disproportionate adverse effects to business. Each state agency must cooperate fully with the rules ombudsman in identifying such rules, and take the necessary steps to waive, modify, or otherwise minimize such adverse effects of any such rules.

Special Event Permits

The Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) is responsible for overseeing all lands owned by the state.³¹ The Board of Trustees is authorized to issue leases or letters of consent to riparian landowners, special event promoters, and boat show owners to allow the installation of temporary structures, including docks, moorings, pilings, and access walkways, on sovereign submerged lands solely for the purpose of facilitating boat shows and displays in, or adjacent to, established marinas or government-owned upland property.³² Section 403.8141, F.S., directs the Department of Environmental Protection to issue permits for such special events. The permits must be for a period that runs concurrently with the lease or letter of consent issued by the Board of Trustees and must allow for the movement of temporary structures within the footprint of the lease area.³³

²⁹ Section 120.695, F.S. The statute contains the following legislative intent: “It is the intent of the Legislature that an agency charged with enforcing rules shall issue a notice of noncompliance as its first response to a minor violation of a rule in any instance in which it is reasonable to assume that the violator was unaware of the rule or unclear as to how to comply with it.”

³⁰ Section 120.695(2)(c), (d), F.S. The statute provides for final review and revision of these agency designations to be at the discretion of elected constitutional officers.

³¹ Section 253.03(1), F.S.

³² Section 253.0345(1), F.S.

³³ Section 403.8141, F.S.

III. Effect of Proposed Changes:

Deadlines for Rulemaking Following Public Hearing on an Unadopted Rule (Section 1)

Under existing law, s. 120.54, F.S., there are no statutory deadlines for an agency to commence or complete rulemaking after a public hearing on a petition to initiate rulemaking which was directed to an unadopted rule. The bill requires an agency to commence the rulemaking process by publishing a notice of rule development within 30 days after the hearing and generally requires agencies to publish a notice of proposed rule within 180 days after the hearing.

Additionally, the bill prohibits an agency from relying on the unadopted rule during the rulemaking process following the public hearing unless the agency publishes in the Florida Administrative Register an explanation of why rulemaking is not feasible or practicable until the conclusion of the rulemaking proceeding. Under existing s. 120.54(1)(a), F.S., an agency's failure to engage in rulemaking is excusable if the agency proves that rulemaking is not feasible or practicable.³⁴

Dissemination of Notices Rulemaking Activities (Section 2)

The bill adds the following to the list of items that must be published by the Department of State in the Florida Administrative Register:

- Notices of rule development and rule development workshops.
- Notices of negotiated rulemaking.
- A list of all rules filed for adoption within the previous seven days.
- A list of rules filed for legislative ratification.

The bill also requires agencies that provide an e-mail notification service to licensees and other registered recipients of notices to use that service to provide notice of the following rulemaking activities:

- Rule development and rule development workshops.
- Negotiated rulemaking.
- The intent to adopt, amend, or repeal a rule.
- Public hearings on a proposed rule.
- Changes to a proposed rule.
- The withdrawal of a proposed rule.

The notices above must also include links to a website containing the proposed or final rule.

The bill further provides (lines 222-224) that the failure to comply with the requirements to publish notice of rulemaking activities may not be raised in a proceeding to challenge a rule. This statement effectively means that the violation of the publication requirements is not a legally sufficient ground for the invalidation of a rule.³⁵

³⁴ The extent to which an agency's explanation or failure to provide an explanation may impact agency enforcement actions or challenges to an unadopted rule is not clear.

³⁵ Compare s. 120.56(1)(c), F.S., which states in part, "The failure of an agency to follow the applicable rulemaking procedures set forth in this chapter shall be presumed to be material."

Rule Challenges (Section 3)

The bill revises several subsections of s. 120.56, F.S., which set forth the pleading requirements for a petition challenging a proposed, adopted, or unadopted rule. The changes made by the bill appear to be a rewording without any substantive changes, but the changes could be interpreted as a reduction in the pleading requirements for a person challenging a rule.³⁶

General Procedures

Existing s. 120.56(1), F.S., which sets forth the general procedures for rule challenges, requires a person who challenges an agency rule or proposed rule as an invalid exercise of delegated legislative authority to file a petition stating:

...with particularity the provisions alleged to be invalid with sufficient explanation of the facts or grounds for the alleged invalidity and facts sufficient to show that the person challenging a rule is substantially affected by it, or that the person challenging a proposed rule would be substantially affected by it.

The bill revises s. 120.56(1), F.S., to refer to the “particular” provisions alleged to be invalid and a “statement,” instead of a sufficient explanation, of the facts or grounds for the alleged invalidity. However, the bill still requires a petitioner to be substantially affected by a rule or proposed rule.

Special Provisions for Proposed Rules

Existing s. 120.56(2), F.S., which sets forth special provisions for challenges to proposed rules, requires the petition challenging a proposed rule to “*state with particularity the objections to the proposed rule and the reasons that the proposed rule is an invalid exercise of delegated legislative authority.*” The statute further states that the “petitioner has the burden of going forward.” Case law interpreted these provisions as imposing a burden on a party challenging a proposed rule to establish the factual basis for its objections to the rule.³⁷

The bill replaces the particularity requirement in s. 120.56(2), F.S., with the general provisions in subsection (1) which require a petition challenging a proposed rule to include a statement of the facts or grounds for the alleged invalidity. Instead of a burden of going forward with the evidence supporting its objections, the bill provides that the petitioner has a burden “to prove by a preponderance of the evidence that it would be substantially affected by the proposed rule.”

³⁶ One argument that the deletion of the word “particularity” as it relates to the pleading requirements in a rule challenge, is a substantive change, not a rewording, is that the bill does not eliminate similar particularity requirements imposed on agencies in ss. 120.545, 120.569, 120.57, and 120.60, F.S.

³⁷ *St. Johns River Water Management Dist. v. Consolidated-Tamoka Land Co.* 717 So. 2d 72, 76-77 (Fla 1st DCA 1998) (superseded by statute on other grounds). Once the petitioner’s burden is met, ‘the agency has the ultimate burden of persuasion to show that the proposed rule is a valid exercise of delegated legislative authority.’ *Id.*

Challenges to Unadopted Rules

Existing s. 120.56(4), F.S., sets forth special provisions for challenges to unadopted rules. The subsection, requires a petition to “*state with particularity* facts sufficient to show that the statement constitutes” an unadopted rule. The bill deletes the words “with particularity” but still requires the petition to state sufficient facts.

Agency Decisions Based on an Unadopted Rule or Invalid Rule (Section 4)

Hearings Involving Disputed Facts

The bill expressly authorizes a person to challenge an agency action proposing to determine his or her substantial interests by asserting that the agency’s action is based on an invalid rule or an unadopted rule. This challenge is subject to the procedures governing rule challenges. The bill also allows an administrative law judge to consolidate a rule challenge with a proceeding to determine a person’s substantial interests.³⁸

The consolidation of a rule challenge with a substantial interest proceeding will likely shorten the time period that would have been available for discovery activities.³⁹ Existing s. 120.56(1)(c), F.S., requires an administrative law judge to conduct a hearing on a rule challenge within 40 days after the filing of a petition challenging a rule, unless a continuance is granted for good cause shown. However, hearings on a petition to challenge an agency action to determine a person’s substantial interests are not subject to a statutory deadline.⁴⁰

The bill in its revisions to the law governing hearings involving disputed issues of fact also provides that a petition may pursue a separate rule challenge even if an adequate remedy exists in the hearing to determine the petitioner’s substantial interests.⁴¹

Hearings Not Involving Disputed Facts

Existing s. 120.57(2), F.S., provides additional procedures for hearings not involving disputed issues of material fact. The bill adds to that subsection a statement prohibiting an agency from basing its decisions on an unadopted rule or a rule that is an invalid exercise of delegated

³⁸ Consolidation of proceedings is currently allowed under Rule 28-106.108 of the Florida Administrative Code which states: If there are separate matters which involve similar issues of law or fact, or identical parties, the matters may be consolidated if it appears that consolidation would promote the just, speedy, and inexpensive resolution of the proceedings, and would not unduly prejudice the rights of a party.

³⁹ The consolidation of proceedings may also shorten time periods for the issuance of a final order. The final order in a rule challenge must be issued within 30 days after the hearing. Section 120.56(1)(d), F.S. The final order in a hearing under s. 120.57(1), F.S., that doesn’t contain a rule challenge component is not due for at least 90 days after the hearing. Section 120.569(2)(l), F.S.

⁴⁰ Section 120.569(2)(o), F.S., describes the timeframes for a typical hearing under s. 120.57(1), F.S., as follows: On the request of any party, the administrative law judge shall enter an initial scheduling order to facilitate the just, speedy, and inexpensive determination of the proceeding. The initial scheduling order shall establish a discovery period, including a deadline by which all discovery shall be completed, and the date by which the parties shall identify expert witnesses and their opinions. The initial scheduling order also may require the parties to meet and file a joint report by a date certain.

⁴¹ The bill, however, does not clearly indicate whether a person could assert both a rule challenge during a substantial interest hearing and during a separate rule challenge proceeding. The Legislature may wish to consider whether only one rule challenge proceeding should be authorized.

legislative authority. The prohibition, however, appears to be a restatement of the limits on an agency's authority as opposed to a new, substantive requirement.

Unlike the bill's changes to s. 120.57(1), F.S., the changes to s. 120.57(2), F.S., do not expressly authorize a person to challenge a rule or unadopted rule used as the basis of an agency's action.⁴² Additionally, nothing in the bill appears to allow an administrative law judge to consolidate a rule challenge with a hearing before an agency hearing officer which does not involve disputed facts. As such, a person likely must file a separate rule challenge petition with the Division of Administrative Hearings to assert the invalidity of a rule or unadopted rule that an agency is using as a basis for an agency decision in a proceeding not involving disputed facts.

Judicial Review (Section 5)

Existing s. 120.68, F.S., sets forth a person's rights to seek judicial review of final agency action and other preliminary, procedural, or intermediate orders of an agency or administrative law judge. The revisions by section 5 of the bill authorize a person to seek judicial review of orders resolving a challenge to a rule during a substantial interest hearing involving a disputed issue of material fact and a similar order issued during a hearing not involving a disputed issue of material fact.

Section 4 of the bill expressly authorizes a person to assert a rule challenge during a substantial interest hearing involving a disputed issue of material fact, which is a hearing under s. 120.57(1), F.S., and provides procedures for raising and adjudicating those challenges. However, the bill does not provide similar procedures for a rule challenge raised during a hearing not involving a disputed issue of material fact under s. 120.57(2), F.S. As a result, how a rule challenge will be raised and resolved during a hearing under s. 120.57(2), F.S., is not clear. The lack of procedures for raising and resolving a rule challenge during a hearing under s. 120.57(2), F.S., implies that section 5 gives appellate courts jurisdiction over a rule challenge raised for the first time during the appeal of an order from a hearing conducted under s. 120.57(2), F.S.

Minor Rule Violations (Section 6)

Existing s. 120.695, F.S., required most agencies to review their rules and designate those for which a violation would be a minor violation and for which a notice of noncompliance must be the first enforcement action taken. This review was required to have been completed by December 1, 1995, for some agencies and by January 1, 1996, for other agencies. The bill requires agencies to perform a similar review by June 30, 2017, and within 3 months after a request by the rules ombudsman in the Executive Office of the Governor. Similarly, for each rule filed for adoption, an agency head must certify whether a violation of the rule constitutes a minor rule violation.

⁴² Although s. 120.57(2), F.S., as amended by the bill, does not expressly authorize a rule challenge in a proceeding not involving a disputed issue of material fact, section 5 of the bill suggests that the bill may have been intended to allow those challenges. Section 5 allows a person to seek judicial review of an order issued under s. 120.57(2)(b), F.S., resulting from a rule challenge. If the Legislature intends to allow rule challenges under s. 120.57(2)(b), F.S., it may wish to set forth additional procedures governing those challenges.

Each agency must publish a list of all rules the violation of which is a minor violation on their websites and incorporate them in their disciplinary guidelines adopted as a rule. Agencies must also ensure that their investigative and enforcement personnel are knowledgeable about minor rule violations.

Special Event Permits (Section 7)

The bill amends s. 403.8141, F.S., to specify that administrative challenges to any proposed regulatory permits related to special events are subject to the summary hearing provisions of s. 120.574, F.S., except that the summary proceeding must be conducted within 30 days after a party files a motion for a summary hearing, regardless of whether the parties agree to the summary proceeding.

Technical Changes (Section 8)

Section 8 makes a technical change conforming a cross-reference to other changes made by the bill.

Effective Date (Section 8)

The bill takes effect 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:

CS/CS/SB 372, if interpreted as lowering the pleading requirements for a rule challenge petition, may facilitate challenges to agency rules by persons regulated or substantially affected by agency actions. However, the bill may simplify the resolution of disputes by expressly authorizing the consolidation of rule challenges and substantial interest hearings under s. 120.57(1), F.S.

C. Government Sector Impact:

The bill has an indeterminate fiscal impact. The bill may require some additional workload on state agencies and a minimal increase in expenditures related to state agencies filing more frequently in the Florida Administrative Register, email notifications, and publications on the agency's website. However, the impact is likely insignificant and can be absorbed within existing resources.

In addition, this bill, if interpreted as lowering the pleading requirements for a rule challenge petition, may facilitate challenges to agency rules by persons regulated or substantially affected by agency actions, which would have an indeterminate fiscal impact resulting from additional litigation and costs.

VI. Technical Deficiencies:

There are several potentially ambiguous provisions in this bill, all of which are noted in the Effect of Proposed Changes section of this bill analysis.

VII. Related Issues:

After the 2015 Session, Governor Scott vetoed HB 435 (2015), relating to administrative procedures. The Governor explained the basis of his objections as follows:

This bill alters the long-standing deference granted to agencies by shifting final action authority to an administrative law judge. This change has the potential to result in prolonged litigation impeding an agency's ability to perform core functions like sanctioning bad actors and protecting public health and safety. These changes create a situation that could paralyze agency rulemaking, delay enforcement actions, and create a backlog of court cases at an increased cost to the taxpayer.⁴³

Although the bill has some commonality with HB 435 (2015), it does not contain the provisions that would have shifted final action authority from an agency to an administrative law judge.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 120.54, 120.55, 120.56, 120.57, 120.68, 120.695, and 120.595.

⁴³ Veto of Fla. CS for CS for CS for HB 435 (2015) (letter from Gov. Rick Scott to Sec'y of State Kenneth W. Detzner, June 16, 2015) available at <http://www.flgov.com/wp-content/uploads/2015/06/Transmittal-Letter-6.16.15-HB-435.pdf>.

IX. Additional Information:

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

CS/CS by Appropriations on February 3, 2016:

Makes two technical changes and one substantive change.

The bill prohibits an agency from relying on an unadopted rule during the rulemaking process following the public hearing unless the agency publishes in the Florida Administrative Register an explanation of why rulemaking was not feasible or practicable before the hearing. The first technical amendment requires a published explanation of why rulemaking is not feasible or practicable until the conclusion of the rulemaking hearing. The second technical amendment corrects a cross reference in the bill.

Also, the CS specifies that administrative challenges to any proposed regulatory permits related to special events are subject to the summary hearing provisions of s. 120.574, F.S., except that the summary proceeding must be conducted within 30 days after a party files a motion for summary hearing, regardless of whether the parties agree to the summary proceeding.

CS by Judiciary on November 17, 2015:

The changes to s. 120.57(2), F.S., made by the committee substitute, may lower the pleading requirements for a challenge to a proposed agency rule. Under the amendment, a petitioner must prove by the preponderance of the evidence that the petitioner would be substantially affected by the proposed rule. In contrast, the underlying bill provided that the petitioner had the burden of going forward with evidence sufficient to support the rule challenge petition, which appeared to relate to the petitioner's factual basis for its objections to the proposed rule.

- B. **Amendments:**

None.

By the Committee on Judiciary; and Senator Lee

590-01328-16

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1 A bill to be entitled
 2 An act relating to administrative procedures; amending
 3 s. 120.54, F.S.; providing procedures for agencies to
 4 follow when initiating rulemaking after certain public
 5 hearings; limiting reliance upon an unadopted rule in
 6 certain circumstances; amending s. 120.55, F.S.;
 7 providing for publication of notices of rule
 8 development and of rules filed for adoption; providing
 9 for additional notice of rule development, proposals,
 10 and adoptions in the Florida Administrative Register;
 11 requiring certain agencies to provide additional e-
 12 mail notifications concerning specified rulemaking and
 13 rule development activities; providing that failure to
 14 follow certain provisions does not constitute grounds
 15 to challenge validity of a rule; amending s. 120.56,
 16 F.S.; clarifying language regarding challenges to
 17 rules; specifying the petitioner's burden of proof in
 18 proposed rule challenges; amending s. 120.57, F.S.;
 19 conforming proceedings that oppose agency action based
 20 on an invalid or unadopted rule to proceedings used
 21 for challenging rules; authorizing the administrative
 22 law judge to make certain findings on the validity of
 23 certain alleged unadopted rules; authorizing a
 24 petitioner to file certain collateral challenges
 25 regarding the validity of a rule; authorizing the
 26 administrative law judge to consolidate proceedings in
 27 such rule challenges; providing that agency action may
 28 not be based on an invalid or unadopted rule; amending
 29 s. 120.68, F.S.; specifying legal authority to file a

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30 petition challenging an agency rule as an invalid
 31 exercise of delegated legislative authority; amending
 32 s. 120.695, F.S.; removing obsolete provisions with
 33 respect to required agency review and designation of
 34 minor violations; requiring agency review and
 35 certification of minor violation rules by a specified
 36 date; requiring minor violation certification for all
 37 rules adopted after a specified date; requiring public
 38 notice; providing applicability; amending s. 120.595,
 39 F.S.; conforming a cross-reference; providing an
 40 effective date.
 41
 42 Be It Enacted by the Legislature of the State of Florida:
 43
 44 Section 1. Paragraph (c) of subsection (7) of section
 45 120.54, Florida Statutes, is amended, and paragraph (d) is added
 46 to that subsection, to read:
 47 120.54 Rulemaking.—
 48 (7) PETITION TO INITIATE RULEMAKING.—
 49 (c) If the agency does not initiate rulemaking or otherwise
 50 comply with the requested action within 30 days after following
 51 the public hearing provided for in by paragraph (b), if the
 52 agency does not initiate rulemaking or otherwise comply with the
 53 requested action, the agency shall publish in the Florida
 54 Administrative Register a statement of its reasons for not
 55 initiating rulemaking or otherwise complying with the requested
 56 action, and of any changes it will make in the scope or
 57 application of the unadopted rule. The agency shall file the
 58 statement with the committee. The committee shall forward a copy

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of the statement to the substantive committee with primary oversight jurisdiction of the agency in each house of the Legislature. The committee or the committee with primary oversight jurisdiction may hold a hearing directed to the statement of the agency. The committee holding the hearing may recommend to the Legislature the introduction of legislation making the rule a statutory standard or limiting or otherwise modifying the authority of the agency.

(d) If the agency initiates rulemaking after the public hearing provided for in paragraph (b), the agency shall publish a notice of rule development within 30 days after the hearing and file a notice of proposed rule within 180 days after the notice of rule development unless, before the 180th day, the agency publishes in the Florida Administrative Register a statement explaining its reasons for not having filed the notice. If rulemaking is initiated under this paragraph, the agency may not rely on the unadopted rule unless the agency publishes in the Florida Administrative Register a statement explaining why rulemaking under paragraph (1)(a) was not previously feasible or practicable before the public hearing.

Section 2. Section 120.55, Florida Statutes, is amended to read:

120.55 Publication.—

(1) The Department of State shall:

(a) 1. Through a continuous revision and publication system, compile and publish electronically, on a ~~an Internet~~ website managed by the department, the "Florida Administrative Code." The Florida Administrative Code shall contain all rules adopted by each agency, citing the grant of rulemaking authority and the

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specific law implemented pursuant to which each rule was adopted, all history notes as authorized in s. 120.545(7), complete indexes to all rules contained in the code, and any other material required or authorized by law or deemed useful by the department. The electronic code shall display each rule chapter currently in effect in browse mode and allow full text search of the code and each rule chapter. The department may contract with a publishing firm for a printed publication; however, the department shall retain responsibility for the code as provided in this section. The electronic publication shall be the official compilation of the administrative rules of this state. The Department of State shall retain the copyright over the Florida Administrative Code.

2. Rules general in form but applicable to only one school district, community college district, or county, or a part thereof, or state university rules relating to internal personnel or business and finance shall not be published in the Florida Administrative Code. Exclusion from publication in the Florida Administrative Code shall not affect the validity or effectiveness of such rules.

3. At the beginning of the section of the code dealing with an agency that files copies of its rules with the department, the department shall publish the address and telephone number of the executive offices of each agency, the manner by which the agency indexes its rules, a listing of all rules of that agency excluded from publication in the code, and a statement as to where those rules may be inspected.

4. Forms shall not be published in the Florida Administrative Code; but any form which an agency uses in its

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dealings with the public, along with any accompanying instructions, shall be filed with the committee before it is used. Any form or instruction which meets the definition of "rule" provided in s. 120.52 shall be incorporated by reference into the appropriate rule. The reference shall specifically state that the form is being incorporated by reference and shall include the number, title, and effective date of the form and an explanation of how the form may be obtained. Each form created by an agency which is incorporated by reference in a rule notice of which is given under s. 120.54(3)(a) after December 31, 2007, must clearly display the number, title, and effective date of the form and the number of the rule in which the form is incorporated.

5. The department shall allow adopted rules and material incorporated by reference to be filed in electronic form as prescribed by department rule. When a rule is filed for adoption with incorporated material in electronic form, the department's publication of the Florida Administrative Code on its ~~Internet~~ website must contain a hyperlink from the incorporating reference in the rule directly to that material. The department may not allow hyperlinks from rules in the Florida Administrative Code to any material other than that filed with and maintained by the department, but may allow hyperlinks to incorporated material maintained by the department from the adopting agency's website or other sites.

(b) Electronically publish on a ~~an Internet~~ website managed by the department a continuous revision and publication entitled the "Florida Administrative Register," which shall serve as the official publication and must contain:

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1. All notices required by s. 120.54(2) and (3)(a) ~~120.54(3)(a)~~, showing the text of all rules proposed for consideration.

2. All notices of public meetings, hearings, and workshops conducted in accordance with s. 120.525, including a statement of the manner in which a copy of the agenda may be obtained.

3. A notice of each request for authorization to amend or repeal an existing uniform rule or for the adoption of new uniform rules.

4. Notice of petitions for declaratory statements or administrative determinations.

5. A summary of each objection to any rule filed by the Administrative Procedures Committee.

6. A list of rules filed for adoption in the previous 7 days.

7. A list of all rules filed for adoption pending legislative ratification under s. 120.541(3). A rule shall be removed from the list once notice of ratification or withdrawal of the rule is received.

~~8.6-~~ Any other material required or authorized by law or deemed useful by the department.

The department may contract with a publishing firm for a printed publication of the Florida Administrative Register and make copies available on an annual subscription basis.

(c) Prescribe by rule the style and form required for rules, notices, and other materials submitted for filing.

(d) Charge each agency using the Florida Administrative Register a space rate to cover the costs related to the Florida

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Administrative Register and the Florida Administrative Code.

(e) Maintain a permanent record of all notices published in the Florida Administrative Register.

(2) The Florida Administrative Register ~~Internet~~ website must allow users to:

(a) Search for notices by type, publication date, rule number, word, subject, and agency.

(b) Search a database that makes available all notices published on the website for a period of at least 5 years.

(c) Subscribe to an automated e-mail notification of selected notices to be sent out before or concurrently with publication of the electronic Florida Administrative Register. Such notification must include in the text of the e-mail a summary of the content of each notice.

(d) View agency forms and other materials submitted to the department in electronic form and incorporated by reference in proposed rules.

(e) Comment on proposed rules.

(3) Publication of material required by paragraph (1)(b) on the Florida Administrative Register ~~Internet~~ website does not preclude publication of such material on an agency's website or by other means.

(4) Each agency shall provide copies of its rules upon request, with citations to the grant of rulemaking authority and the specific law implemented for each rule.

(5) Each agency that provides an e-mail notification service to inform licensees or other registered recipients of notices shall use that service to notify recipients of each notice required under s. 120.54(2) and (3) and provide Internet

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links to the appropriate rule page on the Secretary of State's website or Internet links to an agency website that contains the proposed rule or final rule.

~~(6)-(5)~~ Any publication of a proposed rule promulgated by an agency, whether published in the Florida Administrative Register or elsewhere, shall include, along with the rule, the name of the person or persons originating such rule, the name of the agency head who approved the rule, and the date upon which the rule was approved.

~~(7)-(6)~~ Access to the Florida Administrative Register ~~Internet~~ website and its contents, including the e-mail notification service, shall be free for the public.

~~(8)-(7)~~ (a) All fees and moneys collected by the Department of State under this chapter shall be deposited in the Records Management Trust Fund for the purpose of paying for costs incurred by the department in carrying out this chapter.

(b) The unencumbered balance in the Records Management Trust Fund for fees collected pursuant to this chapter may not exceed \$300,000 at the beginning of each fiscal year, and any excess shall be transferred to the General Revenue Fund.

(9) The failure to comply with this section may not be raised in a proceeding challenging the validity of a rule pursuant to s. 120.52(8)(a).

Section 3. Subsection (1), paragraph (a) of subsection (2), paragraph (a) of subsection (3), and subsection (4) of section 120.56, Florida Statutes, are amended to read:

120.56 Challenges to rules.—

~~(1) GENERAL PROCEDURES FOR CHALLENGING THE VALIDITY OF A RULE OR A PROPOSED RULE.—~~

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(a) Any person substantially affected by a rule or a proposed rule may seek an administrative determination of the invalidity of the rule on the ground that the rule is an invalid exercise of delegated legislative authority.

(b) The petition challenging the validity of a proposed or adopted rule under this section ~~seeking an administrative determination~~ must state: with particularity

1. The particular provisions alleged to be invalid and a statement with sufficient explanation of the facts or grounds for the alleged invalidity, and

2. Facts sufficient to show that the petitioner person ~~challenging a rule~~ is substantially affected by the challenged adopted rule ~~it~~, or ~~that the person challenging a proposed rule~~ would be substantially affected by the proposed rule ~~it~~.

(c) The petition shall be filed by electronic means with the division which shall, immediately upon filing, forward by electronic means copies to the agency whose rule is challenged, the Department of State, and the committee. Within 10 days after receiving the petition, the division director shall, if the petition complies with ~~the requirements of~~ paragraph (b), assign an administrative law judge who shall conduct a hearing within 30 days thereafter, unless the petition is withdrawn or a continuance is granted by agreement of the parties or for good cause shown. Evidence of good cause includes, but is not limited to, written notice of an agency's decision to modify or withdraw the proposed rule or a written notice from the chair of the committee stating that the committee will consider an objection to the rule at its next scheduled meeting. The failure of an agency to follow the applicable rulemaking procedures or

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requirements set forth in this chapter shall be presumed to be material; however, the agency may rebut this presumption by showing that the substantial interests of the petitioner and the fairness of the proceedings have not been impaired.

(d) Within 30 days after the hearing, the administrative law judge shall render a decision and state the reasons for his or her decision ~~therefor~~ in writing. The division shall forthwith transmit by electronic means copies of the administrative law judge's decision to the agency, the Department of State, and the committee.

(e) Hearings held under this section shall be de novo in nature. The standard of proof shall be the preponderance of the evidence. Hearings shall be conducted in the same manner as provided by ss. 120.569 and 120.57, except that the administrative law judge's order shall be final agency action. The petitioner and the agency whose rule is challenged shall be adverse parties. Other substantially affected persons may join the proceedings as intervenors on appropriate terms which shall not unduly delay the proceedings. Failure to proceed under this section ~~does shall~~ not constitute failure to exhaust administrative remedies.

(2) CHALLENGING PROPOSED RULES; SPECIAL PROVISIONS.—

(a) A ~~substantially affected person may seek an administrative determination of the invalidity of a proposed rule by filing a~~ petition alleging the invalidity of a proposed rule shall be filed seeking such a determination with the division within 21 days after the date of publication of the notice required by s. 120.54(3)(a); within 10 days after the final public hearing is held on the proposed rule as provided by

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s. 120.54(3)(e)2.; within 20 days after the statement of estimated regulatory costs or revised statement of estimated regulatory costs, if applicable, has been prepared and made available as provided in s. 120.541(1)(d); or within 20 days after the date of publication of the notice required by s. 120.54(3)(d). ~~The petition must state with particularity the objections to the proposed rule and the reasons that the proposed rule is an invalid exercise of delegated legislative authority. The petitioner has the burden to prove by a preponderance of the evidence that it would be substantially affected by the proposed rule of going forward.~~ The agency then has the burden to prove by a preponderance of the evidence that the proposed rule is not an invalid exercise of delegated legislative authority as to the objections raised. ~~A person who is substantially affected by a change in the proposed rule may seek a determination of the validity of such change.~~ A person who is not substantially affected by the proposed rule as initially noticed, but who is substantially affected by the rule as a result of a change, may challenge any provision of the resulting proposed rule and ~~is not limited to challenging the change to the proposed rule.~~

(3) CHALLENGING ~~EXISTING~~ RULES IN EFFECT; SPECIAL PROVISIONS.—

(a) ~~A petition alleging substantially affected person may seek an administrative determination of the invalidity of an existing rule may be filed at any time during which the existence of the rule is in effect.~~ The petitioner has the a burden of proving by a preponderance of the evidence that the existing rule is an invalid exercise of delegated legislative

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authority as to the objections raised.

(4) CHALLENGING AGENCY STATEMENTS DEFINED AS UNADOPTED RULES; SPECIAL PROVISIONS.—

(a) Any person substantially affected by an agency statement that is an unadopted rule may seek an administrative determination that the statement violates s. 120.54(1)(a). The petition shall include the text of the statement or a description of the statement and shall state ~~with particularity~~ facts sufficient to show that the statement constitutes an unadopted a rule ~~under s. 120.52 and that the agency has not adopted the statement by the rulemaking procedure provided by s. 120.54.~~

(b) The administrative law judge may extend the hearing date beyond 30 days after assignment of the case for good cause. Upon notification to the administrative law judge provided before the final hearing that the agency has published a notice of rulemaking under s. 120.54(3), such notice shall automatically operate as a stay of proceedings pending adoption of the statement as a rule. The administrative law judge may vacate the stay for good cause shown. A stay of proceedings pending rulemaking shall remain in effect so long as the agency is proceeding expeditiously and in good faith to adopt the statement as a rule.

(c) If a hearing is held and the petitioner proves the allegations of the petition, the agency shall have the burden of proving that rulemaking is not feasible or not practicable under s. 120.54(1)(a).

(d) ~~(e)~~ The administrative law judge may determine whether all or part of a statement violates s. 120.54(1)(a). The

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349 decision of the administrative law judge shall constitute a
 350 final order. The division shall transmit a copy of the final
 351 order to the Department of State and the committee. The
 352 Department of State shall publish notice of the final order in
 353 the first available issue of the Florida Administrative
 354 Register.

355 ~~(e)-(d)~~ If an administrative law judge enters a final order
 356 that all or part of an unadopted rule ~~agency statement~~ violates
 357 s. 120.54(1)(a), the agency must immediately discontinue all
 358 reliance upon the unadopted rule ~~statement~~ or any substantially
 359 similar statement as a basis for agency action.

360 ~~(f)-(e)~~ If proposed rules addressing the challenged
 361 unadopted rule ~~statement~~ are determined to be an invalid
 362 exercise of delegated legislative authority as defined in s.
 363 120.52(8)(b)-(f), the agency must immediately discontinue
 364 reliance upon ~~on~~ the unadopted rule ~~statement~~ and any
 365 substantially similar statement until rules addressing the
 366 subject are properly adopted, and the administrative law judge
 367 shall enter a final order to that effect.

368 ~~(g)-(f)~~ All proceedings to determine a violation of s.
 369 120.54(1)(a) shall be brought pursuant to this subsection. A
 370 proceeding pursuant to this subsection may be consolidated with
 371 a proceeding under subsection (3) or under any other section of
 372 this chapter. This paragraph does not prevent a party whose
 373 substantial interests have been determined by an agency action
 374 from bringing a proceeding pursuant to s. 120.57(1)(e).

375 Section 4. Paragraphs (e) and (h) of subsection (1) and
 376 subsection (2) of section 120.57, Florida Statutes, are amended
 377 to read:

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378 120.57 Additional procedures for particular cases.—

379 (1) ADDITIONAL PROCEDURES APPLICABLE TO HEARINGS INVOLVING
 380 DISPUTED ISSUES OF MATERIAL FACT.—

381 (e)1. An agency or an administrative law judge may not base
 382 agency action that determines the substantial interests of a
 383 party on an unadopted rule or a rule that is an invalid exercise
 384 of delegated legislative authority. ~~The administrative law judge~~
 385 ~~shall determine whether an agency statement constitutes an~~
 386 ~~unadopted rule.~~ This subparagraph does not preclude application
 387 of valid adopted rules and applicable provisions of law to the
 388 facts.

389 2. In a matter initiated as a result of agency action
 390 proposing to determine the substantial interests of a party, the
 391 party's timely petition for hearing may challenge the proposed
 392 agency action based on a rule that is an invalid exercise of
 393 delegated legislative authority or based on an alleged unadopted
 394 rule. For challenges brought under this subparagraph:

395 a. The challenge may be pled as a defense using the
 396 procedures set forth in s. 120.56(1).

397 b. Section 120.56(3)(a) applies to a challenge alleging
 398 that a rule is an invalid exercise of delegated legislative
 399 authority.

400 c. Section 120.56(4)(c) applies to a challenge alleging an
 401 unadopted rule.

402 d. This subparagraph does not preclude the consolidation of
 403 any proceeding under s. 120.56 with any proceeding under this
 404 paragraph.

405 ~~3.2-~~ Notwithstanding subparagraph 1., if an agency
 406 demonstrates that the statute being implemented directs it to

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adopt rules, that the agency has not had time to adopt those rules because the requirement was so recently enacted, and that the agency has initiated rulemaking and is proceeding expeditiously and in good faith to adopt the required rules, then the agency's action may be based upon those unadopted rules if, subject to de novo review by the administrative law judge determines that rulemaking is neither feasible nor practicable and the unadopted rules would not constitute an invalid exercise of delegated legislative authority if adopted as rules. An

unadopted rule The agency action shall not be presumed valid or invalid. The agency must demonstrate that the unadopted rule:

a. Is within the powers, functions, and duties delegated by the Legislature or, if the agency is operating pursuant to authority vested in the agency by derived from the State Constitution, is within that authority;

b. Does not enlarge, modify, or contravene the specific provisions of law implemented;

c. Is not vague, establishes adequate standards for agency decisions, or does not vest unbridled discretion in the agency;

d. Is not arbitrary or capricious. A rule is arbitrary if it is not supported by logic or the necessary facts; a rule is capricious if it is adopted without thought or reason or is irrational;

e. Is not being applied to the substantially affected party without due notice; and

f. Does not impose excessive regulatory costs on the regulated person, county, or city.

4.3- The recommended and final orders in any proceeding shall be governed by ~~the provisions of~~ paragraphs (k) and (l),

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except that the administrative law judge's determination regarding an unadopted rule under subparagraph 1. or subparagraph 2. shall not be rejected by the agency unless the agency first determines from a review of the complete record, and states with particularity in the order, that such determination is clearly erroneous or does not comply with essential requirements of law. In any proceeding for review under s. 120.68, if the court finds that the agency's rejection of the determination regarding the unadopted rule does not comport with ~~the provisions of~~ this subparagraph, the agency action shall be set aside and the court shall award to the prevailing party the reasonable costs and a reasonable attorney ~~attorney's~~ fee for the initial proceeding and the proceeding for review.

5. A petitioner may pursue a separate, collateral challenge under s. 120.56 even if an adequate remedy exists through a proceeding under this section. The administrative law judge may consolidate the proceedings.

(h) Any party to a proceeding in which an administrative law judge ~~of the Division of Administrative Hearings~~ has final order authority may move for a summary final order when there is no genuine issue as to any material fact. A summary final order shall be rendered if the administrative law judge determines from the pleadings, depositions, answers to interrogatories, and admissions on file, together with affidavits, if any, that no genuine issue as to any material fact exists and that the moving party is entitled as a matter of law to the entry of a final order. A summary final order shall consist of findings of fact, if any, conclusions of law, a disposition or penalty, if

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applicable, and any other information required by law to be contained in the final order.

(2) ADDITIONAL PROCEDURES APPLICABLE TO HEARINGS NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT.—In any case to which subsection (1) does not apply:

(a) The agency shall:

1. Give reasonable notice to affected persons of the action of the agency, whether proposed or already taken, or of its decision to refuse action, together with a summary of the factual, legal, and policy grounds therefor.

2. Give parties or their counsel the option, at a convenient time and place, to present to the agency or hearing officer written or oral evidence in opposition to the action of the agency or to its refusal to act, or a written statement challenging the grounds upon which the agency has chosen to justify its action or inaction.

3. If the objections of the parties are overruled, provide a written explanation within 7 days.

(b) An agency may not base agency action that determines the substantial interests of a party on an unadopted rule or a rule that is an invalid exercise of delegated legislative authority.

(c) ~~(b)~~ The record shall only consist of:

1. The notice and summary of grounds.

2. Evidence received.

3. All written statements submitted.

4. Any decision overruling objections.

5. All matters placed on the record after an ex parte communication.

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6. The official transcript.

7. Any decision, opinion, order, or report by the presiding officer.

Section 5. Subsections (1) and (9) of section 120.68, Florida Statutes, are amended to read:

120.68 Judicial review.—

(1) (a) A party who is adversely affected by final agency action is entitled to judicial review.

(b) A preliminary, procedural, or intermediate order of the agency or of an administrative law judge of the Division of Administrative Hearings is immediately reviewable if review of the final agency decision would not provide an adequate remedy.

(9) A ~~NO~~ petition challenging an agency rule as an invalid exercise of delegated legislative authority shall not be instituted pursuant to this section, except to review an order entered pursuant to a proceeding under s. 120.56, s. 120.57(1)(e)1., or s. 120.57(2)(b) or an agency's findings of immediate danger, necessity, and procedural fairness prerequisite to the adoption of an emergency rule pursuant to s. 120.54(4), unless the sole issue presented by the petition is the constitutionality of a rule and there are no disputed issues of fact.

Section 6. Section 120.695, Florida Statutes, is amended to read:

120.695 Notice of noncompliance; designation of minor violation of rules.—

(1) It is the policy of the state that the purpose of regulation is to protect the public by attaining compliance with the policies established by the Legislature. Fines and other

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penalties may be provided in order to assure compliance; however, the collection of fines and the imposition of penalties are intended to be secondary to the primary goal of attaining compliance with an agency's rules. It is the intent of the Legislature that an agency charged with enforcing rules shall issue a notice of noncompliance as its first response to a minor violation of a rule in any instance in which it is reasonable to assume that the violator was unaware of the rule or unclear as to how to comply with it.

(2) (a) Each agency shall issue a notice of noncompliance as a first response to a minor violation of a rule. A "notice of noncompliance" is a notification by the agency charged with enforcing the rule issued to the person or business subject to the rule. A notice of noncompliance may not be accompanied with a fine or other disciplinary penalty. It must identify the specific rule that is being violated, provide information on how to comply with the rule, and specify a reasonable time for the violator to comply with the rule. A rule is agency action that regulates a business, occupation, or profession, or regulates a person operating a business, occupation, or profession, and that, if not complied with, may result in a disciplinary penalty.

(b) Each agency shall review all of its rules and designate those for which a violation would be a minor violation and for which a notice of noncompliance must be the first enforcement action taken against a person or business subject to regulation. A violation of a rule is a minor violation if it does not result in economic or physical harm to a person or adversely affect the public health, safety, or welfare or create a significant threat

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of such harm. ~~If an agency under the direction of a cabinet officer mails to each licensee a notice of the designated rules at the time of licensure and at least annually thereafter, the provisions of paragraph (a) may be exercised at the discretion of the agency. Such notice shall include a subject matter index of the rules and information on how the rules may be obtained.~~

(c) 1. No later than June 30, 2017, and after such date within 3 months after any request of the rules ombudsman in the Executive Office of the Governor, The agency's review and designation must be completed by December 1, 1995; each agency shall review under the direction of the Governor shall make a report to the Governor, and each agency under the joint direction of the Governor and Cabinet shall report to the Governor and Cabinet by January 1, 1996, on which of its rules and certify to the President of the Senate, the Speaker of the House of Representatives, the committee, and the rules ombudsman those rules that have been designated as rules the violation of which would be a minor violation under paragraph (b), consistent with the legislative intent stated in subsection (1).

2. Beginning July 1, 2017, each agency shall:

a. Publish all rules that the agency has designated as rules the violation of which would be a minor violation, either as a complete list on the agency's website or by incorporation of the designations in the agency's disciplinary guidelines adopted as a rule.

b. Ensure that all investigative and enforcement personnel are knowledgeable about the agency's designations under this section.

3. For each rule filed for adoption, the agency head shall

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581 certify whether any part of the rule is designated as a rule the
 582 violation of which would be a minor violation and shall update
 583 the listing required by sub-subparagraph 2.a.

584 (d) The Governor or the Governor and Cabinet, as
 585 appropriate ~~pursuant to paragraph (c)~~, may evaluate the review
 586 and designation effects of each agency subject to the direction
 587 and supervision of such authority and may direct ~~apply~~ a
 588 different designation than that applied by such ~~the~~ agency.

589 (e) Notwithstanding s. 120.52(1)(a), this section does not
 590 apply to:

591 1. The Department of Corrections;

592 2. Educational units;

593 3. The regulation of law enforcement personnel; or

594 4. The regulation of teachers.

595 (f) Designation pursuant to this section is not subject to
 596 challenge under this chapter.

597 Section 7. Paragraph (a) of subsection (4) of section
 598 120.595, Florida Statutes, is amended to read:

599 120.595 Attorney's fees.—

600 (4) CHALLENGES TO AGENCY ACTION PURSUANT TO SECTION
 601 120.56(4).—

602 (a) If the appellate court or administrative law judge
 603 determines that all or part of an agency statement violates s.
 604 120.54(1)(a), or that the agency must immediately discontinue
 605 reliance on the statement and any substantially similar
 606 statement pursuant to s. 120.56(4)(f) ~~s. 120.56(4)(c)~~, a
 607 judgment or order shall be entered against the agency for
 608 reasonable costs and reasonable attorney's fees, unless the
 609 agency demonstrates that the statement is required by the

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610 Federal Government to implement or retain a delegated or
 611 approved program or to meet a condition to receipt of federal
 612 funds.

613 Section 8. 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 Committee on Appropriations

BILL: CS/CS/SB 468

INTRODUCER: Appropriations Committee; Education Pre-K - 12 Committee; and Senators Ring and others

SUBJECT: Computer Coding Instruction

DATE: February 4, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Graf	Klebacha	ED	Fav/CS
2.	Sikes	Elwell	AED	Recommend: Favorable
3.	Sikes	Kynoch	AP	Fav/CS

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 468 provides that, beginning in the 2018-2019 academic year, high schools must provide opportunities for students to take computer coding courses of sufficient rigor, as identified by the Commissioner of Education (Commissioner), such that two credits in those courses and the earning of a related industry certification satisfies two credits in sequential foreign language instruction. Computer coding courses and the computer coding courses taken to earn the related industry certification must be identified in the Course Code Directory (CCD).

Additionally, the bill requires Florida College System (FCS) institutions and state universities to recognize the computer coding course credits as foreign language credits.

The bill has no fiscal impact on state funds. The bill may have a minimal fiscal impact on school districts as they shift resources to offer more computer coding courses.

The bill takes effect July 1, 2016.

II. Present Situation:

Computer Science and Technology Instruction

Public schools are required to provide students in grades K-12 opportunities for learning computer science including, but not limited to, computer coding and computer programming.¹ Such opportunities may include:²

- Instruction regarding computer coding in elementary and middle school,
- Instruction to develop computer usage and digital literacy skills in middle school, and
- Courses in computer science, computer coding and computer programming in high school, including opportunities to earn industry certifications related to such courses.

Specifically, high schools are authorized to provide computer science courses to satisfy credit requirements for high school graduation, including, at a minimum, computer science and computer technology courses in 3D rapid prototype printing, which are of sufficient rigor, as identified by the commissioner.³ Such courses must be identified in the CCD.⁴

Foreign Language Competency

Each district school board must “provide all courses required for middle grades promotion, high school graduation, and appropriate instruction to ensure that students meet the State Board of Education (state board) adopted standards” in reading and other language arts, mathematics, science, social studies, foreign languages, health and physical education, and the arts.⁵

Students are not required to earn credits in foreign language to graduate from high school with a standard high school diploma.⁶ However, to earn the Scholar designation on the standard high school diploma, a student must earn two credits in the same foreign language.⁷

The Florida Department of Education (DOE or department) is required to identify the competencies that students must demonstrate upon the successful completion of two credits of sequential high school foreign language instruction.⁸ Additionally, the law directs the department to identify in rule⁹ the correlation between high school foreign language competencies and the competencies required of students in the FCS institutions’ courses.¹⁰ Based on such correlation,

¹ Section 1007.2616(1), F.S.

² Section 1007.2616(1), F.S.

³ Section 1007.2616(3), F.S.

⁴ The Course Code Directory (CCD) is the listing of all public preK-12 courses available for use by school districts. Programs and courses which are funded through the Florida Education Finance Program and courses or programs for which students may earn credit toward high school graduation must be listed in the CCD. The CCD maintains course listings for administration and service assignments, K-12 education, exceptional student education, career and technical education, and adult education, with details regarding appropriate teacher certification levels. The CCD provides for course information to schools, districts, and the state. Rule 6A-1.09441, F.A.C.

⁵ Section 1003.42(1), F.S.

⁶ Section 1003.4282(3), F.S.

⁷ Section 1003.4285(1)(a)4., F.S.

⁸ Section 1007.262, F.S.

⁹ Rule 6A-10.02412, F.A.C. This rule adopted by the State Board of Education specifies the competencies that students must demonstrate upon successful completion of two credits of secondary instruction in one foreign language.

¹⁰ *Id.*

each FCS institution must identify the minimum number of postsecondary credits that students must earn to demonstrate a level of competence in foreign language that is equivalent to the competence of students who completed two credits of such instruction in high school.¹¹

The law authorizes alternative means of demonstrating foreign language competence. The DOE may specify means by which a student whose native language is not English may demonstrate proficiency in the native language.¹² A student who demonstrates proficiency in a native language other than English is exempt from the requirement to complete foreign language courses at the secondary level or FCS level.¹³ The completion of a postsecondary course at the elementary level 2 in one foreign language or American Sign Language (ASL) is also considered to demonstrate the required foreign language competency.¹⁴ Additionally, FCS institutions may determine other means by which students may demonstrate completion of foreign language competencies.¹⁵

A first-time-in-college student who is admitted to a state university is expected to demonstrate competency in foreign language or ASL equivalent to the second high school level or higher (Spanish 2, French 2, etc.).¹⁶ Students may also meet the foreign language admission requirement by demonstrating:¹⁷

- Competency at the elementary 2 level in one foreign language or ASL at an undergraduate institution;
- Equivalent foreign language competence on the basis of scores determined by the Credit-by-Exam Equivalencies¹⁸ adopted by the Board of Governors of the State University System of Florida; or
- Equivalent foreign language or ASL competence through other means approved by the university.

III. Effect of Proposed Changes:

The bill provides that, beginning in the 2018-2019 academic year, high schools must provide opportunities for students to take in computer coding courses of sufficient rigor, as identified by the commissioner, such that two credits in those courses and the earning of a related industry certification satisfies two credits in sequential foreign language instruction. Computer coding courses and the computer coding courses taken to earn the related industry certification must be identified in the CCD.

Currently, career and technical education frameworks include courses that incorporate computer coding standards but such courses are not specifically identified in the CCD as courses that contain computer coding standards. Consequently, such courses will need to be identified in the

¹¹ *Id.*

¹² Section 1007.262, F.S.

¹³ *Id.*

¹⁴ Rule 6A-10.02412, F.A.C.

¹⁵ *Id.*

¹⁶ Board of Governors Regulation 6.002(1)(h).

¹⁷ *Id.*

¹⁸ Florida Department of Education, *Articulation Coordinating Committee Credit-by-Exam Equivalencies*, available at <http://www.fldoe.org/core/fileparse.php/5421/urlt/0078391-acc-cbe.pdf>.

CCD as computer coding and computer programming course options for students to take in lieu of sequential foreign language courses.¹⁹

The bill requires FCS institutions and state universities to recognize the computer coding course credits as foreign language credits. This requirement will assist students who complete two credits in rigorous computer coding courses meet the sequential foreign language competency requirements at FCS institutions and state universities. The bill requires the student and the student's parent to sign a statement acknowledging and accepting that taking a computer coding course as a foreign language may not meet the foreign language requirements of out-of-state colleges and universities.

The bill takes effect 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:

None.

C. Government Sector Impact:

CS/CS/SB 468 has no fiscal impact on state funds. The bill may have a minimal fiscal impact on school districts as they shift resources to offer more computer coding courses.

VI. Technical Deficiencies:

Lines 36-39 provide “Computer coding courses created and identified by the commissioner and computer coding courses taken to earn the related industry certification shall be included in the

¹⁹ Florida Department of Education, *2016 Agency Legislative Bill Analysis for SB 468* (Nov. 5, 2015), at 3-4, on file with the Committee on Education staff.

Course Code Directory.”(Emphasis added) The commissioner does not “create” courses. Therefore, consideration should be given to deleting the words “created and.”

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1007.2616 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

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

CS/CS by Appropriations on February 3, 2016:

The committee substitute:

- Specifies that the requirements of the bill are not effective until the 2018-2019 school year;
- Requires each student and his or her parent to sign an acknowledgment that computer coding may not meet out-of-state college and university foreign language requirements; and
- Requires the Commissioner of Education to create the specified computer coding courses.

CS by Education Pre-K – 12 on December 3, 2015:

The committee substitute:

- Added a requirement that Florida College System institutions and state universities must recognize the computer coding course credits as foreign language credits; and
- Removed a provision that would have required students to earn two credits in rigorous computer coding courses to qualify for the Florida Bright Futures Scholarship Program initial award.

B. Amendments:

None.



140576

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/04/2016	.	
	.	
	.	
	.	

The Committee on Appropriations (Ring) recommended the following:

Senate Amendment (with title amendment)

Delete line 23

and insert:

(4) Beginning with the 2018-2019 school year, high schools must provide students opportunities to

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete line 4



140576

11 and insert:
12 offer students opportunities to take specified
13 computer coding courses by a specified school year;
14 requiring the



642728

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/04/2016	.	
	.	
	.	
	.	

The Committee on Appropriations (Ring) recommended the following:

Senate Amendment (with title amendment)

Delete line 29
and insert:
recognize the credits as foreign language credits; however, each
student and his or her parent must sign a statement
acknowledging and accepting that taking a computer coding course
as a foreign language may not meet out-of-state college and
university foreign language requirements. Computer



642728

11 ===== T I T L E A M E N D M E N T =====

12 And the title is amended as follows:

13 Delete line 10

14 and insert:

15 language credits; requiring each student and his or
16 her parent to sign a statement acknowledging and
17 accepting that taking a computer coding course as a
18 foreign language may not meet certain out-of-state
19 requirements; requiring the inclusion of certain



480630

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/04/2016	.	
	.	
	.	
	.	

The Committee on Appropriations (Ring) recommended the following:

Senate Amendment (with title amendment)

Delete lines 30 - 36
and insert:
coding courses created and identified by the commissioner and
computer coding courses taken to earn the related industry
certification shall be included in the Course Code Directory.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:



480630

11 Delete lines 12 - 14
12 and insert:
13 providing an

By the Committee on Education Pre-K - 12; and Senators Ring and Brandes

581-01804-16

2016468c1

A bill to be entitled

An act relating to computer coding instruction; amending s. 1007.2616, F.S.; requiring high schools to offer computer coding courses; requiring the Commissioner of Education to identify the computer coding courses that satisfy two credits of foreign language instruction under certain circumstances; requiring Florida College System institutions and state universities to recognize the credits as foreign language credits; requiring the inclusion of certain computer coding courses in the Course Code Directory; requiring each district school board to submit a plan for a computer coding curriculum to the commissioner and the Legislature by a specified date; providing an effective date.

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

Section 1. Present subsection (4) of section 1007.2616, Florida Statutes, is redesignated as subsection (5), and a new subsection (4) is added to that section, to read:

1007.2616 Computer science and technology instruction.—

(4) High schools must provide students opportunities to take computer coding courses of sufficient rigor, as identified by the commissioner, such that two credits in such courses and the earning of a related industry certification satisfies two credits of sequential foreign language instruction. Florida College System institutions and state universities must recognize the credits as foreign language credits. Computer

Page 1 of 2

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

581-01804-16

2016468c1

coding courses identified by the commissioner and computer coding courses taken to earn the related industry certification shall be included in the Course Code Directory.

Section 2. Each district school board shall develop a plan for a computer coding curriculum and must submit its plan to the Commissioner of Education, the President of the Senate, and the Speaker of the House of Representatives by January 1, 2017.

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

Page 2 of 2

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

THE FLORIDA SENATE

APPEARANCE RECORD

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

2/3/16

Meeting Date

SB 468

Bill Number (if applicable)

Topic Computer Coding Instruction

Amendment Barcode (if applicable)

Name Brewster Bevis

Job Title Senior VP

Address 516 N. Adams St

Phone 850-224-7173

Street

Tallahassee

FL

32312

Email bbevis@aif.com

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Associated Industries of Florida

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.

S-001 (10/14/14)

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

CS/SB 468
Bill Number (if applicable)

Amendment Barcode (if applicable)

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)

2/3/16

Meeting Date

SB0468

Bill Number (if applicable)

Topic COMPUTER CODING INSTRUCTION

Amendment Barcode (if applicable)

Name MARTIN GINSBERG

Job Title _____

Address 10 FAULKLAND CIRCLE

Phone 561 370 8604

Street

BONNIE BEACH FL 33426-8116

Email MARTY@RAAA@GMAIL.COM

City

State

Zip

Speaking: ☐ For ☒ Against ☐ Information

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

Representing _____

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.

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)

2/3/16

Meeting Date

SB 0468

Bill Number (if applicable)

Topic Computer Coding instruction

Amendment Barcode (if applicable)

Name Donald Persson

Job Title Alg. Teacher/Coach

Address 12980 Orange Grove Blvd.

Phone (561) 719-6838

Street

West Palm Beach FL 33411

City

State

Zip

Email donaldpersson@gmail.com

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Myself

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.

S-001 (10/14/14)

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 Committee on Appropriations

BILL: PCS/CS/SB 546 (724450)

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on General Government); Environmental Preservation and Conservation Committee; and Senator Simpson

SUBJECT: Sale or Exchange of Lands

DATE: February 2, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Istler	Rogers	EP	Fav/CS
2.	Howard	DeLoach	AGG	Recommend: Fav/CS
3.	Howard	Kynoch	AP	Pre-meeting

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Technical Changes

I. Summary:

PCS/CS/SB 546:

- Revises the noticing requirements that a water management district must adhere to when selling or exchanging lands, or interests or rights in lands;
- Provides an expedited process for selling surplus lands that are valued at \$25,000 or less;
- Extends the timeframe in which a certified appraisal has to be obtained for determining the minimum pricing at which land may be sold from 120 days to 360 days before the sale;
- Exempts any portion of a parcel of land acquired with Florida Forever funds which was deemed surplus at the time it was acquired from the requirement that title for such lands be first offered to the Board of Trustees of the Internal Improvement Trust Fund; and
- Authorizes a water management district to include a restriction on the future use of the surplus parcel as a term and condition of sale.

The bill has an indeterminate positive fiscal impact.

The bill provides an effective date of July 1, 2016.

II. Present Situation:

A governing board of a water management district is authorized to acquire real property for the conservation and protection of water and water-related resources.¹ Collectively, the water management districts hold approximately 32.5 percent of the total land owned by the state.² The following is a breakdown of the land in acres owned by each water management district:

- Northwest Florida Water Management District: 193,165.
- Suwannee River Water Management District: 157,704.
- St. Johns River Water Management District: 472,825.
- Southwest Florida Water Management District: 307,728.
- South Florida Water Management District: 689,500.³

Sections 373.056 and 373.089, F.S., establishes the manner in which water management districts may dispose of lands, or interests or rights in lands. Before lands, or interests or rights in lands, are disposed, the governing board of a water management district must determine that the parcel of land is no longer needed, or surplus. Lands that are determined surplus may be offered for public bid and sold pursuant to s. 373.089, F.S., conveyed by a district to another governmental entity pursuant to s. 373.056, F.S., or used in potential real estate exchange transactions.

The governing board of a water management district may sell lands determined to be surplus at any time. The disposal of surplus lands requires a majority vote of the governing board. The disposal of surplus lands that were acquired for conservation purposes requires a determination that the lands are no longer needed for conservation purposes and a two-thirds vote of the governing board.⁴

A water management district must first offer title to surplus lands that were acquired in whole or in part with Florida Forever funds to the Board of Trustees of the Internal Improvement Trust Fund, unless the disposition of lands is for any one of the following purposes:

- Linear facilities, such as transmission and distribution facilities.
- Dispositions of the fee interest in the land where a conservation easement is retained by the district to fulfill the conservation objectives for which the land was acquired.
- An exchange of the land for other lands that meet or exceed the conservation objections for which the original land was acquired.
- Dispositions of lands, or rights or interests in lands, to be used by a governmental entity for a public purpose.⁵

Before selling surplus lands, a district must publish a notice of intention to sell, which includes a description of the lands to be offered for sale, in a newspaper circulated in the county in which the land is located once each week for three consecutive weeks, with the first publication being not less than 30 days nor more than 45 days before any sale.⁶ Surplus lands must be sold for the

¹ Section 373.139, F.S.

² State of Florida Lands and Facilities Inventory Search (SOLARIS), *State Lands Dashboard*, <http://webapps.dep.state.fl.us/DsIPi/stateLandDashboard.action> (last visited Nov. 16, 2015).

³ *Id.*

⁴ Section 373.089, F.S.

⁵ *Id.*

⁶ *Id.*

highest price obtainable, which may not be less than the appraised value of the lands as determined by a certified appraisal obtained within 120 days before the sale.⁷

Where the proceeds from the sale of surplus lands go depends on the source of funds that were initially used to buy the land. In most cases, the proceeds go to the fund from which the lands were acquired to be used for the purchase of acquiring additional lands, or the proceeds are used for payment of debt service on revenue bonds or notes issued under s. 373.584, F.S.⁸

III. Effect of Proposed Changes:

The bill extends the timeframe in which a certified appraisal has to be obtained for determining the minimum price at which the land may be sold from 120 days to 360 days before the sale. The bill clarifies that the timing is measured by the effective date of the contract for sale, rather than “the sale.” The bill revises the period from which the first publication of the required notice must occur to not more than 360 days before any sale, rather than 45 days.

The bill exempts any portion of a parcel of land acquired with Florida Forever funds which was deemed surplus at the time it was acquired from the requirement that title for such lands be first offered to the Board of Trustees of the Internal Improvement Trust Fund.

The bill provides an expedited process for the sale of surplus lands valued at \$25,000 or less, as determined by a certified appraisal obtained within 360 days before any sale. This process enables a water management district to sell a parcel of land quicker than the minimum of 45 days required under current law.

Instead of requiring a governing board to publish a notice of intention to sell in a newspaper circulated in the county in which a parcel of land valued at \$25,000 or less is situated for three consecutive weeks, the bill requires a governing board to publish the notice of intention to sell one time only. Additionally, the governing board must send notice to adjacent property owners by certified mail and publish the notice on its website. Fourteen days after publication of such notice, the bill authorizes a water management district to sell such a parcel to an adjacent property owner or accept sealed bids if there are two or more owners of adjacent property and sell the parcel to the highest bidder. Thirty days after publication of such notice, the bill authorizes a water management district to accept sealed bids and sell such a parcel to the highest bidder. The bill authorizes a water management district to reject all offers in either case.

The bill authorizes a water management district to include a restriction on the future use of the surplus parcel as a term and condition of sale.

The bill has an effective date of July 1, 2016.

⁷ *Id.*

⁸ Section 373.139(6), F.S.

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:

PCS/CS/SB 546 authorizes the water management districts to sell parcels of land valued at \$25,000 or less through an expedited process which could have a positive fiscal impact to the districts. The number of parcels that may qualify for this type of sale is unknown; therefore, the potential revenue to the water management districts is indeterminate.

Payment in lieu of taxes to eligible counties may be decreased if surplus lands are sold which could reduce costs for those counties that receive funds from the water managements or the state for this purpose.

VI. Technical Deficiencies:

The term “sale” was amended in subsection (1) to “the effective date of the contract for sale” for clarification. In subsection (8), the language authorizing an expedited process for selling parcels valued at \$25,000 or less, the term “sale” is used. For consistency, this should be amended to “the effective date of the contract for sale.”

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 373.089 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.)

Recommended CS/CS by Appropriations Subcommittee on General Government on January 21, 2016:

The CS to clarifies that the water management district is authorized to sell surplus lands valued at \$25,000 or less fourteen days after publication of intention to sell the property. It also clarifies that the water management district is authorized to accept sealed bids thirty days after publication of intention to sell the property.

CS by Environmental Preservation and Conservation on November 18, 2015:

The CS revises the noticing requirements a water management district must adhere to before selling any surplus land, or interest or rights in land, to require the first publication of the notice to occur at least 360 days before any sale, rather than 45 days.

B. Amendments:

None.



442978

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/04/2016	.	
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	.	
	.	

The Committee on Appropriations (Hukill) recommended the following:

Senate Amendment

Delete line 72
and insert:
before the effective date of a contract for the sale, the
governing board may determine that the



644782

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/04/2016	.	
	.	
	.	
	.	

The Committee on Appropriations (Hukill) recommended the following:

Senate Amendment (with title amendment)

Delete lines 86 - 87.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 11 - 12

and insert:

directly to the highest bidder;



724450

576-02399-16

Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on General Government)

A bill to be entitled

An act relating to the sale or exchange of lands;
amending s. 373.089, F.S.; extending the timeframe
within which a certified appraisal may be obtained for
parcels of land to be sold as surplus; revising the
procedures a water management district must follow for
publishing a notice of intention to sell surplus
lands; providing an exception from such notice
requirements if a parcel of land is valued below a
certain threshold; authorizing such parcels to be sold
directly to the highest bidder; authorizing districts
to include restrictions on future use of such parcels;
providing an effective date.

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

Section 1. Subsections (1), (3), and (7) of section
373.089, Florida Statutes, are amended, and subsection (8) is
added to that section, to read:

373.089 Sale or exchange of lands, or interests or rights
in lands.—The governing board of the district may sell lands, or
interests or rights in lands, to which the district has acquired
title or to which it may hereafter acquire title in the
following manner:

(1) Any lands, or interests or rights in lands, determined
by the governing board to be surplus may be sold by the
district, at any time, for the highest price obtainable;



724450

576-02399-16

however, in no case shall the selling price be less than the
appraised value of the lands, or interests or rights in lands,
as determined by a certified appraisal obtained within 360 ~~120~~
days before the effective date of a contract for sale.

(3) Before selling any surplus land, or interests or rights
in land, it shall be the duty of the district to cause a notice
of intention to sell to be published in a newspaper published in
the county in which the land, or interests or rights in the
land, is situated once each week for 3 successive weeks, ~~(three~~
~~insertions being sufficient.)~~, The first publication of the
required notice must occur at least which shall be not less than
30 days, but not more than 360 ~~45~~ days, before ~~prior to~~ any
sale and must include, which notice shall set forth a
description of lands, or interests or rights in lands, to be
offered for sale.

(7) Notwithstanding other provisions of this section, the
governing board shall first offer title to lands acquired in
whole or in part with Florida Forever funds which are determined
to be no longer needed for conservation purposes to the Board of
Trustees of the Internal Improvement Trust Fund unless the
disposition of those lands is for the following purposes:

(a) Linear facilities, including electric transmission and
distribution facilities, telecommunication transmission and
distribution facilities, pipeline transmission and distribution
facilities, public transportation corridors, and related
appurtenances.

(b) The disposition of the fee interest in the land where a
conservation easement is retained by the district to fulfill the
conservation objectives for which the land was acquired.



724450

576-02399-16

(c) An exchange of the land for other lands that meet or exceed the conservation objectives for which the original land was acquired in accordance with subsection (4).

(d) To be used by a governmental entity for a public purpose.

(e) The portion of an overall purchase deemed surplus at the time of the acquisition.

If in the event the Board of Trustees of the Internal Improvement Trust Fund declines to accept title to the lands offered under this section, the land may be disposed of by the district under the provisions of this section.

(8) If a parcel of land is no longer essential or necessary for conservation purposes and is valued at \$25,000 or less as determined by a certified appraisal obtained within 360 days before any sale, the governing board may determine that the parcel of land is surplus. The notice of intention to sell shall be published as required under subsection (3), one time only. The governing board shall send the notice of intention to sell the parcel to adjacent property owners by certified mail and publish the notice on its website.

(a) Fourteen days after publication of such notice, the district may sell the parcel to an adjacent property owner, or if there are two or more owners of adjacent property, accept sealed bids and sell the parcel to the highest bidder or reject all offers.

(b) Thirty days after publication of such notice, the district shall accept sealed bids and may sell the parcel to the highest bidder or reject all offers.



724450

576-02399-16

(c) The district may include a restriction on the future use of the surplus parcel as a term and condition of the sale.

Section 2. 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 Committee on Appropriations

BILL: CS/CS/SB 546

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on General Government); Environmental Preservation and Conservation Committee; and Senator Simpson

SUBJECT: Sale or Exchange of Lands

DATE: February 4, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Istler	Rogers	EP	Fav/CS
2.	Howard	DeLoach	AGG	Recommend: Fav/CS
3.	Howard	Kynoch	AP	Fav/CS

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Technical Changes

I. Summary:

CS/CS/SB 546:

- Revises the noticing requirements that a water management district must adhere to when selling or exchanging lands, or interests or rights in lands;
- Provides an expedited process for selling surplus lands that are valued at \$25,000 or less;
- Extends the timeframe in which a certified appraisal has to be obtained for determining the minimum pricing at which land may be sold from 120 days to 360 days before the effective date of a contract for the sale;
- Exempts any portion of a parcel of land acquired with Florida Forever funds which was deemed surplus at the time it was acquired from the requirement that title for such lands be first offered to the Board of Trustees of the Internal Improvement Trust Fund; and

The bill has an indeterminate positive fiscal impact.

The bill provides an effective date of July 1, 2016.

II. Present Situation:

A governing board of a water management district is authorized to acquire real property for the conservation and protection of water and water-related resources.¹ Collectively, the water management districts hold approximately 32.5 percent of the total land owned by the state.² The following is a breakdown of the land in acres owned by each water management district:

- Northwest Florida Water Management District: 193,165.
- Suwannee River Water Management District: 157,704.
- St. Johns River Water Management District: 472,825.
- Southwest Florida Water Management District: 307,728.
- South Florida Water Management District: 689,500.³

Sections 373.056 and 373.089, F.S., establishes the manner in which water management districts may dispose of lands, or interests or rights in lands. Before lands, or interests or rights in lands, are disposed, the governing board of a water management district must determine that the parcel of land is no longer needed, or surplus. Lands that are determined surplus may be offered for public bid and sold pursuant to s. 373.089, F.S., conveyed by a district to another governmental entity pursuant to s. 373.056, F.S., or used in potential real estate exchange transactions.

The governing board of a water management district may sell lands determined to be surplus at any time. The disposal of surplus lands requires a majority vote of the governing board. The disposal of surplus lands that were acquired for conservation purposes requires a determination that the lands are no longer needed for conservation purposes and a two-thirds vote of the governing board.⁴

A water management district must first offer title to surplus lands that were acquired in whole or in part with Florida Forever funds to the Board of Trustees of the Internal Improvement Trust Fund, unless the disposition of lands is for any one of the following purposes:

- Linear facilities, such as transmission and distribution facilities.
- Dispositions of the fee interest in the land where a conservation easement is retained by the district to fulfill the conservation objectives for which the land was acquired.
- An exchange of the land for other lands that meet or exceed the conservation objections for which the original land was acquired.
- Dispositions of lands, or rights or interests in lands, to be used by a governmental entity for a public purpose.⁵

Before selling surplus lands, a district must publish a notice of intention to sell, which includes a description of the lands to be offered for sale, in a newspaper circulated in the county in which the land is located once each week for three consecutive weeks, with the first publication being not less than 30 days nor more than 45 days before any sale.⁶ Surplus lands must be sold for the

¹ Section 373.139, F.S.

² State of Florida Lands and Facilities Inventory Search (SOLARIS), *State Lands Dashboard*, <http://webapps.dep.state.fl.us/DslPi/stateLandDashboard.action> (last visited Nov. 16, 2015).

³ *Id.*

⁴ Section 373.089, F.S.

⁵ *Id.*

⁶ *Id.*

highest price obtainable, which may not be less than the appraised value of the lands as determined by a certified appraisal obtained within 120 days before the sale.⁷

Where the proceeds from the sale of surplus lands go depends on the source of funds that were initially used to buy the land. In most cases, the proceeds go to the fund from which the lands were acquired to be used for the purchase of acquiring additional lands, or the proceeds are used for payment of debt service on revenue bonds or notes issued under s. 373.584, F.S.⁸

III. Effect of Proposed Changes:

The bill extends the timeframe in which a certified appraisal has to be obtained for determining the minimum price at which the land may be sold from 120 days to 360 days before the effective date of a contract for the sale. The bill clarifies that the timing is measured by the effective date of the contract for sale, rather than “the sale.” The bill revises the period from which the first publication of the required notice must occur to not more than 360 days before any sale, rather than 45 days.

The bill exempts any portion of a parcel of land acquired with Florida Forever funds which was deemed surplus at the time it was acquired from the requirement that title for such lands be first offered to the Board of Trustees of the Internal Improvement Trust Fund.

The bill provides an expedited process for the sale of surplus lands valued at \$25,000 or less, as determined by a certified appraisal obtained within 360 days before the effective date of a contract for the sale. This process enables a water management district to sell a parcel of land quicker than the minimum of 45 days required under current law.

Instead of requiring a governing board to publish a notice of intention to sell in a newspaper circulated in the county in which a parcel of land valued at \$25,000 or less is situated for three consecutive weeks, the bill requires a governing board to publish the notice of intention to sell one time only. Additionally, the governing board must send notice to adjacent property owners by certified mail and publish the notice on its website. Fourteen days after publication of such notice, the bill authorizes a water management district to sell such a parcel to an adjacent property owner or accept sealed bids if there are two or more owners of adjacent property and sell the parcel to the highest bidder. Thirty days after publication of such notice, the bill authorizes a water management district to accept sealed bids and sell such a parcel to the highest bidder. The bill authorizes a water management district to reject all offers in either case.

The bill has an effective date of July 1, 2016.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

⁷ *Id.*

⁸ Section 373.139(6), F.S.

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:

CS/CS/SB 546 authorizes the water management districts to sell parcels of land valued at \$25,000 or less through an expedited process which could have a positive fiscal impact to the districts. The number of parcels that may qualify for this type of sale is unknown; therefore, the potential revenue to the water management districts is indeterminate.

Payment in lieu of taxes to eligible counties may be decreased if surplus lands are sold which could reduce costs for those counties that receive funds from the water managements or the state for this purpose.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 373.089 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.)

CS/CS by Appropriations on February 3, 2016:

The CS clarifies that a water management district is authorized to sell surplus lands valued at \$25,000 or less fourteen days after publication of notification of intention to sell the property and that a water management district may accept sealed bids thirty days after

publication of notification of intention to sell such property. The value of the property to be surplusd must be based upon a certified appraisal obtained within 360 days before the effective date of a contract for the sale.

Finally, the CS deletes from the bill a provision allowing water management districts to include a restriction on the future use of the surplus parcel as a term and condition of sale.

CS by Environmental Preservation and Conservation on November 18, 2015:

The CS revises the noticing requirements a water management district must adhere to before selling any surplus land, or interest or rights in land, to require the first publication of the notice to occur at least 360 days before any sale, rather than 45 days.

B. Amendments:

None.

By the Committee on Environmental Preservation and Conservation;
and Senator Simpson

592-01418-16

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A bill to be entitled

An act relating to the sale or exchange of lands;
amending s. 373.089, F.S.; extending the timeframe
within which a certified appraisal may be obtained for
parcels of land to be sold as surplus; revising the
procedures a water management district must follow for
publishing a notice of intention to sell surplus
lands; providing an exception from such notice
requirements if a parcel of land is valued below a
certain threshold; authorizing such parcels to be sold
directly to the highest bidder; authorizing districts
to include restrictions on future use of such parcels;
providing an effective date.

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

Section 1. Subsections (1), (3), and (7) of section
373.089, Florida Statutes, are amended, and subsection (8) is
added to that section, to read:

373.089 Sale or exchange of lands, or interests or rights
in lands.—The governing board of the district may sell lands, or
interests or rights in lands, to which the district has acquired
title or to which it may hereafter acquire title in the
following manner:

(1) Any lands, or interests or rights in lands, determined
by the governing board to be surplus may be sold by the
district, at any time, for the highest price obtainable;
however, in no case shall the selling price be less than the
appraised value of the lands, or interests or rights in lands,

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as determined by a certified appraisal obtained within 360 ~~120~~
days before the effective date of a contract for sale.

(3) Before selling any surplus land, or interests or rights
in land, it shall be the duty of the district to cause a notice
of intention to sell to be published in a newspaper published in
the county in which the land, or interests or rights in the
land, is situated once each week for 3 successive weeks, ~~three~~
insertions being sufficient. The first publication of the
required notice must occur at least ~~which shall be not less than~~
~~30 days, but not~~ ~~more than~~ 360 ~~45~~ days, before ~~prior to~~ any
sale and must include, ~~which notice shall set forth~~ a
description of lands, or interests or rights in lands, to be
offered for sale.

(7) Notwithstanding other provisions of this section, the
governing board shall first offer title to lands acquired in
whole or in part with Florida Forever funds which are determined
to be no longer needed for conservation purposes to the Board of
Trustees of the Internal Improvement Trust Fund unless the
disposition of those lands is for the following purposes:

(a) Linear facilities, including electric transmission and
distribution facilities, telecommunication transmission and
distribution facilities, pipeline transmission and distribution
facilities, public transportation corridors, and related
appurtenances.

(b) The disposition of the fee interest in the land where a
conservation easement is retained by the district to fulfill the
conservation objectives for which the land was acquired.

(c) An exchange of the land for other lands that meet or
exceed the conservation objectives for which the original land

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was acquired in accordance with subsection (4).

(d) To be used by a governmental entity for a public purpose.

(e) The portion of an overall purchase deemed surplus at the time of the acquisition.

~~If in the event~~ the Board of Trustees of the Internal Improvement Trust Fund declines to accept title to the lands offered under this section, the land may be disposed of by the district under the provisions of this section.

(8) Notwithstanding this section, if a parcel of land is no longer essential or necessary for conservation purposes and is valued at \$25,000 or less as determined by a certified appraisal obtained within 360 days before any sale, the governing board may determine that the parcel of land is surplus. The notice of sale shall be published, as required under subsection (3), one time only. The governing board shall send notice of its intention to sell the parcel to adjacent property owners by certified mail and publish the notice on its website.

(a) Within 14 days after such notice, the district may sell the parcel to an adjacent property owner or accept sealed bids if there are two or more owners of adjacent property and may sell the parcel to the highest bidder or reject all offers.

(b) Within 30 days after such notice, the district shall accept sealed bids and may sell the parcel to the highest bidder or reject all offers.

(c) The district may include a restriction on the future use of the surplus parcel as a term and condition of the sale.

Section 2. This act shall take effect July 1, 2016.



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Community Affairs, *Chair*
Environmental Preservation and Conservation,
Vice Chair
Appropriations Subcommittee on General Government
Finance and Tax
Judiciary
Transportation

JOINT COMMITTEE:

Joint Legislative Auditing Committee

SENATOR WILTON SIMPSON

18th District

January 21, 2016

The Honorable Tom Lee
Senate Committee on Appropriations, Chair
404 South Monroe Street
Tallahassee, FL 32399

Dear Chairman Lee:

I respectfully request that Senate Bill 546 relating to *Sale or Exchange of Lands*, 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 black ink, appearing to read "Wilton Simpson", with a stylized flourish at the end.

Wilton Simpson, State Senator, 18th District

CC: Committee on Appropriations Staff

REPLY TO:

- ☐ 322 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5018
- ☐ Post Office Box 938, Brooksville, Florida 34605
- ☐ Post Office Box 787, New Port Richey, Florida 34656-0787 (727) 816-1120 FAX: (888) 263-4821

Senate's Website: www.flsenate.gov

ANDY GARDINER
President of the Senate

GARRETT RICHTER
President Pro Tempore

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 Committee

BILL: PCS/CS/SB 756 (566040)

INTRODUCER: Appropriations Committee (Recommended by the Appropriations Subcommittee on Transportation, Tourism, and Economic Development); Transportation Committee; and Senator Brandes

SUBJECT: Department of Transportation

DATE: February 2, 2016

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Price	Eichin	TR	Fav/CS
2. Sneed	Miller	ATD	Recommend: Fav/CS
3. Sneed	Kynoch	AP	Pre-meeting

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/CS/SB 756 contains the Florida Department of Transportation's (FDOT) 2016 Legislative Package, as well as additional transportation-related provisions. More specifically, the bill:

- Creates the FDOT Financing Corporation, a nonprofit corporation, for the purpose of financing or refinancing projects in the FDOT's work program through one or more service contracts, under which the corporation is authorized to issue bonds and other forms of indebtedness secured by payments to the corporation by the FDOT.
- Requires the FDOT to consult with and provide information to the Division of Bond Finance (DBF) in connection with a proposal to finance or refinance a transportation facility through the FDOT's authority to enter into public-private partnerships, and authorizes the DBF to make an independent recommendation.
- Expressly authorizes an existing, federally approved business development program for highway projects within the FDOT, which is intended to assist small businesses, increase competition, and reduce costs.
- Authorizes the transfer of the FDOT's Pinellas Bayway System to become part of the turnpike system and, in such event, also requires the transfer of certain funds to be used to help fund the costs of repair and replacement of the transferred facilities.
- Repeals certain provisions of the Laws of Florida relative to the Pinellas Bayway System.
- Deletes references to certain toll facilities.

- Increases from \$15 million to \$25 million the minimum annual funding for the Florida Seaport Transportation and Economic Development (FSTED) program.
- Authorizes the FDOT to assume certain review responsibilities under the National Environmental Policy Act (NEPA) with respect to highway projects
- Substantially revises chapter 333, F.S., relating to airport zoning regulations.
- Allows commercial motor vehicle (CMV) operators to purchase temporary CMV registration permits at certain locations and provides for a reduced non-registration penalty under certain circumstances.
- Increases from three to ten years the period after which a dormant prepaid toll account is presumed unclaimed.
- Corrects a cross-reference.

This bill has potential fiscal impacts to the private and government sectors. See Section V.

The bill has an effective date of July 1, 2016.

II. Present Situation:

Due to the disparate issues in the bill, the present situation for each section is discussed below in conjunction with the Effect of Proposed Changes.

III. Effect of Proposed Changes:

FDOT Financing Corporation (Section 27)

Present Situation

Authority to Issue Debt for Transportation Projects:

Current law reflects a number of provisions authorizing the issuance of debt for the purpose of financing or refinancing certain transportation projects, which include:

- *Right of way and bridge construction bonds issued by the DBF upon request of the FDOT pursuant to the State Bond Act.* These bonds are secured by the full faith and credit of the state and are payable primarily from motor fuel and diesel fuel taxes transferred to the Right-of-Way Acquisition and Bridge Construction Trust Fund. With an exception for refinancing bonds, these bonds must be first authorized by the Legislature in the General Appropriations Act or by general law.¹
- *Revenue bonds issued by the DBF on behalf of the FDOT pursuant to the State Bond Act for fixed capital expenditures for fixed-guideway transportation systems.*² Such bonds must be approved by the Legislature by general law. These bonds do not constitute a general obligation of or a pledge of the full faith and credit of the state. The bonds are payable from a percentage of funds annually deposited into the State Transportation Trust Fund (STTF) for

¹ See s. 17, Art. VII of the State Constitution; ss. 215.57-215.83, F.S.; and s. 215.605, F.S.

² Defined in s. 341.031(2), F.S., as a public transit system for the transporting of people by a conveyance, or a series of interconnected conveyances, which is specifically designed for travel on a stationary rail or other guideway, whether located on, above, or under the ground.

public transportation projects, or other funds available for the project, subject to annual appropriation.^{3, 4}

- *Federal highway apportionment grant anticipation revenue vehicle (GARVEE) bonds⁵ issued for or on behalf of the FDOT.* These bonds are payable primarily from a prior and superior claim on all federal highway reimbursements received each year with respect to federal-aid projects undertaken in accordance with Title 23 of the United States Code. These bonds do not constitute a debt or general obligation of the state or a pledge of the state's full faith and credit or taxing power of the state.^{6, 7}
- *Revenue bonds issued by the DBF upon request of the FDOT pursuant to the State Bond Act.* These revenue bonds are secured by toll revenues collected on non-turnpike facilities for projects in the county or counties in which the revenue-producing project is located.⁸
- *Turnpike revenue bonds issued by the DBF on behalf of the FDOT.* Turnpike revenue bonds are secured by toll revenues pledged for repayment of the principal and interest on such bonds for turnpike projects contained in the FDOT's legislatively approved tentative work program. These bonds do not constitute debts of the state and do not pledge the full faith and credit of the state.^{9, 10}

The FDOT is also authorized to enter into long-term public-private partnership contractual agreements with private entities for the building, operation, ownership, or financing of transportation facilities pursuant to s. 334.30, F.S. For projects on the State Highway System, the FDOT may use state resources to participate in funding and financing a project as provided for under the FDOT's enabling legislation. No more than 15 percent of total federal and state funding in any given year for the STTF may be obligated collectively for all projects under that section.¹¹

Debt Management:

To ensure that financing of transportation infrastructure is managed with fiscal integrity, section 339.139, F.S., requires the FDOT to provide a debt and debt-like contractual obligations load report along with submission of its annual tentative work program under s. 339.135, F.S. The report must include data on current and planned commitments payable from the STTF, including:

- Debt service payments required to be made under any resolution for the issuance of bonds secured by a lien on federal highway aid reimbursements or motor fuel and diesel fuel taxes.

³ See s. 11, Art. VII of the State Constitution; ss. 215.57-215.83, F.S.; and s. 215.615, F.S.

⁴ Section 215.615(1)(b), F.S., limits the revenues available for debt service on fixed-guideway bonds to no more than 2 percent of all state revenues deposited into the STTF.

⁵ These securities anticipate moneys from a specific source, in this case future federal-aid highway funding for eligible projects under Title 23 of the United States Code. See the FHWA website: ⁵ http://www.fhwa.dot.gov/ipd/finance/tools_programs/federal_debt_financing/garvees/default.aspx. Last visited November 23, 2015.

⁶ See s. 11, Art. VII of the State Constitution; ss. 215.57-215.83, F.S.; and s. 215.616, F.S.

⁷ Section 215.616(3), F.S., limits the revenues available for debt service on GARVEE bonds to no more than 10 percent of annual apportionments to the FDOT for federal highway aid under Title 23 of the United States Code.

⁸ See s. 11, Art. VII of the State Constitution; ss. 215.57-215.83, F.S.; and s. 338.165, F.S.

⁹ See s. 11, Art. VII of the State Constitution; ss. 215.57-215.83, F.S.; and ss. 338.227, 338.2275, and 338.228, F.S.

¹⁰ No more than \$10 billion of bonds may be outstanding. Section 338.22275(1), F.S.

¹¹ Section 334.30(12), F.S.

- Funding for seaports which has been pledged to the payment of principal and interest on bonds issued by the Florida Ports Financing Commission pursuant to s. 320.20, F.S.
- Commitments of the FDOT to pay the costs of operating, maintaining, repairing, and rehabilitating expressway and bridge systems under the terms of lease-purchase agreements which are enforceable by the holders of bonds issued by expressway and bridge authorities pursuant to ch. 348, F.S.
- Availability, milestone, and final acceptance payments required by public-private partnerships pursuant to s. 334.30, F.S., that are not payments for the cost of operation or maintenance of a facility.
- Agreed-on payments to an FDOT contractor for work performed in the current fiscal year for which payment is deferred to a later fiscal year for public-private partnerships pursuant to s. 334.30, F.S.
- Reimbursements to local governments for work performed on a project if the reimbursement is deferred to a later fiscal year pursuant to s. 339.12, F.S.
- Loan repayments on state infrastructure bank loans extended to an FDOT district pursuant to s. 339.55, F.S.

Beginning in the 2017-2018 fiscal year, no more than 20 percent of total projected available state and federal revenues from the STTF, together with any local funds committed to FDOT projects, may be committed to the above identified obligations in any year.¹²

Effect of Proposed Changes

The bill creates the FDOT Financing Corporation, authorizing the corporation to issue debt payable from, and secured by, contractually committed payments from the FDOT. The proceeds would then be used by the FDOT for the purpose of financing needed transportation projects.

The FDOT advises that creation of the corporation does not replace traditional funding mechanisms; rather, use of the corporation to issue debt is “another tool in the Department’s funding toolbox.” The state’s debt load calculation remains unchanged; *i.e.*, any bonds procured by the corporation would be included in the debt report, and the FDOT continues to be bound by the 20 percent statutory cap on its overall debt. The DBF will oversee the structuring and sale of bonds on behalf of the corporation and will account for and measure the debt in the same way that other state debt is recorded. Further, the FDOT advises:

The main advantage of creating the Corporation is to provide the Department with a mechanism to enter into long-term financing agreements which utilize the favorable terms available to governmental borrowers in the tax exempt municipal bond market. This will provide the Department the ability to fund significant, currently needed transportation projects that might otherwise have to wait for traditional funding to

¹² According to the FDOT, based on a November calculation, the current relationship of debt and debt-like contractual obligations to the 20 percent cap ranges from 9.7 percent in 2016 to 14.7 percent in 2022 (with some variation during that period of time), and then drops to 8.5 percent in 2023. See the FDOT email to committee staff dated November 30, 2015. On file in the Senate Transportation Committee.

become available, while ensuring that the costs of financing those projects are kept to a minimum.¹³

Large public-private partnerships typically require long-term financing agreements.

Section 27 creates s. 339.0809, F.S., establishing the non-profit FDOT Financing Corporation for the purpose of financing or refinancing FDOT projects. The bill:

- Establishes the corporation's Board of Directors consisting of the director of the Office of Policy and Budget in the Executive Office of the Governor, the director of the DBF, and the FDOT Secretary, along with such other officers as determined by the board. The DBF director serves as the chief executive officer of the corporation responsible for controlling, directing, and supervising the corporation's operation.
- Grants to the corporation all of the powers of a corporate body under Florida law, to the extent the powers are not inconsistent with or restricted by the new section of law. Among the powers granted are the power to:
 - Borrow money and issue notes, bonds, certificates of indebtedness or other obligations necessary to finance or refinance projects under the conditions specified below.
 - Acquire, purchase, hold, lease, and convey real and personal property and to sell, lease, or otherwise dispose of such property.
 - Elect or appoint and employ such other officers, agents, and employees the corporation deems advisable to operate and manage the corporation, which officers, agents, and employees may be officers or employees of the FDOT and the state agencies represented on the Board of Directors.
 - Select, retain, and employ professionals, contractors, or agents, which may include the DBF, as necessary or convenient to enable or assist the corporation.

To accomplish the stated purpose, the bill authorizes the corporation to enter into one or more service contracts with the FDOT, each of which may have a term up to 35 years, to provide services to the FDOT in connection with projects approved in the FDOT's work program. Approval of the FDOT's work program specifically authorizes the FDOT to enter into a service contract for a project contained in the work program. The service contracts may provide for the FDOT to make payments to the corporation, subject to annual appropriation. The proceeds from the contracts may be used for the corporation's administrative costs and expenses after specified payments.

The FDOT's obligations under any service contract do not constitute a general obligation of the state or a pledge of the faith and credit or taxing power of the state. The obligations are not obligations of the State Board of Administration (SBA) or entities for which it invests funds, other than the FDOT as provided. The obligations are payable solely from amounts available in the STTF, subject to annual appropriation. A service contract must include a specific statement that the State's performance and obligation to pay under the contract is contingent upon annual appropriation by the Legislature.

¹³ See the FDOT's response to House staff questions on the FDOT Financing Corporation. On file in the Senate Transportation Committee.

The corporation is authorized to issue and incur notes, bonds, or other evidences of indebtedness payable from and secured by the amounts payable to the corporation by the FDOT under a service contract. The duration of any such evidence of indebtedness is limited to 30 years. The corporation is authorized to select its financing team and issues its obligations through competitive bidding or negotiated contract, whichever is most cost-effective. Indebtedness of the corporation also does not constitute a debt or obligation of the state or a pledge of the faith and credit or taxing power of the state, but is payable from and secured by payments made by the FDOT under a service contract.

The bill further provides that:

- The purposes of the corporation promote the health, safety, and general welfare of the people of the state and serves essential governmental functions and a paramount public purpose.
- The corporation is exempt from taxation and assessments on its income, property, and assets or revenues acquired, received, or used in furtherance of the corporation's purpose.
- The corporation's obligations on indebtedness and the interest and income on such obligations are exempt from taxation.
- All security agreements, letters of credit, liquidity facilities, or other obligations or instruments to secure payment of such obligations are exempt from taxation, except that the exemption does not apply to any tax imposed under ch. 220, F.S., on the interest, income, or profits on debt obligations owned by the corporation.

The corporation is authorized to validate obligations¹⁴ to be incurred and the validity and enforceability of any service contracts by proceedings under ch. 75, F.S. The corporation may also contract with the SBA to serve as trustee with respect to the corporation's issued debt obligations; to hold, administer, and invest proceeds of such obligations and other funds of the corporation; and to perform other services required by the corporation. The SBA may perform such services and contract with others to provide all or part of such services and to recover its and such other costs and expenses thereof. The FDOT may enter into a service contract in conjunction with the issuance of debt obligations that provides for periodic payments for debt service or other amounts payable with respect to the obligations, plus any administrative expenses of the corporation.

Similar bond finance corporations currently exist. The language in the bill creating the FDOT Financing Corporation is similar to the language creating the Inland Protection Financing Corporation in s. 376.3075, F.S.

Public-Private Partnerships (P3s) (Section 22)

Present Situation

Section 334.30, F.S., authorizes the FDOT to receive and solicit proposals and, with legislative approval of a project in the FDOT's work program, enter into agreements with private entities for the building, operation, ownership, or financing of transportation facilities. The FDOT may

¹⁴ According to the DBF, bond validation is a judicial procedure through which the legality of a proposed bond issue may be determined in advance of its issuance. It serves to assure bondholders that future court proceedings will not invalidate a government's pledge to repay the bonds. See copy of email from Ben Watkins, Director, Florida Division of Bond Finance, to House staff dated January 27, 2015. On file in the Senate Transportation Committee.

advance projects in the adopted five-year work program or projects in the 10-year Strategic Intermodal Plan greater than \$500 million that increase transportation capacity using funds provided by private entities. The entities are then reimbursed from FDOT funds for the project as programmed in the adopted work program.¹⁵

P3 agreements are typically long-term but may not exceed 50 years, unless authorized for a term of up to 75 years by the FDOT secretary, or unless a term in excess of 75 years is approved by the Legislature. P3 projects are also typically large and generally involve complex financial arrangements, and often include the issuance of debt obligations such as bonds.¹⁶

Provisions in current law require the FDOT to make certain determinations before approval of a proposed project; *i.e.*, that a project:

- Is in the public's best interest;
- Would not require state funds to be used unless the project is on the State Highway System;
- Would have adequate safeguards in place to ensure that no additional costs or service disruptions would be realized in the event of default or cancellation of the agreement;
- Would have adequate safeguards in place to ensure the FDOT or the private entity has the opportunity to add capacity to the project and other facilities serving similar origins and destinations; and
- Would be owned by the FDOT upon completion or termination of the agreement.¹⁷

The FDOT is also required to provide an independent analysis of a proposed P3 agreement that demonstrates the cost-effectiveness and overall benefit of the project prior to moving forward with the procurement and, if the procurement moves forward, prior to awarding the contract.¹⁸

Before soliciting a proposal, the FDOT must provide a summary of the proposed project to the Governor, the chair of each legislative appropriations committee, the President of the Senate, and the Speaker of the House of Representatives. The summary must include a description of any anticipated commitment by the FDOT for the years outside the adopted work program, a description of the anticipated impacts on the FDOT's 20 percent overall debt load limit, and sufficient information to demonstrate that the project will not cause the debt load to exceed the debt load limitation. The FDOT may proceed with a project upon approval of the Governor, but the Governor may not approve a project if the chair of either appropriations committee, the President of the Senate, or the Speaker of the House of Representatives objects in writing within 14 days after receipt of the summary.¹⁹

The same summary is required for unsolicited proposals, but the FDOT may not accept an unsolicited proposal, advertise its receipt as required by s. 334.30, F.S., or solicit other proposals

¹⁵ See the FDOT website for a summary of P3 projects as of November, 2015, and additional project information: <http://www.dot.state.fl.us/officeofcomptroller/PFO/p3.shtm>. Last visited December 2, 2015.

¹⁶ No more than 15 percent of total federal and state funding in any given year for the STTF may be obligated collectively for all P3 projects.

¹⁷ Section 334.30(1), F.S.

¹⁸ Section 334.30(6)(e), F.S.

¹⁹ Section 339.2825(1), F.S. Section 339.2825, F.S., does not apply to a P3 agreement under which the FDOT proposes to lease an existing toll facility per s. 339.2825(3), F.S., but the FDOT must provide the independent analysis described above prior to awarding a contract, per s. 334.30(2)(d), F.S.

for the same project without the approval of the Governor. Again, the Governor may not approve a proposed project if a written objection is received from the chair of either appropriations committee, the President of the Senate, or the Speaker of the House of Representatives.²⁰

Effect of Proposed Changes

Section 22 amends s. 334.30, F.S., and requires the FDOT to consult with staff of the DBF in connection with a proposal to finance or refinance a transportation facility through a P3 agreement under s. 334.30, F.S. The FDOT must provide the DBF with information necessary to provide timely consultation and recommendations, and the DBF is authorized to make an independent recommendation to the Governor.

Section 28 amends s. 348.0004, F.S., to correct a cross-reference necessitated by the amendment to s. 334.30, F.S.

Business Development Initiative (Section 23)

Present Situation

The FDOT currently operates a federally approved program which is intended to increase competition, lower prices, and ensure businesses are available to carry out the FDOT's work program. The FDOT designed its Business Development Initiative (BDI) "...to provide more opportunities and support for small businesses to move from subcontracting and subconsulting to prime contracting and consulting roles."²¹

The BDI was first implemented in the FDOT's District Two beginning in Fiscal Year 2006-2007 and then expanded to the remaining FDOT districts. The FDOT implemented a number of strategies to increase competition while maintaining a focus on preventing any adverse effects on projects in the work program. Among the strategies the FDOT employed to assist small businesses in bidding on FDOT contracts for which the businesses would not typically submit bids are:

- Reserving certain construction and maintenance contracts for small businesses.
- Waiving performance bond requirements for contracts under \$250,000.
- Using a modified qualification process instead of the standard prequalification process for construction and maintenance projects.²²

The FDOT advises that the BDI, being the first of its kind nationally to be considered, was approved by the Federal Highway Administration for use on federally funded projects in March 2009.

The FDOT's districts, when selecting candidate projects, are instructed to consider whether a project is low-risk in nature and whether a sufficient number of small businesses are available to

²⁰ Section 339.2825(2), F.S.

²¹ See the FDOT's BDI website: <http://www.dot.state.fl.us/equalopportunityoffice/bdi.shtm>. Last visited November 3, 2015.

²² *Id.* Select "BDI Program Guidelines."

bid on the contract.²³ Construction and maintenance projects that are candidates for reservation for the program are identified prior to the upcoming fiscal years contract letting plan, subject to the FDOT central office approval.

Identification of a construction or maintenance project for the BDI means:

- The contract, limited in amount to \$1,500,000 or less, will be reserved for bids by small businesses.
- Prequalification is not required.²⁴
- Performance bonds are waived on contracts under \$250,000.²⁵
- Bid bonds are \$500 for contracts over \$150,000.²⁶
- All subcontractors must be small businesses, defined by the FDOT for construction and maintenance contracts to mean those businesses with average annual gross receipts over the last three years not to exceed \$15 million.²⁷
- The contract will be procured under s. 337.025, F.S., the FDOT's authority to use innovative techniques for highway projects.²⁸

Similarly, the FDOT's districts are responsible for reviewing and identifying candidate professional services²⁹ contracts for the BDI, again considering whether a sufficient number of small businesses are available to submit a bid.³⁰ A request to use the BDI for a professional services contract is submitted to the FDOT's central office Procurement Manager, who is responsible for approving or denying the request. Identification of a professional services contract for the BDI means:

- The contract, limited in amount to \$1,500,000 or less, will be reserved for bids by small businesses.
- No preference points will be used for the contract.

²³ The FDOT maintains a small business listing for road and bridge construction and maintenance contracts at: http://www2.dot.state.fl.us/sasweb/cgi-bin/broker.exe?_service=default&_program=inetprog.db2.smbusform.scl. Last visited November 10, 2015.

²⁴ Section 337.14, F.S., generally requires the FDOT to certify as qualified any person desiring to bid on a construction contract in excess of \$250,000 by addressing requirements with respect to the equipment, past record, experience, financial resources, and organizational personnel of the applicant necessary to perform the specific class of work for which the person seeks certification. *See also* Fla. Admin. Code R. 14-22 (2010).

²⁵ Section 337.18, F.S., generally requires a surety bond of a successful bidder in an amount equal to the awarded contract price. However, if the contract price is \$250,000 or less, the FDOT may waive the requirement if the FDOT determines the project is of a noncritical nature and nonperformance will not endanger public health, safety, or property.

²⁶ Section 337.17, F.S., requires a bid guaranty only for a construction contract in excess of \$150,000. The bid bond may not exceed 10% of the preliminary estimate of the cost of the work.

²⁷ *Supra* note 20 and note 21.

²⁸ *Id.*

²⁹ Section 287.055, F.S., defines "professional services" to mean those services within the scope of the practice of architecture, professional engineering, landscape architecture, or registered surveying and mapping, or those performed by any architect, professional engineer, landscape architect, or registered surveyor and mapper in connection with his or her professional employment or practice.

³⁰ The FDOT maintains a small business listing for professional services contracts at: <http://www2.dot.state.fl.us/procurement/ProfessionalServices/lppc/listmenu.htm>. Last visited November 10, 2015.

- Prequalification in all listed professional services work types is required.^{31, 32}
- An overhead audit prepared by an independent Certified Public Accountant is required for any contracts in excess of \$500,000.³³
- All prime firms and sub-consultants must be small businesses, defined by the FDOT for professional services contracts to mean those businesses with average annual gross receipts over the last three years not to exceed \$6.5 million.³⁴
- Professional services contracts will be procured under s. 287.055, F.S.³⁵

The FDOT advises its goal is to reserve 10 percent of construction and maintenance contracts and 15 percent of professional services contracts for the BDI. By the end of last year, the goal fell short for the former contracts at 7.36 percent, but the goal was achieved for the latter at 15 percent. Combining the two types of contracts, 92 different small businesses received contracts through the BDI. The FDOT advises that many of these firms for the first time worked as a prime contractor with the FDOT.³⁶

While the current cited authority, taken together, appears to authorize the BDI, current law reflects no express statutory authority for the program.

Effect of Proposed Changes

The bill expressly authorizes an existing, federally-approved program within the FDOT, known as the Business Development Initiative.

Section 23 creates s. 337.027, F.S., to specifically authorize the FDOT to establish a program for highway projects to assist small businesses, with the stated purpose of increasing competition, lowering prices, and providing increased support to meet the FDOT's future work program. Program efforts may include, but are not limited to:

- Setting aside contracts;
- Providing preference points for the use of small businesses;
- Providing special assistance to small businesses in bidding and contract completion;
- Waiving bond requirements; and
- Implementing other strategies that would increase competition.

³¹ Section 337.105, F.S., generally requires the FDOT, before employing a professional consultant, to make a finding that the person to be employed is fully qualified to render the desired service, taking into consideration factors such as the professional reputation, past performance record, and experience of the candidate and the adequacy of the personnel making up his or her organization.

³² Two levels of qualification may be sought. The unlimited level allows consultants to compete for any projects for which they are technically qualified with the FDOT. The minor-projects-only level allows consultants to compete for minor projects with fees estimated below \$500,000. See the FDOT's *Professional Services Prequalification* website: <http://www.dot.state.fl.us/procurement/prequalification.shtm#AQI>. Last visited November 10, 2015. See also Fla. Admin. Code R. 14-75 (2006).

³³ *Id.*

³⁴ *Supra* note 20 and note 21.

³⁵ That section sets out procedures for public announcement and qualification and requirements for competitive solicitation and negotiation, etc. See also *supra* note 20 and note 21.

³⁶ See the FDOT email to committee staff dated November 10, 2015. On file in the Senate Transportation Committee.

For purposes of the newly created section, the bill defines “small business” to mean a business with average gross receipts over the last three years of less than \$15 million for road and bridge contracts and less than \$6.5 million for professional and nonprofessional services contracts, including the receipts of an affiliate.³⁷ The bill authorizes the FDOT to adopt rules to implement the program.

Pinellas Bayway System/Obsolete References to Certain Toll Facilities (Sections 24 and 25)

Present Situation

The Pinellas Bayway System, currently owned by the FDOT is a tolled system of bridges and causeways that provides an east-west link between St. Petersburg and St. Petersburg Beach via State Road 682. Tolls on the Pinellas Bayway System are collected by the Florida Turnpike Enterprise.³⁸ The system also serves Tierra Verde and Fort De Soto Park to the south via State Road 679. One of the bridges on State Road 679 over Boca Ciega Bay was classified as structurally deficient in 2013. “Structurally deficient,” according to the FDOT, “means that a bridge has to be repaired or replaced within six years.” The term does not mean that a bridge is unsafe.³⁹

FDOT’s policy is to replace a structurally deficient bridge within six years of the deficient classification.^{40, 41} The scope of the work for the bridge over Boca Ciega Bay is to replace the existing movable bridge with a high-level fixed bridge through a design-build contract, at a proposed cost of \$52.1 million.⁴² However, no funds for replacement of the bridge are currently included in the FDOT’s District 7 work program. The FDOT advises that the balance of an existing reserve construction account for Pinellas Bayway improvements as of December 31, 2015, was \$7,326,346.13.⁴³

Bayway System Construction and Tolls

In 1968, the predecessor of the FDOT entered into a settlement agreement in *Leonard Lee Ratner, Esther Ratner, and LEECO Gas and Oil Co., vs. State Road Department of the State of Florida*.⁴⁴ In the settlement agreement, the State Road Department agreed that owners and

³⁷ Section 337.165(1)(a), F.S., defines “affiliate” to mean a predecessor or successor of a contractor under the same, or substantially the same, control or a group of business entities which are connected or associated so that one entity controls or has the power to control each of the other business entities. The term includes the officers, directors, executives, shareholders active in management, employees, and agents of the affiliate.

³⁸ See the Florida Transportation Commission’s *Transportation Authority Monitoring and Oversight Fiscal year 2014 Report*: <http://www.ftc.state.fl.us/reports/TAMO.shtml>. Last visited January 21, 2016.

³⁹ See the FDOT email to committee staff dated January 21, 2016. (On file in the Senate Transportation Committee.)

⁴⁰ See the Bay News 9 article, “6 Bay area bridges “structurally deficient.”” http://www.baynews9.com/content/news/baynews9/news/article.html/content/news/articles/bn9/2016/1/13/tampa_bay_deficient.html. Last visited January 21, 2016. See also the FDOT’s e-mailed response to committee staff questions re Pinellas Bayway dated January 5, 2016. (On file in the Senate Transportation Committee.)

⁴¹ Note that replacement of the old drawbridge on State Road 682 connecting St. Petersburg and St. Petersburg Beach was completed in 2014 at a cost of approximately \$41 million. See the 10 News article, “New Pinellas Bayway grand opening Friday.” <http://www.wtsp.com/story/news/traffic/road-warrior/2014/10/16/bayway/17352735/>. Last visited January 21, 2016.

⁴² See the FDOT’s e-mailed response to committee staff questions re Pinellas Bayway System dated January 5, 2016. (On file in the Senate Transportation Committee.)

⁴³ See the FDOT email to committee staff dated January 21, 2016. (On file in the Senate Transportation Committee.)

⁴⁴ Copy on file in the Senate Transportation Committee.

residents of real property in the Bayway Isles Development would have the right to purchase an annual pass through the toll gate at the easterly terminus of the Bayway system in St. Petersburg for \$15 per vehicle. That agreement remains in place.

Chapter 85-364, L.O.F., required a toll of \$.50 cents, following completion of widening to four lanes from the eastern toll booth to State Road 679, at the eastern and western toll plazas on State Road 682. The FDOT was required, after payment of annual operating costs and discharge of bond indebtedness, to establish a reserve construction account to be used for widening to four lanes State Road 682 from State Road 679 west to Gulf Boulevard. Continued collection of tolls was required upon completion of the widening to reimburse the FDOT for all accrued maintenance costs for the Pinellas Bayway. In addition, chapter 85-364, L.O.F., required the FDOT to allow any person to purchase an annual pass for each motor vehicle they own at a cost of \$50 per year which exempts the motor vehicle from any Pinellas Bayway System tolls during its term. Currently the \$50 pass remains available.

Chapter 95-382, L.O.F., required tolls collected to first be placed in the construction reserve account, after payment of operating costs and bond indebtedness, to be used for construction of Blind Pass Road, State Road 699 improvements in Pinellas County, *and then* for Phase II of the Pinellas Bayway widening to four lanes of State Road 682 from State Road 679 west to Gulf Boulevard. Tolls continue to be collected to reimburse the FDOT for all accrued maintenance costs.

Section 48 of chapter 2014-223, L.O.F., repealed reference to the Blind Pass Road/State Road 699 improvements and provided that funds in the reserve construction account be used for the widening of State Road 682 from State Road 679 west to Gulf Boulevard.⁴⁵ These improvements have been completed. As noted, however, the bridge on State Road 679 over Boca Ciega Bay has been declared structurally deficient.

Currently, for a two-axle vehicle, the toll, other than for those that hold the \$15 or the \$50 annual pass, is:

- \$0.53 for SunPass customers and \$0.75 for cash customers, both westbound at the East Plaza and eastbound at the West Plaza, plus \$0.53 and \$0.75, respectively, for each additional axle.
- \$0.26 for SunPass customers and \$0.50 for cash customers southbound at the south plaza, plus an additional \$0.26 and \$0.50, respectively, for each additional axle.⁴⁶

Effect of Proposed Changes

The bill authorizes the FDOT to transfer the Pinellas Bayway System to become part of the turnpike system. The bill also preserves the provisions of the settlement agreement and final judgment by retaining the ability to purchase a \$15 annual pass. Additionally, the bill transfers the construction reserve account to the FDOT Turnpike Enterprise when ownership of the system is transferred to the Florida Turnpike Enterprise.

⁴⁵ See *supra* note 40.

⁴⁶ See the Florida Turnpike Toll Calculator, click on “Tampa Area,” roll over hot buttons to select the Pinellas Toll Plazas: <http://www.floridasturnpike.com/TollCalcV3/index.htm>. Last visited January 21, 2016.

The FDOT advises that the transfer of the system would allow replacement of the structurally deficient bridge over Boca Ciega Bay on SR 679 to be moved up from 2020 to 2017 in the FDOT work program, and funded through a combination of the accrued reserve account revenues and other financing available to the Florida Turnpike.

Section 25 repeals chapter 85-634, L.O.F., as amended by ch. 95-382 and section 48 of ch. 2014-223, L.O.F. The ability of the specified owners and residents to purchase the \$15 annual passage through the easterly terminus of the Bayway System will remain in place, pursuant to the 1968 settlement agreement. As a result of the repeal of ch. 85-364, L.O.F., the \$50 annual pass authorized in that law would no longer be available for purchase. Current holders of those passes would be required to pay tolls at all of the Bayway toll collection points.

Toll Facilities No Longer Owned by the FDOT

The Beeline-East Expressway (renamed the Beachline East Expressway) became part of the Turnpike Enterprise on July 1, 2012, pursuant to ch. 2012-128, L.O.F.⁴⁷ The Navarre Bridge is now county-owned and no longer a state toll facility. The references to each facility in s. 338.165(4), F.S., are now obsolete.

Effect of Proposed Changes

Subsection (4) of s. 338.165, F.S., is amended to remove obsolete references to the Beeline-East Expressway and the Navarre Bridge within the FDOT's authority to request issuance of bonds secured by toll revenues from certain toll facilities, as the expressway and bridge are no longer owned by the FDOT. The reference to the Pinellas Bayway is also removed.

Florida Seaport Transportation and Economic Development Program (Sections 1 and 2)

Present Situation

Section 311.07(2), F.S., requires a minimum of \$15 million per year from the STTF to fund the Florida Seaport Transportation and Economic Development (FSTED) Program.⁴⁸ The program represents a collaborative relationship between the FDOT and the 15 public seaports.⁴⁹ FSTED funds are to be used on approved projects on a 50-50 matching basis.⁵⁰ Funding grants under the FSTED program are limited to the following port facilities or port transportation projects:

- Transportation facilities within the jurisdiction of the port.
- Dredging or deepening of channels, turning basins, or harbors.
- Construction or rehabilitation of wharves, docks, structures, jetties, piers, storage facilities, cruise terminals, automated people mover systems, or any facilities necessary or useful in connection with the foregoing.
- Acquisition of vessel tracking systems, container cranes, or other mechanized equipment used in the movement of cargo or passengers in international commerce.

⁴⁷ See s. 338.165(10), F.S.

⁴⁸ See also s. 311.09(9), directing the FDOT to include no less than \$15 million annually in its legislative budget request for the FSTED Program.

⁴⁹ Jacksonville (JaxPort), Port Canaveral, Port Citrus, Port of Fort Pierce, Port of Palm Beach, Port Everglades, Port of Miami, Port Manatee, Port of St. Petersburg, Port of Tampa, Port St. Joe, Port Panama City, Port of Pensacola, Port of Key West, and Port of Fernandina. List in s. 311.09(1), F.S.

⁵⁰ Section 311.07(3)(a), F.S.

- Acquisition of land to be used for port purposes.
- Acquisition, improvement, enlargement, or extension of existing port facilities.
- Certain environmental protection projects required as a condition of a permit...
- Transportation facilities which are not otherwise part of the FDOT's Adopted Work Program.⁵¹
- Intermodal access projects.
- Construction or rehabilitation of port facilities with operating revenues of \$5 million or less, provided that such project creates economic development opportunities, capital improvements, and positive financial returns to such ports.
- Seaport master plan or strategic plan development updates.

In order for a project to be eligible for consideration by the FSTED Council, a project must be consistent with the port's comprehensive master plan, which is incorporated as part of the approved local government comprehensive plan.

The FSTED program is managed by the FSTED Council, which consists of the port director or director's designee of the 15 public seaports, the Secretary of FDOT or his or her designee, and the Executive Director of the Department of Economic Opportunity or his or her designee.⁵²

Other statutorily required seaport-related funding programs also include:

- A minimum of \$35 million annually from the STTF for the Strategic Port Investment Initiative under s. 311.10, F.S., to fund projects that meet the state's economic development goal of becoming a hub for trade, logistics, and export-oriented activities.
- A minimum of \$5 million annually from the STTF for the Intermodal Logistics Center Infrastructure Support Program under s. 311.101, F.S., to fund the same type of projects, along with those that enhance transportation facilities for the conveyance or shipment of goods through a seaport to or from an intermodal logistics center.
- Additional debt service funding of \$35 million under ss. 320.20 and 339.0801, F.S., for seaport-related bonds.

Effect of Proposed Changes

Sections 1 and 2 amend s. 311.07(2) and s. 311.09(9), F.S., respectively, to increase the annual minimum funding from the STTF for the FSTED Program from \$15 million to \$25 million. The bill requires FDOT to include no less than the \$25 million in its annual legislative budget request to fund the program.

National Environmental Policy Act/Delegation of Responsibilities to States (Section 21)

Present Situation

The National Environmental Policy Act (NEPA) establishes national environmental policy for protection of the environment. "NEPA's basic policy is to assure that all branches of government give proper consideration to the environment prior to undertaking any major federal action that significantly affects the environment." Federal agencies are required to prepare detailed

⁵¹ The FDOT's work program is adopted pursuant to s. 339.135, F.S.

⁵² Section 311.09(1), F.S.

statements assessing the environmental impact of and alternatives to major federal actions that significantly affect the environment.⁵³

NEPA requirements also apply to *state* highway projects eligible for federal funding. According to the FDOT, when a highway project is advanced and is federally eligible, project development occurs consistent with NEPA requirements, in consultation with and subject to the oversight of the Federal Highway Administration (FHWA). The FDOT utilizes two processes to meet NEPA requirements. One process, the Efficient Transportation Decision Making process, is used during the project's planning phase to initiate contact with agencies and other stakeholders and obtain multiple-party input and information used to inform the second process. The Project Development and Environment (PD&E) process is used to analyze, perform outreach, guide agency coordination, and meet regulatory requirements before a project may be advanced. The FDOT prepares necessary documents, analyzes alternatives, consults with agencies, and makes recommendations. This information is provided to the FHWA, which is the lead agency for review, comment, and ultimate approval.⁵⁴

Following an initial pilot project conducted in California, Congress in 2012 enacted the Moving Ahead for Progress in the 21st Century Act, which established a permanent surface transportation project delivery program.⁵⁵ Under the program, in which California and Texas are already participating, the U.S. Department of Transportation (USDOT) secretary may assign, and any state may assume, pursuant to a written agreement, all or part of the secretary's responsibilities under NEPA with respect to projects or classes of projects. The written agreement must provide that the state:

- Agrees to assume all or part of the described responsibilities;
- Expressly consents, on behalf of the state, to accept the jurisdiction of the Federal courts for the compliance, discharge, and enforcement of any responsibility of the secretary assumed by the state;⁵⁶
- Certifies that state laws and regulations are in effect that authorize the state to take the actions necessary to carry out the responsibilities; and
- Agrees to maintain the financial resources necessary to carry out the responsibilities.

The USDOT secretary is authorized to terminate the participation of any state if the state is not adequately carrying out the responsibilities and the secretary notifies the state of the determination of noncompliance. If the state fails to take corrective action as determined by the USDOT secretary within 30 days after notice, the agreement is terminated.⁵⁷

With respect to the consent to federal court jurisdiction, the FDOT advises:

⁵³ See the U.S. Environmental Protection Agency website: <http://www2.epa.gov/laws-regulations/summary-national-environmental-policy-act>. Last visited October 12, 2015.

⁵⁴ See the FDOT 2016 Legislative Proposal form, *Authorization to Participate in Certain Federal Transportation Programs*. On file in the Senate Transportation Committee.

⁵⁵ 23 U.S.C. s. 327 (2013).

⁵⁶ This requirement apparently exists to address the Eleventh Amendment to the U.S. Constitution, which generally prohibits suits in law or equity against one of the United States by its citizens, citizens of another state, or subjects of any foreign state.

⁵⁷ *Supra* note 44.

This waiver is limited to only those actions delegated to the Department by the USDOT and related to carrying out its NEPA duties on state highway projects. Challenges to NEPA decision making are filed in federal district court pursuant to the Federal Administrative Procedures Act and are limited to a review of the underlying administrative record. The standard for review is whether the Department's action is arbitrary and capricious. To the extent that a challenger is successful, the remedy is to require additional review, analysis and documentation to support the action. The state's exposure is further limited by 23 U.S.C. 327(a)(2)(G), which provides that a state assuming the responsibilities of the Secretary [of the USDOT] under this section for a specific project may use funds apportioned to the State under section 104(b)(2) for attorneys' fees directly attributable to eligible activities associated with the project.⁵⁸

Effect of Proposed Changes

Section 21 amends s. 334.044, F.S., to authorize the FDOT to assume responsibilities of the USDOT under 23 U.S.C. s. 327 with respect to highway projects, and with respect to related responsibilities for environmental review, consultation, or other action required under any federal environmental law pertaining to review or approval of a highway project, within Florida. The FDOT is authorized to enter into one or more agreements with the U.S. Secretary of Transportation related to the federal surface transportation project delivery program for the delivery of transportation projects, including highway projects. The FDOT is authorized to adopt implementing rules and to adopt relevant federal environmental standards as the standards for this state for the program. The FDOT advises the delegation allows direct consultation between the FDOT and federal regulatory agencies and maximizes efficiency by consolidating all NEPA reviews under the FDOT.

Sovereign immunity to civil suit in federal court is waived consistent with 23 U.S.C. s. 327 and limited to the compliance, discharge, or enforcement of a responsibility assumed by the FDOT. The FDOT advises its district offices would continue to conduct the PD&E process, with the FHWA's project review, legal sufficiency, and approval authority delegated to the FDOT's Central Office and with the FHWA retaining program level oversight. The waiver of sovereign immunity is limited only to those actions delegated to the FDOT and related to carrying out its NEPA duties on state highway projects. The standard for review is whether the FDOT's action is arbitrary and capricious. The remedy for a successful challenge is to require additional review, analysis, and documentation to support the project. Further, a state assuming the NEPA responsibilities may use certain apportioned funds for attorneys' fees directly attributable to eligible activities associated with a project.⁵⁹

Airport Zoning/Chapter 333 Re-Write (Sections 5 through 20)

Chapter 333, F.S., contains airport zoning provisions relating to the management of airspace and land use at or near airports. Generally, the chapter:

⁵⁸ See the FDOT's 2015 and 2016 Legislative Proposal Forms, *Authorization to Participate in Certain Federal Transportation Programs (NEPA)*. On file in the Senate Transportation Committee

⁵⁹ 23 U.S.C. s. 327(a)(G) (2013).

- Addresses permitting for structures exceeding federal obstruction standards;
- Requires adoption of certain airport zoning regulations;
- Provides a process for seeking variances from the zoning regulations;
- Sets out a process for appeal of decisions based on the zoning regulations;
- Requires boards of adjustment to hear and decide appeals;
- Provides for judicial review of any board of adjustment decision; and
- Establishes penalties and remedies for violations.

The FDOT in 2012 created a stakeholder working group to address problems with implementing this chapter. Representatives from airports, local planning and zoning departments, the Florida Defense Alliance, the League of Cities, the Florida Airports Council, the real estate development community, and the FDOT participated in the working group. The FDOT advises the working group determined that ch. 333, F.S., “contains outdated and inconsistent provisions when compared to applicable federal regulations, contains internal inconsistencies, and requires a local government airport protection zoning process that can be cumbersome and confusing.”

The FDOT advises it expects no substantive changes as a result of the bill’s proposed revisions; e.g., the existing requirements for issuance of permits are substantively unchanged. The number of permits issued or denied is not expected to change. Rather, the changes are designed to facilitate more uniform permitting, appeals, and review processes applied at the local level and provide clarity and predictability for those subject to airport zoning regulations.⁶⁰

Definitions

Present Situation

Section 333.01, F.S., contains definitions related to airport zoning that need updating for internal chapter consistency and for consistency with federal regulations.

Effect of Proposed Changes

Section 5 amends s. 333.01, F.S., to provide, revise, and delete definitions to:

- Reflect terminology used in federal regulations;
- Provide for consistency with Federal Aviation Administration (FAA) advisements;
- Remove antiquated terminology;
- Delete variances from definitions to reflect the streamlined permitting process effected in the bill; and
- Otherwise provide clarity through editorial and grammatical changes.

Permitting for Structures Exceeding Federal Obstruction Standards

Present Situation

The Code of Federal Regulations (CFR) sets forth standards for structures that present a hazard within an area in an airport due to obstruction of the airspace required for aircraft to take off,

⁶⁰ Conversation with FDOT Legislative and Legal Staff during joint meeting with Senate and House staff, January 30, 2015.

maneuver, or land.⁶¹ Section 333.025, F.S., requires a permit from the FDOT for any proposed construction or alteration of a structure that would exceed the federal standards.⁶² A permit from the FDOT is not required if a political subdivision⁶³ has adopted adequate airspace protection regulations and filed them with the FDOT.

The FDOT must issue or deny a permit within 30 days of receipt of an application for any structure that would exceed the federal obstruction standards. The FDOT is prohibited from approving a permit unless the applicant submits both documentation showing compliance with federal notification requirements and a valid aeronautical evaluation.

Effect of Proposed Changes

Section 6 amends s. 333.025, F.S., to replace the term “geographic center” with “airport reference point,” which is located at the approximate geometric center of all usable runways and to update references to current federal regulations.

If a political subdivision has adopted adequate airport protection zoning regulations, placed the regulations on file with the FDOT, *and* the political subdivision has established a permitting process, a permit from the FDOT is not required for construction or alteration of an obstruction. Upon receipt of a complete permit application, the local government must provide a copy of the application to the FDOT. The bill provides a 15-day FDOT review period following receipt of the application, which must run concurrently with the established local permitting process.

The FDOT is required to review permit applications in conformity with s. 120.60, F.S., relating to licensing. The list of factors to be considered by the FDOT is revised to remove ambiguity and duplication, and to provide clarity. The FDOT must require the owner of a permitted obstruction to install, operate, and maintain marking and lighting in conformance with FAA standards, at the owner’s expense. The denial of a permit is subjected to the administrative review provisions of the Administrative Procedures Act.

Adoption of Airport Zoning Regulations

Present Situation

Section 333.03, F.S., requires political subdivisions with an airport hazard area⁶⁴ to adopt, administer, and enforce airport zoning regulations for the area. If the airport is owned or controlled by a political subdivision and has a hazard area outside of its territorial limits, the political subdivision and the political subdivision within which the hazard area is located must either adopt zoning regulations by interlocal agreement or create a joint airport zoning board with the power to do so. The airport zoning regulations must, at a minimum, require:

- A variance for any structure that would exceed the federal obstruction standards;

⁶¹ See 14 C.F.R. part 77, subpart C (2015).

⁶² Public airports are licensed under the provisions of ch. 330, F.S.

⁶³ Generally, a local governmental entity, see section 333.01(9), F.S.

⁶⁴ The bill redefines “airport hazard” to mean an obstruction to air navigation which affects the safe and efficient use of navigable airspace or the operation of planned or existing air navigation and communication facilities. The definition of “obstruction” is revised, also to reflect terminology used in the federal standards for determining obstructions. “Airport hazard area” is redefined in the bill to mean any area of land or water upon which an airport hazard might be established.

- Obstruction marking and lighting per s. 333.07(3);
- Documentation of compliance with federal proposed construction notification and a valid aeronautical evaluation submitted by each person applying for a variance;
- Consideration of the same factors when determining whether to issue or deny a variance as required of the FDOT when considering permit applications; and
- No variance be approved solely on the basis that a structure will not exceed the federal obstruction standards.

The FDOT is required to issue copies of the federal obstruction standards in the CFR to each political subdivision with an airport hazard area, and issue certain airport zoning maps at no cost.

Interim land use compatibility zoning regulations must be adopted and must consider whether sanitary landfills are located within certain areas and whether any landfill will attract or sustain hazardous bird movements. If a public-use airport has conducted a federal noise study, residential construction and educational facilities are prohibited within the area. If no study is conducted, the same construction is prohibited within a certain distance.

Airport zoning regulations restricting new incompatible uses within runway clear zones must be adopted. Certain limited exceptions for construction of educational facilities in specified areas are authorized.

Effect of Proposed Changes

Section 7 amends s. 333.03, F.S., to eliminate the duplicative requirement for obtaining a variance for structures that would exceed federal obstruction standards, in favor of a local permitting process. Every political subdivision having an airport hazard area is required to adopt airport *protection* zoning regulations. In addition to editorial and grammatical revisions, this section revises language to:

- Replace citations to the federal obstruction standards contained in the CFR with terminology used in the CFR; *i.e.*, permits for the “construction or alteration of any obstruction.”
- Remove the FDOT’s duty to provide copies of the federal obstruction standards contained in the CFR and to issue maps, and replace it with making the FDOT available to provide assistance with respect to the standards.
- Update citations to the CFR.
- Eliminate the reporting requirements related to birds at airports near landfills in favor of requiring the landfill operator to incorporate bird management techniques.
- Include substantial modification of existing incompatible uses in the required adopted regulations restricting such uses within runway *protection* zones.
- Remove the limited exceptions for construction of educational facilities when a noise study has been conducted in accordance with the federal regulations;
- Delete outdated language.
- Authorize an airport authority, local government, or other governing body operating a public-use airport to adopt more restrictive airport protection zoning regulations, per the FDOT, to allow restrictions appropriate to the local context of the airport.⁶⁵

⁶⁵ See the FDOT document provided to staff, *Proposed ch. 333, F.S. Amendments and Legislative Support Documentation*. On file in the Senate Transportation Committee.

Guidelines Regarding Land Use near Airports

Present Situation

Section 333.065, F.S., requires the FDOT, after consultation with the Department of Economic Opportunity, local governments, and other interested persons, to adopt by rule recommended guidelines regarding compatible land uses in the vicinity of airports. The guidelines must use certain acceptable and established quantitative measures.

Effect of Proposed Changes

Section 11 repeals s. 333.065, F.S. The FDOT advises the deletion reflects completion of the FDOT's Airport Compatible Land Use Guidebook.⁶⁶

Permits, Variances, and Appeals

Present Situation

Section 333.07, F.S., authorizes any adopted airport zoning regulations to require a permit be obtained before any new structure or use is constructed or established and before any existing use or structure may be substantially changed or repaired. All such regulations must require a permit before any nonconforming structure or tree may be replaced, substantially altered or repaired, rebuilt, allowed to grow higher, or replanted.

If a nonconforming use, structure, or tree has been abandoned or is more than 80 percent torn down or deteriorated, a permit may not be issued under certain conditions. The owner of a nonconforming structure or tree may be compelled, at the owner's expense, to undergo certain actions to conform.

Any person desiring to erect any structure, increase the height of any structure, permit the growth of any tree, or otherwise use his or her property in violation of the adopted airport zoning regulations is authorized to apply to a board of adjustment for a variance from the regulations. Conditions for allowance of variations are provided. The FDOT is authorized to appeal any variance granted and to apply for judicial relief.

As a condition of any granted permit or variance, the administrative agency or board of adjustment must require the structure or tree owner to install, operate, and maintain at the owner's expense marking and lighting necessary to indicate to aircraft pilots the presence of an obstruction.

Section 333.08, F.S., authorizes any affected person or taxpayer; or any governing body of a political subdivision, the FDOT, or any joint airport zoning board, to appeal any decision of an administrative agency in its administration of adopted airport zoning regulations to the board of adjustment authorized to hear and decide appeals from the decisions of such administrative agency.

⁶⁶ *Id.*

Effect of Proposed Changes

Section 12 amends s. 333.07, F.S., to streamline the permitting process, repeal the duplicative variance process, and facilitate implementation of the permitting process by local entities. More specifically, rather than authorizing any adopted airport zoning regulations to require a permit be obtained before any new structure or use is constructed or established and before any existing use or structure may be substantially changed or repaired, the bill simply requires a permit to construct, alter, or allow an airport obstruction in an airport hazard area in violation of the adopted airport protection zoning regulations.

The political subdivision or its administrative agency must consider virtually the same standards as must be considered by the FDOT when issuing or denying a permit for structures exceeding federal obstruction standards. All variance provisions are removed in favor of the permitting process. In addition, provisions relating to a lien resulting from an owner's failure to take action to bring a nonconforming structure or tree into regulatory compliance are removed. The FDOT's 45-day comment period is removed in favor of the shortened 15-day period of review for technical consistency described above. Obstruction marking and lighting is required in conformance with specific standards established by the FAA. Outdated language is repealed.

Section 13 repeals s. 333.08, F.S., authorizing and providing requirements for appeals of zoning regulation decisions, in favor of relocated, modified appeals language in s. 333.09, F.S.

Administration of Airport Zoning Regulations***Present Situation***

Section 333.09, F.S., requires all adopted airport zoning regulations to provide for administration and enforcement by an administrative agency; by any official, board, or other existing agency of the political subdivision adopting the regulations; or by one of the subdivisions that participated in creating a joint airport zoning board adopting the regulations. The duties of any such administrative agency include hearing and deciding all permits under s. 333.07, F.S., but not any of the powers delegated to the board of adjustment.

Section 333.10, F.S., currently requires all adopted airport zoning regulations to provide for a board of adjustment to hear and decide appeals and variances.

Effect of Proposed Changes

Section 14 amends s. 333.09, F.S., to remove the list of entities that may be an administrative agency, per the FDOT, to reflect correct community planning terminology.⁶⁷ Administration and enforcement is left to the affected political subdivision or its administrative agency. Also removed is the prohibition against an administrative agency exercising the powers delegated to the board of adjustment.

Political subdivisions required to adopt airport zoning regulations must establish a process to:

- Issue or deny permits consistent with s. 333.07, F.S.;
- Provide the FDOT with a copy of a complete permit application; and

⁶⁷ *Supra* note 54.

- Enforce the issuance or denial of a permit or other determination made by the administrative agency with respect to airport zoning regulations.

Appeals must be taken within a reasonable time provided by the political subdivision or its administrative agency by filing a notice of appeal. An appeal stays all proceedings in the underlying action, unless the entity from which the appeal is taken certifies that a stay would cause imminent peril to life or property.

The political subdivision or its administrative agency must set a reasonable time for the hearing of appeals and decide appeals within a reasonable time. A party may appear in person, by agent, or by attorney. The subdivision or agency may affirm, reverse, or modify the decision on the permit or other determination from which the appeal is taken.

Section 15 repeals s. 333.10, F.S., currently requiring all adopted airport zoning regulations to provide for a board of adjustment to hear and decide appeals and variances, in favor of the local government permitting and appeals process established by the bill in revised s. 333.09, F.S.

Judicial Review

Present Situation

Section 333.11, F.S., authorizes any person aggrieved or any taxpayer affected by a decision of a board of adjustment, any governing body of a political subdivision, the FDOT, any joint airport zoning board, or any administrative agency to apply for judicial relief in the judicial circuit court where the board of adjustment is located. The section provides procedural provisions related to the board of adjustment, describes the court's authorized review of a decision by a board of adjustment, and prohibits judicial review in provisions related to a board of adjustment.

Effect of Proposed Changes

Section 16 amends s. 333.11, F.S., to allow any person, political subdivision, or joint airport zoning board affected by a decision of a political subdivision or its administrative agency to apply for judicial relief and to remove references to the board of adjustment, but otherwise leaves the authorization to apply for judicial review in place. The judicial review prohibition is revised. An appellant is required to exhaust all remedies through application for local government permits, exceptions, and appeals before seeking judicial review.

Transition Provisions

Section 19 of the bill creates s. 333.135, F.S., to:

- Provide that any airport zoning regulation in effect on July 1, 2016, and in conflict with the revised ch. 333, F.S., must be amended to conform by July 1, 2017.
- Require any political subdivision with an airport that has not adopted airport zoning regulations to do so by July 1, 2017, consistent with the chapter.
- Require the FDOT to administer the permitting process as provided in s. 333.025, F.S., for political subdivisions that have not yet adopted the required regulations.

Technical Revisions

Sections 8, 9, 10, 17, and 18, amending ss. 333.04, 333.05, 333.06, 333.12, and 333.13, F.S., respectively, primarily make grammatical and editorial revisions to existing language and modify sections of the chapter for internal consistency with definitions.

Section 20 repeals the short title of chapter 333, F.S., the “Airport Zoning Law of 1945.”

Commercial Motor Vehicles/Port of Entry/Operating Credentials (Sections 3 and 4)

Present Situation

Interstate operators of commercial motor vehicles (CMVs) are required to obtain a number of credentials. Generally, for example, interstate operators of CMVs are required to obtain an International Fuel Tax Agreement (IFTA) license and decal⁶⁸ and, in some cases, to obtain overweight or over-dimensional permits.⁶⁹ Some states allow the purchase of some or all necessary credentials at weigh stations located close to routes entering their borders and at other locations, and these states are known as “port of entry” or “POE” states.⁷⁰ Because these credentials must be obtained prior to entering Florida, the state is known as a “non-POE” state.⁷¹ If a CMV enters the state without proper credentials and the operator seeks to purchase them at any weigh station, any applicable fine is assessed depending on the type of credential at issue. Only then is the operator allowed to purchase the necessary credential.⁷²

Another credential required before entering Florida is registration under the International Registration Plan (IRP). The IRP⁷³ is a plan for registering vehicles that are operated in two or more IRP-member jurisdictions while displaying just one registration license plate for each vehicle.⁷⁴

A “Full Reciprocity Plan” was instituted effective January 1, 2015, under which registrants are billed only for jurisdictions in which actual miles were accrued during the reporting period. If no miles were accrued during the reporting period, registrants are billed based on Florida’s Average

⁶⁸ See ss. 207.004 and 316.545(4), F.S. The International Fuel Tax Agreement (IFTA) is an agreement among the states and the Canadian provinces to simplify the reporting of interstate fuel taxes. The motor carrier’s base jurisdiction issues the IFTA license and decals, allowing the carrier to file one quarterly tax return reflecting the net tax and any refund due on fuel used in all jurisdictions.

⁶⁹ See s. 316.550, F.S.

⁷⁰ See the *Florida Port of Entry Feasibility Study*, September 2014, prepared for the FDOT, at 3.1 and 3.2: http://www.dot.state.fl.us/trafficoperations/Traf_Incident/Projects_CVO/Presentation/FL%20POE%20Technical%20Study%20Final.pdf. According to the study, 28 states are non-POE states, and 22 states and the District of Columbia consider themselves to be POE jurisdictions. Alabama is a POE state; Georgia is not. Further, the definitions of “POE” vary greatly by state.

⁷¹ *Id.* at 1.1.

⁷² See the FDOT 2016 Legislative Proposal Form, *Port-of-Entry*. On file in the Senate Transportation Committee.

⁷³ Section 320.01(23), F.S., defines the IRP to mean “a registration reciprocity agreement among states of the United States and provinces of Canada providing for payment of license fees on the basis of fleet miles operated in various jurisdictions.”

⁷⁴ See the Florida Department of Highway Safety and Motor Vehicles *International Registration Plan Trucking Manual*, beginning at p. 1, for additional detail. On file in the Senate Transportation Committee.

Per Vehicle distance chart. The miles reflected on the distance chart is the average distance of all registrants in each jurisdiction. Upon registration, the cab cards will reflect all jurisdictions.⁷⁵

Section 320.0715(1), F.S., requires all apportionable vehicles⁷⁶ domiciled in this state to register under the International Registration Plan and to display the apportioned license plate. If a CMV domiciled elsewhere could be lawfully operated in this state because IRP registration had been obtained prior to entering Florida, but was not, a ten-day Florida trip permit may be obtained for \$30. The permit allows the vehicle to be operated in interstate or intrastate commerce for the ten-day period.

A CMV not registered under the application provisions of ch. 320, F.S., is subject to a penalty of five cents per pound on the weight that exceeds 35,000 pounds on laden truck tractor-semitrailer combinations or tandem trailer truck combinations, 10,000 pounds on laden straight trucks or straight truck-trailer combinations, or 10,000 pounds on any unladen CMV.⁷⁷ Operators of CMVs that fail to obtain the temporary trip permit prior to entering Florida are fined accordingly and then allowed to purchase the temporary trip permit. All such penalties and permit fees are credited to the STTF to be used for repair and maintenance of Florida's roads and for enforcement purposes.⁷⁸

Effect of Proposed Changes

The bill defines "port-of-entry" and reduces the existing penalty for IRP registration violations.

Section 3 amends s. 316.003, F.S., to define "port-of-entry" as a designated location that allows drivers of commercial motor vehicles to purchase temporary registration permits necessary to operate legally within Florida, and to direct the FDOT to determine the locations and the designated routes to such locations.

Section 4 amends s. 316.545(2)(b), F.S., to provide that if a CMV enters the state at a designated POE or is operating on an FDOT-designated route to a POE, and if the ten-day IRP trip permit is obtained at the POE, the penalty is limited to the difference between the CMV's gross weight and the declared gross vehicle weight at five cents per pound.

Existing penalties for failure to obtain other required credentials remain unchanged, including, but not limited to, IFTA violations and overweight and over-dimensional permit violations.

The FDOT advises three potential POE locations are under consideration:

- I-10 at the first eastbound weigh station entering the state;
- I-75 at the first southbound weigh station entering the state; and

⁷⁵ *Id.*

⁷⁶ Section 320.01(24), F.S., defines "apportionable vehicle" to mean "any vehicle [with certain exceptions] which is used or intended for use in two or more member jurisdictions that allocate or proportionally register vehicles and which is used for the transportation of persons for hire or is designed, used, or maintained primarily for the transportation of property and: (a) Is a power unit having a gross vehicle weight in excess of 26,000 pounds; (b) Is a power unit having three or more axles, regardless of weight; or (c) Is used in combination, when the weight of such combination exceeds 26,000 pounds gross vehicle weight."

⁷⁷ Section 316.545(2)(b), F.S.

⁷⁸ Section 316.545(6), F.S.

- I-95 at the first southbound weigh station entering the state.⁷⁹

Turnpike Tolls/Dormant Prepaid Accounts (Section 26)

Present Situation

SunPass is the Florida Turnpike's electronic, prepaid tolls program. SunPass is accepted on all Florida toll roads and nearly all toll bridges. The system uses electronic devices, called transponders, which are attached to the inside of a vehicle's windshield. The transponder sends a signal when the vehicle goes through a tolling location, and the toll is deducted from the customer's pre-paid account. The pre-paid accounts may be set up and replenished with a credit card or with cash.⁸⁰

Under current law, any prepaid toll account of any kind which has been inactive for three years is presumed unclaimed. The Department of Financial Services (DFS) is required to process any such inactive account in accordance with applicable provisions of ch. 717, F.S., relating to the disposition of unclaimed property, and the FDOT is directed to close such accounts.⁸¹

Effect of Proposed Changes

Section 26 amends s. 338.231(3)(c), F.S., to increase the period after which a dormant prepaid toll account is presumed unclaimed from three years to ten years, thereby delaying disposition by the DFS and closing of the account by the FDOT. The FDOT advises:

[T]he deletion is desired because, with multi-state toll interoperability already implemented, and national toll interoperability mandated by federal law,⁸² prepaid customers may live outside Florida and use their Florida prepaid toll account only when vacationing or otherwise visiting the state.

We believe that the affected citizens and businesses would react positively to the proposal as funds on a prepaid toll account continue to be managed by the Department. This provides the customers that have had no activity on a prepaid toll account for the 10 year time with continued direct access to the same agency with whom they established the account.⁸³

The bill takes effect July 1, 2016.

⁷⁹ See the FDOT email to committee staff on October 12, 2015. On file in the Senate Transportation Committee.

⁸⁰ See the SunPass website, *Frequently Asked Questions*: <https://www.sunpass.com/faq>. Last visited October 12, 2015.

⁸¹ Section 338.231(3)(c), F.S.

⁸² The Moving Ahead for Progress in the 21st Century Act (MAP-21) requires implementation of technologies or business practices that provide for the interoperability of electronic toll collection on all Federal-aid highway toll facilities by October 1, 2016. See the FHWA website, *Investment heading, Tolling [1512]* subheading: <http://www.fhwa.dot.gov/map21/summaryinfo.cfm>. Last visited October 12, 2015.

⁸³ See the FDOT 2015 Legislative Proposal, *Dormant Accounts/Tolls/SunPass*. 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:

The following sections of PCS/CS/SB 756 are expected to have the indicated impact on the private sector:

Sections 1 and 2: The increase in FSTED funding from \$15 to \$25 million is an increase in the required *minimum* annual funding. The FDOT advises this increases the total statutorily required seaport program funding, along with the Strategic Port Investment Initiative and the Intermodal Logistics Center Infrastructure Support Program, from an annual minimum of \$55 million to \$65 million. The FDOT advises that its proposed 5-year work program for Fiscal Years 2017-2021 already designates between \$82 and \$114 million in annual seaport program funding for each fiscal year.⁸⁴

Sections 3 and 4: The trucking industry is expected to experience an indeterminate positive fiscal impact due to the decreased fines assessed for IRP violations.

Section 21: The private sector is expected to experience an indeterminate but positive fiscal impact from the FDOT's assumption of NEPA responsibilities due to faster delivery of needed transportation projects at reduced costs.

Section 23: Small businesses participating in the BDI would experience indeterminate but positive fiscal impacts associated with gaining contracting experience on projects of the FDOT. The traveling public may experience indeterminate but reduced costs related to transportation projects as a result of greater competition.

⁸⁴ See the November 4, 2015, FDOT email to Transportation Committee staff. On file in the Senate Transportation Committee.

Section 24: Transfer of the Pinellas Bayway System from the FDOT to the Florida Turnpike Enterprise does not appear to have an immediate impact on the private sector but a positive fiscal impact may be realized upon construction of the replacement bridge in terms of more efficient travel. Repeal of the \$50 annual pass may present a positive or a negative fiscal impact, compared to the payment of the required toll amounts, depending upon a former pass-holder's frequency of use of the Bayway System.

Section 27: To the extent that the issuance of debt to fund transportation projects is accomplished at a lower cost by virtue of the corporation's ability to participate in the municipal bond market at reduced rates, the state's traveling public may experience an indeterminate but positive fiscal impact.

C. Government Sector Impact:

The following sections of the bill are expected to have the indicated impact on the government sector:

Section 1 and 2: The increase in the annual minimum FSTED funding does not appear to require any adjustment of FSTED projects in the work program.

Sections 3 and 4: The FDOT advises it expects a negative annual fiscal impact of approximately \$1.6 million due to a decrease in the fines assessed for IRP violations. A portion of the decrease, approximately \$500,000, is attributed to the revised IRP Full Reciprocity Plan.⁸⁵

Section 21: The FDOT anticipates significant savings in project delivery times. The Department advises, based on a random sampling of projects over the last 10 years, federal review of federalized projects has taken 1.8 to 3.5 times longer than state projects. The expected timeframe for projects subject to FHWA review as compared to anticipated timeframes for review by the state following NEPA assignment is as follows:

Class of Action Type	Existing Federal Review Time (months)	Expected State Review Time (months)
Minor projects with minimal or no impact	47	18
Minor projects that require supporting analysis	82	24
Projects that require environmental assessments	121	30
Projects that require environmental impact statements	127	40

⁸⁵ See the October 13, 2015, FDOT email to Transportation Committee staff. On file in the Senate Transportation Committee.

The FDOT also anticipates significant project cost savings associated with the elimination of FHWA review. The Department determined the potential savings over a two-year period would be \$44 million for PD&E and \$30 million for Design project expenditures.⁸⁶

The FDOT further advises, with respect to the limited waiver of sovereign immunity, three NEPA lawsuits have occurred in the past ten years. No increase in the number of lawsuits is currently expected. The FDOT advises it prevailed on the three challenges. However, potential exposure over ten years would be approximately \$1.5 million. As noted, a state assuming the NEPA responsibilities for a specific project may use funds apportioned to the State under section 104(b)(2) of 23 U.S.C. for attorneys' fees directly attributable to eligible activities associated with the project.⁸⁷

Section 23: The FDOT may experience indeterminate but reduced costs associated with transportation projects due to increased competition resulting from small business participation in the BDI.

Section 24: The transfer of the Pinellas Bayway System does not appear to have any immediate fiscal impact, as the transfer occurs without the expenditure of any funds. Aside from the project cost information on replacing the structurally deficient bridge over Boca Ciega Bay on SR 679 provided by the FDOT, the method by which replacement will be funded or financed is unknown. The impact of the repeal of the \$50 annual pass for use of the Pinellas Bayway System is unknown, but will be offset by the payment of the tolls for using the system by persons who formerly could purchase that pass.

Section 27: The FDOT may be able to accomplish faster delivery of transportation projects at reduced costs through participation of the FDOT Financing Corporation in the municipal bond market.

VI. Technical Deficiencies:

None.

VII. Related Issues:

Striking the reference to the Pinellas Bayway on line 1242 may be premature if done before the transfer of the Bayway System occurs.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 311.07, 311.09, 316.003, 316.545, 333.01, 333.025, 333.03, 333.04, 333.05, 333.06, 333.07, 333.09, 333.11, 333.12, 333.13, 334.044, 334.30, 338.165, 338.231, and 348.0004.

This bill creates the following sections of the Florida Statutes: 333.135, 337.027, and 339.0809.

⁸⁶ Ibid

⁸⁷ Ibid.

The bill repeals the following sections of the Florida Statutes: 333.065, 333.08, 333.10, and 333.14.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

Recommended CS by Appropriations Subcommittee on Transportation, Tourism, and Economic Development on January 21, 2016:

The recommended CS modifies the bill by:

- Authorizing the transfer of the FDOT's Pinellas Bayway System to become part of the turnpike system and requiring the transfer of certain funds to be used to help fund the costs of repair and replacement of the transferred facilities.
- Correcting a cross-reference.

CS by Transportation on December 3, 2015:

The CS modifies the bill by:

- Substantially revising the provisions of ch. 333, F.S., relating to airport zoning regulations; and
- Requiring the FDOT to consult with and provide information to the Division of Bond Finance in connection with a proposal to finance or refinance a transportation facility through the FDOT's authority to enter into public-private partnerships, and authorizing the division to make an independent recommendation.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/04/2016	.	
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The Committee on Appropriations (Galvano) recommended the following:

Senate Amendment (with title amendment)

Between lines 1433 and 1434
insert:

Section 28. Paragraph (d) of subsection (3) of section
343.922, Florida Statutes, is amended to read:

343.922 Powers and duties.—

(3)

(d) After its adoption, the master plan shall be updated
every 5 ~~2~~ years before July 1.



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11 ===== T I T L E A M E N D M E N T =====

12 And the title is amended as follows:

13 Delete line 176

14 and insert:

15 certain periodic payments; amending s. 343.922, F.S.;

16 increasing the period of time in which a master plan

17 must be updated; amending s. 348.0004, F.S.;



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576-02389-16

Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on Transportation, Tourism, and
Economic Development)

A bill to be entitled

An act relating to the Department of Transportation;
amending s. 311.07, F.S.; increasing the minimum
amount that must be made available annually from the
State Transportation Trust Fund to fund the Florida
Seaport Transportation and Economic Development
Program; amending s. 311.09, F.S.; increasing the
amount per year the department must include in its
annual legislative budget request for the Florida
Seaport Transportation and Economic Development
Program; amending s. 316.003, F.S.; defining the term
"port of entry"; amending s. 316.545, F.S.; providing
a specified penalty for drivers of commercial motor
vehicles who obtain temporary registration permits
entering the state at, or operating on designated
routes to, a port-of-entry location; amending s.
333.01, F.S.; defining and redefining terms; amending
s. 333.025, F.S.; revising the requirements relating
to permits required for obstructions; requiring
certain existing, planned, and proposed facilities to
be protected from airport hazards; requiring the local
government to provide a copy of a complete permit
application to the Department of Transportation's
aviation office, subject to certain requirements;
requiring the department to have a specified review
period following receipt of such application;



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providing exemptions from such review under certain
circumstances; revising the circumstances under which
the department issues or denies a permit; revising the
department's requirements before a permit is issued;
revising the circumstances under which the department
is prohibited from approving a permit; providing that
the denial of a permit is subject to administrative
review; amending s. 333.03, F.S.; conforming
provisions to changes made by the act; revising the
circumstances under which a political subdivision
owning or controlling an airport and another political
subdivision adopt, administer, and enforce airport
zoning regulations or create a joint airport
protection zoning board; revising the provisions
relating to airport protection zoning regulations and
joint airport protection zoning boards; requiring the
department to be available to provide assistance to
political subdivisions regarding federal obstruction
standards; deleting provisions relating to certain
duties of the department; revising provisions relating
to airport land use compatibility zoning regulations;
revising construction; providing applicability;
amending s. 333.04, F.S.; authorizing certain airport
zoning regulations to be incorporated in and made a
part of comprehensive plans and policies, rather than
a part of comprehensive zoning regulations, under
certain circumstances; revising requirements relating
to applicability; amending s. 333.05, F.S.; revising
procedures for adoption of airport zoning regulations;



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56 amending s. 333.06, F.S.; revising airport zoning
57 regulation requirements; repealing s. 333.065, F.S.,
58 relating to guidelines regarding land use near
59 airports; amending s. 333.07, F.S.; revising
60 requirements relating to local government permitting
61 of airspace obstructions; requiring a person proposing
62 to construct, alter, or allow an airport obstruction
63 to apply for a permit under certain circumstances;
64 revising the circumstances under which a permit is
65 prohibited from being issued; revising the
66 circumstances under which the owner of a nonconforming
67 structure is required to alter such structure to
68 conform to the current airport protection zoning
69 regulations; deleting provisions relating to variances
70 from zoning regulations; requiring a political
71 subdivision or its administrative agency to consider
72 specified criteria in determining whether to issue or
73 deny a permit; revising the requirements for marking
74 and lighting in conformance with certain standards;
75 repealing s. 333.08, F.S., relating to appeals of
76 decisions concerning airport zoning regulations;
77 amending s. 333.09, F.S.; revising the requirements
78 relating to the administration of airport protection
79 zoning regulations; requiring all airport protection
80 zoning regulations to provide for the administration
81 and enforcement of such regulations by the political
82 subdivision or its administrative agency; requiring a
83 political subdivision adopting airport zoning
84 regulations to provide a permitting process, subject

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85 to certain requirements; requiring a zoning board or
86 permitting body to implement the airport zoning
87 regulation permitting and appeals process if such
88 board or body already exists within a political
89 subdivision; authorizing a person, a political
90 subdivision or its administrative agency, or a
91 specified joint zoning board to use the process
92 established for an appeal, subject to certain
93 requirements; repealing s. 333.10, F.S., relating to
94 boards of adjustment provided for by airport zoning
95 regulations; amending s. 333.11, F.S.; revising the
96 requirements relating to judicial review; amending s.
97 333.12, F.S.; revising requirements relating to the
98 acquisition of air rights; amending s. 333.13, F.S.;
99 conforming provisions to changes made by the act;
100 creating s. 333.135, F.S.; requiring conflicting
101 airport zoning regulations in effect on a specified
102 date to be amended to conform to certain requirements;
103 requiring certain political subdivisions to adopt
104 certain airport zoning regulations by a specified
105 date; requiring the department to administer a
106 specified permitting process for certain political
107 subdivisions; repealing s. 333.14, F.S., relating to a
108 short title; amending s. 334.044, F.S.; authorizing
109 the department to assume certain responsibilities
110 under the National Environmental Policy Act with
111 respect to highway projects within the state and
112 certain related responsibilities relating to review or
113 approval of a highway project; authorizing the

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114 department to enter into certain agreements related to
115 the federal surface transportation project delivery
116 program under certain federal law; authorizing the
117 department to adopt implementing rules; authorizing
118 the department to adopt certain relevant federal
119 environmental standards; providing a limited waiver of
120 sovereign immunity to civil suit in federal court
121 consistent with certain federal law; amending s.
122 334.30, F.S.; conforming a cross-reference; requiring
123 the department to consult with the Division of Bond
124 Finance in connection with a proposal to finance or
125 refinance a transportation facility; requiring the
126 department to provide the division with information
127 necessary to provide timely consultation and
128 recommendations; authorizing the division to make an
129 independent recommendation to the Executive Office of
130 the Governor; creating s. 337.027, F.S.; authorizing
131 the department to establish a program for highway
132 projects that assist small businesses; providing a
133 program purpose; defining the term "small business";
134 authorizing the department to adopt rules; amending s.
135 338.165, F.S.; removing an option to issue certain
136 bonds secured by toll revenues collected on the
137 Beeline-East Expressway, the Navarre Bridge, and the
138 Pinellas Bayway; authorizing the department's Pinellas
139 Bayway System to be transferred by the department and
140 become part of the turnpike system under the Florida
141 Turnpike Enterprise Law; providing applicability;
142 repealing chapter 85-364, Laws of Florida, as amended,



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143 relating to the Pinellas Bayway; amending s. 338.231,
144 F.S.; increasing the number of years before an
145 inactive prepaid toll account is presumed unclaimed;
146 creating s. 339.0809, F.S.; creating a nonprofit
147 corporation to be known as the "Florida Department of
148 Transportation Financing Corporation"; defining the
149 term "corporation"; providing for membership of a
150 governing board of directors; providing certain powers
151 and duties; authorizing the corporation to enter into
152 service contracts with the Department of
153 Transportation subject to certain requirements;
154 authorizing the corporation to issue and incur notes,
155 bonds, certificates of indebtedness, or other
156 obligations or evidences of indebtedness under certain
157 circumstances; providing that the fulfillment of the
158 purposes of the corporation promotes the health,
159 safety, and general welfare of the people of the state
160 and serves essential governmental functions and a
161 paramount public purpose; providing certain exemptions
162 from taxation and assessments; authorizing the
163 corporation to validate certain obligations subject to
164 certain requirements; providing applicability;
165 prohibiting the benefits and earnings of the
166 corporation from inuring to any private person;
167 requiring title to all property owned by the
168 corporation to revert to the state upon dissolution of
169 the corporation; authorizing the corporation to
170 contract with the State Board of Administration to
171 perform certain services; authorizing the board to



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172 contract with others to provide such services and to
173 recover certain costs; authorizing the department to
174 enter into a service contract in conjunction with the
175 issuance of debt obligations which provides for
176 certain periodic payments; amending s. 348.0004, F.S.;
177 conforming a cross-reference; providing an effective
178 date.

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

182 Section 1. Subsection (2) of section 311.07, Florida
183 Statutes, is amended to read:

184 311.07 Florida seaport transportation and economic
185 development funding.—

186 (2) A minimum of \$25 ~~\$15~~ million per year shall be made
187 available from the State Transportation Trust Fund to fund the
188 Florida Seaport Transportation and Economic Development Program.
189 The Florida Seaport Transportation and Economic Development
190 Council created in s. 311.09 shall develop guidelines for
191 project funding. Council staff, the Department of
192 Transportation, and the Department of Economic Opportunity shall
193 work in cooperation to review projects and allocate funds in
194 accordance with the schedule required for the Department of
195 Transportation to include these projects in the tentative work
196 program developed pursuant to s. 339.135(4).

197 Section 2. Subsection (9) of section 311.09, Florida
198 Statutes, is amended to read:

199 311.09 Florida Seaport Transportation and Economic
200 Development Council.—



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201 (9) The Department of Transportation shall include at least
202 \$25 ~~no less than \$15~~ million per year in its annual legislative
203 budget request for the Florida Seaport Transportation and
204 Economic Development Program funded under s. 311.07. Such budget
205 must ~~shall~~ include funding for projects approved by the council
206 which have been determined by each agency to be consistent. The
207 department shall include the specific approved Florida Seaport
208 Transportation and Economic Development Program projects to be
209 funded under s. 311.07 during the ensuing fiscal year in the
210 tentative work program developed pursuant to s. 339.135(4). The
211 total amount of funding to be allocated to Florida Seaport
212 Transportation and Economic Development Program projects under
213 s. 311.07 during the successive 4 fiscal years shall also be
214 included in the tentative work program developed pursuant to s.
215 339.135(4). The council may submit to the department a list of
216 approved projects that could be made production-ready within the
217 next 2 years. The list shall be submitted by the department as
218 part of the needs and project list prepared pursuant to s.
219 339.135(2)(b). However, the department shall, upon written
220 request of the Florida Seaport Transportation and Economic
221 Development Council, submit work program amendments pursuant to
222 s. 339.135(7) to the Governor within 10 days after the later of
223 the date the request is received by the department or the
224 effective date of the amendment, termination, or closure of the
225 applicable funding agreement between the department and the
226 affected seaport, as required to release the funds from the
227 existing commitment. Notwithstanding s. 339.135(7)(c), any work
228 program amendment to transfer prior year funds from one approved
229 seaport project to another seaport project is subject to the



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procedures in s. 339.135(7)(d). Notwithstanding any provision of law to the contrary, the department may transfer unexpended budget between the seaport projects as identified in the approved work program amendments.

Section 3. Subsection (94) is added to section 316.003, Florida Statutes, to read:

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

(94) PORT OF ENTRY.—A designated location that allows drivers of commercial motor vehicles to purchase temporary registration permits necessary to operate legally within the state. The locations and the designated routes to such locations shall be determined by the Department of Transportation.

Section 4. Paragraph (b) of subsection (2) of section 316.545, Florida Statutes, is amended to read:

316.545 Weight and load unlawful; special fuel and motor fuel tax enforcement; inspection; penalty; review.—

(2)

(b) The officer or inspector shall inspect the license plate or registration certificate of the commercial vehicle, as defined in s. 316.003(66), to determine if its gross weight is in compliance with the declared gross vehicle weight. If its gross weight exceeds the declared weight, the penalty shall be 5 cents per pound on the difference between such weights. In those cases when the commercial vehicle, as defined in s. 316.003(66), is being operated over the highways of the state with an expired registration or with no registration from this or any other



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jurisdiction or is not registered under the applicable provisions of chapter 320, the penalty herein shall apply on the basis of 5 cents per pound on that scaled weight which exceeds 35,000 pounds on laden truck tractor-semitrailer combinations or tandem trailer truck combinations, 10,000 pounds on laden straight trucks or straight truck-trailer combinations, or 10,000 pounds on any unladen commercial motor vehicle. A driver of a commercial motor vehicle entering the state at a designated port-of-entry location, as defined in s. 316.003(94), or operating on designated routes to a port-of-entry location, who obtains a temporary registration permit shall be assessed a penalty limited to the difference between its gross weight and the declared gross vehicle weight at 5 cents per pound. If the license plate or registration has not been expired for more than 90 days, the penalty imposed under this paragraph may not exceed \$1,000. In the case of special mobile equipment as defined in s. 316.003(48), which qualifies for the license tax provided for in s. 320.08(5)(b), being operated on the highways of the state with an expired registration or otherwise not properly registered under the applicable provisions of chapter 320, a penalty of \$75 shall apply in addition to any other penalty which may apply in accordance with this chapter. A vehicle found in violation of this section may be detained until the owner or operator produces evidence that the vehicle has been properly registered. Any costs incurred by the retention of the vehicle shall be the sole responsibility of the owner. A person who has been assessed a penalty pursuant to this paragraph for failure to have a valid vehicle registration certificate pursuant to the provisions of chapter 320 is not subject to the delinquent fee



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288 authorized in s. 320.07 if such person obtains a valid
289 registration certificate within 10 working days after such
290 penalty was assessed.

291 Section 5. Section 333.01, Florida Statutes, is amended to
292 read:

293 333.01 Definitions.—~~As used in~~ For the purpose of this
294 chapter, the term following words, terms, and phrases shall have
295 the meanings herein given, unless otherwise specifically
296 defined, or unless another intention clearly appears, or the
297 context otherwise requires:

298 (1) “Aeronautical study” means a Federal Aviation
299 Administration study, conducted in accordance with the standards
300 of 14 C.F.R. part 77, subpart C, and Federal Aviation
301 Administration policy and guidance, on the effect of proposed
302 construction or alteration upon the operation of air navigation
303 facilities and the safe and efficient use of navigable airspace.

304 (1) “Aeronautics” means ~~transportation by aircraft, the~~
305 ~~operation, construction, repair, or maintenance of aircraft,~~
306 ~~aircraft power plants and accessories, including the repair,~~
307 ~~packing, and maintenance of parachutes, the design,~~
308 ~~establishment, construction, extension, operation, improvement,~~
309 ~~repair, or maintenance of airports, restricted landing areas, or~~
310 ~~other air navigation facilities, and air instruction.~~

311 (2) “Airport” means any area of land or water designed and
312 set aside for the landing and taking off of aircraft and used
313 utilized or to be used utilized in the interest of the public
314 for such purpose.

315 (3) “Airport hazard” means an obstruction to air navigation
316 which affects the safe and efficient use of navigable airspace



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317 or the operation of planned or existing air navigation and
318 communication facilities ~~any structure or tree or use of land~~
319 ~~which would exceed the federal obstruction standards as~~
320 ~~contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, and 77.29~~
321 ~~and which obstructs the airspace required for the flight of~~
322 ~~aircraft in taking off, maneuvering, or landing or is otherwise~~
323 ~~hazardous to such taking off, maneuvering, or landing of~~
324 ~~aircraft and for which no person has previously obtained a~~
325 ~~permit or variance pursuant to s. 333.025 or s. 333.07.~~

326 (4) “Airport hazard area” means any area of land or water
327 upon which an airport hazard might be established ~~if not~~
328 ~~prevented as provided in this chapter.~~

329 (5) “Airport land use compatibility zoning” means airport
330 zoning regulations governing ~~restricting~~ the use of land on,
331 adjacent to, or in the immediate vicinity of airports ~~in the~~
332 ~~manner enumerated in s. 333.03(2) to activities and purposes~~
333 ~~compatible with the continuation of normal airport operations~~
334 ~~including landing and takeoff of aircraft in order to promote~~
335 ~~public health, safety, and general welfare.~~

336 (6) “Airport layout plan” means a set of scaled drawings
337 that provide a graphic representation of the existing and future
338 development plan for the airport and demonstrate the
339 preservation and continuity of safety, utility, and efficiency
340 of the airport detailed, scale engineering drawing, including
341 pertinent dimensions, of an airport’s current and planned
342 facilities, their locations, and runway usage.

343 (7) “Airport master plan” means a comprehensive plan of an
344 airport which typically describes current and future plans for
345 airport development designed to support existing and future



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aviation demand.

(8) "Airport protection zoning regulations" means airport zoning regulations governing airport hazards.

(9) "Department" means the Department of Transportation as created under s. 20.23.

(10) "Educational facility" means any structure, land, or use that includes a public or private kindergarten through 12th grade school, charter school, magnet school, college campus, or university campus. The term does not include space used for educational purposes within a multi-tenant building.

(11) "Landfill" has the same meaning as provided in s. 403.703.

(12)(7) "Obstruction" means any existing or proposed ~~manmade object or object, of natural growth or terrain, or~~ structure construction or alteration that exceeds ~~violates~~ the federal obstruction standards contained in 14 C.F.R. part 77, subpart C ~~ss. 77.21, 77.23, 77.25, 77.28, and 77.29~~. The term includes:

(a) Any object of natural growth or terrain;

(b) Permanent or temporary construction or alteration, including equipment or materials used and any permanent or temporary apparatus; or

(c) Alteration of any permanent or temporary existing structure by a change in the structure's height, including appurtenances, lateral dimensions, and equipment or materials used in the structure.

(13)(8) "Person" means any individual, firm, copartnership, corporation, company, association, joint-stock association, or body politic, and includes any trustee, receiver, assignee, or



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other similar representative thereof.

(14)(9) "Political subdivision" means the local government of any county, municipality ~~city~~, town, village, or other subdivision or agency thereof, or any district or special district, port commission, port authority, or other such agency authorized to establish or operate airports in the state.

(15) "Public-use airport" means an airport, publicly or privately owned, licensed by the state, which is open for use by the public.

(16)(10) "Runway protection ~~clear~~ zone" means an area at ground level beyond the runway end to enhance the safety and protection of people and property on the ground ~~a runway clear zone as defined in 14 C.F.R. s. 151.9(b)~~.

(17)(11) "Structure" means any object, constructed, erected, altered, or installed ~~by humans~~, including, but not limited to ~~without limitation thereof~~, buildings, towers, smokestacks, utility poles, power generation equipment, and overhead transmission lines.

(18) "Substantial modification" means any repair, reconstruction, rehabilitation, or improvement of a structure when the actual cost of the repair, reconstruction, rehabilitation, or improvement of the structure equals or exceeds 50 percent of the market value of the structure.

~~(12) "Tree" includes any plant of the vegetable kingdom.~~

Section 6. Section 333.025, Florida Statutes, is amended to read:

333.025 Permit required for obstructions ~~structures~~ exceeding federal obstruction standards.-

(1) A person proposing the construction or alteration in



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~~order to prevent the erection of an obstruction must obtain a permit from the department structures dangerous to air navigation, subject to the provisions of subsections (2), (3), and (4), each person shall secure from the Department of Transportation a permit for the erection, alteration, or modification of any structure the result of which would exceed the federal obstruction standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, and 77.29. However, permits from the department of Transportation will be required only within an airport hazard area where federal obstruction standards are exceeded and if the proposed construction or alteration is within a 10-nautical-mile radius of the airport reference point, located at the approximate geometric ~~geographical~~ center of all usable runways of a public-use airport or a publicly owned or operated airport, a military airport, or an airport licensed by the state for public use.~~

(2) Existing, planned, and proposed ~~Affected airports will be considered as having these facilities on public-use airports contained in an which are shown on the airport master plan, in or an airport layout plan submitted to the Federal Aviation Administration, Airport District Office or in comparable military documents shall, and will be so protected from airport hazards. Planned or proposed public-use airports which are the subject of a notice or proposal submitted to the Federal Aviation Administration or to the Department of Transportation shall also be protected.~~

(3) A permit is not required for existing structures that requirements of subsection (1) shall not apply to projects which received construction permits from the Federal Communications



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Commission for structures exceeding federal obstruction standards ~~before prior to May 20, 1975, provided such structures now exist; a permit is not required for nor shall it apply to previously approved structures now existing, or~~ any necessary replacement or repairs to such existing structures if, so long as the height and location are is unchanged.

(4) If When political subdivisions have, in compliance with this chapter, adopted adequate airport airspace protection zoning regulations, placed in compliance with s. 333.03, and such regulations are on file with the department's aviation office, and established a permitting process Department of Transportation, a permit for the construction or alteration of an obstruction is such structure shall not be required from the department of Transportation. Upon receipt of a complete permit application, the local government shall provide a copy of the application to the department's aviation office by certified mail, return receipt requested, or by a delivery service that provides a receipt evidencing delivery. To evaluate technical consistency with this subsection, the department shall have a 15-day review period following receipt of the application, which must run concurrently with the local government permitting process. Cranes, construction equipment, and other temporary structures in use or in place for a period not to exceed 18 consecutive months are exempt from the department's review, unless such review is requested by the department.

(5) The department ~~of Transportation~~ shall, within 30 days ~~after of the~~ receipt of an application for a permit, issue or deny a permit for the construction or erection, alteration, or modification of an obstruction any structure the result of which



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~~would exceed federal obstruction standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, and 77.29. The department shall review permit applications in conformity with s. 120.60.~~

(6) In determining whether to issue or deny a permit, the department shall consider:

(a) The safety of persons on the ground and in the air.

(b) The safe and efficient use of navigable airspace.

(c)(a) The nature of the terrain and height of existing structures.

~~(b) Public and private interests and investments.~~

(d) The effect of the construction or alteration of an obstruction on the state licensing standards for a public-use airport contained in chapter 330 and rules adopted thereunder.

(e)(e) The character of existing and planned flight flying operations and planned developments at public-use of airports.

(f)(d) Federal airways, visual flight rules, flyways and corridors, and instrument approaches as designated by the Federal Aviation Administration.

(g)(e) The effect of whether the construction or alteration of an obstruction on the proposed structure would cause an increase in the minimum descent altitude or the decision height at the affected airport.

~~(f) Technological advances.~~

~~(g) The safety of persons on the ground and in the air.~~

~~(h) Land use density.~~

~~(i) The safe and efficient use of navigable airspace.~~

(h)(j) The cumulative effects on navigable airspace of all existing obstructions structures, proposed structures identified in the applicable jurisdictions' comprehensive plans, and all



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~~other~~ known proposed obstructions structures in the area.

(7) When issuing a permit under this section, the department of Transportation shall, ~~as a specific condition of such permit,~~ require the owner obstruction marking and lighting of the obstruction to install, operate, and maintain, at the owner's expense, marking and lighting in conformance with the specific standards established by the Federal Aviation Administration permitted structure as provided in s. 333.07(3)(b).

(8) The department ~~may~~ of Transportation shall not approve a permit for the construction or alteration ~~erection~~ of an obstruction ~~a structure~~ unless the applicant submits both documentation showing both compliance with the federal requirement for notification of proposed construction or alteration and a valid aeronautical study. A evaluation, and no permit may not ~~shall~~ be approved solely on the basis that the Federal Aviation Administration determined that the ~~such~~ proposed construction or alteration of an obstruction was not an airport hazard structure will not exceed federal obstruction standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, or 77.29, or any other federal aviation regulation.

(9) The denial of a permit under this section is subject to administrative review pursuant to chapter 120.

Section 7. Section 333.03, Florida Statutes, is amended to read:

333.03 Requirement ~~Power~~ to adopt airport zoning regulations.-

(1) (a) ~~In order to prevent the creation or establishment of airport hazards,~~ Every political subdivision having an airport



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520 hazard area within its territorial limits shall, ~~by October 1,~~
521 ~~1977,~~ adopt, administer, and enforce, under the police power and
522 in the manner and upon the conditions ~~hereinafter~~ prescribed in
523 this section, airport protection zoning regulations for such
524 airport hazard area.

525 (b) ~~If where~~ an airport is owned or controlled by a
526 political subdivision and any other political subdivision has
527 land, upon which an obstruction may be constructed or altered,
528 underlying any of the 14 C.F.R. Part 77, subpart C surfaces of
529 the airport, the political subdivisions airport hazard area
530 ~~appertaining to such airport is located wholly or partly outside~~
531 ~~the territorial limits of said political subdivision, the~~
532 ~~political subdivision owning or controlling the airport and the~~
533 ~~political subdivision within which the airport hazard area is~~
534 ~~located,~~ shall either:

535 1. By interlocal agreement, ~~in accordance with the~~
536 ~~provisions of chapter 163,~~ adopt, administer, and enforce a set
537 of airport protection zoning regulations ~~applicable to the~~
538 ~~airport hazard area in question; or~~

539 2. By ordinance, regulation, or resolution duly adopted,
540 create a joint airport protection zoning board ~~that, which board~~
541 ~~shall have the same power to~~ adopt, administer, and enforce a
542 set of airport protection zoning regulations ~~applicable to the~~
543 ~~airport hazard area in question as that vested in paragraph (a)~~
544 ~~in the political subdivision within which such area is located.~~
545 The Each such joint airport protection zoning board shall have
546 as voting members two representatives appointed by each
547 participating political subdivision ~~participating in its~~
548 ~~creation and in addition~~ a chair elected by a majority of the



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549 members so appointed. ~~However,~~ The airport manager or a
550 representative of each airport in ~~managers of~~ the affected
551 participating political subdivisions shall serve on the board in
552 a nonvoting capacity.

553 (c) Airport protection zoning regulations adopted under
554 paragraph (a) must shall, at as a minimum, require:

555 1. A permit variance for the construction or erection,
556 ~~alteration, or modification of any obstruction structure which~~
557 ~~would cause the structure to exceed the federal obstruction~~
558 ~~standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25,~~
559 ~~77.28, and 77.29;~~

560 2. Obstruction marking and lighting for obstructions
561 ~~structures as specified in s. 333.07(3);~~

562 3. Documentation showing compliance with the federal
563 requirement for notification of proposed construction or
564 alteration of structures and a valid aeronautical study
565 ~~evaluation~~ submitted by each person applying for a permit
566 ~~variance;~~

567 4. Consideration of the criteria in s. 333.025(6), when
568 determining whether to issue or deny a permit variance; and

569 5. That approval of a permit not be based no variance shall
570 ~~be approved~~ solely on the determination by the Federal Aviation
571 Administration basis that the such proposed structure is not an
572 airport hazard will not exceed federal obstruction standards as
573 contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, or 77.29,
574 or any other federal aviation regulation.

575 (d) The department shall be available to provide assistance
576 to political subdivisions regarding federal obstruction
577 standards ~~shall issue copies of the federal obstruction~~



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standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, and 77.29 to each political subdivision having airport hazard areas and, in cooperation with political subdivisions, shall issue appropriate airport zoning maps depicting within each county the maximum allowable height of any structure or tree. Material distributed pursuant to this subsection shall be at no cost to authorized recipients.

(2) In the manner provided in subsection (1), political subdivisions shall adopt, administer, and enforce interim airport land use compatibility zoning regulations shall be adopted. Airport land use compatibility zoning When political subdivisions have adopted land development regulations shall, at a minimum, in accordance with the provisions of chapter 163 which address the use of land in the manner consistent with the provisions herein, adoption of airport land use compatibility regulations pursuant to this subsection shall not be required. Interim airport land use compatibility zoning regulations shall consider the following:

(a) The prohibition of new landfills and the restriction of existing landfills Whether sanitary landfills are located within the following areas:

1. Within 10,000 feet from the nearest point of any runway used or planned to be used by turbine turbojet or turboprop aircraft.

2. Within 5,000 feet from the nearest point of any runway used only by only nonturbine piston type aircraft.

3. Outside the perimeters defined in subparagraphs 1. and 2., but still within the lateral limits of the civil airport imaginary surfaces defined in 14 C.F.R. s. 77.19 part 77.25.



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Case-by-case review of such landfills is advised.

(b) Where Whether any landfill is located and constructed in a manner so that it attracts or sustains hazardous bird movements from feeding, water, or roosting areas into, or across, the runways or approach and departure patterns of aircraft. The landfill operator must political subdivision shall request from the airport authority or other governing body operating the airport a report on such bird feeding or roosting areas that at the time of the request are known to the airport. In preparing its report, the authority, or other governing body, shall consider whether the landfill will incorporate bird management techniques or other practices to minimize bird hazards to airborne aircraft. The airport authority or other governing body shall respond to the political subdivision no later than 30 days after receipt of such request.

(c) Where an airport authority or other governing body operating a publicly owned, public-use airport has conducted a noise study in accordance with the provisions of 14 C.F.R. part 150, or where a public-use airport owner has established noise contours pursuant to another public study approved by the Federal Aviation Administration, the prohibition of incompatible uses, as established in the noise study in 14 C.F.R. part 150, Appendix A or as a part of an alternative Federal Aviation Administration-approved public study, within the noise contours established by any of these studies, except if such uses are specifically contemplated by such study with appropriate mitigation or similar techniques described in the study neither residential construction nor any educational facility as defined in chapter 1013, with the exception of aviation school



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636 ~~facilities, shall be permitted within the area contiguous to the~~
637 ~~airport defined by an outer noise contour that is considered~~
638 ~~incompatible with that type of construction by 14 C.F.R. part~~
639 ~~150, Appendix A or an equivalent noise level as established by~~
640 ~~other types of noise studies.~~

641 (d) Where an airport authority or other governing body
642 operating a ~~publicly owned~~, public-use airport has not conducted
643 a noise study, the prohibition of neither residential
644 construction and nor any educational facility as defined in
645 chapter 1013, with the exception of aviation school facilities,
646 ~~shall be permitted~~ within an area contiguous to the airport
647 measuring one-half the length of the longest runway on either
648 side of and at the end of each runway centerline.

649 (e)(3) The restriction of In the manner provided in
650 subsection (1), airport zoning regulations shall be adopted
651 which restrict new incompatible uses, activities, or substantial
652 modifications to existing incompatible uses construction within
653 runway protection clear zones, including uses, activities, or
654 construction in runway clear zones which are incompatible with
655 normal airport operations or endanger public health, safety, and
656 welfare by resulting in congregations of people, emissions of
657 light or smoke, or attraction of birds. Such regulations shall
658 prohibit the construction of an educational facility of a public
659 or private school at either end of a runway of a publicly owned,
660 public-use airport within an area which extends 5 miles in a
661 direct line along the centerline of the runway, and which has a
662 width measuring one-half the length of the runway. Exceptions
663 approving construction of an educational facility within the
664 delineated area shall only be granted when the political



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665 ~~subdivision administering the zoning regulations makes specific~~
666 ~~findings detailing how the public policy reasons for allowing~~
667 ~~the construction outweigh health and safety concerns prohibiting~~
668 ~~such a location.~~

669 ~~(4) The procedures outlined in subsections (1), (2), and~~
670 ~~(3) for the adoption of such regulations are supplemental to any~~
671 ~~existing procedures utilized by political subdivisions in the~~
672 ~~adoption of such regulations.~~

673 (3)(5) Political subdivisions shall provide The Department
674 of Transportation shall provide technical assistance to any
675 political subdivision requesting assistance in the preparation
676 of an airport zoning code. a copy of all local airport
677 protection zoning codes, rules, and regulations and airport land
678 use compatibility zoning regulations, and any related amendments
679 and proposed and granted variances thereto, to shall be filed
680 with the department's aviation office within 30 days after
681 adoption department.

682 ~~(4)(6) Nothing in Subsection (2) may not or subsection (3)~~
683 ~~shall be construed to require the removal, alteration, sound~~
684 ~~conditioning, or other change, or to interfere with the~~
685 ~~continued use or adjacent expansion of any educational facility~~
686 ~~structure or site in existence on July 1, 1993, or be construed~~
687 ~~to prohibit the construction of any new structure for which a~~
688 ~~site has been determined as provided in former s. 235.19, as of~~
689 ~~July 1, 1993.~~

690 (5) This section does not prohibit an airport authority, a
691 political subdivision or its administrative agency, or any other
692 governing body operating a public-use airport from establishing
693 airport zoning regulations more restrictive than prescribed in



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694 this section in order to protect the health, safety, and welfare
695 of the public in the air and on the ground.

696 Section 8. Section 333.04, Florida Statutes, is amended to
697 read:

698 333.04 Comprehensive zoning regulations; most stringent to
699 prevail where conflicts occur.—

700 (1) INCORPORATION.—In the event that a political
701 subdivision has adopted, or hereafter adopts, a comprehensive
702 plan or policy zoning ordinance regulating, among other things,
703 the height of buildings, structures, and natural objects, and
704 uses of property, any airport zoning regulations applicable to
705 the same area or portion thereof may be incorporated in and made
706 a part of such comprehensive plan or policy zoning regulations,
707 and be administered and enforced in connection therewith.

708 (2) CONFLICT.—In the event of conflict between any airport
709 zoning regulations adopted under this chapter and any other
710 regulations applicable to the same area, whether the conflict be
711 with respect to the height of structures or vegetation trees,
712 the use of land, or any other matter, and whether such
713 regulations were adopted by the political subdivision that which
714 adopted the airport zoning regulations or by some other
715 political subdivision, the more stringent limitation or
716 requirement shall govern and prevail.

717 Section 9. Section 333.05, Florida Statutes, is amended to
718 read:

719 333.05 Procedure for adoption of airport zoning
720 regulations.—

721 (1) NOTICE AND HEARING.—~~No~~ Airport zoning regulations may
722 not shall be adopted, amended, or repealed changed under this



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723 chapter except by action of the legislative body of the
724 political subdivision or affected subdivisions in question, or
725 the joint board provided in s. 333.03(1)(b)2. s. 333.03(1)(b) by
726 the political subdivisions bodies therein provided and set
727 forth, after a public hearing in relation thereto, at which
728 parties in interest and citizens shall have an opportunity to be
729 heard. Notice of the hearing shall be published at least once a
730 week for 2 consecutive weeks in a newspaper an official paper,
731 or a paper of general circulation, in the political subdivision
732 or subdivisions where in which are located the airport zoning
733 regulations are areas to be adopted, amended, or repealed zoned.

734 (2) AIRPORT ZONING COMMISSION.—~~Before~~ Prior to the initial
735 zoning of any airport area under this chapter, the political
736 subdivision or joint airport zoning board that which is to
737 adopt, administer, and enforce the regulations must shall
738 appoint a commission, to be known as the airport zoning
739 commission, to recommend the boundaries of the various zones to
740 be established and the regulations to be adopted therefor. Such
741 commission shall make a preliminary report and hold public
742 hearings thereon before submitting its final report, and the
743 legislative body of the political subdivision or the joint
744 airport zoning board may shall not hold its public hearings or
745 take any action until it has received the final report of such
746 commission, and at least 15 days shall elapse between the
747 receipt of the final report of the commission and the hearing to
748 be held by the latter board. If Where a planning city plan
749 commission, an airport commission, or a comprehensive zoning
750 commission already exists, it may be appointed as the airport
751 zoning commission.



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752 Section 10. Section 333.06, Florida Statutes, is amended to
753 read:

754 333.06 Airport zoning regulation requirements.-

755 (1) REASONABLENESS.-All airport zoning regulations adopted
756 under this chapter shall be reasonable and may not ~~none shall~~
757 impose any requirement or restriction which is not reasonably
758 necessary to effectuate the purposes of this chapter. In
759 determining what regulations it may adopt, each political
760 subdivision and joint airport zoning board shall consider, among
761 other things, the character of the flying operations expected to
762 be conducted at the airport, the nature of the terrain within
763 the airport hazard area and runway protection ~~clear~~ zones, the
764 character of the neighborhood, the uses to which the property to
765 be zoned is put and adaptable, and the impact of any new use,
766 activity, or construction on the airport's operating capability
767 and capacity.

768 (2) INDEPENDENT JUSTIFICATION.-The purpose of all airport
769 zoning regulations adopted under this chapter is to provide both
770 airspace protection and land uses ~~use~~ compatible with airport
771 operations. Each aspect of this purpose requires independent
772 justification in order to promote the public interest in safety,
773 health, and general welfare. Specifically, construction in a
774 runway protection ~~clear~~ zone which does not exceed airspace
775 height restrictions is not conclusive ~~evidence per se~~ that such
776 use, activity, or construction is compatible with airport
777 operations.

778 (3) NONCONFORMING USES.-An ~~No~~ airport protection zoning
779 regulation ~~regulations~~ adopted under this chapter may not ~~shall~~
780 require the removal, lowering, or other change or alteration of



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781 any obstruction ~~structure or tree~~ not conforming to the
782 regulation ~~regulations~~ when adopted or amended, or otherwise
783 interfere with the continuance of any nonconforming use, except
784 as provided in s. 333.07(1) and (3).

785 (4) ADOPTION OF AIRPORT MASTER PLAN AND NOTICE TO AFFECTED
786 LOCAL GOVERNMENTS.-An airport master plan shall be prepared by
787 each public-use ~~publicly owned and operated~~ airport licensed by
788 the department of ~~Transportation~~ under chapter 330. The
789 authorized entity having responsibility for governing the
790 operation of the airport, when either requesting from or
791 submitting to a state or federal governmental agency with
792 funding or approval jurisdiction a "finding of no significant
793 impact," an environmental assessment, a site-selection study, an
794 airport master plan, or any amendment to an airport master plan,
795 shall submit simultaneously a copy of said request, submittal,
796 assessment, study, plan, or amendments by certified mail to all
797 affected local governments. As used in ~~For the purposes of~~ this
798 subsection, the term "affected local government" is defined as
799 any municipality ~~city~~ or county having jurisdiction over the
800 airport and any municipality ~~city~~ or county located within 2
801 miles of the boundaries of the land subject to the airport
802 master plan.

803 Section 11. Section 333.065, Florida Statutes, is repealed.

804 Section 12. Section 333.07, Florida Statutes, is amended to
805 read:

806 333.07 Local government permitting of airspace obstructions
807 Permits and variances.-

808 (1) PERMITS.-

809 (a) A person proposing to construct, alter, or allow an



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810 airport obstruction in an airport hazard area in violation of
811 the airport protection zoning regulations adopted under this
812 chapter must apply for a permit. A Any airport zoning
813 regulations adopted under this chapter may require that a permit
814 be obtained before any new structure or use may be constructed
815 or established and before any existing use or structure may be
816 substantially changed or substantially altered or repaired. In
817 any event, however, all such regulations shall provide that
818 before any nonconforming structure or tree may be replaced,
819 substantially altered or repaired, rebuilt, allowed to grow
820 higher, or replanted, a permit must be secured from the
821 administrative agency authorized to administer and enforce the
822 regulations, authorizing such replacement, change, or repair. No
823 permit may not shall be issued if it granted that would allow
824 the establishment or creation of an airport hazard or if it
825 would permit a nonconforming obstruction structure or tree or
826 nonconforming use to be made or become higher or to become a
827 greater hazard to air navigation than it was when the applicable
828 airport protection zoning regulation was adopted which allowed
829 the establishment or creation of the obstruction, or than it is
830 when the application for a permit is made.

831 (b) If Whenever the political subdivision or its
832 administrative agency determines that a nonconforming
833 obstruction use or nonconforming structure or tree has been
834 abandoned or is more than 80 percent torn down, destroyed,
835 deteriorated, or decayed, a no permit may not shall be granted
836 if it that would allow the obstruction said structure or tree to
837 exceed the applicable height limit or otherwise deviate from the
838 airport protection zoning regulations, and, Whether or not an



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839 application is made for a permit under this subsection ~~or not,~~
840 ~~the said agency may by appropriate action, compel~~ the owner of
841 the nonconforming obstruction may be required structure or tree,
842 at his or her own expense, to lower, remove, reconstruct, alter,
843 or equip such obstruction object as may be necessary to conform
844 to the current airport protection zoning regulations. If the
845 owner of the nonconforming obstruction neglects or refuses
846 structure or tree shall neglect or refuse to comply with such
847 requirement order for 10 days after notice thereof, the
848 administrative said agency may report the violation to the
849 political subdivision involved therein, which subdivision,
850 through its appropriate agency, may proceed to have the
851 obstruction object so lowered, removed, reconstructed, altered,
852 or equipped, and assess the cost and expense thereof upon the
853 owner of the obstruction object or the land whereon it is or was
854 located, and, unless such an assessment is paid within 90 days
855 from the service of notice thereof on the owner or the owner's
856 agent, of such object or land, the sum shall be a lien on said
857 land, and shall bear interest thereafter at the rate of 6
858 percent per annum until paid, and shall be collected in the same
859 manner as taxes on real property are collected by said political
860 subdivision, or, at the option of said political subdivision,
861 said lien may be enforced in the manner provided for enforcement
862 of liens by chapter 85.

863 ~~(c) Except as provided herein, applications for permits~~
864 ~~shall be granted, provided the matter applied for meets the~~
865 ~~provisions of this chapter and the regulations adopted and in~~
866 ~~force hereunder.~~

867 (2) CONSIDERATIONS WHEN ISSUING OR DENYING PERMITS.-In



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868 determining whether to issue or deny a permit, the political
869 subdivision or its administrative agency must consider the
870 following, as applicable:

871 (a) The safety of persons on the ground and in the air.

872 (b) The safe and efficient use of navigable airspace.

873 (c) The nature of the terrain and height of existing
874 structures.

875 (d) The effect of the construction or alteration on the
876 state licensing standards for a public-use airport contained in
877 chapter 330 and rules adopted thereunder.

878 (e) The character of existing and planned flight operations
879 and developments at public-use airports.

880 (f) Federal airways, visual flight rules, flyways and
881 corridors, and instrument approaches as designated by the
882 Federal Aviation Administration.

883 (g) The effect of the construction or alteration of the
884 proposed structure on the minimum descent altitude or the
885 decision height at the affected airport.

886 (h) The cumulative effects on navigable airspace of all
887 existing structures and all other known proposed structures in
888 the area.

889 (i) Additional requirements adopted by the political
890 subdivision or administrative agency pertinent to evaluation and
891 protection of airspace and airport operations.

892 (2) VARIANCES.—

893 (a) Any person desiring to erect any structure, increase
894 the height of any structure, permit the growth of any tree, or
895 otherwise use his or her property in violation of the airport
896 zoning regulations adopted under this chapter or any land



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897 ~~development regulation adopted pursuant to the provisions of~~
898 ~~chapter 163 pertaining to airport land use compatibility, may~~
899 ~~apply to the board of adjustment for a variance from the zoning~~
900 ~~regulations in question. At the time of filing the application,~~
901 ~~the applicant shall forward to the department by certified mail,~~
902 ~~return receipt requested, a copy of the application. The~~
903 ~~department shall have 45 days from receipt of the application to~~
904 ~~comment and to provide its comments or waiver of that right to~~
905 ~~the applicant and the board of adjustment. The department shall~~
906 ~~include its explanation for any objections stated in its~~
907 ~~comments. If the department fails to provide its comments within~~
908 ~~45 days of receipt of the application, its right to comment is~~
909 ~~waived. The board of adjustment may proceed with its~~
910 ~~consideration of the application only upon the receipt of the~~
911 ~~department's comments or waiver of that right as demonstrated by~~
912 ~~the filing of a copy of the return receipt with the board.~~
913 ~~Noncompliance with this section shall be grounds to appeal~~
914 ~~pursuant to s. 333.08 and to apply for judicial relief pursuant~~
915 ~~to s. 333.11. Such variances may only be allowed where a literal~~
916 ~~application or enforcement of the regulations would result in~~
917 ~~practical difficulty or unnecessary hardship and where the~~
918 ~~relief granted would not be contrary to the public interest but~~
919 ~~would do substantial justice and be in accordance with the~~
920 ~~spirit of the regulations and this chapter. However, any~~
921 ~~variance may be allowed subject to any reasonable conditions~~
922 ~~that the board of adjustment may deem necessary to effectuate~~
923 ~~the purposes of this chapter.~~

924 ~~(b) The Department of Transportation shall have the~~
925 ~~authority to appeal any variance granted under this chapter~~



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926 ~~pursuant to s. 333.08, and to apply for judicial relief pursuant~~
927 ~~to s. 333.11.~~

928 (3) OBSTRUCTION MARKING AND LIGHTING.—

929 ~~(a) In issuing a granting any permit or variance under this~~
930 ~~section, the political subdivision or its administrative agency~~
931 ~~or board of adjustment shall require the owner of the~~
932 ~~obstruction structure or tree in question to install, operate,~~
933 ~~and maintain thereon, at his or her own expense, such marking~~
934 ~~and lighting in conformance with the specific standards~~
935 ~~established by the Federal Aviation Administration as may be~~
936 ~~necessary to indicate to aircraft pilots the presence of an~~
937 ~~obstruction.~~

938 ~~(b) Such marking and lighting shall conform to the specific~~
939 ~~standards established by rule by the Department of~~
940 ~~Transportation.~~

941 ~~(c) Existing structures not in compliance on October 1,~~
942 ~~1988, shall be required to comply whenever the existing marking~~
943 ~~requires refurbishment, whenever the existing lighting requires~~
944 ~~replacement, or within 5 years of October 1, 1988, whichever~~
945 ~~occurs first.~~

946 Section 13. Section 333.08, Florida Statutes, is repealed.

947 Section 14. Section 333.09, Florida Statutes, is amended to
948 read:

949 333.09 Administration of airport protection zoning
950 regulations.—

951 (1) ADMINISTRATION.—All airport protection zoning
952 regulations adopted under this chapter shall provide for the
953 administration and enforcement of such regulations by the
954 political subdivision or its administrative agency an



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955 ~~administrative agency which may be an agency created by such~~
956 ~~regulations or any official, board, or other existing agency of~~
957 ~~the political subdivision adopting the regulations or of one of~~
958 ~~the political subdivisions which participated in the creation of~~
959 ~~the joint airport zoning board adopting the regulations, if~~
960 ~~satisfactory to that political subdivision, but in no case shall~~
961 ~~such administrative agency be or include any member of the board~~
962 ~~of adjustment. The duties of any administrative agency~~
963 ~~designated pursuant to this chapter must shall include that of~~
964 ~~hearing and deciding all permits under s. 333.07 ~~s. 333.07(1)~~,~~
965 ~~deciding all matters under s. 333.07(3), as they pertain to such~~
966 ~~agency, and all other matters under this chapter applying to~~
967 ~~said agency, but such agency shall not have or exercise any of~~
968 ~~the powers herein delegated to the board of adjustment.~~

969 (2) LOCAL GOVERNMENT PROCESS.—

970 (a) A political subdivision required to adopt airport
971 zoning regulations under this chapter shall provide a process
972 to:

973 1. Issue or deny permits consistent with s. 333.07.

974 2. Provide the department with a copy of a complete
975 application consistent with s. 333.025(4).

976 3. Enforce the issuance or denial of a permit or other
977 determination made by the administrative agency with respect to
978 airport zoning regulations.

979 (b) If a zoning board or permitting body already exists
980 within a political subdivision, the zoning board or permitting
981 body may implement the airport zoning regulation permitting and
982 appeals processes.

983 (3) APPEALS.—



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(a) A person, a political subdivision or its administrative agency, or a joint airport zoning board that contends that a decision made by a political subdivision or its administrative agency is an improper application of airport zoning regulations may use the process established for an appeal.

(b) All appeals taken under this section must be taken within a reasonable time, as provided by the political subdivision or its administrative agency, by filing with the entity from which the appeal is taken a notice of appeal specifying the grounds for appeal.

(c) An appeal shall stay all proceedings in the underlying action appealed from, unless the entity from which the appeal is taken certifies pursuant to the rules for appeal that by reason of the facts stated in the certificate a stay would, in its opinion, cause imminent peril to life or property. In such cases, proceedings may not be stayed except by order of the political subdivision or its administrative agency on notice to the entity from which the appeal is taken and for good cause shown.

(d) The political subdivision or its administrative agency shall set a reasonable time for the hearing of appeals, give public notice and due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing, any party may appear in person, by agent, or by attorney.

(e) The political subdivision or its administrative agency may, in conformity with this chapter, affirm, reverse, or modify the decision on the permit or other determination from which the appeal is taken.

Section 15. Section 333.10, Florida Statutes, is repealed.



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Section 16. Section 333.11, Florida Statutes, is amended to read:

333.11 Judicial review.—

(1) Any person, ~~aggrieved, or taxpayer affected, by any decision of a board of adjustment, or any governing body of a political subdivision, or the Department of Transportation or any joint airport zoning board affected by a decision of a political subdivision, or its of any administrative agency hereunder,~~ may apply for judicial relief to the circuit court in the judicial circuit where the political subdivision board of adjustment is located within 30 days after rendition of the decision ~~by the board of adjustment~~. Review shall be by petition for writ of certiorari, which shall be governed by the Florida Rules of Appellate Procedure.

~~(2) Upon presentation of such petition to the court, it may allow a writ of certiorari, directed to the board of adjustment, to review such decision of the board. The allowance of the writ shall not stay the proceedings upon the decision appealed from, but the court may, on application, on notice to the board, on due hearing and due cause shown, grant a restraining order.~~

~~(3) The board of adjustment shall not be required to return the original papers acted upon by it, but it shall be sufficient to return certified or sworn copies thereof or of such portions thereof as may be called for by the writ. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified.~~

~~(2)(4)~~ The court has shall have exclusive jurisdiction to affirm, reverse, or modify, ~~or set aside~~ the decision on the



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1042 ~~permit or other determination from which the appeal is taken~~
1043 ~~brought up for review, in whole or in part, and, if appropriate~~
1044 ~~need be, to order further proceedings by the political~~
1045 ~~subdivision or its administrative agency board of adjustment.~~
1046 The findings of fact by the political subdivision or its
1047 administrative agency board, if supported by substantial
1048 evidence, shall be accepted by the court as conclusive, and an
1049 ~~no~~ objection to a decision of the political subdivision or its
1050 administrative agency may not board shall be considered by the
1051 court unless such objection was raised in the underlying
1052 proceeding shall have been urged before the board, or, if it was
1053 ~~not so urged, unless there were reasonable grounds for failure~~
1054 ~~to do so.~~

1055 ~~(3)(5) If In any case in which~~ airport zoning regulations
1056 adopted under this chapter, ~~although generally reasonable,~~ are
1057 held by a court to interfere with the use and enjoyment of a
1058 particular structure or parcel of land to such an extent, or to
1059 be so onerous in their application to such a structure or parcel
1060 of land, as to constitute a taking or deprivation of that
1061 property in violation of the State Constitution or the
1062 Constitution of the United States, such holding shall not affect
1063 the application of such regulations to other structures and
1064 parcels of land, or such regulations as are not involved in the
1065 particular decision.

1066 ~~(4)(6) A judicial No appeal to any court may not shall be~~
1067 ~~or is~~ permitted under this section until the appellant has
1068 exhausted all of its remedies through application for local
1069 government permits, exceptions, and appeals, to any courts, as
1070 ~~herein provided, save and except an appeal from a decision of~~



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1071 ~~the board of adjustment, the appeal herein provided being from~~
1072 ~~such final decision of such board only, the appellant being~~
1073 ~~hereby required to exhaust his or her remedies hereunder of~~
1074 ~~application for permits, exceptions and variances, and appeal to~~
1075 ~~the board of adjustment, and gaining a determination by said~~
1076 ~~board, before being permitted to appeal to the court hereunder.~~

1077 Section 17. Section 333.12, Florida Statutes, is amended to
1078 read:

1079 333.12 Acquisition of air rights.-~~If In any case which: it~~
1080 ~~is desired to remove, lower or otherwise terminate a~~
1081 ~~nonconforming obstruction is determined to be an airport hazard~~
1082 ~~and the owner will not remove, lower, or otherwise eliminate it~~
1083 ~~structure or use; or~~ the approach protection necessary cannot,
1084 because of constitutional limitations, be provided by airport
1085 zoning regulations under this chapter; or it appears advisable
1086 that the necessary approach protection be provided by
1087 acquisition of property rights rather than by airport zoning
1088 regulations, the political subdivision within which the property
1089 or nonconforming obstruction use is located, or the political
1090 subdivision owning or operating the airport or being served by
1091 it, may acquire, by purchase, grant, or condemnation in the
1092 manner provided by chapter 73, such property, air right,
1093 avigation navigation easement, or other estate, portion, or
1094 interest in the property or nonconforming obstruction structure
1095 ~~or use~~ or such interest in the air above such property, ~~tree,~~
1096 ~~structure, or use,~~ in question, as may be necessary to
1097 effectuate the purposes of this chapter, and in so doing, if by
1098 condemnation, to have the right to take immediate possession of
1099 the property, interest in property, air right, or other right



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sought to be condemned, at the time, and in the manner and form, and as authorized by chapter 74. In the case of the purchase of any property, ~~or any~~ easement, or estate or interest therein or the acquisition of the same by the power of eminent domain, the political subdivision making such purchase or exercising such power shall, in addition to the damages for the taking, injury, or destruction of property, also pay the cost of the removal and relocation of any structure or any public utility that ~~which~~ is required to be moved to a new location.

Section 18. Section 333.13, Florida Statutes, is amended to read:

333.13 Enforcement and remedies.—

(1) Each violation of this chapter or of any airport zoning regulations, orders, or rulings adopted ~~promulgated~~ or made pursuant to this chapter shall constitute a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, and each day a violation continues to exist shall constitute a separate offense.

(2) In addition, the political subdivision or agency adopting the airport zoning regulations under this chapter may institute in any court of competent jurisdiction an action to prevent, restrain, correct, or abate any violation of this chapter or of airport zoning regulations adopted under this chapter or of any order or ruling made in connection with their administration or enforcement, and the court shall adjudge to the plaintiff such relief, by way of injunction, ~~(which may be mandatory,)~~ or otherwise, as may be proper under all the facts and circumstances of the case in order to fully effectuate the purposes of this chapter and of the regulations adopted and



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orders and rulings made pursuant thereto.

(3) The department ~~of Transportation~~ may institute a civil action for injunctive relief in the appropriate circuit court to prevent violation of any provision of this chapter.

Section 19. Section 333.135, Florida Statutes, is created to read:

333.135 Transition provisions.—

(1) Any airport zoning regulation in effect on July 1, 2016, which includes provisions in conflict with this chapter shall be amended to conform to the requirements of this chapter by July 1, 2017.

(2) Any political subdivision having an airport within its territorial limits which has not adopted airport zoning regulations shall, by July 1, 2017, adopt airport zoning regulations consistent with this chapter.

(3) For those political subdivisions that have not yet adopted airport zoning regulations pursuant to this chapter, the department shall administer the permitting process as provided in s. 333.025.

Section 20. Section 333.14, Florida Statutes, is repealed.

Section 21. Subsection (34) is added to section 334.044, Florida Statutes, to read:

334.044 Department; powers and duties.—The department shall have the following general powers and duties:

(34) To assume responsibilities of the United States Department of Transportation with respect to highway projects within the state under the National Environmental Policy Act of 1969, 42 U.S.C. s. 4321 et seq., and with respect to related responsibilities for environmental review, consultation, or



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1158 other action required under any federal environmental law
1159 pertaining to review or approval of a highway project within the
1160 state. The department may assume responsibilities under 23
1161 U.S.C. s. 327 and enter into one or more agreements, including
1162 memoranda of understanding, with the United States Secretary of
1163 Transportation related to the federal surface transportation
1164 project delivery program for the delivery of highway projects,
1165 as provided by 23 U.S.C. s. 327. The department may adopt rules
1166 to implement this subsection and may adopt relevant federal
1167 environmental standards as the standards for this state for a
1168 program described in this subsection. Sovereign immunity from
1169 civil suit in federal court is waived consistent with 23 U.S.C.
1170 s. 327 and limited to the compliance, discharge, or enforcement
1171 of a responsibility assumed by the department under this
1172 subsection.

1173 Section 22. Paragraph (d) of subsection (2) of section
1174 334.30, Florida Statutes, is amended, current paragraph (e) of
1175 subsection (6) of that section is redesignated as paragraph (f),
1176 and new paragraph (e) is added to that section, to read:

1177 334.30 Public-private transportation facilities.—The
1178 Legislature finds and declares that there is a public need for
1179 the rapid construction of safe and efficient transportation
1180 facilities for the purpose of traveling within the state, and
1181 that it is in the public's interest to provide for the
1182 construction of additional safe, convenient, and economical
1183 transportation facilities.

1184 (2) Agreements entered into pursuant to this section may
1185 authorize the private entity to impose tolls or fares for the
1186 use of the facility. The following provisions shall apply to



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1187 such agreements:

1188 (d) The department shall provide the analysis required in
1189 subparagraph (6)(f)2. ~~(6)(e)2.~~ to the Legislative Budget
1190 Commission created pursuant to s. 11.90 for review and approval
1191 prior to awarding a contract on a lease of an existing toll
1192 facility.

1193 (6) The procurement of public-private partnerships by the
1194 department shall follow the provisions of this section. Sections
1195 337.025, 337.11, 337.14, 337.141, 337.145, 337.175, 337.18,
1196 337.185, 337.19, 337.221, and 337.251 shall not apply to
1197 procurements under this section unless a provision is included
1198 in the procurement documents. The department shall ensure that
1199 generally accepted business practices for exemptions provided by
1200 this subsection are part of the procurement process or are
1201 included in the public-private partnership agreement.

1202 (e) The department shall consult with staff of the Division
1203 of Bond Finance of the State Board of Administration in
1204 connection with a proposal to finance or refinance a
1205 transportation facility pursuant to this section. The department
1206 shall provide the division with the information necessary to
1207 provide timely consultation and recommendations. The division
1208 may make an independent recommendation to the Executive Office
1209 of the Governor.

1210 Section 23. Section 337.027, Florida Statutes, is created
1211 to read:

1212 337.027 Authority to implement a business development
1213 program.—

1214 (1) The Department of Transportation may establish a
1215 program for highway projects that would assist small businesses.



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1216 The purpose of this program is to increase competition, lower
1217 prices, and provide increased support to meet the department's
1218 future work program. The program may include, but is not limited
1219 to, setting aside contracts, providing preference points for the
1220 use of small businesses, providing special assistance in bidding
1221 and contract completion, waiving bond requirements, and
1222 implementing other strategies that would increase competition.

1223 (2) For purposes of this section, the term "small business"
1224 means a business with average gross receipts of less than \$15
1225 million for road and bridge contracts and less than \$6.5 million
1226 for professional and nonprofessional services contracts. A
1227 business determines its size by averaging its annual gross
1228 receipts over the last 3 years, including the receipts of an
1229 affiliate as defined in s. 337.165.

1230 (3) The department may adopt rules to implement this
1231 section.

1232 Section 24. Subsection (4) of section 338.165, Florida
1233 Statutes, is amended, and subsection (11) is added to that
1234 section, to read:

1235 338.165 Continuation of tolls.—

1236 (4) Notwithstanding any other law to the contrary, pursuant
1237 to s. 11, Art. VII of the State Constitution, and subject to the
1238 requirements of subsection (2), the Department of Transportation
1239 may request the Division of Bond Finance to issue bonds secured
1240 by toll revenues collected on the Alligator Alley and, the
1241 Sunshine Skyway Bridge, ~~the Beeline East Expressway, the Navarre~~
1242 ~~Bridge, and the Pinellas Bayway~~ to fund transportation projects
1243 located within the county or counties in which the project is
1244 located and contained in the adopted work program of the



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1245 department.

1246 (11) The department's Pinellas Bayway System may be
1247 transferred by the department and become part of the turnpike
1248 system under the Florida Turnpike Enterprise Law. The transfer
1249 does not affect the rights of the parties, or their successors
1250 in interest, under the settlement agreement and final judgment
1251 in Leonard Lee Ratner, Esther Ratner, and Leeco Gas and Oil Co.
1252 v. State Road Department of the State of Florida, No. 67-1081
1253 (Fla. 2nd Cir. Ct. 1968). Upon transfer of the Pinellas Bayway
1254 System to the turnpike system, the department shall also
1255 transfer to the Florida Turnpike Enterprise the funds deposited
1256 in the reserve account established by chapter 85-364, Laws of
1257 Florida, as amended by chapters 95-382 and 2014-223, Laws of
1258 Florida, which funds shall be used by the Florida Turnpike
1259 Enterprise solely to help fund the costs of repair or
1260 replacement of the transferred facilities.

1261 Section 25. Chapter 85-364, Laws of Florida, as amended by
1262 chapters 95-382 and section 48 of 2014-223, Laws of Florida, is
1263 repealed.

1264 Section 26. Paragraph (c) of subsection (3) of section
1265 338.231, Florida Statutes, is amended to read:

1266 338.231 Turnpike tolls, fixing; pledge of tolls and other
1267 revenues.—The department shall at all times fix, adjust, charge,
1268 and collect such tolls and amounts for the use of the turnpike
1269 system as are required in order to provide a fund sufficient
1270 with other revenues of the turnpike system to pay the cost of
1271 maintaining, improving, repairing, and operating such turnpike
1272 system; to pay the principal of and interest on all bonds issued
1273 to finance or refinance any portion of the turnpike system as



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1274 the same become due and payable; and to create reserves for all
1275 such purposes.

1276 (3)

1277 (c) Notwithstanding any other provision of law to the
1278 contrary, any prepaid toll account of any kind which has
1279 remained inactive for 10 3 years shall be presumed unclaimed and
1280 its disposition shall be handled by the Department of Financial
1281 Services in accordance with all applicable provisions of chapter
1282 717 relating to the disposition of unclaimed property, and the
1283 prepaid toll account shall be closed by the department.

1284 Section 27. Section 339.0809, Florida Statutes, is created
1285 to read:

1286 339.0809 Florida Department of Transportation Financing
1287 Corporation.—

1288 (1) The Florida Department of Transportation Financing
1289 Corporation is created as a nonprofit corporation for the
1290 purpose of financing or refinancing projects for the department
1291 as provided in subsection (5).

1292 (2) When used in this section, the term "corporation" means
1293 the Florida Department of Transportation Financing Corporation.

1294 (3) The corporation shall be governed by a board of
1295 directors consisting of the director of the Office of Policy and
1296 Budget in the Executive Office of the Governor, the director of
1297 the Division of Bond Finance, and the Secretary of
1298 Transportation. The director of the Division of Bond Finance is
1299 the chief executive officer of the corporation and shall direct
1300 and supervise the administrative affairs of the corporation and
1301 shall control, direct, and supervise the operation of the
1302 corporation. The corporation shall have such other officers as



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1303 may be determined by the board of directors.

1304 (4) The corporation shall have all of the powers of a
1305 corporate body under the laws of this state to the extent that
1306 they are not inconsistent with or restricted by this section,
1307 including, but not limited to, the power to:

1308 (a) Adopt, amend, and repeal bylaws not inconsistent with
1309 this section.

1310 (b) Sue and be sued.

1311 (c) Adopt and use a common seal.

1312 (d) Acquire, purchase, hold, lease, and convey such real
1313 and personal property as may be proper or expedient to carry out
1314 the purposes of the corporation and this section and to sell,
1315 lease, or otherwise dispose of such property.

1316 (e) Elect or appoint and employ such other officers,
1317 agents, and employees as the corporation deems advisable to
1318 operate and manage the affairs of the corporation, which
1319 officers, agents, and employees may be officers or employees of
1320 the department and the state agencies represented on the board
1321 of directors of the corporation.

1322 (f) Borrow money and issue notes, bonds, certificates of
1323 indebtedness, or other obligations or evidences of indebtedness
1324 necessary to finance or refinance projects as provided in
1325 subsection (5).

1326 (g) Make and execute any and all contracts, trust
1327 agreements, and other instruments and agreements necessary or
1328 convenient to accomplish the purposes of the corporation and
1329 this section.

1330 (h) Select, retain, and employ professionals, contractors,
1331 or agents, which may include the Division of Bond Finance, as



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1332 necessary or convenient to enable or assist the corporation in
1333 carrying out the purposes of the corporation and this section.

1334 (i) Take any action necessary or convenient to carry out
1335 the purposes of the corporation and this section and the powers
1336 provided in this section.

1337 (5) The corporation may enter into one or more service
1338 contracts with the department to provide services to the
1339 department in connection with projects approved in the
1340 department's work program, which approval specifically provides
1341 that the department may enter into a service contract for the
1342 project pursuant to this section. The department may enter into
1343 one or more such service contracts with the corporation and
1344 provide for payments under such contracts, subject to annual
1345 appropriation by the Legislature. The proceeds from such service
1346 contracts may be used for the corporation's administrative costs
1347 and expenses after the payments specified in subsection (6).
1348 Each service contract may have a term of up to 35 years. In
1349 compliance with s. 287.0641 and other applicable law, the
1350 obligations of the department under such service contracts do
1351 not constitute a general obligation of the state or a pledge of
1352 the full faith and credit or taxing power of the state, and such
1353 obligations are not an obligation of the State Board of
1354 Administration or entities for which it invests funds, other
1355 than the department as provided in this section, but are payable
1356 solely from amounts available in the State Transportation Trust
1357 Fund, subject to annual appropriation. In compliance with this
1358 subsection and s. 287.0582, the service contract must expressly
1359 include the following statement: "The State of Florida's
1360 performance and obligation to pay under this contract is



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1361 contingent upon an annual appropriation by the Legislature."

1362 (6) The corporation may issue and incur notes, bonds,
1363 certificates of indebtedness, or other obligations or evidences
1364 of indebtedness payable from and secured by amounts payable to
1365 the corporation by the department under a service contract
1366 entered into pursuant to subsection (5) for the purpose of
1367 financing or refinancing projects approved as provided in that
1368 subsection. The duration of any such note, bond, certificate of
1369 indebtedness, or other obligation or evidence of indebtedness
1370 may not exceed 30 annual maturities. The corporation may select
1371 its financing team and issue its obligations through competitive
1372 bidding or negotiated contracts, whichever is most cost-
1373 effective. Indebtedness of the corporation does not constitute a
1374 debt or obligation of the state or a pledge of the full faith
1375 and credit or taxing power of the state, but is payable from and
1376 secured by payments made by the department under the service
1377 contract.

1378 (7) The fulfillment of the purposes of the corporation
1379 promotes the health, safety, and general welfare of the people
1380 of the state and serves essential governmental functions and a
1381 paramount public purpose.

1382 (8) The corporation is exempt from taxation and assessments
1383 on its income, property, and assets or revenues acquired,
1384 received, or used in the furtherance of the purposes provided in
1385 this chapter. The obligations of the corporation incurred
1386 pursuant to subsection (6) and the interest and income on such
1387 obligations and all security agreements, letters of credit,
1388 liquidity facilities, or other obligations or instruments
1389 arising out of, entered into in connection with, or given to



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1390 secure payment of such obligations are exempt from taxation;
1391 however, such exemption does not apply to any tax imposed under
1392 chapter 220 on the interest, income, or profits on debt
1393 obligations owned by corporations.

1394 (9) The corporation may validate obligations to be incurred
1395 pursuant to subsection (6) and the validity and enforceability
1396 of any service contracts providing for payments pledged to the
1397 payment of such obligations by proceedings under chapter 75. The
1398 validation complaint may be filed only in the Circuit Court of
1399 Leon County. The notice required to be published by s. 75.06
1400 must be published in Leon County, and the complaint and order of
1401 the circuit court may be served only on the State Attorney for
1402 the Second Judicial Circuit. Sections 75.04(2) and 75.06(2) do
1403 not apply to a complaint for validation filed under this
1404 subsection.

1405 (10) The corporation is not a special district for the
1406 purposes of chapter 189 or a unit of local government for the
1407 purposes of part III of chapter 218. The provisions of chapters
1408 120 and 215, except the limitation on the interest rates
1409 provided by s. 215.84, which applies to obligations of the
1410 corporation issued pursuant to this section, and part I of
1411 chapter 287, except ss. 287.0582 and 287.0641, do not apply to
1412 this section, the corporation, the service contracts entered
1413 into pursuant to this section, or debt obligations issued by the
1414 corporation as contemplated in this section.

1415 (11) The benefits and earnings of the corporation may not
1416 inure to the benefit of any private person.

1417 (12) Upon dissolution of the corporation, title to all
1418 property owned by the corporation reverts to the state.



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1419 (13) The corporation may contract with the State Board of
1420 Administration to serve as a trustee with respect to debt
1421 obligations issued by the corporation as contemplated by this
1422 section; to hold, administer, and invest proceeds of such debt
1423 obligations and other funds of the corporation; and to perform
1424 other services required by the corporation. The State Board of
1425 Administration may perform such services and may contract with
1426 others to provide all or a part of such services and to recover
1427 its costs and other expenses thereof.

1428 (14) The department may enter into a service contract in
1429 conjunction with the issuance of debt obligations as provided in
1430 this section which provides for periodic payments for debt
1431 service or other amounts payable with respect to debt
1432 obligations, plus any administrative expenses of the
1433 corporation.

1434 Section 28. Paragraph (a) of subsection (9) of section
1435 348.0004, Florida Statutes, is amended to read:

1436 348.0004 Purposes and powers.—

1437 (9) The Legislature declares that there is a public need
1438 for the rapid construction of safe and efficient transportation
1439 facilities for traveling within the state and that it is in the
1440 public's interest to provide for public-private partnership
1441 agreements to effectuate the construction of additional safe,
1442 convenient, and economical transportation facilities.

1443 (a) Notwithstanding any other provision of the Florida
1444 Expressway Authority Act, any expressway authority,
1445 transportation authority, bridge authority, or toll authority
1446 may receive or solicit proposals and enter into agreements with
1447 private entities, or consortia thereof, for the building,



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1448 operation, ownership, or financing of authority transportation
1449 facilities or new transportation facilities within the
1450 jurisdiction of the authority which increase transportation
1451 capacity. An authority may not sell or lease any transportation
1452 facility owned by the authority, without providing the analysis
1453 required in s. 334.30(6) ~~s. 334.30(6)(e)~~ 2. to the Legislative
1454 Budget Commission created pursuant to s. 11.90 for review and
1455 approval prior to awarding a contract on a lease of an existing
1456 toll facility. An authority is authorized to adopt rules to
1457 implement this subsection and shall, by rule, establish an
1458 application fee for the submission of unsolicited proposals
1459 under this subsection. The fee must be sufficient to pay the
1460 costs of evaluating the proposals. An authority may engage
1461 private consultants to assist in the evaluation. Before
1462 approval, an authority must determine that a proposed project:
1463 1. Is in the public's best interest.
1464 2. Would not require state funds to be used unless the
1465 project is on or provides increased mobility on the State
1466 Highway System.
1467 3. Would have adequate safeguards to ensure that no
1468 additional costs or service disruptions would be realized by the
1469 traveling public and residents of the state in the event of
1470 default or the cancellation of the agreement by the authority.
1471 4. Would have adequate safeguards in place to ensure that
1472 the department, the authority, or the private entity has the
1473 opportunity to add capacity to the proposed project and other
1474 transportation facilities serving similar origins and
1475 destinations.
1476 5. Would be owned by the authority upon completion or



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1477 termination of the agreement.
1478 Section 29. 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 Committee

BILL: CS/CS/SB 756

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on Transportation, Tourism, and Economic Development); Transportation Committee; and Senator Brandes

SUBJECT: Department of Transportation

DATE: February 3, 2016

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Price	Eichin	TR	Fav/CS
2. Sneed	Miller	ATD	Recommend: Fav/CS
3. Sneed	Kynoch	AP	Fav/CS

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 756 contains the Florida Department of Transportation's (FDOT) 2016 Legislative Package, as well as additional transportation-related provisions. More specifically, the bill:

- Creates the FDOT Financing Corporation, a nonprofit corporation, for the purpose of financing or refinancing projects in the FDOT's work program through one or more service contracts, under which the corporation is authorized to issue bonds and other forms of indebtedness secured by payments to the corporation by the FDOT.
- Requires the FDOT to consult with and provide information to the Division of Bond Finance (DBF) in connection with a proposal to finance or refinance a transportation facility through the FDOT's authority to enter into public-private partnerships, and authorizes the DBF to make an independent recommendation.
- Expressly authorizes an existing, federally approved business development program for highway projects within the FDOT, which is intended to assist small businesses, increase competition, and reduce costs.
- Authorizes the transfer of the FDOT's Pinellas Bayway System to become part of the turnpike system and, in such event, also requires the transfer of certain funds to be used to help fund the costs of repair and replacement of the transferred facilities.
- Repeals certain provisions of the Laws of Florida relative to the Pinellas Bayway System.
- Deletes references to certain toll facilities.

- Increases from \$15 million to \$25 million the minimum annual funding for the Florida Seaport Transportation and Economic Development (FSTED) program.
- Authorizes the FDOT to assume certain review responsibilities under the National Environmental Policy Act (NEPA) with respect to highway projects.
- Substantially revises chapter 333, F.S., relating to airport zoning regulations.
- Allows commercial motor vehicle (CMV) operators to purchase temporary CMV registration permits at certain locations and provides for a reduced non-registration penalty under certain circumstances.
- Increases from three to ten years the period after which a dormant prepaid toll account is presumed unclaimed.
- Requires the Tampa Bay Area Regional Transportation Authority to update its master plan every five years, rather than every two years.
- Corrects a cross-reference.

This bill has potential fiscal impacts to the private and government sectors. See Section V.

The bill has an effective date of July 1, 2016.

II. Present Situation:

Due to the disparate issues in the bill, the present situation for each section is discussed below in conjunction with the Effect of Proposed Changes.

III. Effect of Proposed Changes:

FDOT Financing Corporation (Section 27)

Present Situation

Authority to Issue Debt for Transportation Projects:

Current law reflects a number of provisions authorizing the issuance of debt for the purpose of financing or refinancing certain transportation projects, which include:

- *Right of way and bridge construction bonds issued by the DBF upon request of the FDOT pursuant to the State Bond Act.* These bonds are secured by the full faith and credit of the state and are payable primarily from motor fuel and diesel fuel taxes transferred to the Right-of-Way Acquisition and Bridge Construction Trust Fund. With an exception for refinancing bonds, these bonds must be first authorized by the Legislature in the General Appropriations Act or by general law.¹
- *Revenue bonds issued by the DBF on behalf of the FDOT pursuant to the State Bond Act for fixed capital expenditures for fixed-guideway transportation systems.*² Such bonds must be approved by the Legislature by general law. These bonds do not constitute a general obligation of or a pledge of the full faith and credit of the state. The bonds are payable from a percentage of funds annually deposited into the State Transportation Trust Fund (STTF) for

¹ See s. 17, Art. VII of the State Constitution; ss. 215.57-215.83, F.S.; and s. 215.605, F.S.

² Defined in s. 341.031(2), F.S., as a public transit system for the transporting of people by a conveyance, or a series of interconnected conveyances, which is specifically designed for travel on a stationary rail or other guideway, whether located on, above, or under the ground.

public transportation projects, or other funds available for the project, subject to annual appropriation.^{3, 4}

- *Federal highway apportionment grant anticipation revenue vehicle (GARVEE) bonds⁵ issued for or on behalf of the FDOT.* These bonds are payable primarily from a prior and superior claim on all federal highway reimbursements received each year with respect to federal-aid projects undertaken in accordance with Title 23 of the United States Code. These bonds do not constitute a debt or general obligation of the state or a pledge of the state's full faith and credit or taxing power of the state.^{6, 7}
- *Revenue bonds issued by the DBF upon request of the FDOT pursuant to the State Bond Act.* These revenue bonds are secured by toll revenues collected on non-turnpike facilities for projects in the county or counties in which the revenue-producing project is located.⁸
- *Turnpike revenue bonds issued by the DBF on behalf of the FDOT.* Turnpike revenue bonds are secured by toll revenues pledged for repayment of the principal and interest on such bonds for turnpike projects contained in the FDOT's legislatively approved tentative work program. These bonds do not constitute debts of the state and do not pledge the full faith and credit of the state.^{9, 10}

The FDOT is also authorized to enter into long-term public-private partnership contractual agreements with private entities for the building, operation, ownership, or financing of transportation facilities pursuant to s. 334.30, F.S. For projects on the State Highway System, the FDOT may use state resources to participate in funding and financing a project as provided for under the FDOT's enabling legislation. No more than 15 percent of total federal and state funding in any given year for the STTF may be obligated collectively for all projects under that section.¹¹

Debt Management:

To ensure that financing of transportation infrastructure is managed with fiscal integrity, section 339.139, F.S., requires the FDOT to provide a debt and debt-like contractual obligations load report along with submission of its annual tentative work program under s. 339.135, F.S. The report must include data on current and planned commitments payable from the STTF, including:

- Debt service payments required to be made under any resolution for the issuance of bonds secured by a lien on federal highway aid reimbursements or motor fuel and diesel fuel taxes.

³ See s. 11, Art. VII of the State Constitution; ss. 215.57-215.83, F.S.; and s. 215.615, F.S.

⁴ Section 215.615(1)(b), F.S., limits the revenues available for debt service on fixed-guideway bonds to no more than 2 percent of all state revenues deposited into the STTF.

⁵ These securities anticipate moneys from a specific source, in this case future federal-aid highway funding for eligible projects under Title 23 of the United States Code. See the FHWA website: ⁵ http://www.fhwa.dot.gov/ipd/finance/tools_programs/federal_debt_financing/garvees/default.aspx. Last visited November 23, 2015.

⁶ See s. 11, Art. VII of the State Constitution; ss. 215.57-215.83, F.S.; and s. 215.616, F.S.

⁷ Section 215.616(3), F.S., limits the revenues available for debt service on GARVEE bonds to no more than 10 percent of annual apportionments to the FDOT for federal highway aid under Title 23 of the United States Code.

⁸ See s. 11, Art. VII of the State Constitution; ss. 215.57-215.83, F.S.; and s. 338.165, F.S.

⁹ See s. 11, Art. VII of the State Constitution; ss. 215.57-215.83, F.S.; and ss. 338.227, 338.2275, and 338.228, F.S.

¹⁰ No more than \$10 billion of bonds may be outstanding. Section 338.22275(1), F.S.

¹¹ Section 334.30(12), F.S.

- Funding for seaports which has been pledged to the payment of principal and interest on bonds issued by the Florida Ports Financing Commission pursuant to s. 320.20, F.S.
- Commitments of the FDOT to pay the costs of operating, maintaining, repairing, and rehabilitating expressway and bridge systems under the terms of lease-purchase agreements which are enforceable by the holders of bonds issued by expressway and bridge authorities pursuant to ch. 348, F.S.
- Availability, milestone, and final acceptance payments required by public-private partnerships pursuant to s. 334.30, F.S., that are not payments for the cost of operation or maintenance of a facility.
- Agreed-on payments to an FDOT contractor for work performed in the current fiscal year for which payment is deferred to a later fiscal year for public-private partnerships pursuant to s. 334.30, F.S.
- Reimbursements to local governments for work performed on a project if the reimbursement is deferred to a later fiscal year pursuant to s. 339.12, F.S.
- Loan repayments on state infrastructure bank loans extended to an FDOT district pursuant to s. 339.55, F.S.

Beginning in the 2017-2018 fiscal year, no more than 20 percent of total projected available state and federal revenues from the STTF, together with any local funds committed to FDOT projects, may be committed to the above identified obligations in any year.¹²

Effect of Proposed Changes

The bill creates the FDOT Financing Corporation, authorizing the corporation to issue debt payable from, and secured by, contractually committed payments from the FDOT. The proceeds would then be used by the FDOT for the purpose of financing needed transportation projects.

The FDOT advises that creation of the corporation does not replace traditional funding mechanisms; rather, use of the corporation to issue debt is “another tool in the Department’s funding toolbox.” The state’s debt load calculation remains unchanged; *i.e.*, any bonds procured by the corporation would be included in the debt report, and the FDOT continues to be bound by the 20 percent statutory cap on its overall debt. The DBF will oversee the structuring and sale of bonds on behalf of the corporation and will account for and measure the debt in the same way that other state debt is recorded. Further, the FDOT advises:

The main advantage of creating the Corporation is to provide the Department with a mechanism to enter into long-term financing agreements which utilize the favorable terms available to governmental borrowers in the tax exempt municipal bond market. This will provide the Department the ability to fund significant, currently needed transportation projects that might otherwise have to wait for traditional funding to

¹² According to the FDOT, based on a November calculation, the current relationship of debt and debt-like contractual obligations to the 20 percent cap ranges from 9.7 percent in 2016 to 14.7 percent in 2022 (with some variation during that period of time), and then drops to 8.5 percent in 2023. See the FDOT email to committee staff dated November 30, 2015. On file in the Senate Transportation Committee.

become available, while ensuring that the costs of financing those projects are kept to a minimum.¹³

Large public-private partnerships typically require long-term financing agreements.

Section 27 creates s. 339.0809, F.S., establishing the non-profit FDOT Financing Corporation for the purpose of financing or refinancing FDOT projects. The bill:

- Establishes the corporation's Board of Directors consisting of the director of the Office of Policy and Budget in the Executive Office of the Governor, the director of the DBF, and the FDOT Secretary, along with such other officers as determined by the board. The DBF director serves as the chief executive officer of the corporation responsible for controlling, directing, and supervising the corporation's operation.
- Grants to the corporation all of the powers of a corporate body under Florida law, to the extent the powers are not inconsistent with or restricted by the new section of law. Among the powers granted are the power to:
 - Borrow money and issue notes, bonds, certificates of indebtedness or other obligations necessary to finance or refinance projects under the conditions specified below.
 - Acquire, purchase, hold, lease, and convey real and personal property and to sell, lease, or otherwise dispose of such property.
 - Elect or appoint and employ such other officers, agents, and employees the corporation deems advisable to operate and manage the corporation, which officers, agents, and employees may be officers or employees of the FDOT and the state agencies represented on the Board of Directors.
 - Select, retain, and employ professionals, contractors, or agents, which may include the DBF, as necessary or convenient to enable or assist the corporation.

To accomplish the stated purpose, the bill authorizes the corporation to enter into one or more service contracts with the FDOT, each of which may have a term up to 35 years, to provide services to the FDOT in connection with projects approved in the FDOT's work program. Approval of the FDOT's work program specifically authorizes the FDOT to enter into a service contract for a project contained in the work program. The service contracts may provide for the FDOT to make payments to the corporation, subject to annual appropriation. The proceeds from the contracts may be used for the corporation's administrative costs and expenses after specified payments.

The FDOT's obligations under any service contract do not constitute a general obligation of the state or a pledge of the faith and credit or taxing power of the state. The obligations are not obligations of the State Board of Administration (SBA) or entities for which it invests funds, other than the FDOT as provided. The obligations are payable solely from amounts available in the STTF, subject to annual appropriation. A service contract must include a specific statement that the State's performance and obligation to pay under the contract is contingent upon annual appropriation by the Legislature.

¹³ See the FDOT's response to House staff questions on the FDOT Financing Corporation. On file in the Senate Transportation Committee.

The corporation is authorized to issue and incur notes, bonds, or other evidences of indebtedness payable from and secured by the amounts payable to the corporation by the FDOT under a service contract. The duration of any such evidence of indebtedness is limited to 30 years. The corporation is authorized to select its financing team and issues its obligations through competitive bidding or negotiated contract, whichever is most cost-effective. Indebtedness of the corporation also does not constitute a debt or obligation of the state or a pledge of the faith and credit or taxing power of the state, but is payable from and secured by payments made by the FDOT under a service contract.

The bill further provides that:

- The purposes of the corporation promote the health, safety, and general welfare of the people of the state and serves essential governmental functions and a paramount public purpose.
- The corporation is exempt from taxation and assessments on its income, property, and assets or revenues acquired, received, or used in furtherance of the corporation's purpose.
- The corporation's obligations on indebtedness and the interest and income on such obligations are exempt from taxation.
- All security agreements, letters of credit, liquidity facilities, or other obligations or instruments to secure payment of such obligations are exempt from taxation, except that the exemption does not apply to any tax imposed under ch. 220, F.S., on the interest, income, or profits on debt obligations owned by the corporation.

The corporation is authorized to validate obligations¹⁴ to be incurred and the validity and enforceability of any service contracts by proceedings under ch. 75, F.S. The corporation may also contract with the SBA to serve as trustee with respect to the corporation's issued debt obligations; to hold, administer, and invest proceeds of such obligations and other funds of the corporation; and to perform other services required by the corporation. The SBA may perform such services and contract with others to provide all or part of such services and to recover its and such other costs and expenses thereof. The FDOT may enter into a service contract in conjunction with the issuance of debt obligations that provides for periodic payments for debt service or other amounts payable with respect to the obligations, plus any administrative expenses of the corporation.

Similar bond finance corporations currently exist. The language in the bill creating the FDOT Financing Corporation is similar to the language creating the Inland Protection Financing Corporation in s. 376.3075, F.S.

Public-Private Partnerships (P3s) (Section 22)

Present Situation

Section 334.30, F.S., authorizes the FDOT to receive and solicit proposals and, with legislative approval of a project in the FDOT's work program, enter into agreements with private entities for the building, operation, ownership, or financing of transportation facilities. The FDOT may

¹⁴ According to the DBF, bond validation is a judicial procedure through which the legality of a proposed bond issue may be determined in advance of its issuance. It serves to assure bondholders that future court proceedings will not invalidate a government's pledge to repay the bonds. See copy of email from Ben Watkins, Director, Florida Division of Bond Finance, to House staff dated January 27, 2015. On file in the Senate Transportation Committee.

advance projects in the adopted five-year work program or projects in the 10-year Strategic Intermodal Plan greater than \$500 million that increase transportation capacity using funds provided by private entities. The entities are then reimbursed from FDOT funds for the project as programmed in the adopted work program.¹⁵

P3 agreements are typically long-term but may not exceed 50 years, unless authorized for a term of up to 75 years by the FDOT secretary, or unless a term in excess of 75 years is approved by the Legislature. P3 projects are also typically large and generally involve complex financial arrangements, and often include the issuance of debt obligations such as bonds.¹⁶

Provisions in current law require the FDOT to make certain determinations before approval of a proposed project; *i.e.*, that a project:

- Is in the public's best interest;
- Would not require state funds to be used unless the project is on the State Highway System;
- Would have adequate safeguards in place to ensure that no additional costs or service disruptions would be realized in the event of default or cancellation of the agreement;
- Would have adequate safeguards in place to ensure the FDOT or the private entity has the opportunity to add capacity to the project and other facilities serving similar origins and destinations; and
- Would be owned by the FDOT upon completion or termination of the agreement.¹⁷

The FDOT is also required to provide an independent analysis of a proposed P3 agreement that demonstrates the cost-effectiveness and overall benefit of the project prior to moving forward with the procurement and, if the procurement moves forward, prior to awarding the contract.¹⁸

Before soliciting a proposal, the FDOT must provide a summary of the proposed project to the Governor, the chair of each legislative appropriations committee, the President of the Senate, and the Speaker of the House of Representatives. The summary must include a description of any anticipated commitment by the FDOT for the years outside the adopted work program, a description of the anticipated impacts on the FDOT's 20 percent overall debt load limit, and sufficient information to demonstrate that the project will not cause the debt load to exceed the debt load limitation. The FDOT may proceed with a project upon approval of the Governor, but the Governor may not approve a project if the chair of either appropriations committee, the President of the Senate, or the Speaker of the House of Representatives objects in writing within 14 days after receipt of the summary.¹⁹

The same summary is required for unsolicited proposals, but the FDOT may not accept an unsolicited proposal, advertise its receipt as required by s. 334.30, F.S., or solicit other proposals

¹⁵ See the FDOT website for a summary of P3 projects as of November, 2015, and additional project information: <http://www.dot.state.fl.us/officeofcomptroller/PFO/p3.shtm>. Last visited December 2, 2015.

¹⁶ No more than 15 percent of total federal and state funding in any given year for the STTF may be obligated collectively for all P3 projects.

¹⁷ Section 334.30(1), F.S.

¹⁸ Section 334.30(6)(e), F.S.

¹⁹ Section 339.2825(1), F.S. Section 339.2825, F.S., does not apply to a P3 agreement under which the FDOT proposes to lease an existing toll facility per s. 339.2825(3), F.S., but the FDOT must provide the independent analysis described above prior to awarding a contract, per s. 334.30(2)(d), F.S.

for the same project without the approval of the Governor. Again, the Governor may not approve a proposed project if a written objection is received from the chair of either appropriations committee, the President of the Senate, or the Speaker of the House of Representatives.²⁰

Effect of Proposed Changes

Section 22 amends s. 334.30, F.S., and requires the FDOT to consult with staff of the DBF in connection with a proposal to finance or refinance a transportation facility through a P3 agreement under s. 334.30, F.S. The FDOT must provide the DBF with information necessary to provide timely consultation and recommendations, and the DBF is authorized to make an independent recommendation to the Governor.

Section 28 amends s. 348.0004, F.S., to correct a cross-reference necessitated by the amendment to s. 334.30, F.S.

Business Development Initiative (Section 23)

Present Situation

The FDOT currently operates a federally approved program which is intended to increase competition, lower prices, and ensure businesses are available to carry out the FDOT's work program. The FDOT designed its Business Development Initiative (BDI) "...to provide more opportunities and support for small businesses to move from subcontracting and subconsulting to prime contracting and consulting roles."²¹

The BDI was first implemented in the FDOT's District Two beginning in Fiscal Year 2006-2007 and then expanded to the remaining FDOT districts. The FDOT implemented a number of strategies to increase competition while maintaining a focus on preventing any adverse effects on projects in the work program. Among the strategies the FDOT employed to assist small businesses in bidding on FDOT contracts for which the businesses would not typically submit bids are:

- Reserving certain construction and maintenance contracts for small businesses.
- Waiving performance bond requirements for contracts under \$250,000.
- Using a modified qualification process instead of the standard prequalification process for construction and maintenance projects.²²

The FDOT advises that the BDI, being the first of its kind nationally to be considered, was approved by the Federal Highway Administration for use on federally funded projects in March 2009.

The FDOT's districts, when selecting candidate projects, are instructed to consider whether a project is low-risk in nature and whether a sufficient number of small businesses are available to

²⁰ Section 339.2825(2), F.S.

²¹ See the FDOT's BDI website: <http://www.dot.state.fl.us/equalopportunityoffice/bdi.shtm>. Last visited November 3, 2015.

²² *Id.* Select "BDI Program Guidelines."

bid on the contract.²³ Construction and maintenance projects that are candidates for reservation for the program are identified prior to the upcoming fiscal years contract letting plan, subject to the FDOT central office approval.

Identification of a construction or maintenance project for the BDI means:

- The contract, limited in amount to \$1,500,000 or less, will be reserved for bids by small businesses.
- Prequalification is not required.²⁴
- Performance bonds are waived on contracts under \$250,000.²⁵
- Bid bonds are \$500 for contracts over \$150,000.²⁶
- All subcontractors must be small businesses, defined by the FDOT for construction and maintenance contracts to mean those businesses with average annual gross receipts over the last three years not to exceed \$15 million.²⁷
- The contract will be procured under s. 337.025, F.S., the FDOT's authority to use innovative techniques for highway projects.²⁸

Similarly, the FDOT's districts are responsible for reviewing and identifying candidate professional services²⁹ contracts for the BDI, again considering whether a sufficient number of small businesses are available to submit a bid.³⁰ A request to use the BDI for a professional services contract is submitted to the FDOT's central office Procurement Manager, who is responsible for approving or denying the request. Identification of a professional services contract for the BDI means:

- The contract, limited in amount to \$1,500,000 or less, will be reserved for bids by small businesses.
- No preference points will be used for the contract.

²³ The FDOT maintains a small business listing for road and bridge construction and maintenance contracts at: http://www2.dot.state.fl.us/sasweb/cgi-bin/broker.exe?_service=default&_program=inetprog.db2.smbusform.scl. Last visited November 10, 2015.

²⁴ Section 337.14, F.S., generally requires the FDOT to certify as qualified any person desiring to bid on a construction contract in excess of \$250,000 by addressing requirements with respect to the equipment, past record, experience, financial resources, and organizational personnel of the applicant necessary to perform the specific class of work for which the person seeks certification. *See also* Fla. Admin. Code R. 14-22 (2010).

²⁵ Section 337.18, F.S., generally requires a surety bond of a successful bidder in an amount equal to the awarded contract price. However, if the contract price is \$250,000 or less, the FDOT may waive the requirement if the FDOT determines the project is of a noncritical nature and nonperformance will not endanger public health, safety, or property.

²⁶ Section 337.17, F.S., requires a bid guaranty only for a construction contract in excess of \$150,000. The bid bond may not exceed 10% of the preliminary estimate of the cost of the work.

²⁷ *Supra* note 20 and note 21.

²⁸ *Id.*

²⁹ Section 287.055, F.S., defines "professional services" to mean those services within the scope of the practice of architecture, professional engineering, landscape architecture, or registered surveying and mapping, or those performed by any architect, professional engineer, landscape architect, or registered surveyor and mapper in connection with his or her professional employment or practice.

³⁰ The FDOT maintains a small business listing for professional services contracts at: <http://www2.dot.state.fl.us/procurement/ProfessionalServices/lppc/listmenu.htm>. Last visited November 10, 2015.

- Prequalification in all listed professional services work types is required.^{31, 32}
- An overhead audit prepared by an independent Certified Public Accountant is required for any contracts in excess of \$500,000.³³
- All prime firms and sub-consultants must be small businesses, defined by the FDOT for professional services contracts to mean those businesses with average annual gross receipts over the last three years not to exceed \$6.5 million.³⁴
- Professional services contracts will be procured under s. 287.055, F.S.³⁵

The FDOT advises its goal is to reserve 10 percent of construction and maintenance contracts and 15 percent of professional services contracts for the BDI. By the end of last year, the goal fell short for the former contracts at 7.36 percent, but the goal was achieved for the latter at 15 percent. Combining the two types of contracts, 92 different small businesses received contracts through the BDI. The FDOT advises that many of these firms for the first time worked as a prime contractor with the FDOT.³⁶

While the current cited authority, taken together, appears to authorize the BDI, current law reflects no express statutory authority for the program.

Effect of Proposed Changes

The bill expressly authorizes an existing, federally-approved program within the FDOT, known as the Business Development Initiative.

Section 23 creates s. 337.027, F.S., to specifically authorize the FDOT to establish a program for highway projects to assist small businesses, with the stated purpose of increasing competition, lowering prices, and providing increased support to meet the FDOT's future work program. Program efforts may include, but are not limited to:

- Setting aside contracts;
- Providing preference points for the use of small businesses;
- Providing special assistance to small businesses in bidding and contract completion;
- Waiving bond requirements; and
- Implementing other strategies that would increase competition.

³¹ Section 337.105, F.S., generally requires the FDOT, before employing a professional consultant, to make a finding that the person to be employed is fully qualified to render the desired service, taking into consideration factors such as the professional reputation, past performance record, and experience of the candidate and the adequacy of the personnel making up his or her organization.

³² Two levels of qualification may be sought. The unlimited level allows consultants to compete for any projects for which they are technically qualified with the FDOT. The minor-projects-only level allows consultants to compete for minor projects with fees estimated below \$500,000. See the FDOT's *Professional Services Prequalification* website: <http://www.dot.state.fl.us/procurement/prequalification.shtm#AQI>. Last visited November 10, 2015. See also Fla. Admin. Code R. 14-75 (2006).

³³ *Id.*

³⁴ *Supra* note 20 and note 21.

³⁵ That section sets out procedures for public announcement and qualification and requirements for competitive solicitation and negotiation, etc. See also *supra* note 20 and note 21.

³⁶ See the FDOT email to committee staff dated November 10, 2015. On file in the Senate Transportation Committee.

For purposes of the newly created section, the bill defines “small business” to mean a business with average gross receipts over the last three years of less than \$15 million for road and bridge contracts and less than \$6.5 million for professional and nonprofessional services contracts, including the receipts of an affiliate.³⁷ The bill authorizes the FDOT to adopt rules to implement the program.

Pinellas Bayway System/Obsolete References to Certain Toll Facilities (Sections 24 and 25)

Present Situation

The Pinellas Bayway System, currently owned by the FDOT is a tolled system of bridges and causeways that provides an east-west link between St. Petersburg and St. Petersburg Beach via State Road 682. Tolls on the Pinellas Bayway System are collected by the Florida Turnpike Enterprise.³⁸ The system also serves Tierra Verde and Fort De Soto Park to the south via State Road 679. One of the bridges on State Road 679 over Boca Ciega Bay was classified as structurally deficient in 2013. “Structurally deficient,” according to the FDOT, “means that a bridge has to be repaired or replaced within six years.” The term does not mean that a bridge is unsafe.³⁹

FDOT’s policy is to replace a structurally deficient bridge within six years of the deficient classification.^{40, 41} The scope of the work for the bridge over Boca Ciega Bay is to replace the existing movable bridge with a high-level fixed bridge through a design-build contract, at a proposed cost of \$52.1 million.⁴² However, no funds for replacement of the bridge are currently included in the FDOT’s District 7 work program. The FDOT advises that the balance of an existing reserve construction account for Pinellas Bayway improvements as of December 31, 2015, was \$7,326,346.13.⁴³

Bayway System Construction and Tolls

In 1968, the predecessor of the FDOT entered into a settlement agreement in *Leonard Lee Ratner, Esther Ratner, and LEECO Gas and Oil Co., vs. State Road Department of the State of Florida*.⁴⁴ In the settlement agreement, the State Road Department agreed that owners and

³⁷ Section 337.165(1)(a), F.S., defines “affiliate” to mean a predecessor or successor of a contractor under the same, or substantially the same, control or a group of business entities which are connected or associated so that one entity controls or has the power to control each of the other business entities. The term includes the officers, directors, executives, shareholders active in management, employees, and agents of the affiliate.

³⁸ See the Florida Transportation Commission’s *Transportation Authority Monitoring and Oversight Fiscal year 2014 Report*: <http://www.ftc.state.fl.us/reports/TAMO.shtml>. Last visited January 21, 2016.

³⁹ See the FDOT email to committee staff dated January 21, 2016. (On file in the Senate Transportation Committee.)

⁴⁰ See the Bay News 9 article, “6 Bay area bridges “structurally deficient.” http://www.baynews9.com/content/news/baynews9/news/article.html/content/news/articles/bn9/2016/1/13/tampa_bay_deficient.html. Last visited January 21, 2016. See also the FDOT’s e-mailed response to committee staff questions re Pinellas Bayway dated January 5, 2016. (On file in the Senate Transportation Committee.)

⁴¹ Note that replacement of the old drawbridge on State Road 682 connecting St. Petersburg and St. Petersburg Beach was completed in 2014 at a cost of approximately \$41 million. See the 10 News article, “New Pinellas Bayway grand opening Friday:” <http://www.wtsp.com/story/news/traffic/road-warrior/2014/10/16/bayway/17352735/>. Last visited January 21, 2016.

⁴² See the FDOT’s e-mailed response to committee staff questions re Pinellas Bayway System dated January 5, 2016. (On file in the Senate Transportation Committee.)

⁴³ See the FDOT email to committee staff dated January 21, 2016. (On file in the Senate Transportation Committee.)

⁴⁴ Copy on file in the Senate Transportation Committee.

residents of real property in the Bayway Isles Development would have the right to purchase an annual pass through the toll gate at the easterly terminus of the Bayway system in St. Petersburg for \$15 per vehicle. That agreement remains in place.

Chapter 85-364, L.O.F., required a toll of \$.50 cents, following completion of widening to four lanes from the eastern toll booth to State Road 679, at the eastern and western toll plazas on State Road 682. The FDOT was required, after payment of annual operating costs and discharge of bond indebtedness, to establish a reserve construction account to be used for widening to four lanes State Road 682 from State Road 679 west to Gulf Boulevard. Continued collection of tolls was required upon completion of the widening to reimburse the FDOT for all accrued maintenance costs for the Pinellas Bayway. In addition, chapter 85-364, L.O.F., required the FDOT to allow any person to purchase an annual pass for each motor vehicle they own at a cost of \$50 per year which exempts the motor vehicle from any Pinellas Bayway System tolls during its term. Currently the \$50 pass remains available.

Chapter 95-382, L.O.F., required tolls collected to first be placed in the construction reserve account, after payment of operating costs and bond indebtedness, to be used for construction of Blind Pass Road, State Road 699 improvements in Pinellas County, *and then* for Phase II of the Pinellas Bayway widening to four lanes of State Road 682 from State Road 679 west to Gulf Boulevard. Tolls continue to be collected to reimburse the FDOT for all accrued maintenance costs.

Section 48 of chapter 2014-223, L.O.F., repealed reference to the Blind Pass Road/State Road 699 improvements and provided that funds in the reserve construction account be used for the widening of State Road 682 from State Road 679 west to Gulf Boulevard.⁴⁵ These improvements have been completed. As noted, however, the bridge on State Road 679 over Boca Ciega Bay has been declared structurally deficient.

Currently, for a two-axle vehicle, the toll, other than for those that hold the \$15 or the \$50 annual pass, is:

- \$0.53 for SunPass customers and \$0.75 for cash customers, both westbound at the East Plaza and eastbound at the West Plaza, plus \$0.53 and \$0.75, respectively, for each additional axle.
- \$0.26 for SunPass customers and \$0.50 for cash customers southbound at the south plaza, plus an additional \$0.26 and \$0.50, respectively, for each additional axle.⁴⁶

Effect of Proposed Changes

The bill authorizes the FDOT to transfer the Pinellas Bayway System to become part of the turnpike system. The bill also preserves the provisions of the settlement agreement and final judgment by retaining the ability to purchase a \$15 annual pass. Additionally, the bill transfers the construction reserve account to the FDOT Turnpike Enterprise when ownership of the system is transferred to the Florida Turnpike Enterprise.

⁴⁵ See *supra* note 40.

⁴⁶ See the Florida Turnpike Toll Calculator, click on “Tampa Area,” roll over hot buttons to select the Pinellas Toll Plazas: <http://www.floridasturnpike.com/TollCalcV3/index.htm>. Last visited January 21, 2016.

The FDOT advises that the transfer of the system would allow replacement of the structurally deficient bridge over Boca Ciega Bay on SR 679 to be moved up from 2020 to 2017 in the FDOT work program, and funded through a combination of the accrued reserve account revenues and other financing available to the Florida Turnpike.

Section 25 repeals chapter 85-634, L.O.F., as amended by ch. 95-382 and section 48 of ch. 2014-223, L.O.F. The ability of the specified owners and residents to purchase the \$15 annual passage through the easterly terminus of the Bayway System will remain in place, pursuant to the 1968 settlement agreement. As a result of the repeal of ch. 85-364, L.O.F., the \$50 annual pass authorized in that law would no longer be available for purchase. Current holders of those passes would be required to pay tolls at all of the Bayway toll collection points.

Toll Facilities No Longer Owned by the FDOT

The Beeline-East Expressway (renamed the Beachline East Expressway) became part of the Turnpike Enterprise on July 1, 2012, pursuant to ch. 2012-128, L.O.F.⁴⁷ The Navarre Bridge is now county-owned and no longer a state toll facility. The references to each facility in s. 338.165(4), F.S., are now obsolete.

Effect of Proposed Changes

Subsection (4) of s. 338.165, F.S., is amended to remove obsolete references to the Beeline-East Expressway and the Navarre Bridge within the FDOT's authority to request issuance of bonds secured by toll revenues from certain toll facilities, as the expressway and bridge are no longer owned by the FDOT. The reference to the Pinellas Bayway is also removed.

Florida Seaport Transportation and Economic Development Program (Sections 1 and 2)

Present Situation

Section 311.07(2), F.S., requires a minimum of \$15 million per year from the STTF to fund the Florida Seaport Transportation and Economic Development (FSTED) Program.⁴⁸ The program represents a collaborative relationship between the FDOT and the 15 public seaports.⁴⁹ FSTED funds are to be used on approved projects on a 50-50 matching basis.⁵⁰ Funding grants under the FSTED program are limited to the following port facilities or port transportation projects:

- Transportation facilities within the jurisdiction of the port.
- Dredging or deepening of channels, turning basins, or harbors.
- Construction or rehabilitation of wharves, docks, structures, jetties, piers, storage facilities, cruise terminals, automated people mover systems, or any facilities necessary or useful in connection with the foregoing.
- Acquisition of vessel tracking systems, container cranes, or other mechanized equipment used in the movement of cargo or passengers in international commerce.

⁴⁷ See s. 338.165(10), F.S.

⁴⁸ See also s. 311.09(9), directing the FDOT to include no less than \$15 million annually in its legislative budget request for the FSTED Program.

⁴⁹ Jacksonville (JaxPort), Port Canaveral, Port Citrus, Port of Fort Pierce, Port of Palm Beach, Port Everglades, Port of Miami, Port Manatee, Port of St. Petersburg, Port of Tampa, Port St. Joe, Port Panama City, Port of Pensacola, Port of Key West, and Port of Fernandina. List in s. 311.09(1), F.S.

⁵⁰ Section 311.07(3)(a), F.S.

- Acquisition of land to be used for port purposes.
- Acquisition, improvement, enlargement, or extension of existing port facilities.
- Certain environmental protection projects required as a condition of a permit...
- Transportation facilities which are not otherwise part of the FDOT's Adopted Work Program.⁵¹
- Intermodal access projects.
- Construction or rehabilitation of port facilities with operating revenues of \$5 million or less, provided that such project creates economic development opportunities, capital improvements, and positive financial returns to such ports.
- Seaport master plan or strategic plan development updates.

In order for a project to be eligible for consideration by the FSTED Council, a project must be consistent with the port's comprehensive master plan, which is incorporated as part of the approved local government comprehensive plan.

The FSTED program is managed by the FSTED Council, which consists of the port director or director's designee of the 15 public seaports, the Secretary of FDOT or his or her designee, and the Executive Director of the Department of Economic Opportunity or his or her designee.⁵²

Other statutorily required seaport-related funding programs also include:

- A minimum of \$35 million annually from the STTF for the Strategic Port Investment Initiative under s. 311.10, F.S., to fund projects that meet the state's economic development goal of becoming a hub for trade, logistics, and export-oriented activities.
- A minimum of \$5 million annually from the STTF for the Intermodal Logistics Center Infrastructure Support Program under s. 311.101, F.S., to fund the same type of projects, along with those that enhance transportation facilities for the conveyance or shipment of goods through a seaport to or from an intermodal logistics center.
- Additional debt service funding of \$35 million under ss. 320.20 and 339.0801, F.S., for seaport-related bonds.

Effect of Proposed Changes

Sections 1 and 2 amend s. 311.07(2) and s. 311.09(9), F.S., respectively, to increase the annual minimum funding from the STTF for the FSTED Program from \$15 million to \$25 million. The bill requires FDOT to include no less than the \$25 million in its annual legislative budget request to fund the program.

National Environmental Policy Act/Delegation of Responsibilities to States (Section 21)

Present Situation

The National Environmental Policy Act (NEPA) establishes national environmental policy for protection of the environment. "NEPA's basic policy is to assure that all branches of government give proper consideration to the environment prior to undertaking any major federal action that significantly affects the environment." Federal agencies are required to prepare detailed

⁵¹ The FDOT's work program is adopted pursuant to s. 339.135, F.S.

⁵² Section 311.09(1), F.S.

statements assessing the environmental impact of and alternatives to major federal actions that significantly affect the environment.⁵³

NEPA requirements also apply to *state* highway projects eligible for federal funding. According to the FDOT, when a highway project is advanced and is federally eligible, project development occurs consistent with NEPA requirements, in consultation with and subject to the oversight of the Federal Highway Administration (FHWA). The FDOT utilizes two processes to meet NEPA requirements. One process, the Efficient Transportation Decision Making process, is used during the project's planning phase to initiate contact with agencies and other stakeholders and obtain multiple-party input and information used to inform the second process. The Project Development and Environment (PD&E) process is used to analyze, perform outreach, guide agency coordination, and meet regulatory requirements before a project may be advanced. The FDOT prepares necessary documents, analyzes alternatives, consults with agencies, and makes recommendations. This information is provided to the FHWA, which is the lead agency for review, comment, and ultimate approval.⁵⁴

Following an initial pilot project conducted in California, Congress in 2012 enacted the Moving Ahead for Progress in the 21st Century Act, which established a permanent surface transportation project delivery program.⁵⁵ Under the program, in which California and Texas are already participating, the U.S. Department of Transportation (USDOT) secretary may assign, and any state may assume, pursuant to a written agreement, all or part of the secretary's responsibilities under NEPA with respect to projects or classes of projects. The written agreement must provide that the state:

- Agrees to assume all or part of the described responsibilities;
- Expressly consents, on behalf of the state, to accept the jurisdiction of the Federal courts for the compliance, discharge, and enforcement of any responsibility of the secretary assumed by the state;⁵⁶
- Certifies that state laws and regulations are in effect that authorize the state to take the actions necessary to carry out the responsibilities; and
- Agrees to maintain the financial resources necessary to carry out the responsibilities.

The USDOT secretary is authorized to terminate the participation of any state if the state is not adequately carrying out the responsibilities and the secretary notifies the state of the determination of noncompliance. If the state fails to take corrective action as determined by the USDOT secretary within 30 days after notice, the agreement is terminated.⁵⁷

With respect to the consent to federal court jurisdiction, the FDOT advises:

⁵³ See the U.S. Environmental Protection Agency website: <http://www2.epa.gov/laws-regulations/summary-national-environmental-policy-act>. Last visited October 12, 2015.

⁵⁴ See the FDOT 2016 Legislative Proposal form, *Authorization to Participate in Certain Federal Transportation Programs*. On file in the Senate Transportation Committee.

⁵⁵ 23 U.S.C. s. 327 (2013).

⁵⁶ This requirement apparently exists to address the Eleventh Amendment to the U.S. Constitution, which generally prohibits suits in law or equity against one of the United States by its citizens, citizens of another state, or subjects of any foreign state.

⁵⁷ *Supra* note 44.

This waiver is limited to only those actions delegated to the Department by the USDOT and related to carrying out its NEPA duties on state highway projects. Challenges to NEPA decision making are filed in federal district court pursuant to the Federal Administrative Procedures Act and are limited to a review of the underlying administrative record. The standard for review is whether the Department's action is arbitrary and capricious. To the extent that a challenger is successful, the remedy is to require additional review, analysis and documentation to support the action. The state's exposure is further limited by 23 U.S.C. 327(a)(2)(G), which provides that a state assuming the responsibilities of the Secretary [of the USDOT] under this section for a specific project may use funds apportioned to the State under section 104(b)(2) for attorneys' fees directly attributable to eligible activities associated with the project.⁵⁸

Effect of Proposed Changes

Section 21 amends s. 334.044, F.S., to authorize the FDOT to assume responsibilities of the USDOT under 23 U.S.C. s. 327 with respect to highway projects, and with respect to related responsibilities for environmental review, consultation, or other action required under any federal environmental law pertaining to review or approval of a highway project, within Florida. The FDOT is authorized to enter into one or more agreements with the U.S. Secretary of Transportation related to the federal surface transportation project delivery program for the delivery of transportation projects, including highway projects. The FDOT is authorized to adopt implementing rules and to adopt relevant federal environmental standards as the standards for this state for the program. The FDOT advises the delegation allows direct consultation between the FDOT and federal regulatory agencies and maximizes efficiency by consolidating all NEPA reviews under the FDOT.

Sovereign immunity to civil suit in federal court is waived consistent with 23 U.S.C. s. 327 and limited to the compliance, discharge, or enforcement of a responsibility assumed by the FDOT. The FDOT advises its district offices would continue to conduct the PD&E process, with the FHWA's project review, legal sufficiency, and approval authority delegated to the FDOT's Central Office and with the FHWA retaining program level oversight. The waiver of sovereign immunity is limited only to those actions delegated to the FDOT and related to carrying out its NEPA duties on state highway projects. The standard for review is whether the FDOT's action is arbitrary and capricious. The remedy for a successful challenge is to require additional review, analysis, and documentation to support the project. Further, a state assuming the NEPA responsibilities may use certain apportioned funds for attorneys' fees directly attributable to eligible activities associated with a project.⁵⁹

Airport Zoning/Chapter 333 Re-Write (Sections 5 through 20)

Chapter 333, F.S., contains airport zoning provisions relating to the management of airspace and land use at or near airports. Generally, the chapter:

⁵⁸ See the FDOT's 2015 and 2016 Legislative Proposal Forms, *Authorization to Participate in Certain Federal Transportation Programs (NEPA)*. On file in the Senate Transportation Committee

⁵⁹ 23 U.S.C. s. 327(a)(G) (2013).

- Addresses permitting for structures exceeding federal obstruction standards;
- Requires adoption of certain airport zoning regulations;
- Provides a process for seeking variances from the zoning regulations;
- Sets out a process for appeal of decisions based on the zoning regulations;
- Requires boards of adjustment to hear and decide appeals;
- Provides for judicial review of any board of adjustment decision; and
- Establishes penalties and remedies for violations.

The FDOT in 2012 created a stakeholder working group to address problems with implementing this chapter. Representatives from airports, local planning and zoning departments, the Florida Defense Alliance, the League of Cities, the Florida Airports Council, the real estate development community, and the FDOT participated in the working group. The FDOT advises the working group determined that ch. 333, F.S., “contains outdated and inconsistent provisions when compared to applicable federal regulations, contains internal inconsistencies, and requires a local government airport protection zoning process that can be cumbersome and confusing.”

The FDOT advises it expects no substantive changes as a result of the bill’s proposed revisions; e.g., the existing requirements for issuance of permits are substantively unchanged. The number of permits issued or denied is not expected to change. Rather, the changes are designed to facilitate more uniform permitting, appeals, and review processes applied at the local level and provide clarity and predictability for those subject to airport zoning regulations.⁶⁰

Definitions

Present Situation

Section 333.01, F.S., contains definitions related to airport zoning that need updating for internal chapter consistency and for consistency with federal regulations.

Effect of Proposed Changes

Section 5 amends s. 333.01, F.S., to provide, revise, and delete definitions to:

- Reflect terminology used in federal regulations;
- Provide for consistency with Federal Aviation Administration (FAA) advisements;
- Remove antiquated terminology;
- Delete variances from definitions to reflect the streamlined permitting process effected in the bill; and
- Otherwise provide clarity through editorial and grammatical changes.

Permitting for Structures Exceeding Federal Obstruction Standards

Present Situation

The Code of Federal Regulations (CFR) sets forth standards for structures that present a hazard within an area in an airport due to obstruction of the airspace required for aircraft to take off,

⁶⁰ Conversation with FDOT Legislative and Legal Staff during joint meeting with Senate and House staff, January 30, 2015.

maneuver, or land.⁶¹ Section 333.025, F.S., requires a permit from the FDOT for any proposed construction or alteration of a structure that would exceed the federal standards.⁶² A permit from the FDOT is not required if a political subdivision⁶³ has adopted adequate airspace protection regulations and filed them with the FDOT.

The FDOT must issue or deny a permit within 30 days of receipt of an application for any structure that would exceed the federal obstruction standards. The FDOT is prohibited from approving a permit unless the applicant submits both documentation showing compliance with federal notification requirements and a valid aeronautical evaluation.

Effect of Proposed Changes

Section 6 amends s. 333.025, F.S., to replace the term “geographic center” with “airport reference point,” which is located at the approximate geometric center of all usable runways and to update references to current federal regulations.

If a political subdivision has adopted adequate airport protection zoning regulations, placed the regulations on file with the FDOT, *and* the political subdivision has established a permitting process, a permit from the FDOT is not required for construction or alteration of an obstruction. Upon receipt of a complete permit application, the local government must provide a copy of the application to the FDOT. The bill provides a 15-day FDOT review period following receipt of the application, which must run concurrently with the established local permitting process.

The FDOT is required to review permit applications in conformity with s. 120.60, F.S., relating to licensing. The list of factors to be considered by the FDOT is revised to remove ambiguity and duplication, and to provide clarity. The FDOT must require the owner of a permitted obstruction to install, operate, and maintain marking and lighting in conformance with FAA standards, at the owner’s expense. The denial of a permit is subjected to the administrative review provisions of the Administrative Procedures Act.

Adoption of Airport Zoning Regulations

Present Situation

Section 333.03, F.S., requires political subdivisions with an airport hazard area⁶⁴ to adopt, administer, and enforce airport zoning regulations for the area. If the airport is owned or controlled by a political subdivision and has a hazard area outside of its territorial limits, the political subdivision and the political subdivision within which the hazard area is located must either adopt zoning regulations by interlocal agreement or create a joint airport zoning board with the power to do so. The airport zoning regulations must, at a minimum, require:

- A variance for any structure that would exceed the federal obstruction standards;

⁶¹ See 14 C.F.R. part 77, subpart C (2015).

⁶² Public airports are licensed under the provisions of ch. 330, F.S.

⁶³ Generally, a local governmental entity, see section 333.01(9), F.S.

⁶⁴ The bill redefines “airport hazard” to mean an obstruction to air navigation which affects the safe and efficient use of navigable airspace or the operation of planned or existing air navigation and communication facilities. The definition of “obstruction” is revised, also to reflect terminology used in the federal standards for determining obstructions. “Airport hazard area” is redefined in the bill to mean any area of land or water upon which an airport hazard might be established.

- Obstruction marking and lighting per s. 333.07(3);
- Documentation of compliance with federal proposed construction notification and a valid aeronautical evaluation submitted by each person applying for a variance;
- Consideration of the same factors when determining whether to issue or deny a variance as required of the FDOT when considering permit applications; and
- No variance be approved solely on the basis that a structure will not exceed the federal obstruction standards.

The FDOT is required to issue copies of the federal obstruction standards in the CFR to each political subdivision with an airport hazard area, and issue certain airport zoning maps at no cost.

Interim land use compatibility zoning regulations must be adopted and must consider whether sanitary landfills are located within certain areas and whether any landfill will attract or sustain hazardous bird movements. If a public-use airport has conducted a federal noise study, residential construction and educational facilities are prohibited within the area. If no study is conducted, the same construction is prohibited within a certain distance.

Airport zoning regulations restricting new incompatible uses within runway clear zones must be adopted. Certain limited exceptions for construction of educational facilities in specified areas are authorized.

Effect of Proposed Changes

Section 7 amends s. 333.03, F.S., to eliminate the duplicative requirement for obtaining a variance for structures that would exceed federal obstruction standards, in favor of a local permitting process. Every political subdivision having an airport hazard area is required to adopt airport *protection* zoning regulations. In addition to editorial and grammatical revisions, this section revises language to:

- Replace citations to the federal obstruction standards contained in the CFR with terminology used in the CFR; *i.e.*, permits for the “construction or alteration of any obstruction.”
- Remove the FDOT’s duty to provide copies of the federal obstruction standards contained in the CFR and to issue maps, and replace it with making the FDOT available to provide assistance with respect to the standards.
- Update citations to the CFR.
- Eliminate the reporting requirements related to birds at airports near landfills in favor of requiring the landfill operator to incorporate bird management techniques.
- Include substantial modification of existing incompatible uses in the required adopted regulations restricting such uses within runway *protection* zones.
- Remove the limited exceptions for construction of educational facilities when a noise study has been conducted in accordance with the federal regulations;
- Delete outdated language.
- Authorize an airport authority, local government, or other governing body operating a public-use airport to adopt more restrictive airport protection zoning regulations, per the FDOT, to allow restrictions appropriate to the local context of the airport.⁶⁵

⁶⁵ See the FDOT document provided to staff, *Proposed ch. 333, F.S. Amendments and Legislative Support Documentation*. On file in the Senate Transportation Committee.

Guidelines Regarding Land Use near Airports

Present Situation

Section 333.065, F.S., requires the FDOT, after consultation with the Department of Economic Opportunity, local governments, and other interested persons, to adopt by rule recommended guidelines regarding compatible land uses in the vicinity of airports. The guidelines must use certain acceptable and established quantitative measures.

Effect of Proposed Changes

Section 11 repeals s. 333.065, F.S. The FDOT advises the deletion reflects completion of the FDOT's Airport Compatible Land Use Guidebook.⁶⁶

Permits, Variances, and Appeals

Present Situation

Section 333.07, F.S., authorizes any adopted airport zoning regulations to require a permit be obtained before any new structure or use is constructed or established and before any existing use or structure may be substantially changed or repaired. All such regulations must require a permit before any nonconforming structure or tree may be replaced, substantially altered or repaired, rebuilt, allowed to grow higher, or replanted.

If a nonconforming use, structure, or tree has been abandoned or is more than 80 percent torn down or deteriorated, a permit may not be issued under certain conditions. The owner of a nonconforming structure or tree may be compelled, at the owner's expense, to undergo certain actions to conform.

Any person desiring to erect any structure, increase the height of any structure, permit the growth of any tree, or otherwise use his or her property in violation of the adopted airport zoning regulations is authorized to apply to a board of adjustment for a variance from the regulations. Conditions for allowance of variations are provided. The FDOT is authorized to appeal any variance granted and to apply for judicial relief.

As a condition of any granted permit or variance, the administrative agency or board of adjustment must require the structure or tree owner to install, operate, and maintain at the owner's expense marking and lighting necessary to indicate to aircraft pilots the presence of an obstruction.

Section 333.08, F.S., authorizes any affected person or taxpayer; or any governing body of a political subdivision, the FDOT, or any joint airport zoning board, to appeal any decision of an administrative agency in its administration of adopted airport zoning regulations to the board of adjustment authorized to hear and decide appeals from the decisions of such administrative agency.

⁶⁶ *Id.*

Effect of Proposed Changes

Section 12 amends s. 333.07, F.S., to streamline the permitting process, repeal the duplicative variance process, and facilitate implementation of the permitting process by local entities. More specifically, rather than authorizing any adopted airport zoning regulations to require a permit be obtained before any new structure or use is constructed or established and before any existing use or structure may be substantially changed or repaired, the bill simply requires a permit to construct, alter, or allow an airport obstruction in an airport hazard area in violation of the adopted airport protection zoning regulations.

The political subdivision or its administrative agency must consider virtually the same standards as must be considered by the FDOT when issuing or denying a permit for structures exceeding federal obstruction standards. All variance provisions are removed in favor of the permitting process. In addition, provisions relating to a lien resulting from an owner's failure to take action to bring a nonconforming structure or tree into regulatory compliance are removed. The FDOT's 45-day comment period is removed in favor of the shortened 15-day period of review for technical consistency described above. Obstruction marking and lighting is required in conformance with specific standards established by the FAA. Outdated language is repealed.

Section 13 repeals s. 333.08, F.S., authorizing and providing requirements for appeals of zoning regulation decisions, in favor of relocated, modified appeals language in s. 333.09, F.S.

Administration of Airport Zoning Regulations***Present Situation***

Section 333.09, F.S., requires all adopted airport zoning regulations to provide for administration and enforcement by an administrative agency; by any official, board, or other existing agency of the political subdivision adopting the regulations; or by one of the subdivisions that participated in creating a joint airport zoning board adopting the regulations. The duties of any such administrative agency include hearing and deciding all permits under s. 333.07, F.S., but not any of the powers delegated to the board of adjustment.

Section 333.10, F.S., currently requires all adopted airport zoning regulations to provide for a board of adjustment to hear and decide appeals and variances.

Effect of Proposed Changes

Section 14 amends s. 333.09, F.S., to remove the list of entities that may be an administrative agency, per the FDOT, to reflect correct community planning terminology.⁶⁷ Administration and enforcement is left to the affected political subdivision or its administrative agency. Also removed is the prohibition against an administrative agency exercising the powers delegated to the board of adjustment.

Political subdivisions required to adopt airport zoning regulations must establish a process to:

- Issue or deny permits consistent with s. 333.07, F.S.;
- Provide the FDOT with a copy of a complete permit application; and

⁶⁷ *Supra* note 54.

- Enforce the issuance or denial of a permit or other determination made by the administrative agency with respect to airport zoning regulations.

Appeals must be taken within a reasonable time provided by the political subdivision or its administrative agency by filing a notice of appeal. An appeal stays all proceedings in the underlying action, unless the entity from which the appeal is taken certifies that a stay would cause imminent peril to life or property.

The political subdivision or its administrative agency must set a reasonable time for the hearing of appeals and decide appeals within a reasonable time. A party may appear in person, by agent, or by attorney. The subdivision or agency may affirm, reverse, or modify the decision on the permit or other determination from which the appeal is taken.

Section 15 repeals s. 333.10, F.S., currently requiring all adopted airport zoning regulations to provide for a board of adjustment to hear and decide appeals and variances, in favor of the local government permitting and appeals process established by the bill in revised s. 333.09, F.S.

Judicial Review

Present Situation

Section 333.11, F.S., authorizes any person aggrieved or any taxpayer affected by a decision of a board of adjustment, any governing body of a political subdivision, the FDOT, any joint airport zoning board, or any administrative agency to apply for judicial relief in the judicial circuit court where the board of adjustment is located. The section provides procedural provisions related to the board of adjustment, describes the court's authorized review of a decision by a board of adjustment, and prohibits judicial review in provisions related to a board of adjustment.

Effect of Proposed Changes

Section 16 amends s. 333.11, F.S., to allow any person, political subdivision, or joint airport zoning board affected by a decision of a political subdivision or its administrative agency to apply for judicial relief and to remove references to the board of adjustment, but otherwise leaves the authorization to apply for judicial review in place. The judicial review prohibition is revised. An appellant is required to exhaust all remedies through application for local government permits, exceptions, and appeals before seeking judicial review.

Transition Provisions

Section 19 of the bill creates s. 333.135, F.S., to:

- Provide that any airport zoning regulation in effect on July 1, 2016, and in conflict with the revised ch. 333, F.S., must be amended to conform by July 1, 2017.
- Require any political subdivision with an airport that has not adopted airport zoning regulations to do so by July 1, 2017, consistent with the chapter.
- Require the FDOT to administer the permitting process as provided in s. 333.025, F.S., for political subdivisions that have not yet adopted the required regulations.

Technical Revisions

Sections 8, 9, 10, 17, and 18, amending ss. 333.04, 333.05, 333.06, 333.12, and 333.13, F.S., respectively, primarily make grammatical and editorial revisions to existing language and modify sections of the chapter for internal consistency with definitions.

Section 20 repeals the short title of chapter 333, F.S., the “Airport Zoning Law of 1945.”

Commercial Motor Vehicles/Port of Entry/Operating Credentials (Sections 3 and 4)

Present Situation

Interstate operators of commercial motor vehicles (CMVs) are required to obtain a number of credentials. Generally, for example, interstate operators of CMVs are required to obtain an International Fuel Tax Agreement (IFTA) license and decal⁶⁸ and, in some cases, to obtain overweight or over-dimensional permits.⁶⁹ Some states allow the purchase of some or all necessary credentials at weigh stations located close to routes entering their borders and at other locations, and these states are known as “port of entry” or “POE” states.⁷⁰ Because these credentials must be obtained prior to entering Florida, the state is known as a “non-POE” state.⁷¹ If a CMV enters the state without proper credentials and the operator seeks to purchase them at any weigh station, any applicable fine is assessed depending on the type of credential at issue. Only then is the operator allowed to purchase the necessary credential.⁷²

Another credential required before entering Florida is registration under the International Registration Plan (IRP). The IRP⁷³ is a plan for registering vehicles that are operated in two or more IRP-member jurisdictions while displaying just one registration license plate for each vehicle.⁷⁴

A “Full Reciprocity Plan” was instituted effective January 1, 2015, under which registrants are billed only for jurisdictions in which actual miles were accrued during the reporting period. If no miles were accrued during the reporting period, registrants are billed based on Florida’s Average

⁶⁸ See ss. 207.004 and 316.545(4), F.S. The International Fuel Tax Agreement (IFTA) is an agreement among the states and the Canadian provinces to simplify the reporting of interstate fuel taxes. The motor carrier’s base jurisdiction issues the IFTA license and decals, allowing the carrier to file one quarterly tax return reflecting the net tax and any refund due on fuel used in all jurisdictions.

⁶⁹ See s. 316.550, F.S.

⁷⁰ See the *Florida Port of Entry Feasibility Study*, September 2014, prepared for the FDOT, at 3.1 and 3.2: http://www.dot.state.fl.us/trafficoperations/Traf_Incident/Projects_CVO/Presentation/FL%20POE%20Technical%20Study%20Final.pdf. According to the study, 28 states are non-POE states, and 22 states and the District of Columbia consider themselves to be POE jurisdictions. Alabama is a POE state; Georgia is not. Further, the definitions of “POE” vary greatly by state.

⁷¹ *Id.* at 1.1.

⁷² See the FDOT 2016 Legislative Proposal Form, *Port-of-Entry*. On file in the Senate Transportation Committee.

⁷³ Section 320.01(23), F.S., defines the IRP to mean “a registration reciprocity agreement among states of the United States and provinces of Canada providing for payment of license fees on the basis of fleet miles operated in various jurisdictions.”

⁷⁴ See the Florida Department of Highway Safety and Motor Vehicles *International Registration Plan Trucking Manual*, beginning at p. 1, for additional detail. On file in the Senate Transportation Committee.

Per Vehicle distance chart. The miles reflected on the distance chart is the average distance of all registrants in each jurisdiction. Upon registration, the cab cards will reflect all jurisdictions.⁷⁵

Section 320.0715(1), F.S., requires all apportionable vehicles⁷⁶ domiciled in this state to register under the International Registration Plan and to display the apportioned license plate. If a CMV domiciled elsewhere could be lawfully operated in this state because IRP registration had been obtained prior to entering Florida, but was not, a ten-day Florida trip permit may be obtained for \$30. The permit allows the vehicle to be operated in interstate or intrastate commerce for the ten-day period.

A CMV not registered under the application provisions of ch. 320, F.S., is subject to a penalty of five cents per pound on the weight that exceeds 35,000 pounds on laden truck tractor-semitrailer combinations or tandem trailer truck combinations, 10,000 pounds on laden straight trucks or straight truck-trailer combinations, or 10,000 pounds on any unladen CMV.⁷⁷ Operators of CMVs that fail to obtain the temporary trip permit prior to entering Florida are fined accordingly and then allowed to purchase the temporary trip permit. All such penalties and permit fees are credited to the STTF to be used for repair and maintenance of Florida's roads and for enforcement purposes.⁷⁸

Effect of Proposed Changes

The bill defines "port-of-entry" and reduces the existing penalty for IRP registration violations.

Section 3 amends s. 316.003, F.S., to define "port-of-entry" as a designated location that allows drivers of commercial motor vehicles to purchase temporary registration permits necessary to operate legally within Florida, and to direct the FDOT to determine the locations and the designated routes to such locations.

Section 4 amends s. 316.545(2)(b), F.S., to provide that if a CMV enters the state at a designated POE or is operating on an FDOT-designated route to a POE, and if the ten-day IRP trip permit is obtained at the POE, the penalty is limited to the difference between the CMV's gross weight and the declared gross vehicle weight at five cents per pound.

Existing penalties for failure to obtain other required credentials remain unchanged, including, but not limited to, IFTA violations and overweight and over-dimensional permit violations.

The FDOT advises three potential POE locations are under consideration:

- I-10 at the first eastbound weigh station entering the state;
- I-75 at the first southbound weigh station entering the state; and

⁷⁵ *Id.*

⁷⁶ Section 320.01(24), F.S., defines "apportionable vehicle" to mean "any vehicle [with certain exceptions] which is used or intended for use in two or more member jurisdictions that allocate or proportionally register vehicles and which is used for the transportation of persons for hire or is designed, used, or maintained primarily for the transportation of property and: (a) Is a power unit having a gross vehicle weight in excess of 26,000 pounds; (b) Is a power unit having three or more axles, regardless of weight; or (c) Is used in combination, when the weight of such combination exceeds 26,000 pounds gross vehicle weight."

⁷⁷ Section 316.545(2)(b), F.S.

⁷⁸ Section 316.545(6), F.S.

- I-95 at the first southbound weigh station entering the state.⁷⁹

Turnpike Tolls/Dormant Prepaid Accounts (Section 26)

Present Situation

SunPass is the Florida Turnpike's electronic, prepaid tolls program. SunPass is accepted on all Florida toll roads and nearly all toll bridges. The system uses electronic devices, called transponders, which are attached to the inside of a vehicle's windshield. The transponder sends a signal when the vehicle goes through a tolling location, and the toll is deducted from the customer's pre-paid account. The pre-paid accounts may be set up and replenished with a credit card or with cash.⁸⁰

Under current law, any prepaid toll account of any kind which has been inactive for three years is presumed unclaimed. The Department of Financial Services (DFS) is required to process any such inactive account in accordance with applicable provisions of ch. 717, F.S., relating to the disposition of unclaimed property, and the FDOT is directed to close such accounts.⁸¹

Effect of Proposed Changes

Section 26 amends s. 338.231(3)(c), F.S., to increase the period after which a dormant prepaid toll account is presumed unclaimed from three years to ten years, thereby delaying disposition by the DFS and closing of the account by the FDOT. The FDOT advises:

[T]he deletion is desired because, with multi-state toll interoperability already implemented, and national toll interoperability mandated by federal law,⁸² prepaid customers may live outside Florida and use their Florida prepaid toll account only when vacationing or otherwise visiting the state.

We believe that the affected citizens and businesses would react positively to the proposal as funds on a prepaid toll account continue to be managed by the Department. This provides the customers that have had no activity on a prepaid toll account for the 10 year time with continued direct access to the same agency with whom they established the account.⁸³

⁷⁹ See the FDOT email to committee staff on October 12, 2015. On file in the Senate Transportation Committee.

⁸⁰ See the SunPass website, *Frequently Asked Questions*: <https://www.sunpass.com/faq>. Last visited October 12, 2015.

⁸¹ Section 338.231(3)(c), F.S.

⁸² The Moving Ahead for Progress in the 21st Century Act (MAP-21) requires implementation of technologies or business practices that provide for the interoperability of electronic toll collection on all Federal-aid highway toll facilities by October 1, 2016. See the FHWA website, *Investment* heading, *Tolling [1512]* subheading: <http://www.fhwa.dot.gov/map21/summaryinfo.cfm>. Last visited October 12, 2015.

⁸³ See the FDOT 2015 Legislative Proposal, *Dormant Accounts/Tolls/SunPass*. On file in the Senate Transportation Committee.

TBARTA Master Plan Updates (Section 28)

Present Situation

The Tampa Bay Area Regional Transportation Authority (TBARTA) was created by the Legislature in 2007 with the express purpose of improving mobility and expanding multimodal transportation options for passengers and freight throughout the seven-county Tampa Bay Region.⁸⁴ The counties included in the TBARTA are Citrus, Hernando, Hillsborough, Pasco, Pinellas, Manatee and Sarasota Counties. As part of its duties, TBARTA was required to develop and adopt a regional transportation master plan providing a vision for a regionally integrated multimodal transportation system.⁸⁵

The plan is required to identify areas of the Tampa Bay region where multimodal mobility, traffic safety, freight mobility, and efficient emergency evacuation alternatives need improvement and propose multimodal transportation systems that enhance mobility and economic development. The master plan may prioritize projects, including the creation of express bus and bus rapid transit services; light, commuter, and heavy rail transit services, ferry services, freight services, and any other multimodal transportation system projects that address critical transportation needs or concerns.⁸⁶ Section 343.922(3)(d), F.S., requires that the master plan be updated every two years by TBARTA.

Effect of Proposed Changes

Section 28 amends s. 343.922(3)(d), F.S., to require TBARTA to update its master plan every five years, rather than every two years. According to TBARTA, this change will make more efficient use of available resources by coordinating its plan update cycle with the metropolitan planning organization planning cycle.⁸⁷

The bill takes effect July 1, 2016.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

⁸⁴ Sections 343.92 and 343.922, F.S.

⁸⁵ Section 343.922(3)(a), F.S.

⁸⁶ Section 343.922(2)(a), F.S.

⁸⁷ See TBARTA email dated January 29, 2016. (On file in the Senate Transportation Committee.)

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

None.

B. Private Sector Impact:

The following sections of CS/CS/SB 756 are expected to have the indicated impact on the private sector:

Sections 1 and 2: The increase in FSTED funding from \$15 to \$25 million is an increase in the required *minimum* annual funding. The FDOT advises this increases the total statutorily required seaport program funding, along with the Strategic Port Investment Initiative and the Intermodal Logistics Center Infrastructure Support Program, from an annual minimum of \$55 million to \$65 million. The FDOT advises that its proposed 5-year work program for Fiscal Years 2017-2021 already designates between \$82 and \$114 million in annual seaport program funding for each fiscal year.⁸⁸

Sections 3 and 4: The trucking industry is expected to experience an indeterminate positive fiscal impact due to the decreased fines assessed for IRP violations.

Section 21: The private sector is expected to experience an indeterminate but positive fiscal impact from the FDOT's assumption of NEPA responsibilities due to faster delivery of needed transportation projects at reduced costs.

Section 23: Small businesses participating in the BDI would experience indeterminate but positive fiscal impacts associated with gaining contracting experience on projects of the FDOT. The traveling public may experience indeterminate but reduced costs related to transportation projects as a result of greater competition.

Section 24: Transfer of the Pinellas Bayway System from the FDOT to the Florida Turnpike Enterprise does not appear to have an immediate impact on the private sector but a positive fiscal impact may be realized upon construction of the replacement bridge in terms of more efficient travel. Repeal of the \$50 annual pass may present a positive or a negative fiscal impact, compared to the payment of the required toll amounts, depending upon a former pass-holder's frequency of use of the Bayway System.

Section 27: To the extent that the issuance of debt to fund transportation projects is accomplished at a lower cost by virtue of the corporation's ability to participate in the municipal bond market at reduced rates, the state's traveling public may experience an indeterminate but positive fiscal impact.

⁸⁸ See the November 4, 2015, FDOT email to Transportation Committee staff. On file in the Senate Transportation Committee.

C. Government Sector Impact:

The following sections of the bill are expected to have the indicated impact on the government sector:

Section 1 and 2: The increase in the annual minimum FSTED funding does not appear to require any adjustment of FSTED projects in the work program.

Sections 3 and 4: The FDOT advises it expects a negative annual fiscal impact of approximately \$1.6 million due to a decrease in the fines assessed for IRP violations. A portion of the decrease, approximately \$500,000, is attributed to the revised IRP Full Reciprocity Plan.⁸⁹

Section 21: The FDOT anticipates significant savings in project delivery times. The Department advises, based on a random sampling of projects over the last 10 years, federal review of federalized projects has taken 1.8 to 3.5 times longer than state projects. The expected timeframe for projects subject to FHWA review as compared to anticipated timeframes for review by the state following NEPA assignment is as follows:

Class of Action Type	Existing Federal Review Time (months)	Expected State Review Time (months)
Minor projects with minimal or no impact	47	18
Minor projects that require supporting analysis	82	24
Projects that require environmental assessments	121	30
Projects that require environmental impact statements	127	40

The FDOT also anticipates significant project cost savings associated with the elimination of FHWA review. The Department determined the potential savings over a two-year period would be \$44 million for PD&E and \$30 million for Design project expenditures.⁹⁰

The FDOT further advises, with respect to the limited waiver of sovereign immunity, three NEPA lawsuits have occurred in the past ten years. No increase in the number of lawsuits is currently expected. The FDOT advises it prevailed on the three challenges. However, potential exposure over ten years would be approximately \$1.5 million. As noted, a state assuming the NEPA responsibilities for a specific project may use funds

⁸⁹ See the October 13, 2015, FDOT email to Transportation Committee staff. On file in the Senate Transportation Committee.

⁹⁰ Ibid

apportioned to the State under section 104(b)(2) of 23 U.S.C. for attorneys' fees directly attributable to eligible activities associated with the project.⁹¹

Section 23: The FDOT may experience indeterminate but reduced costs associated with transportation projects due to increased competition resulting from small business participation in the BDI.

Section 24: The transfer of the Pinellas Bayway System does not appear to have any immediate fiscal impact, as the transfer occurs without the expenditure of any funds. Aside from the project cost information on replacing the structurally deficient bridge over Boca Ciega Bay on SR 679 provided by the FDOT, the method by which replacement will be funded or financed is unknown. The impact of the repeal of the \$50 annual pass for use of the Pinellas Bayway System is unknown, but will be offset by the payment of the tolls for using the system by persons who formerly could purchase that pass.

Section 27: The FDOT may be able to accomplish faster delivery of transportation projects at reduced costs through participation of the FDOT Financing Corporation in the municipal bond market.

VI. Technical Deficiencies:

None.

VII. Related Issues:

Striking the reference to the Pinellas Bayway on line 1242 may be premature if done before the transfer of the Bayway System occurs.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 311.07, 311.09, 316.003, 316.545, 333.01, 333.025, 333.03, 333.04, 333.05, 333.06, 333.07, 333.09, 333.11, 333.12, 333.13, 334.044, 334.30, 338.165, 338.231, 343.922, and 348.0004.

This bill creates the following sections of the Florida Statutes: 333.135, 337.027, and 339.0809.

The bill repeals the following sections of the Florida Statutes: 333.065, 333.08, 333.10, and 333.14.

⁹¹ Ibid.

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

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

CS/CS by Appropriations on February 3, 2016:

The CS modifies the bill by:

- Authorizes the transfer of the FDOT's Pinellas Bayway System to become part of the turnpike system and requiring the transfer of certain funds to be used to help fund the costs of repair and replacement of the transferred facilities.
- Corrects a cross-reference.
- Modifies the bill by requiring the Tampa Bay Area Regional Transportation Authority to update its master plan every five years, rather than every two years.

CS by Transportation on December 3, 2015:

The CS modifies the bill by:

- Substantially revising the provisions of ch. 333, F.S., relating to airport zoning regulations; and
- Requiring the FDOT to consult with and provide information to the Division of Bond Finance in connection with a proposal to finance or refinance a transportation facility through the FDOT's authority to enter into public-private partnerships, and authorizing the division to make an independent recommendation.

B. Amendments:

None.

By the Committee on Transportation; and Senator Brandes

596-01808-16

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1 A bill to be entitled
 2 An act relating to the Department of Transportation;
 3 amending s. 311.07, F.S.; increasing the minimum
 4 amount that must be made available annually from the
 5 State Transportation Trust Fund to fund the Florida
 6 Seaport Transportation and Economic Development
 7 Program; amending s. 311.09, F.S.; increasing the
 8 amount per year the department must include in its
 9 annual legislative budget request for the Florida
 10 Seaport Transportation and Economic Development
 11 Program; amending s. 316.003, F.S.; defining the term
 12 "port of entry"; amending s. 316.545, F.S.; providing
 13 a specified penalty for drivers of commercial motor
 14 vehicles who obtain temporary registration permits
 15 entering the state at, or operating on designated
 16 routes to, a port-of-entry location; amending s.
 17 333.01, F.S.; defining and redefining terms; amending
 18 s. 333.025, F.S.; revising the requirements relating
 19 to permits required for obstructions; requiring
 20 certain existing, planned, and proposed facilities to
 21 be protected from airport hazards; requiring the local
 22 government to provide a copy of a complete permit
 23 application to the Department of Transportation's
 24 aviation office, subject to certain requirements;
 25 requiring the department to have a specified review
 26 period following receipt of such application;
 27 providing exemptions from such review under certain
 28 circumstances; revising the circumstances under which
 29 the department issues or denies a permit; revising the
 30 department's requirements before a permit is issued;
 31 revising the circumstances under which the department
 32 is prohibited from approving a permit; providing that

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33 the denial of a permit is subject to administrative
 34 review; amending s. 333.03, F.S.; conforming
 35 provisions to changes made by the act; revising the
 36 circumstances under which a political subdivision
 37 owning or controlling an airport and another political
 38 subdivision adopt, administer, and enforce airport
 39 zoning regulations or create a joint airport
 40 protection zoning board; revising the provisions
 41 relating to airport protection zoning regulations and
 42 joint airport protection zoning boards; requiring the
 43 department to be available to provide assistance to
 44 political subdivisions regarding federal obstruction
 45 standards; deleting provisions relating to certain
 46 duties of the department; revising provisions relating
 47 to airport land use compatibility zoning regulations;
 48 revising construction; providing applicability;
 49 amending s. 333.04, F.S.; authorizing certain airport
 50 zoning regulations to be incorporated in and made a
 51 part of comprehensive plans and policies, rather than
 52 a part of comprehensive zoning regulations, under
 53 certain circumstances; revising requirements relating
 54 to applicability; amending s. 333.05, F.S.; revising
 55 procedures for adoption of airport zoning regulations;
 56 amending s. 333.06, F.S.; revising airport zoning
 57 regulation requirements; repealing s. 333.065, F.S.,
 58 relating to guidelines regarding land use near
 59 airports; amending s. 333.07, F.S.; revising
 60 requirements relating to local government permitting
 61 of airspace obstructions; requiring a person proposing

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62 to construct, alter, or allow an airport obstruction
 63 to apply for a permit under certain circumstances;
 64 revising the circumstances under which a permit is
 65 prohibited from being issued; revising the
 66 circumstances under which the owner of a nonconforming
 67 structure is required to alter such structure to
 68 conform to the current airport protection zoning
 69 regulations; deleting provisions relating to variances
 70 from zoning regulations; requiring a political
 71 subdivision or its administrative agency to consider
 72 specified criteria in determining whether to issue or
 73 deny a permit; revising the requirements for marking
 74 and lighting in conformance with certain standards;
 75 repealing s. 333.08, F.S., relating to appeals of
 76 decisions concerning airport zoning regulations;
 77 amending s. 333.09, F.S.; revising the requirements
 78 relating to the administration of airport protection
 79 zoning regulations; requiring all airport protection
 80 zoning regulations to provide for the administration
 81 and enforcement of such regulations by the political
 82 subdivision or its administrative agency; requiring a
 83 political subdivision adopting airport zoning
 84 regulations to provide a permitting process, subject
 85 to certain requirements; requiring a zoning board or
 86 permitting body to implement the airport zoning
 87 regulation permitting and appeals process if such
 88 board or body already exists within a political
 89 subdivision; authorizing a person, a political
 90 subdivision or its administrative agency, or a

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91 specified joint zoning board to use the process
 92 established for an appeal, subject to certain
 93 requirements; repealing s. 333.10, F.S., relating to
 94 boards of adjustment provided for by airport zoning
 95 regulations; amending s. 333.11, F.S.; revising the
 96 requirements relating to judicial review; amending s.
 97 333.12, F.S.; revising requirements relating to the
 98 acquisition of air rights; amending s. 333.13, F.S.;
 99 conforming provisions to changes made by the act;
 100 creating s. 333.135, F.S.; requiring conflicting
 101 airport zoning regulations in effect on a specified
 102 date to be amended to conform to certain requirements;
 103 requiring certain political subdivisions to adopt
 104 certain airport zoning regulations by a specified
 105 date; requiring the department to administer a
 106 specified permitting process for certain political
 107 subdivisions; repealing s. 333.14, F.S., relating to a
 108 short title; amending s. 334.044, F.S.; authorizing
 109 the department to assume certain responsibilities
 110 under the National Environmental Policy Act with
 111 respect to highway projects within the state and
 112 certain related responsibilities relating to review or
 113 approval of a highway project; authorizing the
 114 department to enter into certain agreements related to
 115 the federal surface transportation project delivery
 116 program under certain federal law; authorizing the
 117 department to adopt implementing rules; authorizing
 118 the department to adopt certain relevant federal
 119 environmental standards; providing a limited waiver of

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120 sovereign immunity to civil suit in federal court
 121 consistent with certain federal law; amending s.
 122 334.30, F.S.; conforming a cross-reference; requiring
 123 the department to consult with the Division of Bond
 124 Finance in connection with a proposal to finance or
 125 refinance a transportation facility; requiring the
 126 department to provide the division with information
 127 necessary to provide timely consultation and
 128 recommendations; authorizing the division to make an
 129 independent recommendation to the Executive Officer of
 130 the Governor; creating s. 337.027, F.S.; authorizing
 131 the department to establish a program for highway
 132 projects that assist small businesses; providing a
 133 program purpose; defining the term "small business";
 134 authorizing the department to adopt rules; amending s.
 135 338.165, F.S.; removing an option to issue certain
 136 bonds secured by toll revenues collected on the
 137 Beeline-East Expressway and the Navarre Bridge;
 138 amending s. 338.231, F.S.; increasing the number of
 139 years before an inactive prepaid toll account is
 140 presumed unclaimed; creating s. 339.0809, F.S.;
 141 creating a nonprofit corporation to be known as the
 142 "Florida Department of Transportation Financing
 143 Corporation"; defining the term "corporation";
 144 providing for membership of a governing board of
 145 directors; providing certain powers and duties;
 146 authorizing the corporation to enter into service
 147 contracts with the Department of Transportation
 148 subject to certain requirements; authorizing the

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149 corporation to issue and incur notes, bonds,
 150 certificates of indebtedness, or other obligations or
 151 evidences of indebtedness under certain circumstances;
 152 providing that the fulfillment of the purposes of the
 153 corporation promotes the health, safety, and general
 154 welfare of the people of the state and serves
 155 essential governmental functions and a paramount
 156 public purpose; providing certain exemptions from
 157 taxation and assessments; authorizing the corporation
 158 to validate certain obligations subject to certain
 159 requirements; providing applicability; prohibiting the
 160 benefits and earnings of the corporation from inuring
 161 to any private person; requiring title to all property
 162 owned by the corporation to revert to the state upon
 163 dissolution of the corporation; authorizing the
 164 corporation to contract with the State Board of
 165 Administration to perform certain services;
 166 authorizing the board to contract with others to
 167 provide such services and to recover certain costs;
 168 authorizing the department to enter into a service
 169 contract in conjunction with the issuance of debt
 170 obligations which provides for certain periodic
 171 payments; providing an effective date.

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

174
 175 Section 1. Subsection (2) of section 311.07, Florida
 176 Statutes, is amended to read:
 177 311.07 Florida seaport transportation and economic

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development funding.—

(2) A minimum of ~~\$25~~ \$15 million per year shall be made available from the State Transportation Trust Fund to fund the Florida Seaport Transportation and Economic Development Program. The Florida Seaport Transportation and Economic Development Council created in s. 311.09 shall develop guidelines for project funding. Council staff, the Department of Transportation, and the Department of Economic Opportunity shall work in cooperation to review projects and allocate funds in accordance with the schedule required for the Department of Transportation to include these projects in the tentative work program developed pursuant to s. 339.135(4).

Section 2. Subsection (9) of section 311.09, Florida Statutes, is amended to read:

311.09 Florida Seaport Transportation and Economic Development Council.—

(9) The Department of Transportation shall include at least ~~\$25~~ no less than \$15 million per year in its annual legislative budget request for the Florida Seaport Transportation and Economic Development Program funded under s. 311.07. Such budget ~~must shall~~ include funding for projects approved by the council which have been determined by each agency to be consistent. The department shall include the specific approved Florida Seaport Transportation and Economic Development Program projects to be funded under s. 311.07 during the ensuing fiscal year in the tentative work program developed pursuant to s. 339.135(4). The total amount of funding to be allocated to Florida Seaport Transportation and Economic Development Program projects under s. 311.07 during the successive 4 fiscal years shall also be

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included in the tentative work program developed pursuant to s. 339.135(4). The council may submit to the department a list of approved projects that could be made production-ready within the next 2 years. The list shall be submitted by the department as part of the needs and project list prepared pursuant to s. 339.135(2)(b). However, the department shall, upon written request of the Florida Seaport Transportation and Economic Development Council, submit work program amendments pursuant to s. 339.135(7) to the Governor within 10 days after the later of the date the request is received by the department or the effective date of the amendment, termination, or closure of the applicable funding agreement between the department and the affected seaport, as required to release the funds from the existing commitment. Notwithstanding s. 339.135(7)(c), any work program amendment to transfer prior year funds from one approved seaport project to another seaport project is subject to the procedures in s. 339.135(7)(d). Notwithstanding any provision of law to the contrary, the department may transfer unexpended budget between the seaport projects as identified in the approved work program amendments.

Section 3. Subsection (94) is added to section 316.003, Florida Statutes, to read:

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

(94) PORT OF ENTRY.—A designated location that allows drivers of commercial motor vehicles to purchase temporary registration permits necessary to operate legally within the

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236 state. The locations and the designated routes to such locations
 237 shall be determined by the Department of Transportation.

238 Section 4. Paragraph (b) of subsection (2) of section
 239 316.545, Florida Statutes, is amended to read:

240 316.545 Weight and load unlawful; special fuel and motor
 241 fuel tax enforcement; inspection; penalty; review.—

242 (2)

243 (b) The officer or inspector shall inspect the license
 244 plate or registration certificate of the commercial vehicle, as
 245 defined in s. 316.003(66), to determine if its gross weight is
 246 in compliance with the declared gross vehicle weight. If its
 247 gross weight exceeds the declared weight, the penalty shall be 5
 248 cents per pound on the difference between such weights. In those
 249 cases when the commercial vehicle, as defined in s. 316.003(66),
 250 is being operated over the highways of the state with an expired
 251 registration or with no registration from this or any other
 252 jurisdiction or is not registered under the applicable
 253 provisions of chapter 320, the penalty herein shall apply on the
 254 basis of 5 cents per pound on that scaled weight which exceeds
 255 35,000 pounds on laden truck tractor-semitrailer combinations or
 256 tandem trailer truck combinations, 10,000 pounds on laden
 257 straight trucks or straight truck-trailer combinations, or
 258 10,000 pounds on any unladen commercial motor vehicle. A driver
 259 of a commercial motor vehicle entering the state at a designated
 260 port-of-entry location, as defined in s. 316.003(94), or
 261 operating on designated routes to a port-of-entry location, who
 262 obtains a temporary registration permit shall be assessed a
 263 penalty limited to the difference between its gross weight and
 264 the declared gross vehicle weight at 5 cents per pound. If the

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265 license plate or registration has not been expired for more than
 266 90 days, the penalty imposed under this paragraph may not exceed
 267 \$1,000. In the case of special mobile equipment as defined in s.
 268 316.003(48), which qualifies for the license tax provided for in
 269 s. 320.08(5)(b), being operated on the highways of the state
 270 with an expired registration or otherwise not properly
 271 registered under the applicable provisions of chapter 320, a
 272 penalty of \$75 shall apply in addition to any other penalty
 273 which may apply in accordance with this chapter. A vehicle found
 274 in violation of this section may be detained until the owner or
 275 operator produces evidence that the vehicle has been properly
 276 registered. Any costs incurred by the retention of the vehicle
 277 shall be the sole responsibility of the owner. A person who has
 278 been assessed a penalty pursuant to this paragraph for failure
 279 to have a valid vehicle registration certificate pursuant to the
 280 provisions of chapter 320 is not subject to the delinquent fee
 281 authorized in s. 320.07 if such person obtains a valid
 282 registration certificate within 10 working days after such
 283 penalty was assessed.

284 Section 5. Section 333.01, Florida Statutes, is amended to
 285 read:

286 333.01 Definitions.—~~As used in For the purpose of this~~
 287 ~~chapter, the term following words, terms, and phrases shall have~~
 288 ~~the meanings herein given, unless otherwise specifically~~
 289 ~~defined, or unless another intention clearly appears, or the~~
 290 ~~context otherwise requires:~~

291 (1) "Aeronautical study" means a Federal Aviation
 292 Administration study, conducted in accordance with the standards
 293 of 14 C.F.R. part 77, subpart C, and Federal Aviation

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Administration policy and guidance, on the effect of proposed construction or alteration upon the operation of air navigation facilities and the safe and efficient use of navigable airspace.

(1) "Aeronautics" means transportation by aircraft; the operation, construction, repair, or maintenance of aircraft; aircraft power plants and accessories, including the repair, packing, and maintenance of parachutes; the design, establishment, construction, extension, operation, improvement, repair, or maintenance of airports, restricted landing areas, or other air navigation facilities, and air instruction.

(2) "Airport" means any area of land or water designed and set aside for the landing and taking off of aircraft and used utilized or to be used utilized in the interest of the public for such purpose.

(3) "Airport hazard" means an obstruction to air navigation which affects the safe and efficient use of navigable airspace or the operation of planned or existing air navigation and communication facilities ~~any structure or tree or use of land which would exceed the federal obstruction standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, and 77.29 and which obstructs the airspace required for the flight of aircraft in taking off, maneuvering, or landing or is otherwise hazardous to such taking off, maneuvering, or landing of aircraft and for which no person has previously obtained a permit or variance pursuant to s. 333.025 or s. 333.07.~~

(4) "Airport hazard area" means any area of land or water upon which an airport hazard might be established ~~if not prevented as provided in this chapter.~~

(5) "Airport land use compatibility zoning" means airport

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zoning regulations governing ~~restricting~~ the use of land on, adjacent to, or in the immediate vicinity of airports ~~in the manner enumerated in s. 333.03(2) to activities and purposes compatible with the continuation of normal airport operations including landing and takeoff of aircraft in order to promote public health, safety, and general welfare.~~

(6) "Airport layout plan" means a set of scaled drawings that provide a graphic representation of the existing and future development plan for the airport and demonstrate the preservation and continuity of safety, utility, and efficiency of the airport detailed, scale engineering drawing, including pertinent dimensions, of an airport's current and planned facilities, their locations, and runway usage.

(7) "Airport master plan" means a comprehensive plan of an airport which typically describes current and future plans for airport development designed to support existing and future aviation demand.

(8) "Airport protection zoning regulations" means airport zoning regulations governing airport hazards.

(9) "Department" means the Department of Transportation as created under s. 20.23.

(10) "Educational facility" means any structure, land, or use that includes a public or private kindergarten through 12th grade school, charter school, magnet school, college campus, or university campus. The term does not include space used for educational purposes within a multi-tenant building.

(11) "Landfill" has the same meaning as provided in s. 403.703.

(12) ~~(7)~~ "Obstruction" means any existing or proposed

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~~manmade object or object, of natural growth or terrain, or~~
 structure construction or alteration that exceeds ~~violates~~ the
 federal obstruction standards contained in 14 C.F.R. part 77,
 subpart C ss. 77.21, 77.23, 77.25, 77.28, and 77.29. The term
 includes:

(a) Any object of natural growth or terrain;

(b) Permanent or temporary construction or alteration,
 including equipment or materials used and any permanent or
 temporary apparatus; or

(c) Alteration of any permanent or temporary existing
 structure by a change in the structure's height, including
 appurtenances, lateral dimensions, and equipment or materials
 used in the structure.

(13)(8) "Person" means any individual, firm, copartnership,
 corporation, company, association, joint-stock association, or
 body politic, and includes any trustee, receiver, assignee, or
 other similar representative thereof.

(14)(9) "Political subdivision" means the local government
 of any county, municipality ~~city~~, town, village, or other
 subdivision or agency thereof, or any district or special
 district, port commission, port authority, or other such agency
 authorized to establish or operate airports in the state.

(15) "Public-use airport" means an airport, publicly or
 privately owned, licensed by the state, which is open for use by
 the public.

(16)(10) "Runway protection ~~clear~~ zone" means an area at
 ground level beyond the runway end to enhance the safety and
 protection of people and property on the ground ~~a runway clear~~
 zone as defined in 14 C.F.R. s. 151.9(b).

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(17)(11) "Structure" means any object, constructed,
 erected, altered, or installed ~~by humans~~, including, but not
 limited to ~~without limitation thereof~~, buildings, towers,
 smokestacks, utility poles, power generation equipment, and
 overhead transmission lines.

(18) "Substantial modification" means any repair,
 reconstruction, rehabilitation, or improvement of a structure
 when the actual cost of the repair, reconstruction,
 rehabilitation, or improvement of the structure equals or
 exceeds 50 percent of the market value of the structure.

(12) "Tree" includes any plant of the vegetable kingdom.

Section 6. Section 333.025, Florida Statutes, is amended to
 read:

333.025 Permit required for obstructions ~~structures~~
~~exceeding federal obstruction standards.~~

(1) A person proposing the construction or alteration in
~~order to prevent the erection of an obstruction must obtain a~~
permit from the department ~~structures dangerous to air~~
~~navigation, subject to the provisions of subsections (2), (3),~~
~~and (4), each person shall secure from the Department of~~
~~Transportation a permit for the erection, alteration, or~~
~~modification of any structure the result of which would exceed~~
~~the federal obstruction standards as contained in 14 C.F.R. ss.~~
~~77.21, 77.23, 77.25, 77.28, and 77.29. However, permits from the~~
~~department of Transportation will be required only within an~~
~~airport hazard area where federal obstruction standards are~~
~~exceeded and if the proposed construction or alteration is~~
~~within a 10-nautical-mile radius of the airport reference point,~~
~~located at the approximate geometric geographical center of all~~

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usable runways of a public-use airport or a publicly owned or operated airport, a military airport, or an airport licensed by the state for public use.

(2) ~~Existing, planned, and proposed Affected airports will be considered as having these facilities on public-use airports contained in an which are shown on the airport master plan, in or an airport layout plan submitted to the Federal Aviation Administration, Airport District Office or in comparable military documents shall, and will be so protected from airport hazards. Planned or proposed public-use airports which are the subject of a notice or proposal submitted to the Federal Aviation Administration or to the Department of Transportation shall also be protected.~~

(3) A permit is not required for existing structures that requirements of subsection (1) shall not apply to projects which received construction permits from the Federal Communications Commission for structures exceeding federal obstruction standards before prior to May 20, 1975, provided such structures now exist; a permit is not required for nor shall it apply to previously approved structures now existing, or any necessary replacement or repairs to such existing structures if, so long as the height and location are is unchanged.

(4) If when political subdivisions have, in compliance with this chapter, adopted adequate airport airspace protection zoning regulations, placed in compliance with s. 333.03, and such regulations are on file with the department's aviation office, and established a permitting process Department of Transportation, a permit for the construction or alteration of an obstruction is such structure shall not be required from the

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department of Transportation. Upon receipt of a complete permit application, the local government shall provide a copy of the application to the department's aviation office by certified mail, return receipt requested, or by a delivery service that provides a receipt evidencing delivery. To evaluate technical consistency with this subsection, the department shall have a 15-day review period following receipt of the application, which must run concurrently with the local government permitting process. Cranes, construction equipment, and other temporary structures in use or in place for a period not to exceed 18 consecutive months are exempt from the department's review, unless such review is requested by the department.

(5) The department ~~of Transportation~~ shall, within 30 days after ~~of the~~ receipt of an application for a permit, issue or deny a permit for the construction or erection, alteration, or modification of an obstruction any structure the result of which would exceed federal obstruction standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, and 77.29. The department shall review permit applications in conformity with s. 120.60.

(6) In determining whether to issue or deny a permit, the department shall consider:

(a) The safety of persons on the ground and in the air.

(b) The safe and efficient use of navigable airspace.

~~(c)-(a)~~ The nature of the terrain and height of existing structures.

~~(b) Public and private interests and investments.~~

(d) The effect of the construction or alteration of an obstruction on the state licensing standards for a public-use airport contained in chapter 330 and rules adopted thereunder.

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(e) The character of existing and planned flight flying operations and planned developments at public-use of airports.

(f) ~~(d)~~ Federal airways, visual flight rules, flyways and corridors, and instrument approaches as designated by the Federal Aviation Administration.

(g) ~~(e)~~ The effect of whether the construction or alteration of an obstruction on the proposed structure would cause an increase in the minimum descent altitude or the decision height at the affected airport.

~~(f) Technological advances.~~

~~(g) The safety of persons on the ground and in the air.~~

~~(h) Land use density.~~

~~(i) The safe and efficient use of navigable airspace.~~

(h) ~~(j)~~ The cumulative effects on navigable airspace of all existing obstructions structures, proposed structures identified in the applicable jurisdictions' comprehensive plans, and all other known proposed obstructions structures in the area.

(7) When issuing a permit under this section, the department of Transportation shall, ~~as a specific condition of such permit,~~ require the owner obstruction marking and lighting of the obstruction to install, operate, and maintain, at the owner's expense, marking and lighting in conformance with the specific standards established by the Federal Aviation Administration permitted structure as provided in s. 333.07(3)(b).

(8) The department ~~may of Transportation shall~~ not approve a permit for the construction or alteration erection of an obstruction a structure unless the applicant submits both documentation showing both compliance with the federal

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requirement for notification of proposed construction or alteration and a valid aeronautical study. ~~A evaluation, and no permit may not shall~~ be approved solely on the basis that the Federal Aviation Administration determined that the such proposed construction or alteration of an obstruction was not an airport hazard structure will not exceed federal obstruction standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, or 77.29, or any other federal aviation regulation.

(9) The denial of a permit under this section is subject to administrative review pursuant to chapter 120.

Section 7. Section 333.03, Florida Statutes, is amended to read:

333.03 Requirement Power to adopt airport zoning regulations.—

(1) ~~(a) In order to prevent the creation or establishment of airport hazards,~~ Every political subdivision having an airport hazard area within its territorial limits shall, ~~by October 1, 1977,~~ adopt, administer, and enforce, under the police power and in the manner and upon the conditions ~~hereinafter~~ hereinafter prescribed in this section, airport protection zoning regulations for such airport hazard area.

(b) ~~If where~~ an airport is owned or controlled by a political subdivision and any other political subdivision has land, upon which an obstruction may be constructed or altered, underlying any of the 14 C.F.R. Part 77, subpart C surfaces of the airport, the political subdivisions airport hazard area appertaining to such airport is located wholly or partly outside the territorial limits of said political subdivision, the political subdivision owning or controlling the airport and the

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political subdivision within which the airport hazard area is located, shall either:

1. By interlocal agreement, in accordance with the provisions of chapter 163, adopt, administer, and enforce a set of airport protection zoning regulations applicable to the airport hazard area in question; or

2. By ordinance, regulation, or resolution duly adopted, create a joint airport protection zoning board that, which board shall have the same power to adopt, administer, and enforce a set of airport protection zoning regulations applicable to the airport hazard area in question as that vested in paragraph (a) in the political subdivision within which such area is located. The Each such joint airport protection zoning board shall have as voting members two representatives appointed by each participating political subdivision participating in its creation and in addition a chair elected by a majority of the members so appointed. However, The airport manager or a representative of each airport in managers of the affected participating political subdivisions shall serve on the board in a nonvoting capacity.

(c) Airport protection zoning regulations adopted under paragraph (a) must shall, at as a minimum, require:

1. A permit variance for the construction or erection, alteration, or modification of any obstruction structure which would cause the structure to exceed the federal obstruction standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, and 77.29;

2. Obstruction marking and lighting for obstructions structures as specified in s. 333.07(3);

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3. Documentation showing compliance with the federal requirement for notification of proposed construction or alteration of structures and a valid aeronautical study evaluation submitted by each person applying for a permit variance;

4. Consideration of the criteria in s. 333.025(6), when determining whether to issue or deny a permit variance; and

5. That approval of a permit not be based no variance shall be approved solely on the determination by the Federal Aviation Administration basis that the such proposed structure is not an airport hazard will not exceed federal obstruction standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, or 77.29, or any other federal aviation regulation.

(d) The department shall be available to provide assistance to political subdivisions regarding federal obstruction standards shall issue copies of the federal obstruction standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, and 77.29 to each political subdivision having airport hazard areas and, in cooperation with political subdivisions, shall issue appropriate airport zoning maps depicting within each county the maximum allowable height of any structure or tree. Material distributed pursuant to this subsection shall be at no cost to authorized recipients.

(2) In the manner provided in subsection (1), political subdivisions shall adopt, administer, and enforce interim airport land use compatibility zoning regulations shall be adopted. Airport land use compatibility zoning When political subdivisions have adopted land development regulations shall, at a minimum, in accordance with the provisions of chapter 163

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which address the use of land in the manner consistent with the provisions herein, adoption of airport land use compatibility regulations pursuant to this subsection shall not be required. Interim airport land use compatibility zoning regulations shall ~~consider the~~ following:

(a) The prohibition of new landfills and the restriction of existing landfills ~~Whether sanitary landfills are located~~ within the following areas:

1. Within 10,000 feet from the nearest point of any runway used or planned to be used by turbine turbojet or turboprop aircraft.

2. Within 5,000 feet from the nearest point of any runway used ~~only~~ by only nonturbine piston-type aircraft.

3. Outside the perimeters defined in subparagraphs 1. and 2., but still within the lateral limits of the civil airport imaginary surfaces defined in 14 C.F.R. s. 77.19 ~~part 77.25~~. Case-by-case review of such landfills is advised.

(b) Where ~~Whether~~ any landfill is located and constructed in a manner ~~so~~ that it attracts or sustains hazardous bird movements from feeding, water, or roosting areas into, or across, the runways or approach and departure patterns of aircraft. The landfill operator must ~~political subdivision shall request from the airport authority or other governing body operating the airport a report on such bird feeding or roosting areas that at the time of the request are known to the airport. In preparing its report, the authority, or other governing body, shall consider whether the landfill will incorporate bird management techniques or other practices to minimize bird hazards to airborne aircraft. The airport authority or other~~

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~~governing body shall respond to the political subdivision no later than 30 days after receipt of such request.~~

(c) Where an airport authority or other governing body operating a ~~publicly owned~~, public-use airport has conducted a noise study in accordance with ~~the provisions of~~ 14 C.F.R. part 150, or where a public-use airport owner has established noise contours pursuant to another public study approved by the Federal Aviation Administration, the prohibition of incompatible uses, as established in the noise study in 14 C.F.R. part 150, Appendix A or as a part of an alternative Federal Aviation Administration-approved public study, within the noise contours established by any of these studies, except if such uses are specifically contemplated by such study with appropriate mitigation or similar techniques described in the study neither residential construction nor any educational facility as defined in chapter 1013, with the exception of aviation school facilities, shall be permitted within the area contiguous to the airport defined by an outer noise contour that is considered incompatible with that type of construction by 14 C.F.R. part 150, Appendix A or an equivalent noise level as established by other types of noise studies.

(d) Where an airport authority or other governing body operating a ~~publicly owned~~, public-use airport has not conducted a noise study, the prohibition of neither residential construction and nor any educational facility as defined in chapter 1013, with the exception of aviation school facilities, shall be permitted within an area contiguous to the airport measuring one-half the length of the longest runway on either side of and at the end of each runway centerline.

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642 (e)(3) The restriction of ~~In the manner provided in~~
 643 ~~subsection (1), airport zoning regulations shall be adopted~~
 644 ~~which restrict new incompatible uses, activities, or substantial~~
 645 ~~modifications to existing incompatible uses construction within~~
 646 ~~runway protection clear zones, including uses, activities, or~~
 647 ~~construction in runway clear zones which are incompatible with~~
 648 ~~normal airport operations or endanger public health, safety, and~~
 649 ~~welfare by resulting in congregations of people, emissions of~~
 650 ~~light or smoke, or attraction of birds. Such regulations shall~~
 651 ~~prohibit the construction of an educational facility of a public~~
 652 ~~or private school at either end of a runway of a publicly owned,~~
 653 ~~public use airport within an area which extends 5 miles in a~~
 654 ~~direct line along the centerline of the runway, and which has a~~
 655 ~~width measuring one-half the length of the runway. Exceptions~~
 656 ~~approving construction of an educational facility within the~~
 657 ~~delineated area shall only be granted when the political~~
 658 ~~subdivision administering the zoning regulations makes specific~~
 659 ~~findings detailing how the public policy reasons for allowing~~
 660 ~~the construction outweigh health and safety concerns prohibiting~~
 661 ~~such a location.~~

662 ~~(4) The procedures outlined in subsections (1), (2), and~~
 663 ~~(3) for the adoption of such regulations are supplemental to any~~
 664 ~~existing procedures utilized by political subdivisions in the~~
 665 ~~adoption of such regulations.~~

666 (3)(5) Political subdivisions shall provide ~~The Department~~
 667 ~~of Transportation shall provide technical assistance to any~~
 668 ~~political subdivision requesting assistance in the preparation~~
 669 ~~of an airport zoning code. a copy of all local airport~~
 670 ~~protection zoning codes, rules, and regulations and airport land~~

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671 use compatibility zoning regulations, and any related amendments
 672 ~~and proposed and granted variances thereto, to shall be filed~~
 673 ~~with the department's aviation office within 30 days after~~
 674 ~~adoption department.~~

675 ~~(4)(6) Nothing in~~ Subsection (2) ~~may not or subsection (3)~~
 676 ~~shall~~ be construed to require the removal, alteration, sound
 677 conditioning, or other change, or to interfere with the
 678 continued use or adjacent expansion of any educational facility
 679 structure or site in existence on July 1, 1993, or be construed
 680 to prohibit the construction of any new structure for which a
 681 site has been determined as provided in former s. 235.19, as of
 682 July 1, 1993.

683 (5) This section does not prohibit an airport authority, a
 684 political subdivision or its administrative agency, or any other
 685 governing body operating a public-use airport from establishing
 686 airport zoning regulations more restrictive than prescribed in
 687 this section in order to protect the health, safety, and welfare
 688 of the public in the air and on the ground.

689 Section 8. Section 333.04, Florida Statutes, is amended to
 690 read:

691 333.04 Comprehensive zoning regulations; most stringent to
 692 prevail where conflicts occur.—

693 (1) INCORPORATION.—In the event that a political
 694 subdivision has adopted, or hereafter adopts, a comprehensive
 695 plan or policy zoning ordinance regulating, among other things,
 696 the height of buildings, structures, and natural objects, and
 697 uses of property, any airport zoning regulations applicable to
 698 the same area or portion thereof may be incorporated in and made
 699 a part of such comprehensive plan or policy zoning regulations,

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and be administered and enforced in connection therewith.

(2) CONFLICT.—In the event of conflict between any airport zoning regulations adopted under this chapter and any other regulations applicable to the same area, whether the conflict be with respect to the height of structures or vegetation trees, the use of land, or any other matter, and whether such regulations were adopted by the political subdivision that which adopted the airport zoning regulations or by some other political subdivision, the more stringent limitation or requirement shall govern and prevail.

Section 9. Section 333.05, Florida Statutes, is amended to read:

333.05 Procedure for adoption of airport zoning regulations.—

(1) NOTICE AND HEARING.—~~No~~ Airport zoning regulations may ~~not shall~~ be adopted, amended, or repealed changed under this chapter except by action of the legislative body of the political subdivision or affected subdivisions in question, or the joint board provided in s. 333.03(1)(b)2. ~~s. 333.03(1)(b)~~ by the political subdivisions bodies therein provided and set forth, after a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. Notice of the hearing shall be published at least once a week for 2 consecutive weeks in a newspaper an official paper, ~~or a paper~~ of general circulation, in the political subdivision or subdivisions where in which are located the airport zoning regulations are areas to be adopted, amended, or repealed zoned.

(2) AIRPORT ZONING COMMISSION.—~~Before~~ ~~Prior to~~ the initial zoning of any airport area under this chapter, the political

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subdivision or joint airport zoning board that which is to adopt, administer, and enforce the regulations must shall appoint a commission, to be known as the airport zoning commission, to recommend the boundaries of the various zones to be established and the regulations to be adopted therefor. Such commission shall make a preliminary report and hold public hearings thereon before submitting its final report, and the legislative body of the political subdivision or the joint airport zoning board may shall not hold its public hearings or take any action until it has received the final report of such commission, and at least 15 days shall elapse between the receipt of the final report of the commission and the hearing to be held by the latter board. If where a planning city plan commission, an airport commission, or a comprehensive zoning commission already exists, it may be appointed as the airport zoning commission.

Section 10. Section 333.06, Florida Statutes, is amended to read:

333.06 Airport zoning regulation requirements.—

(1) REASONABLENESS.—All airport zoning regulations adopted under this chapter shall be reasonable and may not none shall impose any requirement or restriction which is not reasonably necessary to effectuate the purposes of this chapter. In determining what regulations it may adopt, each political subdivision and joint airport zoning board shall consider, among other things, the character of the flying operations expected to be conducted at the airport, the nature of the terrain within the airport hazard area and runway protection clear zones, the character of the neighborhood, the uses to which the property to

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be zoned is put and adaptable, and the impact of any new use, activity, or construction on the airport's operating capability and capacity.

(2) INDEPENDENT JUSTIFICATION.—The purpose of all airport zoning regulations adopted under this chapter is to provide both airspace protection and land uses ~~use~~ compatible with airport operations. Each aspect of this purpose requires independent justification in order to promote the public interest in safety, health, and general welfare. Specifically, construction in a runway protection ~~clear~~ zone which does not exceed airspace height restrictions is not conclusive ~~evidence~~ ~~per se~~ that such use, activity, or construction is compatible with airport operations.

(3) NONCONFORMING USES.—~~An~~ ~~no~~ airport protection zoning regulation ~~regulations~~ adopted under this chapter may not ~~shall~~ require the removal, lowering, or other change or alteration of any obstruction ~~structure or tree~~ not conforming to the regulation ~~regulations~~ when adopted or amended, or otherwise interfere with the continuance of any nonconforming use, except as provided in s. 333.07(1) and (3).

(4) ADOPTION OF AIRPORT MASTER PLAN AND NOTICE TO AFFECTED LOCAL GOVERNMENTS.—An airport master plan shall be prepared by each public-use ~~publicly owned and operated~~ airport licensed by the department of ~~Transportation~~ under chapter 330. The authorized entity having responsibility for governing the operation of the airport, when either requesting from or submitting to a state or federal governmental agency with funding or approval jurisdiction a "finding of no significant impact," an environmental assessment, a site-selection study, an

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airport master plan, or any amendment to an airport master plan, shall submit simultaneously a copy of said request, submittal, assessment, study, plan, or amendments by certified mail to all affected local governments. ~~As used in~~ ~~For the purposes of~~ this subsection, the term "affected local government" is defined as any municipality ~~city~~ or county having jurisdiction over the airport and any municipality ~~city~~ or county located within 2 miles of the boundaries of the land subject to the airport master plan.

Section 11. Section 333.065, Florida Statutes, is repealed.

Section 12. Section 333.07, Florida Statutes, is amended to read:

333.07 Local government permitting of airspace obstructions ~~Permits and variances.~~

(1) PERMITS.—

(a) A person proposing to construct, alter, or allow an airport obstruction in an airport hazard area in violation of the airport protection zoning regulations adopted under this chapter must apply for a permit. A ~~Any airport zoning regulations adopted under this chapter may require that a permit be obtained before any new structure or use may be constructed or established and before any existing use or structure may be substantially changed or substantially altered or repaired. In any event, however, all such regulations shall provide that before any nonconforming structure or tree may be replaced, substantially altered or repaired, rebuilt, allowed to grow higher, or replanted, a permit must be secured from the administrative agency authorized to administer and enforce the regulations, authorizing such replacement, change, or repair. No~~

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816 permit ~~may not shall~~ be issued if it granted that would allow
 817 the establishment or creation of an airport hazard or if it
 818 would permit a nonconforming obstruction structure or tree or
 819 ~~nonconforming use to be made or become higher or to become a~~
 820 greater hazard to air navigation than it was when the applicable
 821 airport protection zoning regulation was adopted which allowed
 822 the establishment or creation of the obstruction, or than it is
 823 when the application for a permit is made.

824 (b) ~~If Whenever~~ the political subdivision or its
 825 administrative agency determines that a nonconforming
 826 obstruction use or nonconforming structure or tree has been
 827 abandoned or is more than 80 percent torn down, destroyed,
 828 deteriorated, or decayed, a no permit may not shall be granted
 829 if it that would allow the obstruction said structure or tree to
 830 exceed the applicable height limit or otherwise deviate from the
 831 airport protection zoning regulations. ~~and~~ Whether or not an
 832 application is made for a permit under this subsection ~~or not~~,
 833 ~~the said agency may by appropriate action, compel~~ the owner of
 834 the nonconforming obstruction may be required structure or tree,
 835 at his or her own expense, to lower, remove, reconstruct, alter,
 836 or equip such obstruction object as may be necessary to conform
 837 to the current airport protection zoning regulations. If the
 838 owner of the nonconforming obstruction neglects or refuses
 839 ~~structure or tree shall neglect or refuse~~ to comply with such
 840 requirement order for 10 days after notice ~~thereof~~, the
 841 administrative said agency may report the violation to the
 842 political subdivision involved ~~therein~~, which subdivision,
 843 through its appropriate agency, may proceed to have the
 844 obstruction object so lowered, removed, reconstructed, altered,

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845 or equipped, and assess the cost and expense thereof upon the
 846 owner of the obstruction object or the land whereon it is or was
 847 located, and, unless such an assessment is paid within 90 days
 848 ~~from the service of notice thereof on the owner or the owner's~~
 849 ~~agent, of such object or land, the sum shall be a lien on said~~
 850 ~~land, and shall bear interest thereafter at the rate of 6~~
 851 ~~percent per annum until paid, and shall be collected in the same~~
 852 ~~manner as taxes on real property are collected by said political~~
 853 ~~subdivision, or, at the option of said political subdivision,~~
 854 ~~said lien may be enforced in the manner provided for enforcement~~
 855 ~~of liens by chapter 85.~~

856 (c) ~~Except as provided herein, applications for permits~~
 857 ~~shall be granted, provided the matter applied for meets the~~
 858 ~~provisions of this chapter and the regulations adopted and in~~
 859 ~~force hereunder.~~

860 (2) CONSIDERATIONS WHEN ISSUING OR DENYING PERMITS.—In
 861 determining whether to issue or deny a permit, the political
 862 subdivision or its administrative agency must consider the
 863 following, as applicable:

864 (a) The safety of persons on the ground and in the air.

865 (b) The safe and efficient use of navigable airspace.

866 (c) The nature of the terrain and height of existing
 867 structures.

868 (d) The effect of the construction or alteration on the
 869 state licensing standards for a public-use airport contained in
 870 chapter 330 and rules adopted thereunder.

871 (e) The character of existing and planned flight operations
 872 and developments at public-use airports.

873 (f) Federal airways, visual flight rules, flyways and

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corridors, and instrument approaches as designated by the
Federal Aviation Administration.

(g) The effect of the construction or alteration of the
proposed structure on the minimum descent altitude or the
decision height at the affected airport.

(h) The cumulative effects on navigable airspace of all
existing structures and all other known proposed structures in
the area.

(i) Additional requirements adopted by the political
subdivision or administrative agency pertinent to evaluation and
protection of airspace and airport operations.

~~(2) VARIANCES.—~~

~~(a) Any person desiring to erect any structure, increase
the height of any structure, permit the growth of any tree, or
otherwise use his or her property in violation of the airport
zoning regulations adopted under this chapter or any land
development regulation adopted pursuant to the provisions of
chapter 163 pertaining to airport land use compatibility, may
apply to the board of adjustment for a variance from the zoning
regulations in question. At the time of filing the application,
the applicant shall forward to the department by certified mail,
return receipt requested, a copy of the application. The
department shall have 45 days from receipt of the application to
comment and to provide its comments or waiver of that right to
the applicant and the board of adjustment. The department shall
include its explanation for any objections stated in its
comments. If the department fails to provide its comments within
45 days of receipt of the application, its right to comment is
waived. The board of adjustment may proceed with its~~

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~~consideration of the application only upon the receipt of the
department's comments or waiver of that right as demonstrated by
the filing of a copy of the return receipt with the board.
Noncompliance with this section shall be grounds to appeal
pursuant to s. 333.08 and to apply for judicial relief pursuant
to s. 333.11. Such variances may only be allowed where a literal
application or enforcement of the regulations would result in
practical difficulty or unnecessary hardship and where the
relief granted would not be contrary to the public interest but
would do substantial justice and be in accordance with the
spirit of the regulations and this chapter. However, any
variance may be allowed subject to any reasonable conditions
that the board of adjustment may deem necessary to effectuate
the purposes of this chapter.~~

~~(b) The Department of Transportation shall have the
authority to appeal any variance granted under this chapter
pursuant to s. 333.08, and to apply for judicial relief pursuant
to s. 333.11.~~

~~(3) OBSTRUCTION MARKING AND LIGHTING.—~~

~~(a) In issuing a granting any permit or variance under this
section, the political subdivision or its administrative agency
or board of adjustment shall require the owner of the
obstruction structure or tree in question to install, operate,
and maintain thereon, at his or her own expense, ~~such~~ marking
and lighting in conformance with the specific standards
established by the Federal Aviation Administration as may be
necessary to indicate to aircraft pilots the presence of an
obstruction.~~

~~(b) Such marking and lighting shall conform to the specific~~

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standards established by rule by the Department of Transportation.

~~(c) Existing structures not in compliance on October 1, 1988, shall be required to comply whenever the existing marking requires refurbishment, whenever the existing lighting requires replacement, or within 5 years of October 1, 1988, whichever occurs first.~~

Section 13. Section 333.08, Florida Statutes, is repealed.
 Section 14. Section 333.09, Florida Statutes, is amended to read:

333.09 Administration of airport protection zoning regulations.—

(1) ADMINISTRATION.—All airport protection zoning regulations adopted under this chapter shall provide for the administration and enforcement of such regulations by the political subdivision or its administrative agency an administrative agency which may be an agency created by such regulations or any official, board, or other existing agency of the political subdivision adopting the regulations or of one of the political subdivisions which participated in the creation of the joint airport zoning board adopting the regulations, if satisfactory to that political subdivision, but in no case shall such administrative agency be or include any member of the board of adjustment. The duties of any administrative agency designated pursuant to this chapter must shall include that of hearing and deciding all permits under s. 333.07 s. 333.07(1), deciding all matters under s. 333.07(3), as they pertain to such agency, and all other matters under this chapter applying to said agency, but such agency shall not have or exercise any of

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the powers herein delegated to the board of adjustment.

(2) LOCAL GOVERNMENT PROCESS.—

(a) A political subdivision required to adopt airport zoning regulations under this chapter shall provide a process to:

1. Issue or deny permits consistent with s. 333.07.

2. Provide the department with a copy of a complete application consistent with s. 333.025(4).

3. Enforce the issuance or denial of a permit or other determination made by the administrative agency with respect to airport zoning regulations.

(b) If a zoning board or permitting body already exists within a political subdivision, the zoning board or permitting body may implement the airport zoning regulation permitting and appeals processes.

(3) APPEALS.—

(a) A person, a political subdivision or its administrative agency, or a joint airport zoning board that contends that a decision made by a political subdivision or its administrative agency is an improper application of airport zoning regulations may use the process established for an appeal.

(b) All appeals taken under this section must be taken within a reasonable time, as provided by the political subdivision or its administrative agency, by filing with the entity from which the appeal is taken a notice of appeal specifying the grounds for appeal.

(c) An appeal shall stay all proceedings in the underlying action appealed from, unless the entity from which the appeal is taken certifies pursuant to the rules for appeal that by reason

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of the facts stated in the certificate a stay would, in its opinion, cause imminent peril to life or property. In such cases, proceedings may not be stayed except by order of the political subdivision or its administrative agency on notice to the entity from which the appeal is taken and for good cause shown.

(d) The political subdivision or its administrative agency shall set a reasonable time for the hearing of appeals, give public notice and due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing, any party may appear in person, by agent, or by attorney.

(e) The political subdivision or its administrative agency may, in conformity with this chapter, affirm, reverse, or modify the decision on the permit or other determination from which the appeal is taken.

Section 15. Section 333.10, Florida Statutes, is repealed.

Section 16. Section 333.11, Florida Statutes, is amended to read:

333.11 Judicial review.—

(1) Any person, ~~aggrieved, or taxpayer affected, by any decision of a board of adjustment, or any governing body of a political subdivision, or the Department of Transportation or any joint airport zoning board affected by a decision of a political subdivision, or its of any administrative agency hereunder,~~ may apply for judicial relief to the circuit court in the judicial circuit where the political subdivision board of adjustment is located within 30 days after rendition of the decision ~~by the board of adjustment~~. Review shall be by petition for writ of certiorari, which shall be governed by the Florida

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Rules of Appellate Procedure.

(2) ~~Upon presentation of such petition to the court, it may allow a writ of certiorari, directed to the board of adjustment, to review such decision of the board. The allowance of the writ shall not stay the proceedings upon the decision appealed from, but the court may, on application, on notice to the board, on due hearing and due cause shown, grant a restraining order.~~

(3) ~~The board of adjustment shall not be required to return the original papers acted upon by it, but it shall be sufficient to return certified or sworn copies thereof or of such portions thereof as may be called for by the writ. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified.~~

(2)(4) The court ~~has~~ shall have exclusive jurisdiction to affirm, reverse, or modify, ~~or set aside~~ the decision on the permit or other determination from which the appeal is taken brought up for review, in whole or in part, and, if appropriate need be, to order further proceedings by the political subdivision or its administrative agency board of adjustment. The findings of fact by the political subdivision or its administrative agency board, if supported by substantial evidence, shall be accepted by the court as conclusive, and an ~~no~~ objection to a decision of the political subdivision or its administrative agency may not board shall be considered by the court unless such objection was raised in the underlying proceeding ~~shall have been urged before the board, or, if it was not so urged, unless there were reasonable grounds for failure to do so.~~

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~~(3)(5) If in any case in which~~ airport zoning regulations adopted under this chapter, ~~although generally reasonable,~~ are held by a court to interfere with the use and enjoyment of a particular structure or parcel of land to such an extent, or to be so onerous in their application to such a structure or parcel of land, as to constitute a taking or deprivation of that property in violation of the State Constitution or the Constitution of the United States, such holding shall not affect the application of such regulations to other structures and parcels of land, or such regulations as are not involved in the particular decision.

~~(4)(6) A judicial~~ No appeal to any court may not shall be ~~or is~~ permitted under this section until the appellant has exhausted all of its remedies through application for local government permits, exceptions, and appeals, to any courts, as herein provided, save and except an appeal from a decision of the board of adjustment, the appeal herein provided being from such final decision of such board only, the appellant being hereby required to exhaust his or her remedies hereunder of application for permits, exceptions and variances, and appeal to the board of adjustment, and gaining a determination by said board, before being permitted to appeal to the court hereunder.

Section 17. Section 333.12, Florida Statutes, is amended to read:

333.12 Acquisition of air rights.-~~If in any case which it is desired to remove, lower or otherwise terminate a~~ nonconforming obstruction is determined to be an airport hazard and the owner will not remove, lower, or otherwise eliminate it structure or use; or the approach protection necessary cannot,

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because of constitutional limitations, be provided by airport zoning regulations under this chapter; or it appears advisable that the necessary approach protection be provided by acquisition of property rights rather than by airport zoning regulations, the political subdivision within which the property or nonconforming obstruction ~~use~~ is located, or the political subdivision owning or operating the airport or being served by it, may acquire, by purchase, grant, or condemnation in the manner provided by chapter 73, such property, air right, avigation ~~navigation~~ easement, or other estate, portion, or interest in the property or nonconforming obstruction structure ~~or use~~ or such interest in the air above such property, tree, structure, or use, in question, as may be necessary to effectuate the purposes of this chapter, and in so doing, if by condemnation, to have the right to take immediate possession of the property, interest in property, air right, or other right sought to be condemned, at the time, and in the manner and form, and as authorized by chapter 74. In the case of the purchase of any property, or any easement, or estate or interest therein or the acquisition of the same by the power of eminent domain, the political subdivision making such purchase or exercising such power shall, in addition to the damages for the taking, injury, or destruction of property, also pay the cost of the removal and relocation of any structure or any public utility that ~~which~~ is required to be moved to a new location.

Section 18. Section 333.13, Florida Statutes, is amended to read:

333.13 Enforcement and remedies.-

(1) Each violation of this chapter or of any airport zoning

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regulations, orders, or rulings ~~adopted promulgated~~ or made pursuant to this chapter shall constitute a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, and each day a violation continues to exist shall constitute a separate offense.

(2) In addition, the political subdivision or agency adopting the airport zoning regulations under this chapter may institute in any court of competent jurisdiction an action to prevent, restrain, correct, or abate any violation of this chapter or of airport zoning regulations adopted under this chapter or of any order or ruling made in connection with their administration or enforcement, and the court shall adjudge to the plaintiff such relief, by way of injunction, ~~(which may be mandatory,)~~ or otherwise, as may be proper under all the facts and circumstances of the case in order to fully effectuate the purposes of this chapter and of the regulations adopted and orders and rulings made pursuant thereto.

(3) The department ~~of Transportation~~ may institute a civil action for injunctive relief in the appropriate circuit court to prevent violation of any provision of this chapter.

Section 19. Section 333.135, Florida Statutes, is created to read:

333.135 Transition provisions.—

(1) Any airport zoning regulation in effect on July 1, 2016, which includes provisions in conflict with this chapter shall be amended to conform to the requirements of this chapter by July 1, 2017.

(2) Any political subdivision having an airport within its territorial limits which has not adopted airport zoning

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regulations shall, by July 1, 2017, adopt airport zoning regulations consistent with this chapter.

(3) For those political subdivisions that have not yet adopted airport zoning regulations pursuant to this chapter, the department shall administer the permitting process as provided in s. 333.025.

Section 20. Section 333.14, Florida Statutes, is repealed.

Section 21. Subsection (34) is added to section 334.044, Florida Statutes, to read:

334.044 Department; powers and duties.—The department shall have the following general powers and duties:

(34) To assume responsibilities of the United States Department of Transportation with respect to highway projects within the state under the National Environmental Policy Act of 1969, 42 U.S.C. s. 4321 et seq., and with respect to related responsibilities for environmental review, consultation, or other action required under any federal environmental law pertaining to review or approval of a highway project within the state. The department may assume responsibilities under 23 U.S.C. s. 327 and enter into one or more agreements, including memoranda of understanding, with the United States Secretary of Transportation related to the federal surface transportation project delivery program for the delivery of highway projects, as provided by 23 U.S.C. s. 327. The department may adopt rules to implement this subsection and may adopt relevant federal environmental standards as the standards for this state for a program described in this subsection. Sovereign immunity from civil suit in federal court is waived consistent with 23 U.S.C. s. 327 and limited to the compliance, discharge, or enforcement

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1164 of a responsibility assumed by the department under this
 1165 subsection.

1166 Section 22. Paragraph (d) of subsection (2) of section
 1167 334.30, Florida Statutes, is amended, current paragraph (e) of
 1168 subsection (6) of that section is redesignated as paragraph (f),
 1169 and new paragraph (e) is added to that section, to read:

1170 334.30 Public-private transportation facilities.—The
 1171 Legislature finds and declares that there is a public need for
 1172 the rapid construction of safe and efficient transportation
 1173 facilities for the purpose of traveling within the state, and
 1174 that it is in the public's interest to provide for the
 1175 construction of additional safe, convenient, and economical
 1176 transportation facilities.

1177 (2) Agreements entered into pursuant to this section may
 1178 authorize the private entity to impose tolls or fares for the
 1179 use of the facility. The following provisions shall apply to
 1180 such agreements:

1181 (d) The department shall provide the analysis required in
 1182 subparagraph (6)(f)2. ~~(6)(e)2.~~ to the Legislative Budget
 1183 Commission created pursuant to s. 11.90 for review and approval
 1184 prior to awarding a contract on a lease of an existing toll
 1185 facility.

1186 (6) The procurement of public-private partnerships by the
 1187 department shall follow the provisions of this section. Sections
 1188 337.025, 337.11, 337.14, 337.141, 337.145, 337.175, 337.18,
 1189 337.185, 337.19, 337.221, and 337.251 shall not apply to
 1190 procurements under this section unless a provision is included
 1191 in the procurement documents. The department shall ensure that
 1192 generally accepted business practices for exemptions provided by

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1193 this subsection are part of the procurement process or are
 1194 included in the public-private partnership agreement.

1195 (e) The department shall consult with staff of the Division
 1196 of Bond Finance of the State Board of Administration in
 1197 connection with a proposal to finance or refinance a
 1198 transportation facility pursuant to this section. The department
 1199 shall provide the division with the information necessary to
 1200 provide timely consultation and recommendations. The division
 1201 may make an independent recommendation to the Executive Office
 1202 of the Governor.

1203 Section 23. Section 337.027, Florida Statutes, is created
 1204 to read:

1205 337.027 Authority to implement a business development
 1206 program.—

1207 (1) The Department of Transportation may establish a
 1208 program for highway projects that would assist small businesses.
 1209 The purpose of this program is to increase competition, lower
 1210 prices, and provide increased support to meet the department's
 1211 future work program. The program may include, but is not limited
 1212 to, setting aside contracts, providing preference points for the
 1213 use of small businesses, providing special assistance in bidding
 1214 and contract completion, waiving bond requirements, and
 1215 implementing other strategies that would increase competition.

1216 (2) For purposes of this section, the term "small business"
 1217 means a business with average gross receipts of less than \$15
 1218 million for road and bridge contracts and less than \$6.5 million
 1219 for professional and nonprofessional services contracts. A
 1220 business determines its size by averaging its annual gross
 1221 receipts over the last 3 years, including the receipts of an

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1222 affiliate as defined in s. 337.165.

1223 (3) The department may adopt rules to implement this
1224 section.

1225 Section 24. Subsection (4) of section 338.165, Florida
1226 Statutes, is amended to read:

1227 338.165 Continuation of tolls.—

1228 (4) Notwithstanding any other law to the contrary, pursuant
1229 to s. 11, Art. VII of the State Constitution, and subject to the
1230 requirements of subsection (2), the Department of Transportation
1231 may request the Division of Bond Finance to issue bonds secured
1232 by toll revenues collected on the Alligator Alley, the Sunshine
1233 Skyway Bridge, ~~the Deeline East Expressway, the Navarre Bridge,~~
1234 and the Pinellas Bayway to fund transportation projects located
1235 within the county or counties in which the project is located
1236 and contained in the adopted work program of the department.

1237 Section 25. Paragraph (c) of subsection (3) of section
1238 338.231, Florida Statutes, is amended to read:

1239 338.231 Turnpike tolls, fixing; pledge of tolls and other
1240 revenues.—The department shall at all times fix, adjust, charge,
1241 and collect such tolls and amounts for the use of the turnpike
1242 system as are required in order to provide a fund sufficient
1243 with other revenues of the turnpike system to pay the cost of
1244 maintaining, improving, repairing, and operating such turnpike
1245 system; to pay the principal of and interest on all bonds issued
1246 to finance or refinance any portion of the turnpike system as
1247 the same become due and payable; and to create reserves for all
1248 such purposes.

1249 (3)

1250 (c) Notwithstanding any other provision of law to the

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1251 contrary, any prepaid toll account of any kind which has
1252 remained inactive for 10 ~~3~~ years shall be presumed unclaimed and
1253 its disposition shall be handled by the Department of Financial
1254 Services in accordance with all applicable provisions of chapter
1255 717 relating to the disposition of unclaimed property, and the
1256 prepaid toll account shall be closed by the department.

1257 Section 26. Section 339.0809, Florida Statutes, is created
1258 to read:

1259 339.0809 Florida Department of Transportation Financing
1260 Corporation.—

1261 (1) The Florida Department of Transportation Financing
1262 Corporation is created as a nonprofit corporation for the
1263 purpose of financing or refinancing projects for the department
1264 as provided in subsection (5).

1265 (2) When used in this section, the term "corporation" means
1266 the Florida Department of Transportation Financing Corporation.

1267 (3) The corporation shall be governed by a board of
1268 directors consisting of the director of the Office of Policy and
1269 Budget in the Executive Office of the Governor, the director of
1270 the Division of Bond Finance, and the Secretary of
1271 Transportation. The director of the Division of Bond Finance is
1272 the chief executive officer of the corporation and shall direct
1273 and supervise the administrative affairs of the corporation and
1274 shall control, direct, and supervise the operation of the
1275 corporation. The corporation shall have such other officers as
1276 may be determined by the board of directors.

1277 (4) The corporation shall have all of the powers of a
1278 corporate body under the laws of this state to the extent that
1279 they are not inconsistent with or restricted by this section,

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1280 including, but not limited to, the power to:
 1281 (a) Adopt, amend, and repeal bylaws not inconsistent with
 1282 this section.
 1283 (b) Sue and be sued.
 1284 (c) Adopt and use a common seal.
 1285 (d) Acquire, purchase, hold, lease, and convey such real
 1286 and personal property as may be proper or expedient to carry out
 1287 the purposes of the corporation and this section and to sell,
 1288 lease, or otherwise dispose of such property.
 1289 (e) Elect or appoint and employ such other officers,
 1290 agents, and employees as the corporation deems advisable to
 1291 operate and manage the affairs of the corporation, which
 1292 officers, agents, and employees may be officers or employees of
 1293 the department and the state agencies represented on the board
 1294 of directors of the corporation.
 1295 (f) Borrow money and issue notes, bonds, certificates of
 1296 indebtedness, or other obligations or evidences of indebtedness
 1297 necessary to finance or refinance projects as provided in
 1298 subsection (5).
 1299 (g) Make and execute any and all contracts, trust
 1300 agreements, and other instruments and agreements necessary or
 1301 convenient to accomplish the purposes of the corporation and
 1302 this section.
 1303 (h) Select, retain, and employ professionals, contractors,
 1304 or agents, which may include the Division of Bond Finance, as
 1305 necessary or convenient to enable or assist the corporation in
 1306 carrying out the purposes of the corporation and this section.
 1307 (i) Take any action necessary or convenient to carry out
 1308 the purposes of the corporation and this section and the powers

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1309 provided in this section.
 1310 (5) The corporation may enter into one or more service
 1311 contracts with the department to provide services to the
 1312 department in connection with projects approved in the
 1313 department's work program, which approval specifically provides
 1314 that the department may enter into a service contract for the
 1315 project pursuant to this section. The department may enter into
 1316 one or more such service contracts with the corporation and
 1317 provide for payments under such contracts, subject to annual
 1318 appropriation by the Legislature. The proceeds from such service
 1319 contracts may be used for the corporation's administrative costs
 1320 and expenses after the payments specified in subsection (6).
 1321 Each service contract may have a term of up to 35 years. In
 1322 compliance with s. 287.0641 and other applicable law, the
 1323 obligations of the department under such service contracts do
 1324 not constitute a general obligation of the state or a pledge of
 1325 the full faith and credit or taxing power of the state, and such
 1326 obligations are not an obligation of the State Board of
 1327 Administration or entities for which it invests funds, other
 1328 than the department as provided in this section, but are payable
 1329 solely from amounts available in the State Transportation Trust
 1330 Fund, subject to annual appropriation. In compliance with this
 1331 subsection and s. 287.0582, the service contract must expressly
 1332 include the following statement: "The State of Florida's
 1333 performance and obligation to pay under this contract is
 1334 contingent upon an annual appropriation by the Legislature."
 1335 (6) The corporation may issue and incur notes, bonds,
 1336 certificates of indebtedness, or other obligations or evidences
 1337 of indebtedness payable from and secured by amounts payable to

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the corporation by the department under a service contract entered into pursuant to subsection (5) for the purpose of financing or refinancing projects approved as provided in that subsection. The duration of any such note, bond, certificate of indebtedness, or other obligation or evidence of indebtedness may not exceed 30 annual maturities. The corporation may select its financing team and issue its obligations through competitive bidding or negotiated contracts, whichever is most cost-effective. Indebtedness of the corporation does not constitute a debt or obligation of the state or a pledge of the full faith and credit or taxing power of the state, but is payable from and secured by payments made by the department under the service contract.

(7) The fulfillment of the purposes of the corporation promotes the health, safety, and general welfare of the people of the state and serves essential governmental functions and a paramount public purpose.

(8) The corporation is exempt from taxation and assessments on its income, property, and assets or revenues acquired, received, or used in the furtherance of the purposes provided in this chapter. The obligations of the corporation incurred pursuant to subsection (6) and the interest and income on such obligations and all security agreements, letters of credit, liquidity facilities, or other obligations or instruments arising out of, entered into in connection with, or given to secure payment of such obligations are exempt from taxation; however, such exemption does not apply to any tax imposed under chapter 220 on the interest, income, or profits on debt obligations owned by corporations.

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(9) The corporation may validate obligations to be incurred pursuant to subsection (6) and the validity and enforceability of any service contracts providing for payments pledged to the payment of such obligations by proceedings under chapter 75. The validation complaint may be filed only in the Circuit Court of Leon County. The notice required to be published by s. 75.06 must be published in Leon County, and the complaint and order of the circuit court may be served only on the State Attorney for the Second Judicial Circuit. Sections 75.04(2) and 75.06(2) do not apply to a complaint for validation filed under this subsection.

(10) The corporation is not a special district for the purposes of chapter 189 or a unit of local government for the purposes of part III of chapter 218. The provisions of chapters 120 and 215, except the limitation on the interest rates provided by s. 215.84, which applies to obligations of the corporation issued pursuant to this section, and part I of chapter 287, except ss. 287.0582 and 287.0641, do not apply to this section, the corporation, the service contracts entered into pursuant to this section, or debt obligations issued by the corporation as contemplated in this section.

(11) The benefits and earnings of the corporation may not inure to the benefit of any private person.

(12) Upon dissolution of the corporation, title to all property owned by the corporation reverts to the state.

(13) The corporation may contract with the State Board of Administration to serve as a trustee with respect to debt obligations issued by the corporation as contemplated by this section; to hold, administer, and invest proceeds of such debt

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1396 obligations and other funds of the corporation; and to perform
1397 other services required by the corporation. The State Board of
1398 Administration may perform such services and may contract with
1399 others to provide all or a part of such services and to recover
1400 its costs and other expenses thereof.

1401 (14) The department may enter into a service contract in
1402 conjunction with the issuance of debt obligations as provided in
1403 this section which provides for periodic payments for debt
1404 service or other amounts payable with respect to debt
1405 obligations, plus any administrative expenses of the
1406 corporation.

1407 Section 27. This act shall take effect July 1, 2016.



The Florida Senate

Committee Agenda Request

To: Senator Tom Lee, Chair
Committee on Appropriations

Subject: Committee Agenda Request

Date: January 21, 2016

I respectfully request that **Senate Bill #756**, relating to **Department of Transportation**, be placed on the:

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

A handwritten signature in black ink, appearing to read "Jeff Brandes", is written over a horizontal line.

Senator Jeff Brandes
Florida Senate, District 22

THE FLORIDA SENATE

APPEARANCE RECORD

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

2-3-16

Meeting Date

756

Bill Number (if applicable)

Topic

Name

Richard Pinsky

Amendment Barcode (if applicable)

Job Title

Address

106 E. College Ave #1200

Street

Phone

Tallahassee

City

FL

State

32301

Zip

Email

Speaking: ☐ For ☐ Against ☐ Information

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

Representing

Port of Palm Beach

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.

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)

2/3/16
Meeting Date

756
Bill Number (if applicable)

Topic _____

Name MICHAEL RUBIN

Amendment Barcode (if applicable) _____

Job Title VP GOVT AFFAIRS

Address 502 E JEFFERSON ST.
Street

Phone 950-22-8028

TALL FL 32301
City State Zip

Email MIKE.RUBIN@FLAHOUSE.ORG

Speaking: ☐ For ☐ Against ☐ Information

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

Representing FLORIDA PORTS 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.

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

S-001 (10/14/14)

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 Committee on Appropriations

BILL: PCS/CS/SB 772 (442032)

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on General Government); Commerce and Tourism Committee; and Senator Richter

SUBJECT: Regulated Service Providers

DATE: February 2, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Harmsen</u>	<u>McKay</u>	<u>CM</u>	<u>Fav/CS</u>
2.	<u>Blizzard</u>	<u>DeLoach</u>	<u>AGG</u>	<u>Recommend: Fav/CS</u>
3.	<u>Blizzard</u>	<u>Kynoch</u>	<u>AP</u>	<u>Pre-meeting</u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/CS/SB 772 modifies provisions in several areas regulated by the Department of Agriculture and Consumer Services (DACS), including:

- Eliminating the requirement that the Board of Professional Surveyors and Mappers have at least one member who is a photogrammetrist;
- Implementing license fee waivers for veterans, their spouses, and their businesses;
- De-regulating personal trainers from the Department of Agriculture and Consumer Services' oversight;
- Clarifying requirements for owners of devices used for weights or measurements that are subject to a commercial-use permit under ch. 527, F.S., updating the commercial-use permit's license cycle, and simplifying commercial-use permit fees;
- Modernizing the Florida Sellers of Travel Act and deregulating same-day tour guide or sightseeing services;
- Allowing amusement ride operators to provide their own inspection form, and exempting specific rides from inspection requirements;
- Implementing fingerprint retention in ch. 493, F.S. (Private Security, Private Investigators, and Recovery Specialists), licensing processes;
- Implementing a live-fire requirement for concealed weapon or firearm licensure;
- Streamlining renewal of concealed weapon or firearm licenses by allowing a sworn statement, rather than a notarized affidavit, of a licensee's continued eligibility for licensure;

- Allowing personal service or notice by certified mail, or in the case of non-delivery, by U.S. mail or e-mail, to constitute effective service of notice of suspension or revocation of an individual's concealed weapon or firearm license;
- Allowing qualified tax collectors to print and deliver renewal concealed weapon or firearm licenses;
- Reducing application fees for concealed weapon or firearm licenses;
- In actions relating to the enforcement of a lien on a vehicle by a motor vehicle repair shop, allowing parties other than the consumer who authorized repairs to the motor vehicle to assert their right to the vehicle through either a bond process or a hearing in circuit court; and
- Providing requirements for motor vehicle repair shops that seek direct payment from an insurance company through an assignment of benefits by a customer, or that seek to initiate civil litigation or arbitration against an insurance company.

The bill authorizes fee waivers and exemptions from permitting and inspections which will reduce the revenues in the Division of Licensing Trust Fund and the General Inspection Trust Fund within the DACS in the total amount of \$3,212,505. The DACS estimates that the new fees related to the Fingerprint Retention programs authorized by the bill will generate \$1,305,097 for the Division of Licensing Trust Fund. As a result of those revenue changes, the service charge to general revenue associated with the Division of Licensing Trust Fund and the General Inspection Trust Fund will be reduced by \$78,437 beginning in Fiscal Year 2016-2017.

The bill provides an appropriation of \$1,305,097 in nonrecurring funds from the Division of Licensing Trust Fund to the DACS for the collection and subsequent payment of fingerprint retention and processing fees to the Florida Department of Law Enforcement.

The bill provides an effective date of July 1, 2016.

II. Present Situation:

The Department of Agriculture and Consumer Services (DACS) safeguards the public from unsafe or defective products and deceptive business practices. The Division of Consumer Services within the DACS regulates specific business activities, including commercial weight loss practices, telephone solicitations, pawnshops, health studios, sellers of travel, and telemarketing. The Division of Consumer Services also functions as a clearinghouse for consumer complaints. The Division of Licensing within the DACS is responsible for investigating and issuing licenses to conduct private security, private investigative, and recovery services pursuant to ch. 493, F.S. The Division of Licensing also issues concealed weapon or firearm licenses pursuant to s. 790.06, F.S.

The present situation for the relevant provision of the bill is discussed in the Effect of Proposed Changes section of this bill analysis.

III. Effect of Proposed Changes:

Board of Professional Surveyors and Mappers

The Board of Professional Surveyors and Mappers (board) is constituted under the Department of Agriculture and Consumer Services (DACS) with the purpose of regulating professional surveyors and mappers and businesses that offer surveying and mapping services.¹ The board consists of nine members, of whom one must be designated as a photogrammetric mapper by the American Society for Photogrammetry and Remote Sensing (ASPRS), and two must be consumers.² The board's members are appointed for 4-year terms of service by the Commissioner of Agriculture and confirmed by the Senate.³

Photogrammetry is the practice of surveying and mapping through the use of aerial or terrestrial photographs and other sources of imagery.⁴ Twenty-six Florida resident photogrammetrists are currently certified by the ASPRS.⁵

Section 1 amends s. 472.007, F.S., to remove the requirement that one member of the Board of Professional Surveyors and Mappers is a designated photogrammetrist. Instead, a seventh registered surveyor and mapper may be appointed. This change reflects the May 5, 2015, board vote to remove the requirement that at least one board member be designated as a photogrammetrist.⁶

Licensing Fee Waivers

Florida has more than 1.6 million veteran residents,⁷ 165,000 of which are veterans of the Afghanistan and Iraq wars.⁸ The Department of Management Services has certified 392 businesses as service disabled veteran-owned businesses, which are afforded vendor preference in specific state procurement processes.⁹ As of July 1, 2014, both the Department of Business and Professional Regulation (DBPR) and the Department of Health (DOH) implemented initial

¹ Florida Department of Agriculture and Consumer Services, Board of Professional Surveyors and Mappers, *Frequently Asked Questions*,

² Section 472.007, F.S.

³ *Id.*

⁴ Section 177.27(23), F.S.; American Society for Photogrammetry and Remote Sensing, *What is ASPRS?*, available at: <http://www.asprs.org/About-Us/What-is-ASPRS.html> (last visited Jan. 8, 2016).

⁵ American Society for Photogrammetry and Remote Sensing, *Search for Certified Professionals*, <http://www.asprs.org/Certification-Program/Search-for-Certified-Professionals.html> (last visited Jan. 8, 2016).

⁶ Department of Agriculture and Consumer Services, *Agency Analysis of SB 772*, 3 (Dec. 1, 2015) (on file with the Committee on Commerce and Tourism).

⁷ Florida Department of Veterans' Affairs, *Fast Facts*, available at: http://floridavets.org/?page_id=50 (last visited Jan. 8, 2016).

⁸ <http://factfinder.census.gov/faces/tables/services/jsf/pages/productview.xhtml?src=CF>; Conversation with Florida Department of Veteran's Affairs staff on Jan. 4, 2016.

⁹ As of Jan. 8, 2016. Florida Department of Management Services, *Certified Vendor Directory*, available at: https://osd.dms.myflorida.com/directories/results?directory%5Bcommodity_code%5D=&directory%5Bcommodity_descripti on%5D=&directory%5Bcounty%5D=&directory%5Bdesignation%5D=Service+Disabled+Veteran&directory%5Bvendor_n ame%5D= (last visited Jan. 8, 2016).

licensing fee waivers for veterans and their spouses.¹⁰ Since October 1, 2012, the DBPR has granted 134 veteran fee waivers; the DOH has granted 292.¹¹

The bill waives first-time licensing application fees for specific veterans of the United States Armed Forces, his or her spouse, or a business entity in which he or she has a majority ownership stake on the following classes of licenses:

License	Current Initial Licensing Fee
Land Surveyor & Mapper	\$180 - \$255
Health Studio	\$300
Commercial Telephone Seller	\$1,500
Telemarketing Salesperson	\$50
Movers & Moving Broker	\$300
Liquefied Petroleum Gas Related License	\$100 - \$525
Pawnbroker	\$300
Motor Vehicle Repair Shop	\$50 - \$300
Sellers of Travel	\$300-\$2,500

In addition, to qualify for the fee waiver, the veteran, his or her spouse, or his or her business must submit an application for licensure within 60 months after the date of the veteran's discharge from the United States Armed Forces and provide a copy of his or her discharge paperwork; a valid marriage license where applicable; and proof of ownership interest, where applicable.

The following sections of the bill implement the first-time license fee waivers for veterans, their spouses, and their businesses:

Section 2 amends s. 472.015(3), F.S. (surveyors and mappers).

Section 12 amends s. 501.015(2), F.S. (health studios).

Sections 13 and 14 amend ss. 501.605(5)(b) and 501.607(2)(b), F.S. (telemarketing).

Section 15 amends s. 507.03(3), F.S. (intrastate movers).

Section 16 amends s. 527.02(3), F.S. (liquefied petroleum gasoline).

Section 25 amends s. 539.001(3), F.S. (pawnbrokers).

Section 26 amends s. 559.904(3), F.S. (motor vehicle repair).

¹⁰ Florida Department of Business and Professional Regulation, *Military and Veteran Spouses*, available at: <http://www.myfloridalicense.com/dbpr/MilitarySpouse.html> (last accessed Jan. 8, 2016); see also, Florida Department of Health, *Veterans*, available at <http://www.floridahealth.gov/licensing-and-regulation/armed-forces/veterans/index.html> (last accessed Jan. 8, 2016).

¹¹ Communication with staff of the Department of Health on Jan. 4, 2016; Department of Agriculture and Consumer Services, *Agency Analysis of SB 772*, 12 (Dec. 1., 2015) (on file with the Committee on Commerce and Tourism).

Section 29 amends s. 559.928(2), F.S. (sellers of travel).

The following sections of the bill waive application or licensing fees for veterans only who apply for specific licensure within 24 months, rather than 60 months, of their honorable discharge from the armed forces:

License	Current Initial Licensing / Application Fees
Private Investigator	\$75 / \$50
Private Investigator Intern	\$60 / \$50
Private Investigative/Security Agency Manager	\$75 / \$50
Private Investigative Agency Manager	\$75 / \$50
Security Officer Instructor	\$60 / \$50
Security Manager	\$75 / \$50
Recovery Agent	\$75 / \$50
Recovery Agent Intern	\$60 / \$50
Recovery Agency Manager	\$75 / \$50
Recovery Agent Instructor	\$60 / \$50
Firearms Instructor	\$100 / \$50

Section 3 amends s. 493.6105(1), F.S., to waive the \$100 *initial application fee* for licensure as a:

- Private Investigator, Private Investigator Intern, Private Investigative/Security Agency Manager, or Private Investigative Agency Manager;
- Security Officer Instructor, or Security Manager;
- Recovery Agent, Recovery Agent Intern, Recovery Agency Manager, or Recovery Agent Instructor; and
- Firearms Instructor.

Section 5 amends s. 493.6107, F.S., to waive the initial *license fee* for veterans who, within 24 months of their honorable discharge from the armed forces, apply for licensure as either a Private Investigative/Security Agency Manager or a Firearms Instructor.

Section 8 amends s. 493.6202, F.S., to waive the initial *license fee* for veterans who, within 24 months of their honorable discharge from the armed forces, apply for licensure as a Private Investigator, Private Investigator Intern, or Private Investigative Agency Manager.

Section 9 amends s. 493.6302, F.S., to waive the initial *license fee* for veterans who, within 24 months of their honorable discharge from the armed forces, apply for licensure as a Security Officer, Security Officer Instructor, or a Security Manager. A Class D license does not require an application fee.

¹² Florida Department of Agriculture and Consumer Services, *Private Investigation, Security, Recovery: Chapter 493, Florida Statutes Fee Schedule*, available at http://www.freshfromflorida.com/content/download/33389/815718/FS493_License_Fees.pdf (last visited Jan. 8, 2015).

Section 10 amends s. 493.6402(4), F.S., to waive the initial *license fee* for veterans who, within 24 months of their honorable discharge from the armed forces, apply for licensure as a Recovery Agent, Recovery Agent Intern, Recovery Agent Manager, or Recovery Agent Instructor.

Eligible veteran applicants will still be subject to, e.g., applicable examination fees, fingerprint processing and retention fees, and renewal fees, in addition to applicable licensure fitness and general eligibility requirements.¹³

Fingerprint Retention and Processing for Private Investigators, Private Security Officers, and Repossession Services Officers

The Federal Bureau of Investigation (FBI) and the Florida Department of Law Enforcement (FDLE) perform criminal history background checks based on the fingerprint identification of specific applicants for licensure upon an agency's request for such an investigation, and of individuals in the criminal justice system.

The DACS currently requires applicants for licensure under ch. 493, F.S., to submit a full set of fingerprints and a fingerprint processing fee for a background check to be conducted by the FDLE.¹⁴ The DACS has 156,266 currently valid licenses issued under ch. 493, F.S., to, e.g., private investigators, private security officers, and repossession services officers.¹⁵ Once the initial background check has been performed by the FDLE, the DACS is required to discard the licensees' fingerprints. As a result, the DACS must perform a name-based search of arrest records to fulfill its duty to conduct ongoing investigations into its licensees' criminal activity, including upon a licensee's renewal of his or her license.¹⁶

Section 3 amends s. 493.6105(3), F.S., to require initial applicants for licensure under ch. 493, F.S., to submit a fingerprint processing fee and a fingerprint retention fee. The fees for fingerprint processing and retention must be set by agency rule. Applicants for multiple licenses issued pursuant to ch. 493, F.S., will only be subject to one fingerprint processing and fingerprint retention fee.

Section 6 creates ss. 493.6108(4) and (5), F.S., to require that, beginning January 1, 2017, the FDLE retain all fingerprints that are submitted to the DACS as part of an application for licensure as a private investigator, security officer, recovery agent, firearms instructor, or related license under ch. 493, F.S., and enter the retained fingerprints into the statewide automated biometric identification system and the FBI's national retained print arrest notification program (FBI fingerprint check). The FDLE has not yet begun participation in the FBI's fingerprint check program, but expects to begin phasing in its participation by February 2016.¹⁷ In addition, the bill requires the FDLE to search the retained fingerprints against all arrest fingerprints and report any

¹³ See, e.g., ss. 493.6105, 493.6108, F.S.

¹⁴ Section 493.6105(3)(j), F.S.

¹⁵ Florida Department of Agriculture and Consumer Services, Division of Licensing, *Number of Licensees by Type*, (Jan. 8, 2016). Available at http://www.freshfromflorida.com/content/download/7471/118627/Number_of_Licensees_By_Type.pdf (last visited January 8, 2016).

¹⁶ Section 493.6118(1), F.S.

¹⁷ Conversation with staff of the FDLE on Dec. 22, 2015.

arrest record match to the DACS. This will allow the DACS to receive updated arrest information on its licensees and applicants in a more efficient process.

Section 7 amends ss. 493.6113(1) and (3), F.S., to require current ch. 493, F.S., licensees to submit the following as part of their renewal application: a copy of their fingerprints, a state fingerprint retention fee, a FBI fingerprint retention fee, where applicable, and a license renewal fee. This will allow the FDLE and the DACS to subject current licensees to the fingerprint retention and examination processes implemented in section 6 of the bill. Additionally, the bill clarifies that firearm instructors, class “K” licensees, are subject to a 3 year, rather than a 2 year, license cycle. This reflects an update originally made in 2011.¹⁸

Concealed Weapon or Firearm License

Residency Requirement for Concealed Weapon or Firearm License

In 2012, the U.S. Department of Justice effectuated a rule change¹⁹ to 27 CFR, Pt. 478, to remove the requirement that lawfully present aliens prove that they have resided in a state within the U.S. for 90 days in order to purchase or acquire a firearm.

Section 4 conforms s. 493.6106(1)(f), F.S., specific to applicants for statewide firearm licenses or firearms instructor licenses under ch. 493, F.S., to the above change by deleting the application requirement that a permanent legal resident alien show proof of his or her residency in Florida for at least 90 consecutive days prior to submission of an application for licensure.

Concealed Weapon or Firearm Licensing

Under current law, certain concealed weapons or firearms pre-licensing course instructors must maintain records certifying that they observed their student safely handle and discharge a firearm.

Section 39 of the bill clarifies s. 790.06, F.S., to require that the instructor maintain records certifying that *while he or she was physically present*, the instructor observed the student safely handle and *actually* discharge (“live fire”) a firearm using a *firearm and ammunition as defined in s. 790.001, F.S.* This ensures that the instruction occurs in person rather than by video conference.

The bill also requires the DACS to expedite the application for a concealed weapon or firearm license for an applicant who is a service member or veteran, defined as a person who served in the active military, naval, or air service and who was discharged or released under honorable conditions only or who later received an upgraded discharge under honorable conditions.²⁰

¹⁸ Ch. 2012-205, s. 6, Laws of Fla.

¹⁹ U.S. Federal Register, Vol. 77, no. 110 (June 7, 2012), available at <https://www.gpo.gov/fdsys/pkg/FR-2012-06-07/html/2012-13770.htm>. (Last visited Jan. 8, 2016). See also, U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives, *Questions and Answers – Revised ATF F4473 (April 2012 Edition)*, available at: <https://www.atf.gov/file/61841/download>. (Last visited Jan. 8, 2016).

²⁰ Section 1.01(14), F.S.

Subject to Section 39 of the bill, application fees for concealed weapon and firearm licenses will be reduced from \$70 to \$60 for initial applicants, and from \$60 to \$50 for renewal applicants.

Section 39 of the bill clarifies licensing qualifications regarding applicants' criminal history. Previously, an applicant with a felony criminal record was eligible for licensure if his or her criminal record was sealed or expunged by a court. The bill proposes to allow only applicants whose felony criminal record has been expunged to qualify for licensure. Additionally, the bill clarifies that an applicant may not be granted a license if he or she has had adjudication of guilt withheld or has had an imposition of sentence suspended for any misdemeanor crime of domestic violence, unless three years have elapsed since probation or any other conditions set by the court have been fulfilled, or the criminal record of such offense has been either sealed or expunged.

Lastly, Section 39 of the bill provides for notice of the suspension or revocation of a concealed weapon or firearm license by either personal delivery to the licensee or applicant or by certified mail, return receipt requested to the licensee's or applicant's last known mailing address provided to the DACS. If notice by certified mail fails, a second attempt by either first-class mail addressed to the last known mailing address furnished to the DACS by the licensee, or e-mail sent to an e-mail address provided by the licensee shall constitute notice. A request for hearing subsequent to such notice must be made within 21 days if notice was made by personal delivery, or within 26 days after the date the DACS deposited the second attempted notice by first-class mail in the U.S. mail, or sent the e-mail.

Affidavits Submitted With Concealed Weapon or Firearm Licenses

Currently, s. 790.06(11), F.S., requires a licensee who seeks to renew his or her concealed weapon or firearm license to submit a *notarized affidavit* stating that the licensee remains qualified for the license.

Section 40 amends s. 790.06(11), F.S., to require an *affidavit submitted under oath and under penalty of perjury*. The DACS states that this will streamline their taxed firearm licensing system.²¹

Tax Collector Issuance of Concealed Weapon or Firearm Licenses

As of July 1, 2014, tax collectors who entered into a memorandum of understanding with the DACS may collect initial and renewal applications for concealed weapon or firearm permits.

Section 41 amends s. 790.0625(8), F.S., to expand the qualified tax collectors' capabilities to include the printing and delivery of a concealed weapon or firearm license to an individual who renews his or her license at the tax collector's office. Tax collectors may collect fees for such services.

²¹ Department of Agriculture and Consumer Services, *Agency Analysis of SB 772*, 10-11 (Dec. 1, 2015) (on file with the Committee on Commerce and Tourism).

Various DACS Licenses and Regulations

Health Studios

The Health Studio Act, ss. 501.012-501.019, F.S., regulates health studios that enter into contracts for health studio services with consumers. Regulations under the act include:

- Registration with the DACS;
- Requirements that every contract with a consumer include certain provisions, such as the consumer's total payment obligations, and cancellation provisions;
- Provision of a security bond, generally ranging from \$10,000 to \$25,000, depending on the value of outstanding contracts with the studio; and
- Prohibited practices, such as committing an intentional fraud.

The DACS can seek an injunction or civil penalties for any violation of the act, and violations are generally misdemeanors. The DACS may also institute administrative prosecution of a health studio in violation of s. 501.015 or s. 501.016, F.S.

Section 11 amends s. 501.0125(1), F.S., and adds s. 501.0125(6), F.S., to establish that personal trainers are not subject to the DACS' regulation of health studios, thus deregulating personal trainers. The bill defines "personal trainer" as an individual who:

- Does not have an established place of business for the primary purpose of physical exercise;
- Provides exercise equipment in incidental capacity to instruction provided; and
- Does not accept payment for services rendered more than 30 days after the date of payment.

According to the DACS, personal trainers traditionally do not issue binding contracts and do not collect a consumer's payment for services more than 30 days in advance and, therefore, do not pose the same dangers to consumer's financial interests as brick and mortar health studios that use financing and long-term contracts.²²

Commercial Telephone Sellers

Commercial telephone sellers (telemarketers) must provide the address of each location at which he or she will do business. Current law allows telemarketers to provide a mail drop location as a physical address.

Section 13 amends s. 501.605(2)(j), F.S., to require telemarketers to disclose the street address of each location from which he or she will be doing business, and no longer permits the use of a mail drop address.

Amusement Ride Safety Standards

Florida has approximately 245 amusement parks and 190 traveling amusement companies that are subject to inspection by the DACS.²³ These parks include carnivals, water parks, go-kart

²² Department of Agriculture and Consumer Services, *Agency Analysis of SB 772*, 6 (Dec. 1, 2015) (on file with the Committee on Commerce and Tourism).

²³ Florida Department of Agriculture and Consumer Services, *Fair Rides Inspection*. Available at <http://www.freshfromflorida.com/Divisions-Offices/Consumer-Services/Business-Services/Fair-Rides> (last visited Jan. 8, 2016).

courses, and bungee-jumping parks.²⁴ A temporary amusement ride must be inspected by the DACS each time it is moved or set up in a new location; permanent rides are inspected semi-annually.²⁵ Additionally, parks subject to the DACS' regulations must show proof of sufficient employee training and insurance.

Section 37 amends s. 616.242, F.S., to exempt the following venues from the permitting, inspection, and insurance requirements for amusement rides:

- A water-related amusement ride operated as an incidental amenity to the core business of a lodging or food service establishment, or membership campground that does not offer a day rate.
- An amusement ride operated as an incidental amenity to the primary business of a membership-only facility that does not offer a day rate.
- A permanent facility that is not open to the general public, and that is operated by a nonprofit corporation registered under ch. 496, F.S.

These exemptions are targeted at generally smaller water attractions or rides at hotels or campsites, private country clubs or playgrounds, and facilities run by, e.g., the YMCA (two non-profit facilities currently qualify for this exemption).²⁶

This bill also allows owners or managers of amusement rides to request to use alternate inspections and employee training forms than those prescribed by departmental rules, if the alternate form includes at least the information required by the prescribed form.

Weights and Measurements

The Bureau of Standards within the DACS is generally responsible for the inspection of weights and measures devices or instruments in Florida. This includes, but is not limited to, the prescription of the appropriate unit of weight or measurement to be used, testing of weights and measuring instruments used by any city or county, and inspection of commercial weights and measures that are used to determine the weight, measurement or total count of commodities offered for sale, such as fruit and vegetables at a grocery store. For the purpose of consumer protection, the Bureau of Standards is also empowered under s. 531.42, F.S., to enforce the proper use of weights and measuring instruments or devices and the advertisement of the correct weight or measurement on a good for sale.

Section 18 amends s. 531.37(1), F.S., to clarify that the DACS does not regulate aviation fuel under ch. 531, F.S. Instruments and devices used to inspect aviation fuel have been exempt from regulation and inspection by the DACS under ch. 531, F.S., since 2013.²⁷

Section 19 amends s. 531.415(1), F.S., to merge and clarify fees for metrology laboratory calibration and testing services performed by the Bureau of Standards. As a result, individuals who submit a subject for linear measure tests that are calibrated to determine actual values will

²⁴ *Id.*

²⁵ *Id.*

²⁶ Department of Agriculture and Consumer Services, *Agency Analysis of SB 772*, 8 (Dec. 1, 2015) (on file with the Committee on Commerce and Tourism).

²⁷ Ch. 2013-251, s. 35, Laws of Fla.

realize a fee reduction from \$100²⁸ to not more than \$75; all other fees for testing services remain the same. Section 19 also amends s. 531.415(2), F.S., to require that items submitted for testing be in a condition ready for testing, because the DACS cannot clean the subjects before testing.²⁹

Section 20 amends ss. 531.60(1) and (2), F.S., to clarify intent that commercial use permits issued by the DACS for commercially-used weights and measures instruments or devices (“instrument or device”) are granted to the *owner* of such weights and measures device, rather than to the *device* itself. The bill clarifies duties of the owner of permitted instruments and devices to require the owner and permit-holder to notify the DACS within 30 days of a change in permit status, including the expected non-renewal of the permit as a result of the instrument or device’s termination of use, or removal from the business location. Additionally, the bill requires new owners of currently permitted instruments or devices to apply for a new commercial use permit upon transfer of the item to the new owner; current law requires that a new permit “be issued” to the new owner. The DACS indicates that these changes will make their investigations more efficient.

This section further amends s. 531.60(3), F.S., to remove language that allows properly permitted, non-commercial instruments and devices to be tested by the DACS.³⁰ The DACS no longer tests non-commercial instruments or devices.³¹

Section 22 amends s. 531.62, F.S., to provide for an optional two-year commercial-use permit. The DACS believes that this will reduce overall renewal permits, and make the process more efficient.³²

Sections 17 and 23 amend ss. 527.021(4) and 531.63(1)(a), F.S., respectively, to update the fee structure for weighing devices that are inspected by the DACS. Current law bases the maximum annual fee of such inspections on the number of devices per retail establishment, but the bill proposes to charge by number of devices in a single category instead. The bill also removes inspection of grain moisture meters from the fee schedule because the DACS no longer performs such inspections.³³ This section also creates a new \$150 fee for inspection of liquefied petroleum gas bulk delivery vehicles with a meter, which reflects the merger of the \$50 fee for registered transport vehicle inspection (currently found in s. 527.021(4), F.S.) and the \$100 fee for mass or volumetric flow meters (currently found in s. 531.63(2)(a) and (b), F.S.).

Section 24 amends s. 531.65, F.S., to clarify that the DACS is authorized to apply more than one penalty if it is found that a weights or measures instrument or device is used commercially without a valid permit.

²⁸ Metrology Fees, Florida Department of Agriculture and Consumer Services, available at: <http://www.freshfromflorida.com/Divisions-Offices/Consumer-Services/Business-Services/Standards/Metrology>. (Last visited Jan. 8, 2016.); Rule 5F-1.040(6), F.A.C.

²⁹ Department of Agriculture and Consumer Services, *Agency Analysis of SB 772*, 7 (Dec. 1, 2015) (on file with the Committee on Commerce and Tourism).

³⁰ Department of Agriculture and Consumer Services, *Agency Analysis of SB 772*, 7 (Dec. 1, 2015) (on file with the Committee on Commerce and Tourism).

³¹ *Id.*

³² *Id.*

³³ *Id.*

Section 21 amends s. 531.61, F.S., to make conforming, technical changes.

Sellers of Travel

Part XI of ch. 559, F.S., the “Florida Sellers of Travel Act,” regulates business entities and individuals that sell pre-arranged travel, tourist-related services, or tour guide services.³⁴ These sellers of travel must annually register with the DACS, and post proof of a performance bond of up to \$50,000. The DACS may exercise its right to the performance bond for use and benefit of a traveler who is injured by a fraud, misrepresentation, breach of contract, financial failure, or violation of law by the seller of travel.³⁵

Section 28 amends s. 559.927, F.S., to clarify definitions used in ch. 559, F.S. Specifically, the bill proposes to:

- Delete tour-guide services and sightseeing tours in order to de-regulate the services;
- Amend the definition of “accommodations” to exclude long-term home rentals covered under a lease pursuant to ch. 83, F.S.;
- Exclude from regulation as sellers of travel those third parties who offer prearranged travel or tourist-related services, but do not participate in travel fulfillment or vacation certificate redemption; and
- Clarify the definition of “vacation certificates” to evince that a vacation certificate is necessary for any arrangement, plan, program, vacation package, or advanced travel for which no specific date for its use is designated, but is not necessary for travel for which dates are selected, guaranteed, and paid for at the time of purchase.

Section 29 amends s. 559.928, F.S., to update seller of travel registration notice requirements and expand the DACS’ administrative enforcement power. Current law requires sellers of travel to place their registration number and a statement that their firm is “registered with the State of Florida as a Seller of Travel” on each contract and advertisement; this bill requires the same disclosure on certificates or any other travel documents.

The DACS is currently empowered to deny or refuse to renew a licensee’s or applicant’s license based on an applicant or licensee’s involvement in a crime involving fraud, dishonest dealing, or any other act of moral turpitude. The bill authorizes the DACS to revoke a license, in addition to its current administrative powers, for not only convictions of crimes involving fraud, dishonest dealing, or any other act of moral turpitude, but also any conviction of theft, embezzlement, or any other crime that arises out of conduct as a seller of travel. The DACS may also refuse to renew or revoke a licensee’s license based on its directors’, officers’, owners’, or general partners’ conviction of the above crimes, if the conviction arose from that individual’s activity on behalf of the licensee.

Section 30 amends ss. 559.929(2) and (6), F.S., to allow consumers and other governmental agencies acting on behalf of the injured consumer to institute an action to recover against the bond held by a seller of travel for losses the consumer incurred as a result of a seller’s of travel

³⁴ Sections 559.926-.927, F.S.

³⁵ Section 559.929(2), F.S.

wrongdoing. Current law provides that a consumer may only recover from such a bond in an administrative action filed by the DACS. The section also makes technical clarifications.

Sections 31, 32, and 33 amend s. 559.9295, 559.932, and 559.933, F.S., respectively, to update filing requirements placed on the seller of travel. The bill proposes to:

- Require specific disclosures on any promotional material that may reasonably lead a person to believe that he or she may receive something of value without payment or compensation to the seller of travel, including a disclosure of the number of people who actually traveled as a result of the vacation certificate.
- Delete the requirement that the DACS review the filed vacation certificate disclosure within 10 days of its submission to the DACS. This allows the DACS more time to review the disclosure without it automatically being deemed in compliance as a result of passage of time alone;
- Amend DACS' duty to review the vacation certificate or contract only for their compliance with legally-required disclosures under s. 595.932, F.S., rather than the contract or certificate in its entirety. The DACS indicates that this will still ensure consumer protection, but be more efficient;³⁶
- Require at least 12-point font for disclosure language provided on vacation certificates; and
- Make technical, non-substantive changes to clean up required cancellation and refund notices that must be made by the seller of travel on vacation certificates.

Sections 34 and 36 amend ss. 559.9335 and 559.936, F.S., to modernize the statute, expand prohibited practices, and to update cross-references. Specifically, Section 34 prohibits making false statements in response to any inquiry made by the DACS or any other governmental agency, and knowingly selling vacation certificates in excess of the accommodations available (where current law makes it a violation to sell in excess of the number of available accommodations that was disclosed to the DACS).

Section 35 amends s. 559.935, F.S., to delete the requirement that affiliates of sellers of travel file an affidavit of exemption with the DACS in order to obtain an exemption from specific sections of the Sellers of Travel Act. Section 559.935, F.S., still appears to regulate such affiliates, but it is unclear how the DACS will grant or revoke such exemptions when no initial proof of eligibility for the exemption is required.

Sections 43 and 44 amend ss. 559.9285 (1) and (3)(d), and 559.937(2), F.S., respectively, to make conforming changes to reflect the deregulation of tour-guide services.

Enforcement of Lien by Sale of Motor Vehicle

The Motor Vehicle Advisory Council was created to advise and assist the DACS about issues relating to ss. 559.901-559.9221, F.S., the "Florida Motor Vehicle Repair Act" (act). The act generally requires motor vehicle repair shops to register with the DACS and perform various duties designed to ensure consumer protection.

³⁶ Department of Agriculture and Consumer Services, *Agency Analysis of SB 772*, 8 (Dec. 1, 2015) (on file with the Committee on Commerce and Tourism).

The act also delineates rights and duties that accrue to the shop and vehicle owner if the owner fails to pay for authorized repairs that were performed. In essence, the shop (lienor) may assert its legal right to the vehicle, subject to the customer's (lienholder's) right to request a hearing to dispute the lien, or to file a bond for the value of the vehicle, plus the cost of any repairs, storage, or reasonable fees,

Section 42 amends s. 559.917, F.S., to define "lienholder" as the person claiming an interest in a lien or on a vehicle, and "lienor" as a person claiming a lien for motor vehicle repair shop work. This expands the right to present a bond to release a possessory lien claimed by a motor vehicle repair shop to include any party with an interest in the vehicle, e.g., the vehicle dealer who holds title to the car, in addition to the customer who authorized the repairs on the vehicle.

Section 38 amends s. 713.585, F.S., to reduce the number of days that the lienor is required to give notice to the registered owner of the vehicle, the customer who requested the repairs, and to all other persons who claim an interest in the vehicle, from 15 to 7 days from the initial assessment of storage charges on the motor vehicle.

In addition, Section 37:

- Provides processes by which a lienholder who has posted a bond in favor of the vehicle may take possession of the vehicle, or, in cases in which the owner is not in default under his or her installment sales contract or title loan, must return the vehicle to the owner;
- Requires a court that hears a complaint relating to a vehicle subject to a lien provided in s. 713.585, F.S., to provide for immediate payment of any proceeds or awards, and the immediate release of the bond to the posting party, if applicable; and
- Makes technical, conforming changes to s. 713.585, F.S.

Motor Vehicle Repair Shop Reimbursement

Currently, in instances in which a consumer will pay for repairs performed by a motor vehicle repair shop (shop), the shop is required to provide the consumer with a written estimate of the repairs to be performed, and seek payment from the consumer based on that estimate.³⁷

However, when a shop performs repairs on a vehicle covered by a personal or commercial insurance policy claim, the shop may seek an assignment of the consumer's right to payment from the insurance company. This permits the shop to be paid for a loss under the insurance contract (or work done to correct that loss). Accordingly, if the benefit to be paid is assigned and the insurer refuses to pay, the shop (assignee) may file a lawsuit against the insurer to recover payment. Florida courts have generally held that an assignment made after the loss is valid even if the contract states otherwise.³⁸

Section 27 creates s. 559.9191, F.S., which prohibits a motor vehicle repair shop from directly seeking payment, reimbursement, or benefits from an insurer unless the repair shop:

³⁷ Section 559.905, F.S.

³⁸ See *West Florida Grocery Co. v. Teutonia Fire Ins. Co.*, 77 So. 209 (Fla. 1917); *Better Construction, Inc. v. Nat'l Union Fire Ins. Co. of Pittsburgh*, 651 So. 2d 141 (Fla. 3d DCA 1995)(reversal of a dismissal based on a non-assignment provision because "a provision against assignment of an insurance policy does not bar an insured's assignment of an after-loss claim"); *Gisela Investments v. Liberty Mutual Ins. Co.*, 452 So. 2d 1056 (Fla. 3d DCA 1984); *Continental Casualty Co. v. Ryan Inc.*, 974 So. 2d 368, 377 v. 7 (Fla. 2008).

- Received consent to perform the repairs from the insurer;
- Provided a disclosure to the consumer regarding possible liability of the consumer for payment; and
- Seeks only payment or reimbursement for the services detailed in the shop's repair invoice, as detailed in s. 559.911, F.S.

Section 27 also requires the shop to obtain written consent from the consumer at least 15 business days prior to the initiation of any civil litigation or arbitration for enforcement of the payment of the assigned benefit against an insurer company.

Section 45 provides an appropriation of \$1,305,098 to the Department of Agriculture and Consumer Services from the Division of Licensing Trust Fund for the purpose of implementing fingerprinting retention programs authorized in the bill.

Section 46 provides an effective date of July 1, 2016, except as where otherwise stated in the bill.

General Revenue Service Charge

Pursuant to section 215.20, F.S., a service charge on all income of a revenue nature deposited into state trust funds is subsequently deducted and deposited into the General Revenue Fund. The service charge represents the estimated pro rata share of the cost of general government paid from the General Revenue Fund. The service charge on the income deposited into the General Inspection Trust Fund (GITF) is assessed an eight percent service charge, and the income in the Division of Licensing Trust Fund (DLTF) is charged four percent. The fee waivers and exemptions provided in this bill reduce the revenue deposited into both the GITF and the DLTF, thus reducing the amount deposited into the General Revenue Fund.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. Other Constitutional Issues:

Notice Requirements

The Due Process Clauses of the Fifth and Fourteenth Amendments contemplate fair process. "An elementary and fundamental requirement of due process in any proceeding

which is to be accorded finality is notice reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objection.”³⁹ Three factors must be weighed to determine the degree to which due process protections apply:

- The private interest that will be affected;
- The risk of erroneous deprivation of such interest through the procedures used; and
- The government’s interest, including fiscal and administrative burdens of additional process.⁴⁰

The DACS seeks to preserve the public records exemption of personal identifying information of an individual who applied for or received a firearm or concealed weapon license by substituting direct mail or personal service for the publication of such information in general circulation newspapers as a method of notice.⁴¹ Courts have not ruled directly on whether replacing notice by publication with notice by first class mail without proof of knowledge of receipt is sufficient procedural due process.⁴²

Property Rights

Article I, s. 2, Fla. Const., provides that all persons have the right to acquire, possess, and protect property. Opponents of Section 27 of the bill may argue that an insurance claim is a vested right to institute a cause of action and, therefore, is also a property interest.⁴³ Accordingly, they may argue that the assignment of a post-loss insurance claim cannot be prohibited. The Florida Supreme Court has held that property rights are not absolute:

Of course, even constitutionally protected property rights are not absolute, and are held subject to the fair exercise of the power inherent in the State to promote the general welfare of the people through regulations that are reasonably necessary to secure the health, safety, good order, and general welfare.⁴⁴

The court weighs whether the statute is reasonably necessary to accomplish the asserted state goals at the cost of offending property interests protected by the Florida Constitution. Therefore, if section 27 of this bill were challenged, a court would have to determine whether section 27 is reasonably necessary to justify the limitation on the property rights.⁴⁵

³⁹ *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306, 314 (1950).

⁴⁰ *Mathews v. Eldridge*, 424 U.S. 319 (1976); *Hadley v. Dept. of Admin.*, 411 So.2d 184 (Fla. 1982).

⁴¹ See s. 790.0601, F.S.; Florida Department of Agriculture and Consumer Services, *Agency Bill Analysis for SB 772*, 10 (Dec. 1, 2015) (on file with the Committee on Commerce and Tourism).

⁴² *Anderson v. State*, 87 So. 3d 774, 776 (Fla. 2012).

⁴³ See *Castellanos v. Citizens Ins. Corp.*, 98 So. 3d 1180, 1183 (Fla. 3d DCA 2012) (explaining that an “insurance claim is a chose in action and because personal property is an asset”(citations omitted); *Sunspan Engineering & Construction Co. v. Spring-Lock Scaffolding Co.*, 310 So. 2d 4, 8 (Fla. 1975) (noting that “it has been held that a vested cause of action, or “chose in action” is personal property entitled to protection from arbitrary laws.”)

⁴⁴ *Shriners Hospitals for Crippled Children v. Zrillic*, 563 So. 2d 64 (Fla. 1990).

⁴⁵ *Id.*

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

See Private Sector Impact section below.

B. Private Sector Impact:

Under PCS/CS/SB 772, veterans, spouses of veterans, and majority-owned veteran businesses will qualify for initial specific license fee and application fee waivers. Certain personal trainers will not be subject to registration as a health studio and will no longer pay an annual registration fee. Specific businesses will be exempt from amusement ride inspections and costs associated therewith.

Individuals seeking a first-time concealed weapon or firearm license will be subject to a \$60 application fee, reduced from \$70; renewal license fees will be \$50, reduced from \$60. A path to certification as a firearms instructor will be broadened, thereby creating increased employment opportunities for qualified individuals.

The bill requires current ch. 493, F.S., licensees to submit a fingerprint retention fee and a background check fee as part of the renewal process. New licensees will be required to pay a fingerprint retention fee along with the background check and application fee they currently are required to pay.

Automobile dealers will have an avenue to better preserve their interests in a lien on a vehicle they sold, but are now subject to a motor vehicle repair shop's lien under s. 559.917, F.S. Additionally, parties involved in such lien disputes will possibly accrue smaller storage fees since the required term for notice prior to enforcement of the lien is reduced from 15 to seven days.

Automobile Repair Shops will be required to perform specific prerequisites to be able to enforce an assignment from a consumer of the right to payment or other benefits against an insurance company.

C. Government Sector Impact:

The bill has a significant impact on state revenues. The bill authorizes fee waivers and exemptions from permitting and inspections that reduce revenues in the Division of Licensing Trust Fund and the General Inspection Trust Fund in the total amount of \$3,212,505 during Fiscal Year 2016-2017. Additionally, the bill reduces the service charge to general revenue associated with the Division of Licensing and General Inspection Trust Fund in the amount of \$78,437 beginning in Fiscal Year 2016-2017.

The bill authorizes fee increases relating to Fingerprint Retention programs and background checks that will generate \$1,305,098 in Fiscal Year 2016-2017 for the Division of Licensing Trust Fund.

Military Veteran Fee Waiver

The Department of Agriculture and Consumer Services (DACS) estimates a reduction in revenue in the General Inspection Trust Fund (GITF) and the Division of Licensing Trust Fund generated from fee waivers related to military veterans and spouses in the following amounts in the years indicated:

Revenues	FY 2016-17	FY 2017-18	FY 2018-19
Division of Consumer Services GITF - Application Fees ⁴⁶	(\$51,250)	(\$51,250)	(\$51,250)
Division of Licensing TF Application & License Fees ⁴⁷	(\$164,965)	(\$164,965)	(\$164,965)
Total	(\$216,215)	(\$216,215)	(\$216,215)

Safety Standards for Amusement Rides

The DACS estimates the following recurring revenue reductions in the years indicated to the General Inspection Trust fund because of fees that will no longer be collected from organizations made exempt from regulation under this bill.

Revenues	FY 2016-17	FY 2017-18	FY 2018-19
Amusement Ride Fee Exemptions	(\$2,280)	(\$2,280)	(\$2,280)

Fingerprint Retention

The DACS estimates that the fees related to the Fingerprint Retention programs authorized in the bill will generate the following amounts in the years indicated for the Division of Licensing Trust Fund:

Revenues	FY 2016-17	FY 2017-18	FY 2018-19
Fingerprint Processing Fee (FBI) ⁴⁸	\$779,979	\$1,559,958	\$1,028,934
Fingerprint Retention Fee (FDLE Operating Trust Fund) ⁴⁹	\$525,119	\$1,050,237	\$890,265
Total	\$1,305,098	\$2,610,195	\$1,919,199

⁴⁶ This number is based on an estimated 231,000 veterans from the Afghanistan and Iraq wars who live in Florida, while this Committee's research estimates that 165,000 veterans from the Afghanistan and Iraq wars live in Florida. Department of Agriculture and Consumer Services, *Agency Analysis of SB 772*, 12 (Dec. 1, 2015) (on file with the Committee on Commerce and Tourism).

⁴⁷ This number assumes that veterans will constitute 10% of applicants for licensure under ch. 493, F.S. The DACS received 33,199 applications for licensure under ch. 493, F.S., in FY 2014-2015. Department of Agriculture and Consumer Services, *Agency Analysis of SB 772*, 12 (Dec. 1, 2015) (on file with the Committee on Commerce and Tourism).

⁴⁸ According to the DACS, this total estimates that 33,944 new applicants, plus 40,313 renewal applicants will pay the one-time FBI fingerprint retention \$13.00 fee that covers the duration of a license; in addition, 39,650 renewal applicants will pay the "standard national background check fingerprint fee of \$14.75." *Id.* at 12-13.

⁴⁹ This total estimates that 33,944 new applicants plus 40,313 renewal applicants will be subject to the \$6.00 annual Florida fingerprint retention fee; in addition, 40,313 renewal applicants will also pay the standard FDLE background check fingerprint processing fee of \$15. *Id.*

These funds will be collected by the DACS and transferred to the Federal Bureau of Investigation (FBI) and Florida Department of Law Enforcement (FDLE). The Fiscal Year 2018-2019 revenues from fingerprint retention fees decrease significantly because current licensees will have caught up on the one-time FBI fingerprint retention fee and the background check fingerprint fee, leaving only the annual \$6 Florida fingerprint retention fee.

The DACS will require increased budget authority equal to the total amounts shown in each fiscal year from the Division of Licensing Trust Fund to process the necessary disbursements to the FBI and FDLE for fingerprint retention.

The bill provides an appropriation of \$1,305,097 in nonrecurring funds from the Division of Licensing Trust Fund to the DACS for the collection and subsequent payment of fingerprint retention and processing fees to the Florida Department of Law Enforcement.

Concealed Weapon Licenses

The DACS estimates the following revenue reductions in the years indicated for the Division of Licensing Trust Fund due to the reduction in concealed weapon license (CWL) fees by \$10 each. The Division of Licensing within the DACS indicates that the reduced fee revenue is sufficient to continue to fund the program.

Revenues	FY 2016-17	FY 2017-18	FY 2018-19
New CWL Fee Reduction	(\$1,650,000)	(\$1,550,000)	(\$1,550,000)
Renewal CWL Fee Reduction	(\$1,294,010)	(\$1,240,260)	(\$1,162,230)
Total	(\$2,994,010)	(\$2,790,260)	(\$2,712,230)

Concealed Weapon License Notice of Service

The DACS estimates the following reduced expenditures in the years indicated from the Division of Licensing Trust Fund relating to publishing costs associated with notification of revocation or suspension of concealed weapon licenses.

Expenditures	FY 2016-17	FY 2017-18	FY 2018-19
CWL Notice of Service of Process	(\$140,186)	(\$140,186)	(\$140,186)

General Revenue Service Charge

Due to the provisions in this bill, the service charge to general revenue from the Division of Licensing Trust Fund and the General Inspection Trust Fund is estimated to change by the following total amounts in the years indicated:

General Inspection Trust Fund	FY 2016-17	FY 2017-18	FY 2018-19
Military Veteran Fee Waivers	(\$4,100)	(\$4,100)	(\$4,100)
Amusement Ride Exemptions	(\$182)	(\$182)	(\$182)
Division of Licensing Trust Fund			
Military Veteran Fee Waivers	(\$6,599)	(\$6,599)	(\$6,599)
Concealed Weapons Fee Reduction	(\$119,760)	(\$111,610)	(\$108,489)
Fingerprint Retention Fees	\$52,204	\$104,407	\$76,768
Total General Revenue Fund	(\$78,437)	(\$18,084)	(\$42,602)

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 472.007, 472.015, 493.6105, 493.6106, 493.6107, 493.6108, 493.6113, 493.6202, 493.6302, 493.6402, 501.0125, 501.015, 501.605, 501.607, 507.03, 527.02, 527.021, 531.37, 531.415, 531.60, 531.61, 531.62, 531.63, 531.65, 539.001, 559.904, 559.927, 559.928, 559.929, 559.9295, 559.932, 559.933, 559.9335, 559.935, 559.936, 616.242, 790.06, 790.0625, 559.9285, 559.937, 713.585, and 559.917.

The bill creates section 559.9191 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.)

Recommended CS/CS by Appropriations Subcommittee on General Government on January 21, 2016:

- Removes the previously proposed addition of two new firearm instruction certification courses;
- Clarifies fingerprint retention fees and participation for ch. 493, F.S., licensees;
- Appropriates \$1,305,090 from the Division of Licensing Trust Fund to the Department of Agriculture and Consumer Services for Fingerprint Retention programs authorized in the bill;
- Makes further technical changes and updates to regulations of sellers of travel; and
- Provides requirements for motor vehicle repair shops that seek payment, reimbursement, or benefits directly from an insurer through an assignment of benefits by a customer.

CS by Commerce and Tourism on January 11, 2016:

- Makes a technical change to use consistent language to clarify that, in two specific instances, an applicant's *registration* fee will be waived;
- Amends the Service of Process requirements for licensees and applicants for a concealed weapon or firearm license to require either personal service or certified mail, return receipt requested to the licensee at his or her last known mailing address furnished to the DACS; and
- Allows additional parties to assert their financial interest in a motor vehicle that is subject to a s. 713.585, F.S., motor vehicle repair lien. Additionally, the bill makes conforming changes and reduces the number of days that a lienor (generally a motor vehicle repair shop) is required to give notice of their intent to enforce their interest in the lien on the car.

B. Amendments:

None.



150022

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/04/2016	.	
	.	
	.	
	.	

The Committee on Appropriations (Richter) recommended the following:

Senate Amendment (with title amendment)

Delete lines 965 - 995

and insert:

559.9191 Reimbursement from insurers; repair or replacement of motor vehicle glass.-

(1) A motor vehicle repair shop may not directly seek reimbursement, payment, or benefits from an insurer for motor vehicle glass repair or replacement unless all of the following conditions are satisfied:



150022

(2) The customer under whose insurance policy the motor vehicle glass repair or replacement payment will be sought signs a document containing the following language in at least 16-point, boldfaced type: "I UNDERSTAND THAT I AM ASSIGNING THE BENEFITS OF MY INSURANCE POLICY TO A MOTOR VEHICLE REPAIR SHOP THAT MAY SEEK REIMBURSEMENT FOR THE REPAIR OR REPLACEMENT OF MY MOTOR VEHICLE GLASS FROM MY INSURANCE COMPANY. I ALSO UNDERSTAND THAT IF THE CHARGES ARE NOT FULLY COVERED OR THE COST OF THE MOTOR VEHICLE GLASS REPAIR OR REPLACEMENT IS NOT FULLY REIMBURSED BY MY INSURANCE BENEFITS, THE MOTOR VEHICLE REPAIR SHOP MAY SEEK REIMBURSEMENT FROM ME, PERSONALLY, OR TAKE LEGAL ACTION AGAINST MY INSURANCE COMPANY. I UNDERSTAND THAT I HAVE THE RIGHT TO CONSULT MY INSURANCE COMPANY OR AGENT ABOUT ALTERNATIVE OPTIONS BEFORE SIGNING THIS DOCUMENT."

(3) The motor vehicle repair shop seeks reimbursement only for the replacement or repair of motor vehicle glass detailed in the repair invoice required by s. 559.911.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 111 - 115

and insert:

F.S.; requiring motor vehicle repair shops to meet certain conditions before seeking certain funds from insurers; providing requirements for obtaining certain customer consent; amending s.



920060

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/04/2016	.	
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	.	
	.	

The Committee on Appropriations (Garcia) recommended the following:

Senate Amendment (with directory and title amendments)

Delete lines 1051 - 1191

and insert:

(12) "Student tour operator" means any resident or nonresident person, firm, corporation, or business entity that offers sale, directly or indirectly, at wholesale, prearranged travel, tourist-related services, or tour-guide services for groups within the educational community for schools districts, educators, and students and their families, in exchange for a



920060

11 fee, a commission, or any other valuable consideration.

12 13~~(12)~~ "Terrorist state" means any state, country, or
13 nation designated by the United States Department of State as a
14 state sponsor of terrorism.

15 (14)~~(13)~~ "Vacation certificate" means any arrangement,
16 plan, program, ~~or~~ vacation package, or advance travel purchase
17 that promotes, discusses, or discloses a destination or
18 itinerary or type of travel, whereby a purchaser ~~for~~
19 ~~consideration paid in advance~~ is entitled to the use of travel,
20 accommodations, or facilities for any number of days, whether
21 certain or uncertain, during the period in which the certificate
22 can be exercised, and no specific date or dates for its use are
23 designated. A vacation certificate does not include prearranged
24 travel or, tourist-related services, ~~or tour-guide services~~ when
25 a seller of travel remits full payment for the cost of such
26 services to the provider or supplier within 10 business days of
27 the purchaser's initial payment to the seller of travel. The
28 term does not include travel if exact travel dates are selected,
29 guaranteed, and paid for at the time of the purchase.

30 Section 29. Subsections (2) through (8) and present
31 subsection (9) of section 559.928, Florida Statutes, are
32 amended, and a new subsection (9) is added to that section, to
33 read:

34 559.928 Registration.—

35 (2)(a) Registration fees shall be as follows:

36 1. Three hundred dollars per year per registrant certifying
37 its business activities under s. 559.9285(1)(a).

38 2. One thousand dollars per year per registrant certifying
39 its business activities under s. 559.9285(1)(b).



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3. Twenty-five hundred dollars per year per registrant certifying its business activities under s. 559.9285(1)(c).

(b) All amounts collected shall be deposited by the Chief Financial Officer to the credit of the General Inspection Trust Fund of the Department of Agriculture and Consumer Services pursuant to s. 570.20, for the sole purpose of administration of this part.

(c) The department shall waive the initial registration fee for an honorably discharged veteran of the United States Armed Forces, the spouse of such a veteran, or a business entity that has a majority ownership held by such a veteran or spouse if the department receives an application, in a format prescribed by the department, within 60 months after the date of the veteran's discharge from any branch of the United States Armed Forces. To qualify for the waiver, a veteran must provide to the department a copy of his or her DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs; the spouse of a veteran must provide to the department a copy of the veteran's DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs, and a copy of a valid marriage license or certificate verifying that he or she was lawfully married to the veteran at the time of discharge; or a business entity must provide to the department proof that a veteran or the spouse of a veteran holds a majority ownership in the business, a copy of the veteran's DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the



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Department of Veterans' Affairs, and, if applicable, a copy of a valid marriage license or certificate verifying that the spouse of the veteran was lawfully married to the veteran at the time of discharge.

(3) Each independent agent shall annually file an application affidavit with the department before ~~prior to~~ engaging in business in this state. This application affidavit must include the independent agent's full name, legal business or trade name, mailing address, business address, telephone number, and the name and address of each seller of travel represented by the independent agent. A letter evidencing proof of filing must be issued by the department and must be prominently displayed in the independent agent's primary place of business. Each independent agent must also submit an annual registration fee of \$50. All moneys collected pursuant to the imposition of the fee shall be deposited by the Chief Financial Officer into the General Inspection Trust Fund of the Department of Agriculture and Consumer Services for the sole purpose of administering this part. As used in this subsection, the term "independent agent" means a person who represents a seller of travel by soliciting persons on its behalf; who has a written contract with a seller of travel which is operating in compliance with this part and any rules adopted thereunder; who does not receive a fee, commission, or other valuable consideration directly from the purchaser for the seller of travel; who does not at any time have any unissued ticket stock or travel documents in his or her possession; and who does not have the ability to issue tickets, vacation certificates, or any other travel document. The term "independent agent" does not



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include an affiliate of the seller of travel, as that term is used in s. 559.935(3), or the employees of the seller of travel or of such affiliates.

(4) ~~A~~ Any person applying for or renewing a local business tax receipt to engage in business as a seller of travel must exhibit a current registration certificate from the department before the local business tax receipt may be issued or reissued.

(5) Each contract, advertisement, certificate, or travel document of a seller of travel must include the phrase "... (NAME OF FIRM)... is registered with the State of Florida as a Seller of Travel. Registration No....."

~~(6) Each advertisement of a seller of travel must include the phrase "Fla. Seller of Travel Reg. No....."~~

~~(6)(7)~~ A ~~No~~ registration is not ~~shall be~~ valid for any seller of travel transacting business at any place other than that designated in its application, unless the department is first notified in writing in advance of any change of location. A ~~Nor shall the~~ registration is not ~~be~~ valid for an affiliate of the seller of travel who engages in the prearranged travel and tourist business. A registration issued under this part may ~~shall~~ not be assignable, and the seller of travel may ~~shall~~ not be permitted to conduct business under more than one name except as registered. A seller of travel desiring to change its registered name or location or designated agent for service of process at a time other than upon renewal of registration shall notify the department of such change.

~~(7)(8)~~ Applications under this section are ~~shall be~~ subject to ~~the provisions of~~ s. 120.60.

~~(8)(9)~~ The department may deny, ~~or~~ refuse to renew, or



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127 revoke the registration of any seller of travel based upon a
128 determination that the seller of travel, or any of its
129 directors, officers, owners, or general partners while acting on
130 behalf of the seller of travel:

131 (a) Has failed to meet the requirements for registration as
132 provided in this part;

133 (b) Has been convicted of a crime involving fraud, theft,
134 embezzlement, dishonest dealing, or any other act of moral
135 turpitude or any other act arising out of conduct as a seller of
136 travel;

137 (c) Has not satisfied a civil fine or penalty arising out
138 of any administrative or enforcement action brought by any
139 governmental agency or private person based upon conduct
140 involving fraud, theft, embezzlement, dishonest dealing, or any
141 violation of this part; or

142 ~~(d) Has pending against her or him any criminal,~~
143 ~~administrative, or enforcement proceedings in any jurisdiction,~~
144 ~~based upon conduct involving fraud, dishonest dealing, or any~~
145 ~~other act of moral turpitude; or~~

146 (d)-(e) Has had a judgment entered against her or him in any
147 action brought by the department or the Department of Legal
148 Affairs pursuant to ss. 501.201-501.213 or this act ~~part~~.

149 (9) The department may deny or refuse to renew the
150 registration of any seller of travel based upon a determination
151 by the department that the seller of travel, or any of the
152 seller's directors, officers, owners, or general partners has
153 pending against him or her while acting on behalf of the seller
154 of travel any criminal, administrative, or enforcement
155 proceedings in any jurisdiction, based upon conduct involving



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fraud, theft, embezzlement, or dishonest dealing, or any other
act of moral turpitude.

Section 30. Section 559.9281, Florida Statutes, is created
to read:

559.9281 Student tour operators.—

(1) The Department of Education shall provide and maintain
a list of approved educational student tour operators to serve
students in primary and secondary schools in all school
districts within the state.

(2) The Department of Education shall adopt rules to
establish the application process and minimum standards for
those persons wishing to be approved as student tour operators
under this section. At minimum, a student tour operator must be
registered and approved by the Department of Agriculture and
Consumer Services as a seller of travel under s. 559.928,
maintain adequate insurance coverage as determined by the
Department of Education, and be current on all state and local
business taxes.

=====
And the directory clause is amended as follows:

Delete lines 996 - 997

and insert:

Section 28. Subsections (1), (7), (8), (10), and (11) and
present subsection (13) of section 559,927, Florida Statutes,
are amended, present subsections (12) and (13) of that section
are redesignated as subsections (13) and (14), respectively, and
a new section (12) is added to that section, to read:

=====



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185 And the title is amended as follows:
186 Delete lines 130 - 131
187 and insert:
188 travel under certain circumstances; creating s.
189 559.9281, F.S.; requiring the Department of Education
190 to provide and maintain a list of approved student
191 tour operators; requiring the department to adopt
192 rules; specifying minimum standards for such
193 operators; amending s. 559.929, F.S.; revising certain
194 security requirements;



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Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on General Government)

A bill to be entitled

An act relating to regulated service providers;
amending s. 472.007, F.S.; revising the composition of
the Board of Professional Surveyors and Mappers;
amending s. 472.015, F.S.; requiring the Department of
Agriculture and Consumer Services to waive the initial
land surveying and mapping license fee for certain
veterans, the spouses of such veterans, or certain
business entities that have a majority ownership held
by such veterans or spouses; amending s. 493.6105,
F.S.; waiving the initial application fee for veterans
for certain private investigative, private security,
and repossession service licenses; revising certain
fees for initial license applications; amending s.
493.6106, F.S.; deleting a provision requiring that
certain applicants submit additional documentation
establishing state residency; amending s. 493.6107,
F.S.; waiving the initial license fees for veterans
for certain private investigative, private security,
and repossession service licenses; amending s.
493.6108, F.S.; beginning on a specified date,
requiring the Department of Law Enforcement to retain
fingerprints submitted for private investigative,
private security, and repossession service licenses,
to enter such fingerprints into the statewide
automated biometric identification system and the
Federal Bureau of Investigation's national retained



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print arrest notification program, and to report any
arrest record information to the Department of
Agriculture and Consumer Services; requiring the
department to provide information about an arrest of a
licensee for certain crime within the state to the
agency that employs the licensee; amending s.
493.6113, F.S.; clarifying the renewal requirements
for Class "K" licenses; requiring a person holding a
private investigative, private security, or
repossession service license issued before a certain
date to submit, upon first renewal of the license, a
full set of fingerprints and a fingerprint processing
fee; amending ss. 493.6202, 493.6302, and 493.6402,
F.S.; waiving initial license fees for veterans for
certain private investigative, private security, and
repossession service licenses; amending s. 501.0125,
F.S.; revising the definition of the term "health
studio"; defining the term "personal trainer";
amending s. 501.015, F.S.; requiring the department to
waive the initial health studio registration fee for
certain veterans, the spouses of such veterans, or
certain business entities that have a majority
ownership held by such veterans or spouses; amending
s. 501.605, F.S.; prohibiting the use of a mail drop
as a street address for the principal location of a
commercial telephone seller; requiring the department
to waive the initial commercial telephone seller
license fee for certain veterans, the spouses of such
veterans, or certain business entities that have a



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57 majority ownership held by such veterans or spouses;
58 amending s. 501.607, F.S.; requiring the department to
59 waive the initial telephone salesperson license fees
60 for certain veterans, the spouses of such veterans, or
61 certain business entities that have a majority
62 ownership held by such veterans or spouses; amending
63 s. 507.03, F.S.; requiring the department to waive the
64 initial registration fee for an intrastate mover for
65 certain veterans, the spouses of such veterans, or
66 certain business entities that have a majority
67 ownership held by such veterans or spouses; amending
68 s. 527.02, F.S.; requiring the department to waive the
69 original liquefied petroleum gas license fee for
70 certain veterans, the spouses of such veterans, or
71 certain business entities that have a majority
72 ownership held by such veterans or spouses; amending
73 s. 527.021, F.S.; deleting a provision requiring a fee
74 for registering transport vehicles; amending s.
75 531.37, F.S.; revising the definition of the term
76 "weights and measures"; amending s. 531.415, F.S.;
77 revising the fees for actual metrology laboratory
78 calibration and testing services; amending s. 531.60,
79 F.S.; clarifying the applicability of permits for
80 commercially operated or tested weights or measures
81 instruments or devices; requiring a new permit
82 application if a new owner acquires and moves an
83 instrument or a device; requiring a business to notify
84 the department of certain information under certain
85 circumstances; deleting a provision authorizing the



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86 department to test weights and measures instruments or
87 devices under certain circumstances; amending s.
88 531.61, F.S.; clarifying provisions exempting certain
89 instruments or devices from specified requirements;
90 amending s. 531.62, F.S.; specifying that the
91 commercial use permit fee is based upon the number and
92 types of instruments or devices permitted; revising
93 the expiration date of the commercial use permit;
94 requiring annual and biennial commercial use permit
95 renewals to meet the same requirements; amending s.
96 531.63, F.S.; revising the commercial use permit fees
97 and fee structures; amending s. 531.65, F.S.;
98 clarifying that the department may use one or more of
99 the prescribed penalties for the unauthorized use of a
100 weights and measures instrument or device; amending s.
101 539.001, F.S.; requiring the department to waive the
102 initial pawnbroker license fee for certain veterans,
103 the spouses of such veterans, or certain business
104 entities that have a majority ownership held by such
105 veterans or spouses; amending s. 559.904, F.S.;
106 requiring the department to waive the initial motor
107 vehicle repair shop registration fee for certain
108 veterans, the spouses of such veterans, or certain
109 business entities that have a majority ownership held
110 by such veterans or spouses; creating s. 559.9191,
111 F.S.; requiring motor vehicle repair shops to obtain
112 consent before seeking certain funds from insurers;
113 requiring such shops to meet certain conditions before
114 filing certain actions against insurers; providing



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115 requirements for certain customer consent; amending s.
116 559.927, F.S.; revising definitions; amending s.
117 559.928, F.S.; requiring the department to waive the
118 initial seller of travel registration fee for certain
119 veterans, the spouses of such veterans, or certain
120 business entities that have a majority ownership held
121 by such veterans or spouses; requiring independent
122 agents to annually file an application, rather than an
123 affidavit; requiring each advertisement or certificate
124 and other travel documents to include a specified
125 phrase; deleting a provision requiring an
126 advertisement to include a specified phrase; revising
127 the circumstances under which the department may deny
128 or refuse to renew a registration; authorizing the
129 department to revoke the registration of a seller of
130 travel under certain circumstances; amending s.
131 559.929, F.S.; revising certain security requirements;
132 amending s. 559.9295, F.S.; revising the documents
133 that certain sellers of travel are required to submit
134 and disclose to the department; deleting provisions
135 relating to the duties of the department; amending s.
136 559.932, F.S.; requiring that certain disclosures be
137 made in a specified type size; revising the language
138 that must be included in certain disclosures;
139 requiring the department to review copies of certain
140 certificates and contracts for compliance with
141 disclosure requirements; specifying that the
142 submission of certain materials or department response
143 does not constitute approval, recommendation,



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144 endorsement, or verification; amending s. 559.933,
145 F.S.; making technical changes; amending s. 559.9335,
146 F.S.; revising violations relating to the sale of
147 travel; amending s. 559.935, F.S.; deleting a
148 provision requiring an affiliate to file an affidavit
149 of exemption in order to obtain a specified exemption;
150 adding embezzlement as a crime for which the
151 department may revoke certain exemptions; amending s.
152 559.936, F.S.; conforming cross-references; amending
153 s. 616.242, F.S.; exempting water-related amusement
154 rides operated by lodging and food service
155 establishments and membership campgrounds, amusement
156 rides at private, membership-only facilities, and
157 nonprofit permanent facilities from certain safety
158 standards; authorizing owners or managers of amusement
159 rides to use alternative forms to record ride
160 inspections and employee training; amending s.
161 713.585, F.S.; revising certain notice requirements;
162 authorizing the owner of a vehicle or a person
163 claiming an interest in the vehicle or in a lien
164 thereon to post a bond to recover possession of a
165 vehicle held by a lienor; requiring the clerk of the
166 court to issue a certificate notifying the lienor of
167 the posting of bond; establishing procedures and
168 requirements for a vehicle owner to reclaim such
169 vehicles recovered by a lienholder; authorizing courts
170 to award damages based on claims relating to the
171 enforcement of certain lien and recovery rights;
172 requiring courts to provide for the immediate payment



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173 of proceeds and awards and immediate release of bonds;
174 amending s. 790.06, F.S.; revising the requirements
175 for issuance of a concealed weapon or firearm license;
176 requiring directions for expedited processing requests
177 in the license application form; revising the initial
178 and renewal fees for a concealed weapon or firearm
179 license; providing a process for expediting
180 applications for servicemembers and veterans;
181 requiring that notice of the suspension or revocation
182 of a concealed weapon or firearm license or the
183 suspension of the processing of an application for
184 such license be given by personal delivery or first-
185 class mail; specifying deadlines for requests for a
186 hearing for suspensions or revocations; specifying
187 standards of proof for notice of suspensions or
188 revocations; requiring concealed weapon or firearm
189 license renewals to include an affidavit submitted
190 under oath and under penalty of perjury, rather than a
191 notarized affidavit, as of a specified date; amending
192 s. 790.0625, F.S.; authorizing certain tax collector
193 offices, upon approval and confirmation of license
194 issuance by the department, to print and deliver
195 concealed weapon or firearm licenses; amending ss.
196 559.917, 559.9285, and 559.937, F.S.; conforming
197 provisions; providing an appropriation; providing
198 effective dates.

200 Be It Enacted by the Legislature of the State of Florida:
201



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202 Section 1. Subsection (1) of section 472.007, Florida
203 Statutes, is amended to read:

204 472.007 Board of Professional Surveyors and Mappers.—There
205 is created in the Department of Agriculture and Consumer
206 Services the Board of Professional Surveyors and Mappers.

207 (1) The board shall consist of nine members, seven ~~six~~ of
208 whom shall be registered surveyors and mappers primarily engaged
209 in the practice of surveying and mapping, ~~one of whom shall be a~~
210 ~~registered surveyor and mapper with the designation of~~
211 ~~photogrammetrist~~, and two of whom shall be laypersons who are
212 not and have never been surveyors and mappers or members of any
213 closely related profession or occupation.

214 Section 2. Subsection (3) of section 472.015, Florida
215 Statutes, is amended to read:

216 472.015 Licensure.—

217 (3) (a) Before the issuance of any license, the department
218 may charge an initial license fee as determined by rule of the
219 board. Upon receipt of the appropriate license fee, except as
220 provided in subsection (6), the department shall issue a license
221 to any person certified by the board, or its designee, as having
222 met the applicable requirements imposed by law or rule. However,
223 an applicant who is not otherwise qualified for licensure is not
224 entitled to licensure solely based on a passing score on a
225 required examination.

226 (b) The department shall waive the initial license fee for
227 an honorably discharged veteran of the United States Armed
228 Forces, the spouse of such a veteran, or a business entity that
229 has a majority ownership held by such a veteran or spouse if the
230 department receives an application, in a format prescribed by



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231 the department, within 60 months after the date of the veteran's
232 discharge from any branch of the United States Armed Forces. To
233 qualify for the waiver, a veteran must provide to the department
234 a copy of his or her DD Form 214, as issued by the United States
235 Department of Defense, or another acceptable form of
236 identification as specified by the Department of Veterans'
237 Affairs; the spouse of a veteran must provide to the department
238 a copy of the veteran's DD Form 214, as issued by the United
239 States Department of Defense, or another acceptable form of
240 identification as specified by the Department of Veterans'
241 Affairs, and a copy of a valid marriage license or certificate
242 verifying that he or she was lawfully married to the veteran at
243 the time of discharge; or a business entity must provide to the
244 department proof that a veteran or the spouse of a veteran holds
245 a majority ownership in the business, a copy of the veteran's DD
246 Form 214, as issued by the United States Department of Defense,
247 or another acceptable form of identification as specified by the
248 Department of Veterans' Affairs, and, if applicable, a copy of a
249 valid marriage license or certificate verifying that the spouse
250 of the veteran was lawfully married to the veteran at the time
251 of discharge.

252 Section 3. Paragraph (c) is added to subsection (1) of
253 section 493.6105, Florida Statutes, and paragraph (j) of
254 subsection (3) of that section is amended, to read:

255 493.6105 Initial application for license.—

256 (1) Each individual, partner, or principal officer in a
257 corporation, shall file with the department a complete
258 application accompanied by an application fee not to exceed \$60,
259 except that the applicant for a Class "D" or Class "G" license



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260 is not required to submit an application fee. The application
261 fee is not refundable.

262 (c) The initial application fee for a veteran, as defined
263 in s. 1.01, shall be waived if he or she applies for a Class
264 "C," Class "CC," Class "DI," Class "E," Class "EE," Class "K,"
265 Class "M," Class "MA," Class "MB," Class "MR," or Class "RI"
266 license within 24 months after being discharged from a branch of
267 the United States Armed Forces. An eligible veteran must include
268 a copy of his or her DD Form 214, as issued by the United States
269 Department of Defense, or another acceptable form of
270 identification as specified by the Department of Veterans'
271 Affairs with his or her application in order to obtain a waiver.

272 (3) The application must contain the following information
273 concerning the individual signing the application:

274 (j) A full set of fingerprints, a fingerprint processing
275 fee, and a fingerprint retention fee. The fingerprint processing
276 and retention fees shall ~~to~~ be established by rule of the
277 department based upon costs determined by state and federal
278 agency charges and department processing costs, which must
279 include the cost of retaining the fingerprints in the statewide
280 automated biometric identification system established in s.
281 943.05(2)(b) and the cost of enrolling the fingerprints in the
282 national retained print arrest notification program as required
283 under s. 493.6108. An applicant who has, within the immediately
284 preceding 6 months, submitted such fingerprints and ~~fees~~ fee for
285 licensing purposes under this chapter and who still holds a
286 valid license is not required to submit another set of
287 fingerprints or another fingerprint processing fee. An applicant
288 who holds multiple licenses issued under this chapter is



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289 required to pay only a single fingerprint retention fee.

290 Section 4. Paragraph (f) of subsection (1) of section
291 493.6106, Florida Statutes, is amended to read:

292 493.6106 License requirements; posting.-

293 (1) Each individual licensed by the department must:

294 (f) Be a citizen or permanent legal resident alien of the
295 United States or have appropriate authorization issued by the
296 United States Citizenship and Immigration Services of the United
297 States Department of Homeland Security.

298 1. An applicant for a Class "C," Class "CC," Class "D,"
299 Class "DI," Class "E," Class "EE," Class "M," Class "MA," Class
300 "MB," Class "MR," or Class "RI" license who is not a United
301 States citizen must submit proof of current employment
302 authorization issued by the United States Citizenship and
303 Immigration Services or proof that she or he is deemed a
304 permanent legal resident alien by the United States Citizenship
305 and Immigration Services.

306 2. An applicant for a Class "G" or Class "K" license who is
307 not a United States citizen must submit proof that she or he is
308 deemed a permanent legal resident alien by the United States
309 Citizenship and Immigration Services, ~~together with additional~~
310 ~~documentation establishing that she or he has resided in the~~
311 ~~state of residence shown on the application for at least 90~~
312 ~~consecutive days before the date that the application is~~
313 ~~submitted.~~

314 3. An applicant for an agency or school license who is not
315 a United States citizen or permanent legal resident alien must
316 submit documentation issued by the United States Citizenship and
317 Immigration Services stating that she or he is lawfully in the



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318 United States and is authorized to own and operate the type of
319 agency or school for which she or he is applying. An employment
320 authorization card issued by the United States Citizenship and
321 Immigration Services is not sufficient documentation.

322 Section 5. Subsection (6) is added to section 493.6107,
323 Florida Statutes, to read:

324 493.6107 Fees.-

325 (6) The initial license fee for a veteran, as defined in s.
326 1.01, shall be waived if he or she applies for a Class "M" or
327 Class "K" license within 24 months after being discharged from
328 any branch of the United States Armed Forces. An eligible
329 veteran must include a copy of his or her DD Form 214, as issued
330 by the United States Department of Defense, or another
331 acceptable form of identification as specified by the Department
332 of Veterans' Affairs with his or her application in order to
333 obtain a waiver.

334 Section 6. Subsections (4) and (5) are added to section
335 493.6108, Florida Statutes, to read:

336 493.6108 Investigation of applicants by Department of
337 Agriculture and Consumer Services.-

338 (4) Beginning January 1, 2017, the Department of Law
339 Enforcement shall:

340 (a) Retain and enter into the statewide automated biometric
341 identification system established in s. 943.05(2)(b) all
342 fingerprints submitted to the Department of Agriculture and
343 Consumer Services pursuant to this chapter.

344 (b) When the Department of Law Enforcement begins
345 participation in the Federal Bureau of Investigation's national
346 retained print arrest notification program, enroll such



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347 fingerprints in the program. The fingerprints must thereafter be
348 available for arrest notifications and all purposes and uses
349 authorized for arrest fingerprint submissions entered into the
350 statewide automated biometric identification system established
351 in s. 943.05(2)(b).

352 (c) Search all arrest fingerprints against fingerprints
353 retained.

354 (d) Report to the Department of Agriculture and Consumer
355 Services any arrest record that it identifies or that is
356 identified by the Federal Bureau of Investigation.

357 (5) If the department receives information about an arrest
358 within the state of a person who holds a valid license issued
359 under this chapter for a crime that could potentially disqualify
360 the person from holding such a license, the department must
361 provide the arrest information to the agency that employs the
362 licensee.

363 Section 7. Subsections (1) and (3) of section 493.6113,
364 Florida Statutes, are amended to read:

365 493.6113 Renewal application for licensure.-

366 (1) A license granted under the provisions of this chapter
367 shall be renewed biennially by the department, except for Class
368 "A," Class "B," Class "AB," Class "K," Class "R," and branch
369 agency licenses, which shall be renewed every 3 years.

370 (3) Each licensee is responsible for renewing his or her
371 license on or before its expiration by filing with the
372 department an application for renewal accompanied by payment of
373 the renewal fee and the fingerprint retention fee to cover the
374 cost of ongoing retention in the statewide automated biometric
375 identification system established in s. 943.05(2)(b) ~~prescribed~~



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376 ~~license fee.~~ Upon the first renewal of a license issued under
377 this chapter before January 1, 2017, the licensee shall submit a
378 full set of fingerprints and fingerprint processing fees to
379 cover the cost of entering the fingerprints into the statewide
380 automated biometric identification system pursuant to s.
381 493.6108(4)(a) and, if applicable, enrollment in the Federal
382 Bureau of Investigation's national retained print arrest
383 notification program. Subsequent renewals may be completed
384 without submission of a new set of fingerprints.

385 (a) Each Class "B" licensee shall additionally submit on a
386 form prescribed by the department a certification of insurance
387 that evidences that the licensee maintains coverage as required
388 under s. 493.6110.

389 (b) Each Class "G" licensee shall additionally submit proof
390 that he or she has received during each year of the license
391 period a minimum of 4 hours of firearms recertification training
392 taught by a Class "K" licensee and has complied with such other
393 health and training requirements that the department shall adopt
394 by rule. Proof of completion of firearms recertification
395 training shall be submitted to the department upon completion of
396 the training. If the licensee fails to complete the required 4
397 hours of annual training during the first year of the 2-year
398 term of the license, the license shall be automatically
399 suspended. The licensee must complete the minimum number of
400 hours of range and classroom training required at the time of
401 initial licensure and submit proof of completion of such
402 training to the department before the license may be reinstated.
403 If the licensee fails to complete the required 4 hours of annual
404 training during the second year of the 2-year term of the



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license, the licensee must complete the minimum number of hours of range and classroom training required at the time of initial licensure and submit proof of completion of such training to the department before the license may be renewed. The department may waive the firearms training requirement if:

1. The applicant provides proof that he or she is currently certified as a law enforcement officer or correctional officer under the Criminal Justice Standards and Training Commission and has completed law enforcement firearms requalification training annually during the previous 2 years of the licensure period;

2. The applicant provides proof that he or she is currently certified as a federal law enforcement officer and has received law enforcement firearms training administered by a federal law enforcement agency annually during the previous 2 years of the licensure period; or

3. The applicant submits a valid firearm certificate among those specified in s. 493.6105(6)(a) and provides proof of having completed requalification training during the previous 2 years of the licensure period.

(c) Each Class "DS" or Class "RS" licensee shall additionally submit the current curriculum, examination, and list of instructors.

(d) Each Class "K" licensee shall additionally submit one of the certificates specified under s. 493.6105(6) as proof that he or she remains certified to provide firearms instruction.

Section 8. Subsection (4) is added to section 493.6202, Florida Statutes, to read:

493.6202 Fees.—

(4) The initial license fee for a veteran, as defined in s.



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1.01, shall be waived if he or she applies for a Class "C," Class "CC," or Class "MA" license within 24 months after being discharged from any branch of the United States Armed Forces. An eligible veteran must include a copy of his or her DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs with his or her application in order to obtain a waiver.

Section 9. Subsection (4) is added to section 493.6302, Florida Statutes, to read:

493.6302 Fees.—

(4) The initial license fee for a veteran, as defined in s. 1.01, shall be waived if he or she applies for a Class "D," Class "DI," or Class "MB" license within 24 months after being discharged from any branch of the United States Armed Forces. An eligible veteran must include a copy of his or her DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs with his or her application in order to obtain a waiver.

Section 10. Subsection (4) is added to section 493.6402, Florida Statutes, to read:

493.6402 Fees.—

(4) The initial license fee for a veteran, as defined in s. 1.01, shall be waived if he or she applies for a Class "E," Class "EE," Class "MR," or Class "RI" license within 24 months after being discharged from any branch of the United States Armed Forces. An eligible veteran must include a copy of his or her DD Form 214, as issued by the United States Department of



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463 Defense, or another acceptable form of identification as
464 specified by the Department of Veterans' Affairs with his or her
465 application in order to obtain a waiver.

466 Section 11. Subsection (1) of section 501.0125, Florida
467 Statutes, is amended, and subsection (6) is added to that
468 section, to read:

469 501.0125 Health studios; definitions.—For purposes of ss.
470 501.012-501.019, the following terms shall have the following
471 meanings:

472 (1) "Health studio" means any person who is engaged in the
473 sale of services for instruction, training, or assistance in a
474 program of physical exercise or in the sale of services for the
475 right or privilege to use equipment or facilities in furtherance
476 of a program of physical exercise. The term does not include an
477 individual acting as a personal trainer.

478 (6) "Personal trainer" means an individual:

479 (a) Who does not have an established place of business for
480 the primary purpose of the conducting of physical exercise;

481 (b) Whose provision of exercise equipment is incidental to
482 the instruction provided; and

483 (c) Who does not accept payment for services that are to be
484 rendered more than 30 days after the date of payment.

485 Section 12. Subsection (2) of section 501.015, Florida
486 Statutes, is amended to read:

487 501.015 Health studios; registration requirements and
488 fees.—Each health studio shall:

489 (2) Remit an annual registration fee of \$300 to the
490 department at the time of registration for each of the health
491 studio's business locations. The department shall waive the



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492 initial registration fee for an honorably discharged veteran of
493 the United States Armed Forces, the spouse of such a veteran, or
494 a business entity that has a majority ownership held by such a
495 veteran or spouse if the department receives an application, in
496 a format prescribed by the department, within 60 months after
497 the date of the veteran's discharge from any branch of the
498 United States Armed Forces. To qualify for the waiver, a veteran
499 must provide to the department a copy of his or her DD Form 214,
500 as issued by the United States Department of Defense, or another
501 acceptable form of identification as specified by the Department
502 of Veterans' Affairs; the spouse of a veteran must provide to
503 the department a copy of the veteran's DD Form 214, as issued by
504 the United States Department of Defense, or another acceptable
505 form of identification as specified by the Department of
506 Veterans' Affairs, and a copy of a valid marriage license or
507 certificate verifying that he or she was lawfully married to the
508 veteran at the time of discharge; or a business entity must
509 provide to the department proof that a veteran or the spouse of
510 a veteran holds a majority ownership in the business, a copy of
511 the veteran's DD Form 214, as issued by the United States
512 Department of Defense, or another acceptable form of
513 identification as specified by the Department of Veterans'
514 Affairs, and, if applicable, a copy of a valid marriage license
515 or certificate verifying that the spouse of the veteran was
516 lawfully married to the veteran at the time of discharge.

517 Section 13. Paragraph (j) of subsection (2) and paragraph
518 (b) of subsection (5) of section 501.605, Florida Statutes, are
519 amended to read:

520 501.605 Licensure of commercial telephone sellers.—



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521 (2) An applicant for a license as a commercial telephone
522 seller must submit to the department, in such form as it
523 prescribes, a written application for the license. The
524 application must set forth the following information:

525 (j) The complete street address of each location,
526 designating the principal location, from which the applicant
527 will be doing business. The street address may not be ~~If any~~
528 ~~location is a mail drop, this shall be disclosed as such.~~

529
530 The application shall be accompanied by a copy of any: Script,
531 outline, or presentation the applicant will require or suggest a
532 salesperson to use when soliciting, or, if no such document is
533 used, a statement to that effect; sales information or
534 literature to be provided by the applicant to a salesperson; and
535 sales information or literature to be provided by the applicant
536 to a purchaser in connection with any solicitation.

537 (5) An application filed pursuant to this part must be
538 verified and accompanied by:

539 (b) A fee for licensing in the amount of \$1,500. The fee
540 shall be deposited into the General Inspection Trust Fund. The
541 department shall waive the initial license fee for an honorably
542 discharged veteran of the United States Armed Forces, the spouse
543 of such a veteran, or a business entity that has a majority
544 ownership held by such a veteran or spouse if the department
545 receives an application, in a format prescribed by the
546 department, within 60 months after the date of the veteran's
547 discharge from any branch of the United States Armed Forces. To
548 qualify for the waiver, a veteran must provide to the department
549 a copy of his or her DD Form 214, as issued by the United States



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550 Department of Defense, or another acceptable form of
551 identification as specified by the Department of Veterans'
552 Affairs; the spouse of a veteran must provide to the department
553 a copy of the veteran's DD Form 214, as issued by the United
554 States Department of Defense, or another acceptable form of
555 identification as specified by the Department of Veterans'
556 Affairs, and a copy of a valid marriage license or certificate
557 verifying that he or she was lawfully married to the veteran at
558 the time of discharge; or a business entity must provide to the
559 department proof that a veteran or the spouse of a veteran holds
560 a majority ownership in the business, a copy of the veteran's DD
561 Form 214, as issued by the United States Department of Defense,
562 or another acceptable form of identification as specified by the
563 Department of Veterans' Affairs, and, if applicable, a copy of a
564 valid marriage license or certificate verifying that the spouse
565 of the veteran was lawfully married to the veteran at the time
566 of discharge.

567 Section 14. Paragraph (b) of subsection (2) of section
568 501.607, Florida Statutes, is amended to read:

569 501.607 Licensure of salespersons.—

570 (2) An application filed pursuant to this section must be
571 verified and be accompanied by:

572 (b) A fee for licensing in the amount of \$50 per
573 salesperson. The fee shall be deposited into the General
574 Inspection Trust Fund. The fee for licensing may be paid after
575 the application is filed, but must be paid within 14 days after
576 the applicant begins work as a salesperson. The department shall
577 wave the initial license fee for an honorably discharged
578 veteran of the United States Armed Forces, the spouse of such a



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579 veteran, or a business entity that has a majority ownership held
580 by such a veteran or spouse if the department receives an
581 application, in a format prescribed by the department, within 60
582 months after the date of the veteran's discharge from any branch
583 of the United States Armed Forces. To qualify for the waiver, a
584 veteran must provide to the department a copy of his or her DD
585 Form 214, as issued by the United States Department of Defense,
586 or another acceptable form of identification as specified by the
587 Department of Veterans' Affairs; the spouse of a veteran must
588 provide to the department a copy of the veteran's DD Form 214,
589 as issued by the United States Department of Defense, or another
590 acceptable form of identification as specified by the Department
591 of Veterans' Affairs, and a copy of a valid marriage license or
592 certificate verifying that he or she was lawfully married to the
593 veteran at the time of discharge; or a business entity must
594 provide to the department proof that a veteran or the spouse of
595 a veteran holds a majority ownership in the business, a copy of
596 the veteran's DD Form 214, as issued by the United States
597 Department of Defense, or another acceptable form of
598 identification as specified by the Department of Veterans'
599 Affairs, and, if applicable, a copy of a valid marriage license
600 or certificate verifying that the spouse of the veteran was
601 lawfully married to the veteran at the time of discharge.

602 Section 15. Subsection (3) of section 507.03, Florida
603 Statutes, is amended to read:

604 507.03 Registration.—

605 (3)(a) Registration fees shall be calculated at the rate of
606 \$300 per year per mover or moving broker. All amounts collected
607 shall be deposited by the Chief Financial Officer to the credit



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608 of the General Inspection Trust Fund of the department for the
609 sole purpose of administration of this chapter.

610 (b) The department shall waive the initial registration fee
611 for an honorably discharged veteran of the United States Armed
612 Forces, the spouse of such a veteran, or a business entity that
613 has a majority ownership held by such a veteran or spouse if the
614 department receives an application, in a format prescribed by
615 the department, within 60 months after the date of the veteran's
616 discharge from any branch of the United States Armed Forces. To
617 qualify for the waiver, a veteran must provide to the department
618 a copy of his or her DD Form 214, as issued by the United States
619 Department of Defense, or another acceptable form of
620 identification as specified by the Department of Veterans'
621 Affairs; the spouse of a veteran must provide to the department
622 a copy of the veteran's DD Form 214, as issued by the United
623 States Department of Defense, or another acceptable form of
624 identification as specified by the Department of Veterans'
625 Affairs, and a copy of a valid marriage license or certificate
626 verifying that he or she was lawfully married to the veteran at
627 the time of discharge; or a business entity must provide to the
628 department proof that a veteran or the spouse of a veteran holds
629 a majority ownership in the business, a copy of the veteran's DD
630 Form 214, as issued by the United States Department of Defense,
631 or another acceptable form of identification as specified by the
632 Department of Veterans' Affairs, and, if applicable, a copy of a
633 valid marriage license or certificate verifying that the spouse
634 of the veteran was lawfully married to the veteran at the time
635 of discharge.

636 Section 16. Subsection (3) of section 527.02, Florida



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Statutes, is amended to read:

527.02 License; penalty; fees.—

(3)(a) An ~~any~~ applicant for an original license who submits an whose application is submitted during the last 6 months of the license year may have the original license fee reduced by one-half for the 6-month period. This provision applies ~~shall apply~~ only to those companies applying for an original license and may ~~shall~~ not be applied to licensees who held a license during the previous license year and failed to renew the license. The department may refuse to issue an initial license to an ~~any~~ applicant who is under investigation in any jurisdiction for an action that would constitute a violation of this chapter until such time as the investigation is complete.

(b) The department shall waive the initial license fee for an honorably discharged veteran of the United States Armed Forces, the spouse of such a veteran, or a business entity that has a majority ownership held by such a veteran or spouse if the department receives an application, in a format prescribed by the department, within 60 months after the date of the veteran's discharge from any branch of the United States Armed Forces. To qualify for the waiver, a veteran must provide to the department a copy of his or her DD Form 214, as issued by the United States Department of Defense or another acceptable form of identification as specified by the Department of Veterans' Affairs; the spouse of a veteran must provide to the department a copy of the veteran's DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs, and a copy of a valid marriage license or certificate



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verifying that he or she was lawfully married to the veteran at the time of discharge; or a business entity must provide to the department proof that a veteran or the spouse of a veteran holds a majority ownership in the business, a copy of the veteran's DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs, and, if applicable, a copy of a valid marriage license or certificate verifying that the spouse of the veteran was lawfully married to the veteran at the time of discharge.

Section 17. Subsection (4) of section 527.021, Florida Statutes, is amended to read:

527.021 Registration of transport vehicles.—

~~(4) An inspection fee of \$50 shall be assessed for each registered vehicle inspected by the department pursuant to s. 527.061. All inspection fees collected in connection with this section shall be deposited in the General Inspection Trust Fund for the purpose of administering the provisions of this chapter.~~

Section 18. Subsection (1) of section 531.37, Florida Statutes, is amended to read:

531.37 Definitions.—As used in this chapter:

(1) "Weights and measures" means all weights and measures of every kind, instruments, and devices for weighing and measuring, and any appliance and accessories associated with any or all such instruments and devices, excluding those weights and measures used for the purpose of inspecting the accuracy of devices used in conjunction with aviation fuel.

Section 19. Subsections (1) and (2) of section 531.415, Florida Statutes, are amended to read:



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695 531.415 Fees.-

696 (1) The department shall charge and collect fees of not
697 more than the following ~~fees~~ for actual metrology laboratory
698 calibration and testing services rendered:

699 (a) For each mass standard that is tested or certified to
700 meet tolerances less stringent than American National Standards
701 Institute/American Society for Testing and Materials (ANSI/ASTM)
702 Standard E617 Class 4, ~~the department shall charge a fee of not~~
703 ~~more than:~~

Weight	Fee/Unit
0 - 2 lb.	\$6
3 - 10 lb.	\$8
11 - 50 lb.	\$12
51 - 500 lb.	\$20
501 - 1000 lb.	\$30
1001 - 2500 lb.	\$40
2501 - 5000 lb.	\$50

712 (b) For each mass standard that is tested or certified to
713 meet ANSI/ASTM Standard Class 4 or National Institute of
714 Standards and Technology Class P tolerances, ~~the department~~
715 ~~shall charge a fee of not more than:~~

Weight	Fee/Unit
0 - 10 lb.	\$20
11 - 50 lb.	\$30
51 - 500 lb.	\$40
501 - 1000 lb.	\$50
1001 - 2500 lb.	\$60
2501 - 5000 lb.	\$75

723 (c) For each mass standard that is calibrated to determine



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724 actual mass or apparent mass values, ~~the department shall charge~~
725 ~~a fee of not more than:~~

Weight	Fee/Unit
0 - 20 lb.	\$40
21 - 50 lb.	\$50
51 - 1000 lb.	\$70
1001 - 2500 lb.	\$150
2501 - 5000 lb.	\$250

732 (d) For each volumetric flask, graduate, or test measure,
733 ~~the department shall charge a fee of not more than:~~

Vessel	Fee/Test Point
0 - 5 gal.	\$35
Over 5 gal.	Plus \$0.75 for each additional gallon

737 ~~(e) For each linear measure that is tested or certified,~~
738 ~~the department shall charge a fee of not more than \$75.~~

739 ~~(e)(f) For each linear measure test that is calibrated to~~
740 ~~determine actual values, the department shall charge a fee of~~
741 ~~\$75 not more than \$100.~~

742 ~~(g) For each liquid-in-glass or electronic thermometer that~~
743 ~~is tested or certified, the department shall charge a fee of not~~
744 ~~more than \$50.~~

745 ~~(f)(h) For each temperature measuring device, liquid-in-~~
746 ~~glass or electronic thermometer that is calibrated to determine~~
747 ~~actual values, the department shall charge a fee of \$50 not more~~
748 ~~than \$100.~~

749 ~~(g)(i) For each special test or special preparation, the~~
750 ~~department shall charge a fee of not more than \$50 per hour.~~

751 (2) Each fee is payable to the department at the time the
752 testing is done, regardless of whether the item tested is



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certified. The department may refuse to accept for testing any item deemed by the department to be unsuitable for its intended use or not to be in a condition ready for testing. The department shall deposit all fees collected under this section into the General Inspection Trust Fund.

Section 20. Section 531.60, Florida Statutes, is amended to read:

531.60 Permit for commercially operated or tested weights or measures instrument or devices.—

(1) A weights and measures instrument or device may not operate or be used for commercial purposes, as defined by department rule, within this state without first being permitted through a valid commercial use permit issued by the department to the person who owns the weights and measures device, unless exempted as provided in s. 531.61. Such permit applies only to the specific location and instrument types or device types listed on for which the permit was issued. However, the department may allow such permit to be applicable to a replacement for the original instrument or device.

(2) If ownership of a business an instrument or device for which a permit has been issued changes and the instruments or devices affected by the permit instrument or device:

(a) ~~Remain~~ Remains in the same location, the permit transfers to the new owner and remains in effect until its original expiration date. Within 30 days after the change in ownership, the new owner shall notify the department of the change and provide the pertinent information regarding the change in ownership and an updated replacement permit shall be issued if needed.



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(b) ~~Move~~ Moves to a new location, the permit automatically expires and a new permit must be applied for by the new owner of the instruments or devices issued which will expire 1 year following the date of issuance.

(3) A person who holds a permit that has been issued under this section must notify the department within 30 days after a change in permit status or if a permit will not be renewed due to the termination in use or removal of all weighing and measuring instruments or devices from the permitted location
~~Weights and measures instruments or devices that are not used commercially may be tested by the department under this chapter only if they are permitted and appropriate fees paid as prescribed by this section and adopted rules.~~

Section 21. Section 531.61, Florida Statutes, is amended to read:

531.61 Exemptions from permit requirement.—Commercial weights or measures instruments or devices are exempt from the ~~permit~~ requirements of ss. 531.60-531.66 if:

(1) The device is a taximeter that is licensed, permitted, or registered by a municipality, county, or other local government and is tested for accuracy and compliance with state standards by the local government in cooperation with the state as authorized in s. 531.421.

(2) The device is used exclusively for weighing railroad cars and is tested for accuracy and compliance with state standards by a private testing agency.

(3) The device is used exclusively for measuring aviation fuel or petroleum products inspected under chapter 525.

Section 22. Subsections (1), (2), and (4) of section



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531.62, Florida Statutes, are amended to read:

531.62 Permit application and renewal.—

(1) An application for a ~~weights and measures~~ commercial use permit shall be submitted to the department on a form prescribed and furnished by the department and must contain such information as the department may require by rule.

(2) The application must be accompanied by a fee in an amount determined by the number and types of instruments or devices covered by the permit as provided by department rule. However, the fee for each instrument or device listed on the permit may not exceed the maximum limits set forth in s. 531.63.

(4) A permit expires 2 years ~~1 year~~ following its date of issue and must be renewed biennially ~~annually~~. If a complete an application package for renewal is not received by the department before the permit expires ~~within 30 days after its due date~~, a late fee of up to \$100 must be paid in addition to the ~~annual~~ commercial use permit fee. However, a person may elect to renew a commercial use permit on an annual basis rather than a biennial basis. An annual renewal must meet the same requirements and conditions as a biennial renewal.

Section 23. Paragraph (a) of subsection (1) and subsection (2) of section 531.63, Florida Statutes, are amended to read:

531.63 Maximum permit fees.—The commercial use permit fees established for weights or measures instruments or devices shall be in an amount necessary to administer this chapter but may not exceed the amounts provided in this section.

(1) For weighing devices, the fees must be based on the manufacturer's rated capacity or the device's design and use and whether measuring by inch or pounds or the metric equivalent:



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(a) For weighing devices of up to and including the 100-pound capacity which are used during any portion of the period covered by the permit, the maximum annual fees per category of device ~~retail establishment~~ may not exceed the following:

Number of devices in a single <u>category</u> retail establishment	Maximum Fee
1 to 5	\$60
6 to 10	\$150
11 to 30	\$200
More than 30	\$300

(2) For other measuring devices, the annual permit fees per device may not exceed the following:

(a) Mass flow meters having a maximum flow rate of up to 150 pounds per minute.....\$100.
This includes all mass flow meters used to dispense compressed and liquefied natural gas for retail sale.

(b) Mass flow meters having a maximum flow rate greater than 150 pounds per minute.....\$500.

(c) Volumetric flow meters having a maximum flow rate of up to 20 gallons per minute.....\$50.
This includes all devices used to dispense diesel exhaust fluid for retail sale.

(d) Volumetric flow meters having a maximum flow rate greater than 20 gallons per minute.....\$100.

(e) Tanks, under 500 gallons capacity, used as measure containers, with or without gage rods or markers.....\$100.

(f) Tanks, 500 or more gallons capacity, used as measure containers, with or without gage rods or markers.....\$200.



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869 (g) Taximeters.....\$50.
870 ~~(h) Grain moisture meters.....\$25.~~
871 ~~(h)(i)~~ Multiple-dimension measuring
872 devices.....\$100.
873 (i) Liquefied petroleum gas bulk delivery vehicles with a
874 meter owned or leased by a liquefied petroleum gas licensee.\$150.
875 Section 24. Section 531.65, Florida Statutes, is amended to
876 read:
877 531.65 Unauthorized use; penalties.—If a weights or
878 measures instrument or device is used commercially without a
879 valid commercial use permit, the department may do one or more
880 of the following:
881 (1) Prohibit the further commercial use of the unpermitted
882 instrument or device until the proper permit has been issued.
883 (2) Employ and attach to the instrument or device such
884 form, notice, tag, or seal to prevent the continued unauthorized
885 use of the instrument or device.
886 (3) In addition to the permit fees prescribed by rule for
887 the commercial use of a weights and measures instrument or
888 device, assess the late fee authorized under s. 531.62. ~~or~~
889 (4) Impose penalties as prescribed in s. 531.50 in addition
890 to the payment of appropriate permit fees for the commercial use
891 of a weights and measures instrument or device.
892 Section 25. Paragraph (c) of subsection (3) of section
893 539.001, Florida Statutes, is amended to read:
894 539.001 The Florida Pawnbroking Act.—
895 (3) LICENSE REQUIRED.—
896 (c) Each license is valid for a period of 1 year unless it
897 is earlier relinquished, suspended, or revoked. Each license



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898 shall be renewed annually, and each licensee shall, initially
899 and annually thereafter, pay to the agency a license fee of \$300
900 for each license held. The agency shall waive the initial
901 license fee for an honorably discharged veteran of the United
902 States Armed Forces, the spouse of such a veteran, or a business
903 entity that has a majority ownership held by such a veteran or
904 spouse if the agency receives an application, in a format
905 prescribed by the agency, within 60 months after the date of the
906 veteran's discharge from any branch of the United States Armed
907 Forces. To qualify for the waiver, a veteran must provide to the
908 agency a copy of his or her DD Form 214, as issued by the United
909 States Department of Defense, or another acceptable form of
910 identification as specified by the Department of Veterans'
911 Affairs; the spouse of a veteran must provide to the agency a
912 copy of the veteran's DD Form 214, as issued by the United
913 States Department of Defense, or another acceptable form of
914 identification as specified by the Department of Veterans'
915 Affairs, and a copy of a valid marriage license or certificate
916 verifying that he or she was lawfully married to the veteran at
917 the time of discharge; or a business entity must provide to the
918 agency proof that a veteran or the spouse of a veteran holds a
919 majority ownership in the business, a copy of the veteran's DD
920 Form 214, as issued by the United States Department of Defense,
921 or another acceptable form of identification as specified by the
922 Department of Veterans' Affairs, and, if applicable, a copy of a
923 valid marriage license or certificate verifying that the spouse
924 of the veteran was lawfully married to the veteran at the time
925 of discharge.
926 Section 26. Subsection (3) of section 559.904, Florida



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927 Statutes, is amended to read:

928 559.904 Motor vehicle repair shop registration;
929 application; exemption.—

930 (3) (a) Each application for registration must be
931 accompanied by a registration fee calculated on a per-year basis
932 as follows:

933 1. ~~(a)~~ If the place of business has 1 to 5 employees: \$50.
934 2. ~~(b)~~ If the place of business has 6 to 10 employees: \$150.
935 3. ~~(c)~~ If the place of business has 11 or more employees:
936 \$300.

937 (b) The department shall waive the initial registration fee
938 for an honorably discharged veteran of the United States Armed
939 Forces, the spouse of such a veteran, or a business entity that
940 has a majority ownership held by such a veteran or spouse if the
941 department receives an application, in a format prescribed by
942 the department, within 60 months after the date of the veteran's
943 discharge from any branch of the United States Armed Forces. To
944 qualify for the waiver, a veteran must provide to the department
945 a copy of his or her DD Form 214, as issued by the United States
946 Department of Defense, or another acceptable form of
947 identification as specified by the Department of Veterans'
948 Affairs; the spouse of a veteran must provide to the department
949 a copy of the veteran's DD Form 214, as issued by the United
950 States Department of Defense, or another acceptable form of
951 identification as specified by the Department of Veterans'
952 Affairs, and a copy of a valid marriage license or certificate
953 verifying that he or she was lawfully married to the veteran at
954 the time of discharge; or a business entity must provide to the
955 department proof that a veteran or the spouse of a veteran holds



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956 a majority ownership in the business, a copy of the veteran's DD
957 Form 214, as issued by the United States Department of Defense
958 or another acceptable form of identification as specified by the
959 Department of Veterans' Affairs, and, if applicable, a copy of a
960 valid marriage license or certificate verifying that the spouse
961 of the veteran was lawfully married to the veteran at the time
962 of discharge.

963 Section 27. Section 559.9191, Florida Statutes, is created
964 to read:

965 559.9191 Reimbursement from insurers.—

966 (1) A motor vehicle repair shop may not directly seek
967 reimbursement, payment, or benefits from an insurer unless all
968 of the following conditions are satisfied:

969 (a) The insurer consents to the repairs.

970 (b) The customer under whose insurance policy the repairs
971 will be made signs a document containing the following language
972 in at least 16-point, boldfaced type: "I UNDERSTAND THAT A MOTOR
973 VEHICLE REPAIR SHOP MAY SEEK REIMBURSEMENT FOR THEIR SERVICES
974 FROM ANOTHER PARTY, SUCH AS MY INSURANCE COMPANY. I UNDERSTAND
975 THAT IF THIS DAMAGE IS NOT COVERED BY MY INSURANCE POLICY, THE
976 MOTOR VEHICLE REPAIR SHOP MAY SEEK REIMBURSEMENT FROM ME,
977 PERSONALLY."

978 (c) The motor vehicle repair shop seeks reimbursement only
979 for services detailed in the repair invoice required in s.
980 559.911.

981 (2) At least 15 business days prior to the initiation of
982 civil litigation or arbitration to enforce the payment of
983 benefits assigned, granted, or otherwise transferred by the
984 insured customer to the motor vehicle repair shop, the shop



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985 shall obtain written consent from the customer. The consent
986 form, which must be signed by the customer and provided to the
987 insurer at least 7 business days before the initiation of
988 litigation, must contain the following statement in 18-point,
989 boldfaced type: "THIS CONTRACT ALLOWS ...(NAME OF COMPANY)... TO
990 FILE A LAWSUIT TO SEEK BENEFITS ASSOCIATED WITH YOUR INSURANCE
991 POLICY. YOUR WRITTEN CONSENT IS REQUIRED FOR THE FILING OF SUCH
992 A LAWSUIT TO ENFORCE POST-CLAIM BENEFITS UNDER YOUR INSURANCE
993 POLICY. BY SIGNING THIS FORM, YOU AGREE THAT ...(NAME OF
994 COMPANY)... HAS THE RIGHT TO FILE A LAWSUIT FOR THESE INSURANCE
995 BENEFITS."

996 Section 28. Subsections (1), (7), (8), (10), (11), and (13)
997 of section 559.927, Florida Statutes, are amended to read:

998 559.927 Definitions.—For the purposes of this part, the
999 term:

1000 (1) "Accommodations" means any hotel or motel room,
1001 condominium or cooperative unit, cabin, lodge, or apartment; any
1002 other commercial structure designed for occupancy by one or more
1003 individuals; or any lodging establishment as provided by law.
1004 The term does not include long-term home rentals covered under a
1005 lease pursuant to chapter 83.

1006 (7) "Prearranged travel ~~or~~, tourist-related services, ~~or~~
1007 ~~tour-guide services~~" includes, but is not limited to, car
1008 rentals, lodging, transfers, and ~~sightseeing tours~~ and all other
1009 such services that which are reasonably related to air, sea,
1010 rail, motor coach, or other medium of transportation, or
1011 accommodations for which a purchaser receives a premium or
1012 contracts or pays ~~before prior to~~ or after departure. This term
1013 These terms also includes ~~include~~ services for which a



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1014 purchaser, whose legal residence is outside the United States,
1015 contracts or pays ~~before prior to~~ departure, and any arrangement
1016 by which a purchaser prepays for, receives a reservation or any
1017 other commitment to provide services ~~before prior to~~ departure
1018 for, or otherwise arranges for travel directly to a terrorist
1019 state and which originates in Florida.

1020 (8) "Purchaser" means the purchaser of, or person otherwise
1021 entitled to receive, prearranged travel ~~or~~, tourist-related
1022 services, ~~or tour-guide services~~, for a fee or commission, or
1023 who has acquired a vacation certificate for personal use.

1024 (10) "Satisfactory consumer complaint history" means no
1025 unresolved complaints regarding prearranged travel ~~or~~, tourist-
1026 related services, ~~or tour-guide services~~ are on file with the
1027 department. A complaint is unresolved when a seller of travel
1028 does not respond to the department's efforts to mediate the
1029 complaint or a complaint where the department has determined
1030 that a violation of this part has occurred and the complainant
1031 ~~complaint~~ has not been satisfied by the seller of travel.

1032 (11) "Seller of travel" means any resident or nonresident
1033 person, firm, corporation, or business entity ~~that who~~ offers
1034 ~~for sale~~, directly or indirectly, ~~at wholesale or retail~~,
1035 prearranged travel ~~or~~, tourist-related services, ~~or tour-guide~~
1036 ~~services~~ for individuals or groups, including, but not limited
1037 to, vacation ~~or tour~~ packages, or vacation certificates in
1038 exchange for a fee, commission, or other valuable consideration.
1039 The term includes such person, firm, corporation, or business
1040 entity who sells a vacation certificate to third-party merchants
1041 for a fee, or in exchange for a commission, or who offers such
1042 certificates to consumers in exchange for attendance at sales



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1043 presentations. The term also includes any business entity
1044 offering membership in a travel club or travel services for an
1045 advance fee or payment, even if no travel contracts or
1046 certificates or vacation or tour packages are sold by the
1047 business entity. The term does not include third parties who may
1048 offer prearranged travel or tourist-related services, but do not
1049 participate in travel fulfillment or vacation certificate
1050 redemption.

1051 (13) "Vacation certificate" means any arrangement, plan,
1052 program, ~~or~~ vacation package, or advance travel purchase that
1053 promotes, discusses, or discloses a destination or itinerary or
1054 type of travel, whereby a purchaser ~~for consideration paid in~~
1055 ~~advance~~ is entitled to the use of travel, accommodations, or
1056 facilities for any number of days, whether certain or uncertain,
1057 during the period in which the certificate can be exercised, and
1058 no specific date or dates for its use are designated. A vacation
1059 certificate does not include prearranged travel or, tourist-
1060 related services, ~~or tour guide services~~ when a seller of travel
1061 remits full payment for the cost of such services to the
1062 provider or supplier within 10 business days of the purchaser's
1063 initial payment to the seller of travel. The term does not
1064 include travel if exact travel dates are selected, guaranteed,
1065 and paid for at the time of the purchase.

1066 Section 29. Subsections (2) through (9) of section 559.928,
1067 Florida Statutes, are amended to read:

1068 559.928 Registration.—

1069 (2) (a) Registration fees shall be as follows:

1070 1. Three hundred dollars per year per registrant certifying
1071 its business activities under s. 559.9285(1) (a).



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1072 2. One thousand dollars per year per registrant certifying
1073 its business activities under s. 559.9285(1) (b).

1074 3. Twenty-five hundred dollars per year per registrant
1075 certifying its business activities under s. 559.9285(1) (c).

1076 (b) All amounts collected shall be deposited by the Chief
1077 Financial Officer to the credit of the General Inspection Trust
1078 Fund of the Department of Agriculture and Consumer Services
1079 pursuant to s. 570.20, for the sole purpose of administration of
1080 this part.

1081 (c) The department shall waive the initial registration fee
1082 for an honorably discharged veteran of the United States Armed
1083 Forces, the spouse of such a veteran, or a business entity that
1084 has a majority ownership held by such a veteran or spouse if the
1085 department receives an application, in a format prescribed by
1086 the department, within 60 months after the date of the veteran's
1087 discharge from any branch of the United States Armed Forces. To
1088 qualify for the waiver, a veteran must provide to the department
1089 a copy of his or her DD Form 214, as issued by the United States
1090 Department of Defense, or another acceptable form of
1091 identification as specified by the Department of Veterans'
1092 Affairs; the spouse of a veteran must provide to the department
1093 a copy of the veteran's DD Form 214, as issued by the United
1094 States Department of Defense, or another acceptable form of
1095 identification as specified by the Department of Veterans'
1096 Affairs, and a copy of a valid marriage license or certificate
1097 verifying that he or she was lawfully married to the veteran at
1098 the time of discharge; or a business entity must provide to the
1099 department proof that a veteran or the spouse of a veteran holds
1100 a majority ownership in the business, a copy of the veteran's DD



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1101 Form 214, as issued by the United States Department of Defense,
1102 or another acceptable form of identification as specified by the
1103 Department of Veterans' Affairs, and, if applicable, a copy of a
1104 valid marriage license or certificate verifying that the spouse
1105 of the veteran was lawfully married to the veteran at the time
1106 of discharge.

1107 (3) Each independent agent shall annually file an
1108 application affidavit with the department before ~~prior to~~
1109 engaging in business in this state. This application affidavit
1110 must include the independent agent's full name, legal business
1111 or trade name, mailing address, business address, telephone
1112 number, and the name and address of each seller of travel
1113 represented by the independent agent. A letter evidencing proof
1114 of filing must be issued by the department and must be
1115 prominently displayed in the independent agent's primary place
1116 of business. Each independent agent must also submit an annual
1117 registration fee of \$50. All moneys collected pursuant to the
1118 imposition of the fee shall be deposited by the Chief Financial
1119 Officer into the General Inspection Trust Fund of the Department
1120 of Agriculture and Consumer Services for the sole purpose of
1121 administering this part. As used in this subsection, the term
1122 "independent agent" means a person who represents a seller of
1123 travel by soliciting persons on its behalf; who has a written
1124 contract with a seller of travel which is operating in
1125 compliance with this part and any rules adopted thereunder; who
1126 does not receive a fee, commission, or other valuable
1127 consideration directly from the purchaser for the seller of
1128 travel; who does not at any time have any unissued ticket stock
1129 or travel documents in his or her possession; and who does not



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1130 have the ability to issue tickets, vacation certificates, or any
1131 other travel document. The term "independent agent" does not
1132 include an affiliate of the seller of travel, as that term is
1133 used in s. 559.935(3), or the employees of the seller of travel
1134 or of such affiliates.

1135 (4) ~~A~~ Any person applying for or renewing a local business
1136 tax receipt to engage in business as a seller of travel must
1137 exhibit a current registration certificate from the department
1138 before the local business tax receipt may be issued or reissued.

1139 (5) Each contract, advertisement, certificate, or travel
1140 document of a seller of travel must include the phrase "... (NAME
1141 OF FIRM) ... is registered with the State of Florida as a Seller
1142 of Travel. Registration No....."

1143 ~~(6) Each advertisement of a seller of travel must include~~
1144 ~~the phrase "Fla. Seller of Travel Reg. No....."~~

1145 ~~(6) (7) A~~ No registration is not ~~shall be~~ valid for any
1146 seller of travel transacting business at any place other than
1147 that designated in its application, unless the department is
1148 first notified in writing in advance of any change of location.
1149 ~~A~~ Nor shall the registration is not ~~be~~ valid for an affiliate of
1150 the seller of travel who engages in the prearranged travel and
1151 tourist business. A registration issued under this part may
1152 ~~shall~~ not be assignable, and the seller of travel may ~~shall~~ not
1153 be permitted to conduct business under more than one name except
1154 as registered. A seller of travel desiring to change its
1155 registered name or location or designated agent for service of
1156 process at a time other than upon renewal of registration shall
1157 notify the department of such change.

1158 ~~(7) (8)~~ Applications under this section are ~~shall be~~ subject



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1159 to ~~the provisions of~~ s. 120.60.

1160 ~~(8)(9)~~ The department may deny, ~~or~~ refuse to renew, or
1161 revoke the registration of any seller of travel based upon a
1162 determination that the seller of travel, or any of its
1163 directors, officers, owners, or general partners while acting on
1164 behalf of the seller of travel:

1165 (a) Has failed to meet the requirements for registration as
1166 provided in this part;

1167 (b) Has been convicted of a crime involving fraud, theft,
1168 embezzlement, dishonest dealing, or any other act of moral
1169 turpitude or any other act arising out of conduct as a seller of
1170 travel;

1171 (c) Has not satisfied a civil fine or penalty arising out
1172 of any administrative or enforcement action brought by any
1173 governmental agency or private person based upon conduct
1174 involving fraud, theft, embezzlement, dishonest dealing, or any
1175 violation of this part; or

1176 ~~(d) Has pending against her or him any criminal,~~
1177 ~~administrative, or enforcement proceedings in any jurisdiction,~~
1178 ~~based upon conduct involving fraud, dishonest dealing, or any~~
1179 ~~other act of moral turpitude; or~~

1180 ~~(d)(e)~~ Has had a judgment entered against her or him in any
1181 action brought by the department or the Department of Legal
1182 Affairs pursuant to ss. 501.201-501.213 or this act part.

1183 (9) The department may deny or refuse to renew the
1184 registration of any seller of travel based upon a determination
1185 by the department that the seller of travel, or any of the
1186 seller's directors, officers, owners, or general partners has
1187 pending against him or her while acting on behalf of the seller



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1188 of travel any criminal, administrative, or enforcement
1189 proceedings in any jurisdiction, based upon conduct involving
1190 fraud, theft, embezzlement, dishonest dealing, or any other act
1191 of moral turpitude.

1192 Section 30. Subsections (2) through (6) of section 559.929,
1193 Florida Statutes, are amended to read:

1194 559.929 Security requirements.—

1195 (2) The bond must be filed with the department on a form
1196 adopted by department rule and must be in favor of the
1197 department for the use and benefit of a consumer traveler who is
1198 injured by the fraud, misrepresentation, breach of contract, or
1199 financial failure, or any other violation of this part by the
1200 seller of travel. Such liability may be enforced by proceeding
1201 in an administrative action as specified in subsection (3) or by
1202 filing a civil action. ~~However, in such civil action the bond~~
1203 ~~posted with the department shall not be amenable or subject to a~~
1204 ~~judgment or other legal process issuing out of or from such~~
1205 ~~court in connection with such civil action, but such bond shall~~
1206 ~~be amenable to and enforceable only by and through~~
1207 ~~administrative proceedings before the department. It is the~~
1208 ~~intent of the Legislature that such bond be applicable and~~
1209 ~~liable only for the payment of claims duly adjudicated by order~~
1210 ~~of the department.~~ The bond must be open to successive claims,
1211 but the aggregate amount awarded may not exceed the amount of
1212 the bond. In addition to the foregoing, a bond provided by a
1213 registrant or applicant for registration which certifies its
1214 business activities under s. 559.9285(1)(b) or (c) must be in
1215 favor of the department, with payment in the following order of
1216 priority:



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1217 (a) The expenses for prosecuting the registrant or
1218 applicant in an administrative or civil action under this part,
1219 including attorney fees and fees for other professionals, court
1220 costs or other costs of the proceedings, and all other expenses
1221 incidental to the action.

1222 (b) The costs and expenses of investigation before the
1223 commencement of an administrative or civil action under this
1224 part.

1225 (c) An unpaid administrative fine imposed by final order or
1226 an unpaid civil penalty imposed by final judgment under this
1227 part.

1228 (d) Damages or compensation for a consumer ~~traveler~~ injured
1229 as provided in this subsection.

1230 (3) A consumer ~~traveler~~ may file a claim against the bond.
1231 Such claim, which must be submitted in writing on an affidavit
1232 form adopted by department rule, must be submitted to the
1233 department within 120 days after an alleged injury has occurred
1234 or is discovered to have occurred or a judgment has been
1235 entered. The proceedings shall be conducted pursuant to chapter
1236 120. For proceedings conducted pursuant to ss. 120.569 and
1237 120.57, the agency shall act only as a nominal party.

1238 (4) A consumer who is injured by the applicant, or the
1239 department or another governmental agency acting on behalf of
1240 the injured consumer, may bring and maintain an action to
1241 recover against the bond.

1242 (5) Any indebtedness determined by final order of the
1243 department shall be paid by the seller of travel to the
1244 department within 30 days after the order is entered for
1245 disbursement to the consumer. If the seller of travel fails to



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1246 make payment within 30 days, the agency shall make a demand for
1247 payment upon the surety which includes an institution issuing a
1248 letter of credit or depository on a certificate of deposit. Upon
1249 failure of a surety to comply with a demand for payment pursuant
1250 to a final order, the department may file an action in circuit
1251 court to recover payment, up to the amount of the bond or other
1252 form of security, pursuant to s. 120.69. If the department
1253 prevails, the department may recover court costs and reasonable
1254 attorney fees.

1255 (6) ~~(5)~~ If the seller of travel is currently the subject of
1256 an administrative, civil, or criminal action by the department,
1257 the Department of Legal Affairs, or the state attorney relating
1258 to compliance with this part, the right to proceed against the
1259 bond as provided in subsection (3) is suspended until any
1260 enforcement action becomes final.

1261 (7) ~~(6)~~ The department may waive the bond requirement on an
1262 annual basis if the seller of travel has had 5 or more
1263 consecutive years of experience as a seller of travel in this
1264 state in compliance with this part, has not had a civil,
1265 criminal, or administrative action instituted against the seller
1266 of travel in the vacation and travel business by a governmental
1267 agency or an action involving fraud, theft, misappropriation of
1268 property, violation of a statute pertaining to business or
1269 commerce with a terrorist state, ~~or~~ moral turpitude, or other
1270 violation of this part and has a satisfactory consumer complaint
1271 history with the department, and certifies its business
1272 activities under s. 559.9285. Such waiver may be revoked if the
1273 seller of travel violates this part. A seller of travel which
1274 certifies its business activities under s. 559.9285(1)(b) or (c)



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is not entitled to the waiver provided in this subsection.

Section 31. Subsections (2) and (17) of section 559.9295, Florida Statutes, are amended to read:

559.9295 Submission of vacation certificate documents.— Sellers of travel who offer vacation certificates must submit and disclose to the department with the application for registration, and any time such document is changed, but prior to the sale of any vacation certificate, the following materials:

(2) A copy of each promotional brochure, pamphlet, form letter, registration form, or any other written material disseminated in connection with the advertising, promotion, or sale of any vacation certificate. Any such promotional materials that include terms such "free," "awarded," "prize," "absolutely without charge," and "free of charge," or similar words or groups of words, which might reasonably lead a person to believe that he or she may receive, or has been selected to receive, something of value without making full or partial compensation in any form from the recipient must:

(a) Clearly and conspicuously display the following disclosure in at least 12-point type: "... (NAME OF FIRM) ... is registered with the State of Florida as a seller of travel, Registration No. ... THIS IS NOT A FREE OFFER. SEE TERMS AND CONDITIONS VIA WWW. (OFFER WEBSITE).COM. RESPONSE TO THIS OFFER DOES NOT GUARANTEE TRAVEL." The offer website referred to in the disclosure must include, and clearly indicate, the terms and conditions for such a vacation certificate offer.

(b) Disclose the number of individuals who actually traveled pursuant to the vacation certificate, as opposed to the



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number of individuals who submitted or otherwise activated the vacation certificate, in the 12 months preceding issuance of the promotional material.

~~(17) Within 10 working days after receipt of any materials submitted subsequent to filing an initial registration application or any annual renewal thereof, the department shall determine whether such materials are adequate to meet the requirements of this section. The department shall notify the seller of travel that materials submitted are in substantial compliance, or shall notify the seller of travel of any specific deficiencies. If the department fails to notify the seller of travel of its determination within the period specified in this subsection, the materials shall be deemed in compliance; however, the failure of the department to send notification in either case will not relieve the seller of travel from the duty of complying with this section.~~

Neither the submission of these materials nor the department's response implies approval, recommendation, or endorsement by the department or that the contents of said materials have been verified by the department.

Section 32. Section 559.932, Florida Statutes, is amended to read:

559.932 Vacation certificate disclosure.—

(1) ~~A~~ It shall be unlawful for any seller of travel ~~must to~~ fail to provide each person solicited with a contract that includes which shall include the following information, which shall be in 12-point type, unless otherwise specified:

(a) A space for the date, name, address, and signature of



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the purchaser.

(b) The expiration date of the vacation certificate and the terms and conditions of its extension or renewal, if available.

(c) The name and business address of any seller of travel who may solicit vacation certificate purchasers for further purchases, and a full and complete statement as to the nature and method of that solicitation.

(d) The total financial obligation of the purchaser which shall include the initial purchase price and any additional charges to which the purchaser may be subject, including, but not limited to, any per diem, seasonal, reservation, or recreational charge.

(e) The name and street address of any person who has the right to alter, amend, or add to the charges to which the purchaser may be subject and the terms and conditions under which such charges may be imposed.

(f) If any accommodation or facility which a purchaser acquires the right to use pursuant to the vacation certificate is not completed at the time the certificate is offered for sale, the date of availability of each component of the accommodation or facility.

(g) By means of a section entitled "terms and conditions":

1. All eligibility requirements for use of the vacation certificate, including, but not limited to, age, sex, marital status, group association, residency, or geographic limitations.

2. All eligibility requirements for use of any discount or complimentary coupon or ticket.

3. A statement as to whether transportation and meals are provided pursuant to use of the certificate.



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4. Any room deposit requirement, including all conditions for its return or refund.

5. The manner in which reservation requests are to be made and the method by which they are to be confirmed.

6. Any identification, credential, or other means by which a purchaser must establish her or his entitlement to the rights, benefits, or privileges of the vacation certificate.

7. Any restriction or limitation upon transfer of the vacation certificate or any right, benefit, or privilege thereunder.

8. Any other term, limitation, condition, or requirement material to use of the vacation certificate or any right, benefit, or privilege thereunder.

(h) In immediate proximity to the space reserved in the contract for the date and the name, address, and signature of the purchaser, the following statement in boldfaced type of a size of 10 points:

"YOU MAY CANCEL THIS CONTRACT WITHOUT ANY PENALTY OR OBLIGATION WITHIN 30 DAYS FROM THE DATE OF PURCHASE OR RECEIPT OF THE VACATION CERTIFICATE, WHICHEVER OCCURS LATER."

"YOU MAY ALSO CANCEL THIS CONTRACT IF ACCOMMODATIONS OR FACILITIES ARE NOT AVAILABLE PURSUANT TO A REQUEST FOR USE AS PROVIDED IN THE CONTRACT."

"TO CANCEL THIS AGREEMENT, A SIGNED AND DATED COPY OF A STATEMENT THAT YOU ARE CANCELING THE AGREEMENT SHOULD BE MAILED AND POSTMARKED, OR DELIVERED TO ...(NAME)... AT ...(ADDRESS)... NO LATER THAN MIDNIGHT OF ...(DATE)...."

~~"IF YOU DECIDE TO CANCEL, YOU MUST NOTIFY THE SELLER IN~~



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1391 ~~WRITING OF YOUR INTENT TO CANCEL BY RETURNING THE CERTIFICATE~~
1392 ~~AND SENDING NOTICE TO: ... (NAME OF SELLER) ... AT ... (SELLER'S~~
1393 ~~ADDRESS)"~~

1394 (i) In immediate proximity to the statement required in
1395 paragraph (h), the following statement in boldfaced type of a
1396 size of 12 ~~10~~ points:

1397
1398 "NO PURCHASER SHOULD RELY UPON REPRESENTATIONS OTHER THAN
1399 THOSE INCLUDED IN THIS CONTRACT."

1400

1401 However, inclusion of this statement shall not impair any
1402 purchaser's right to bring legal action based on verbal
1403 statements.

1404 (j) In immediate proximity to the statement required in
1405 paragraph (i), the following statement:

1406 "This contract is for the purchase of a vacation
1407 certificate and puts all assignees on notice of the consumer's
1408 right to cancel under section 559.933, Florida Statutes."

1409 (2) If a sale or agreement to purchase a vacation
1410 certificate is completed over the telephone, the seller shall
1411 inform the purchaser over the telephone that:

1412 (a) The purchaser may cancel the contract without any
1413 penalty or obligation within 30 days from the date of purchase
1414 or receipt of the vacation certificate, whichever occurs later.

1415 (b) The purchaser may also cancel the contract if
1416 accommodations or facilities are not available upon request for
1417 use as provided in the contract.

1418 (3) Upon receipt of a copy of a vacation certificate or
1419 contract required pursuant to s. 559.9295, the department shall



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1420 review the certificate or contract for compliance with the
1421 disclosures required under this section. The submission of the
1422 certificate or contract, and the department's response, do not
1423 imply approval, recommendation, or endorsement by the department
1424 or that the contents of the certificate or contract have been
1425 verified by the department.

1426 Section 33. Section 559.933, Florida Statutes, is amended
1427 to read:

1428 559.933 Vacation certificate cancellation and refund
1429 provisions.—

1430 (1) ~~A~~ It shall be unlawful for any seller of travel or
1431 assignee must honor a purchaser's request to cancel a vacation
1432 certificate if such request is made:

1433 ~~(1) To fail or refuse to honor a purchaser's vacation~~
1434 ~~certificate request to cancel if such request is made.~~

1435 (a) Within 30 days after ~~from~~ the date of purchase or
1436 receipt of the vacation certificate, whichever occurs later; or

1437 (b) At any time accommodations or facilities are not
1438 available pursuant to a request for use as provided in the
1439 contract, provided that:

1440 1. The contract may ~~shall~~ not require notice greater than
1441 60 days in advance of the date requested for use;

1442 2. If acceptable to the purchaser, comparable alternate
1443 accommodations or facilities in a city, or reservations for a
1444 date different than that requested, may be provided.

1445 (2) A seller of travel or assignee must ~~To fail to~~ refund
1446 any and all payments made by the vacation certificate purchaser
1447 within 30 days after receipt of the certificate and notice of
1448 cancellation made pursuant to this section, if the purchaser has



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not received any benefits pursuant to the vacation certificate.

(3) A seller of travel or assignee must, if the purchaser has received any benefits pursuant to the vacation certificate, ~~to fail to~~ refund within 30 days after receipt of the certificate and notice of cancellation made pursuant to this section any and all payments made by the purchaser which exceed a pro rata portion of the total price, representing the portion of any benefits actually received by the vacation certificate purchaser during the time preceding cancellation.

(4) If where any purchaser has received confirmation of reservations in advance and is refused accommodations upon arrival, a seller of travel or assignee must ~~to fail to~~ procure comparable alternate accommodations for the purchaser in the same city at no expense to the purchaser, or ~~to fail to~~ fully compensate the purchaser for the room rate incurred in securing comparable alternate accommodations himself or herself.

(5) A seller of travel or assignee may not ~~to~~ collect more than the full contract price from the purchaser.

(6) A seller of travel or assignee may not ~~to~~ sell, assign, or otherwise transfer any interest in a seller of travel business, or ~~to~~ sell, assign, or otherwise transfer to a third party any interest in any vacation certificate unless:

(a) The third party agrees in writing to fully honor the rights of vacation certificate purchasers to cancel and to receive an appropriate refund or reimbursement as provided in this section.

(b) The third party agrees in writing to comply with all other provisions of this part for as long as the third party continues the sale of vacation certificates or for the duration



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of the period of validity of outstanding vacation certificates, whichever is longer in time.

(c) The seller of travel agrees to be liable for and fully indemnify a purchaser from any loss occasioned by the failure of the third party to honor the purchaser's right to cancel and failure to make prompt and complete refund to the purchaser of all sums paid to the third party, or occasioned by the third party's failure to comply with the provisions of this part.

(7) A seller of travel or assignee must ~~To fail to~~ fulfill the terms of a vacation certificate within 18 months after ~~of~~ the initial payment of any consideration by the purchaser to a seller of travel or third party.

Section 34. Section 559.9335, Florida Statutes, is amended to read:

559.9335 Violations.—It is a violation of this part for any seller of travel, independent agent, assignee, or other person:

(1) To conduct business as a seller of travel without registering annually with the department unless exempt pursuant to s. 559.935.

(2) To conduct business as a seller of travel without an annual purchase of a performance bond in the amount set by the department unless exempt pursuant to s. 559.935.

(3) Knowingly to make any false statement, representation, or certification in any application, document, or record required to be submitted or retained under this part or in any response to an inquiry or investigation conducted by the department or any other governmental agency.

(4) Knowingly to sell or market any ~~number of~~ vacation certificates that exceed the number disclosed to the department



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pursuant to this section.

(5) Knowingly to sell or market vacation certificates with an expiration date of more than 18 months from the date of issuance.

~~(6) Knowingly to require, request, encourage, or suggest, directly or indirectly, that payment for the right to obtain a travel contract, certificate, or vacation package must be by credit card authorization or to otherwise announce a preference for that method of payment over any other when no correct and true explanation for such preference is likewise stated.~~

(6)(7) Knowingly to state, represent, indicate, suggest, or imply, directly or indirectly, that the travel contract, certificate, or vacation package being offered by the seller of travel cannot be purchased at some later time or may not otherwise be available after the initial contact, or that callbacks by the prospective purchaser are not accepted, when no such restrictions or limitations in fact exist.

(7)(8) To misrepresent in any manner the purchaser's right to cancel and to receive an appropriate refund or reimbursement as provided by this part.

(8)(9) To sell any vacation certificate the duration of which exceeds the duration of any agreement between the seller and any business entity obligated thereby to provide accommodations or facilities pursuant to the vacation certificate.

(9)(10) To misrepresent or deceptively represent:

(a) The amount of time or period of time accommodations or facilities will be available.

(b) The location of accommodations or facilities offered.



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(c) The price, size, nature, extent, qualities, or characteristics of accommodations or facilities offered.

(d) The nature or extent of other goods, services, or amenities offered.

(e) A purchaser's rights, privileges, or benefits.

(f) The conditions under which the purchaser may obtain a reservation for the use of offered accommodations or facilities.

(g) That the recipient of an advertisement or promotional materials is a winner, or has been selected, or is otherwise being involved in a select group for receipt, of a gift, award, or prize, unless this fact is the truth.

(10)(11) To fail to inform a purchaser of a nonrefundable cancellation policy before prior to the seller of travel accepting any fee, commission, or other valuable consideration.

(11)(12) To fail to include, when offering to sell a vacation certificate, in any advertisement or promotional material, the following statement: "This is an offer to sell travel."

(12)(13) To fail to honor and comply with all provisions of the vacation certificate regarding the purchaser's rights, benefits, and privileges thereunder.

(13)(14) (a) To include in any vacation certificate or contract any provision purporting to waive or limit any right or benefit provided to purchasers under this part; or

(b) To seek or solicit such waiver or acceptance of limitation from a purchaser concerning rights or benefits provided under this part.

(14)(15) To offer vacation certificates for any accommodation or facility for which there is no contract with



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1565 the owner of the accommodation or facility securing the
1566 purchaser's right to occupancy and use, unless the seller is the
1567 owner.

1568 ~~(15)(16)~~ To use a local mailing address, registration
1569 facility, drop box, or answering service in the promotion,
1570 advertising, solicitation, or sale of vacation certificates,
1571 unless the seller's fixed business address is clearly disclosed
1572 during any telephone solicitation and is prominently and
1573 conspicuously disclosed on all solicitation materials and on the
1574 contract.

1575 ~~(16)(17)~~ To use any registered trademark, trade name, or
1576 trade logo in any promotional, advertising, or solicitation
1577 materials without written authorization from the holder of such
1578 trademark, trade name, or trade logo.

1579 ~~(17)(18)~~ To represent, directly or by implication, any
1580 affiliation with, or endorsement by, any governmental,
1581 charitable, educational, medical, religious, fraternal, or civic
1582 organization or body, or any individual, in the promotion,
1583 advertisement, solicitation, or sale of vacation certificates
1584 without express written authorization.

1585 ~~(18)(19)~~ To sell a vacation certificate to any purchaser
1586 who is ineligible for its use.

1587 ~~(19)(20)~~ To sell any ~~number of~~ vacation certificates in
1588 excess of exceeding the number of available accommodations
1589 disclosed pursuant to this part.

1590 ~~(20)(21)~~ During the period of a vacation certificate's
1591 validity, in the event, for any reason whatsoever, of lapse or
1592 breach of an agreement for the provision of accommodations or
1593 facilities to purchasers, to fail to procure similar agreement



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1594 for the provision of comparable alternate accommodations or
1595 facilities in the same city or surrounding area.

1596 ~~(21)(22)~~ To offer to sell, at wholesale or retail,
1597 prearranged travel ~~or~~ tourist-related services, ~~or tour-guide~~
1598 ~~services~~ for individuals or groups directly to any terrorist
1599 state and which originate in Florida, without disclosing such
1600 business activities in a certification filed under s.
1601 559.9285(1)(b) or (c).

1602 ~~(22)(23)~~ To violate any state or federal law restricting or
1603 prohibiting commerce with terrorist states.

1604 ~~(23)(24)~~ To engage in ~~do~~ any other fraudulent action that
1605 act which constitutes fraud, misrepresentation, or failure to
1606 disclose a material fact, or to commit any other violation of,
1607 or fail to comply with, this part.

1608 ~~(24)(25)~~ To refuse or fail, or for any of its principal
1609 officers to refuse or fail, after notice, to produce any
1610 document or record or disclose any information required to be
1611 produced or disclosed.

1612 ~~(25)(26)~~ Knowingly to make a material false statement in
1613 response to any request or investigation by the department, the
1614 Department of Legal Affairs, or the state attorney.

1615 Section 35. Subsections (3) and (4) of section 559.935,
1616 Florida Statutes, are amended to read:

1617 559.935 Exemptions.—

1618 (3) Sections 559.928, 559.929, 559.9295, 559.931, and
1619 559.932 ~~shall~~ also do not apply to a seller of travel that is an
1620 affiliate of an entity exempt pursuant to subsection (2) subject
1621 to the following conditions:

1622 (a) If ~~In the event~~ the department finds the affiliate does



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not have a satisfactory consumer complaint history or the affiliate fails to respond to a consumer complaint within 30 days, the related seller of travel exempt pursuant to subsection (2) ~~is shall be~~ liable for the actions of the affiliate, subject to the remedies provided in ss. 559.9355 and 559.936.

(b) ~~If in the event~~ the department is unable to locate an affiliate, the related seller of travel exempt pursuant to subsection (2) ~~is shall be~~ fully liable for the actions of the affiliate, subject to the remedies provided in ss. 559.9355 and 559.936.

~~(c) In order to obtain an exemption under this subsection, the affiliate shall file an affidavit of exemption on a form prescribed by the department and shall certify its business activities under s. 559.9285(1)(a). The affidavit of exemption shall be executed by a person who exercises identical control over the seller of travel exempt pursuant to subsection (2) and the affiliate. Failure to file an affidavit of exemption or certification under s. 559.9285(1)(a) prior to engaging in seller of travel activities shall subject the affiliate to the remedies provided in ss. 559.9355 and 559.936.~~

~~(c)(d)~~ Revocation by the department of an exemption provided to a seller of travel under subsection (2) shall constitute automatic revocation by law of an exemption obtained by an affiliate under the subsection.

~~(d)(e)~~ This subsection does shall not apply to:

1. An affiliate that independently qualifies for another exemption under this section.

2. An affiliate that sells, or offers for sale, vacation certificates.



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3. An affiliate that certifies its business activities under s. 559.9285(1)(b) or (c).

~~(e)(f)~~ For purposes of this section, the term an "affiliate" means an entity that meets the following:

1. The entity has the identical ownership as the seller of travel that is exempt under subsection (2).

2. The ownership controlling the seller of travel that is exempt under subsection (2) also exercises identical control over the entity.

3. The owners of the affiliate hold the identical percentage of voting shares as they hold in the seller of travel that is exempt under subsection (2).

(4) The department may revoke the exemption provided in subsection (2) or subsection (3) if the department finds that the seller of travel does not have a satisfactory consumer complaint history, has been convicted of a crime involving fraud, theft, embezzlement, misappropriation of property, deceptive or unfair trade practices, or moral turpitude, or has not complied with the terms of any order or settlement agreement arising out of an administrative or enforcement action brought by a governmental agency or private person based on conduct involving fraud, theft, embezzlement, misappropriation of property, deceptive or unfair trade practices, or moral turpitude.

Section 36. Subsection (3) of section 559.936, Florida Statutes, is amended to read:

559.936 Civil penalties; remedies.—

(3) The department may seek a civil penalty in the Class III category pursuant to s. 570.971 for each act or omission in



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violation of s. 559.9335(21) or (22) ~~s. 559.9335(22) or (23)~~.

Section 37. Paragraph (b) of subsection (5), paragraph (a) of subsection (10), and subsections (15) and (16) of section 616.242, Florida Statutes, are amended to read:

616.242 Safety standards for amusement rides.—

(5) ANNUAL PERMIT.—

(b) To apply for an annual permit, an owner must submit to the department a written application on a form prescribed by rule of the department, which must include the following:

1. The legal name, address, and primary place of business of the owner.

2. A description, manufacturer's name, serial number, model number and, if previously assigned, the United States Amusement Identification Number of the amusement ride.

3. A valid certificate of insurance ~~or bond~~ for each amusement ride.

4. An affidavit of compliance that the amusement ride was inspected in person by the affiant and that the amusement ride is in general conformance with the requirements of this section and all applicable rules adopted by the department. The affidavit must be executed by a professional engineer or a qualified inspector no earlier than 60 days before, but not later than, the date of the filing of the application with the department. The owner shall request inspection and permitting of the amusement ride within 60 days of the date of filing the application with the department. The department shall inspect and permit the amusement ride within 60 days after filing the application with the department.

5. If required by subsection (6), an affidavit of



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nondestructive testing dated and executed no earlier than 60 days ~~before~~ ~~prior to~~, but not later than, the date of the filing of the application with the department. The owner shall request inspection and permitting of the amusement ride within 60 days of the date of filing the application with the department. The department shall inspect and permit the amusement ride within 60 days after filing the application with the department.

6. A request for inspection.

7. Upon request, the owner shall, at no cost to the department, provide the department a copy of the manufacturer's current recommended operating instructions in the possession of the owner, the owner's operating fact sheet, and any written bulletins in the possession of the owner concerning the safety, operation, or maintenance of the amusement ride.

(10) EXEMPTIONS.—

(a) This section does not apply to:

1. Permanent facilities that employ at least 1,000 full-time employees and that maintain full-time, in-house safety inspectors. Furthermore, the permanent facilities must file an affidavit of the annual inspection with the department, on a form prescribed by rule of the department. Additionally, the Department of Agriculture and Consumer Services may consult annually with the permanent facilities regarding industry safety programs.

2. Any playground operated by a school, local government, or business licensed under chapter 509, if the playground is an incidental amenity and the operating entity is not primarily engaged in providing amusement, pleasure, thrills, or excitement.



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1739 3. Museums or other institutions principally devoted to the
1740 exhibition of products of agriculture, industry, education,
1741 science, religion, or the arts.

1742 4. Conventions or trade shows for the sale or exhibit of
1743 amusement rides if there are a minimum of 15 amusement rides on
1744 display or exhibition, and if any operation of such amusement
1745 rides is limited to the registered attendees of the convention
1746 or trade show.

1747 5. Skating rinks, arcades, laser ~~lazer~~ or paint ball war
1748 games, bowling alleys, miniature golf courses, mechanical bulls,
1749 inflatable rides, trampolines, ball crawls, exercise equipment,
1750 jet skis, paddle boats, airboats, helicopters, airplanes,
1751 parasails, hot air or helium balloons whether tethered or
1752 untethered, theatres, batting cages, stationary spring-mounted
1753 fixtures, rider-propelled merry-go-rounds, games, side shows,
1754 live animal rides, or live animal shows.

1755 6. Go-karts operated in competitive sporting events if
1756 participation is not open to the public.

1757 7. Nonmotorized playground equipment that is not required
1758 to have a manager.

1759 8. Coin-actuated amusement rides designed to be operated by
1760 depositing coins, tokens, credit cards, debit cards, bills, or
1761 other cash money and which are not required to have a manager,
1762 and which have a capacity of six persons or less.

1763 9. Facilities described in s. 549.09(1)(a) when such
1764 facilities are operating cars, trucks, or motorcycles only.

1765 10. Battery-powered cars or other vehicles that are
1766 designed to be operated by children 7 years of age or under and
1767 that cannot exceed a speed of 4 miles per hour.



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1768 11. Mechanically driven vehicles that pull train cars,
1769 carts, wagons, or other similar vehicles, that are not confined
1770 to a metal track or confined to an area but are steered by an
1771 operator and do not exceed a speed of 4 miles per hour.

1772 12. A water-related amusement ride operated by a business
1773 licensed under chapter 509 if the water-related amusement ride
1774 is an incidental amenity and the operating business is not
1775 primarily engaged in providing amusement, pleasure, thrills, or
1776 excitement and does not offer day rates.

1777 13. An amusement ride at a private, membership-only
1778 facility if the amusement ride is an incidental amenity and the
1779 facility is not open to the general public; is not primarily
1780 engaged in providing amusement, pleasure, thrills, or
1781 excitement; and does not offer day rates.

1782 14. A nonprofit permanent facility registered under chapter
1783 496 which is not open to the general public.

1784 (15) INSPECTION BY OWNER OR MANAGER. ~~Before~~ ~~Prior to~~
1785 opening on each day of operation and ~~before~~ ~~prior to~~ any
1786 inspection by the department, the owner or manager of an
1787 amusement ride must inspect and test the amusement ride to
1788 ensure compliance with all requirements of this section. Each
1789 inspection must be recorded on a form prescribed by rule of the
1790 department and signed by the person who conducted the
1791 inspection. In lieu of the form prescribed by rule of the
1792 department, the owner or manager may request approval of an
1793 alternative form if the alternative form includes, at a minimum,
1794 the information required on the form prescribed by rule of the
1795 department. Inspection records of the last 14 daily inspections
1796 must be kept on site by the owner or manager and made



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immediately available to the department upon request.

(16) TRAINING OF EMPLOYEES.—The owner or manager of ~~an any~~ amusement ride shall maintain a record of employee training for each employee authorized to operate, assemble, disassemble, transport, or conduct maintenance on an amusement ride, on a form prescribed by rule of the department. In lieu of the form prescribed by rule of the department, the owner or manager may request approval of an alternative form if the alternative form includes, at a minimum, the information required on the form prescribed by rule of the department. The training record must be kept on site by the owner or manager and made immediately available to the department upon request. Training may not be conducted when an amusement ride is open to the public unless the training is conducted under the supervision of an employee who is trained in the operation of that ride. The owner or manager shall certify that each employee is trained, as required by this section and any rules adopted thereunder, on the amusement ride for which the employee is responsible.

Section 38. Subsections (1), (2), (5), (7), and (13) of section 713.585, Florida Statutes, are amended to read:

713.585 Enforcement of lien by sale of motor vehicle.—A person claiming a lien under s. 713.58 for performing labor or services on a motor vehicle may enforce such lien by sale of the vehicle in accordance with the following procedures:

(1) The lienor must give notice, by certified mail, return receipt requested, within 7 ~~15~~ business days, excluding Saturday and Sunday, from the beginning date of the assessment of storage charges on said motor vehicle, to the registered owner of the vehicle, to the customer as indicated on the order for repair,



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and to all other persons claiming an interest in or lien thereon, as disclosed by the records of the Department of Highway Safety and Motor Vehicles or as disclosed by the records of any corresponding agency of any other state in which the vehicle is identified through a records check of the National Motor Vehicle Title Information System or an equivalent commercially available system as being the current state where the vehicle is titled. Such notice must contain:

(a) A description of the vehicle, including, at minimum, its year, make, vehicle identification number, and the vehicle's ~~its~~ location.

(b) The name and address of the owner of the vehicle, the customer as indicated on the order for repair, and any person claiming an interest in or lien thereon.

(c) The name, address, and telephone number of the lienor.

(d) Notice that the lienor claims a lien on the vehicle for labor and services performed and storage charges, if any, and the cash sum which, if paid to the lienor, would be sufficient to redeem the vehicle from the lien claimed by the lienor.

(e) Notice that the lien claimed by the lienor is subject to enforcement pursuant to this section and that the vehicle may be sold to satisfy the lien.

(f) If known, the date, time, and location of any proposed or scheduled sale of the vehicle. A ~~No~~ vehicle may not be sold earlier than 60 days after completion of the repair work.

(g) Notice that the owner of the vehicle or any person claiming an interest in or lien thereon has a right to a hearing at any time before ~~prior to~~ the scheduled date of sale by filing a demand for hearing with the clerk of the circuit court in the



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county in which the vehicle is held and mailing copies of the demand for hearing to all other owners and lienors as reflected on the notice.

(h) Notice that the owner of the vehicle has a right to recover possession of the vehicle without instituting judicial proceedings by posting bond in accordance with ~~the provisions of~~ s. 559.917.

(i) Notice that any proceeds from the sale of the vehicle remaining after payment of the amount claimed to be due and owing to the lienor will be deposited with the clerk of the circuit court for disposition upon court order pursuant to subsection (8).

(j) Notice that a lienholder, if any, has the right, as specified in subsection (5), to demand a hearing or to post a bond.

(2) If attempts to locate the owner or lienholder are unsuccessful after a check of the records of the Department of Highway Safety and Motor Vehicles and any state disclosed by the check of the National Motor Vehicle Title Information System or an equivalent commercially available system, the lienor must notify the local law enforcement agency in writing by certified mail or acknowledged hand delivery that the lienor has been unable to locate the owner or lienholder, that a physical search of the vehicle has disclosed no ownership information, and that a good faith effort, including records checks of the Department of Highway Safety and Motor Vehicles database and the National Motor Vehicle Title Information System or an equivalent commercially available system, has been made. A description of the motor vehicle which includes the year, make, and



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identification number must be given on the notice. This notification must take place within 7 ~~15~~ business days, excluding Saturday and Sunday, from the beginning date of the assessment of storage charges on said motor vehicle. For purposes of this paragraph, the term "good faith effort" means that the following checks have been performed by the company to establish the prior state of registration and title:

(a) A check of the Department of Highway Safety and Motor Vehicles database for the owner and any lienholder;

(b) A check of the federally mandated electronic National Motor Vehicle Title Information System or an equivalent commercially available system to determine the state of registration when there is not a current title or registration record for the vehicle on file with the Department of Highway Safety and Motor Vehicles;

(c) A check of vehicle for any type of tag, tag record, temporary tag, or regular tag;

(d) A check of vehicle for inspection sticker or other stickers and decals that could indicate the state of possible registration; and

(e) A check of the interior of the vehicle for any papers that could be in the glove box, trunk, or other areas for the state of registration.

(5) At any time before ~~prior to~~ the proposed or scheduled date of sale of a vehicle, the owner of the vehicle, or any person claiming an interest in the vehicle or a lien thereon, may post a bond following the procedures outlined in s. 559.917 or file a demand for hearing with the clerk of the circuit court in the county in which the vehicle is held to determine whether



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1913 the vehicle has been wrongfully taken or withheld from her or
1914 him. Any person who files a demand for hearing shall mail copies
1915 of the demand to all other owners and lienors as reflected on
1916 the notice required in subsection (1).

1917 (a) Upon the filing of a demand for hearing, a hearing
1918 shall be held before prior to the proposed or scheduled date of
1919 sale of the vehicle.

1920 (b) Upon the posting of the bond and payment of the
1921 applicable fee set forth in s. 28.24, the clerk of the court
1922 shall issue a certificate notifying the lienor of the posting of
1923 the bond and directing the lienor to release the vehicle to the
1924 lienholder or the owner, based upon whomever posted the bond.

1925 (c) If a lienholder obtains the vehicle and the owner of
1926 the vehicle is not in default under the installment sales
1927 contract or title loan at the time the lienholder has possession
1928 of the vehicle, the lienholder must return the vehicle to the
1929 owner within 5 days after the owner repays the lienholder for
1930 the amount of the bond, or makes arrangements to repay the
1931 lienholder for the bond under terms agreeable to the lienholder.
1932 A lienholder may retain possession of the vehicle if the owner
1933 is in default until such time as the default is cured and the
1934 amount of the bond is repaid by the owner, or an arrangement
1935 agreeable to the lienholder is made with the owner.

1936 (7) At a the hearing on a complaint relating to the
1937 requirements of this section on the complaint, the court shall
1938 forthwith issue an its order determining:

1939 (a) Whether the vehicle is subject to a valid lien by the
1940 lienor and the amount thereof;

1941 (b) The priority of the lien of the lienor as against any



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1942 existing security interest in the vehicle;

1943 (c) The distribution of any proceeds of the sale by the
1944 clerk of the circuit court;

1945 (d) The awarding of damages, if any;

1946 (e) ~~(d)~~ The award of reasonable attorney attorney's fees and
1947 costs, at the court's discretion, to the prevailing party; and

1948 (f) ~~(e)~~ The reasonableness of storage charges.
1949

1950 A final order, by the court, must also provide for immediate
1951 payment of any proceeds or awards, and the immediate release of
1952 the bond to the posting party, if applicable.

1953 (13) A failure to make good faith efforts as defined in
1954 subsection (2) precludes the imposition of any storage charges
1955 against the vehicle. If a lienor fails to provide notice to any
1956 person claiming a lien on a vehicle under subsection (1) within
1957 7 15 business days after the assessment of storage charges has
1958 begun, then the lienor is precluded from charging for more than
1959 7 15 days of storage, but failure to provide timely notice does
1960 not affect charges made for repairs, adjustments, or
1961 modifications to the vehicle or the priority of liens on the
1962 vehicle.

1963 Section 39. Subsections (2), (4), (5), and (10) of section
1964 790.06, Florida Statutes, are amended, and paragraph (f) is
1965 added to subsection (6) of that section, to read:

1966 790.06 License to carry concealed weapon or firearm.-

1967 (2) The Department of Agriculture and Consumer Services
1968 shall issue a license if the applicant:

1969 (a) Is a resident of the United States and a citizen of the
1970 United States or a permanent resident alien of the United



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1971 States, as determined by the United States Bureau of Citizenship
1972 and Immigration Services, or is a consular security official of
1973 a foreign government that maintains diplomatic relations and
1974 treaties of commerce, friendship, and navigation with the United
1975 States and is certified as such by the foreign government and by
1976 the appropriate embassy in this country;

1977 (b) Is 21 years of age or older;

1978 (c) Does not suffer from a physical infirmity which
1979 prevents the safe handling of a weapon or firearm;

1980 (d) Is not ineligible to possess a firearm pursuant to s.
1981 790.23 by virtue of having been convicted of a felony;

1982 (e) Has not been committed for the abuse of a controlled
1983 substance or been found guilty of a crime under the provisions
1984 of chapter 893 or similar laws of any other state relating to
1985 controlled substances within a 3-year period immediately
1986 preceding the date on which the application is submitted;

1987 (f) Does not chronically and habitually use alcoholic
1988 beverages or other substances to the extent that his or her
1989 normal faculties are impaired. It shall be presumed that an
1990 applicant chronically and habitually uses alcoholic beverages or
1991 other substances to the extent that his or her normal faculties
1992 are impaired if the applicant has been committed under chapter
1993 397 or under the provisions of former chapter 396 or has been
1994 convicted under s. 790.151 or has been deemed a habitual
1995 offender under s. 856.011(3), or has had two or more convictions
1996 under s. 316.193 or similar laws of any other state, within the
1997 3-year period immediately preceding the date on which the
1998 application is submitted;

1999 (g) Desires a legal means to carry a concealed weapon or



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2000 firearm for lawful self-defense;

2001 (h) Demonstrates competence with a firearm by any one of
2002 the following:

2003 1. Completion of any hunter education or hunter safety
2004 course approved by the Fish and Wildlife Conservation Commission
2005 or a similar agency of another state;

2006 2. Completion of any National Rifle Association firearms
2007 safety or training course;

2008 3. Completion of any firearms safety or training course or
2009 class available to the general public offered by a law
2010 enforcement agency, junior college, college, or private or
2011 public institution or organization or firearms training school,
2012 using ~~utilizing~~ instructors certified by the National Rifle
2013 Association, Criminal Justice Standards and Training Commission,
2014 or the Department of Agriculture and Consumer Services;

2015 4. Completion of any law enforcement firearms safety or
2016 training course or class offered for security guards,
2017 investigators, special deputies, or any division or subdivision
2018 of a law enforcement agency or security enforcement;

2019 5. Presents evidence of equivalent experience with a
2020 firearm through participation in organized shooting competition
2021 or military service;

2022 6. Is licensed or has been licensed to carry a firearm in
2023 this state or a county or municipality of this state, unless
2024 such license has been revoked for cause; or

2025 7. Completion of any firearms training or safety course or
2026 class conducted by a state-certified or National Rifle
2027 Association certified firearms instructor;

2028



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A photocopy of a certificate of completion of any of the courses or classes; ~~or~~ an affidavit from the instructor, school, club, organization, or group that conducted or taught such said course or class attesting to the completion of the course or class by the applicant; or a copy of any document that which shows completion of the course or class or evidences participation in firearms competition shall constitute evidence of qualification under this paragraph. ~~A, any~~ person who conducts a course pursuant to subparagraph 2., subparagraph 3., or subparagraph 7., or who, as an instructor, attests to the completion of such courses, must maintain records certifying that he or she observed the student safely handle and discharge the firearm in his or her physical presence and that the discharge of the firearm included live fire using a firearm and ammunition as defined in s. 790.001;

(i) Has not been adjudicated an incapacitated person under s. 744.331, or similar laws of any other state, unless 5 years have elapsed since the applicant's restoration to capacity by court order;

(j) Has not been committed to a mental institution under chapter 394, or similar laws of any other state, unless the applicant produces a certificate from a licensed psychiatrist that he or she has not suffered from disability for at least 5 years before ~~prior to~~ the date of submission of the application;

(k) Has not had adjudication of guilt withheld or imposition of sentence suspended on any felony ~~or misdemeanor crime of domestic violence~~ unless 3 years have elapsed since probation or any other conditions set by the court have been fulfilled, or expunction has occurred ~~the record has been sealed~~



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~~or expunged;~~

(l) Has not had adjudication of guilt withheld or imposition of sentence suspended on any misdemeanor crime of domestic violence unless 3 years have elapsed since probation or any other conditions set by the court have been fulfilled, or the record has been sealed or expunged;

(m) ~~(l)~~ Has not been issued an injunction that is currently in force and effect and that restrains the applicant from committing acts of domestic violence or acts of repeat violence; and

(n) ~~(m)~~ Is not prohibited from purchasing or possessing a firearm by any other provision of Florida or federal law.

(4) The application shall be completed, under oath, on a form adopted promulgated by the Department of Agriculture and Consumer Services and shall include:

(a) The name, address, place of birth, ~~and~~ date of birth, and race, and occupation of the applicant;

(b) A statement that the applicant is in compliance with criteria contained within subsections (2) and (3);

(c) A statement that the applicant has been furnished a copy of this chapter and is knowledgeable of its provisions;

(d) A conspicuous warning that the application is executed under oath and that a false answer to any question, or the submission of any false document by the applicant, subjects the applicant to criminal prosecution under s. 837.06; ~~and~~

(e) A statement that the applicant desires a concealed weapon or firearms license as a means of lawful self-defense; and-

(f) Directions for an applicant who is a servicemember, as



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2087 defined in s. 250.01, or a veteran, as defined in s. 1.01, to
2088 request expedited processing of his or her application.

2089 (5) The applicant shall submit to the Department of
2090 Agriculture and Consumer Services or an approved tax collector
2091 pursuant to s. 790.0625:

2092 (a) A completed application as described in subsection (4).

2093 (b) A nonrefundable license fee of up to \$60 ~~\$70~~ if he or
2094 she has not previously been issued a statewide license or of up
2095 to \$50 ~~\$60~~ for renewal of a statewide license. The cost of
2096 processing fingerprints as required in paragraph (c) shall be
2097 borne by the applicant. However, an individual holding an active
2098 certification from the Criminal Justice Standards and Training
2099 Commission as a law enforcement officer, correctional officer,
2100 or correctional probation officer as defined in s. 943.10(1),
2101 (2), (3), (6), (7), (8), or (9) is exempt from the licensing
2102 requirements of this section. If such individual wishes to
2103 receive a concealed ~~weapon~~ weapons or ~~firearm~~ firearms license,
2104 he or she is exempt from the background investigation and all
2105 background investigation fees, but must pay the current license
2106 fees regularly required to be paid by nonexempt applicants.
2107 Further, a law enforcement officer, a correctional officer, or a
2108 correctional probation officer as defined in s. 943.10(1), (2),
2109 or (3) is exempt from the required fees and background
2110 investigation for ~~a period of~~ 1 year after his or her
2111 retirement.

2112 (c) A full set of fingerprints of the applicant
2113 administered by a law enforcement agency or the Division of
2114 Licensing of the Department of Agriculture and Consumer Services
2115 or an approved tax collector pursuant to s. 790.0625 together



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2116 with any personal identifying information required by federal
2117 law to process fingerprints.

2118 (d) A photocopy of a certificate, affidavit, or document as
2119 described in paragraph (2)(h).

2120 (e) A full frontal view color photograph of the applicant
2121 taken within the preceding 30 days, in which the head, including
2122 hair, measures 7/8 of an inch wide and 1 1/8 inches high.

2123 (f) For expedited processing of an application:

2124 1. A servicemember shall submit a copy of the Common Access
2125 Card, United States Uniformed Services Identification Card, or
2126 current deployment orders.

2127 2. A veteran shall submit a copy of the DD Form 214, issued
2128 by the United States Department of Defense, or another
2129 acceptable form of identification as specified by the Department
2130 of Veterans' Affairs.

2131 (6)

2132 (f) The Department of Agriculture and Consumer Services
2133 shall, upon receipt of a completed application and the
2134 identifying information required under paragraph (5)(f),
2135 expedite the processing of a servicemember's or a veteran's
2136 concealed weapon or firearm license application.

2137 (10) A license issued under this section shall be suspended
2138 or revoked pursuant to chapter 120 if the licensee:

2139 (a) Is found to be ineligible under the criteria set forth
2140 in subsection (2);

2141 (b) Develops or sustains a physical infirmity which
2142 prevents the safe handling of a weapon or firearm;

2143 (c) Is convicted of a felony which would make the licensee
2144 ineligible to possess a firearm pursuant to s. 790.23;



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2145 (d) Is found guilty of a crime under the provisions of
2146 chapter 893, or similar laws of any other state, relating to
2147 controlled substances;
2148 (e) Is committed as a substance abuser under chapter 397,
2149 or is deemed a habitual offender under s. 856.011(3), or similar
2150 laws of any other state;
2151 (f) Is convicted of a second violation of s. 316.193, or a
2152 similar law of another state, within 3 years after ~~of~~ a first
2153 ~~previous~~ conviction of such section, or similar law of another
2154 state, even though the first violation may have occurred before
2155 ~~prior to~~ the date on which the application was submitted;
2156 (g) Is adjudicated an incapacitated person under s.
2157 744.331, or similar laws of any other state; or
2158 (h) Is committed to a mental institution under chapter 394,
2159 or similar laws of any other state.
2160
2161 Notwithstanding s. 120.60(5), service of a notice of the
2162 suspension or revocation of a concealed weapon or firearm
2163 license must be given by either certified mail, return receipt
2164 requested, to the licensee at his or her last known mailing
2165 address furnished to the Department of Agriculture and Consumer
2166 Services, or by personal service. If a notice given by certified
2167 mail is returned as undeliverable, a second attempt must be made
2168 to provide notice to the licensee at that address, by either
2169 first-class mail in an envelope, postage prepaid, addressed to
2170 the licensee at his or her last known mailing address furnished
2171 to the department, or, if the licensee has provided an e-mail
2172 address to the department, by e-mail. Such mailing by the
2173 department constitutes notice, and any failure by the licensee



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2174 to receive such notice does not stay the effective date or term
2175 of the suspension or revocation. A request for hearing must be
2176 filed with the department within 21 days after notice is
2177 received by personal delivery, or within 26 days after the date
2178 the department deposits the notice in the United States mail (21
2179 days plus 5 days for mailing). The department shall document its
2180 attempts to provide notice and such documentation is admissible
2181 in the courts of this state and constitutes sufficient proof
2182 that notice was given.
2183 Section 40. Effective upon this act becoming a law,
2184 paragraph (a) of subsection (11) of section 790.06, Florida
2185 Statutes, is amended to read:
2186 790.06 License to carry concealed weapon or firearm.—
2187 (11)(a) At least ~~No less than~~ 90 days before the expiration
2188 date of the license, the Department of Agriculture and Consumer
2189 Services shall mail to each licensee a written notice of the
2190 expiration and a renewal form prescribed by the Department of
2191 Agriculture and Consumer Services. The licensee must renew his
2192 or her license on or before the expiration date by filing with
2193 the Department of Agriculture and Consumer Services the renewal
2194 form containing an a-notarized ~~an a-notarized~~ affidavit submitted under oath
2195 and under penalty of perjury stating that the licensee remains
2196 qualified pursuant to the criteria specified in subsections (2)
2197 and (3), a color photograph as specified in paragraph (5)(e),
2198 and the required renewal fee. Out-of-state residents must also
2199 submit a complete set of fingerprints and fingerprint processing
2200 fee. The license shall be renewed upon receipt of the completed
2201 renewal form, color photograph, appropriate payment of fees,
2202 and, if applicable, fingerprints. Additionally, a licensee who



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2203 fails to file a renewal application on or before its expiration
2204 date must renew his or her license by paying a late fee of \$15.
2205 A license may not be renewed 180 days or more after its
2206 expiration date, and such a license is deemed to be permanently
2207 expired. A person whose license has been permanently expired may
2208 reapply for licensure; however, an application for licensure and
2209 fees under subsection (5) must be submitted, and a background
2210 investigation shall be conducted pursuant to this section. A
2211 person who knowingly files false information under this
2212 subsection is subject to criminal prosecution under s. 837.06.

2213 Section 41. Subsection (8) is added to section 790.0625,
2214 Florida Statutes, to read:

2215 790.0625 Appointment of tax collectors to accept
2216 applications for a concealed weapon or firearm license; fees;
2217 penalties.—

2218 (8) Upon receipt of a completed renewal application, a new
2219 color photograph, and appropriate payment of fees, a tax
2220 collector authorized to accept renewal applications for
2221 concealed weapon or firearm licenses under this section may,
2222 upon approval and confirmation of license issuance by the
2223 department, print and deliver a concealed weapon or firearm
2224 license to a licensee renewing his or her license at the tax
2225 collector's office.

2226 Section 42. Subsections (1) through (4) of section 559.917,
2227 Florida Statutes, are amended to read:

2228 559.917 Bond to release possessory lien claimed by motor
2229 vehicle repair shop.—

2230 (1) As used in this section, the term:

2231 (a) "Lienholder" means a person claiming an interest in or



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2232 a lien on a vehicle pursuant to s. 713.585(5).

2233 (b) "Lienor" means a person claiming a lien for motor
2234 vehicle repair shop work under part II of chapter 713.

2235 (2)(1)(a) A lienholder or ~~Any~~ customer may obtain the
2236 release of a ~~her or his~~ motor vehicle for which the lienholder
2237 or customer has a lien or ownership rights, respectively, from
2238 any lien claimed under part II of chapter 713 by a motor vehicle
2239 repair shop for repair work performed under a written repair
2240 estimate by filing with the clerk of the court in the circuit in
2241 which the disputed transaction occurred a cash or surety bond,
2242 payable to the person claiming the lien and conditioned for the
2243 payment of any judgment which may be entered on the lien. The
2244 bond shall be in the amount stated on the invoice required by s.
2245 559.911, plus accrued storage charges, if any, less any amount
2246 paid to the motor vehicle repair shop as indicated on the
2247 invoice. The lienholder or customer shall not be required to
2248 institute judicial proceedings in order to post the bond in the
2249 registry of the court, nor shall the lienholder or customer be
2250 required to use a particular form for posting the bond, unless
2251 the clerk provides ~~shall provide~~ such form to the lienholder or
2252 customer for filing. Upon the posting of such bond, the clerk of
2253 the court shall automatically issue a certificate notifying the
2254 lienor of the posting of the bond and directing the lienor to
2255 release the ~~lienholder's or~~ customer's motor vehicle.

2256 (b) The lienor shall have 60 days to file suit to recover
2257 the bond. The prevailing party in that action may be entitled to
2258 damages plus court costs and reasonable ~~attorney~~ attorney's
2259 fees. If the lienor fails to file suit within 60 days after the
2260 posting of such bond, the bond shall be discharged.



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2261 ~~(3)(2)~~ The failure of a lienor to release or return to the
2262 lienholder or customer the motor vehicle upon which any lien is
2263 claimed, upon receiving a copy of a certificate giving notice of
2264 the posting of the bond and directing release of the motor
2265 vehicle, shall subject the lienor to judicial proceedings which
2266 may be brought by the lienholder or customer to compel
2267 compliance with the certificate. ~~If Whenever~~ a lienholder
2268 pursuant to s. 713.585 or customer brings an action to compel
2269 compliance with the certificate, the lienholder or customer need
2270 only establish that:

2271 (a) Bond in the amount of the invoice, plus accrued storage
2272 charges, if any, less any amount paid to the motor vehicle
2273 repair shop as indicated on the invoice, was posted;

2274 (b) A certificate was issued pursuant to this section;

2275 (c) The motor vehicle repair shop, or any employee or agent
2276 thereof who is authorized to release the motor vehicle, received
2277 a copy of a certificate issued pursuant to this section; and

2278 (d) The motor vehicle repair shop or employee authorized to
2279 release the motor vehicle failed to release the motor vehicle.

2280

2281 The lienholder or customer, upon a judgment in her or his favor
2282 in an action brought under this subsection, may be entitled to
2283 damages plus court costs and reasonable attorney attorney's fees
2284 sustained by her or him by reason of such wrongful detention or
2285 retention. Upon a judgment in favor of the motor vehicle repair
2286 shop, the shop may be entitled to reasonable attorney attorney's
2287 fees.

2288 ~~(4)(3)~~ Any motor vehicle repair shop ~~that~~ which, or any
2289 employee or agent thereof who is authorized to release the motor



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2290 vehicle who, upon receiving a copy of a certificate giving
2291 notice of the posting of the bond in the required amount and
2292 directing release of the motor vehicle, fails to release or
2293 return the property to the lienholder or customer pursuant to
2294 this section commits ~~is guilty of~~ a misdemeanor of the second
2295 degree, punishable as provided in s. 775.082 or s. 775.083.

2296 ~~(5)(4)~~ Any lienholder or customer who stops payment on a
2297 credit card charge or a check drawn in favor of a motor vehicle
2298 repair shop on account of an invoice, or who fails to post a
2299 cash or surety bond pursuant to this section, shall be
2300 prohibited from any recourse under this section with respect to
2301 the motor vehicle repair shop.

2302 Section 43. Subsection (1) and paragraph (d) of subsection
2303 (3) of section 559.9285, Florida Statutes, are amended to read:
2304 559.9285 Certification of business activities.—

2305 (1) Each certifying party, as defined in s. 559.927(2):

2306 (a) Which does not offer for sale, at wholesale or retail,
2307 prearranged travel or, tourist-related services, ~~or tour-guide~~
2308 ~~services~~ for individuals or groups directly to any terrorist
2309 state and which originate in Florida;

2310 (b) Which offers for sale, at wholesale or retail, only
2311 prearranged travel or, tourist-related services, ~~or tour-guide~~
2312 ~~services~~ for individuals or groups directly to any terrorist
2313 state and which originate in Florida, but engages in no other
2314 business dealings or commerce with any terrorist state; or

2315 (c) Which offers for sale, at wholesale or retail,
2316 prearranged travel or, tourist-related services, ~~or tour-guide~~
2317 ~~services~~ for individuals or groups directly to any terrorist
2318 state and which originate in Florida, and also engages in any



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2319 other business dealings or commerce with any terrorist state,
2320
2321 shall annually certify its business activities by filing a
2322 disclosure statement with the department which accurately
2323 represents the scope of the seller's business activities
2324 according to the criteria provided in paragraph (a), paragraph
2325 (b), or paragraph (c).

2326 (3) The department shall specify by rule the form of each
2327 certification under this section which shall include the
2328 following information:

2329 (d) The type of all prearranged travel or, tourist-related
2330 services, ~~or tour-guide services~~ that the certifying party
2331 offers for sale to individuals or groups traveling directly to
2332 any terrorist state and that originate in Florida, and the
2333 frequency with which such services are offered.

2334 Section 44. Subsection (2) of section 559.937, Florida
2335 Statutes, is amended to read:

2336 559.937 Criminal penalties.—Any person or business that
2337 violates this part:

2338 (2) Which violation directly or indirectly pertains to an
2339 offer to sell, at wholesale or retail, prearranged travel or,
2340 tourist-related services, ~~or tour-guide services~~ for individuals
2341 or groups directly to any terrorist state and which originate in
2342 Florida, commits a felony of the third degree, punishable as
2343 provided in s. 775.082 or s. 775.083.

2344 Section 45. For the 2016-2017 fiscal year, the sum of
2345 \$1,305,097 in nonrecurring funds from the Division of Licensing
2346 Trust Fund is appropriated to the Department of Agriculture and
2347 Consumer Services for the purpose of implementing s. 493.6108,



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2348 Florida Statutes, regarding the collection and subsequent
2349 payment of fingerprint retention and processing fees to the
2350 Florida Department of Law Enforcement.

2351 Section 46. Except as otherwise expressly provided in this
2352 act, this act shall take effect July 1, 2016.
2353

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 Committee on Appropriations

BILL: CS/CS/SB 772

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on General Government); Commerce and Tourism Committee; and Senator Richter

SUBJECT: Regulated Service Providers

DATE: February 4, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Harmsen	McKay	CM	Fav/CS
2.	Blizzard	DeLoach	AGG	Recommend: Fav/CS
3.	Blizzard	Kynoch	AP	Fav/CS

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 772 modifies provisions in several areas regulated by the Department of Agriculture and Consumer Services (DACS), including:

- Eliminating the requirement that the Board of Professional Surveyors and Mappers have at least one member who is a photogrammetrist;
- Implementing license fee waivers for veterans, their spouses, and their businesses;
- De-regulating personal trainers from the Department of Agriculture and Consumer Services' oversight;
- Clarifying requirements for owners of devices used for weights or measurements that are subject to a commercial-use permit under ch. 527, F.S., updating the commercial-use permit's license cycle, and simplifying commercial-use permit fees;
- Modernizing the Florida Sellers of Travel Act and deregulating same-day tour guide or sightseeing services;
- Allowing amusement ride operators to provide their own inspection form, and exempting specific rides from inspection requirements;
- Implementing fingerprint retention in ch. 493, F.S. (Private Security, Private Investigators, and Recovery Specialists), licensing processes;
- Implementing a live-fire requirement for concealed weapon or firearm licensure;
- Streamlining renewal of concealed weapon or firearm licenses by allowing a sworn statement, rather than a notarized affidavit, of a licensee's continued eligibility for licensure;

- Allowing personal service or notice by certified mail, or in the case of non-delivery, by U.S. mail or e-mail, to constitute effective service of notice of suspension or revocation of an individual's concealed weapon or firearm license;
- Allowing qualified tax collectors to print and deliver renewal concealed weapon or firearm licenses;
- Reducing application fees for concealed weapon or firearm licenses;
- In actions relating to the enforcement of a lien on a vehicle by a motor vehicle repair shop, allowing parties other than the consumer who authorized repairs to the motor vehicle to assert their right to the vehicle through either a bond process or a hearing in circuit court;
- Providing requirements for motor vehicle repair shops that seek direct payment from an insurance company through an assignment of benefits by a customer; and
- Requiring the Department of Education (DOE) to establish standards and processes for approval of student tour operators, and mandating that the DOE maintain a list of the approved student tour operators.

The bill authorizes fee waivers and exemptions from permitting and inspections which will reduce the revenues in the Division of Licensing Trust Fund and the General Inspection Trust Fund within the DACS in the total amount of \$3,212,505. The DACS estimates that the new fees related to the Fingerprint Retention programs authorized by the bill will generate \$1,305,097 for the Division of Licensing Trust Fund. As a result of those revenue changes, the service charge to general revenue associated with the Division of Licensing Trust Fund and the General Inspection Trust Fund will be reduced by \$78,437 beginning in Fiscal Year 2016-2017.

The bill provides an appropriation of \$1,305,097 in nonrecurring funds from the Division of Licensing Trust Fund to the DACS for the collection and subsequent payment of fingerprint retention and processing fees to the Florida Department of Law Enforcement.

The bill provides an effective date of July 1, 2016.

II. Present Situation:

The Department of Agriculture and Consumer Services (DACS) safeguards the public from unsafe or defective products and deceptive business practices. The Division of Consumer Services within the DACS regulates specific business activities, including commercial weight loss practices, telephone solicitations, pawnshops, health studios, sellers of travel, and telemarketing. The Division of Consumer Services also functions as a clearinghouse for consumer complaints. The Division of Licensing within the DACS is responsible for investigating and issuing licenses to conduct private security, private investigative, and recovery services pursuant to ch. 493, F.S. The Division of Licensing also issues concealed weapon or firearm licenses pursuant to s. 790.06, F.S.

The present situation for the relevant provision of the bill is discussed in the Effect of Proposed Changes section of this bill analysis.

III. Effect of Proposed Changes:

Board of Professional Surveyors and Mappers

The Board of Professional Surveyors and Mappers (board) is constituted under the Department of Agriculture and Consumer Services (DACS) with the purpose of regulating professional surveyors and mappers and businesses that offer surveying and mapping services.¹ The board consists of nine members, of whom one must be designated as a photogrammetric mapper by the American Society for Photogrammetry and Remote Sensing (ASPRS), and two must be consumers.² The board's members are appointed for 4-year terms of service by the Commissioner of Agriculture and confirmed by the Senate.³

Photogrammetry is the practice of surveying and mapping through the use of aerial or terrestrial photographs and other sources of imagery.⁴ Twenty-six Florida resident photogrammetrists are currently certified by the ASPRS.⁵

Section 1 amends s. 472.007, F.S., to remove the requirement that one member of the Board of Professional Surveyors and Mappers is a designated photogrammetrist. Instead, a seventh registered surveyor and mapper may be appointed. This change reflects the May 5, 2015, board vote to remove the requirement that at least one board member be designated as a photogrammetrist.⁶

Licensing Fee Waivers

Florida has more than 1.6 million veteran residents,⁷ 165,000 of which are veterans of the Afghanistan and Iraq wars.⁸ The Department of Management Services has certified 392 businesses as service disabled veteran-owned businesses, which are afforded vendor preference in specific state procurement processes.⁹ As of July 1, 2014, both the Department of Business and Professional Regulation (DBPR) and the Department of Health (DOH) implemented initial

¹ Florida Department of Agriculture and Consumer Services, Board of Professional Surveyors and Mappers, *Frequently Asked Questions*,

² Section 472.007, F.S.

³ *Id.*

⁴ Section 177.27(23), F.S.; American Society for Photogrammetry and Remote Sensing, *What is ASPRS?*, available at: <http://www.asprs.org/About-Us/What-is-ASPRS.html> (last visited Jan. 8, 2016).

⁵ American Society for Photogrammetry and Remote Sensing, *Search for Certified Professionals*, <http://www.asprs.org/Certification-Program/Search-for-Certified-Professionals.html> (last visited Jan. 8, 2016).

⁶ Department of Agriculture and Consumer Services, *Agency Analysis of SB 772*, 3 (Dec. 1, 2015) (on file with the Committee on Commerce and Tourism).

⁷ Florida Department of Veterans' Affairs, *Fast Facts*, available at: http://floridavets.org/?page_id=50 (last visited Jan. 8, 2016).

⁸ <http://factfinder.census.gov/faces/tables/services/jsf/pages/productview.xhtml?src=CF>; Conversation with Florida Department of Veteran's Affairs staff on Jan. 4, 2016.

⁹ As of Jan. 8, 2016. Florida Department of Management Services, *Certified Vendor Directory*, available at: https://osd.dms.myflorida.com/directories/results?directory%5Bcommodity_code%5D=&directory%5Bcommodity_descripti on%5D=&directory%5Bcounty%5D=&directory%5Bdesignation%5D=Service+Disabled+Veteran&directory%5Bvendor_n ame%5D= (last visited Jan. 8, 2016).

licensing fee waivers for veterans and their spouses.¹⁰ Since October 1, 2012, the DBPR has granted 134 veteran fee waivers; the DOH has granted 292.¹¹

The bill waives first-time licensing application fees for specific veterans of the United States Armed Forces, his or her spouse, or a business entity in which he or she has a majority ownership stake on the following classes of licenses:

License	Current Initial Licensing Fee
Land Surveyor & Mapper	\$180 - \$255
Health Studio	\$300
Commercial Telephone Seller	\$1,500
Telemarketing Salesperson	\$50
Movers & Moving Broker	\$300
Liquefied Petroleum Gas Related License	\$100 - \$525
Pawnbroker	\$300
Motor Vehicle Repair Shop	\$50 - \$300
Sellers of Travel	\$300-\$2,500

In addition, to qualify for the fee waiver, the veteran, his or her spouse, or his or her business must submit an application for licensure within 60 months after the date of the veteran's discharge from the United States Armed Forces and provide a copy of his or her discharge paperwork; a valid marriage license where applicable; and proof of ownership interest, where applicable.

The following sections of the bill implement the first-time license fee waivers for veterans, their spouses, and their businesses:

Section 2 amends s. 472.015(3), F.S. (surveyors and mappers).

Section 12 amends s. 501.015(2), F.S. (health studios).

Sections 13 and 14 amend ss. 501.605(5)(b) and 501.607(2)(b), F.S. (telemarketing).

Section 15 amends s. 507.03(3), F.S. (intrastate movers).

Section 16 amends s. 527.02(3), F.S. (liquefied petroleum gasoline).

Section 25 amends s. 539.001(3), F.S. (pawnbrokers).

Section 26 amends s. 559.904(3), F.S. (motor vehicle repair).

¹⁰ Florida Department of Business and Professional Regulation, *Military and Veteran Spouses*, available at: <http://www.myfloridalicense.com/dbpr/MilitarySpouse.html> (last accessed Jan. 8, 2016); see also, Florida Department of Health, *Veterans*, available at <http://www.floridahealth.gov/licensing-and-regulation/armed-forces/veterans/index.html> (last accessed Jan. 8, 2016).

¹¹ Communication with staff of the Department of Health on Jan. 4, 2016; Department of Agriculture and Consumer Services, *Agency Analysis of SB 772*, 12 (Dec. 1., 2015) (on file with the Committee on Commerce and Tourism).

Section 29 amends s. 559.928(2), F.S. (sellers of travel).

The following sections of the bill waive application or licensing fees for veterans only who apply for specific licensure within 24 months, rather than 60 months, of their honorable discharge from the armed forces:

License	Current Initial Licensing / Application Fees
Private Investigator	\$75 / \$50
Private Investigator Intern	\$60 / \$50
Private Investigative/Security Agency Manager	\$75 / \$50
Private Investigative Agency Manager	\$75 / \$50
Security Officer Instructor	\$60 / \$50
Security Manager	\$75 / \$50
Recovery Agent	\$75 / \$50
Recovery Agent Intern	\$60 / \$50
Recovery Agency Manager	\$75 / \$50
Recovery Agent Instructor	\$60 / \$50
Firearms Instructor	\$100 / \$50

Section 3 amends s. 493.6105(1), F.S., to waive the \$100 *initial application fee* for licensure as a:

- Private Investigator, Private Investigator Intern, Private Investigative/Security Agency Manager, or Private Investigative Agency Manager;
- Security Officer Instructor, or Security Manager;
- Recovery Agent, Recovery Agent Intern, Recovery Agency Manager, or Recovery Agent Instructor; and
- Firearms Instructor.

Section 5 amends s. 493.6107, F.S., to waive the initial *license fee* for veterans who, within 24 months of their honorable discharge from the armed forces, apply for licensure as either a Private Investigative/Security Agency Manager or a Firearms Instructor.

Section 8 amends s. 493.6202, F.S., to waive the initial *license fee* for veterans who, within 24 months of their honorable discharge from the armed forces, apply for licensure as a Private Investigator, Private Investigator Intern, or Private Investigative Agency Manager.

Section 9 amends s. 493.6302, F.S., to waive the initial *license fee* for veterans who, within 24 months of their honorable discharge from the armed forces, apply for licensure as a Security Officer, Security Officer Instructor, or a Security Manager. A Class D license does not require an application fee.

¹² Florida Department of Agriculture and Consumer Services, *Private Investigation, Security, Recovery: Chapter 493, Florida Statutes Fee Schedule*, available at http://www.freshfromflorida.com/content/download/33389/815718/FS493_License_Fees.pdf (last visited Jan. 8, 2015).

Section 10 amends s. 493.6402(4), F.S., to waive the initial *license fee* for veterans who, within 24 months of their honorable discharge from the armed forces, apply for licensure as a Recovery Agent, Recovery Agent Intern, Recovery Agent Manager, or Recovery Agent Instructor.

Eligible veteran applicants will still be subject to, e.g., applicable examination fees, fingerprint processing and retention fees, and renewal fees, in addition to applicable licensure fitness and general eligibility requirements.¹³

Fingerprint Retention and Processing for Private Investigators, Private Security Officers, and Repossession Services Officers

The Federal Bureau of Investigation (FBI) and the Florida Department of Law Enforcement (FDLE) perform criminal history background checks based on the fingerprint identification of specific applicants for licensure upon an agency's request for such an investigation, and of individuals in the criminal justice system.

The DACS currently requires applicants for licensure under ch. 493, F.S., to submit a full set of fingerprints and a fingerprint processing fee for a background check to be conducted by the FDLE.¹⁴ The DACS has 156,266 currently valid licenses issued under ch. 493, F.S., to, e.g., private investigators, private security officers, and repossession services officers.¹⁵ Once the initial background check has been performed by the FDLE, the DACS is required to discard the licensees' fingerprints. As a result, the DACS must perform a name-based search of arrest records to fulfill its duty to conduct ongoing investigations into its licensees' criminal activity, including upon a licensee's renewal of his or her license.¹⁶

Section 3 amends s. 493.6105(3), F.S., to require initial applicants for licensure under ch. 493, F.S., to submit a fingerprint processing fee and a fingerprint retention fee. The fees for fingerprint processing and retention must be set by agency rule. Applicants for multiple licenses issued pursuant to ch. 493, F.S., will only be subject to one fingerprint processing and fingerprint retention fee.

Section 6 creates ss. 493.6108(4) and (5), F.S., to require that, beginning January 1, 2017, the FDLE retain all fingerprints that are submitted to the DACS as part of an application for licensure as a private investigator, security officer, recovery agent, firearms instructor, or related license under ch. 493, F.S., and enter the retained fingerprints into the statewide automated biometric identification system and the FBI's national retained print arrest notification program (FBI fingerprint check). The FDLE has not yet begun participation in the FBI's fingerprint check program, but expects to begin phasing in its participation by February 2016.¹⁷ In addition, the bill requires the FDLE to search the retained fingerprints against all arrest fingerprints and report any

¹³ See, e.g., ss. 493.6105, 493.6108, F.S.

¹⁴ Section 493.6105(3)(j), F.S.

¹⁵ Florida Department of Agriculture and Consumer Services, Division of Licensing, *Number of Licensees by Type*, (Jan. 8, 2016). Available at http://www.freshfromflorida.com/content/download/7471/118627/Number_of_Licensees_By_Type.pdf (last visited January 8, 2016).

¹⁶ Section 493.6118(1), F.S.

¹⁷ Conversation with staff of the FDLE on Dec. 22, 2015.

arrest record match to the DACS. This will allow the DACS to receive updated arrest information on its licensees and applicants in a more efficient process.

Section 7 amends ss. 493.6113(1) and (3), F.S., to require current ch. 493, F.S., licensees to submit the following as part of their renewal application: a copy of their fingerprints, a state fingerprint retention fee, a FBI fingerprint retention fee, where applicable, and a license renewal fee. This will allow the FDLE and the DACS to subject current licensees to the fingerprint retention and examination processes implemented in section 6 of the bill. Additionally, the bill clarifies that firearm instructors, class “K” licensees, are subject to a 3 year, rather than a 2 year, license cycle. This reflects an update originally made in 2011.¹⁸

Concealed Weapon or Firearm License

Residency Requirement for Concealed Weapon or Firearm License

In 2012, the U.S. Department of Justice effectuated a rule change¹⁹ to 27 CFR, Pt. 478, to remove the requirement that lawfully present aliens prove that they have resided in a state within the U.S. for 90 days in order to purchase or acquire a firearm.

Section 4 conforms s. 493.6106(1)(f), F.S., specific to applicants for statewide firearm licenses or firearms instructor licenses under ch. 493, F.S., to the above change by deleting the application requirement that a permanent legal resident alien show proof of his or her residency in Florida for at least 90 consecutive days prior to submission of an application for licensure.

Concealed Weapon or Firearm Licensing

Under current law, certain concealed weapons or firearms pre-licensing course instructors must maintain records certifying that they observed their student safely handle and discharge a firearm.

Section 40 of the bill clarifies s. 790.06, F.S., to require that the instructor maintain records certifying that while he or she was physically present, the instructor observed the student safely handle and actually discharge (“live fire”) a firearm using a firearm and ammunition as defined in s. 790.001, F.S. This ensures that the instruction occurs in person rather than by video conference.

The bill also requires the DACS to expedite the application for a concealed weapon or firearm license for an applicant who is a service member or veteran, defined as a person who served in the active military, naval, or air service and who was discharged or released under honorable conditions only or who later received an upgraded discharge under honorable conditions.²⁰

¹⁸ Ch. 2012-205, s. 6, Laws of Fla.

¹⁹ U.S. Federal Register, Vol. 77, no. 110 (June 7, 2012), available at <https://www.gpo.gov/fdsys/pkg/FR-2012-06-07/html/2012-13770.htm>. (Last visited Jan. 8, 2016). See also, U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives, *Questions and Answers – Revised ATF F4473 (April 2012 Edition)*, available at: <https://www.atf.gov/file/61841/download>. (Last visited Jan. 8, 2016).

²⁰ Section 1.01(14), F.S.

Subject to Section 40 of the bill, application fees for concealed weapon and firearm licenses will be reduced from \$70 to \$60 for initial applicants, and from \$60 to \$50 for renewal applicants.

Section 40 of the bill clarifies licensing qualifications regarding applicants' criminal history. Previously, an applicant with a felony criminal record was eligible for licensure if his or her criminal record was sealed or expunged by a court. The bill proposes to allow only applicants whose felony criminal record has been expunged to qualify for licensure. Additionally, the bill clarifies that an applicant may not be granted a license if he or she has had adjudication of guilt withheld or has had an imposition of sentence suspended for any misdemeanor crime of domestic violence, unless three years have elapsed since probation or any other conditions set by the court have been fulfilled, or the criminal record of such offense has been either sealed or expunged.

Lastly, Section 40 of the bill provides for notice of the suspension or revocation of a concealed weapon or firearm license by either personal delivery to the licensee or applicant or by certified mail, return receipt requested to the licensee's or applicant's last known mailing address provided to the DACS. If notice by certified mail fails, a second attempt by either first-class mail addressed to the last known mailing address furnished to the DACS by the licensee, or e-mail sent to an e-mail address provided by the licensee shall constitute notice. A request for hearing subsequent to such notice must be made within 21 days if notice was made by personal delivery, or within 26 days after the date the DACS deposited the second attempted notice by first-class mail in the U.S. mail, or sent the e-mail.

Affidavits Submitted With Concealed Weapon or Firearm Licenses

Currently, s. 790.06(11), F.S., requires a licensee who seeks to renew his or her concealed weapon or firearm license to submit a *notarized affidavit* stating that the licensee remains qualified for the license.

Section 41 amends s. 790.06(11), F.S., to require an affidavit submitted under oath and under penalty of perjury. The DACS states that this will streamline their taxed firearm licensing system.²¹

Tax Collector Issuance of Concealed Weapon or Firearm Licenses

As of July 1, 2014, tax collectors who entered into a memorandum of understanding with the DACS may collect initial and renewal applications for concealed weapon or firearm permits.

Section 42 amends s. 790.0625(8), F.S., to expand the qualified tax collectors' capabilities to include the printing and delivery of a concealed weapon or firearm license to an individual who renews his or her license at the tax collector's office. Tax collectors may collect fees for such services.

²¹ Department of Agriculture and Consumer Services, *Agency Analysis of SB 772*, 10-11 (Dec. 1, 2015) (on file with the Committee on Commerce and Tourism).

Various DACS Licenses and Regulations

Health Studios

The Health Studio Act, ss. 501.012-501.019, F.S., regulates health studios that enter into contracts for health studio services with consumers. Regulations under the act include:

- Registration with the DACS;
- Requirements that every contract with a consumer include certain provisions, such as the consumer's total payment obligations, and cancellation provisions;
- Provision of a security bond, generally ranging from \$10,000 to \$25,000, depending on the value of outstanding contracts with the studio; and
- Prohibited practices, such as committing an intentional fraud.

The DACS can seek an injunction or civil penalties for any violation of the act, and violations are generally misdemeanors. The DACS may also institute administrative prosecution of a health studio in violation of s. 501.015 or s. 501.016, F.S.

Section 11 amends s. 501.0125(1), F.S., and adds s. 501.0125(6), F.S., to establish that personal trainers are not subject to the DACS' regulation of health studios, thus deregulating personal trainers. The bill defines "personal trainer" as an individual who:

- Does not have an established place of business for the primary purpose of physical exercise;
- Provides exercise equipment in incidental capacity to instruction provided; and
- Does not accept payment for services rendered more than 30 days after the date of payment.

According to the DACS, personal trainers traditionally do not issue binding contracts and do not collect a consumer's payment for services more than 30 days in advance and, therefore, do not pose the same dangers to consumer's financial interests as brick and mortar health studios that use financing and long-term contracts.²²

Commercial Telephone Sellers

Commercial telephone sellers (telemarketers) must provide the address of each location at which he or she will do business. Current law allows telemarketers to provide a mail drop location as a physical address.

Section 13 amends s. 501.605(2)(j), F.S., to require telemarketers to disclose the street address of each location from which he or she will be doing business, and no longer permits the use of a mail drop address.

Amusement Ride Safety Standards

Florida has approximately 245 amusement parks and 190 traveling amusement companies that are subject to inspection by the DACS.²³ These parks include carnivals, water parks, go-kart

²² Department of Agriculture and Consumer Services, *Agency Analysis of SB 772*, 6 (Dec. 1, 2015) (on file with the Committee on Commerce and Tourism).

²³ Florida Department of Agriculture and Consumer Services, *Fair Rides Inspection*. Available at <http://www.freshfromflorida.com/Divisions-Offices/Consumer-Services/Business-Services/Fair-Rides> (last visited Jan. 8, 2016).

courses, and bungee-jumping parks.²⁴ A temporary amusement ride must be inspected by the DACS each time it is moved or set up in a new location; permanent rides are inspected semi-annually.²⁵ Additionally, parks subject to the DACS' regulations must show proof of sufficient employee training and insurance.

Section 38 amends s. 616.242, F.S., to exempt the following venues from the permitting, inspection, and insurance requirements for amusement rides:

- A water-related amusement ride operated as an incidental amenity to the core business of a lodging or food service establishment, or membership campground that does not offer a day rate.
- An amusement ride operated as an incidental amenity to the primary business of a membership-only facility that does not offer a day rate.
- A permanent facility that is not open to the general public, and that is operated by a nonprofit corporation registered under ch. 496, F.S.

These exemptions are targeted at generally smaller water attractions or rides at hotels or campsites, private country clubs or playgrounds, and facilities run by, e.g., the YMCA (two non-profit facilities currently qualify for this exemption).²⁶

This bill also allows owners or managers of amusement rides to request to use alternate inspections and employee training forms than those prescribed by departmental rules, if the alternate form includes at least the information required by the prescribed form.

Weights and Measurements

The Bureau of Standards within the DACS is generally responsible for the inspection of weights and measures devices or instruments in Florida. This includes, but is not limited to, the prescription of the appropriate unit of weight or measurement to be used, testing of weights and measuring instruments used by any city or county, and inspection of commercial weights and measures that are used to determine the weight, measurement or total count of commodities offered for sale, such as fruit and vegetables at a grocery store. For the purpose of consumer protection, the Bureau of Standards is also empowered under s. 531.42, F.S., to enforce the proper use of weights and measuring instruments or devices and the advertisement of the correct weight or measurement on a good for sale.

Section 18 amends s. 531.37(1), F.S., to clarify that the DACS does not regulate aviation fuel under ch. 531, F.S. Instruments and devices used to inspect aviation fuel have been exempt from regulation and inspection by the DACS under ch. 531, F.S., since 2013.²⁷

Section 19 amends s. 531.415(1), F.S., to merge and clarify fees for metrology laboratory calibration and testing services performed by the Bureau of Standards. As a result, individuals who submit a subject for linear measure tests that are calibrated to determine actual values will

²⁴ *Id.*

²⁵ *Id.*

²⁶ Department of Agriculture and Consumer Services, *Agency Analysis of SB 772*, 8 (Dec. 1, 2015) (on file with the Committee on Commerce and Tourism).

²⁷ Ch. 2013-251, s. 35, Laws of Fla.

realize a fee reduction from \$100²⁸ to not more than \$75; all other fees for testing services remain the same. Section 19 also amends s. 531.415(2), F.S., to require that items submitted for testing be in a condition ready for testing, because the DACS cannot clean the subjects before testing.²⁹

Section 20 amends ss. 531.60(1) and (2), F.S., to clarify intent that commercial use permits issued by the DACS for commercially-used weights and measures instruments or devices (“instrument or device”) are granted to the *owner* of such weights and measures device, rather than to the *device* itself. The bill clarifies duties of the owner of permitted instruments and devices to require the owner and permit-holder to notify the DACS within 30 days of a change in permit status, including the expected non-renewal of the permit as a result of the instrument or device’s termination of use, or removal from the business location. Additionally, the bill requires new owners of currently permitted instruments or devices to apply for a new commercial use permit upon transfer of the item to the new owner; current law requires that a new permit “be issued” to the new owner. The DACS indicates that these changes will make their investigations more efficient.

This section further amends s. 531.60(3), F.S., to remove language that allows properly permitted, non-commercial instruments and devices to be tested by the DACS.³⁰ The DACS no longer tests non-commercial instruments or devices.³¹

Section 22 amends s. 531.62, F.S., to provide for an optional two-year commercial-use permit. The DACS believes that this will reduce overall renewal permits, and make the process more efficient.³²

Sections 17 and 23 amend ss. 527.021(4) and 531.63(1)(a), F.S., respectively, to update the fee structure for weighing devices that are inspected by the DACS. Current law bases the maximum annual fee of such inspections on the number of devices per retail establishment, but the bill proposes to charge by number of devices in a single category instead. The bill also removes inspection of grain moisture meters from the fee schedule because the DACS no longer performs such inspections.³³ This section also creates a new \$150 fee for inspection of liquefied petroleum gas bulk delivery vehicles with a meter, which reflects the merger of the \$50 fee for registered transport vehicle inspection (currently found in s. 527.021(4), F.S.) and the \$100 fee for mass or volumetric flow meters (currently found in s. 531.63(2)(a) and (b), F.S.).

Section 24 amends s. 531.65, F.S., to clarify that the DACS is authorized to apply more than one penalty if it is found that a weights or measures instrument or device is used commercially without a valid permit.

²⁸ Metrology Fees, Florida Department of Agriculture and Consumer Services, available at: <http://www.freshfromflorida.com/Divisions-Offices/Consumer-Services/Business-Services/Standards/Metrology>. (Last visited Jan. 8, 2016.); Rule 5F-1.040(6), F.A.C.

²⁹ Department of Agriculture and Consumer Services, *Agency Analysis of SB 772*, 7 (Dec. 1, 2015) (on file with the Committee on Commerce and Tourism).

³⁰ Department of Agriculture and Consumer Services, *Agency Analysis of SB 772*, 7 (Dec. 1, 2015) (on file with the Committee on Commerce and Tourism).

³¹ *Id.*

³² *Id.*

³³ *Id.*

Section 21 amends s. 531.61, F.S., to make conforming, technical changes.

Sellers of Travel

Part XI of ch. 559, F.S., the “Florida Sellers of Travel Act,” regulates business entities and individuals that sell pre-arranged travel, tourist-related services, or tour guide services.³⁴ These sellers of travel must annually register with the DACS, and post proof of a performance bond of up to \$50,000. The DACS may exercise its right to the performance bond for use and benefit of a traveler who is injured by a fraud, misrepresentation, breach of contract, financial failure, or violation of law by the seller of travel.³⁵

Section 28 amends s. 559.927, F.S., to clarify definitions used in ch. 559, F.S. Specifically, the bill proposes to:

- Delete the definitions of tour-guide services and sightseeing tours in order to de-regulate the services;
- Amend the definition of “accommodations” to exclude long-term home rentals covered under a lease pursuant to ch. 83, F.S.;
- Exclude from regulation as sellers of travel those third parties who offer prearranged travel or tourist-related services, but do not participate in travel fulfillment or vacation certificate redemption;
- Clarify the definition of “vacation certificates” to evince that a vacation certificate is necessary for any arrangement, plan, program, vacation package, or advanced travel for which no specific date for its use is designated, but is not necessary for travel for which dates are selected, guaranteed, and paid for at the time of purchase; and
- Define “student tour operators” as persons or firms that sell prearranged travel, tourist-related services, or tour-guide services for groups within the education community to school districts, educators, and students and their families.

Section 29 amends s. 559.928, F.S., to update seller of travel registration notice requirements and expand the DACS’ administrative enforcement power. Current law requires sellers of travel to place their registration number and a statement that their firm is “registered with the State of Florida as a Seller of Travel” on each contract and advertisement; this bill requires the same disclosure on certificates or any other travel documents.

The DACS is currently empowered to deny or refuse to renew a licensee’s or applicant’s license based on an applicant or licensee’s involvement in a crime involving fraud, dishonest dealing, or any other act of moral turpitude. The bill authorizes the DACS to revoke a license, in addition to its current administrative powers, for not only convictions of crimes involving fraud, dishonest dealing, or any other act of moral turpitude, but also any conviction of theft, embezzlement, or any other crime that arises out of conduct as a seller of travel. The DACS may also refuse to renew or revoke a licensee’s license based on its directors’, officers’, owners’, or general partners’ conviction of the above crimes, if the conviction arose from that individual’s activity on behalf of the licensee.

³⁴ Sections 559.926-.927, F.S.

³⁵ Section 559.929(2), F.S.

Section 30 requires the DOE to create by rule an approval process for student tour operators, and to maintain a public list of the approved student tour operators.

Section 31 amends ss. 559.929(2) and (6), F.S., to allow consumers and other governmental agencies acting on behalf of the injured consumer to institute an action to recover against the bond held by a seller of travel for losses the consumer incurred as a result of a seller's of travel wrongdoing. Current law provides that a consumer may only recover from such a bond in an administrative action filed by the DACS. The section also makes technical clarifications.

Sections 32, 33, and 34 amend s. 559.9295, 559.932, and 559.933, F.S., respectively, to update filing requirements placed on the seller of travel. The bill proposes to:

- Require specific disclosures on any promotional material that may reasonably lead a person to believe that he or she may receive something of value without payment or compensation to the seller of travel, including a disclosure of the number of people who actually traveled as a result of the vacation certificate.
- Delete the requirement that the DACS review the filed vacation certificate disclosure within 10 days of its submission to the DACS. This allows the DACS more time to review the disclosure without it automatically being deemed in compliance as a result of passage of time alone;
- Amend DACS' duty to review the vacation certificate or contract only for their compliance with legally-required disclosures under s. 595.932, F.S., rather than the contract or certificate in its entirety. The DACS indicates that this will still ensure consumer protection, but be more efficient;³⁶
- Require at least 12-point font for disclosure language provided on vacation certificates; and
- Make technical, non-substantive changes to clean up required cancellation and refund notices that must be made by the seller of travel on vacation certificates.

Sections 35 and 37 amend ss. 559.9335 and 559.936, F.S., to modernize the statute, expand prohibited practices, and to update cross-references. Specifically, Section 34 prohibits making false statements in response to any inquiry made by the DACS or any other governmental agency, and knowingly selling vacation certificates in excess of the accommodations available (where current law makes it a violation to sell in excess of the number of available accommodations that was disclosed to the DACS).

Section 36 amends s. 559.935, F.S., to delete the requirement that affiliates of sellers of travel file an affidavit of exemption with the DACS in order to obtain an exemption from specific sections of the Sellers of Travel Act. Section 559.935, F.S., still appears to regulate such affiliates, but it is unclear how the DACS will grant or revoke such exemptions when no initial proof of eligibility for the exemption is required.

Sections 44 and 45 amend ss. 559.9285 (1) and (3)(d), and 559.937(2), F.S., respectively, to make conforming changes to reflect the deregulation of tour-guide services.

³⁶ Department of Agriculture and Consumer Services, *Agency Analysis of SB 772*, 8 (Dec. 1, 2015) (on file with the Committee on Commerce and Tourism).

Enforcement of Lien by Sale of Motor Vehicle

The Motor Vehicle Advisory Council was created to advise and assist the DACS about issues relating to ss. 559.901-559.9221, F.S., the “Florida Motor Vehicle Repair Act” (act). The act generally requires motor vehicle repair shops to register with the DACS and perform various duties designed to ensure consumer protection.

The act also delineates rights and duties that accrue to the shop and vehicle owner if the owner fails to pay for authorized repairs that were performed. In essence, the shop (lienor) may assert its legal right to the vehicle, subject to the customer’s (lienholder’s) right to request a hearing to dispute the lien, or to file a bond for the value of the vehicle, plus the cost of any repairs, storage, or reasonable fees,

Section 43 amends s. 559.917, F.S., to define “lienholder” as the person claiming an interest in a lien or on a vehicle, and “lienor” as a person claiming a lien for motor vehicle repair shop work. This expands the right to present a bond to release a possessory lien claimed by a motor vehicle repair shop to include any party with an interest in the vehicle, e.g., the vehicle dealer who holds title to the car, in addition to the customer who authorized the repairs on the vehicle.

Section 39 amends s. 713.585, F.S., to reduce the number of days that the lienor is required to give notice to the registered owner of the vehicle, the customer who requested the repairs, and to all other persons who claim an interest in the vehicle, from 15 to 7 days from the initial assessment of storage charges on the motor vehicle.

In addition, Section 39:

- Provides processes by which a lienholder who has posted a bond in favor of the vehicle may take possession of the vehicle, or, in cases in which the owner is not in default under his or her installment sales contract or title loan, must return the vehicle to the owner;
- Requires a court that hears a complaint relating to a vehicle subject to a lien provided in s. 713.585, F.S., to provide for immediate payment of any proceeds or awards, and the immediate release of the bond to the posting party, if applicable; and
- Makes technical, conforming changes to s. 713.585, F.S.

Motor Vehicle Repair Shop Reimbursement

Currently, in instances in which a consumer will pay for repairs performed by a motor vehicle repair shop (shop), the shop is required to provide the consumer with a written estimate of the repairs to be performed, and seek payment from the consumer based on that estimate.³⁷

However, when a shop performs repairs on a vehicle covered by a personal or commercial insurance policy claim, the shop may seek an assignment of the consumer’s right to payment from the insurance company. This permits the shop to be paid for a loss under the insurance contract (or work done to correct that loss). Accordingly, if the benefit to be paid is assigned and the insurer refuses to pay, the shop (assignee) may file a lawsuit against the insurer to recover

³⁷ Section 559.905, F.S.

payment. Florida courts have generally held that an assignment made after the loss is valid even if the contract states otherwise.³⁸

Section 27 creates s. 559.9191, F.S., which prohibits a motor vehicle repair shop from directly seeking payment, reimbursement, or benefits from an insurer unless the repair shop:

- Received a signed disclosure from the consumer regarding possible liability of the consumer for payment; and
- Seeks only payment or reimbursement for the services detailed in the shop's repair invoice, as detailed in s. 559.911, F.S.

Section 27 also requires the shop to obtain written consent from the consumer at least 15 business days prior to the initiation of any civil litigation or arbitration for enforcement of the payment of the assigned benefit against an insurer company.

Section 46 provides an appropriation of \$1,305,098 to the Department of Agriculture and Consumer Services from the Division of Licensing Trust Fund for the purpose of implementing fingerprinting retention programs authorized in the bill.

Section 47 provides an effective date of July 1, 2016, except as where otherwise stated in the bill.

General Revenue Service Charge

Pursuant to section 215.20, F.S., a service charge on all income of a revenue nature deposited into state trust funds is subsequently deducted and deposited into the General Revenue Fund. The service charge represents the estimated pro rata share of the cost of general government paid from the General Revenue Fund. The service charge on the income deposited into the General Inspection Trust Fund (GITF) is assessed an eight percent service charge, and the income in the Division of Licensing Trust Fund (DLTF) is charged four percent. The fee waivers and exemptions provided in this bill reduce the revenue deposited into both the GITF and the DLTF, thus reducing the amount deposited into the General Revenue Fund.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

³⁸ See *West Florida Grocery Co. v. Teutonia Fire Ins. Co.*, 77 So. 209 (Fla. 1917); *Better Construction, Inc. v. Nat'l Union Fire Ins. Co. of Pittsburgh*, 651 So. 2d 141 (Fla. 3d DCA 1995)(reversal of a dismissal based on a non-assignment provision because "a provision against assignment of an insurance policy does not bar an insured's assignment of an after-loss claim"); *Gisela Investments v. Liberty Mutual Ins. Co.*, 452 So. 2d 1056 (Fla. 3d DCA 1984); *Continental Casualty Co. v. Ryan Inc.*, 974 So. 2d 368, 377 v. 7 (Fla. 2008).

C. Trust Funds Restrictions:

None.

D. Other Constitutional Issues:

Notice Requirements

The Due Process Clauses of the Fifth and Fourteenth Amendments contemplate fair process. “An elementary and fundamental requirement of due process in any proceeding which is to be accorded finality is notice reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objection.”³⁹ Three factors must be weighed to determine the degree to which due process protections apply:

- The private interest that will be affected;
- The risk of erroneous deprivation of such interest through the procedures used; and
- The government’s interest, including fiscal and administrative burdens of additional process.⁴⁰

The DACS seeks to preserve the public records exemption of personal identifying information of an individual who applied for or received a firearm or concealed weapon license by substituting direct mail or personal service for the publication of such information in general circulation newspapers as a method of notice.⁴¹ Courts have not ruled directly on whether replacing notice by publication with notice by first class mail without proof of knowledge of receipt is sufficient procedural due process.⁴²

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

See Private Sector Impact section below.

B. Private Sector Impact:

Under CS/CS/SB 772, veterans, spouses of veterans, and majority-owned veteran businesses will qualify for initial specific license fee and application fee waivers. Certain personal trainers will not be subject to registration as a health studio and will no longer pay an annual registration fee. Specific businesses will be exempt from amusement ride inspections and costs associated therewith.

Individuals seeking a first-time concealed weapon or firearm license will be subject to a \$60 application fee, reduced from \$70; renewal license fees will be \$50, reduced from

³⁹ *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306, 314 (1950).

⁴⁰ *Mathews v. Eldridge*, 424 U.S. 319 (1976); *Hadley v. Dept. of Admin.*, 411 So.2d 184 (Fla. 1982).

⁴¹ See s. 790.0601, F.S.; Florida Department of Agriculture and Consumer Services, *Agency Bill Analysis for SB 772*, 10 (Dec. 1, 2015) (on file with the Committee on Commerce and Tourism).

⁴² *Anderson v. State*, 87 So. 3d 774, 776 (Fla. 2012).

\$60. A path to certification as a firearms instructor will be broadened, thereby creating increased employment opportunities for qualified individuals.

The bill requires current ch. 493, F.S., licensees to submit a fingerprint retention fee and a background check fee as part of the renewal process. New licensees will be required to pay a fingerprint retention fee along with the background check and application fee they currently are required to pay.

Automobile dealers will have an avenue to better preserve their interests in a lien on a vehicle they sold, but are now subject to a motor vehicle repair shop's lien under s. 559.917, F.S. Additionally, parties involved in such lien disputes will possibly accrue smaller storage fees since the required term for notice prior to enforcement of the lien is reduced from 15 to seven days.

Automobile Repair Shops will be required to perform specific prerequisites to be able to enforce an assignment from a consumer of the right to payment or other benefits against an insurance company.

C. Government Sector Impact:

The bill has a significant impact on state revenues. The bill authorizes fee waivers and exemptions from permitting and inspections that reduce revenues in the Division of Licensing Trust Fund and the General Inspection Trust Fund in the total amount of \$3,212,505 during Fiscal Year 2016-2017. Additionally, the bill reduces the service charge to general revenue associated with the Division of Licensing and General Inspection Trust Fund in the amount of \$78,437 beginning in Fiscal Year 2016-2017.

The bill authorizes fee increases relating to Fingerprint Retention programs and background checks that will generate \$1,305,098 in Fiscal Year 2016-2017 for the Division of Licensing Trust Fund.

Military Veteran Fee Waiver

The Department of Agriculture and Consumer Services (DACS) estimates a reduction in revenue in the General Inspection Trust Fund (GITF) and the Division of Licensing Trust Fund generated from fee waivers related to military veterans and spouses in the following amounts in the years indicated:

Revenues	FY 2016-17	FY 2017-18	FY 2018-19
Division of Consumer Services GIFT - Application Fees ⁴³	(\$51,250)	(\$51,250)	(\$51,250)
Division of Licensing TF Application & License Fees ⁴⁴	(\$164,965)	(\$164,965)	(\$164,965)
Total	(\$216,215)	(\$216,215)	(\$216,215)

Safety Standards for Amusement Rides

The DACS estimates the following recurring revenue reductions in the years indicated to the General Inspection Trust fund because of fees that will no longer be collected from organizations made exempt from regulation under this bill.

Revenues	FY 2016-17	FY 2017-18	FY 2018-19
Amusement Ride Fee Exemptions	(\$2,280)	(\$2,280)	(\$2,280)

Fingerprint Retention

The DACS estimates that the fees related to the Fingerprint Retention programs authorized in the bill will generate the following amounts in the years indicated for the Division of Licensing Trust Fund:

Revenues	FY 2016-17	FY 2017-18	FY 2018-19
Fingerprint Processing Fee (FBI) ⁴⁵	\$779,979	\$1,559,958	\$1,028,934
Fingerprint Retention Fee (FDLE Operating Trust Fund) ⁴⁶	\$525,119	\$1,050,237	\$890,265
Total	\$1,305,098	\$2,610,195	\$1,919,199

These funds will be collected by the DACS and transferred to the Federal Bureau of Investigation (FBI) and Florida Department of Law Enforcement (FDLE). The Fiscal Year 2018-2019 revenues from fingerprint retention fees decrease significantly because current licensees will have caught up on the one-time FBI fingerprint retention fee and the background check fingerprint fee, leaving only the annual \$6 Florida fingerprint retention fee.

⁴³ This number is based on an estimated 231,000 veterans from the Afghanistan and Iraq wars who live in Florida, while this Committee's research estimates that 165,000 veterans from the Afghanistan and Iraq wars live in Florida. Department of Agriculture and Consumer Services, *Agency Analysis of SB 772*, 12 (Dec. 1, 2015) (on file with the Committee on Commerce and Tourism).

⁴⁴ This number assumes that veterans will constitute 10% of applicants for licensure under ch. 493, F.S. The DACS received 33,199 applications for licensure under ch. 493, F.S., in FY 2014-2015. Department of Agriculture and Consumer Services, *Agency Analysis of SB 772*, 12 (Dec. 1, 2015) (on file with the Committee on Commerce and Tourism).

⁴⁵ According to the DACS, this total estimates that 33,944 new applicants, plus 40,313 renewal applicants will pay the one-time FBI fingerprint retention \$13.00 fee that covers the duration of a license; in addition, 39,650 renewal applicants will pay the "standard national background check fingerprint fee of \$14.75." *Id.* at 12-13.

⁴⁶ This total estimates that 33,944 new applicants plus 40,313 renewal applicants will be subject to the \$6.00 annual Florida fingerprint retention fee; in addition, 40,313 renewal applicants will also pay the standard FDLE background check fingerprint processing fee of \$15. *Id.*

The DACS will require increased budget authority equal to the total amounts shown in each fiscal year from the Division of Licensing Trust Fund to process the necessary disbursements to the FBI and FDLE for fingerprint retention.

The bill provides an appropriation of \$1,305,097 in nonrecurring funds from the Division of Licensing Trust Fund to the DACS for the collection and subsequent payment of fingerprint retention and processing fees to the Florida Department of Law Enforcement.

Concealed Weapon Licenses

The DACS estimates the following revenue reductions in the years indicated for the Division of Licensing Trust Fund due to the reduction in concealed weapon license (CWL) fees by \$10 each. The Division of Licensing within the DACS indicates that the reduced fee revenue is sufficient to continue to fund the program.

Revenues	FY 2016-17	FY 2017-18	FY 2018-19
New CWL Fee Reduction	(\$1,650,000)	(\$1,550,000)	(\$1,550,000)
Renewal CWL Fee Reduction	(\$1,294,010)	(\$1,240,260)	(\$1,162,230)
Total	(\$2,994,010)	(\$2,790,260)	(\$2,712,230)

Concealed Weapon License Notice of Service

The DACS estimates the following reduced expenditures in the years indicated from the Division of Licensing Trust Fund relating to publishing costs associated with notification of revocation or suspension of concealed weapon licenses.

Expenditures	FY 2016-17	FY 2017-18	FY 2018-19
CWL Notice of Service of Process	(\$140,186)	(\$140,186)	(\$140,186)

General Revenue Service Charge

Due to the provisions in this bill, the service charge to general revenue from the Division of Licensing Trust Fund and the General Inspection Trust Fund is estimated to change by the following total amounts in the years indicated:

General Inspection Trust Fund	FY 2016-17	FY 2017-18	FY 2018-19
Military Veteran Fee Waivers	(\$4,100)	(\$4,100)	(\$4,100)
Amusement Ride Exemptions	(\$182)	(\$182)	(\$182)
Division of Licensing Trust Fund			
Military Veteran Fee Waivers	(\$6,599)	(\$6,599)	(\$6,599)
Concealed Weapons Fee Reduction	(\$119,760)	(\$111,610)	(\$108,489)
Fingerprint Retention Fees	\$52,204	\$104,407	\$76,768
Total General Revenue Fund	(\$78,437)	(\$18,084)	(\$42,602)

The Department of Education (DOE) estimates it will need one FTE and \$82,802 to establish an application process and minimum standards for persons seeking to become a student tour operator.

VI. Technical Deficiencies:

Section 30 uses the undefined term, “education student tour operator,” while section 28 defines “student tour operator.”

Additionally, the term “student tour operator” is defined as a party who arranges tour-guide services, an activity that is being de-regulated by this bill.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 472.007, 472.015, 493.6105, 493.6106, 493.6107, 493.6108, 493.6113, 493.6202, 493.6302, 493.6402, 501.0125, 501.015, 501.605, 501.607, 507.03, 527.02, 527.021, 531.37, 531.415, 531.60, 531.61, 531.62, 531.63, 531.65, 539.001, 559.904, 559.927, 559.928, 559.929, 559.9295, 559.932, 559.933, 559.9335, 559.935, 559.936, 616.242, 790.06, 790.0625, 559.9285, 559.937, 713.585, and 559.917.

The bill creates sections 559.9191 and 559.9281 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.)

CS/CS by Appropriations on February 3, 2016:

- Removes the previously proposed addition of two new firearm instruction certification courses;
- Clarifies fingerprint retention fees and participation for ch. 493, F.S., licensees;
- Appropriates \$1,305,090 from the Division of Licensing Trust Fund to the Department of Agriculture and Consumer Services for Fingerprint Retention programs authorized in the bill;
- Makes further technical changes and updates to regulations of sellers of travel;
- Requires the Department of Education to approve student travel operators and maintain a list of those in good standing; and
- Provides requirements for motor vehicle repair shops that seek payment, reimbursement, or benefits directly from an insurer through an assignment of benefits by a customer.

CS by Commerce and Tourism on January 11, 2016:

- Makes a technical change to use consistent language to clarify that, in two specific instances, an applicant’s *registration* fee will be waived;
- Amends the Service of Process requirements for licensees and applicants for a concealed weapon or firearm license to require either personal service or certified

mail, return receipt requested to the licensee at his or her last known mailing address furnished to the DACS; and

- Allows additional parties to assert their financial interest in a motor vehicle that is subject to a s. 713.585, F.S., motor vehicle repair lien. Additionally, the bill makes conforming changes and reduces the number of days that a lienor (generally a motor vehicle repair shop) is required to give notice of their intent to enforce their interest in the lien on the car.

B. Amendments:

None.

By the Committee on Commerce and Tourism; and Senator Richter

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1 A bill to be entitled
2 An act relating to regulated service providers;
3 amending s. 472.007, F.S.; revising the composition of
4 the Board of Professional Surveyors and Mappers;
5 amending s. 472.015, F.S.; requiring the Department of
6 Agriculture and Consumer Services to waive the initial
7 land surveying and mapping license fee for certain
8 veterans, the spouses of such veterans, or certain
9 business entities that have a majority ownership held
10 by such veterans or spouses; amending s. 493.6105,
11 F.S.; waiving the initial application fee for veterans
12 for certain private investigative, private security,
13 and repossession service licenses; revising certain
14 fees for initial license applications; revising the
15 submission requirements for a Class "K" license;
16 amending s. 493.6106, F.S.; deleting a provision
17 requiring that certain applicants submit additional
18 documentation establishing state residency; amending
19 s. 493.6107, F.S.; waiving the initial license fees
20 for veterans for certain private investigative,
21 private security, and repossession service licenses;
22 amending s. 493.6108, F.S.; requiring the Department
23 of Law Enforcement to retain fingerprints submitted
24 for private investigative, private security, and
25 repossession service licenses, to enter such
26 fingerprints into the statewide automated biometric
27 identification system and the Federal Bureau of
28 Investigation's national retained print arrest
29 notification program, and to report any arrest record
30 information to the Department of Agriculture and
31 Consumer Services; requiring the department to provide
32 information about an arrest of a licensee for certain

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33 crime within the state to the agency that employs the
34 licensee; amending s. 493.6113, F.S.; clarifying the
35 renewal requirements for Class "K" licenses; requiring
36 a person holding a private investigative, private
37 security, or repossession service license issued
38 before a certain date to submit, upon first renewal of
39 the license, a full set of fingerprints and a
40 fingerprint processing fee; amending ss. 493.6202,
41 493.6302, and 493.6402, F.S.; waiving initial license
42 fees for veterans for certain private investigative,
43 private security, and repossession service licenses;
44 amending s. 501.0125, F.S.; revising the definition of
45 the term "health studio"; defining the term "personal
46 trainer"; amending s. 501.015, F.S.; requiring the
47 department to waive the initial health studio
48 registration fee for certain veterans, the spouses of
49 such veterans, or certain business entities that have
50 a majority ownership held by such veterans or spouses;
51 amending s. 501.605, F.S.; prohibiting the use of a
52 mail drop as a street address for the principal
53 location of a commercial telephone seller; requiring
54 the department to waive the initial commercial
55 telephone seller license fee for certain veterans, the
56 spouses of such veterans, or certain business entities
57 that have a majority ownership held by such veterans
58 or spouses; amending s. 501.607, F.S.; requiring the
59 department to waive the initial telephone salesperson
60 license fees for certain veterans, the spouses of such
61 veterans, or certain business entities that have a

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62 majority ownership held by such veterans or spouses;
 63 amending s. 507.03, F.S.; requiring the department to
 64 waive the initial registration fee for an intrastate
 65 mover for certain veterans, the spouses of such
 66 veterans, or certain business entities that have a
 67 majority ownership held by such veterans or spouses;
 68 amending s. 527.02, F.S.; requiring the department to
 69 waive the original liquefied petroleum gas license fee
 70 for certain veterans, the spouses of such veterans, or
 71 certain business entities that have a majority
 72 ownership held by such veterans or spouses; amending
 73 s. 527.021, F.S.; deleting a provision requiring a fee
 74 for registering transport vehicles; amending s.
 75 531.37, F.S.; revising the definition of the term
 76 "weights and measures"; amending s. 531.415, F.S.;
 77 revising the fees for actual metrology laboratory
 78 calibration and testing services; amending s. 531.60,
 79 F.S.; clarifying the applicability of permits for
 80 commercially operated or tested weights or measures
 81 instruments or devices; requiring a new permit
 82 application if a new owner acquires and moves an
 83 instrument or a device; requiring a business to notify
 84 the department of certain information under certain
 85 circumstances; deleting a provision authorizing the
 86 department to test weights and measures instruments or
 87 devices under certain circumstances; amending s.
 88 531.61, F.S.; clarifying provisions exempting certain
 89 instruments or devices from specified requirements;
 90 amending s. 531.62, F.S.; specifying that the

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91 commercial use permit fee is based upon the number and
 92 types of instruments or devices permitted; revising
 93 the expiration date of the commercial use permit;
 94 requiring annual and biennial commercial use permit
 95 renewals to meet the same requirements; amending s.
 96 531.63, F.S.; revising the commercial use permit fees
 97 and fee structures; amending s. 531.65, F.S.;
 98 clarifying that the department may use one or more of
 99 the prescribed penalties for the unauthorized use of a
 100 weights and measures instrument or device; amending s.
 101 539.001, F.S.; requiring the department to waive the
 102 initial pawnbroker license fee for certain veterans,
 103 the spouses of such veterans, or certain business
 104 entities that have a majority ownership held by such
 105 veterans or spouses; amending s. 559.904, F.S.;
 106 requiring the department to waive the initial motor
 107 vehicle repair shop registration fee for certain
 108 veterans, the spouses of such veterans, or certain
 109 business entities that have a majority ownership held
 110 by such veterans or spouses; amending s. 559.927,
 111 F.S.; revising definitions; amending s. 559.928, F.S.;
 112 revising the registration requirements for sellers of
 113 travel; requiring the department to waive the initial
 114 seller of travel registration fee for certain
 115 veterans, the spouses of such veterans, or certain
 116 business entities that have a majority ownership held
 117 by such veterans or spouses; requiring each
 118 advertisement, each certificate, or any other travel
 119 document to include a specified phrase; deleting a

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120 provision requiring an advertisement to include a
 121 specified phrase; revising the circumstances under
 122 which the department may deny or refuse to renew a
 123 registration; authorizing the department to revoke the
 124 registration of a seller of travel under certain
 125 circumstances; amending s. 559.929, F.S.; revising
 126 certain security requirements; amending s. 559.9295,
 127 F.S.; revising the requirements that certain sellers
 128 of travel submit and disclose to the department;
 129 deleting provisions relating to the duties of the
 130 department; amending s. 559.932, F.S.; requiring a
 131 specified typeface point size for certain disclosures;
 132 requiring the department to review copies of certain
 133 certificates and contracts for compliance with
 134 disclosure requirements; amending s. 559.933, F.S.;
 135 making technical changes; amending s. 559.9335, F.S.;
 136 revising violations relating to the sale of travel;
 137 amending s. 559.935, F.S.; deleting a provision
 138 requiring an affidavit of exemption to obtain a seller
 139 of travel affiliate exemption; adding embezzlement as
 140 a crime for which the department may revoke certain
 141 exemptions; amending s. 559.936, F.S.; conforming
 142 cross-references; amending s. 616.242, F.S.; exempting
 143 water-related amusement rides operated by lodging and
 144 food service establishments and membership
 145 campgrounds, amusement rides at private, membership-
 146 only facilities, and nonprofit permanent facilities
 147 from certain safety standards; authorizing owners or
 148 managers of amusement rides to use alternative forms

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149 to record ride inspections and employee training;
 150 amending s. 713.585, F.S.; revising certain notice
 151 requirements; authorizing the owner of a vehicle or a
 152 person claiming an interest in the vehicle or in a
 153 lien thereon to post a bond to recover possession of a
 154 vehicle held by a lienor; requiring the clerk of the
 155 court to issue a certificate notifying the lienor of
 156 the posting of bond; establishing procedures and
 157 requirements for a vehicle owner to reclaim such
 158 vehicles recovered by a lienholder; authorizing courts
 159 to award damages based on claims relating to the
 160 enforcement of certain lien and recovery rights;
 161 requiring courts to provide for the immediate payment
 162 of proceeds and awards and immediate release of bonds;
 163 amending s. 790.06, F.S.; revising the requirements
 164 for issuance of a concealed weapon or firearm license;
 165 requiring directions for expedited processing requests
 166 in the license application form; revising the initial
 167 and renewal fees for a concealed weapon or firearm
 168 license; providing a process for expediting
 169 applications for servicemembers and veterans;
 170 requiring that notice of the suspension or revocation
 171 of a concealed weapon or firearm license or the
 172 suspension of the processing of an application for
 173 such license be given by personal delivery or first-
 174 class mail; specifying deadlines for requests for a
 175 hearing for suspensions or revocations; specifying
 176 standards of proof for notice of suspensions or
 177 revocations; requiring concealed weapon or firearm

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178 license renewals to include an affidavit submitted
 179 under oath and under penalty of perjury, rather than a
 180 notarized affidavit; amending s. 790.0625, F.S.;
 181 authorizing certain tax collector offices, upon
 182 approval and confirmation of license issuance by the
 183 department, to print and deliver concealed weapon or
 184 firearm licenses; amending ss. 559.917, 559.9285, and
 185 559.937, F.S.; conforming terminology; providing
 186 effective dates

187
 188 Be It Enacted by the Legislature of the State of Florida:

189 Section 1. Subsection (1) of section 472.007, Florida
 190 Statutes, is amended to read:

191 472.007 Board of Professional Surveyors and Mappers.—There
 192 is created in the Department of Agriculture and Consumer
 193 Services the Board of Professional Surveyors and Mappers.

194 (1) The board shall consist of nine members, seven ~~six~~ of
 195 whom shall be registered surveyors and mappers primarily engaged
 196 in the practice of surveying and mapping, ~~one of whom shall be a~~
 197 ~~registered surveyor and mapper with the designation of~~
 198 ~~photogrammetrist~~, and two of whom shall be laypersons who are
 199 not and have never been surveyors and mappers or members of any
 200 closely related profession or occupation.

201
 202 Section 2. Subsection (3) of section 472.015, Florida
 203 Statutes, is amended to read:

204 472.015 Licensure.—

205 (3) (a) Before the issuance of any license, the department
 206 may charge an initial license fee as determined by rule of the

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207 board. Upon receipt of the appropriate license fee, except as
 208 provided in subsection (6), the department shall issue a license
 209 to any person certified by the board, or its designee, as having
 210 met the applicable requirements imposed by law or rule. However,
 211 an applicant who is not otherwise qualified for licensure is not
 212 entitled to licensure solely based on a passing score on a
 213 required examination.

214 (b) The department shall waive the initial license fee for
 215 an honorably discharged veteran of the United States Armed
 216 Forces, the spouse of such a veteran, or a business entity that
 217 has a majority ownership held by such a veteran or spouse if the
 218 department receives an application, in a format prescribed by
 219 the department, within 60 months after the date of the veteran's
 220 discharge from any branch of the United States Armed Forces. To
 221 qualify for the waiver, a veteran must provide to the department
 222 a copy of his or her DD Form 214, as issued by the United States
 223 Department of Defense, or another acceptable form of
 224 identification as specified by the Department of Veterans'
 225 Affairs; the spouse of a veteran must provide to the department
 226 a copy of the veteran's DD Form 214, as issued by the United
 227 States Department of Defense, or another acceptable form of
 228 identification as specified by the Department of Veterans'
 229 Affairs, and a copy of a valid marriage license or certificate
 230 verifying that he or she was lawfully married to the veteran at
 231 the time of discharge; or a business entity must provide to the
 232 department proof that a veteran or the spouse of a veteran holds
 233 a majority ownership in the business, a copy of the veteran's DD
 234 Form 214, as issued by the United States Department of Defense,
 235 or another acceptable form of identification as specified by the

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Department of Veterans' Affairs, and, if applicable, a copy of a valid marriage license or certificate verifying that the spouse of the veteran was lawfully married to the veteran at the time of discharge.

Section 3. Paragraph (c) is added to subsection (1) of section 493.6105, Florida Statutes, and paragraph (j) of subsection (3) and paragraph (a) of subsection (6) of that section are amended, to read:

493.6105 Initial application for license.—

(1) Each individual, partner, or principal officer in a corporation, shall file with the department a complete application accompanied by an application fee not to exceed \$60, except that the applicant for a Class "D" or Class "G" license is not required to submit an application fee. The application fee is not refundable.

(c) The initial application fee for a veteran, as defined in s. 1.01, if he or she applies for a Class "C," Class "CC," Class "DI," Class "E," Class "EE," Class "K," Class "M," Class "MA," Class "MB," Class "MR," or Class "RI" license within 24 months after being discharged from a branch of the United States Armed Forces shall be waived. An eligible veteran must include a copy of his or her DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs with his or her application in order to obtain a waiver.

(3) The application must contain the following information concerning the individual signing the application:

(j) A full set of fingerprints, a fingerprint processing fee, and a fingerprint retention fee. The fingerprint processing

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and retention fees shall ~~to~~ be established by rule of the department based upon costs determined by state and federal agency charges and department processing costs, which must include the cost of retaining the fingerprints in the statewide automated biometric identification system established in s. 943.05(2)(b) and the cost of enrolling the fingerprints in the national retained print arrest notification program as required under s. 493.6108. An applicant who has, within the immediately preceding 6 months, submitted such fingerprints and ~~fees~~ fee for licensing purposes under this chapter and who still holds a valid license is not required to submit another set of fingerprints or another fingerprint processing fee. An applicant who holds multiple licenses issued under this chapter is required to pay only a single fingerprint retention fee.

(6) In addition to the requirements under subsection (3), an applicant for a Class "K" license must:

(a) Submit one of the following:

1. The Florida Criminal Justice Standards and Training Commission Instructor Certificate and written confirmation by the commission that the applicant possesses an active firearms certification.

2. The National Rifle Association Private Security Firearm Instructor Certificate.

3. A firearms instructor certificate issued by a federal law enforcement agency.

4. An International Association of Law Enforcement Firearms Instructors certification.

5. A Second Amendment Foundation Training Division Firearms Instructors certification.

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294 Section 4. Paragraph (f) of subsection (1) of section
 295 493.6106, Florida Statutes, is amended to read:
 296 493.6106 License requirements; posting.—
 297 (1) Each individual licensed by the department must:
 298 (f) Be a citizen or permanent legal resident alien of the
 299 United States or have appropriate authorization issued by the
 300 United States Citizenship and Immigration Services of the United
 301 States Department of Homeland Security.
 302 1. An applicant for a Class "C," Class "CC," Class "D,"
 303 Class "DI," Class "E," Class "EE," Class "M," Class "MA," Class
 304 "MB," Class "MR," or Class "RI" license who is not a United
 305 States citizen must submit proof of current employment
 306 authorization issued by the United States Citizenship and
 307 Immigration Services or proof that she or he is deemed a
 308 permanent legal resident alien by the United States Citizenship
 309 and Immigration Services.
 310 2. An applicant for a Class "G" or Class "K" license who is
 311 not a United States citizen must submit proof that she or he is
 312 deemed a permanent legal resident alien by the United States
 313 Citizenship and Immigration Services, ~~together with additional~~
 314 ~~documentation establishing that she or he has resided in the~~
 315 ~~state of residence shown on the application for at least 90~~
 316 ~~consecutive days before the date that the application is~~
 317 ~~submitted.~~
 318 3. An applicant for an agency or school license who is not
 319 a United States citizen or permanent legal resident alien must
 320 submit documentation issued by the United States Citizenship and
 321 Immigration Services stating that she or he is lawfully in the
 322 United States and is authorized to own and operate the type of

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323 agency or school for which she or he is applying. An employment
 324 authorization card issued by the United States Citizenship and
 325 Immigration Services is not sufficient documentation.
 326 Section 5. Subsection (6) is added to section 493.6107,
 327 Florida Statutes, to read:
 328 493.6107 Fees.—
 329 (6) The initial license fee for a veteran, as defined in s.
 330 1.01, shall be waived if he or she applies for a Class "M" or
 331 Class "K" license within 24 months after being discharged from
 332 any branch of the United States Armed Forces. An eligible
 333 veteran must include a copy of his or her DD Form 214, as issued
 334 by the United States Department of Defense, or another
 335 acceptable form of identification as specified by the Department
 336 of Veterans' Affairs with his or her application in order to
 337 obtain a waiver.
 338 Section 6. Subsections (4) and (5) are added to section
 339 493.6108, Florida Statutes, to read:
 340 493.6108 Investigation of applicants by Department of
 341 Agriculture and Consumer Services.—
 342 (4) The Department of Law Enforcement shall:
 343 (a) Retain and enter into the statewide automated biometric
 344 identification system established in s. 943.05(2)(b) all
 345 fingerprints submitted to the Department of Agriculture and
 346 Consumer Services pursuant to this chapter.
 347 (b) When the Department of Law Enforcement begins
 348 participation in the Federal Bureau of Investigation's national
 349 retained print arrest notification program, enroll such
 350 fingerprints in the program. The fingerprints must thereafter be
 351 available for arrest notifications and all purposes and uses

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authorized for arrest fingerprint submissions entered into the statewide automated biometric identification system established in s. 943.05(2)(b).

(c) Search all arrest fingerprints against fingerprints retained.

(d) Report to the Department of Agriculture and Consumer Services any arrest record that it identifies or that is identified by the Federal Bureau of Investigation.

(5) If the department receives information about an arrest within the state of a person who holds a valid license issued under this chapter for a crime that could potentially disqualify the person from holding such a license, the department must provide the arrest information to the agency that employs the licensee.

Section 7. Subsections (1) and (3) of section 493.6113, Florida Statutes, are amended to read:

493.6113 Renewal application for licensure.—

(1) A license granted under the provisions of this chapter shall be renewed biennially by the department, except for Class "A," Class "B," Class "AB," Class "K," Class "R," and branch agency licenses, which shall be renewed every 3 years.

(3) Each licensee is responsible for renewing his or her license on or before its expiration by filing with the department an application for renewal accompanied by payment of the renewal fee and the fingerprint retention fee to cover the cost of ongoing retention in the statewide automated biometric identification system established in s. 943.05(2)(b) prescribed license fee. A person holding a valid license issued under this chapter before January 1, 2017, must submit, upon first renewal

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of the license, a full set of fingerprints and a fingerprint processing fee to cover the cost of entering the fingerprints into the statewide automated biometric identification system under s. 493.6108(4)(a). Subsequent renewals may be completed without submission of a set of fingerprints.

(a) Each Class "B" licensee shall additionally submit on a form prescribed by the department a certification of insurance that evidences that the licensee maintains coverage as required under s. 493.6110.

(b) Each Class "G" licensee shall additionally submit proof that he or she has received during each year of the license period a minimum of 4 hours of firearms recertification training taught by a Class "K" licensee and has complied with such other health and training requirements that the department shall adopt by rule. Proof of completion of firearms recertification training shall be submitted to the department upon completion of the training. If the licensee fails to complete the required 4 hours of annual training during the first year of the 2-year term of the license, the license shall be automatically suspended. The licensee must complete the minimum number of hours of range and classroom training required at the time of initial licensure and submit proof of completion of such training to the department before the license may be reinstated. If the licensee fails to complete the required 4 hours of annual training during the second year of the 2-year term of the license, the licensee must complete the minimum number of hours of range and classroom training required at the time of initial licensure and submit proof of completion of such training to the department before the license may be renewed. The department may

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waive the firearms training requirement if:

1. The applicant provides proof that he or she is currently certified as a law enforcement officer or correctional officer under the Criminal Justice Standards and Training Commission and has completed law enforcement firearms requalification training annually during the previous 2 years of the licensure period;

2. The applicant provides proof that he or she is currently certified as a federal law enforcement officer and has received law enforcement firearms training administered by a federal law enforcement agency annually during the previous 2 years of the licensure period; or

3. The applicant submits a valid firearm certificate among those specified in s. 493.6105(6)(a) and provides proof of having completed requalification training during the previous 2 years of the licensure period.

(c) Each Class "DS" or Class "RS" licensee shall additionally submit the current curriculum, examination, and list of instructors.

(d) Each Class "K" licensee shall additionally submit one of the certificates specified under s. 493.6105(6) as proof that he or she remains certified to provide firearms instruction.

Section 8. Subsection (4) is added to section 493.6202, Florida Statutes, to read:

493.6202 Fees.—

(4) The initial license fee for a veteran, as defined in s. 1.01, shall be waived if he or she applies for a Class "C," Class "CC," or Class "MA" license within 24 months after being discharged from any branch of the United States Armed Forces. An eligible veteran must include a copy of his or her DD Form 214,

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as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs with his or her application in order to obtain a waiver.

Section 9. Subsection (4) is added to section 493.6302, Florida Statutes, to read:

493.6302 Fees.—

(4) The initial license fee for a veteran, as defined in s. 1.01, shall be waived if he or she applies for a Class "D," Class "DI," or Class "MB" license within 24 months after being discharged from any branch of the United States Armed Forces. An eligible veteran must include a copy of his or her DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs with his or her application in order to obtain a waiver.

Section 10. Subsection (4) is added to section 493.6402, Florida Statutes, to read:

493.6402 Fees.—

(4) The initial license fee for a veteran, as defined in s. 1.01, shall be waived if he or she applies for a Class "E," Class "EE," Class "MR," or Class "RI" license within 24 months after being discharged from any branch of the United States Armed Forces. An eligible veteran must include a copy of his or her DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs with his or her application in order to obtain a waiver.

Section 11. Subsection (1) of section 501.0125, Florida

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Statutes, is amended, and subsection (6) is added to that section, to read:

501.0125 Health studios; definitions.—For purposes of ss. 501.012-501.019, the following terms shall have the following meanings:

(1) "Health studio" means any person who is engaged in the sale of services for instruction, training, or assistance in a program of physical exercise or in the sale of services for the right or privilege to use equipment or facilities in furtherance of a program of physical exercise. The term does not include an individual acting as a personal trainer.

(6) "Personal trainer" means an individual:

(a) Who does not have an established place of business for the primary purpose of the conducting of physical exercise;

(b) Whose provision of exercise equipment is incidental to the instruction provided; and

(c) Who does not accept payment for services that are to be rendered more than 30 days after the date of payment.

Section 12. Subsection (2) of section 501.015, Florida Statutes, is amended to read:

501.015 Health studios; registration requirements and fees.—Each health studio shall:

(2) Remit an annual registration fee of \$300 to the department at the time of registration for each of the health studio's business locations. The department shall waive the initial registration fee for an honorably discharged veteran of the United States Armed Forces, the spouse of such a veteran, or a business entity that has a majority ownership held by such a veteran or spouse if the department receives an application, in

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a format prescribed by the department, within 60 months after the date of the veteran's discharge from any branch of the United States Armed Forces. To qualify for the waiver, a veteran must provide to the department a copy of his or her DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs; the spouse of a veteran must provide to the department a copy of the veteran's DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs, and a copy of a valid marriage license or certificate verifying that he or she was lawfully married to the veteran at the time of discharge; or a business entity must provide to the department proof that a veteran or the spouse of a veteran holds a majority ownership in the business, a copy of the veteran's DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs, and, if applicable, a copy of a valid marriage license or certificate verifying that the spouse of the veteran was lawfully married to the veteran at the time of discharge.

Section 13. Paragraph (j) of subsection (2) and paragraph (b) of subsection (5) of section 501.605, Florida Statutes, are amended to read:

501.605 Licensure of commercial telephone sellers.—

(2) An applicant for a license as a commercial telephone seller must submit to the department, in such form as it prescribes, a written application for the license. The application must set forth the following information:

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(j) The complete street address of each location, designating the principal location, from which the applicant will be doing business. ~~The street address may not be If any location is a mail drop, this shall be disclosed as such.~~

The application shall be accompanied by a copy of any: Script, outline, or presentation the applicant will require or suggest a salesperson to use when soliciting, or, if no such document is used, a statement to that effect; sales information or literature to be provided by the applicant to a salesperson; and sales information or literature to be provided by the applicant to a purchaser in connection with any solicitation.

(5) An application filed pursuant to this part must be verified and accompanied by:

(b) A fee for licensing in the amount of \$1,500. The fee shall be deposited into the General Inspection Trust Fund. The department shall waive the initial license fee for an honorably discharged veteran of the United States Armed Forces, the spouse of such a veteran, or a business entity that has a majority ownership held by such a veteran or spouse if the department receives an application, in a format prescribed by the department, within 60 months after the date of the veteran's discharge from any branch of the United States Armed Forces. To qualify for the waiver, a veteran must provide to the department a copy of his or her DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs; the spouse of a veteran must provide to the department a copy of the veteran's DD Form 214, as issued by the United

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States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs, and a copy of a valid marriage license or certificate verifying that he or she was lawfully married to the veteran at the time of discharge; or a business entity must provide to the department proof that a veteran or the spouse of a veteran holds a majority ownership in the business, a copy of the veteran's DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs, and, if applicable, a copy of a valid marriage license or certificate verifying that the spouse of the veteran was lawfully married to the veteran at the time of discharge.

Section 14. Paragraph (b) of subsection (2) of section 501.607, Florida Statutes, is amended to read:

501.607 Licensure of salespersons.—

(2) An application filed pursuant to this section must be verified and be accompanied by:

(b) A fee for licensing in the amount of \$50 per salesperson. The fee shall be deposited into the General Inspection Trust Fund. The fee for licensing may be paid after the application is filed, but must be paid within 14 days after the applicant begins work as a salesperson. The department shall waive the initial license fee for an honorably discharged veteran of the United States Armed Forces, the spouse of such a veteran, or a business entity that has a majority ownership held by such a veteran or spouse if the department receives an application, in a format prescribed by the department, within 60 months after the date of the veteran's discharge from any branch

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of the United States Armed Forces. To qualify for the waiver, a veteran must provide to the department a copy of his or her DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs; the spouse of a veteran must provide to the department a copy of the veteran's DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs, and a copy of a valid marriage license or certificate verifying that he or she was lawfully married to the veteran at the time of discharge; or a business entity must provide to the department proof that a veteran or the spouse of a veteran holds a majority ownership in the business, a copy of the veteran's DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs, and, if applicable, a copy of a valid marriage license or certificate verifying that the spouse of the veteran was lawfully married to the veteran at the time of discharge.

Section 15. Subsection (3) of section 507.03, Florida Statutes, is amended to read:

507.03 Registration.—

(3)(a) Registration fees shall be calculated at the rate of \$300 per year per mover or moving broker. All amounts collected shall be deposited by the Chief Financial Officer to the credit of the General Inspection Trust Fund of the department for the sole purpose of administration of this chapter.

(b) The department shall waive the initial registration fee for an honorably discharged veteran of the United States Armed

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Forces, the spouse of such a veteran, or a business entity that has a majority ownership held by such a veteran or spouse if the department receives an application, in a format prescribed by the department, within 60 months after the date of the veteran's discharge from any branch of the United States Armed Forces. To qualify for the waiver, a veteran must provide to the department a copy of his or her DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs; the spouse of a veteran must provide to the department a copy of the veteran's DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs, and a copy of a valid marriage license or certificate verifying that he or she was lawfully married to the veteran at the time of discharge; or a business entity must provide to the department proof that a veteran or the spouse of a veteran holds a majority ownership in the business, a copy of the veteran's DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs, and, if applicable, a copy of a valid marriage license or certificate verifying that the spouse of the veteran was lawfully married to the veteran at the time of discharge.

Section 16. Subsection (3) of section 527.02, Florida Statutes, is amended to read:

527.02 License; penalty; fees.—

(3)(a) An ~~Any~~ applicant for an original license who submits ~~an~~ ~~whose~~ application ~~is submitted~~ during the last 6 months of

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642 the license year may have the original license fee reduced by
 643 one-half for the 6-month period. This provision applies shall
 644 ~~apply~~ only to those companies applying for an original license
 645 and ~~may shall~~ not be applied to licensees who held a license
 646 during the previous license year and failed to renew the
 647 license. The department may refuse to issue an initial license
 648 to an any applicant who is under investigation in any
 649 jurisdiction for an action that would constitute a violation of
 650 this chapter until such time as the investigation is complete.

651 (b) The department shall waive the initial license fee for
 652 an honorably discharged veteran of the United States Armed
 653 Forces, the spouse of such a veteran, or a business entity that
 654 has a majority ownership held by such a veteran or spouse if the
 655 department receives an application, in a format prescribed by
 656 the department, within 60 months after the date of the veteran's
 657 discharge from any branch of the United States Armed Forces. To
 658 qualify for the waiver, a veteran must provide to the department
 659 a copy of his or her DD Form 214, as issued by the United States
 660 Department of Defense or another acceptable form of
 661 identification as specified by the Department of Veterans'
 662 Affairs; the spouse of a veteran must provide to the department
 663 a copy of the veteran's DD Form 214, as issued by the United
 664 States Department of Defense, or another acceptable form of
 665 identification as specified by the Department of Veterans'
 666 Affairs, and a copy of a valid marriage license or certificate
 667 verifying that he or she was lawfully married to the veteran at
 668 the time of discharge; or a business entity must provide to the
 669 department proof that a veteran or the spouse of a veteran holds
 670 a majority ownership in the business, a copy of the veteran's DD

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671 Form 214, as issued by the United States Department of Defense,
 672 or another acceptable form of identification as specified by the
 673 Department of Veterans' Affairs, and, if applicable, a copy of a
 674 valid marriage license or certificate verifying that the spouse
 675 of the veteran was lawfully married to the veteran at the time
 676 of discharge.

677 Section 17. Subsection (4) of section 527.021, Florida
 678 Statutes, is amended to read:
 679 527.021 Registration of transport vehicles.—
 680 ~~(4) An inspection fee of \$50 shall be assessed for each~~
 681 ~~registered vehicle inspected by the department pursuant to s.~~
 682 ~~527.061. All inspection fees collected in connection with this~~
 683 ~~section shall be deposited in the General Inspection Trust Fund~~
 684 ~~for the purpose of administering the provisions of this chapter.~~

685 Section 18. Subsection (1) of section 531.37, Florida
 686 Statutes, is amended to read:
 687 531.37 Definitions.—As used in this chapter:
 688 (1) "Weights and measures" means all weights and measures
 689 of every kind, instruments, and devices for weighing and
 690 measuring, and any appliance and accessories associated with any
 691 or all such instruments and devices, excluding those weights and
 692 measures used for the purpose of inspecting the accuracy of
 693 devices used in conjunction with aviation fuel.

694 Section 19. Subsections (1) and (2) of section 531.415,
 695 Florida Statutes, are amended to read:
 696 531.415 Fees.—
 697 (1) The department shall charge and collect fees of not
 698 more than the following ~~fees~~ for actual metrology laboratory
 699 calibration and testing services rendered:

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700 (a) For each mass standard that is tested or certified to
 701 meet tolerances less stringent than American National Standards
 702 Institute/American Society for Testing and Materials (ANSI/ASTM)
 703 Standard E617 Class 4, ~~the department shall charge a fee of not~~
 704 ~~more than:~~

Weight	Fee/Unit
0 - 2 lb.	\$6
3 - 10 lb.	\$8
11 - 50 lb.	\$12
51 - 500 lb.	\$20
501 - 1000 lb.	\$30
1001 - 2500 lb.	\$40
2501 - 5000 lb.	\$50

713 (b) For each mass standard that is tested or certified to
 714 meet ANSI/ASTM Standard Class 4 or National Institute of
 715 Standards and Technology Class P tolerances, ~~the department~~
 716 ~~shall charge a fee of not more than:~~

Weight	Fee/Unit
0 - 10 lb.	\$20
11 - 50 lb.	\$30
51 - 500 lb.	\$40
501 - 1000 lb.	\$50
1001 - 2500 lb.	\$60
2501 - 5000 lb.	\$75

724 (c) For each mass standard that is calibrated to determine
 725 actual mass or apparent mass values, ~~the department shall charge~~
 726 ~~a fee of not more than:~~

Weight	Fee/Unit
0 - 20 lb.	\$40

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729	21 - 50 lb.	\$50
730	51 - 1000 lb.	\$70
731	1001 - 2500 lb.	\$150
732	2501 - 5000 lb.	\$250

733 (d) For each volumetric ~~flask, graduate, or test measure,~~
 734 ~~the department shall charge a fee of not more than:~~

Vessel	Fee/Test Point
0 - 5 gal.	\$35
Over 5 gal.	Plus \$0.75 for each additional gallon

737 ~~(e) For each linear measure that is tested or certified,~~
 738 ~~the department shall charge a fee of not more than \$75.~~

740 (e)(f) For each linear measure test that is calibrated to
 741 determine actual values, the department shall charge a fee of
 742 \$75 not more than \$100.

743 ~~(g) For each liquid-in-glass or electronic thermometer that~~
 744 ~~is tested or certified, the department shall charge a fee of not~~
 745 ~~more than \$50.~~

746 (f)(h) For each temperature measuring device, liquid-in-
 747 glass or electronic thermometer that is calibrated to determine
 748 actual values, the department shall charge a fee of \$50 not more
 749 than \$100.

750 (g)(i) For each special test or special preparation, ~~the~~
 751 ~~department shall charge a fee of not more than \$50 per hour.~~

752 (2) Each fee is payable to the department at the time the
 753 testing is done, regardless of whether the item tested is
 754 certified. The department may refuse to accept for testing any
 755 item deemed by the department to be unsuitable for its intended
 756 use or not to be in a condition ready for testing. The
 757 department shall deposit all fees collected under this section

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into the General Inspection Trust Fund.

Section 20. Section 531.60, Florida Statutes, is amended to read:

531.60 Permit for commercially operated or tested weights or measures instrument or devices.—

(1) A weights and measures instrument or device may not operate or be used for commercial purposes, as defined by department rule, within this state without first being permitted through a valid commercial use permit issued by the department to the person who owns the weights and measures device, unless exempted as provided in s. 531.61. Such permit applies only to the specific location and instrument types or device types listed on for which the permit was issued. However, the department may allow such permit to be applicable to a replacement for the original instrument or device.

(2) If ownership of a business an instrument or device for which a permit has been issued changes and the instruments or devices affected by the permit instrument or device:

(a) ~~Remain~~ Remains in the same location, the permit transfers to the new owner and remains in effect until its original expiration date. Within 30 days after the change in ownership, the new owner shall notify the department of the change and provide the pertinent information regarding the change in ownership and an updated replacement permit shall be issued if needed.

(b) ~~Move~~ Moves to a new location, the permit automatically expires and a new permit must be applied for by the new owner of the instruments or devices issued which will expire 1 year following the date of issuance.

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(3) A person who holds a permit that has been issued under this section must notify the department within 30 days after a change in permit status or if a permit will not be renewed due to the termination in use or removal of all weighing and measuring instruments or devices from the permitted location
~~Weights and measures instruments or devices that are not used commercially may be tested by the department under this chapter only if they are permitted and appropriate fees paid as prescribed by this section and adopted rules.~~

Section 21. Section 531.61, Florida Statutes, is amended to read:

531.61 Exemptions from permit requirement.—Commercial weights or measures instruments or devices are exempt from the ~~permit~~ requirements of ss. 531.60-531.66 if:

(1) The device is a taximeter that is licensed, permitted, or registered by a municipality, county, or other local government and is tested for accuracy and compliance with state standards by the local government in cooperation with the state as authorized in s. 531.421.

(2) The device is used exclusively for weighing railroad cars and is tested for accuracy and compliance with state standards by a private testing agency.

(3) The device is used exclusively for measuring aviation fuel or petroleum products inspected under chapter 525.

Section 22. Subsections (1), (2), and (4) of section 531.62, Florida Statutes, are amended to read:

531.62 Permit application and renewal.—

(1) An application for a ~~weights and measures~~ commercial use permit shall be submitted to the department on a form

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816 prescribed and furnished by the department and must contain such
817 information as the department may require by rule.

818 (2) The application must be accompanied by a fee in an
819 amount determined by the number and types of instruments or
820 devices covered by the permit as provided by department rule.
821 However, the fee for each instrument or device listed on the
822 permit may not exceed the maximum limits set forth in s. 531.63.

823 (4) A permit expires 2 years ~~1-year~~ following its date of
824 issue and must be renewed biennially ~~annually~~. If a complete an
825 application package for renewal is not received by the
826 department before the permit expires within 30 days after its
827 due date, a late fee of up to \$100 must be paid in addition to
828 the ~~annual~~ commercial use permit fee. However, a person may
829 elect to renew a commercial use permit on an annual basis rather
830 than a biennial basis. An annual renewal must meet the same
831 requirements and conditions as a biennial renewal.

832 Section 23. Paragraph (a) of subsection (1) and subsection
833 (2) of section 531.63, Florida Statutes, are amended to read:

834 531.63 Maximum permit fees.—The commercial use permit fees
835 established for weights or measures instruments or devices shall
836 be in an amount necessary to administer this chapter but may not
837 exceed the amounts provided in this section.

838 (1) For weighing devices, the fees must be based on the
839 manufacturer's rated capacity or the device's design and use and
840 whether measuring by inch or pounds or the metric equivalent:

841 (a) For weighing devices of up to and including the 100-
842 pound capacity which are used during any portion of the period
843 covered by the permit, the maximum annual fees per category of
844 device ~~retail establishment~~ may not exceed the following:

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845	Number of devices	
846	in a single <u>category</u> retail	
847	establishment	Maximum Fee
848	1 to 5	\$60
849	6 to 10	\$150
850	11 to 30	\$200
851	More than 30	\$300
852	(2) For other measuring devices, the annual permit fees per	
853	device may not exceed the following:	
854	(a) Mass flow meters having a maximum flow rate of up to	
855	150 pounds per minute.....	\$100.
856	<u>This includes all mass flow meters used to dispense compressed</u>	
857	<u>and liquefied natural gas for retail sale.</u>	
858	(b) Mass flow meters having a maximum flow rate greater	
859	than 150 pounds per minute.....	\$500.
860	(c) Volumetric flow meters having a maximum flow rate of up	
861	to 20 gallons per minute.....	\$50.
862	<u>This includes all devices used to dispense diesel exhaust fluid</u>	
863	<u>for retail sale.</u>	
864	(d) Volumetric flow meters having a maximum flow rate	
865	greater than 20 gallons per minute.....	\$100.
866	(e) Tanks, under 500 gallons capacity, used as measure	
867	containers, with or without gage rods or markers.....	\$100.
868	(f) Tanks, 500 or more gallons capacity, used as measure	
869	containers, with or without gage rods or markers.....	\$200.
870	(g) Taximeters.....	
871	(h) Grain moisture meters.....	\$25.
872	<u>(h) (i) Multiple-dimension measuring</u>	
873	devices.....	\$100.

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874 (i) Liquefied petroleum gas bulk delivery vehicles with a
 875 meter owned or leased by a liquefied petroleum gas licensee.\$150.
 876 Section 24. Section 531.65, Florida Statutes, is amended to
 877 read:

878 531.65 Unauthorized use; penalties.—If a weights or
 879 measures instrument or device is used commercially without a
 880 valid commercial use permit, the department may do one or more
 881 of the following:

882 (1) Prohibit the further commercial use of the unpermitted
 883 instrument or device until the proper permit has been issued.†

884 (2) Employ and attach to the instrument or device such
 885 form, notice, tag, or seal to prevent the continued unauthorized
 886 use of the instrument or device.†

887 (3) In addition to the permit fees prescribed by rule for
 888 the commercial use of a weights and measures instrument or
 889 device, assess the late fee authorized under s. 531.62.†~~or~~

890 (4) Impose penalties as prescribed in s. 531.50 in addition
 891 to the payment of appropriate permit fees for the commercial use
 892 of a weights and measures instrument or device.

893 Section 25. Paragraph (c) of subsection (3) of section
 894 539.001, Florida Statutes, is amended to read:

895 539.001 The Florida Pawnbroking Act.—

896 (3) LICENSE REQUIRED.—

897 (c) Each license is valid for a period of 1 year unless it
 898 is earlier relinquished, suspended, or revoked. Each license
 899 shall be renewed annually, and each licensee shall, initially
 900 and annually thereafter, pay to the agency a license fee of \$300
 901 for each license held. The agency shall waive the initial
 902 license fee for an honorably discharged veteran of the United

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903 States Armed Forces, the spouse of such a veteran, or a business
 904 entity that has a majority ownership held by such a veteran or
 905 spouse if the agency receives an application, in a format
 906 prescribed by the agency, within 60 months after the date of the
 907 veteran's discharge from any branch of the United States Armed
 908 Forces. To qualify for the waiver, a veteran must provide to the
 909 agency a copy of his or her DD Form 214, as issued by the United
 910 States Department of Defense, or another acceptable form of
 911 identification as specified by the Department of Veterans'
 912 Affairs; the spouse of a veteran must provide to the agency a
 913 copy of the veteran's DD Form 214, as issued by the United
 914 States Department of Defense, or another acceptable form of
 915 identification as specified by the Department of Veterans'
 916 Affairs, and a copy of a valid marriage license or certificate
 917 verifying that he or she was lawfully married to the veteran at
 918 the time of discharge; or a business entity must provide to the
 919 agency proof that a veteran or the spouse of a veteran holds a
 920 majority ownership in the business, a copy of the veteran's DD
 921 Form 214, as issued by the United States Department of Defense,
 922 or another acceptable form of identification as specified by the
 923 Department of Veterans' Affairs, and, if applicable, a copy of a
 924 valid marriage license or certificate verifying that the spouse
 925 of the veteran was lawfully married to the veteran at the time
 926 of discharge.

927 Section 26. Subsection (3) of section 559.904, Florida
 928 Statutes, is amended to read:

929 559.904 Motor vehicle repair shop registration;
 930 application; exemption.—

931 (3)(a) Each application for registration must be

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accompanied by a registration fee calculated on a per-year basis as follows:

1. ~~(a)~~ If the place of business has 1 to 5 employees: \$50.
2. ~~(b)~~ If the place of business has 6 to 10 employees: \$150.
3. ~~(c)~~ If the place of business has 11 or more employees: \$300.

(b) The department shall waive the initial registration fee for an honorably discharged veteran of the United States Armed Forces, the spouse of such a veteran, or a business entity that has a majority ownership held by such a veteran or spouse if the department receives an application, in a format prescribed by the department, within 60 months after the date of the veteran's discharge from any branch of the United States Armed Forces. To qualify for the waiver, a veteran must provide to the department a copy of his or her DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs; the spouse of a veteran must provide to the department a copy of the veteran's DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs, and a copy of a valid marriage license or certificate verifying that he or she was lawfully married to the veteran at the time of discharge; or a business entity must provide to the department proof that a veteran or the spouse of a veteran holds a majority ownership in the business, a copy of the veteran's DD Form 214, as issued by the United States Department of Defense or another acceptable form of identification as specified by the Department of Veterans' Affairs, and, if applicable, a copy of a

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valid marriage license or certificate verifying that the spouse of the veteran was lawfully married to the veteran at the time of discharge.

Section 27. Subsections (1), (7), (8), (10), (11), and (13) of section 559.927, Florida Statutes, are amended to read:

559.927 Definitions.—For the purposes of this part, the term:

(1) "Accommodations" means any hotel or motel room, condominium or cooperative unit, cabin, lodge, or apartment; any other commercial structure designed for occupancy by one or more individuals; or any lodging establishment as provided by law. The term does not include long-term home rentals covered under a lease pursuant to chapter 83.

(7) "Prearranged travel ~~or~~ tourist-related services, ~~or~~ tour-guide services" includes, but is not limited to, car rentals, lodging, transfers, ~~and sightseeing tours~~ and all other such services that which are reasonably related to air, sea, rail, motor coach, or other medium of transportation, or accommodations for which a purchaser receives a premium or contracts or pays ~~before~~ prior to or after departure. This term ~~These terms~~ also includes ~~include~~ services for which a purchaser, whose legal residence is outside the United States, contracts or pays ~~before~~ prior to departure, and any arrangement by which a purchaser prepays for, receives a reservation or any other commitment to provide services ~~before~~ prior to departure for, or otherwise arranges for travel directly to a terrorist state and which originates in Florida.

(8) "Purchaser" means the purchaser of, or person otherwise entitled to receive, prearranged travel ~~or~~ tourist-related

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990 services, ~~or tour-guide services~~, for a fee or commission, or
 991 who has acquired a vacation certificate for personal use.

992 (10) "Satisfactory consumer complaint history" means no
 993 unresolved complaints regarding prearranged travel ~~or~~, tourist-
 994 related services, ~~or tour-guide services~~ are on file with the
 995 department. A complaint is unresolved when a seller of travel
 996 does not respond to the department's efforts to mediate the
 997 complaint or a complaint where the department has determined
 998 that a violation of this part has occurred and the complainant
 999 ~~complaint~~ has not been satisfied by the seller of travel.

1000 (11) "Seller of travel" means any ~~resident or nonresident~~
 1001 person, firm, corporation, or business entity who offers for
 1002 sale, directly or indirectly, at wholesale or retail,
 1003 prearranged travel ~~or~~, tourist-related services, ~~or tour-guide~~
 1004 ~~services~~ for individuals or groups, including, but not limited
 1005 to, vacation ~~or tour~~ packages, or vacation certificates in
 1006 exchange for a fee, commission, or other valuable consideration.
 1007 The term includes any business entity offering membership in a
 1008 travel club or travel services for an advance fee or payment,
 1009 even if no travel contracts or certificates or vacation or tour
 1010 packages are sold by the business entity.

1011 (13) "Vacation certificate" means any advance travel
 1012 purchase arrangement, plan, program, or vacation package that
 1013 ~~promotes, discusses, or discloses a destination or itinerary or~~
 1014 ~~type of travel~~, whereby a purchaser ~~for consideration paid in~~
 1015 ~~advance~~ is entitled to the use of travel, accommodations, or
 1016 facilities for any number of days, whether certain or uncertain,
 1017 during the period in which the certificate can be exercised, and
 1018 no specific date or dates for its use are designated. A vacation

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1019 certificate does not include prearranged travel ~~or~~, tourist-
 1020 related services, ~~or tour-guide services~~ when a seller of travel
 1021 remits full payment for the cost of such services to the
 1022 provider or supplier within 10 business days of the purchaser's
 1023 initial payment to the seller of travel. The term does not
 1024 include travel if exact travel dates are selected, guaranteed,
 1025 and paid for at the time of the purchase.

1026 Section 28. Section 559.928, Florida Statutes, is amended
 1027 to read:

1028 559.928 Registration.—

1029 (1) Each seller of travel shall annually register with the
 1030 department, providing: its legal business or trade name, mailing
 1031 address, and business locations; the full names, addresses, and
 1032 telephone numbers of its owners or corporate officers and
 1033 directors and the Florida agent of the corporation; a statement
 1034 whether it is a domestic or foreign corporation, its state and
 1035 date of incorporation, its charter number, and, if a foreign
 1036 corporation, the date it registered with this state, and
 1037 business tax receipt where applicable; ~~the date on which a~~
 1038 ~~seller of travel registered its fictitious name if the seller of~~
 1039 ~~travel is operating under a fictitious or trade name;~~ the name
 1040 of all other corporations, business entities, and trade names
 1041 through which each owner of the seller of travel operated, was
 1042 known, or did business as a seller of travel within the
 1043 preceding 5 years; a list of all authorized independent agents,
 1044 including the agent's trade name, full name, mailing address,
 1045 business address, and telephone numbers; the business location
 1046 and address of each branch office and full name and address of
 1047 the manager or supervisor; the certification required under s.

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559.9285; and proof of purchase of adequate bond as required in this part. A certificate evidencing proof of registration shall be issued by the department and must be prominently displayed in the seller of travel's primary place of business.

(2) (a) Registration fees shall be as follows:

1. Three hundred dollars per year per registrant certifying its business activities under s. 559.9285(1) (a).

2. One thousand dollars per year per registrant certifying its business activities under s. 559.9285(1) (b).

3. Twenty-five hundred dollars per year per registrant certifying its business activities under s. 559.9285(1) (c).

(b) All amounts collected shall be deposited by the Chief Financial Officer to the credit of the General Inspection Trust Fund of the Department of Agriculture and Consumer Services pursuant to s. 570.20, for the sole purpose of administration of this part.

(c) The department shall waive the initial registration fee for an honorably discharged veteran of the United States Armed Forces, the spouse of such a veteran, or a business entity that has a majority ownership held by such a veteran or spouse if the department receives an application, in a format prescribed by the department, within 60 months after the date of the veteran's discharge from any branch of the United States Armed Forces. To qualify for the waiver, a veteran must provide to the department a copy of his or her DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs; the spouse of a veteran must provide to the department a copy of the veteran's DD Form 214, as issued by the United

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States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs, and a copy of a valid marriage license or certificate verifying that he or she was lawfully married to the veteran at the time of discharge; or a business entity must provide to the department proof that a veteran or the spouse of a veteran holds a majority ownership in the business, a copy of the veteran's DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs, and, if applicable, a copy of a valid marriage license or certificate verifying that the spouse of the veteran was lawfully married to the veteran at the time of discharge.

(3) Each independent agent shall annually file an affidavit with the department ~~before~~ prior to engaging in business in this state. This affidavit must include the independent agent's full name, legal business or trade name, mailing address, business address, telephone number, and the name and address of each seller of travel represented by the independent agent. A letter evidencing proof of filing must be issued by the department and must be prominently displayed in the independent agent's primary place of business. Each independent agent must also submit an annual registration fee of \$50. All moneys collected pursuant to the imposition of the fee shall be deposited by the Chief Financial Officer into the General Inspection Trust Fund of the Department of Agriculture and Consumer Services for the sole purpose of administrating this part. As used in this subsection, the term "independent agent" means a person who represents a seller of travel by soliciting persons on its behalf; who has a

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written contract with a seller of travel which is operating in compliance with this part and any rules adopted thereunder; who does not receive a fee, commission, or other valuable consideration directly from the purchaser for the seller of travel; who does not at any time have any unissued ticket stock or travel documents in his or her possession; and who does not have the ability to issue tickets, vacation certificates, or any other travel document. The term "independent agent" does not include an affiliate of the seller of travel, as that term is used in s. 559.935(3), or the employees of the seller of travel or of such affiliates.

(4) Any person applying for or renewing a local business tax receipt to engage in business as a seller of travel must exhibit a current registration certificate from the department before the local business tax receipt may be issued or reissued.

(5) Each contract, advertisement, or certificate, or any other travel document, of a seller of travel must include the phrase "... (NAME OF FIRM) ... is registered with the State of Florida as a Seller of Travel. Registration No."

~~(6) Each advertisement of a seller of travel must include the phrase "Fla. Seller of Travel Reg. No."~~

~~(6)(7)~~ A registration is not ~~shall be~~ valid for any seller of travel transacting business at any place other than that designated in its application, unless the department is first notified in writing in advance of any change of location. ~~A Nor shall the~~ registration is not ~~be~~ valid for an affiliate of the seller of travel who engages in the prearranged travel and tourist business. A registration issued under this part may ~~shall~~ not be assignable, and the seller of travel may ~~shall~~ not

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be permitted to conduct business under more than one name except as registered. A seller of travel desiring to change its registered name or location or designated agent for service of process at a time other than upon renewal of registration shall notify the department of such change.

~~(7)(8)~~ Applications under this section are ~~shall be~~ subject to ~~the provisions of~~ s. 120.60.

~~(8)(9)~~ The department may deny, ~~or~~ refuse to renew, or revoke the registration of any seller of travel based upon a determination that the seller of travel, or any of its directors, officers, owners, or general partners:

(a) Has failed to meet the requirements for registration as provided in this part;

(b) Has been convicted of a crime involving fraud, theft, embezzlement, dishonest dealing, or any other act of moral turpitude or any other act arising out of conduct as a seller of travel;

(c) Has not satisfied a civil fine or penalty arising out of any administrative or enforcement action brought by any governmental agency or private person based upon conduct involving fraud, theft, embezzlement, dishonest dealing, or any violation of this part;

(d) Has pending against her or him any criminal, administrative, or enforcement proceedings in any jurisdiction, based upon conduct involving fraud, theft, embezzlement, dishonest dealing, or any other act of moral turpitude or any other act arising out of conduct as a seller of travel; or

(e) Has had a judgment entered against her or him in any action brought by the department or the Department of Legal

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Affairs pursuant to ss. 501.201-501.213 or this act ~~part~~.

Section 29. Subsections (2) and (6) of section 559.929, Florida Statutes, are amended to read:

559.929 Security requirements.—

(2) The bond must be filed with the department on a form adopted by department rule and must be in favor of the department for the use and benefit of a traveler who is injured by the fraud, misrepresentation, breach of contract, or financial failure, or any other violation of this part by the seller of travel. Such liability may be enforced by proceeding in an administrative action as specified in subsection (3) or by filing a civil action. However, in such civil action the bond posted with the department may ~~shall~~ not be amenable or subject to a judgment or other legal process issuing out of or from such court in connection with such civil action, but such bond shall be amenable to and enforceable only by and through administrative proceedings before the department. It is the intent of the Legislature that such bond be applicable and liable only for the payment of claims duly adjudicated by order of the department. The bond must be open to successive claims, but the aggregate amount awarded may not exceed the amount of the bond. In addition to the foregoing, a bond provided by a registrant or applicant for registration which certifies its business activities under s. 559.9285(1)(b) or (c) must be in favor of the department, with payment in the following order of priority:

(a) The expenses for prosecuting the registrant or applicant in an administrative or civil action under this part, including attorney fees and fees for other professionals, court

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costs or other costs of the proceedings, and all other expenses incidental to the action.

(b) The costs and expenses of investigation before the commencement of an administrative or civil action under this part.

(c) An unpaid administrative fine imposed by final order or an unpaid civil penalty imposed by final judgment under this part.

(d) Damages or compensation for a traveler injured as provided in this subsection.

(6) The department may waive the bond requirement on an annual basis if the seller of travel has had 5 or more consecutive years of experience as a seller of travel in this state in compliance with this part, has not had a civil, criminal, or administrative action instituted against the seller of travel in the vacation and travel business by a governmental agency or an action involving fraud, theft, misappropriation of property, violation of a statute pertaining to business or commerce with a terrorist state, ~~or~~ moral turpitude, or other violation of this part and has a satisfactory consumer complaint history with the department, and certifies its business activities under s. 559.9285. Such waiver may be revoked if the seller of travel violates this part. A seller of travel which certifies its business activities under s. 559.9285(1)(b) or (c) is not entitled to the waiver provided in this subsection.

Section 30. Subsections (10), (14), and (17) of section 559.9295, Florida Statutes, are amended to read:

559.9295 Submission of vacation certificate documents.—
Sellers of travel who offer vacation certificates must submit

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and disclose to the department with the application for registration, and any time such document is changed, but prior to the sale of any vacation certificate, the following materials:

~~(10) A statement of the number of certificates to be issued and the date of their expiration.~~

~~(13)(14)~~ A listing of the full name, address, and telephone number of each person through which the distribution and sale of vacation certificates is to be carried out, ~~including the number of vacation certificates allocated or sold to each such person~~ and the name and address of a Florida registered agent for service of process.

~~(17) Within 10 working days after receipt of any materials submitted subsequent to filing an initial registration application or any annual renewal thereof, the department shall determine whether such materials are adequate to meet the requirements of this section. The department shall notify the seller of travel that materials submitted are in substantial compliance, or shall notify the seller of travel of any specific deficiencies. If the department fails to notify the seller of travel of its determination within the period specified in this subsection, the materials shall be deemed in compliance; however, the failure of the department to send notification in either case will not relieve the seller of travel from the duty of complying with this section. Neither the submission of these materials nor the department's response implies approval, recommendation, or endorsement by the department or that the contents of said materials have been verified by the department.~~

Section 31. Section 559.932, Florida Statutes, is amended

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to read:

559.932 Vacation certificate disclosure.—

(1) ~~A~~ It shall be unlawful for any seller of travel ~~must to~~ fail to provide each person solicited with a contract ~~that~~ includes which shall include the following in a 10-point font, unless otherwise specified:

(a) A space for the date, name, address, and signature of the purchaser.

(b) The expiration date of the vacation certificate and the terms and conditions of its extension or renewal, if available.

(c) The name and business address of any seller of travel who may solicit vacation certificate purchasers for further purchases, and a full and complete statement as to the nature and method of that solicitation.

(d) The total financial obligation of the purchaser which shall include the initial purchase price and any additional charges to which the purchaser may be subject, including, but not limited to, any per diem, seasonal, reservation, or recreational charge.

(e) The name and street address of any person who has the right to alter, amend, or add to the charges to which the purchaser may be subject and the terms and conditions under which such charges may be imposed.

(f) If any accommodation or facility which a purchaser acquires the right to use pursuant to the vacation certificate is not completed at the time the certificate is offered for sale, the date of availability of each component of the accommodation or facility.

(g) By means of a section entitled "terms and conditions":

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1280 1. All eligibility requirements for use of the vacation
 1281 certificate, including, but not limited to, age, sex, marital
 1282 status, group association, residency, or geographic limitations.
 1283 2. All eligibility requirements for use of any discount or
 1284 complimentary coupon or ticket.
 1285 3. A statement as to whether transportation and meals are
 1286 provided pursuant to use of the certificate.
 1287 4. Any room deposit requirement, including all conditions
 1288 for its return or refund.
 1289 5. The manner in which reservation requests are to be made
 1290 and the method by which they are to be confirmed.
 1291 6. Any identification, credential, or other means by which
 1292 a purchaser must establish her or his entitlement to the rights,
 1293 benefits, or privileges of the vacation certificate.
 1294 7. Any restriction or limitation upon transfer of the
 1295 vacation certificate or any right, benefit, or privilege
 1296 thereunder.
 1297 8. Any other term, limitation, condition, or requirement
 1298 material to use of the vacation certificate or any right,
 1299 benefit, or privilege thereunder.
 1300 (h) In immediate proximity to the space reserved in the
 1301 contract for the date and the name, address, and signature of
 1302 the purchaser, the following statement in boldfaced type of a
 1303 size of 10 points:
 1304
 1305 "YOU MAY CANCEL THIS CONTRACT WITHOUT ANY PENALTY OR
 1306 OBLIGATION WITHIN 30 DAYS FROM THE DATE OF PURCHASE OR RECEIPT
 1307 OF THE VACATION CERTIFICATE, WHICHEVER OCCURS LATER."
 1308 "YOU MAY ALSO CANCEL THIS CONTRACT IF ACCOMMODATIONS OR

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1309 FACILITIES ARE NOT AVAILABLE PURSUANT TO A REQUEST FOR USE AS
 1310 PROVIDED IN THE CONTRACT."
 1311 "IF YOU DECIDE TO CANCEL, YOU MUST NOTIFY THE SELLER IN
 1312 WRITING OF YOUR INTENT TO CANCEL BY RETURNING THE CERTIFICATE
 1313 AND SENDING NOTICE TO: ... (NAME OF SELLER)... AT ... (SELLER'S
 1314 ADDRESS)...."
 1315
 1316 (i) In immediate proximity to the statement required in
 1317 paragraph (h), the following statement in boldfaced type of a
 1318 size of 12 ~~10~~ points:
 1319
 1320 "NO PURCHASER SHOULD RELY UPON REPRESENTATIONS OTHER THAN
 1321 THOSE INCLUDED IN THIS CONTRACT."
 1322
 1323 However, inclusion of this statement shall not impair any
 1324 purchaser's right to bring legal action based on verbal
 1325 statements.
 1326 (j) In immediate proximity to the statement required in
 1327 paragraph (i), the following statement:
 1328 "This contract is for the purchase of a vacation
 1329 certificate and puts all assignees on notice of the consumer's
 1330 right to cancel under section 559.933, Florida Statutes."
 1331 (2) If a sale or agreement to purchase a vacation
 1332 certificate is completed over the telephone, the seller shall
 1333 inform the purchaser over the telephone that:
 1334 (a) The purchaser may cancel the contract without any
 1335 penalty or obligation within 30 days from the date of purchase
 1336 or receipt of the vacation certificate, whichever occurs later.
 1337 (b) The purchaser may also cancel the contract if

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accommodations or facilities are not available upon request for use as provided in the contract.

(3) Upon receipt of a copy of a vacation certificate or contract required pursuant to s. 559.9295, the department must review the certificate or contract for compliance with the disclosures required under this section.

Section 32. Section 559.933, Florida Statutes, is amended to read:

559.933 Vacation certificate cancellation and refund provisions.—

(1) A It shall be unlawful for any seller of travel or assignee must honor a purchaser's request to cancel a vacation certificate if such request is made:

~~(1) To fail or refuse to honor a purchaser's vacation certificate request to cancel if such request is made.~~

(a) Within 30 days after ~~from~~ the date of purchase or receipt of the vacation certificate, whichever occurs later; or

(b) At any time accommodations or facilities are not available pursuant to a request for use as provided in the contract, provided that:

1. The contract may ~~shall~~ not require notice greater than 60 days in advance of the date requested for use;

2. If acceptable to the purchaser, comparable alternate accommodations or facilities in a city, or reservations for a date different than that requested, may be provided.

(2) A seller of travel or assignee must ~~To fail to~~ refund any and all payments made by the vacation certificate purchaser within 30 days after receipt of the certificate and notice of cancellation made pursuant to this section, if the purchaser has

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not received any benefits pursuant to the vacation certificate.

(3) A seller of travel or assignee must, if the purchaser has received any benefits pursuant to the vacation certificate, ~~to fail to~~ refund within 30 days after receipt of the certificate and notice of cancellation made pursuant to this section any and all payments made by the purchaser which exceed a pro rata portion of the total price, representing the portion of any benefits actually received by the vacation certificate purchaser during the time preceding cancellation.

(4) If ~~Where~~ any purchaser has received confirmation of reservations in advance and is refused accommodations upon arrival, a seller of travel or assignee must ~~to fail to~~ procure comparable alternate accommodations for the purchaser in the same city at no expense to the purchaser, or ~~to fail to~~ fully compensate the purchaser for the room rate incurred in securing comparable alternate accommodations himself or herself.

(5) A seller of travel or assignee may not ~~to~~ collect more than the full contract price from the purchaser.

(6) A seller of travel or assignee may not ~~to~~ sell, assign, or otherwise transfer any interest in a seller of travel business, or ~~to~~ sell, assign, or otherwise transfer to a third party any interest in any vacation certificate unless:

(a) The third party agrees in writing to fully honor the rights of vacation certificate purchasers to cancel and to receive an appropriate refund or reimbursement as provided in this section.

(b) The third party agrees in writing to comply with all other provisions of this part for as long as the third party continues the sale of vacation certificates or for the duration

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of the period of validity of outstanding vacation certificates, whichever is longer in time.

(c) The seller of travel agrees to be liable for and fully indemnify a purchaser from any loss occasioned by the failure of the third party to honor the purchaser's right to cancel and failure to make prompt and complete refund to the purchaser of all sums paid to the third party, or occasioned by the third party's failure to comply with the provisions of this part.

(7) A seller of travel or assignee must ~~To fail to fulfill~~ the terms of a vacation certificate within 18 months after ~~of~~ the initial payment of any consideration by the purchaser to a seller of travel or third party.

Section 33. Section 559.9335, Florida Statutes, is amended to read:

559.9335 Violations.—It is a violation of this part for any seller of travel, independent agent, or other person:

(1) To conduct business as a seller of travel without registering annually with the department unless exempt pursuant to s. 559.935.

(2) To conduct business as a seller of travel without an annual purchase of a performance bond in the amount set by the department unless exempt pursuant to s. 559.935.

(3) Knowingly to make any false statement, representation, or certification in any application, document, or record required to be submitted or retained under this part or in any response to an inquiry or investigation conducted by the department or any other governmental agency.

(4) Knowingly to sell or market any ~~number of~~ vacation certificates that exceed the accommodations available at the

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~~time of sale the number disclosed to the department pursuant to this section.~~

(5) Knowingly to sell or market vacation certificates with an expiration date of more than 18 months from the date of issuance.

~~(6) Knowingly to require, request, encourage, or suggest, directly or indirectly, that payment for the right to obtain a travel contract, certificate, or vacation package must be by credit card authorization or to otherwise announce a preference for that method of payment over any other when no correct and true explanation for such preference is likewise stated.~~

(6) ~~(7)~~ Knowingly to state, represent, indicate, suggest, or imply, directly or indirectly, that the travel contract, certificate, or vacation package being offered by the seller of travel cannot be purchased at some later time or may not otherwise be available after the initial contact, or that callbacks by the prospective purchaser are not accepted, when no such restrictions or limitations in fact exist.

(7) ~~(8)~~ To misrepresent ~~in any manner~~ the purchaser's right to cancel and to receive an appropriate refund or reimbursement as provided by this part.

(8) ~~(9)~~ To sell any vacation certificate the duration of which exceeds the duration of any agreement between the seller and any business entity obligated thereby to provide accommodations or facilities pursuant to the vacation certificate.

(9) ~~(10)~~ To misrepresent or deceptively represent:

(a) The amount of time or period of time accommodations or facilities will be available.

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1454 (b) The location of accommodations or facilities offered.

1455 (c) The price, size, nature, extent, qualities, or

1456 characteristics of accommodations or facilities offered.

1457 (d) The nature or extent of other goods, services, or

1458 amenities offered.

1459 (e) A purchaser's rights, privileges, or benefits.

1460 (f) The conditions under which the purchaser may obtain a

1461 reservation for the use of offered accommodations or facilities.

1462 (g) That the recipient of an advertisement or promotional

1463 materials is a winner, or has been selected, or is otherwise

1464 being involved in a select group for receipt, of a gift, award,

1465 or prize, unless this fact is the truth.

1466 (10)~~(11)~~ To fail to inform a purchaser of a nonrefundable

1467 cancellation policy before ~~prior to~~ the seller of travel

1468 accepting any fee, commission, or other valuable consideration.

1469 ~~(12) To fail to include, when offering to sell a vacation~~

1470 ~~certificate, in any advertisement or promotional material, the~~

1471 ~~following statement: "This is an offer to sell travel."~~

1472 (11)~~(13)~~ To fail to honor and comply with all provisions of

1473 the vacation certificate regarding the purchaser's rights,

1474 benefits, and privileges thereunder.

1475 (12)~~(14)~~ (a) To include in any vacation certificate or

1476 contract any provision purporting to waive or limit any right or

1477 benefit provided to purchasers under this part; or

1478 (b) To seek or solicit such waiver or acceptance of

1479 limitation from a purchaser concerning rights or benefits

1480 provided under this part.

1481 (13)~~(15)~~ To offer vacation certificates for any

1482 accommodation or facility for which there is no contract with

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1483 the owner of the accommodation or facility securing the

1484 purchaser's right to occupancy and use, unless the seller is the

1485 owner.

1486 ~~(16) To use a local mailing address, registration facility,~~

1487 ~~drop box, or answering service in the promotion, advertising,~~

1488 ~~solicitation, or sale of vacation certificates, unless the~~

1489 ~~seller's fixed business address is clearly disclosed during any~~

1490 ~~telephone solicitation and is prominently and conspicuously~~

1491 ~~disclosed on all solicitation materials and on the contract.~~

1492 (14)~~(17)~~ To use any registered trademark, trade name, or

1493 trade logo in any promotional, advertising, or solicitation

1494 materials without written authorization from the holder of such

1495 trademark, trade name, or trade logo.

1496 (15)~~(18)~~ To represent, directly or by implication, any

1497 affiliation with, or endorsement by, any governmental,

1498 charitable, educational, medical, religious, fraternal, or civic

1499 organization or body, or any individual, in the promotion,

1500 advertisement, solicitation, or sale of vacation certificates

1501 without express written authorization.

1502 (16)~~(19)~~ To sell a vacation certificate to any purchaser

1503 who is ineligible for its use.

1504 ~~(20) To sell any number of vacation certificates exceeding~~

1505 ~~the number disclosed pursuant to this part.~~

1506 (17)~~(21)~~ During the period of a vacation certificate's

1507 validity, in the event, for any reason whatsoever, of lapse or

1508 breach of an agreement for the provision of accommodations or

1509 facilities to purchasers, to fail to procure similar agreement

1510 for the provision of comparable alternate accommodations or

1511 facilities in the same city or surrounding area.

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~~(18)(22)~~ To offer to sell, at wholesale or retail, prearranged travel ~~or, tourist-related services, or tour-guide services~~ for individuals or groups directly to any terrorist state and which originate in Florida, without disclosing such business activities in a certification filed under s.

559.9285(1)(b) or (c).

~~(19)(23)~~ To violate any state or federal law restricting or prohibiting commerce with terrorist states.

~~(20)(24)~~ To engage in ~~do~~ any other fraudulent action that ~~act which~~ constitutes fraud, misrepresentation, or failure to disclose a material fact, or to commit any other violation of, ~~or fail to comply with, this part.~~

~~(21)(25)~~ To refuse or fail, or for any of its principal officers to refuse or fail, after notice, to produce any document or record or disclose any information required to be produced or disclosed.

~~(22)(26)~~ Knowingly to make a material false statement in response to any request or investigation by the department, the Department of Legal Affairs, or the state attorney.

Section 34. Subsections (3) and (4) of section 559.935, Florida Statutes, are amended to read:

559.935 Exemptions.—

(3) Sections 559.928, 559.929, 559.9295, 559.931, and 559.932 ~~shall~~ also ~~do~~ not apply to a seller of travel that is an affiliate of an entity exempt pursuant to subsection (2) subject to the following conditions:

(a) ~~If in the event~~ the department finds the affiliate does not have a satisfactory consumer complaint history or the affiliate fails to respond to a consumer complaint within 30

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days, the related seller of travel exempt pursuant to subsection (2) ~~is shall be~~ liable for the actions of the affiliate, subject to the remedies provided in ss. 559.9355 and 559.936.

(b) ~~If in the event~~ the department is unable to locate an affiliate, the related seller of travel exempt pursuant to subsection (2) ~~is shall be~~ fully liable for the actions of the affiliate, subject to the remedies provided in ss. 559.9355 and 559.936.

~~(c) In order to obtain an exemption under this subsection, the affiliate shall file an affidavit of exemption on a form prescribed by the department and shall certify its business activities under s. 559.9285(1)(a). The affidavit of exemption shall be executed by a person who exercises identical control over the seller of travel exempt pursuant to subsection (2) and the affiliate. Failure to file an affidavit of exemption or certification under s. 559.9285(1)(a) prior to engaging in seller of travel activities shall subject the affiliate to the remedies provided in ss. 559.9355 and 559.936.~~

~~(c)(d)~~ Revocation by the department of an exemption provided to a seller of travel under subsection (2) shall constitute automatic revocation by law of an exemption obtained by an affiliate under the subsection.

~~(d)(e)~~ This subsection does shall not apply to:

1. An affiliate that independently qualifies for another exemption under this section.

2. An affiliate that sells, or offers for sale, vacation certificates.

3. An affiliate that certifies its business activities under s. 559.9285(1)(b) or (c).

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1570 ~~(e)(f)~~ For purposes of this section, the term an
 1571 "affiliate" means an entity that meets the following:
 1572 1. The entity has the identical ownership as the seller of
 1573 travel that is exempt under subsection (2).
 1574 2. The ownership controlling the seller of travel that is
 1575 exempt under subsection (2) also exercises identical control
 1576 over the entity.
 1577 3. The owners of the affiliate hold the identical
 1578 percentage of voting shares as they hold in the seller of travel
 1579 that is exempt under subsection (2).
 1580 (4) The department may revoke the exemption provided in
 1581 subsection (2) or subsection (3) if the department finds that
 1582 the seller of travel does not have a satisfactory consumer
 1583 complaint history, has been convicted of a crime involving
 1584 fraud, theft, embezzlement, misappropriation of property,
 1585 deceptive or unfair trade practices, or moral turpitude, or has
 1586 not complied with the terms of any order or settlement agreement
 1587 arising out of an administrative or enforcement action brought
 1588 by a governmental agency or private person based on conduct
 1589 involving fraud, theft, embezzlement, misappropriation of
 1590 property, deceptive or unfair trade practices, or moral
 1591 turpitude.
 1592 Section 35. Subsection (3) of section 559.936, Florida
 1593 Statutes, is amended to read:
 1594 559.936 Civil penalties; remedies.—
 1595 (3) The department may seek a civil penalty in the Class
 1596 III category pursuant to s. 570.971 for each act or omission in
 1597 violation of s. 559.9335(18) or (19) ~~s. 559.9335(22) or (23)~~.
 1598 Section 36. Paragraph (b) of subsection (5), paragraph (a)

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1599 of subsection (10), and subsections (15) and (16) of section
 1600 616.242, Florida Statutes, are amended to read:
 1601 616.242 Safety standards for amusement rides.—
 1602 (5) ANNUAL PERMIT.—
 1603 (b) To apply for an annual permit, an owner must submit to
 1604 the department a written application on a form prescribed by
 1605 rule of the department, which must include the following:
 1606 1. The legal name, address, and primary place of business
 1607 of the owner.
 1608 2. A description, manufacturer's name, serial number, model
 1609 number and, if previously assigned, the United States Amusement
 1610 Identification Number of the amusement ride.
 1611 3. A valid certificate of insurance ~~or bond~~ for each
 1612 amusement ride.
 1613 4. An affidavit of compliance that the amusement ride was
 1614 inspected in person by the affiant and that the amusement ride
 1615 is in general conformance with the requirements of this section
 1616 and all applicable rules adopted by the department. The
 1617 affidavit must be executed by a professional engineer or a
 1618 qualified inspector no earlier than 60 days before, but not
 1619 later than, the date of the filing of the application with the
 1620 department. The owner shall request inspection and permitting of
 1621 the amusement ride within 60 days of the date of filing the
 1622 application with the department. The department shall inspect
 1623 and permit the amusement ride within 60 days after filing the
 1624 application with the department.
 1625 5. If required by subsection (6), an affidavit of
 1626 nondestructive testing dated and executed no earlier than 60
 1627 days before ~~prior to~~, but not later than, the date of the filing

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of the application with the department. The owner shall request inspection and permitting of the amusement ride within 60 days of the date of filing the application with the department. The department shall inspect and permit the amusement ride within 60 days after filing the application with the department.

6. A request for inspection.

7. Upon request, the owner shall, at no cost to the department, provide the department a copy of the manufacturer's current recommended operating instructions in the possession of the owner, the owner's operating fact sheet, and any written bulletins in the possession of the owner concerning the safety, operation, or maintenance of the amusement ride.

(10) EXEMPTIONS.—

(a) This section does not apply to:

1. Permanent facilities that employ at least 1,000 full-time employees and that maintain full-time, in-house safety inspectors. Furthermore, the permanent facilities must file an affidavit of the annual inspection with the department, on a form prescribed by rule of the department. Additionally, the Department of Agriculture and Consumer Services may consult annually with the permanent facilities regarding industry safety programs.

2. Any playground operated by a school, local government, or business licensed under chapter 509, if the playground is an incidental amenity and the operating entity is not primarily engaged in providing amusement, pleasure, thrills, or excitement.

3. Museums or other institutions principally devoted to the exhibition of products of agriculture, industry, education,

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science, religion, or the arts.

4. Conventions or trade shows for the sale or exhibit of amusement rides if there are a minimum of 15 amusement rides on display or exhibition, and if any operation of such amusement rides is limited to the registered attendees of the convention or trade show.

5. Skating rinks, arcades, laser ~~lazer~~ or paint ball war games, bowling alleys, miniature golf courses, mechanical bulls, inflatable rides, trampolines, ball crawls, exercise equipment, jet skis, paddle boats, airboats, helicopters, airplanes, parasails, hot air or helium balloons whether tethered or untethered, theatres, batting cages, stationary spring-mounted fixtures, rider-propelled merry-go-rounds, games, side shows, live animal rides, or live animal shows.

6. Go-karts operated in competitive sporting events if participation is not open to the public.

7. Nonmotorized playground equipment that is not required to have a manager.

8. Coin-actuated amusement rides designed to be operated by depositing coins, tokens, credit cards, debit cards, bills, or other cash money and which are not required to have a manager, and which have a capacity of six persons or less.

9. Facilities described in s. 549.09(1)(a) when such facilities are operating cars, trucks, or motorcycles only.

10. Battery-powered cars or other vehicles that are designed to be operated by children 7 years of age or under and that cannot exceed a speed of 4 miles per hour.

11. Mechanically driven vehicles that pull train cars, carts, wagons, or other similar vehicles, that are not confined

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to a metal track or confined to an area but are steered by an operator and do not exceed a speed of 4 miles per hour.

12. A water-related amusement ride operated by a business licensed under chapter 509 if the water-related amusement ride is an incidental amenity and the operating business is not primarily engaged in providing amusement, pleasure, thrills, or excitement and does not offer day rates.

13. An amusement ride at a private, membership-only facility if the amusement ride is an incidental amenity and the facility is not open to the general public; is not primarily engaged in providing amusement, pleasure, thrills, or excitement; and does not offer day rates.

14. A nonprofit permanent facility registered under chapter 496 which is not open to the general public.

(15) INSPECTION BY OWNER OR MANAGER.—~~Before~~ Prior to opening on each day of operation and ~~before~~ prior to any inspection by the department, the owner or manager of an amusement ride must inspect and test the amusement ride to ensure compliance with all requirements of this section. Each inspection must be recorded on a form prescribed by rule of the department and signed by the person who conducted the inspection. In lieu of the form prescribed by rule of the department, the owner or manager may request approval of an alternative form if the alternative form includes, at a minimum, the information required on the form prescribed by rule of the department. Inspection records of the last 14 daily inspections must be kept on site by the owner or manager and made immediately available to the department upon request.

(16) TRAINING OF EMPLOYEES.—The owner or manager of ~~an~~ any

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amusement ride shall maintain a record of employee training for each employee authorized to operate, assemble, disassemble, transport, or conduct maintenance on an amusement ride, on a form prescribed by rule of the department. In lieu of the form prescribed by rule of the department, the owner or manager may request approval of an alternative form if the alternative form includes, at a minimum, the information required on the form prescribed by rule of the department. The training record must be kept on site by the owner or manager and made immediately available to the department upon request. Training may not be conducted when an amusement ride is open to the public unless the training is conducted under the supervision of an employee who is trained in the operation of that ride. The owner or manager shall certify that each employee is trained, as required by this section and any rules adopted thereunder, on the amusement ride for which the employee is responsible.

Section 37. Subsections (1), (2), (5), (7), and (13) of section 713.585, Florida Statutes, are amended to read:

713.585 Enforcement of lien by sale of motor vehicle.—A person claiming a lien under s. 713.58 for performing labor or services on a motor vehicle may enforce such lien by sale of the vehicle in accordance with the following procedures:

(1) The lienor must give notice, by certified mail, return receipt requested, within 7 ~~15~~ business days, excluding Saturday and Sunday, from the beginning date of the assessment of storage charges on said motor vehicle, to the registered owner of the vehicle, to the customer as indicated on the order for repair, and to all other persons claiming an interest in or lien thereon, as disclosed by the records of the Department of

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Highway Safety and Motor Vehicles or as disclosed by the records of any corresponding agency of any other state in which the vehicle is identified through a records check of the National Motor Vehicle Title Information System or an equivalent commercially available system as being the current state where the vehicle is titled. Such notice must contain:

(a) A description of the vehicle, including, at minimum, its year, make, vehicle identification number, and the vehicle's ~~its~~ location.

(b) The name and address of the owner of the vehicle, the customer as indicated on the order for repair, and any person claiming an interest in or lien thereon.

(c) The name, address, and telephone number of the lienor.

(d) Notice that the lienor claims a lien on the vehicle for labor and services performed and storage charges, if any, and the cash sum which, if paid to the lienor, would be sufficient to redeem the vehicle from the lien claimed by the lienor.

(e) Notice that the lien claimed by the lienor is subject to enforcement pursuant to this section and that the vehicle may be sold to satisfy the lien.

(f) If known, the date, time, and location of any proposed or scheduled sale of the vehicle. ~~A~~ ~~No~~ vehicle may not be sold earlier than 60 days after completion of the repair work.

(g) Notice that the owner of the vehicle or any person claiming an interest in or lien thereon has a right to a hearing at any time before ~~prior to~~ the scheduled date of sale by filing a demand for hearing with the clerk of the circuit court in the county in which the vehicle is held and mailing copies of the demand for hearing to all other owners and lienors as reflected

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on the notice.

(h) Notice that the owner of the vehicle has a right to recover possession of the vehicle without instituting judicial proceedings by posting bond in accordance with ~~the provisions of~~ s. 559.917.

(i) Notice that any proceeds from the sale of the vehicle remaining after payment of the amount claimed to be due and owing to the lienor will be deposited with the clerk of the circuit court for disposition upon court order pursuant to subsection (8).

(j) Notice that a lienholder, if any, has the right, as specified in subsection (5), to demand a hearing or to post a bond.

(2) If attempts to locate the owner or lienholder are unsuccessful after a check of the records of the Department of Highway Safety and Motor Vehicles and any state disclosed by the check of the National Motor Vehicle Title Information System or an equivalent commercially available system, the lienor must notify the local law enforcement agency in writing by certified mail or acknowledged hand delivery that the lienor has been unable to locate the owner or lienholder, that a physical search of the vehicle has disclosed no ownership information, and that a good faith effort, including records checks of the Department of Highway Safety and Motor Vehicles database and the National Motor Vehicle Title Information System or an equivalent commercially available system, has been made. A description of the motor vehicle which includes the year, make, and identification number must be given on the notice. This notification must take place within 7 ~~15~~ business days,

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excluding Saturday and Sunday, from the beginning date of the assessment of storage charges on said motor vehicle. For purposes of this paragraph, the term "good faith effort" means that the following checks have been performed by the company to establish the prior state of registration and title:

(a) A check of the Department of Highway Safety and Motor Vehicles database for the owner and any lienholder;

(b) A check of the federally mandated electronic National Motor Vehicle Title Information System or an equivalent commercially available system to determine the state of registration when there is not a current title or registration record for the vehicle on file with the Department of Highway Safety and Motor Vehicles;

(c) A check of vehicle for any type of tag, tag record, temporary tag, or regular tag;

(d) A check of vehicle for inspection sticker or other stickers and decals that could indicate the state of possible registration; and

(e) A check of the interior of the vehicle for any papers that could be in the glove box, trunk, or other areas for the state of registration.

(5) At any time ~~before prior to~~ the proposed or scheduled date of sale of a vehicle, the owner of the vehicle, or any person claiming an interest in the vehicle or a lien thereon, may post a bond following the procedures outlined in s. 559.917 or file a demand for hearing with the clerk of the circuit court in the county in which the vehicle is held to determine whether the vehicle has been wrongfully taken or withheld from her or him. Any person who files a demand for hearing shall mail copies

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of the demand to all other owners and lienors as reflected on the notice required in subsection (1).

(a) Upon the filing of a demand for hearing, a hearing shall be held ~~before prior to~~ the proposed or scheduled date of sale of the vehicle.

(b) Upon the posting of the bond and payment of the applicable fee set forth in s. 28.24, the clerk of the court shall issue a certificate notifying the lienor of the posting of the bond and directing the lienor to release the vehicle to the lienholder or the owner, based upon whomever posted the bond.

(c) If a lienholder obtains the vehicle and the owner of the vehicle is not in default under the installment sales contract or title loan at the time the lienholder has possession of the vehicle, the lienholder must return the vehicle to the owner within 5 days after the owner repays the lienholder for the amount of the bond, or makes arrangements to repay the lienholder for the bond under terms agreeable to the lienholder. A lienholder may retain possession of the vehicle if the owner is in default until such time as the default is cured and the amount of the bond is repaid by the owner, or an arrangement agreeable to the lienholder is made with the owner.

(7) At ~~a the~~ hearing on a complaint relating to the requirements of this section on the complaint, the court shall ~~forthwith~~ issue an its order determining:

(a) Whether the vehicle is subject to a valid lien by the lienor and the amount thereof;

(b) The priority of the lien of the lienor as against any existing security interest in the vehicle;

(c) The distribution of any proceeds of the sale by the

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clerk of the circuit court;

(d) The awarding of damages, if any;

(e) ~~(d)~~ The award of reasonable attorney ~~attorney's~~ fees and costs, at the court's discretion, to the prevailing party; and

(f) ~~(e)~~ The reasonableness of storage charges.

A final order, by the court, must also provide for immediate payment of any proceeds or awards, and the immediate release of the bond to the posting party, if applicable.

(13) A failure to make good faith efforts as defined in subsection (2) precludes the imposition of any storage charges against the vehicle. If a lienor fails to provide notice to any person claiming a lien on a vehicle under subsection (1) within 7 ~~15~~ business days after the assessment of storage charges has begun, then the lienor is precluded from charging for more than 7 ~~15~~ days of storage, but failure to provide timely notice does not affect charges made for repairs, adjustments, or modifications to the vehicle or the priority of liens on the vehicle.

Section 38. Subsections (2), (4), (5), and (10) of section 790.06, Florida Statutes, are amended, and paragraph (f) is added to subsection (6) of that section, to read:

790.06 License to carry concealed weapon or firearm.—

(2) The Department of Agriculture and Consumer Services shall issue a license if the applicant:

(a) Is a resident of the United States and a citizen of the United States or a permanent resident alien of the United States, as determined by the United States Bureau of Citizenship and Immigration Services, or is a consular security official of

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a foreign government that maintains diplomatic relations and treaties of commerce, friendship, and navigation with the United States and is certified as such by the foreign government and by the appropriate embassy in this country;

(b) Is 21 years of age or older;

(c) Does not suffer from a physical infirmity which prevents the safe handling of a weapon or firearm;

(d) Is not ineligible to possess a firearm pursuant to s. 790.23 by virtue of having been convicted of a felony;

(e) Has not been committed for the abuse of a controlled substance or been found guilty of a crime under the provisions of chapter 893 or similar laws of any other state relating to controlled substances within a 3-year period immediately preceding the date on which the application is submitted;

(f) Does not chronically and habitually use alcoholic beverages or other substances to the extent that his or her normal faculties are impaired. It shall be presumed that an applicant chronically and habitually uses alcoholic beverages or other substances to the extent that his or her normal faculties are impaired if the applicant has been committed under chapter 397 or under the provisions of former chapter 396 or has been convicted under s. 790.151 or has been deemed a habitual offender under s. 856.011(3), or has had two or more convictions under s. 316.193 or similar laws of any other state, within the 3-year period immediately preceding the date on which the application is submitted;

(g) Desires a legal means to carry a concealed weapon or firearm for lawful self-defense;

(h) Demonstrates competence with a firearm by any one of

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the following:

1. Completion of any hunter education or hunter safety course approved by the Fish and Wildlife Conservation Commission or a similar agency of another state;

2. Completion of any National Rifle Association firearms safety or training course;

3. Completion of any firearms safety or training course or class available to the general public offered by a law enforcement agency, junior college, college, or private or public institution or organization or firearms training school, using ~~utilizing~~ instructors certified by the National Rifle Association, Criminal Justice Standards and Training Commission, or the Department of Agriculture and Consumer Services;

4. Completion of any law enforcement firearms safety or training course or class offered for security guards, investigators, special deputies, or any division or subdivision of a law enforcement agency or security enforcement;

5. Presents evidence of equivalent experience with a firearm through participation in organized shooting competition or military service;

6. Is licensed or has been licensed to carry a firearm in this state or a county or municipality of this state, unless such license has been revoked for cause; or

7. Completion of any firearms training or safety course or class conducted by a state-certified or National Rifle Association certified firearms instructor;

A photocopy of a certificate of completion of any of the courses or classes; ~~or~~ an affidavit from the instructor, school, club,

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organization, or group that conducted or taught such ~~said~~ course or class attesting to the completion of the course or class by the applicant; or a copy of any document ~~that~~ which shows completion of the course or class or evidences participation in firearms competition shall constitute evidence of qualification under this paragraph. ~~At any~~ person who conducts a course pursuant to subparagraph 2., subparagraph 3., or subparagraph 7., or who, as an instructor, attests to the completion of such courses, must maintain records certifying that he or she observed the student safely handle and discharge the firearm in his or her physical presence and that the discharge of the firearm included live fire using a firearm and ammunition as defined in s. 790.001;

(i) Has not been adjudicated an incapacitated person under s. 744.331, or similar laws of any other state, unless 5 years have elapsed since the applicant's restoration to capacity by court order;

(j) Has not been committed to a mental institution under chapter 394, or similar laws of any other state, unless the applicant produces a certificate from a licensed psychiatrist that he or she has not suffered from disability for at least 5 years before ~~prior to~~ the date of submission of the application;

(k) Has not had adjudication of guilt withheld or imposition of sentence suspended on any felony ~~or misdemeanor crime of domestic violence~~ unless 3 years have elapsed since probation or any other conditions set by the court have been fulfilled, or expunction has occurred ~~the record has been sealed or expunged;~~

(l) Has not had adjudication of guilt withheld or

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imposition of sentence suspended on any misdemeanor crime of domestic violence unless 3 years have elapsed since probation or any other conditions set by the court have been fulfilled, or the record has been sealed or expunged;

(m) ~~(i)~~ Has not been issued an injunction that is currently in force and effect and that restrains the applicant from committing acts of domestic violence or acts of repeat violence; and

(n) ~~(m)~~ Is not prohibited from purchasing or possessing a firearm by any other provision of Florida or federal law.

(4) The application shall be completed, under oath, on a form adopted ~~promulgated~~ by the Department of Agriculture and Consumer Services and shall include:

(a) The name, address, place of birth, ~~and~~ date of birth, and race, and occupation of the applicant;

(b) A statement that the applicant is in compliance with criteria contained within subsections (2) and (3);

(c) A statement that the applicant has been furnished a copy of this chapter and is knowledgeable of its provisions;

(d) A conspicuous warning that the application is executed under oath and that a false answer to any question, or the submission of any false document by the applicant, subjects the applicant to criminal prosecution under s. 837.06; ~~and~~

(e) A statement that the applicant desires a concealed weapon or firearms license as a means of lawful self-defense; and-

(f) Directions for an applicant who is a servicemember, as defined in s. 250.01, or a veteran, as defined in s. 1.01, to request expedited processing of his or her application.

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(5) The applicant shall submit to the Department of Agriculture and Consumer Services or an approved tax collector pursuant to s. 790.0625:

(a) A completed application as described in subsection (4).

(b) A nonrefundable license fee of up to \$60 ~~\$70~~ if he or she has not previously been issued a statewide license or of up to \$50 ~~\$60~~ for renewal of a statewide license. The cost of processing fingerprints as required in paragraph (c) shall be borne by the applicant. However, an individual holding an active certification from the Criminal Justice Standards and Training Commission as a law enforcement officer, correctional officer, or correctional probation officer as defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9) is exempt from the licensing requirements of this section. If such individual wishes to receive a concealed weapon ~~weapons~~ or firearm ~~firearms~~ license, he or she is exempt from the background investigation and all background investigation fees, but must pay the current license fees regularly required to be paid by nonexempt applicants. Further, a law enforcement officer, a correctional officer, or a correctional probation officer as defined in s. 943.10(1), (2), or (3) is exempt from the required fees and background investigation for ~~a period of~~ 1 year after his or her retirement.

(c) A full set of fingerprints of the applicant administered by a law enforcement agency or the Division of Licensing of the Department of Agriculture and Consumer Services or an approved tax collector pursuant to s. 790.0625 together with any personal identifying information required by federal law to process fingerprints.

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(d) A photocopy of a certificate, affidavit, or document as described in paragraph (2) (h).

(e) A full frontal view color photograph of the applicant taken within the preceding 30 days, in which the head, including hair, measures 7/8 of an inch wide and 1 1/8 inches high.

(f) For expedited processing of an application:

1. A servicemember shall submit a copy of the Common Access Card, United States Uniformed Services Identification Card, or current deployment orders.

2. A veteran shall submit a copy of the DD Form 214, issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs.

(6)

(f) The Department of Agriculture and Consumer Services shall, upon receipt of a completed application and the identifying information required under paragraph (5) (f), expedite the processing of a servicemember's or a veteran's concealed weapon or firearm license application.

(10) A license issued under this section shall be suspended or revoked pursuant to chapter 120 if the licensee:

(a) Is found to be ineligible under the criteria set forth in subsection (2);

(b) Develops or sustains a physical infirmity which prevents the safe handling of a weapon or firearm;

(c) Is convicted of a felony which would make the licensee ineligible to possess a firearm pursuant to s. 790.23;

(d) Is found guilty of a crime under the provisions of chapter 893, or similar laws of any other state, relating to

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controlled substances;

(e) Is committed as a substance abuser under chapter 397, or is deemed a habitual offender under s. 856.011(3), or similar laws of any other state;

(f) Is convicted of a second violation of s. 316.193, or a similar law of another state, within 3 years after ~~of~~ a first ~~previous~~ conviction of such section, or similar law of another state, even though the first violation may have occurred before ~~prior to~~ the date on which the application was submitted;

(g) Is adjudicated an incapacitated person under s. 744.331, or similar laws of any other state; or

(h) Is committed to a mental institution under chapter 394, or similar laws of any other state.

Notwithstanding s. 120.60(5), service of a notice of the suspension or revocation of a concealed weapon or firearm license must be given by either certified mail, return receipt requested, to the licensee at his or her last known mailing address furnished to the Department of Agriculture and Consumer Services, or by personal service. If a notice given by certified mail is returned as undeliverable, a second attempt must be made to provide notice to the licensee at that address, by either first-class mail in an envelope, postage prepaid, addressed to the licensee at his or her last known mailing address furnished to the department, or, if the licensee has provided an e-mail address to the department, by e-mail. Such mailing by the department constitutes notice, and any failure by the licensee to receive such notice does not stay the effective date or term of the suspension or revocation. A request for hearing must be

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2092 filed with the department within 21 days after notice is
 2093 received by personal delivery, or within 26 days after the date
 2094 the department deposits the notice in the United States mail (21
 2095 days plus 5 days for mailing). The department shall document its
 2096 attempts to provide notice and such documentation is admissible
 2097 in the courts of this state and constitutes sufficient proof
 2098 that notice was given.

2099 Section 39. Effective upon this act becoming a law,
 2100 paragraph (a) of subsection (11) of section 790.06, Florida
 2101 Statutes, is amended to read:

2102 790.06 License to carry concealed weapon or firearm.—

2103 (11)(a) At least ~~No less than~~ 90 days before the expiration
 2104 date of the license, the Department of Agriculture and Consumer
 2105 Services shall mail to each licensee a written notice of the
 2106 expiration and a renewal form prescribed by the Department of
 2107 Agriculture and Consumer Services. The licensee must renew his
 2108 or her license on or before the expiration date by filing with
 2109 the Department of Agriculture and Consumer Services the renewal
 2110 form containing an a-notarized ~~a-notarized~~ affidavit submitted under oath
 2111 and under penalty of perjury stating that the licensee remains
 2112 qualified pursuant to the criteria specified in subsections (2)
 2113 and (3), a color photograph as specified in paragraph (5)(e),
 2114 and the required renewal fee. Out-of-state residents must also
 2115 submit a complete set of fingerprints and fingerprint processing
 2116 fee. The license shall be renewed upon receipt of the completed
 2117 renewal form, color photograph, appropriate payment of fees,
 2118 and, if applicable, fingerprints. Additionally, a licensee who
 2119 fails to file a renewal application on or before its expiration
 2120 date must renew his or her license by paying a late fee of \$15.

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2121 A license may not be renewed 180 days or more after its
 2122 expiration date, and such a license is deemed to be permanently
 2123 expired. A person whose license has been permanently expired may
 2124 reapply for licensure; however, an application for licensure and
 2125 fees under subsection (5) must be submitted, and a background
 2126 investigation shall be conducted pursuant to this section. A
 2127 person who knowingly files false information under this
 2128 subsection is subject to criminal prosecution under s. 837.06.

2129 Section 40. Subsection (8) is added to section 790.0625,
 2130 Florida Statutes, to read:

2131 790.0625 Appointment of tax collectors to accept
 2132 applications for a concealed weapon or firearm license; fees;
 2133 penalties.—

2134 (8) Upon receipt of a completed renewal application, a new
 2135 color photograph, and appropriate payment of fees, a tax
 2136 collector authorized to accept renewal applications for
 2137 concealed weapon or firearm licenses under this section may,
 2138 upon approval and confirmation of license issuance by the
 2139 department, print and deliver a concealed weapon or firearm
 2140 license to a licensee renewing his or her license at the tax
 2141 collector's office.

2142 Section 41. Subsections (1) through (4) of section 559.917,
 2143 Florida Statutes, are amended to read:

2144 559.917 Bond to release possessory lien claimed by motor
 2145 vehicle repair shop.—

2146 (1) As used in this section, the term:

2147 (a) "Lienholder" means a person claiming an interest in or
 2148 a lien on a vehicle pursuant to s. 713.585(5).

2149 (b) "Lienor" means a person claiming a lien for motor

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vehicle repair shop work under part II of chapter 713.

(2)(1) (a) A lienholder or ~~Any~~ customer may obtain the release of a ~~her or his~~ motor vehicle for which the lienholder or customer has a lien or ownership rights, respectively, from any lien claimed under part II of chapter 713 by a motor vehicle repair shop for repair work performed under a written repair estimate by filing with the clerk of the court in the circuit in which the disputed transaction occurred a cash or surety bond, payable to the person claiming the lien and conditioned for the payment of any judgment which may be entered on the lien. The bond shall be in the amount stated on the invoice required by s. 559.911, plus accrued storage charges, if any, less any amount paid to the motor vehicle repair shop as indicated on the invoice. The lienholder or customer shall not be required to institute judicial proceedings in order to post the bond in the registry of the court, nor shall the lienholder or customer be required to use a particular form for posting the bond, unless the clerk provides ~~shall provide~~ such form to the lienholder or customer for filing. Upon the posting of such bond, the clerk of the court shall automatically issue a certificate notifying the lienor of the posting of the bond and directing the lienor to release the lienholder's or customer's motor vehicle.

(b) The lienor shall have 60 days to file suit to recover the bond. The prevailing party in that action may be entitled to damages plus court costs and reasonable attorney attorney's fees. If the lienor fails to file suit within 60 days after the posting of such bond, the bond shall be discharged.

(3)(2) The failure of a lienor to release or return to the lienholder or customer the motor vehicle upon which any lien is

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claimed, upon receiving a copy of a certificate giving notice of the posting of the bond and directing release of the motor vehicle, shall subject the lienor to judicial proceedings which may be brought by the lienholder or customer to compel compliance with the certificate. ~~If whenever~~ a lienholder pursuant to s. 713.585 or customer brings an action to compel compliance with the certificate, the lienholder or customer need only establish that:

(a) Bond in the amount of the invoice, plus accrued storage charges, if any, less any amount paid to the motor vehicle repair shop as indicated on the invoice, was posted;

(b) A certificate was issued pursuant to this section;

(c) The motor vehicle repair shop, or any employee or agent thereof who is authorized to release the motor vehicle, received a copy of a certificate issued pursuant to this section; and

(d) The motor vehicle repair shop or employee authorized to release the motor vehicle failed to release the motor vehicle.

The lienholder or customer, upon a judgment in her or his favor in an action brought under this subsection, may be entitled to damages plus court costs and reasonable attorney attorney's fees sustained by her or him by reason of such wrongful detention or retention. Upon a judgment in favor of the motor vehicle repair shop, the shop may be entitled to reasonable attorney attorney's fees.

(4)(3) Any motor vehicle repair shop ~~that which~~, or any employee or agent thereof who is authorized to release the motor vehicle who, upon receiving a copy of a certificate giving notice of the posting of the bond in the required amount and

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directing release of the motor vehicle, fails to release or return the property to the lienholder or customer pursuant to this section ~~commits is guilty of~~ a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

~~(5)(4)~~ Any lienholder or customer who stops payment on a credit card charge or a check drawn in favor of a motor vehicle repair shop on account of an invoice, or who fails to post a cash or surety bond pursuant to this section, shall be prohibited from any recourse under this section with respect to the motor vehicle repair shop.

Section 42. Subsection (1) and paragraph (d) of subsection (3) of section 559.9285, Florida Statutes, are amended to read: 559.9285 Certification of business activities.—

(1) Each certifying party, as defined in s. 559.927(2):

(a) Which does not offer for sale, at wholesale or retail, prearranged travel or tourist-related services, ~~or tour-guide services~~ for individuals or groups directly to any terrorist state and which originate in Florida;

(b) Which offers for sale, at wholesale or retail, only prearranged travel or tourist-related services, ~~or tour-guide services~~ for individuals or groups directly to any terrorist state and which originate in Florida, but engages in no other business dealings or commerce with any terrorist state; or

(c) Which offers for sale, at wholesale or retail, prearranged travel or tourist-related services, ~~or tour-guide services~~ for individuals or groups directly to any terrorist state and which originate in Florida, and also engages in any other business dealings or commerce with any terrorist state,

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shall annually certify its business activities by filing a disclosure statement with the department which accurately represents the scope of the seller's business activities according to the criteria provided in paragraph (a), paragraph (b), or paragraph (c).

(3) The department shall specify by rule the form of each certification under this section which shall include the following information:

(d) The type of all prearranged travel or tourist-related services, ~~or tour-guide services~~ that the certifying party offers for sale to individuals or groups traveling directly to any terrorist state and that originate in Florida, and the frequency with which such services are offered.

Section 43. Subsection (2) of section 559.937, Florida Statutes, is amended to read:

559.937 Criminal penalties.—Any person or business that violates this part:

(2) Which violation directly or indirectly pertains to an offer to sell, at wholesale or retail, prearranged travel or tourist-related services, ~~or tour-guide services~~ for individuals or groups directly to any terrorist state and which originate in Florida, commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083.

Section 44. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2016.



The Florida Senate

Committee Agenda Request

To: Senator Tom Lee, Chair
Committee on Appropriations

Subject: Committee Agenda Request

Date: January 25, 2016

I respectfully request that **Senate Bill #772**, relating to Regulated Service Providers, be placed on the:

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

A handwritten signature in blue ink, which appears to read "Garrett Richter", is written over a horizontal line.

Senator Garrett Richter
Florida Senate, District 23

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/3/16

Meeting Date

SB 772

Bill Number (if applicable)

Topic

Regulated Services Providers

Name

Bruce Kershner

150022

Amendment Barcode (if applicable)

Job Title

Address

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City

FL

State

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Zip

Phone

407 830 1882

Email

BKershner@att.net

Speaking: ☐ For ☐ Against ☐ Information

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

Representing

Southeast Glass 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.

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)

2/3/16

Meeting Date

SB 772

Bill Number (if applicable)

Topic Department of Agriculture and Consumer Services Amendment Barcode (if applicable)

Name Jonathon Rees

Job Title Deputy Director, Legislative Affairs

Address 400 S. Monroe St.

Street

Tallahassee

City

FL

State

32399

Zip

Phone (850) 617-7700

Email Jonathon.Rees@freshfromflorida.com

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Florida Department of Agriculture and Consumer 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)

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/3/16

Meeting Date

SB 772

Bill Number (if applicable)

Topic DACS Legislative Package

Amendment Barcode (if applicable)

Name Tim Qualls

Job Title Executive Director - FL TAX COLLECTORS ASSN

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Phone 850-222-7206

Street

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FL

32301

City

State

Zip

Email TQUALLS@YULAW.NET

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Florida Tax Collectors 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
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 Committee on Appropriations

BILL: PCS/CS/SB 822 (811910)

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on General Government); Banking and Insurance Committee; and Senator Stargel

SUBJECT: Firesafety

DATE: February 2, 2016

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Matiyow	Knudson	BI	Fav/CS
2. Betta	DeLoach	AGG	Recommend: Fav/CS
3. Betta	Kynoch	AP	Pre-meeting

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/CS/SB 822 makes the following changes related to regulations included in the Fire Prevention Code on agricultural property:

- Defines “Agricultural pole barn” and exempts such barns from the Florida Fire Prevention Code, including the national codes and the Life Safety Code incorporated by reference.
- Defines a “nonresidential farm building” and specifies certain uses allowing such buildings to be exempt from the Florida Fire Prevention Code, including the national codes and the Life Safety Code incorporated by reference.
- Clarifies that a tent up to 900 square feet is exempt from the Florida Fire Prevention Code, including the national codes incorporated by reference.
- Authorizes a local fire official to consider the fire safety evaluation systems when trying to identify low-cost, reasonable alternatives.

There is no fiscal impact to the state.

II. Present Situation:

State Fire Prevention – State Fire Marshal

Florida’s fire prevention and control law, ch. 633, F.S., designates the state’s Chief Financial Officer (CFO) as the State Fire Marshal. The State Fire Marshal, through the Division of State

Fire Marshal within the Department of Financial Services (DFS), is charged with enforcing the provisions of ch. 633, F.S., and all other applicable laws relating to fire safety and has the responsibility to minimize the loss of life and property in this state due to fire.¹ Pursuant to this authority, the State Fire Marshal regulates, trains, and certifies fire service personnel and firesafety inspectors; investigates the causes of fires; enforces arson laws; regulates the installation of fire equipment; conducts firesafety inspections of state property; and operates the Florida State Fire College.

In addition to these duties, the State Fire Marshal adopts by rule the Florida Fire Prevention Code (FFPC), which contains all fire safety laws and rules that pertain to the design, construction, erection, alteration, modification, repair, and demolition of public and private buildings, structures, and facilities and the enforcement of such fire safety laws and rules, at ch. 69A-60, F.A.C. The State Fire Marshal adopts a new edition of the FFPC every three years.² The FFPC includes national firesafety and life safety standards set forth by the National Fire Protection Association (NFPA)³, including the NFPA's Fire Code (1), Life Safety Code (101) and Guide on Alternative Approaches to Life Safety (101A).

The FFPC and national codes provide that events held in any location, whether agricultural or not, that are considered assembly, mercantile, or business in nature, require the building where such an event is held to be classified according to the proper occupancy type. When this occurs, the property owner must bring the building up to the new fire prevention code standards for that occupancy type. This may require the installation of several fire protection features such as fire sprinklers, fire alarm systems, or egress capacity.⁴

Fire Safety Enforcement by Local Governments

State law requires all municipalities, counties, and special districts with firesafety responsibilities to enforce the FFPC as the minimum fire prevention code to operate uniformly among local governments and in conjunction with the Florida Building Code.⁵ These local enforcing authorities may adopt more stringent fire safety standards, subject to certain requirements in

¹ s. 633.104, F.S.

² s. 633.202, F.S.

³ Founded in 1895, the NFPA is a global, nonprofit organization devoted to eliminating death, injury, property and economic loss due to fire, electrical and related hazards. It has developed over 300 voluntary consensus codes and standards in the areas of fire, electrical, and building safety which are widely used by state and local officials. NATIONAL FIRE PROTECTION ASSOCIATION, *About NFPA*, at <http://www.nfpa.org/about-nfpa> (last viewed Dec. 29, 2015). The NFPA states that the Guide on Alternative Approaches to Life Safety “is intended to be used in conjunction with the Life Safety Code (101), not as a substitute.” NATIONAL FIRE PROTECTION ASSOCIATION, *NFPA 101A: Guide on Alternative Approaches to Life Safety*, at <http://www.nfpa.org/codes-and-standards/document-information-pages?mode=code&code=101a> (last viewed Dec. 29, 2015).

⁴ Florida Department of Financial Services, Agency Analysis of 2016 Senate Bill 822 (Nov. 18, 2015). The FFPC and national codes define *assembly occupancy* as an occupancy used for a gathering of 50 or more persons for deliberation, worship, entertainment, eating, drinking, amusement, awaiting transportation, or similar uses; or (2) used as a special amusement building, regardless of occupant load (e.g., dance halls, museums, skating rinks). *Mercantile occupancy* means an occupancy used for the display and sale of merchandise (e.g., drugstores and supermarkets). *Business occupancy* means an occupancy used for the transaction of business other than mercantile (e.g., city and town halls, doctors' offices).

⁵ ss. 633.108 and 633.208, F.S.

s. 633.208, F.S.,⁶ but may not enact fire safety ordinances which conflict with ch. 633, F.S., or any other state law.⁷

The chiefs of local government fire service providers (or their designees) are authorized to enforce ch. 633, F.S., and rules within their respective jurisdictions as agents of those jurisdictions, not agents of the State Fire Marshal.⁸ Each county, municipality, and special district with firesafety enforcement responsibilities is also required to employ or contract with a fire safety inspector (certified by the State Fire Marshal) to conduct all fire safety inspections required by law.⁹

The Legislature has recognized that it is not always practical to apply any or all of the provisions of the FFPC and physical limitations may require disproportionate effort or expense with little increase in fire or life safety. Under the minimum fire safety standards, the local fire officials shall apply the applicable fire safety code for existing buildings to the extent practical to ensure a reasonable degree of life safety and safety of property. The local fire officials are also required to fashion reasonable alternatives that afford an equivalent degree of life safety and safety of property.¹⁰

Current Exemptions from the FFPC

Currently, s. 633.202(16), F.S., exempts two types of structures from the FFPC and national codes incorporated by reference:

- A structure located on property that is classified as agricultural for ad valorem purposes and which is part of a farming or ranching operation, if the occupancy is limited by the property owner to no more than 35 persons and is not used by the public for direct sales or as an educational outreach facility. Structures used for residential or assembly purposes (as defined in the FFPC) are not included in this exemption.¹¹
- Tents up to 30 feet by 30 feet.

“Nonresidential farm buildings” are currently not exempt from the FFPC, but are exempt from the Florida Building Code and any county or municipal code or fee, except for code provisions implementing local, state, or federal floodplain management regulations.¹² These structures are defined under s. 604.50, F.S., as any temporary or permanent building or support structure that is classified as a nonresidential farm building on a farm for the purposes of the Florida Building

⁶ s. 633.208, F.S.; *see also* s. 633.102(21), F.S., for the definition of “minimum firesafety standard” and Rule 69A-60.002, F.A.C.

⁷ s. 633.214(4), F.S. A list of local amendments to the FFPC is available at DIVISION OF STATE FIRE MARSHAL, *Local Amendments*: <http://www.myfloridacfo.com/division/sfm/BFP/LocalAmendments.htm> (last viewed Dec. 29, 2015).

⁸ s. 633.118, F.S.

⁹ s. 633.216(1), F.S.

¹⁰ s. 633.208, F.S.

¹¹ Chapter 6 of the FFPC defines “residential occupancy” as “an occupancy that provides sleeping accommodations for purposes other than health care or detention and correctional,” and defines “assembly occupancy” as “an occupancy (1) used for a gathering of 50 or more persons for deliberation, worship, entertainment, eating, drinking, amusement, awaiting transportation, or similar uses; or (2) used as a special amusement building, regardless of occupant load.” *See NFPA, Classification of Occupancy and Hazard of Contents*, <http://codesonline.nfpa.org/a/c.ref/ID020101110939/chapter> (last viewed Dec. 29, 2015).

¹² s. 604.50(1), F.S.

Code, or that is classified as agricultural land for assessment purposes, is used primarily for agricultural purposes, is located on land that is an integral part of a farm operation and is not intended to be used as a residential dwelling. The term may include, but is not limited to, a barn, greenhouse, shade house, farm office, storage building, or poultry house.

Agritourism Activity

Currently, s. 570.86(1), F.S., defines an “agritourism activity” as “any agricultural related activity consistent with a bona fide farm or ranch or in a working forest which allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy activities, including farming, ranching, historical, cultural, or harvest-your-own activities and attractions. An agritourism activity does not include the construction of new or additional structures or facilities intended primarily to house, shelter, transport, or otherwise accommodate members of the general public. An activity is an agritourism activity regardless of whether the participant paid to participate in the activity.”

III. Effect of Proposed Changes:

The bill defines an “Agricultural pole barn” as a nonresidential farm building in which 70 percent or more of the perimeter walls are permanently open and allow free ingress and egress. Furthermore, the bill exempts such pole barns from the Florida Fire Prevention Code, National Codes and the Life Safety Code.

The bill defines a nonresidential farm building for purposes of the Florida Fire Prevention Code as having the same meaning as provided in s. 604.50, F.S. The bill establishes classes for use in which such buildings can be exempt from the Florida Fire Prevention Code, National Codes and the Life Safety Code:

- Class 1: A nonresidential farm building that is used by the owner 12 times per year or fewer for agritourism activity with up to 100 persons occupying the structure at one time. This class is not subject to inspection or the Florida Fire Prevention Code.
- Class 2: A nonresidential farm building that is used by the owner for agritourism activity with up to 300 persons occupying the structure at one time. A structure in this class is subject to annual inspection for classification by the local authority having jurisdiction. This class is not subject to the Florida Fire Prevention Code.
- Class 3: A new or an additional structure or facility constructed, or an existing structure, which is used primarily for housing, sheltering, or otherwise accommodating members of the general public. A structure or facility in this class is subject to annual inspection for classification by the local authority having jurisdiction. This class is subject to the Florida Fire Prevention Code.

The bill requires the State Fire Marshal to adopt rules to administer this section, including;

- The use of alternative lifesafety and fire prevention standards for Classes 1 and 2 structures;
- Notification and inspection requirements for structures in Class 1 and Class 2;
- The application of the Florida Fire Prevention Code for structures in Class 3; and
- Any other standards or rules deemed necessary in order to facilitate the use of structures for agritourism activities.

Finally, the bill allows for a local fire official to consider the fire safety evaluation systems found in NFPA 101A: Guide on Alternative Approaches to Life Safety, adopted by the State Fire Marshal, as acceptable systems for the identification of low-cost, reasonable alternatives to firesafety.

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:

Under PCS/CS/SB 822, farm owners will be allowed to lease to the public non-residential agricultural buildings for certain events under certain circumstances without having to make costly retrofitting improvements to meet the requirements of the Florida Fire Prevention Code, National Codes, and the Life Safety Code.

C. Government Sector Impact:

The bill has no fiscal impact. The Department of Financial Services will use existing resources to adopt rules to administer these changes including the use of alternative standards, the inspection requirements for Class 1 and Class 2 and the application process for Class 3.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 633.202 and 633.208.

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

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

Recommended CS/CS by Appropriations Subcommittee on General Government on January 21, 2016:

The CS makes technical drafting changes to the bill and narrows the application of the bill by removing all references to structures or facilities utilized for assembly, business or mercantile purposes and replacing them with references to structures or facilities utilized for agritourism activities.

CS by Banking and Insurance on January 11, 2016:

The CS provides technical changes related to drafting.

B. Amendments:

None.



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576-02402-16

Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on General Government)

A bill to be entitled

An act relating to firesafety; amending s. 633.202, F.S.; defining terms; revising provisions relating to certain structures located on agricultural property which are exempt from the Florida Fire Prevention Code; requiring that certain structures used for agritourism activity be classified; requiring that certain structures be classified; providing criteria for such classifications; providing that such classifications are subject to annual inspection; specifying applicable fire prevention standards for each class; requiring that the State Fire Marshal adopt rules; providing requirements for revising certain dimensions of a tent that is exempt from the code; amending s. 633.208, F.S.; authorizing a local fire official to consider a specified publication when identifying an alternative to a firesafety code; providing an effective date.

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

Section 1. Subsection (16) of section 633.202, Florida Statutes, is amended to read:

633.202 Florida Fire Prevention Code.—

(16) (a) As used in this subsection, the term:

1. "Agricultural pole barn" means a nonresidential farm building in which 70 percent or more of the perimeter walls are



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permanently open and allow free ingress and egress.

2. "Nonresidential farm building" has the same meaning as provided in s. 604.50.

(b) Notwithstanding any other provision of law:

1. A nonresidential farm building ~~A structure, located on property that is classified for ad valorem purposes as agricultural, which is part of a farming or ranching operation,~~ in which the occupancy is limited by the property owner to no more than 35 persons, ~~and which is not used by the public for direct sales or as an educational outreach facility,~~ is exempt from the Florida Fire Prevention Code, including the national codes and Life Safety Code incorporated by reference. ~~This paragraph does not include structures used for residential or assembly occupancies, as defined in the Florida Fire Prevention Code.~~

2. An agricultural pole barn is exempt from the Florida Fire Prevention Code, including the national codes and the Life Safety Code incorporated by reference.

3. Except for an agricultural pole barn, a structure on a farm as defined in s. 823.14(3) (a) which is used by an owner for agritourism activity for which the owner receives consideration must be classified in one of the following classes:

a. Class 1: A nonresidential farm building that is used by the owner 12 times per year or fewer for agritourism activity with up to 100 persons occupying the structure at one time. A structure in this class is subject to annual inspection for classification by the local authority having jurisdiction. This class is not subject to the Florida Fire Prevention Code but is subject to rules adopted by the State Fire Marshal pursuant to



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this section.

b. Class 2: A nonresidential farm building that is used by the owner for agritourism activity with up to 300 persons occupying the structure at one time. A structure in this class is subject to annual inspection for classification by the local authority having jurisdiction. This class is not subject to the Florida Fire Prevention Code but is subject to rules adopted by the State Fire Marshal pursuant to this section.

c. Class 3: A structure or facility that is used primarily for housing, sheltering, or otherwise accommodating members of the general public. A structure or facility in this class is subject to annual inspection for classification by the local authority having jurisdiction. This class is subject to the Florida Fire Prevention Code.

(c) The State Fire Marshal shall adopt rules to administer this section, including, but not limited to:

1. The use of alternative lifesafety and fire prevention standards for structures in Classes 1 and 2;

2. Notification and inspection requirements for structures in Classes 1 and 2;

3. The application of the Florida Fire Prevention Code for structures in Class 3; and

4. Any other standards or rules deemed necessary in order to facilitate the use of structures for agritourism activities.

(17)(b) A tent up to 900 square feet by 30 feet is exempt from the Florida Fire Prevention Code, including the national codes incorporated by reference.

Section 2. Subsection (5) of section 633.208, Florida Statutes, is amended to read:



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633.208 Minimum firesafety standards.—

(5) With regard to existing buildings, the Legislature recognizes that it is not always practical to apply any or all of the provisions of the Florida Fire Prevention Code and that physical limitations may require disproportionate effort or expense with little increase in fire or life safety. Before ~~Prior to~~ applying the minimum firesafety code to an existing building, the local fire official shall determine whether ~~that~~ a threat to lifesafety or property exists. If a threat to lifesafety or property exists, the fire official shall apply the applicable firesafety code for existing buildings to the extent practical to ensure ~~assure~~ a reasonable degree of lifesafety and safety of property or the fire official shall fashion a reasonable alternative that ~~which~~ affords an equivalent degree of lifesafety and safety of property. The local fire official may consider the fire safety evaluation systems found in NFPA 101A: Guide on Alternative Approaches to Life Safety, adopted by the State Fire Marshal, as acceptable systems for the identification of low-cost, reasonable alternatives. The decision of the local fire official may be appealed to the local administrative board described in s. 553.73.

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 Committee on Appropriations

BILL: CS/CS/SB 822

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on General Government); Banking and Insurance Committee; and Senator Stargel

SUBJECT: Firesafety

DATE: February 4, 2016

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Matiyow	Knudson	BI	Fav/CS
2. Betta	DeLoach	AGG	Recommend: Fav/CS
3. Betta	Kynoch	AP	Fav/CS

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 822 makes the following changes related to regulations included in the Fire Prevention Code on agricultural property:

- Defines “Agricultural pole barn” and exempts such barns from the Florida Fire Prevention Code, including the national codes and the Life Safety Code incorporated by reference.
- Defines a “nonresidential farm building” and specifies certain uses allowing such buildings to be exempt from the Florida Fire Prevention Code, including the national codes and the Life Safety Code incorporated by reference.
- Clarifies that a tent up to 900 square feet is exempt from the Florida Fire Prevention Code, including the national codes incorporated by reference.
- Authorizes a local fire official to consider the fire safety evaluation systems when trying to identify low-cost, reasonable alternatives.

There is no fiscal impact to the state.

II. Present Situation:

State Fire Prevention – State Fire Marshal

Florida’s fire prevention and control law, ch. 633, F.S., designates the state’s Chief Financial Officer (CFO) as the State Fire Marshal. The State Fire Marshal, through the Division of State

Fire Marshal within the Department of Financial Services (DFS), is charged with enforcing the provisions of ch. 633, F.S., and all other applicable laws relating to fire safety and has the responsibility to minimize the loss of life and property in this state due to fire.¹ Pursuant to this authority, the State Fire Marshal regulates, trains, and certifies fire service personnel and firesafety inspectors; investigates the causes of fires; enforces arson laws; regulates the installation of fire equipment; conducts firesafety inspections of state property; and operates the Florida State Fire College.

In addition to these duties, the State Fire Marshal adopts by rule the Florida Fire Prevention Code (FFPC), which contains all fire safety laws and rules that pertain to the design, construction, erection, alteration, modification, repair, and demolition of public and private buildings, structures, and facilities and the enforcement of such fire safety laws and rules, at ch. 69A-60, F.A.C. The State Fire Marshal adopts a new edition of the FFPC every three years.² The FFPC includes national firesafety and life safety standards set forth by the National Fire Protection Association (NFPA)³, including the NFPA's Fire Code (1), Life Safety Code (101) and Guide on Alternative Approaches to Life Safety (101A).

The FFPC and national codes provide that events held in any location, whether agricultural or not, that are considered assembly, mercantile, or business in nature, require the building where such an event is held to be classified according to the proper occupancy type. When this occurs, the property owner must bring the building up to the new fire prevention code standards for that occupancy type. This may require the installation of several fire protection features such as fire sprinklers, fire alarm systems, or egress capacity.⁴

Fire Safety Enforcement by Local Governments

State law requires all municipalities, counties, and special districts with firesafety responsibilities to enforce the FFPC as the minimum fire prevention code to operate uniformly among local governments and in conjunction with the Florida Building Code.⁵ These local enforcing authorities may adopt more stringent fire safety standards, subject to certain requirements in

¹ s. 633.104, F.S.

² s. 633.202, F.S.

³ Founded in 1895, the NFPA is a global, nonprofit organization devoted to eliminating death, injury, property and economic loss due to fire, electrical and related hazards. It has developed over 300 voluntary consensus codes and standards in the areas of fire, electrical, and building safety which are widely used by state and local officials. NATIONAL FIRE PROTECTION ASSOCIATION, *About NFPA*, at <http://www.nfpa.org/about-nfpa> (last viewed Dec. 29, 2015). The NFPA states that the Guide on Alternative Approaches to Life Safety “is intended to be used in conjunction with the Life Safety Code (101), not as a substitute.” NATIONAL FIRE PROTECTION ASSOCIATION, *NFPA 101A: Guide on Alternative Approaches to Life Safety*, at <http://www.nfpa.org/codes-and-standards/document-information-pages?mode=code&code=101a> (last viewed Dec. 29, 2015).

⁴ Florida Department of Financial Services, Agency Analysis of 2016 Senate Bill 822 (Nov. 18, 2015). The FFPC and national codes define *assembly occupancy* as an occupancy used for a gathering of 50 or more persons for deliberation, worship, entertainment, eating, drinking, amusement, awaiting transportation, or similar uses; or (2) used as a special amusement building, regardless of occupant load (e.g., dance halls, museums, skating rinks). *Mercantile occupancy* means an occupancy used for the display and sale of merchandise (e.g., drugstores and supermarkets). *Business occupancy* means an occupancy used for the transaction of business other than mercantile (e.g., city and town halls, doctors' offices).

⁵ ss. 633.108 and 633.208, F.S.

s. 633.208, F.S.,⁶ but may not enact fire safety ordinances which conflict with ch. 633, F.S., or any other state law.⁷

The chiefs of local government fire service providers (or their designees) are authorized to enforce ch. 633, F.S., and rules within their respective jurisdictions as agents of those jurisdictions, not agents of the State Fire Marshal.⁸ Each county, municipality, and special district with firesafety enforcement responsibilities is also required to employ or contract with a fire safety inspector (certified by the State Fire Marshal) to conduct all fire safety inspections required by law.⁹

The Legislature has recognized that it is not always practical to apply any or all of the provisions of the FFPC and physical limitations may require disproportionate effort or expense with little increase in fire or life safety. Under the minimum fire safety standards, the local fire officials shall apply the applicable fire safety code for existing buildings to the extent practical to ensure a reasonable degree of life safety and safety of property. The local fire officials are also required to fashion reasonable alternatives that afford an equivalent degree of life safety and safety of property.¹⁰

Current Exemptions from the FFPC

Currently, s. 633.202(16), F.S., exempts two types of structures from the FFPC and national codes incorporated by reference:

- A structure located on property that is classified as agricultural for ad valorem purposes and which is part of a farming or ranching operation, if the occupancy is limited by the property owner to no more than 35 persons and is not used by the public for direct sales or as an educational outreach facility. Structures used for residential or assembly purposes (as defined in the FFPC) are not included in this exemption.¹¹
- Tents up to 30 feet by 30 feet.

“Nonresidential farm buildings” are currently not exempt from the FFPC, but are exempt from the Florida Building Code and any county or municipal code or fee, except for code provisions implementing local, state, or federal floodplain management regulations.¹² These structures are defined under s. 604.50, F.S., as any temporary or permanent building or support structure that is classified as a nonresidential farm building on a farm for the purposes of the Florida Building

⁶ s. 633.208, F.S.; *see also* s. 633.102(21), F.S., for the definition of “minimum firesafety standard” and Rule 69A-60.002, F.A.C.

⁷ s. 633.214(4), F.S. A list of local amendments to the FFPC is available at DIVISION OF STATE FIRE MARSHAL, *Local Amendments*: <http://www.myfloridacfo.com/division/sfm/BFP/LocalAmendments.htm> (last viewed Dec. 29, 2015).

⁸ s. 633.118, F.S.

⁹ s. 633.216(1), F.S.

¹⁰ s. 633.208, F.S.

¹¹ Chapter 6 of the FFPC defines “residential occupancy” as “an occupancy that provides sleeping accommodations for purposes other than health care or detention and correctional,” and defines “assembly occupancy” as “an occupancy (1) used for a gathering of 50 or more persons for deliberation, worship, entertainment, eating, drinking, amusement, awaiting transportation, or similar uses; or (2) used as a special amusement building, regardless of occupant load.” *See NFPA, Classification of Occupancy and Hazard of Contents*, <http://codesonline.nfpa.org/a/c.ref/ID020101110939/chapter> (last viewed Dec. 29, 2015).

¹² s. 604.50(1), F.S.

Code, or that is classified as agricultural land for assessment purposes, is used primarily for agricultural purposes, is located on land that is an integral part of a farm operation and is not intended to be used as a residential dwelling. The term may include, but is not limited to, a barn, greenhouse, shade house, farm office, storage building, or poultry house.

Agritourism Activity

Currently, s. 570.86(1), F.S., defines an “agritourism activity” as “any agricultural related activity consistent with a bona fide farm or ranch or in a working forest which allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy activities, including farming, ranching, historical, cultural, or harvest-your-own activities and attractions. An agritourism activity does not include the construction of new or additional structures or facilities intended primarily to house, shelter, transport, or otherwise accommodate members of the general public. An activity is an agritourism activity regardless of whether the participant paid to participate in the activity.”

III. Effect of Proposed Changes:

The bill defines an “Agricultural pole barn” as a nonresidential farm building in which 70 percent or more of the perimeter walls are permanently open and allow free ingress and egress. Furthermore, the bill exempts such pole barns from the Florida Fire Prevention Code, National Codes and the Life Safety Code.

The bill defines a nonresidential farm building for purposes of the Florida Fire Prevention Code as having the same meaning as provided in s. 604.50, F.S. The bill establishes classes for use in which such buildings can be exempt from the Florida Fire Prevention Code, National Codes and the Life Safety Code:

- Class 1: A nonresidential farm building that is used by the owner 12 times per year or fewer for agritourism activity with up to 100 persons occupying the structure at one time. This class is not subject to inspection or the Florida Fire Prevention Code.
- Class 2: A nonresidential farm building that is used by the owner for agritourism activity with up to 300 persons occupying the structure at one time. A structure in this class is subject to annual inspection for classification by the local authority having jurisdiction. This class is not subject to the Florida Fire Prevention Code.
- Class 3: A new or an additional structure or facility constructed, or an existing structure, which is used primarily for housing, sheltering, or otherwise accommodating members of the general public. A structure or facility in this class is subject to annual inspection for classification by the local authority having jurisdiction. This class is subject to the Florida Fire Prevention Code.

The bill requires the State Fire Marshal to adopt rules to administer this section, including;

- The use of alternative lifesafety and fire prevention standards for Classes 1 and 2 structures;
- Notification and inspection requirements for structures in Class 1 and Class 2;
- The application of the Florida Fire Prevention Code for structures in Class 3; and
- Any other standards or rules deemed necessary in order to facilitate the use of structures for agritourism activities.

Finally, the bill allows for a local fire official to consider the fire safety evaluation systems found in NFPA 101A: Guide on Alternative Approaches to Life Safety, adopted by the State Fire Marshal, as acceptable systems for the identification of low-cost, reasonable alternatives to firesafety.

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:

Under CS/CS/SB 822, farm owners will be allowed to lease to the public non-residential agricultural buildings for certain events under certain circumstances without having to make costly retrofitting improvements to meet the requirements of the Florida Fire Prevention Code, National Codes, and the Life Safety Code.

C. Government Sector Impact:

The bill has no fiscal impact. The Department of Financial Services will use existing resources to adopt rules to administer these changes including the use of alternative standards, the inspection requirements for Class 1 and Class 2 and the application process for Class 3.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 633.202 and 633.208.

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

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

CS/CS by Appropriations on February 3, 2016:

The CS makes technical drafting changes to the bill and narrows the application of the bill by removing all references to structures or facilities utilized for assembly, business or mercantile purposes and replacing them with references to structures or facilities utilized for agritourism activities.

CS by Banking and Insurance on January 11, 2016:

The CS provides technical changes related to drafting.

B. Amendments:

None.

By the Committee on Banking and Insurance; and Senator Stargel

597-02018-16

2016822c1

A bill to be entitled

An act relating to firesafety; amending s. 633.202, F.S.; defining terms; revising provisions relating to certain structures located on agricultural property which are exempt from the Florida Fire Prevention Code; requiring that certain structures used for assembly, business, or mercantile activity be classified; specifying that certain structures are subject to annual inspection for classification; providing classifications; revising certain dimensions of a tent that is exempt from the code; requiring that the State Fire Marshal adopt rules; amending s. 633.208, F.S.; authorizing a local fire official to consider a specified publication when identifying an alternative to a firesafety code; providing an effective date.

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

Section 1. Subsection (16) of section 633.202, Florida Statutes, is amended to read:

633.202 Florida Fire Prevention Code.—

(16)(a) As used in this subsection, the term:

1. "Agricultural pole barn" means a nonresidential farm building in which 70 percent or more of the perimeter walls are permanently open and allow free ingress and egress.

2. "Nonresidential farm building" has the same meaning as provided in s. 604.50.

(b) Notwithstanding any other provision of law, a nonresidential farm building ~~A structure, located on property that is classified for ad valorem purposes as agricultural, which is part of a farming or ranching operation,~~ in which the

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occupancy is limited by the property owner to no more than 35 persons, ~~and which is not used by the public for direct sales or as an educational outreach facility,~~ is exempt from the Florida Fire Prevention Code, including the national codes and Life Safety Code incorporated by reference. ~~This paragraph does not include structures used for residential or assembly occupancies, as defined in the Florida Fire Prevention Code.~~

(c) Notwithstanding any other provision of law, an agricultural pole barn is exempt from the Florida Fire Prevention Code, including the national codes and the Life Safety Code incorporated by reference.

(d) Notwithstanding any other provision of law, and except for an agricultural pole barn, a structure on a farm as defined in s. 823.14(3)(a) which is used by an owner for assembly, business, or mercantile activity must be classified in one of the following classes:

1. Class 1: A nonresidential farm building that is used by the owner 12 times per year or fewer for assembly, business, or mercantile activity with up to 100 persons occupying the structure at one time. This class is not subject to the Florida Fire Prevention Code.

2. Class 2: A nonresidential farm building that is used by the owner for assembly, business, or mercantile activity with up to 300 persons occupying the structure at one time. A structure in this class is subject to annual inspection for classification by the local authority having jurisdiction. This class is not subject to the Florida Fire Prevention Code.

3. Class 3: A structure or facility that is used primarily for housing, sheltering, or otherwise accommodating members of

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the general public. A structure or facility in this class is subject to annual inspection for classification by the local authority having jurisdiction. This class is subject to the Florida Fire Prevention Code.

(e) The State Fire Marshal shall adopt rules to administer this section, including, but not limited to:

1. The use of alternative lifesafety and fire prevention standards for structures in Classes 1 and 2;

2. Notification and inspection requirements for structures in Class 2;

3. The application of the Florida Fire Prevention Code for structures in Class 3; and

4. Any other standards or rules deemed necessary in order to facilitate the use of structures for assembly, business, or mercantile activities.

(17)(b) A tent up to 900 square 30 feet by 30 feet is exempt from the Florida Fire Prevention Code, including the national codes incorporated by reference.

Section 2. Subsection (5) of section 633.208, Florida Statutes, is amended to read:

633.208 Minimum firesafety standards.—

(5) With regard to existing buildings, the Legislature recognizes that it is not always practical to apply any or all of the provisions of the Florida Fire Prevention Code and that physical limitations may require disproportionate effort or expense with little increase in fire or life safety. Before ~~Prior to~~ applying the minimum firesafety code to an existing building, the local fire official shall determine whether ~~that~~ a threat to lifesafety or property exists. If a threat to

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lifesafety or property exists, the fire official shall apply the applicable firesafety code for existing buildings to the extent practical to ensure ~~assure~~ a reasonable degree of lifesafety and safety of property or the fire official shall fashion a reasonable alternative ~~that which~~ affords an equivalent degree of lifesafety and safety of property. The local fire official may consider the fire safety evaluation systems found in NFPA 101A: Guide on Alternative Approaches to Life Safety, adopted by the State Fire Marshal, as acceptable systems for the identification of low-cost, reasonable alternatives. The decision of the local fire official may be appealed to the local administrative board described in s. 553.73.

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



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

SENATOR KELLI STARGEL

15th District

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

January 21, 2016

The Honorable Tom Lee
Senate Appropriations Committee, Chair
418 Senate Office Building
404 S. Monroe Street
Tallahassee, FL 32399

Dear Chair Lee:

I respectfully request that SB 822, related to *Fire Safety*, 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 dark ink that reads "Kelli Stargel". The signature is fluid and cursive, with a long horizontal stroke extending from the end.

Kelli Stargel
State Senator, District 15

Cc: Cindy Kynoch/ Staff Director
Lisa Roberts/ AA
Alicia Weiss/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

APPEARANCE RECORD

2/3/16

Meeting Date

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

822

Bill Number (if applicable)

Topic

Fire Safety

Amendment Barcode (if applicable)

Name

Adam Basford

Job Title

Director, Legislative Affairs

Address

315 S Cathoun St #850

Phone

222-2557

Street

Tallahassee

FL

32301

City

State

Zip

Email

Speaking: ☐ For ☐ Against ☐ InformationWaive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing

Florida Farm Bureau

Appearing at request of Chair: ☐ Yes ☒ NoLobbyist 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.

S-001 (10/14/14)

APPEARANCE RECORD

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

2/3/14

Meeting Date

SB 822

Bill Number (if applicable)

Topic Fire Safety

Amendment Barcode (if applicable)

Name Jonathan ReesJob Title Deputy Director, Legislative AffairsAddress 400 S. Monroe St.Phone (850) 617-7706

Street

TallahasseeFL32399

City

State

Zip

Email Jonathan.Rees@freshfromflorida.comSpeaking: ☐ For ☐ Against ☐ InformationWaive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)Representing Florida Department of Agriculture and Consumer ServicesAppearing at request of Chair: ☐ Yes ☐ NoLobbyist 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.

S-001 (10/14/14)

APPEARANCE RECORD

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

2/3/16*Meeting Date*SB 822*Bill Number (if applicable)*Topic SB 822 - Firesaftey*Amendment Barcode (if applicable)*Name BG MurphyJob Title Deputy Legislative Affairs DirectorAddress 400 N Monroe StreetPhone 850-413-2868*Street*TallahasseeFL32399Email bg.murphy@myfloridahouse.gov*City**State**Zip*Speaking: ☒ For ☐ Against ☐ InformationWaive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)Representing Department of Financial ServicesAppearing at request of Chair: ☐ Yes ☒ NoLobbyist 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.

S-001 (10/14/14)

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 Committee on Appropriations

BILL: SB 908

INTRODUCER: Senator Lee

SUBJECT: Organization of the Department of Financial Services

DATE: February 2, 2016

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Billmeier	Knudson	BI	Favorable
2. Betta	DeLoach	AGG	Recommend: Favorable
3. Betta	Kynoch	AP	Favorable

I. Summary:

SB 908 changes the organization of the Department of Financial Services (DFS). The bill authorizes the Chief Financial Officer (CFO) any division, bureau, or office necessary to promote the effective and efficient operation of the DFS. The bill does not change the organizational review and approval process of the Department of Management Services and the Executive Office of the Governor.

The bill repeals the statutory requirement to establish the following divisions, bureau, and office:

- The Division of Administration;
- The Division of Legal Services;
- The Division of Information Systems;
- The Bureau of Unclaimed Property; and
- The Office of Fiscal Integrity.

The DFS will continue to perform the requirements of the divisions, office, and bureau directed in law, but the CFO will have the authority to determine the organizational placement of those functions within the DFS.

The bill renames the Division of Insurance Fraud as the Division of Investigative and Forensic Services. The new division will perform the investigative functions currently performed by the Division of Insurance Fraud, the Office of Fiscal Integrity, and the Division of State Fire Marshal. The bill also repeals the Strategic Markets Research and Assessment Unit, which is currently neither active nor funded.

The bill expands the Anti-Fraud Reward Program, which provides rewards to persons who report insurance fraud, to provide rewards for the reporting of arson-related crimes and other crimes investigated by the State Fire Marshal.

Finally, the bill provides that the DFS's rulemaking authority relating to unclaimed property includes property reported to the CFO pursuant to statutes relating to unclaimed funds from certain judicial, probate, and guardianship proceedings.

The bill has no fiscal impact to the state.

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

II. Present Situation:

The CFO is a member of the Cabinet¹ and serves as the chief fiscal officer of the state. The CFO is agency head of the DFS.² The DFS is organized in fourteen divisions and some specialized offices. The divisions are:

- The Division of Accounting and Auditing, which includes the Bureau of Unclaimed Property and the Office of Fiscal Integrity;
- The Division of State Fire Marshal;
- The Division of Risk Management;
- The Division of Treasury;
- The Division of Insurance Fraud;
- The Division of Rehabilitation and Liquidation;
- The Division of Insurance Agent and Agency Services;
- The Division of Consumer Services;
- The Division of Workers' Compensation;
- The Division of Administration;
- The Division of Legal Services;
- The Division of Information Systems;
- The Division of Funeral, Cemetery, and Consumer Services;
- The Division of Public Assistance Fraud.³

Section 20.04, F.S., provides for the establishment of divisions, bureaus, sections, or subsections within a state department. A department head may recommend the establishment of additional divisions, bureaus, sections, and subsections to promote efficient and effective operation of the department.⁴ The Department of Management Services and the Executive Office of the Governor review and approve reorganization requests.⁵

Section 282.709, F.S., creates the Joint Task Force on State Agency Law Enforcement Communications (task force) to advise the Department of Management Services of member agency needs relating to the planning, designing, and establishment of the statewide communication system.⁶ One of the members of the task force is a representative of the State Fire Marshal appointed by the State Fire Marshal.

¹ See Art. IV, s. 4, Fla. Const.

² See s. 20.121(1), F.S.

³ See s. 20.121(2), F.S.

⁴ See s. 20.04(7)(b), F.S.

⁵ See s. 20.04(7)(c), F.S.

⁶ See s. 282.709(2), F.S.

Bureau of Unclaimed Property

Chapter 717, Florida Statutes, governs the disposition of unclaimed property and requires the DFS to administer the statute. Currently, the DFS holds unclaimed property accounts valued at more than \$1 billion from dormant accounts in financial institutions, insurance and utility companies, securities, trust holdings, and unclaimed safe deposit boxes. The Bureau of Unclaimed Property within the DFS is the division responsible for administering ch. 717, F.S.⁷

The Office of Fiscal Integrity

The Office of Fiscal Integrity is a criminal justice agency within the DFS whose mission is to detect and investigate the misappropriation or misuse of state assets. The office performs functions related to the duty of the CFO to examine, audit, adjust, and settle the accounts of all state officers and any other person who has received state funds or moneys.⁸ The Office of Fiscal Integrity has sworn law enforcement officers on staff to conduct investigations or provide investigative assistance to other law enforcement agencies.⁹

Division of Insurance Fraud

The Division of Insurance Fraud investigates various types of insurance fraud including Personal Injury Protection (PIP) fraud, workers' compensation fraud, vehicle fraud, application fraud, licensee fraud, homeowner's insurance fraud, and healthcare fraud.¹⁰ The Division is directed by statute to investigate fraudulent insurance acts, violations of the Unfair Insurance Trade Practices Act,¹¹ false and fraudulent insurance claims,¹² and willful violations of the Florida Insurance Code and rules adopted pursuant to the code.¹³ The Division employs sworn law enforcement officers to investigate insurance fraud. In Fiscal Year 2014-2015, the division received 17,392 referrals.¹⁴

Division of Consumer Services

The Division of Consumer Services within DFS is created in s. 20.121, F.S., and deals with consumer issues and complaints related to the jurisdiction of the DFS and the Office of Insurance Regulation ("OIR"). The Division:

- Receives inquiries and complaints from consumers;
- Prepares and disseminates information as the DFS deems appropriate to inform or assist consumers;

⁷ See <https://www.fltreasurehunt.org/> (discussing the Bureau of Unclaimed Property)(last accessed January 4, 2016).

⁸ Section 17.04, F.S.

⁹ See <http://www.myfloridacfo.com/Division/AA/StateAgencies/OfficeofFiscalIntegrity.htm#.VQCOFPnF8eE> (last accessed January 4, 2016).

¹⁰ See <http://www.myfloridacfo.com/Division/Fraud/#.VQDPuPnF8eF> (last accessed January 4, 2016).

¹¹ Section 626.9541, F.S.

¹² Section 817.234, F.S.

¹³ Section 624.15, F.S.

¹⁴ See

Division of Insurance Fraud Annual Report Fiscal Year 2014-2015 at p. 4 (on file with Committee on Banking and Insurance).

- Provides direct assistance and advocacy for consumers; and
- Reports potential violations of law or applicable rules by a person or entity licensed by the DFS or the OIR to appropriate division within DFS or the OIR, as appropriate.¹⁵

Strategic Markets Research and Assistance Unit

Section 20.121, F.S., creates the Strategic Markets Research and Assessment Unit within the DFS. It requires the CFO or his or her designee to report quarterly to the Cabinet, the President of the Senate, and the Speaker of the House of Representatives on the status of the state's financial services markets. The CFO must also provide findings and recommendations regarding regulatory and policy changes to the Cabinet, the President of the Senate, and the Speaker of the House of Representatives. According to the DFS, the unit has not functioned since before 2010 and funding was discontinued in 2009.¹⁶

Anti-Fraud Reward Program

Section 626.9892, F.S., creates the Anti-Fraud Reward Program within the DFS. The program is funded from the Insurance Regulatory Trust Fund. The program allows the DFS to provide rewards of up to \$25,000 to persons providing information leading to the arrest and conviction of persons convicted of crimes investigated by the Division of Insurance Fraud.¹⁷ The program was established in 1999 and has paid over \$365,000 in rewards.¹⁸

Division of the State Fire Marshal

State law on fire prevention and control is provided in Chapter 633, F.S. Section 633.104, F.S., designates the CFO as the State Fire Marshal, operating through the Division of the State Fire Marshal. Pursuant to this authority, the State Fire Marshal regulates, trains, and certifies fire service personnel, investigates the causes of fires, enforces arson laws, regulates the installation of fire equipment, conducts firesafety inspections of state property, develops firesafety standards, provides facilities for the analysis of fire debris, and operates the Florida State Fire College.

III. Effect of Proposed Changes:

Reorganization of the DFS

Sections 1 and 2 allow the CFO, rather than the Division of Accounting and Auditing, to conduct investigations and refer information that shows a potential violation of statute to appropriate enforcement agencies. The CFO is authorized to keep information related to an investigation confidential.¹⁹ These changes are being made because investigation functions currently in the Division of Accounting and Auditing are being transferred to the Division of Investigative and Forensic Services.²⁰

¹⁵ See s. 20.121(2)(h), F.S.

¹⁶ See Department of Financial Services, *SB 908 Analysis* (December 8, 2015)(on file with the Senate Committee on Banking and Insurance).

¹⁷ Crimes include workers compensation fraud, violations of the Florida Insurance Code, and insurance fraud.

¹⁸ See <http://www.myfloridacfo.com/sitePages/agency/dfs.aspx> (last accessed on January 5, 2016).

¹⁹ The bill does not create a new public records exemption.

²⁰ See Department of Financial Services, *SB 908 Analysis* (December 8, 2015).

Section 3 makes various changes to the organization of the DFS. The bill gives the CFO the authority to establish any division, bureau, or office of the department as the CFO deems necessary to promote the effective and efficient operation of the DFS pursuant to s. 20.04, F.S. The bill does not change the review and approval process of s. 20.04, F.S.

The bill repeals the statutory requirement to establish the following divisions, offices, and bureaus:

- The Division of Administration;
- The Division of Legal Services;
- The Division of Information Systems;
- The Division of Insurance Fraud;
- The Bureau of Unclaimed Property;
- The Office of Fiscal Integrity.

The DFS will continue to perform the requirements of law currently performed by the divisions, bureau, and office. The CFO will have the authority to determine the organizational placement of those functions within the DFS.

The bill requires the creation of two new divisions, the Division of Investigative and Forensic Services and the Division of Unclaimed Property. The Division of Investigative and Forensic Services replaces the Division of Insurance Fraud. The new division will perform the investigative functions currently performed by the Division of Insurance Fraud, the Office of Fiscal Integrity, and the Division of State Fire Marshal. The Division of Unclaimed Property will perform the functions currently performed by the Bureau of Unclaimed Property.

Sections 6 through 24 and 44 amend various statutes to reflect the name change from the Division of Insurance Fraud to the Division of Investigative and Forensic Services.

Sections 37-42 amend various statutes to replace references to the Bureau of Unclaimed Property with the Division of Unclaimed Property.

Section 26-36 transfer investigatory, enforcement, and rulemaking functions currently performed by the State Fire Marshal to the Division of Investigative and Forensic Services.

The Strategic Markets Research and Assessment Unit which is inactive and not funded is repealed.

Division of Consumer Services Statute

Sections 4 and 5 move statutory references to the duties of the Division of Consumer Services from s. 20.121, F.S., to the Insurance Code at s. 624.307, F.S., and provide conforming changes.

State Fire Marshal

Section 15 allows the DFS to give rewards under the Anti-Fraud Reward Program to persons who provide information leading to the arrest and conviction of persons who violate statutes

currently investigated by the State Fire Marshal. Crimes include making false reports regarding explosives or arson (s. 790.164, F.S.), planting a “hoax” bomb (s. 790.165, F.S.), crimes related to weapons of mass destruction (s. 790.166, F.S.), arson resulting in injury to a firefighter (s. 806.031, F.S.), preventing extinguishment of a fire (s. 806.10, F.S.), crimes relating to fire bombs (s. 806.111), and burning to defraud an insurer (s. 817.233, F.S.).

Section 25 provides that the representative to the Joint Task Force on State Agency Law Enforcement Communications will be a representative of the Division of the Investigative and Forensic Services and will be appointed by the CFO.

Rulemaking

Section 43 provides the DFS rulemaking authority relating to unclaimed property to include property reported to the CFO pursuant to s. 43.19, F.S., relating to unclaimed funds paid to the court; s. 45.032, F.S., relating to the disposition of surplus funds after a judicial sale; s. 732.107, F.S., relating to unclaimed funds in intestate probate proceedings; s. 733.816, F.S., relating to unclaimed funds held by personal representatives in probate proceedings; and s. 744.534, F.S., relating to unclaimed funds in guardianship proceedings.

Effective Date

Section 45 provides an effective date of 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:

None.

C. Government Sector Impact:

While SB 908 has no fiscal impact to the state, the General Appropriations Act for the DFS does not reflect this new organizational structure.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 17.04, 17.0401, 20.121, 624.26, 624.307, 16.59, 400.9935, 409.91212, 440.105, 440.1051, 440.12, 624.521, 626.016, 626.989, 626.9892, 626.9893, 626.9894, 626.99278, 627.351, 627.711, 627.736, 627.7401, 631.156, 641.30, 282.709, 552.113, 552.21, 633.112, 633.114, 633.122, 633.126, 633.422, 633.508, 633.512, 633.518, 791.013, 538.32, 717.1241, 717.1323, 717.135, 717.1351, 717.1400, 717.138, and 932.7055.

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.

By Senator Lee

24-00960C-16

2016908__

1 A bill to be entitled
 2 An act relating to organization of the Department of
 3 Financial Services; amending ss. 17.04 and 17.0401,
 4 F.S.; authorizing the Chief Financial Officer, rather
 5 than the Division of Accounting and Auditing, to audit
 6 and adjust accounts of officers and those indebted to
 7 the state; making conforming changes; reordering and
 8 amending s. 20.121, F.S.; revising the divisions and
 9 the location of bureaus within the divisions; revising
 10 the functions of the department; providing duties for
 11 the Division of Investigative and Forensic Services;
 12 authorizing the Chief Financial Officer to establish
 13 divisions, bureaus, and offices of the department;
 14 amending s. 624.26, F.S.; conforming a provision to
 15 changes made by the act; amending s. 624.307, F.S.;
 16 providing powers and duties of the Division of
 17 Consumer Services; authorizing the division to impose
 18 certain penalties; authorizing the department to adopt
 19 rules relating to the division; providing for
 20 construction; amending ss. 16.59, 400.9935, 409.91212,
 21 440.105, 440.1051, 440.12, 624.521, 626.016, 626.989,
 22 626.9892, 626.9893, 626.9894, 626.99278, 627.351,
 23 627.711, 627.736, 627.7401, 631.156, and 641.30, F.S.,
 24 relating to the renaming of the Division of Insurance
 25 Fraud; conforming provisions to changes made by the
 26 act; making technical changes; amending ss. 282.709,
 27 552.113, 552.21, 633.112, 633.114, 633.122, 633.126,
 28 633.422, 633.508, 633.512, 633.518, and 791.013, F.S.,
 29 relating to the transfer of certain functions to the

Page 1 of 48

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24-00960C-16

2016908__

30 Division of Investigative and Forensic Services;
 31 conforming provisions to changes made by the act;
 32 amending ss. 538.32, 717.1241, 717.1323, 717.135,
 33 717.1351, and 717.1400, F.S., relating to the renaming
 34 of the Bureau of Unclaimed Property; conforming
 35 provisions to changes made by the act; making
 36 technical changes; amending s. 717.138, F.S.;
 37 specifying rulemaking authority of the department;
 38 amending s. 932.7055, F.S.; conforming provisions to
 39 changes made by the act; providing an effective date.
 40
 41 Be It Enacted by the Legislature of the State of Florida:
 42
 43 Section 1. Section 17.04, Florida Statutes, is amended to
 44 read:
 45 17.04 To audit and adjust accounts of officers and those
 46 indebted to the state.—The Chief Financial Officer, using
 47 generally accepted auditing procedures for testing or sampling,
 48 shall examine, audit, adjust, and settle the accounts of all the
 49 officers of this state, and any other person in anywise
 50 entrusted with, or who may have received any property, funds, or
 51 moneys of this state, or who may be in anywise indebted or
 52 accountable to this state for any property, funds, or moneys,
 53 and require such officer or persons to render full accounts
 54 thereof, and to yield up such property or funds according to
 55 law, or pay such moneys into the treasury of this state, or to
 56 such officer or agent of the state as may be appointed to
 57 receive the same, and on failure so to do, to cause to be
 58 instituted and prosecuted proceedings, criminal or civil, at law

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

24-00960C-16

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or in equity, against such persons, according to law. The Chief Financial Officer Division of Accounting and Auditing may conduct investigations within or outside of this state as it deems necessary to aid in the enforcement of this section. If during an investigation the Chief Financial Officer division has reason to believe that any criminal statute of this state has or may have been violated, the Chief Financial Officer division shall refer any records tending to show such violation to state or federal law enforcement or prosecutorial agencies and shall provide investigative assistance to those agencies as required.

Section 2. Section 17.0401, Florida Statutes, is amended to read:

17.0401 Confidentiality of information relating to financial investigations.—Except as otherwise provided by this section, information relative to an investigation conducted by the Chief Financial Officer Division of Accounting and Auditing pursuant to s. 17.04, including any consumer complaint, is confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution until the investigation is completed or ceases to be active. Any information relating to an investigation conducted by the division pursuant to s. 17.04 shall remain confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution after the division's investigation is completed or ceases to be active if the Chief Financial Officer division submits the information to any law enforcement or prosecutorial agency for further investigation. Such information shall remain confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution until

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that agency's investigation is completed or ceases to be active. For purposes of this section, an investigation shall be considered "active" so long as the Chief Financial Officer division or any law enforcement or prosecutorial agency is proceeding with reasonable dispatch and has a reasonable good faith belief that the investigation may lead to the filing of an administrative, civil, or criminal proceeding. This section shall not be construed to prohibit disclosure of information that is required by law to be filed with the Department of Financial Services or the Office of Financial Regulation and that, but for the investigation, would otherwise be subject to public disclosure. Nothing in this section shall be construed to prohibit the Chief Financial Officer division from providing information to any law enforcement or prosecutorial agency. Any law enforcement or prosecutorial agency receiving confidential information from the Chief Financial Officer division in connection with its official duties shall maintain the confidentiality of the information as provided for in this section.

Section 3. Subsection (2) of section 20.121, Florida Statutes, is reordered and amended, and subsection (6) of that section is amended, to read:

20.121 Department of Financial Services.—There is created a Department of Financial Services.

(2) DIVISIONS.—The Department of Financial Services shall consist of the following divisions and office:

(a) The Division of Accounting and Auditing, ~~which shall include the following bureau and office:~~

~~1. The Bureau of Unclaimed Property.~~

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117 2. ~~The Office of Fiscal Integrity which shall function as a~~
 118 ~~criminal justice agency for purposes of ss. 943.045-943.08 and~~
 119 ~~shall have a separate budget. The office may conduct~~
 120 ~~investigations within or outside this state as the bureau deems~~
 121 ~~necessary to aid in the enforcement of this section. If during~~
 122 ~~an investigation the office has reason to believe that any~~
 123 ~~criminal law of this state has or may have been violated, the~~
 124 ~~office shall refer any records tending to show such violation to~~
 125 ~~state or federal law enforcement or prosecutorial agencies and~~
 126 ~~shall provide investigative assistance to those agencies as~~
 127 ~~required.~~

128 (i) (b) The Division of State Fire Marshal.

129 (h) (e) The Division of Risk Management.

130 (j) (d) The Division of Treasury, which shall include a
 131 Bureau of Deferred Compensation responsible for administering
 132 the Government Employees Deferred Compensation Plan established
 133 under s. 112.215 for state employees.

134 (k) The Division of Unclaimed Property.

135 (e) The Division of Investigative and Forensic Services,
 136 which shall include the Bureau of Forensic Services and the
 137 Bureau of Fire and Arson Investigations, and which shall
 138 function as a criminal justice agency for purposes of ss.
 139 943.045-943.08. The division may conduct investigations within
 140 or outside of this state as it deems necessary. If, during an
 141 investigation, the division has reason to believe that any
 142 criminal law of this state has or may have been violated, it
 143 shall refer any records tending to show such violation to state
 144 or federal law enforcement or prosecutorial agencies and shall
 145 provide investigative assistance to those agencies as required

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146 Insurance Fraud.

147 (g) (f) The Division of Rehabilitation and Liquidation.

148 (d) (g) The Division of Insurance Agent and Agency Services.

149 (b) (h) The Division of Consumer Services.

150 ~~1. The Division of Consumer Services shall perform the~~
 151 ~~following functions concerning products or services regulated by~~
 152 ~~the department or by the Office of Insurance Regulation:~~
 153 a. ~~Receive inquiries and complaints from consumers.~~
 154 b. ~~Prepare and disseminate such information as the~~
 155 ~~department deems appropriate to inform or assist consumers.~~
 156 c. ~~Provide direct assistance and advocacy for consumers who~~
 157 ~~request such assistance or advocacy.~~
 158 d. ~~With respect to apparent or potential violations of law~~
 159 ~~or applicable rules by a person or entity licensed by the~~
 160 ~~department or office, report apparent or potential violations to~~
 161 ~~the office or the appropriate division of the department, which~~
 162 ~~may take such further action as it deems appropriate.~~

163 e. ~~Designate an employee of the division as primary contact~~
 164 ~~for consumers on issues relating to sinkholes.~~

165 2. ~~Any person licensed or issued a certificate of authority~~
 166 ~~by the department or by the Office of Insurance Regulation shall~~
 167 ~~respond, in writing, to the Division of Consumer Services within~~
 168 ~~20 days after receipt of a written request for information from~~
 169 ~~the division concerning a consumer complaint. The response must~~
 170 ~~address the issues and allegations raised in the complaint. The~~
 171 ~~division may impose an administrative penalty for failure to~~
 172 ~~comply with this subparagraph of up to \$2,500 per violation upon~~
 173 ~~any entity licensed by the department or the office and \$250 for~~
 174 ~~the first violation, \$500 for the second violation, and up to~~

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175 \$1,000 per violation thereafter upon any individual licensed by
176 the department or the office.

177 ~~3. The department may adopt rules to administer this~~
178 ~~paragraph.~~

179 ~~4. The powers, duties, and responsibilities expressed or~~
180 ~~granted in this paragraph do not limit the powers, duties, and~~
181 ~~responsibilities of the Department of Financial Services, the~~
182 ~~Financial Services Commission, the Office of Insurance~~
183 ~~Regulation, or the Office of Financial Regulation set forth~~
184 ~~elsewhere in the Florida Statutes.~~

185 (1)(i) The Division of Workers' Compensation.

186 ~~(j) The Division of Administration.~~

187 ~~(k) The Division of Legal Services.~~

188 ~~(l) The Division of Information Systems.~~

189 (m) The Office of Insurance Consumer Advocate.

190 (c)(n) The Division of Funeral, Cemetery, and Consumer
191 Services.

192 (f)(e) The Division of Public Assistance Fraud.

193
194 The Chief Financial Officer may establish any other division,
195 bureau, or office of the department that he or she deems
196 necessary to promote the efficient and effective operation of
197 the department pursuant to s. 20.04.

198 ~~(6) STRATEGIC MARKETS RESEARCH AND ASSESSMENT UNIT. The~~
199 ~~Strategic Markets Research and Assessment Unit is established~~
200 ~~within the Department of Financial Services. The Chief Financial~~
201 ~~Officer or his or her designee shall report on September 1,~~
202 ~~2008, and quarterly thereafter, to the Cabinet, the President of~~
203 ~~the Senate, and the Speaker of the House of Representatives on~~

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204 ~~the status of the state's financial services markets. At a~~
205 ~~minimum, the report must include a summary of issues, trends,~~
206 ~~and threats that broadly impact the condition of the financial~~
207 ~~services industries, along with the effect of such conditions on~~
208 ~~financial institutions, the securities industries, other~~
209 ~~financial entities, and the credit market. The Chief Financial~~
210 ~~Officer shall also provide findings and recommendations~~
211 ~~regarding regulatory and policy changes to the Cabinet, the~~
212 ~~President of the Senate, and the Speaker of the House of~~
213 ~~Representatives.~~

214 Section 4. Subsection (4) of section 624.26, Florida
215 Statutes, is amended to read:

216 624.26 Collaborative arrangement with the Department of
217 Health and Human Services.—

218 (4) The department's Division of Consumer Services may
219 respond to complaints by consumers relating to a requirement of
220 PPACA ~~as authorized under s. 20.121(2)(h)~~, and report apparent
221 or potential violations to the office and to the federal
222 Department of Health and Human Services.

223 Section 5. Subsection (10) is added to section 624.307,
224 Florida Statutes, to read:

225 624.307 General powers; duties.—

226 (10)(a) The Division of Consumer Services shall perform the
227 following functions concerning products or services regulated by
228 the department or office:

229 1. Receive inquiries and complaints from consumers.

230 2. Prepare and disseminate information that the department
231 deems appropriate to inform or assist consumers.

232 3. Provide direct assistance to and advocacy for consumers

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who request such assistance or advocacy.

4. With respect to apparent or potential violations of law or applicable rules committed by a person or entity licensed by the department or office, report apparent or potential violations to the office or to the appropriate division of the department, which may take any additional action it deems appropriate.

5. Designate an employee of the division as the primary contact for consumers on issues relating to sinkholes.

(b) Any person licensed or issued a certificate of authority by the department or the office shall respond, in writing, to the division within 20 days after receipt of a written request for information from the division concerning a consumer complaint. The response must address the issues and allegations raised in the complaint. The division may impose an administrative penalty for failure to comply with this paragraph of up to \$2,500 per violation upon any entity licensed by the department or the office and \$250 for the first violation, \$500 for the second violation, and up to \$1,000 for the third or subsequent violation upon any individual licensed by the department or the office.

(c) The department may adopt rules to administer this subsection.

(d) The powers, duties, and responsibilities expressed or granted in this subsection do not limit the powers, duties, and responsibilities of the department, the Financial Services Commission, the Office of Insurance Regulation, or the Office of Financial Regulation as otherwise provided by law.

Section 6. Section 16.59, Florida Statutes, is amended to

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read:

16.59 Medicaid fraud control.—The Medicaid Fraud Control Unit is created in the Department of Legal Affairs to investigate all violations of s. 409.920 and any criminal violations discovered during the course of those investigations. The Medicaid Fraud Control Unit may refer any criminal violation so uncovered to the appropriate prosecuting authority. The offices of the Medicaid Fraud Control Unit, the Agency for Health Care Administration Medicaid program integrity program, and the Divisions of Investigative and Forensic Services Insurance Fraud and Public Assistance Fraud within the Department of Financial Services shall, to the extent possible, be collocated; however, positions dedicated to Medicaid managed care fraud within the Medicaid Fraud Control Unit shall be collocated with the Division of Investigative and Forensic Services Insurance Fraud. The Agency for Health Care Administration, the Department of Legal Affairs, and the Divisions of Investigative and Forensic Services Insurance Fraud and Public Assistance Fraud within the Department of Financial Services shall conduct joint training and other joint activities designed to increase communication and coordination in recovering overpayments.

Section 7. Subsection (9) of section 400.9935, Florida Statutes, is amended to read:

400.9935 Clinic responsibilities.—

(9) In addition to the requirements of part II of chapter 408, the clinic shall display a sign in a conspicuous location within the clinic readily visible to all patients indicating that, pursuant to s. 626.9892, the Department of Financial

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291 Services may pay rewards of up to \$25,000 to persons providing
 292 information leading to the arrest and conviction of persons
 293 committing crimes investigated by the Division of Investigative
 294 and Forensic Services Insurance Fraud arising from violations of
 295 s. 440.105, s. 624.15, s. 626.9541, s. 626.989, or s. 817.234.
 296 An authorized employee of the Division of Investigative and
 297 Forensic Services Insurance Fraud may make unannounced
 298 inspections of a clinic licensed under this part as necessary to
 299 determine whether the clinic is in compliance with this
 300 subsection. A licensed clinic shall allow full and complete
 301 access to the premises to such authorized employee of the
 302 division who makes an inspection to determine compliance with
 303 this subsection.

304 Section 8. Subsection (6) of section 409.91212, Florida
 305 Statutes, is amended to read:

306 409.91212 Medicaid managed care fraud.—

307 (6) Each managed care plan shall report all suspected or
 308 confirmed instances of provider or recipient fraud or abuse
 309 within 15 calendar days after detection to the Office of
 310 Medicaid Program Integrity within the agency. At a minimum the
 311 report must contain the name of the provider or recipient, the
 312 Medicaid billing number or tax identification number, and a
 313 description of the fraudulent or abusive act. The Office of
 314 Medicaid Program Integrity in the agency shall forward the
 315 report of suspected overpayment, abuse, or fraud to the
 316 appropriate investigative unit, including, but not limited to,
 317 the Bureau of Medicaid program integrity, the Medicaid fraud
 318 control unit, the Division of Public Assistance Fraud, the
 319 Division of Investigative and Forensic Services Insurance Fraud,

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320 or the Department of Law Enforcement.

321 (a) Failure to timely report shall result in an
 322 administrative fine of \$1,000 per calendar day after the 15th
 323 day of detection.

324 (b) Failure to timely report may result in additional
 325 administrative, civil, or criminal penalties.

326 Section 9. Paragraph (a) of subsection (1) of section
 327 440.105, Florida Statutes, is amended to read:

328 440.105 Prohibited activities; reports; penalties;
 329 limitations.—

330 (1)(a) Any insurance carrier, any individual self-insured,
 331 any commercial or group self-insurance fund, any professional
 332 practitioner licensed or regulated by the Department of Health,
 333 except as otherwise provided by law, any medical review
 334 committee as defined in s. 766.101, any private medical review
 335 committee, and any insurer, agent, or other person licensed
 336 under the insurance code, or any employee thereof, having
 337 knowledge or who believes that a fraudulent act or any other act
 338 or practice which, upon conviction, constitutes a felony or
 339 misdemeanor under this chapter is being or has been committed
 340 shall send to the Division of Investigative and Forensic
 341 Services Insurance Fraud, Bureau of Workers' Compensation Fraud,
 342 a report or information pertinent to such knowledge or belief
 343 and such additional information relative thereto as the bureau
 344 may require. The bureau shall review such information or reports
 345 and select such information or reports as, in its judgment, may
 346 require further investigation. It shall then cause an
 347 independent examination of the facts surrounding such
 348 information or report to be made to determine the extent, if

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any, to which a fraudulent act or any other act or practice which, upon conviction, constitutes a felony or a misdemeanor under this chapter is being committed. The bureau shall report any alleged violations of law which its investigations disclose to the appropriate licensing agency and state attorney or other prosecuting agency having jurisdiction with respect to any such violations of this chapter. If prosecution by the state attorney or other prosecuting agency having jurisdiction with respect to such violation is not begun within 60 days of the bureau's report, the state attorney or other prosecuting agency having jurisdiction with respect to such violation shall inform the bureau of the reasons for the lack of prosecution.

Section 10. Subsections (1) and (2) of section 440.1051, Florida Statutes, are amended to read:

440.1051 Fraud reports; civil immunity; criminal penalties.—

(1) The Bureau of Workers' Compensation Insurance Fraud of the Division of Investigative and Forensic Services ~~Insurance Fraud~~ of the department shall establish a toll-free telephone number to receive reports of workers' compensation fraud committed by an employee, employer, insurance provider, physician, attorney, or other person.

(2) Any person who reports workers' compensation fraud to the Division of Investigative and Forensic Services ~~Insurance Fraud~~ under subsection (1) is immune from civil liability for doing so, and the person or entity alleged to have committed the fraud may not retaliate against him or her for providing such report, unless the person making the report knows it to be false.

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Section 11. Paragraph (c) of subsection (1) of section 440.12, Florida Statutes, is amended to read:

440.12 Time for commencement and limits on weekly rate of compensation.—

(1) Compensation is not allowed for the first 7 days of the disability, except for benefits provided under s. 440.13. However, if the injury results in more than 21 days of disability, compensation is allowed from the commencement of the disability.

(c) Each carrier shall keep a record of all payments made under this subsection, including the time and manner of such payments, and shall furnish these records or a report based on these records to the Division of Investigative and Forensic Services ~~Insurance Fraud~~ and the Division of Workers' Compensation, upon request.

Section 12. Subsection (1) of section 624.521, Florida Statutes, is amended to read:

624.521 Deposit of certain tax receipts; refund of improper payments.—

(1) The department ~~of Financial Services~~ shall promptly deposit in the State Treasury to the credit of the Insurance Regulatory Trust Fund all "state tax" portions of agents' licenses collected under s. 624.501 necessary to fund the Division of Investigative and Forensic Services ~~Insurance Fraud~~. The balance of the tax shall be credited to the General Fund. All moneys received by the department ~~of Financial Services~~ or the office not in accordance with ~~the provisions of~~ this code or not in the exact amount as specified by the applicable provisions of this code shall be returned to the remitter. The

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records of the department or office shall show the date and reason for such return.

Section 13. Subsection (4) of section 626.016, Florida Statutes, is amended to read:

626.016 Powers and duties of department, commission, and office.—

(4) ~~Nothing in~~ This section is not intended to limit the authority of the department and the Division of Investigative and Forensic Services Insurance Fraud, as specified in s. 626.989.

Section 14. Section 626.989, Florida Statutes, is amended to read:

626.989 Investigation by department or Division of Investigative and Forensic Services Insurance Fraud; compliance; immunity; confidential information; reports to division; division investigator's power of arrest.—

(1) For the purposes of this section:

(a) A person commits a "fraudulent insurance act" if the person:

1. Knowingly and with intent to defraud presents, causes to be presented, or prepares with knowledge or belief that it will be presented, to or by an insurer, self-insurer, self-insurance fund, servicing corporation, purported insurer, broker, or any agent thereof, any written statement as part of, or in support of, an application for the issuance of, or the rating of, any insurance policy, or a claim for payment or other benefit pursuant to any insurance policy, which the person knows to contain materially false information concerning any fact material thereto or if the person conceals, for the purpose of

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misleading another, information concerning any fact material thereto.

2. Knowingly submits:

a. A false, misleading, or fraudulent application or other document when applying for licensure as a health care clinic, seeking an exemption from licensure as a health care clinic, or demonstrating compliance with part X of chapter 400 with an intent to use the license, exemption from licensure, or demonstration of compliance to provide services or seek reimbursement under the Florida Motor Vehicle No-Fault Law.

b. A claim for payment or other benefit pursuant to a personal injury protection insurance policy under the Florida Motor Vehicle No-Fault Law if the person knows that the payee knowingly submitted a false, misleading, or fraudulent application or other document when applying for licensure as a health care clinic, seeking an exemption from licensure as a health care clinic, or demonstrating compliance with part X of chapter 400.

(b) The term "insurer" also includes a health maintenance organization, and the term "insurance policy" also includes a health maintenance organization subscriber contract.

(2) If, by its own inquiries or as a result of complaints, the department or its Division of Investigative and Forensic Services Insurance Fraud has reason to believe that a person has engaged in, or is engaging in, a fraudulent insurance act, an act or practice that violates s. 626.9541 or s. 817.234, or an act or practice punishable under s. 624.15, it may administer oaths and affirmations, request the attendance of witnesses or proffering of matter, and collect evidence. The department or

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its Division of Investigative and Forensic Services shall not compel the attendance of any person or matter in any such investigation except pursuant to subsection (4).

(3) If matter that the department or its division seeks to obtain by request is located outside the state, the person so requested may make it available to the division or its representative to examine the matter at the place where it is located. The division may designate representatives, including officials of the state in which the matter is located, to inspect the matter on its behalf, and it may respond to similar requests from officials of other states.

(4)(a) The department or its division may request that an individual who refuses to comply with any such request be ordered by the circuit court to provide the testimony or matter. The court shall not order such compliance unless the department or its division has demonstrated to the satisfaction of the court that the testimony of the witness or the matter under request has a direct bearing on the commission of a fraudulent insurance act, on a violation of s. 626.9541 or s. 817.234, or on an act or practice punishable under s. 624.15 or is pertinent and necessary to further such investigation.

(b) Except in a prosecution for perjury, an individual who complies with a court order to provide testimony or matter after asserting a privilege against self-incrimination to which the individual is entitled by law may not be subjected to a criminal proceeding or to a civil penalty with respect to the act concerning which the individual is required to testify or produce relevant matter.

(c) In the absence of fraud or bad faith, a person is not

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subject to civil liability for libel, slander, or any other relevant tort by virtue of filing reports, without malice, or furnishing other information, without malice, required by this section or required by the department or division under the authority granted in this section, and no civil cause of action of any nature shall arise against such person:

1. For any information relating to suspected fraudulent insurance acts or persons suspected of engaging in such acts furnished to or received from law enforcement officials, their agents, or employees;

2. For any information relating to suspected fraudulent insurance acts or persons suspected of engaging in such acts furnished to or received from other persons subject to the provisions of this chapter;

3. For any such information furnished in reports to the department, the division, the National Insurance Crime Bureau, the National Association of Insurance Commissioners, or any local, state, or federal enforcement officials or their agents or employees; or

4. For other actions taken in cooperation with any of the agencies or individuals specified in this paragraph in the lawful investigation of suspected fraudulent insurance acts.

(d) In addition to the immunity granted in paragraph (c), persons identified as designated employees whose responsibilities include the investigation and disposition of claims relating to suspected fraudulent insurance acts may share information relating to persons suspected of committing fraudulent insurance acts with other designated employees employed by the same or other insurers whose responsibilities

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include the investigation and disposition of claims relating to fraudulent insurance acts, provided the department has been given written notice of the names and job titles of such designated employees prior to such designated employees sharing information. Unless the designated employees of the insurer act in bad faith or in reckless disregard for the rights of any insured, neither the insurer nor its designated employees are civilly liable for libel, slander, or any other relevant tort, and a civil action does not arise against the insurer or its designated employees:

1. For any information related to suspected fraudulent insurance acts provided to an insurer; or

2. For any information relating to suspected fraudulent insurance acts provided to the National Insurance Crime Bureau or the National Association of Insurance Commissioners.

Provided, however, that the qualified immunity against civil liability conferred on any insurer or its designated employees shall be forfeited with respect to the exchange or publication of any defamatory information with third persons not expressly authorized by this paragraph to share in such information.

(e) The Chief Financial Officer and any employee or agent of the department, commission, office, or division, when acting without malice and in the absence of fraud or bad faith, is not subject to civil liability for libel, slander, or any other relevant tort, and no civil cause of action of any nature exists against such person by virtue of the execution of official activities or duties of the department, commission, or office under this section or by virtue of the publication of any report

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or bulletin related to the official activities or duties of the department, division, commission, or office under this section.

(f) This section does not abrogate or modify in any way any common-law or statutory privilege or immunity heretofore enjoyed by any person.

(5) The office's and the department's papers, documents, reports, or evidence relative to the subject of an investigation under this section are confidential and exempt from the provisions of s. 119.07(1) until such investigation is completed or ceases to be active. For purposes of this subsection, an investigation is considered "active" while the investigation is being conducted by the office or department with a reasonable, good faith belief that it could lead to the filing of administrative, civil, or criminal proceedings. An investigation does not cease to be active if the office or department is proceeding with reasonable dispatch and has a good faith belief that action could be initiated by the office or department or other administrative or law enforcement agency. After an investigation is completed or ceases to be active, portions of records relating to the investigation shall remain exempt from the provisions of s. 119.07(1) if disclosure would:

(a) Jeopardize the integrity of another active investigation;

(b) Impair the safety and soundness of an insurer;

(c) Reveal personal financial information;

(d) Reveal the identity of a confidential source;

(e) Defame or cause unwarranted damage to the good name or reputation of an individual or jeopardize the safety of an individual; or

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581 (f) Reveal investigative techniques or procedures. Further,
 582 such papers, documents, reports, or evidence relative to the
 583 subject of an investigation under this section shall not be
 584 subject to discovery until the investigation is completed or
 585 ceases to be active. Office, department, or division
 586 investigators shall not be subject to subpoena in civil actions
 587 by any court of this state to testify concerning any matter of
 588 which they have knowledge pursuant to a pending insurance fraud
 589 investigation by the division.

590 (6) Any person, other than an insurer, agent, or other
 591 person licensed under the code, or an employee thereof, having
 592 knowledge or who believes that a fraudulent insurance act or any
 593 other act or practice which, upon conviction, constitutes a
 594 felony or a misdemeanor under the code, or under s. 817.234, is
 595 being or has been committed may send to the Division of
 596 Investigative and Forensic Services ~~Insurance-Fraud~~ a report or
 597 information pertinent to such knowledge or belief and such
 598 additional information relative thereto as the department may
 599 request. Any professional practitioner licensed or regulated by
 600 the Department of Business and Professional Regulation, except
 601 as otherwise provided by law, any medical review committee as
 602 defined in s. 766.101, any private medical review committee, and
 603 any insurer, agent, or other person licensed under the code, or
 604 an employee thereof, having knowledge or who believes that a
 605 fraudulent insurance act or any other act or practice which,
 606 upon conviction, constitutes a felony or a misdemeanor under the
 607 code, or under s. 817.234, is being or has been committed shall
 608 send to the Division of Investigative and Forensic Services
 609 ~~Insurance-Fraud~~ a report or information pertinent to such

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610 knowledge or belief and such additional information relative
 611 thereto as the department may require. The Division of
 612 Investigative and Forensic Services ~~Insurance-Fraud~~ shall review
 613 such information or reports and select such information or
 614 reports as, in its judgment, may require further investigation.
 615 It shall then cause an independent examination of the facts
 616 surrounding such information or report to be made to determine
 617 the extent, if any, to which a fraudulent insurance act or any
 618 other act or practice which, upon conviction, constitutes a
 619 felony or a misdemeanor under the code, or under s. 817.234, is
 620 being committed. The Division of Investigative and Forensic
 621 Services ~~Insurance-Fraud~~ shall report any alleged violations of
 622 law which its investigations disclose to the appropriate
 623 licensing agency and state attorney or other prosecuting agency
 624 having jurisdiction with respect to any such violation, as
 625 provided in s. 624.310. If prosecution by the state attorney or
 626 other prosecuting agency having jurisdiction with respect to
 627 such violation is not begun within 60 days of the division's
 628 report, the state attorney or other prosecuting agency having
 629 jurisdiction with respect to such violation shall inform the
 630 division of the reasons for the lack of prosecution.

631 (7) Division investigators shall have the power to make
 632 arrests for criminal violations established as a result of
 633 investigations. Such investigators shall also be considered
 634 state law enforcement officers for all purposes and shall have
 635 the power to execute arrest warrants and search warrants; to
 636 serve subpoenas issued for the examination, investigation, and
 637 trial of all offenses; and to arrest upon probable cause without
 638 warrant any person found in the act of violating any of the

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provisions of applicable laws. Investigators empowered to make arrests under this section shall be empowered to bear arms in the performance of their duties. In such a situation, the investigator must be certified in compliance with the provisions of s. 943.1395 or must meet the temporary employment or appointment exemption requirements of s. 943.131 until certified.

(8) It is unlawful for any person to resist an arrest authorized by this section or in any manner to interfere, either by abetting or assisting such resistance or otherwise interfering, with division investigators in the duties imposed upon them by law or department rule.

(9) In recognition of the complementary roles of investigating instances of workers' compensation fraud and enforcing compliance with the workers' compensation coverage requirements under chapter 440, the Department of Financial Services shall prepare and submit a joint performance report to the President of the Senate and the Speaker of the House of Representatives by January 1 of each year. The annual report must include, but need not be limited to:

(a) The total number of initial referrals received, cases opened, cases presented for prosecution, cases closed, and convictions resulting from cases presented for prosecution by the Bureau of Workers' Compensation Insurance Fraud by type of workers' compensation fraud and circuit.

(b) The number of referrals received from insurers and the Division of Workers' Compensation and the outcome of those referrals.

(c) The number of investigations undertaken by the Bureau

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of Workers' Compensation Insurance Fraud which were not the result of a referral from an insurer or the Division of Workers' Compensation.

(d) The number of investigations that resulted in a referral to a regulatory agency and the disposition of those referrals.

(e) The number and reasons provided by local prosecutors or the statewide prosecutor for declining prosecution of a case presented by the Bureau of Workers' Compensation Insurance Fraud by circuit.

(f) The total number of employees assigned to the Bureau of Workers' Compensation Insurance Fraud and the Division of Workers' Compensation Bureau of Compliance delineated by location of staff assigned; and the number and location of employees assigned to the Bureau of Workers' Compensation Insurance Fraud who were assigned to work other types of fraud cases.

(g) The average caseload and turnaround time by type of case for each investigator and division compliance employee.

(h) The training provided during the year to workers' compensation fraud investigators and the division's compliance employees.

Section 15. Subsection (2) of section 626.9892, Florida Statutes, is amended to read:

626.9892 Anti-Fraud Reward Program; reporting of insurance fraud.—

(2) The department may pay rewards of up to \$25,000 to persons providing information leading to the arrest and conviction of persons committing crimes investigated by the

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Division of Investigative and Forensic Services Insurance Fraud arising from violations of s. 440.105, s. 624.15, s. 626.9541, s. 626.989, s. 790.164, s. 790.165, s. 790.166, s. 806.031, s. 806.10, s. 806.111, s. 817.233, or s. 817.234.

Section 16. Subsection (1) of section 626.9893, Florida Statutes, is amended to read:

626.9893 Disposition of revenues; criminal or forfeiture proceedings.—

(1) The Division of Investigative and Forensic Services Insurance Fraud of the Department of Financial Services may deposit revenues received as a result of criminal proceedings or forfeiture proceedings, other than revenues deposited into the Department of Financial Services' Federal Law Enforcement Trust Fund under s. 17.43, into the Insurance Regulatory Trust Fund. Moneys deposited pursuant to this section shall be separately accounted for and shall be used solely for the division to carry out its duties and responsibilities.

Section 17. Subsection (2) of section 626.9894, Florida Statutes, is amended to read:

626.9894 Gifts and grants.—

(2) All rights to, interest in, and title to such donated or granted property shall immediately vest in the Division of Investigative and Forensic Services Insurance Fraud upon donation. The division may hold such property in coownership, sell its interest in the property, liquidate its interest in the property, or dispose of its interest in the property in any other reasonable manner.

Section 18. Section 626.99278, Florida Statutes, is amended to read:

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626.99278 Viatical provider anti-fraud plan.—Every licensed viatical settlement provider and registered life expectancy provider must adopt an anti-fraud plan and file it with the Division of Investigative and Forensic Services Insurance Fraud of the department. Each anti-fraud plan shall include:

(1) A description of the procedures for detecting and investigating possible fraudulent acts and procedures for resolving material inconsistencies between medical records and insurance applications.

(2) A description of the procedures for the mandatory reporting of possible fraudulent insurance acts and prohibited practices set forth in s. 626.99275 to the Division of Investigative and Forensic Services Insurance Fraud of the department.

(3) A description of the plan for anti-fraud education and training of its underwriters or other personnel.

(4) A written description or chart outlining the organizational arrangement of the anti-fraud personnel who are responsible for the investigation and reporting of possible fraudulent insurance acts and for the investigation of unresolved material inconsistencies between medical records and insurance applications.

(5) For viatical settlement providers, a description of the procedures used to perform initial and continuing review of the accuracy of life expectancies used in connection with a viatical settlement contract or viatical settlement investment.

Section 19. Paragraph (k) of subsection (6) of section 627.351, Florida Statutes, is amended to read:

627.351 Insurance risk apportionment plans.—

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755 (6) CITIZENS PROPERTY INSURANCE CORPORATION.—
 756 (k)1. The corporation shall establish and maintain a unit
 757 or division to investigate possible fraudulent claims by
 758 insureds or by persons making claims for services or repairs
 759 against policies held by insureds; or it may contract with
 760 others to investigate possible fraudulent claims for services or
 761 repairs against policies held by the corporation pursuant to s.
 762 626.9891. The corporation must comply with reporting
 763 requirements of s. 626.9891. An employee of the corporation
 764 shall notify the corporation's Office of the Inspector General
 765 and the Division of Investigative and Forensic Services
 766 ~~Insurance Fraud~~ within 48 hours after having information that
 767 would lead a reasonable person to suspect that fraud may have
 768 been committed by any employee of the corporation.
 769 2. The corporation shall establish a unit or division
 770 responsible for receiving and responding to consumer complaints,
 771 which unit or division is the sole responsibility of a senior
 772 manager of the corporation.
 773 Section 20. Subsections (4) and (7) of section 627.711,
 774 Florida Statutes, are amended to read:
 775 627.711 Notice of premium discounts for hurricane loss
 776 mitigation; uniform mitigation verification inspection form.—
 777 (4) An authorized mitigation inspector that signs a uniform
 778 mitigation form, and a direct employee authorized to conduct
 779 mitigation verification inspections under subsection paragraph
 780 (3), may not commit misconduct in performing hurricane
 781 mitigation inspections or in completing a uniform mitigation
 782 form that causes financial harm to a customer or their insurer;
 783 or that jeopardizes a customer's health and safety. Misconduct

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784 occurs when an authorized mitigation inspector signs a uniform
 785 mitigation verification form that:
 786 (a) Falsely indicates that he or she personally inspected
 787 the structures referenced by the form;
 788 (b) Falsely indicates the existence of a feature which
 789 entitles an insured to a mitigation discount which the inspector
 790 knows does not exist or did not personally inspect;
 791 (c) Contains erroneous information due to the gross
 792 negligence of the inspector; or
 793 (d) Contains a pattern of demonstrably false information
 794 regarding the existence of mitigation features that could give
 795 an insured a false evaluation of the ability of the structure to
 796 withstand major damage from a hurricane endangering the safety
 797 of the insured's life and property.
 798 (7) An insurer, person, or other entity that obtains
 799 evidence of fraud or evidence that an authorized mitigation
 800 inspector or an employee authorized to conduct mitigation
 801 verification inspections under subsection paragraph (3) has made
 802 false statements in the completion of a mitigation inspection
 803 form shall file a report with the Division of Investigative and
 804 Forensic Services Insurance Fraud, along with all of the
 805 evidence in its possession that supports the allegation of fraud
 806 or falsity. An insurer, person, or other entity making the
 807 report shall be immune from liability, in accordance with s.
 808 626.989(4), for any statements made in the report, during the
 809 investigation, or in connection with the report. The Division of
 810 Investigative and Forensic Services Insurance Fraud shall issue
 811 an investigative report if it finds that probable cause exists
 812 to believe that the authorized mitigation inspector, or an

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employee authorized to conduct mitigation verification inspections under ~~subsection paragraph~~ (3), made intentionally false or fraudulent statements in the inspection form. Upon conclusion of the investigation and a finding of probable cause that a violation has occurred, the Division of Investigative and Forensic Services Insurance Fraud shall send a copy of the investigative report to the office and a copy to the agency responsible for the professional licensure of the authorized mitigation inspector, whether or not a prosecutor takes action based upon the report.

Section 21. Paragraph (i) of subsection (4) and subsection (14) of section 627.736, Florida Statutes, are amended to read:

627.736 Required personal injury protection benefits; exclusions; priority; claims.—

(4) PAYMENT OF BENEFITS.—Benefits due from an insurer under ss. 627.730-627.7405 are primary, except that benefits received under any workers' compensation law must be credited against the benefits provided by subsection (1) and are due and payable as loss accrues upon receipt of reasonable proof of such loss and the amount of expenses and loss incurred which are covered by the policy issued under ss. 627.730-627.7405. If the Agency for Health Care Administration provides, pays, or becomes liable for medical assistance under the Medicaid program related to injury, sickness, disease, or death arising out of the ownership, maintenance, or use of a motor vehicle, the benefits under ss. 627.730-627.7405 are subject to the Medicaid program. However, within 30 days after receiving notice that the Medicaid program paid such benefits, the insurer shall repay the full amount of the benefits to the Medicaid program.

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(i) If an insurer has a reasonable belief that a fraudulent insurance act, for the purposes of s. 626.989 or s. 817.234, has been committed, the insurer shall notify the claimant, in writing, within 30 days after submission of the claim that the claim is being investigated for suspected fraud. Beginning at the end of the initial 30-day period, the insurer has an additional 60 days to conduct its fraud investigation. Notwithstanding subsection (10), no later than 90 days after the submission of the claim, the insurer must deny the claim or pay the claim with simple interest as provided in paragraph (d). Interest shall be assessed from the day the claim was submitted until the day the claim is paid. All claims denied for suspected fraudulent insurance acts shall be reported to the Division of Investigative and Forensic Services Insurance Fraud.

(14) FRAUD ADVISORY NOTICE.—Upon receiving notice of a claim under this section, an insurer shall provide a notice to the insured or to a person for whom a claim for reimbursement for diagnosis or treatment of injuries has been filed, advising that:

(a) Pursuant to s. 626.9892, the Department of Financial Services may pay rewards of up to \$25,000 to persons providing information leading to the arrest and conviction of persons committing crimes investigated by the Division of Investigative and Forensic Services Insurance Fraud arising from violations of s. 440.105, s. 624.15, s. 626.9541, s. 626.989, or s. 817.234.

(b) Solicitation of a person injured in a motor vehicle crash for purposes of filing personal injury protection or tort claims could be a violation of s. 817.234, s. 817.505, or the rules regulating The Florida Bar and should be immediately

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871 reported to the Division of Investigative and Forensic Services
 872 ~~Insurance Fraud~~ if such conduct has taken place.

873 Section 22. Paragraphs (b) and (c) of subsection (1) of
 874 section 627.7401, Florida Statutes, are amended to read:

875 627.7401 Notification of insured's rights.—

876 (1) The commission, by rule, shall adopt a form for the
 877 notification of insureds of their right to receive personal
 878 injury protection benefits under the Florida Motor Vehicle No-
 879 Fault Law. Such notice shall include:

880 (b) An advisory informing insureds that:

881 1. Pursuant to s. 626.9892, the Department of Financial
 882 Services may pay rewards of up to \$25,000 to persons providing
 883 information leading to the arrest and conviction of persons
 884 committing crimes investigated by the Division of Investigative
 885 and Forensic Services ~~Insurance Fraud~~ arising from violations of
 886 s. 440.105, s. 624.15, s. 626.9541, s. 626.989, or s. 817.234.

887 2. Pursuant to s. 627.736(5)(e)1., if the insured notifies
 888 the insurer of a billing error, the insured may be entitled to a
 889 certain percentage of a reduction in the amount paid by the
 890 insured's motor vehicle insurer.

891 (c) A notice that solicitation of a person injured in a
 892 motor vehicle crash for purposes of filing personal injury
 893 protection or tort claims could be a violation of s. 817.234, s.
 894 817.505, or the rules regulating The Florida Bar and should be
 895 immediately reported to the Division of Investigative and
 896 Forensic Services ~~Insurance Fraud~~ if such conduct has taken
 897 place.

898 Section 23. Subsection (2) of section 631.156, Florida
 899 Statutes, is amended to read:

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900 631.156 Investigation by the department; scope of
 901 authority; sharing of materials.—

902 (2) The department may provide documents, books, and
 903 records; other investigative products, work product, and
 904 analysis; and copies of any or all of such materials to the
 905 Division of Investigative and Forensic Services ~~Insurance Fraud~~
 906 or any other appropriate government agency. The sharing of these
 907 materials does ~~shall~~ not waive any work product or other
 908 privilege otherwise applicable under law.

909 Section 24. Subsection (4) of section 641.30, Florida
 910 Statutes, is amended to read:

911 641.30 Construction and relationship to other laws.—

912 (4) The Division of Investigative and Forensic Services
 913 ~~Insurance Fraud~~ of the department is vested with all powers
 914 granted to it under the Florida Insurance Code with respect to
 915 the investigation of any violation of this part.

916 Section 25. Paragraph (a) of subsection (2) of section
 917 282.709, Florida Statutes, is amended to read:

918 282.709 State agency law enforcement radio system and
 919 interoperability network.—

920 (2) The Joint Task Force on State Agency Law Enforcement
 921 Communications is created adjunct to the department to advise
 922 the department of member-agency needs relating to the planning,
 923 designing, and establishment of the statewide communication
 924 system.

925 (a) The Joint Task Force on State Agency Law Enforcement
 926 Communications shall consist of the following members:

927 1. A representative of the Division of Alcoholic Beverages
 928 and Tobacco of the Department of Business and Professional

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Regulation who shall be appointed by the secretary of the department.

2. A representative of the Division of Florida Highway Patrol of the Department of Highway Safety and Motor Vehicles who shall be appointed by the executive director of the department.

3. A representative of the Department of Law Enforcement who shall be appointed by the executive director of the department.

4. A representative of the Fish and Wildlife Conservation Commission who shall be appointed by the executive director of the commission.

5. A representative of the Department of Corrections who shall be appointed by the secretary of the department.

6. A representative of the Division of Investigative and Forensic Services ~~State Fire Marshal~~ of the Department of Financial Services who shall be appointed by the Chief Financial Officer ~~State Fire Marshal~~.

7. A representative of the Department of Agriculture and Consumer Services who shall be appointed by the Commissioner of Agriculture.

Section 26. Subsection (3) of section 552.113, Florida Statutes, is amended to read:

552.113 Reports of thefts, illegal use, or illegal possession.—

(3) The Division of Investigative and Forensic Services shall investigate, or be certain that a qualified law enforcement agency investigates, the cause and circumstances of each theft, illegal use, or illegal possession of explosives

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which occurs within the state. A report of each such investigation shall be made and maintained by the Division of Investigative and Forensic Services.

Section 27. Subsections (1) and (2) of section 552.21, Florida Statutes, are amended to read:

552.21 Confiscation and disposal of explosives.—

(1) Whenever the ~~department division~~ shall have reason to believe that any person is or has been violating the provisions of this chapter or any rules or regulations adopted and promulgated pursuant thereto, the ~~department division~~ may, without further process of law, confiscate the explosives in question and cause them to be stored in a safe manner, or, if any explosives are deemed by the ~~department division~~ to be in such a state or condition as to constitute a hazard to life or property, the ~~department division~~ may dispose of such explosives without further process of law. The ~~department division~~ is authorized to dispose of any abandoned explosives that it deems to be hazardous to life or property.

(2) If the person so charged is found guilty of violating ~~the provisions of~~ this chapter or any rule or regulation adopted pursuant thereto with regard to the possession, handling, or storage of explosives, the ~~department division~~ is authorized to dispose of the confiscated materials in such a way as it shall deem equitable.

Section 28. Paragraph (c) of subsection (6) of section 633.112, Florida Statutes, is amended to read:

633.112 State Fire Marshal; hearings; investigations; recordkeeping and reports; subpoenas of witnesses; orders of circuit court.—

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987 (6) Upon request, the State Fire Marshal shall investigate
 988 the cause, origin, and circumstances of fires and explosions
 989 occurring in this state wherein property has been damaged or
 990 destroyed and there is probable cause to believe that the fire
 991 or explosion was the result of carelessness or design.

992 (c) The State Fire Marshal ~~division~~ shall adopt rules to
 993 assist local fire officials and law enforcement officers in
 994 determining the established responsibilities with respect to the
 995 initial or preliminary assessment of fire and explosion scenes,
 996 and the determination of whether probable cause exists to refer
 997 such scenes to the State Fire Marshal for an investigation.

998 Section 29. Subsection (1) of section 633.114, Florida
 999 Statutes, is amended to read:

1000 633.114 State Fire Marshal agents; authority; duties;
 1001 compensation.—

1002 (1) The State Fire Marshal shall appoint such agents,
 1003 including agents of the Division of Investigative and Forensic
 1004 Services, as may be necessary to carry out effectively this
 1005 chapter, who shall be reimbursed for travel expenses as provided
 1006 in s. 112.061, in addition to their salary, when traveling or
 1007 making investigations in the performance of their duties. Such
 1008 agents, including agents of the Division of Investigative and
 1009 Forensic Services, shall be at all times under the direction and
 1010 control of the State Fire Marshal, who shall fix their
 1011 compensation, and all orders shall be issued in the State Fire
 1012 Marshal's name and by her or his authority.

1013 Section 30. Section 633.122, Florida Statutes, is amended
 1014 to read:

1015 633.122 Impersonating State Fire Marshal, firefighter,

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1016 volunteer firefighter, or firesafety inspector; criminal
 1017 penalties.—A person who falsely assumes or pretends to be the
 1018 State Fire Marshal, an agent of the division, an agent of the
 1019 Division of Investigative and Forensic Services, a firefighter,
 1020 a volunteer firefighter, or a firesafety inspector by
 1021 identifying herself or himself as the State Fire Marshal, an
 1022 agent of the division, an agent of the Division of Investigative
 1023 and Forensic Services, a firefighter, a volunteer firefighter,
 1024 or a firesafety inspector by wearing a uniform or presenting or
 1025 displaying a badge as credentials that would cause a reasonable
 1026 person to believe that she or he is a State Fire Marshal, an
 1027 agent of the division, an agent of the Division of Investigative
 1028 and Forensic Services, a firefighter, a volunteer firefighter,
 1029 or firesafety inspector commits a felony of the third degree,
 1030 punishable as provided in ss. 775.082 and 775.083 or, if the
 1031 impersonation occurs during the commission of a separate felony
 1032 by that person, commits a felony of the first degree, punishable
 1033 as provided in ss. 775.082 and 775.083.

1034 Section 31. Paragraph (b) of subsection (1) of section
 1035 633.126, Florida Statutes, is amended to read:

1036 633.126 Investigation of fraudulent insurance claims and
 1037 crimes; immunity of insurance companies supplying information.—

1038 (1)

1039 (b) The State Fire Marshal or an agent appointed pursuant
 1040 to s. 633.114, an agent of the Division of Investigative and
 1041 Forensic Services, any law enforcement officer as defined in s.
 1042 111.065, any law enforcement officer of a federal agency, or any
 1043 fire service provider official who is engaged in the
 1044 investigation of a fire or explosion loss may request any

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insurance company or its agent, adjuster, employee, or attorney, investigating a claim under an insurance policy or contract with respect to a fire or explosion to release any information whatsoever in the possession of the insurance company or its agent, adjuster, employee, or attorney relative to a loss from that fire or explosion. The insurance company shall release the available information to and cooperate with any official authorized to request such information pursuant to this section. The information shall include, but shall not be limited to:

1. Any insurance policy relevant to a loss under investigation and any application for such a policy.
2. Any policy premium payment records.
3. The records, reports, and all material pertaining to any previous claims made by the insured with the reporting company.
4. Material relating to the investigation of the loss, including statements of a person, proof of loss, and other relevant evidence.
5. Memoranda, notes, and correspondence relating to the investigation of the loss in the possession of the insurance company or its agents, adjusters, employees, or attorneys.

Section 32. Subsection (5) of section 633.422, Florida Statutes, is amended to read:

633.422 Firefighters; supplemental compensation.—

(5) APPLICABILITY.—For the purposes of this section, the department division shall be considered a fire service provider responsible for the payment of supplemental compensation in accordance with this section to firefighters employed full time by the department division.

Section 33. Subsection (7) of section 633.508, Florida

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Statutes, is amended to read:

633.508 Workplace safety; rulemaking authority; division authority.—

(7) The department division shall:

(a) Investigate and prescribe by rule what safety devices, safeguards, or other means of protection must be adopted for the prevention of accidents and injuries in every firefighter employee place of employment or at any fire scene; determine what suitable devices, safeguards, or other means of protection for the prevention of occupational diseases must be adopted or followed in any or all such firefighter places of employment or at any emergency fire scene; and adopt reasonable rules for the prevention of accidents, the safety, protection, and security of firefighter employees engaged in interior firefighting, and the prevention of occupational diseases.

(b) Ascertain, fix, and order such reasonable standards and rules for the construction, repair, and maintenance of firefighter employee places of employment so as to render them safe. Such rules and standards shall be adopted in accordance with chapter 120.

(c) Adopt rules prescribing recordkeeping responsibilities for firefighter employers, which may include maintaining a log and summary of occupational injuries, diseases, and illnesses, for producing on request a notice of injury and firefighter employee accident investigation records, and prescribing a retention schedule for such records.

Section 34. Section 633.512, Florida Statutes, is amended to read:

633.512 Compliance.—Failure of a firefighter employer or an

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insurer to comply with this part, or with any rules adopted under this part, constitutes grounds for the ~~department division~~ to seek remedies, including injunctive relief, by making appropriate filings with the circuit court.

Section 35. Subsection (1) of section 633.518, Florida Statutes, is amended to read:

633.518 Studies, investigations, inspections, or inquiries by the division; refusal to admit; penalty.—

(1) The ~~department division~~ shall make studies, investigations, inspections, or inquiries with respect to compliance with this part or any rules authorized under this part and the causes of firefighter employee injuries, illnesses, safety-based complaints, or Line of Duty Deaths (LODD) as defined in rule in firefighter employee places of employment and shall make such recommendations to the Legislature and firefighter employers and insurers as the ~~department division~~ considers proper to prevent or reduce future occurrences. In making such studies, investigations, inspections, or inquiries, the ~~department division~~ may cooperate with any agency of the United States charged with the duty of enforcing any law securing safety against injury in any place of firefighter employment covered by this part or any agency or department of the state engaged in enforcing any law to ensure safety for firefighter employees.

Section 36. Subsection (3) of section 791.013, Florida Statutes, is amended to read:

791.013 Testing and approval of sparklers; penalties.—

(3) For purposes of the testing requirement by this section, the division shall perform such tests as are necessary

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to determine compliance with the performance standards in the definition of sparklers, pursuant to s. 791.01. The State Fire Marshal shall adopt, by rule, procedures for testing products to determine compliance with this chapter. The Division of Investigative and Forensic Services shall dispose of any samples which remain after testing.

Section 37. Paragraphs (b), (c), and (d) of subsection (7) of section 538.32, Florida Statutes, are amended to read:

538.32 Registration, transaction, and recordkeeping requirements; penalties.—

(7)

(b) Alternatively, a secondhand dealer must give written notice to the seller, by United States mail or e-mail if an e-mail address is provided by the seller, that information otherwise required to be given by the seller under subsection (2) has not been provided by the seller to the secondhand dealer. Notice of the deficient information must be sent by the secondhand dealer no later than 10 days after the transaction is received by the secondhand dealer. The secondhand dealer must specify in the notice that:

1. The seller must provide the missing information or must request the return of the property from the secondhand dealer within 30 days after receiving the notice from the secondhand dealer; and

2. The failure of the seller to provide the missing information or request return of the property within the applicable 30-day time period shall result in abandonment of the seller's property to the Division Bureau of Unclaimed Property of the Department of Financial Services pursuant to chapter 717.

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(c) If the seller fails to remedy the deficiency in information or request return of the property within 30 days after receiving the notice, the seller's property is deemed abandoned and is relinquished to the Division Bureau of Unclaimed Property pursuant to chapter 717 if the property's true market value is greater than \$50 as defined in chapter 717.

(d) Within 24 hours after the expiration of the 30-day hold period for the property, the secondhand dealer must notify the appropriate law enforcement agency of the abandonment of the property by electronic transmission or by sending a copy of the completed form authorized by chapter 717 to the Department of Financial Services, Division Bureau of Unclaimed Property.

Section 38. Subsection (1) of section 717.1241, Florida Statutes, is amended to read:

717.1241 Conflicting claims.—

(1) When conflicting claims have been received by the department for the same unclaimed property account or accounts, the property shall be remitted in accordance with the claim filed by the person as follows, notwithstanding the withdrawal of a claim:

(a) To the person submitting the first claim received by the Division Bureau of Unclaimed Property of the department that is complete or made complete.

(b) If a claimant's claim and a claimant's representative's claim are received by the Division Bureau of Unclaimed Property of the department on the same day and both claims are complete, to the claimant.

(c) If a buyer's claim and a claimant's claim or a claimant's representative's claim are received by the Division

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~~Bureau~~ of Unclaimed Property of the department on the same day and the claims are complete, to the buyer.

(d) As between two or more claimant's representative's claims received by the Division Bureau of Unclaimed Property of the department that are complete or made complete on the same day, to the claimant's representative who has agreed to receive the lowest fee. If the two or more claimant's representatives whose claims received by the Division Bureau of Unclaimed Property of the department were complete or made complete on the same day are charging the same lowest fee, the fee shall be divided equally between the claimant's representatives.

(e) If more than one buyer's claim received by the Division Bureau of Unclaimed Property of the department is complete or made complete on the same day, the department shall remit the unclaimed property to the buyer who paid the highest amount to the seller. If the buyers paid the same amount to the seller, the department shall remit the unclaimed property to the buyers divided in equal amounts.

Section 39. Section 717.1323, Florida Statutes, is amended to read:

717.1323 Prohibited practice.—~~A~~ ~~No~~ person may not knowingly enter false information onto the Internet website of the Division Bureau of Unclaimed Property.

Section 40. Subsection (2) and paragraph (a) of subsection (3) of section 717.135, Florida Statutes, are amended to read:

717.135 Power of attorney to recover reported property in the custody of the department.—

(2) A power of attorney described in subsection (1) must:

(a) Limit the fees and costs for services to 20 percent per

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1219 unclaimed property account held by the department. Fees and
 1220 costs for cash accounts shall be based on the value of the
 1221 property at the time the power of attorney is signed by the
 1222 claimant. Fees and costs for accounts containing securities or
 1223 other intangible ownership interests, which securities or
 1224 interests are not converted to cash, shall be based on the
 1225 purchase price of the security as quoted on a national exchange
 1226 or other market on which the property is regularly traded at the
 1227 time the securities or other ownership interest is remitted to
 1228 the claimant or the claimant's representative. Fees and costs
 1229 for tangible property or safe-deposit box accounts shall be
 1230 based on the value of the tangible property or contents of the
 1231 safe-deposit box at the time the ownership interest is
 1232 transferred or remitted to the claimant. Total fees and costs on
 1233 any single account owned by a natural person residing in this
 1234 country must not exceed \$1,000; or

1235 (b) Fully disclose that the property is held by the
 1236 Division Bureau of Unclaimed Property of the Department of
 1237 Financial Services pursuant to this chapter, the mailing address
 1238 of the division bureau, the Internet address of the division
 1239 bureau, the person or name of the entity that held the property
 1240 prior to the property becoming unclaimed, the date of the
 1241 holder's last contact with the owner, if known, and the
 1242 approximate value of the property, and identify which of the
 1243 following categories of unclaimed property the claimant's
 1244 representative is seeking to recover, as reported by the holder:

- 1245 1. Cash accounts.
 1246 2. Stale dated checks.
 1247 3. Life insurance or annuity contract assets.

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- 1248 4. Utility deposits.
 1249 5. Securities or other interests in business associations.
 1250 6. Wages.
 1251 7. Accounts receivable.
 1252 8. Contents of safe-deposit boxes.

1253
 1254 This subsection shall not apply if probate proceedings must be
 1255 initiated on behalf of the claimant for an estate that has never
 1256 been probated or if the unclaimed property is being claimed by a
 1257 person outside of the United States.

1258 (3) (a) A power of attorney described in paragraph (2) (b)
 1259 must state in 12-point type or greater in the order indicated
 1260 with the blank spaces accurately completed:

1261
 1262 FULL DISCLOSURE STATEMENT

1263
 1264 The property is currently held by the State of Florida
 1265 Department of Financial Services, Division Bureau of
 1266 Unclaimed Property, pursuant to chapter 717, Florida
 1267 Statutes. The mailing address of the Division Bureau
 1268 of Unclaimed Property is The Internet
 1269 address of the Division Bureau of Unclaimed Property
 1270 is

1271
 1272 The property was remitted by:

1273
 1274 Date of last contact:

1275
 1276 Property category:

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Section 41. Subsection (2) of section 717.1351, Florida Statutes, is amended to read:

717.1351 Acquisition of unclaimed property.-

(2) All contracts to acquire ownership of or entitlement to unclaimed property from the person or persons entitled to the unclaimed property must be in 10-point type or greater and must:

(a) Have a purchase price that discounts the value of the unclaimed property at the time the agreement is executed by the seller at no greater than 20 percent per account held by the department. An unclaimed property account must not be discounted in excess of \$1,000. However, the \$1,000 discount limitation does not apply if probate proceedings must be initiated on behalf of the seller for an estate that has never been probated or if the seller of the unclaimed property is not a natural person or is a person outside the United States; or

(b) Fully disclose that the property is held by the Division Bureau of Unclaimed Property of the Department of Financial Services pursuant to this chapter, the mailing address of the division bureau, the Internet address of the division bureau, the person or name of the entity that held the property prior to the property becoming unclaimed, the date of the holder's last contact with the owner, if known, and the approximate value of the property, and identify which of the following categories of unclaimed property the buyer is seeking to purchase as reported by the holder:

1. Cash accounts.
2. Stale dated checks.
3. Life insurance or annuity contract assets.

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

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4. Utility deposits.
5. Securities or other interests in business associations.
6. Wages.
7. Accounts receivable.
8. Contents of safe-deposit boxes.

The purchase agreement described in this paragraph must state in 12-point type or greater in the order indicated with the blank spaces accurately completed:

FULL DISCLOSURE STATEMENT

The property is currently held by the State of Florida Department of Financial Services, Division Bureau of Unclaimed Property, pursuant to chapter 717, Florida Statutes. The mailing address of the Division Bureau of Unclaimed Property is The Internet address of the Division Bureau of Unclaimed Property is

The property was remitted by:

Date of last contact:

Property category:

Immediately above the signature line for the seller, the purchase agreement described in this paragraph must state in 12-point type or greater:

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

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Seller agrees, by signing below, that the FULL DISCLOSURE STATEMENT has been read and fully understood.

Section 42. Paragraphs (a) and (b) of subsection (5) of section 717.1400, Florida Statutes, are amended to read:

717.1400 Registration.—

(5) If a material change in the status of a registration occurs, a registrant must, within 30 days, provide the department with the updated documentation and information in writing. Material changes include, but are not limited to: a designated agent or employee ceasing to act on behalf of the designating person, a surrender, suspension, or revocation of a license, or a license renewal.

(a) If a designated agent or employee ceases to act on behalf of the person who has designated the agent or employee to act on such person's behalf, the designating person must, within 30 days, inform the Division Bureau of Unclaimed Property in writing of the termination of agency or employment.

(b) If a registrant surrenders the registrant's license or the license is suspended or revoked, the registrant must, within 30 days, inform the division bureau in writing of the surrender, suspension, or revocation.

Section 43. Section 717.138, Florida Statutes, is amended to read:

717.138 Rulemaking authority.—The department shall administer and provide for the enforcement of this chapter. The department has authority to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this

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chapter. The department may adopt rules to allow for electronic filing of fees, forms, and reports required by this chapter. The authority to adopt rules pursuant to this chapter applies to all unclaimed property reported and remitted to the Chief Financial Officer, including, but not limited to, property reported pursuant to ss. 43.19, 45.032, 732.107, 733.816, and 744.534.

Section 44. Paragraphs (k) and (l) of subsection (6) of section 932.7055, Florida Statutes, are amended to read:

932.7055 Disposition of liens and forfeited property.—

(6) If the seizing agency is a state agency, all remaining proceeds shall be deposited into the General Revenue Fund. However, if the seizing agency is:

(k) The Division of Investigative and Forensic Services ~~State Fire Marshal~~ in the Department of Financial Services, the proceeds accrued under the Florida Contraband Forfeiture Act shall be deposited into the Insurance Regulatory Trust Fund to be used for the purposes of arson suppression, arson investigation, and the funding of anti-arson rewards.

(l) The Division of Investigative and Forensic Services ~~Insurance Fraud~~ of the Department of Financial Services, the proceeds accrued pursuant to ~~the provisions of~~ the Florida Contraband Forfeiture Act shall be deposited into the Insurance Regulatory Trust Fund as provided in s. 626.9893 or into the Department of Financial Services' Federal Law Enforcement Trust Fund as provided in s. 17.43, as applicable.

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/3/16

Meeting Date

SB 908

Bill Number (if applicable)

Topic SB 908 - Department of Financial Services

Amendment Barcode (if applicable)

Name Elizabeth Boyd

Job Title Legislative Affairs Director

Address 400 N Monroe Street

Phone 850-413-2868

Street

Tallahassee

FL

32399

Email elizabeth.boyd@myfloridahouse.gov

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Department of Financial 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.

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

S-001 (10/14/14)

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 Committee on Appropriations

BILL: CS/SB 7008

INTRODUCER: Appropriations Committee; and Governmental Oversight and Accountability Committee

SUBJECT: Housing Discrimination

DATE: February 4, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
	Peacock	McVaney		GO Submitted as Committee Bill
1.	Brown	Cibula	JU	Favorable
2.	Davis	DeLoach	AGG	Recommend: Favorable
3.	Davis	Kynoch	AP	Fav/CS

I. Summary:

CS/SB 7008 eliminates a prerequisite to filing a civil action alleging an injury caused by a discriminatory housing practice. Under an interpretation of the Florida Fair Housing Act by the Fourth District Court of Appeal, a person must first exhaust his or her administrative remedies before pursuing a civil action under the Florida Fair Housing Act.

According to the United States Department of Housing and Urban Development (HUD), the Florida Fair Housing Act, as interpreted by the Fourth DCA, is not substantially equivalent to the federal Fair Housing Act. As a result, HUD has notified the Florida Commission on Human Relations (Commission) that its participation in the Fair Housing Assistance Program will be terminated if the prerequisite to filing a civil action is not eliminated by March 12, 2016.

There is no fiscal impact to state funds. Federal funds currently provided by HUD to support the investigations, training and administrative costs of the Commission may be at risk (see section V, Fiscal Impact Statement approximately \$600,000).

The bill is effective upon becoming law.

II. Present Situation:

Florida Civil Rights Act (Part I, Chapter 760, F.S.)

The Florida Civil Rights Act (FCRA) protects persons from discrimination based on race, color, religion, sex, pregnancy,¹ national origin, age, handicap, and marital or familial status.

¹ The 2015 Florida Legislature added pregnancy as a protected status from discrimination (Chapter 2015-68, L.O.F.); Section 760.01(2), F.S.

The Florida Commission on Human Relations

The FCRA establishes the Florida Commission on Human Relations within the Department of Management Services. The Commission is granted broad powers to enforce the FCRA.² The Governor appoints, and the Senate confirms, the 12 members of the Commission.³ The Commission is empowered to receive, initiate, investigate, conciliate and hold hearings on and act upon complaints alleging discriminatory practice.⁴ Additionally, the Attorney General may initiate a civil action for damages, injunctive relief, civil penalties of up to \$10,000 a violation, and other appropriate relief.⁵

Timeline for Filing and Processing Claims

An aggrieved person, the Commission, a Commissioner, or the Attorney General has 365 days after the alleged violation to file a complaint with the Commission.⁶ Within 180 days of the filing, the Commission must make a determination of reasonable cause.⁷ If the Commission issues a finding of reasonable cause, the aggrieved person may request an administrative hearing or bring civil action.⁸ A civil action must be brought within a year of the determination of reasonable cause.⁹ The FCRA expressly requires a plaintiff to exhaust his or her administrative remedy as a prerequisite to filing a civil action alleging unlawful discrimination, including housing discrimination.¹⁰

Remedies

The remedy available through an administrative hearing is affirmative relief, including back pay, and reasonable attorney fees and other costs.¹¹ Remedies available through a civil action are injunctive and affirmative relief, which includes back pay, compensatory damages, punitive damages of up to \$100,000, and reasonable attorney fees and other costs.¹²

Bases of Discrimination under the Florida Civil Rights Act

The FCRA specifically defines and prohibits discrimination based on unlawful practices in employment and public accommodations.¹³ Remedies are also available for unlawful discrimination in the areas of education, employment, housing discrimination, and public accommodation. Other than in the section of law on remedies, the term “housing discrimination” is not addressed elsewhere in the FCRA.¹⁴ Additionally, housing discrimination is specifically prohibited in the Florida Fair Housing Act.¹⁵

² Section 760.06(6), F.S.

³ Section 760.03(1), F.S.

⁴ Section 760.06(5), F.S.

⁵ Section 760.021(1), F.S.

⁶ Section 760.11(1), F.S.

⁷ Section 760.11(3), F.S.

⁸ Section 760.11(4), F.S.

⁹ Section 760.11(5), F.S.

¹⁰ Section 760.07, F.S.

¹¹ Section 760.11(6) and (7), F.S.

¹² Section 760.11(5), F.S.

¹³ Sections 760.02(7), (8), and (11), 760.08, and 760.10, F.S.

¹⁴ Section 760.07, F.S.

¹⁵ Part II of Chapter 760, F.S. The inclusion of housing discrimination in the FCRA may have been a drafting oversight because the issue is addressed fully in the Florida Fair Housing Act.

Florida Fair Housing Act

Purpose of the Florida Fair Housing Act

The Florida Fair Housing Act (FFHA) is modelled after the Federal Fair Housing Act.¹⁶ The FFHA prohibits a person from refusing to sell or rent, or otherwise make unavailable a dwelling to any person because of race, color, national origin, sex, handicap, familial status, or religion.¹⁷ In addition, protection is afforded to persons who are pregnant or in the process of becoming legal custodians of children of 18 years of age or younger, or persons who are themselves handicapped or associated with a handicapped person.¹⁸

Timeline for Filing and Processing Claims

A person alleging discrimination under the FFHA has one year after the discriminatory housing practice to file a complaint with the Commission.¹⁹ The Commission has 100 days after receiving the complaint to complete its investigation and issue a determination.²⁰ The Commission can also decide to resolve the complaint and eliminate or correct the alleged discriminatory housing practice through conciliation.²¹ If, within 180 days after a complaint is filed, the Commission has been unable to obtain voluntary compliance, the complainant may initiate civil action or petition for an administrative determination.²² If the Commission finds reasonable cause, the claimant may request that the Attorney General bring an action against the respondent.²³

A civil action must be commenced within two years after the alleged discriminatory act occurred.²⁴ The court may continue a civil case if conciliation efforts by the Commission or by the local housing agency are likely to result in a satisfactory settlement.²⁵ If the court finds that a discriminatory housing practice has occurred, the court must issue an order prohibiting the practice and providing affirmative relief.²⁶ If the Commission is unable to obtain voluntary compliance or has reasonable cause to believe that a discriminatory act has occurred, the Commission may institute an administrative proceeding. Alternatively, the aggrieved person may request administrative relief under ch. 120, F.S., within 30 days after receiving notice that the Commission has concluded its investigation.²⁷

The Commission may institute a civil action if it is unable to achieve voluntary compliance with the FFHA and is not required to have petitioned for an administrative hearing or exhausted its

¹⁶ Part II of Chapter 760, F.S., is the Florida Fair Housing Act. See Florida Fair Housing Commission, *Fair Housing Laws* http://fchr.state.fl.us/resources/the_laws/florida_fair_housing_laws (last visited Oct. 27, 2015).

¹⁷ Section 760.23(1), F.S.

¹⁸ Sections 760.23(6)-(9), F.S.

¹⁹ Section 760.34(1) and (2), F.S.

²⁰ Section 760.34(1), F.S.

²¹ *Id.*

²² Section 760.34(4), F.S.

²³ *Id.*

²⁴ Section 760.35(1), F.S.

²⁵ *Id.*

²⁶ Section 760.35(2), F.S.

²⁷ Section 760.35(3), F.S.

administrative remedies prior to bringing a civil action.²⁸ Remedies available under the FFHA include fines and actual and punitive damages.²⁹ The court may also award reasonable attorney's fees and costs to the Commission.³⁰

The Commission, or any local agency certified as substantially equivalent, may institute a civil action in an appropriate court if it is unable to obtain voluntary compliance with the local fair housing law.³¹ The local agency does not have to petition for an administrative hearing or exhaust its administrative remedies prior to bringing civil action.³²

Financial Reimbursement from HUD

The federal Fair Housing Assistance Program (FHAP) permits HUD to reimburse state and local agencies for services that further the purposes of the federal Fair Housing Act. To be eligible for participation in the FHAP, a state or local agency must enforce a fair housing law that is substantially equivalent to the federal Fair Housing Act. The HUD will then certify these agencies as substantially equivalent, qualifying the agencies for federal funding.³³ In Florida, in addition to the Florida Commission on Human Relations serving as the main agency certified as substantially equivalent, six other localities also qualify.³⁴

Through annual work-share agreements with HUD, the Commission, in its capacity as a substantially equivalent agency, accepts and investigates housing discrimination cases from HUD. The Commission is reimbursed by HUD for closing housing cases, through deposit from HUD into the Human Relations Commission Operating Trust Fund within the Commission. Trust fund monies received from HUD in Fiscal Year 2014-15 totaled \$604,978, an increase from the Fiscal Year 2013-14 total of \$516,536.³⁵

According to the Commission's Fiscal Year 2010-11 through Fiscal Year 2014-15 Annual Reports, housing complaints represented on average 15 percent of all complaints received by the Commission. From Fiscal Year 2010-11 through Fiscal Year 2014-15, 1,009 cases were closed, distributed as follows:

²⁸ Section 760.34(7)(a), F.S.

²⁹ Fines are capped in a tiered system based on the number of prior violations of the Fair Housing Act: up to \$10,000 if the respondent has no prior findings of guilt under the Fair Housing Act; up to \$25,000 if the respondent has had one prior violation of the Fair Housing Act; and up to \$50,000, if the respondent has had two or more violations of the Fair Housing Act. Section 760.34(7)(b), F.S.

³⁰ Section 760.34(7)(c), F.S.

³¹ Sections 760.22(9) and 760.34(8), F.S.

³² Section 760.34(8), F.S.

³³ United States Department of Housing and Urban Development, *Fair Housing Assistance Program (FHAP)*, http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/partners/FHAP (last visited Nov. 2, 2015).

³⁴ HUD additionally certified as substantially equivalent the Broward County Office of Equal Opportunity, Jacksonville Human Rights Commission, Office of Community Affairs – Human Relations Department (Orlando), Palm Beach County Office of Equal Opportunity, Pinellas County Office of Human Rights, and City of Tampa Office of Community Relations. United States Department of Housing and Urban Development, *Fair Housing Assistance Program (FHAP) Agencies*, http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/partners/FHAP/agencies#FL (last visited Oct. 29, 2015).

³⁵ E-mail from Michelle Wilson, Executive Director, Florida Commission on Human Relations (July 8, 2015) (on file with the Senate Committee on Judiciary).

Closure Type	FY 10/11	FY 11/12	FY 12/13	FY 13/14	FY 14/15
No Cause	171 (64%)	126 (69%)	92 (50%)	138 (73%)	123 (67%)
Administrative Closure	46 (17%)	15 (8%)	50 (27%)	29 (15%)	52 (28%)
Cause	20 (7%)	14 (8%)	4 (2%)	11 (6%)	0 (0%)
Settlement	16 (6%)	16 (9%)	18 (10%)	0 (0%)	0 (0%)
Withdrawal with Benefits	16 (6%)	11 (6%)	19 (11%)	12 (6%)	10 (5%)
Total Closures	269	182	183	190	185

Case Law on the Exhaustion of Administrative Remedies

In *Belletete v. Halford*, the Florida Fourth District Court of Appeal (DCA) held that individuals claiming discrimination under the FFHA must first exhaust administrative remedies before bringing a judicial claim, citing the doctrine of exhaustion of administrative remedies.³⁶ In a 2012 opinion, *Sun Harbor Homeowners' Association v. Bonura*, the Fourth DCA reiterated that the FFHA requires exhaustion of administrative remedies as a condition precedent to bringing a civil suit.³⁷ The court, however, did not rule on that particular issue because it was moot.³⁸ To date, the Florida Supreme Court has not addressed this issue, making the Fourth DCA decision the only one on point in the state court system.

However, in a case brought before the U.S. District Court for the Southern District of Florida and decided in 2010, the Florida Attorney General, in a motion to intervene, stated that “as co-enforcer with the Florida Commission on Human Relations of the FFHA, it has always interpreted the right of the private individual to file a judicial action under the FFHA without first pursuing an administrative remedy.”³⁹ The U.S. District court agreed that the Fourth DCA decided *Belletete* incorrectly and that aggrieved parties did not have to exhaust administrative remedies before filing a civil lawsuit in a cause of action grounded in the FFHA.⁴⁰

Based upon the Fourth DCA holdings, the HUD notified the Commission that the HUD will suspend the Commission’s participation in the FHAP if the FFHA is not amended to overcome the judicially-created requirement that a state court plaintiff must exhaust their administrative remedies as a precondition to filing a housing discrimination claim in state court.⁴¹ HUD has

³⁶ *Belletete v. Halford*, 886 So. 2d 308, 310 (Fla. 4th DCA 2004); See also *Fla. Welding & Erection Serv., Inc. v. Am. Mut. Ins. Co. of Boston*, 285 So. 2d 386, 389-90 (Fla. 1973). The doctrine of the exhaustion of administrative remedies is the principle that if an administrative remedy is provided by statute, a claimant must first seek relief from the administrative body before judicial relief is available. BLACK’S LAW DICTIONARY (2014).

³⁷ *Sun Harbor Homeowners' Ass’n, Inc. v. Bonura*, 95 So. 3d 262, 267 (Fla. 4th DCA 2012).

³⁸ *Id.*

³⁹ *Milsap v. Cornerstone Residential Mgmt., Inc.*, 2010 WL 427436, *1 (S.D. Fla. 2010).

⁴⁰ *Id.* at 2. The court held that the FFHA should be interpreted similarly to the federal Fair Housing Act, which has been interpreted by federal courts as allowing for actions in court whether or not all administrative remedies have been exhausted. “The Court is now of the opinion that were this issue before the Florida Supreme Court, that Court would not follow the *Belletete* decision on this narrow issue, and that this Court’s ruling dismissing the FFHA claims for failure to exhaust administrative remedies based on *Belletete* was incorrect.” *Id.* at 2.

⁴¹ Letter from HUD to Michelle Wilson, Executive Director, Florida Commission on Human Relations (July 8, 2015) (on file with the Senate Committee on Judiciary).

agreed to extend the deadline for the Commission to have the FFHA amended until March 12, 2016.⁴²

III. Effect of Proposed Changes:

Removal of Housing Discrimination from the Florida Civil Rights Act

The bill removes housing discrimination as one of the forms of prohibited discrimination under the Florida Civil Rights Act (FCRA). The FCRA expressly requires the exhaustion of administrative remedies as a prerequisite to a civil action. The Florida Fair Housing Act, which has similar prohibitions against housing discrimination, does not include any express prerequisites. As such, the bill clarifies that a person must pursue housing discrimination claims exclusively through the FFHA.

According to the Commission, this change will clear up confusion by the courts that plaintiffs who wish to file a civil action for housing discrimination must first exhaust administrative remedies.⁴³

Flexibility and Limits on Filing a Claim

The bill clarifies that a person does not have to petition for an administrative hearing or exhaust administrative remedies as a condition to bringing a civil action. The bill also removes the requirement that an aggrieved person wait to file the civil action until 180 days after filing a complaint with the Florida Commission on Human Relations or a local agency. Therefore, a person who alleges that he or she has been injured by unlawful housing discrimination may file a civil action at any time.

The bill also prohibits the filing of a civil action if the claimant and the respondent have entered into a conciliation agreement which has been approved by the Commission other than to enforce the terms of the agreement. Also, an aggrieved person may not file a civil action regarding a discriminatory housing practice once an administrative hearing has begun.

Continuation of Federal Funding

In removing the term “housing discrimination” from the FCRA and specifying that a petitioner is not required to petition for an administrative hearing or exhaust administrative remedies prior to filing a lawsuit, the bill will make the FFHA substantially equivalent to its federal counterpart. These changes appear sufficient to preserve the eligibility of the Commission to receive federal funds for investigations, administrative costs, and training for use in housing discrimination cases filed with the HUD.⁴⁴

The bill takes effect upon becoming law.

⁴² *Id.*

⁴³ Email from Michelle Wilson, Executive Direction, Florida Commission on Human Relations (Nov. 5, 2015) (copy on file with the Senate Committee on Judiciary).

⁴⁴ E-mail from Michelle Wilson, Executive Director, Florida Commission on Human Relations (July 7, 2015) (copy on file with the Senate Committee on Judiciary).

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

Article VII, s. 18, of the Florida Constitution, provides that a mandate potentially exists if a law:

- Requires cities or counties to spend funds or take action requiring the expenditure of funds;
- Reduces the authority of cities or counties to raise revenues in the aggregate; or
- Reduces the percentage of a state tax shared with cities and counties in the aggregate.⁴⁵

This bill does not impact the ability of a city or county to raise revenue. The bill also does not negatively impact the tax base of a city or county. Therefore, the bill does not appear to be a mandate.

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:

Under CS/SB 7008, by eliminating a requirement that a person exhaust his or her administrative remedies before filing a lawsuit, some housing discrimination claims may be resolved by the court system instead of the conciliation processes available through the Florida Commission on Human Relations.

C. Government Sector Impact:**Florida Commission on Human Relations**

The Commission does not expect a fiscal or workload impact from the bill.⁴⁶ While the Commission maintains that existing law allows a person aggrieved by a discriminatory housing practice to commence a civil action without first filing a complaint for an

⁴⁵ Article VII, x. 18(a) through (c), Fla. Const.

⁴⁶ E-mail from Cheyanne Costilla, General Counsel, Florida Commission on Human Relations (Aug. 20, 2015) (on file with the Senate Committee on Judiciary).

administrative remedy, the bill clarifies that individuals can bypass the investigation and conciliation process in order to better access Florida's court system.

According to the Commission, if the proposed bill does not pass, this agency will continue to investigate any complaints of housing discrimination directly filed with the Commission, but would no longer receive or investigate cases for HUD.⁴⁷ Additionally, federal funding from HUD for investigations, administrative costs, or training would be at risk.⁴⁸ The HUD has indicated to the Commission that cases previously referred by HUD would have to be investigated by HUD.⁴⁹

The Commission received \$604,978 from HUD in the 2014-2015 fiscal year.⁵⁰ The ending fund balance of the Human Relations Commission Operating Trust Fund for Fiscal Year 2015-2016 is estimated to be \$17,360.⁵¹ As a result of the potential loss of federal funds, a deficit of (\$1,264,105) is projected to occur in the Human Relations Commission Operating Trust Fund in Fiscal Year 2016-2017.⁵² If the bill does pass and federal funds continue to be received from HUD for investigations, the Commission projects an ending fund balance of (\$664,105) in Fiscal Year 2016-2017.⁵³

Office of the State Courts Administrator

The Office of the State Courts Administrator indicates that the fiscal impact of the bill is unknown due to the unavailability of data needed to establish both additional revenue expected to be generated from an increase in civil filings and increased expenditures due to additional workload.⁵⁴

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 760.07, 760.34, and 760.35.

⁴⁷ E-mail from Cheyanne Costilla, General Counsel, Florida Commission on Human Relations (Aug. 19, 2015) (on file with the Senate Committee on Judiciary).

⁴⁸ Letter from Michael Keller, Chair of the Florida Commission on Human Relations, to Senator Diaz de La Portilla (Oct. 22, 2015) (on file with the Senate Committee on Judiciary).

⁴⁹ E-mail from Michelle Wilson, Executive Director, Florida Commission on Human Relations (July 7, 2015) (on file with the Senate Committee on Judiciary).

⁵⁰ *Id.*

⁵¹ Accrual Fund Balance Analysis – Human Relations Commission Operating Trust Fund (Jan 11, 2016).

⁵² *Id.*

⁵³ *Id.*

⁵⁴ Office of the State Courts Administrator, *2016 Judicial Impact Statement* (Nov. 2, 2015).

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

CS by Appropriations on February 3, 2016:

The committee substitute changes the effective date from July 1, 2016, to upon becoming law.

B. Amendments:

None.

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



915996

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/04/2016	.	
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The Committee on Appropriations (Ring) recommended the following:

Senate Amendment

Delete line 147
and insert:
Section 4. This act shall take effect upon becoming a law.

By the Committee on Governmental Oversight and Accountability

585-00725-16

20167008__

A bill to be entitled

An act relating to housing discrimination; amending s. 760.07, F.S.; removing housing discrimination as a cause of action for certain relief and damages stemming from violations of the Florida Civil Rights Act of 1992; amending s. 760.34, F.S.; making technical changes; revising the conditions under which an aggrieved person may commence a civil action in any appropriate court against a specified respondent to enforce specified rights; providing that the aggrieved person does not need to take specified actions before bringing a civil action; amending s. 760.35, F.S.; authorizing, rather than requiring, a civil action to commence within 2 years after an alleged discriminatory housing practice; authorizing an aggrieved person to commence a civil action regardless of whether a specified complaint has been filed and regardless of the status of any such complaint; prohibiting an aggrieved person from filing a specified action in certain circumstances; providing an exception; prohibiting an aggrieved person from commencing a specified civil action if an administrative law judge has commenced a hearing on the record on the allegation; providing an effective date.

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

Section 1. Section 760.07, Florida Statutes, is amended to

Page 1 of 6

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

585-00725-16

20167008__

read:

760.07 Remedies for unlawful discrimination.—Any violation of any Florida statute ~~that makes~~ making unlawful discrimination because of race, color, religion, gender, pregnancy, national origin, age, handicap, or marital status in the areas of education, employment, ~~housing,~~ or public accommodations gives rise to a cause of action for all relief and damages described in s. 760.11(5), unless greater damages are expressly provided for. If the statute prohibiting unlawful discrimination provides an administrative remedy, the action for equitable relief and damages provided for in this section may be initiated only after the plaintiff has exhausted his or her administrative remedy. The term "public accommodations" does not include lodge halls or other similar facilities of private organizations which are made available for public use occasionally or periodically. The right to trial by jury is preserved in any case in which the plaintiff is seeking actual or punitive damages.

Section 2. Subsections (2) and (4) of section 760.34, Florida Statutes, are amended to read:

760.34 Enforcement.—

(2) Any person who files a complaint under subsection (1) must ~~do so be filed~~ within 1 year after the alleged discriminatory housing practice occurred. The complaint must be in writing and shall state the facts upon which the allegations of a discriminatory housing practice are based. A complaint may be reasonably and fairly amended at any time. A respondent may file an answer to the complaint against him or her and, with the leave of the commission, which shall be granted whenever it would be reasonable and fair to do so, may amend his or her

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answer at any time. Both the complaint and the answer shall be verified.

(4) ~~If, within 180 days after a complaint is filed with the commission or within 180 days after expiration of any period of reference under subsection (3), the commission has been unable to obtain voluntary compliance with ss. 760.20-760.37,~~ The person aggrieved may commence a civil action in any appropriate court against the respondent named in the complaint or petition for an administrative determination pursuant to s. 760.35 to enforce the rights granted or protected by ss. 760.20-760.37. The person aggrieved is not required to petition for an administrative hearing or exhaust administrative remedies before bringing a civil action. If, as a result of its investigation under subsection (1), the commission finds there is reasonable cause to believe that a discriminatory housing practice has occurred, at the request of the person aggrieved, the Attorney General may bring an action in the name of the state on behalf of the aggrieved person to enforce the provisions of ss. 760.20-760.37.

Section 3. Section 760.35, Florida Statutes, is amended to read:

760.35 Civil actions and relief; administrative procedures.-

(1) An aggrieved person may commence a civil action ~~shall be commenced~~ no later than 2 years after an alleged discriminatory housing practice has occurred. However, the court shall continue a civil case brought pursuant to this section or s. 760.34 from time to time before bringing it to trial if the court believes that the conciliation efforts of the commission

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or local agency are likely to result in satisfactory settlement of the discriminatory housing practice complained of in the complaint made to the commission or to the local agency and which practice forms the basis for the action in court. Any sale, encumbrance, or rental consummated prior to the issuance of any court order issued under the authority of ss. 760.20-760.37 and involving a bona fide purchaser, encumbrancer, or tenant without actual notice of the existence of the filing of a complaint or civil action under the provisions of ss. 760.20-760.37 shall not be affected.

(2) An aggrieved person may commence a civil action under this section regardless of whether a complaint has been filed under s. 760.34(1) and regardless of the status of any such complaint. If the commission has obtained a conciliation agreement with the consent of an aggrieved person under s. 760.36, the aggrieved person may not file any action under this section regarding the alleged discriminatory housing practice that forms the basis for the complaint except for the purpose of enforcing the terms of such an agreement.

(3) An aggrieved person may not commence a civil action under this section regarding an alleged discriminatory housing practice if an administrative law judge has commenced a hearing on the record on the allegation.

(4)-(2) If the court finds that a discriminatory housing practice has occurred, it shall issue an order prohibiting the practice and providing affirmative relief from the effects of the practice, including injunctive and other equitable relief, actual and punitive damages, and reasonable attorney ~~attorney's~~ fees and costs.

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117 ~~(5)(3)~~(a) If the commission is unable to obtain voluntary
 118 compliance with ss. 760.20-760.37 or has reasonable cause to
 119 believe that a discriminatory practice has occurred:
 120 1. The commission may institute an administrative
 121 proceeding under chapter 120; or
 122 2. The person aggrieved may request administrative relief
 123 under chapter 120 within 30 days after receiving notice that the
 124 commission has concluded its investigation under s. 760.34.
 125 (b) Administrative hearings shall be conducted pursuant to
 126 ss. 120.569 and 120.57(1). The respondent must be served written
 127 notice by certified mail. If the administrative law judge finds
 128 that a discriminatory housing practice has occurred or is about
 129 to occur, he or she shall issue a recommended order to the
 130 commission prohibiting the practice and recommending affirmative
 131 relief from the effects of the practice, including quantifiable
 132 damages and reasonable attorney ~~attorney's~~ fees and costs. The
 133 commission may adopt, reject, or modify a recommended order only
 134 as provided under s. 120.57(1). Judgment for the amount of
 135 damages and costs assessed pursuant to a final order by the
 136 commission may be entered in any court having jurisdiction
 137 thereof and may be enforced as any other judgment.
 138 (c) The district courts of appeal may, upon the filing of
 139 appropriate notices of appeal, review final orders of the
 140 commission pursuant to s. 120.68. Costs or fees may not be
 141 assessed against the commission in any appeal from a final order
 142 issued by the commission under this subsection. Unless
 143 specifically ordered by the court, the commencement of an appeal
 144 does not suspend or stay an order of the commission.
 145 (d) This subsection does not prevent any other legal or

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146 administrative action provided by law.
 147 Section 4. This act shall take effect July 1, 2016.
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THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Governmental Oversight and Accountability, *Chair*
Judiciary, *Vice Chair*
Appropriations
Appropriations Subcommittee on Education
Children, Families, and Elder Affairs
Commerce and Tourism

SENATOR JEREMY RING

29th District

January 14, 2016

Senator Tom Lee, Chair
Committee on Appropriations
201 The Capitol
404 South Monroe Street
Tallahassee, FL 32399

Dear Chairman Lee,

I am writing to respectfully request your cooperation in placing Senate Bill 7008, relating to Housing Discrimination, on the Committee on Appropriations agenda at your earliest convenience. I would greatly appreciate the opportunity to discuss the bill at greater length before your committee.

Thank you in advance for your assistance. As always, please do not hesitate to contact me with any questions or comments you may have.

Very Truly Yours,

A handwritten signature in cursive script that reads "Jeremy Ring".

Jeremy Ring
Senator District 29

cc: Cindy Kynoch, Staff Director
Alicia Weiss, Committee Administrative Assistant

REPLY TO:

- ☐ 5790 Margate Boulevard, Margate, Florida 33063 (954) 917-1392 FAX: (954) 917-1394
- ☐ 405 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5029

Senate's Website: www.flsenate.gov

ANDY GARDINER
President of the Senate

GARRETT RICHTER
President Pro Tempore

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 Committee on Appropriations

BILL: SB 7012

INTRODUCER: Governmental Oversight and Accountability Committee

SUBJECT: Death Benefits under the Florida Retirement System

DATE: February 2, 2016

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. _____	McVaney	_____	GO Submitted as Committee Bill
Loe	Kynoch	AP	Favorable

I. Summary:

SB 7012 primarily makes two changes to the Florida Retirement System (FRS). First, the bill increases the monthly survivor benefits available to the spouses and children of FRS pension plan members in the Special Risk Class when killed in the line of duty from 50 percent of the member's monthly salary at the time of death to 100 percent of the member's monthly salary at the time of death. These new benefits are funded through additional employer-paid contributions relating to the FRS pension plan.

Second, the bill permits the surviving spouse or children of an investment plan member in the Special Risk Class when killed in the line of duty to opt into the FRS investment plan survivor benefits program in lieu of receiving normal retirement benefits under the FRS investment plan. By participating in the survivor benefits program, the surviving spouse and children are eligible to receive annuitized benefits much like the survivor benefits (described above) afforded to Special Risk Class members of the FRS pension plan. The investment plan survivor benefits program is funded by additional employer-paid contributions to the survivor benefits account of the FRS Trust Fund.

The new survivor benefits established by this bill are available to members in the Special Risk Class killed in the line of duty on or after July 1, 2013.

The contributions paid into the FRS by employers participating in the FRS are increased by \$25 million annually. The bill appropriates the recurring amounts of \$5,445,337 from the General Revenue Fund and \$1,062,991 from trust funds to Administered Funds, to fund the increased employer contribution rates to be paid under the bill by state agencies, state universities, state colleges, and school districts.

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

II. Present Situation:

The Florida Retirement System

The Florida Retirement System (FRS) was established in 1970 when the Legislature consolidated the Teachers' Retirement System, the State and County Officers and Employees' Retirement System, and the Highway Patrol Pension Fund. In 1972, the Judicial Retirement System was added to the FRS, and in 2007, the membership of the Institute of Food and Agricultural Sciences Supplemental Retirement Program was included in the Regular Class of the FRS as a closed group.¹ The FRS is a contributory system, with most members contributing three percent of their salaries.²

The FRS is a multi-employer, contributory plan, governed by the Florida Retirement System Act in Ch. 121, F.S. As of June 30, 2014, the FRS had 622,089 active members, 363,034 annuitants, 16,137 disabled retirees, and 38,058 active participants of the Deferred Retirement Option Program (DROP).³ As of June 30, 2014, the FRS consisted of 1,014 total employers; it is the primary retirement plan for the employees and officers of state and county government agencies, district school boards, Florida College institutions, and state universities, as well as the employees and officers of the 186 cities and 262 special districts that have elected to join the system.⁴

The membership of the FRS is divided into five membership classes:

- The Regular Class⁵ consists of 537,993 active members, plus 5,402 in renewed membership;
- The Special Risk Class⁶ includes 68,593 active members;
- The Special Risk Administrative Support Class⁷ has 84 active members;
- The Elected Officers' Class⁸ has 2,040 active members, plus 147 in renewed membership; and
- The Senior Management Service Class⁹ has 7,607 members, plus 184 in renewed membership.¹⁰

¹ The Florida Retirement System Pension Plan and Other State Administered Systems Comprehensive Annual Financial Report Fiscal Year Ended June 30, 2014, at p. 29. Available online at: https://www.rol.frs.state.fl.us/forms/2013-14_CAFR.pdf.

² Prior to 1975, members of the FRS were required to make employee contributions of either four percent for Regular Class employees or six percent for Special Risk Class members. Employees were again required to contribute to the system after July 1, 2011. Members in the Deferred Retirement Option Program do not contribute to the system.

³ Florida Retirement System Annual Financial Report Fiscal Year Ended June 30, 2014, at 112.

⁴ *Id.*, at 146.

⁵ The Regular Class is for all members who are not assigned to another class. (Section 121.021(12), F.S.)

⁶ The Special Risk Class is for members employed as law enforcement officers, firefighters, correctional officers, probation officers, paramedics and emergency technicians, among others. (Section 121.0515, F.S.)

⁷ The Special Risk Administrative Support Class is for a special risk member who moved or was reassigned to a nonspecial risk law enforcement, firefighting, correctional, or emergency medical care administrative support position with the same agency, or who is subsequently employed in such a position under the Florida Retirement System. Section 121.0515(8), F.S.

⁸ The Elected Officers' Class is for elected state and county officers, and for those elected municipal or special district officers whose governing body has chosen Elected Officers' Class participation for its elected officers. Section 121.052, F.S.

⁹ The Senior Management Service Class is for members who fill senior management level positions assigned by law to the Senior Management Service Class or authorized by law as eligible for Senior Management Service designation. (Section 121.055, F.S.)

¹⁰ All figures from Florida Retirement System Annual Financial Report Fiscal Year Ended June 30, 2014, at 115.

Investment Plan

In 2000, the Legislature created the Public Employee Optional Retirement Program (investment plan), a defined contribution plan offered to eligible employees as an alternative to the FRS Pension Plan.

Benefits under the investment plan accrue in individual member accounts funded by both employee and employer contributions and investment earnings. Benefits are provided through employee-directed investments offered by approved investment providers.

A member vests immediately in all employee contributions paid to the investment plan.¹¹ With respect to the employer contributions, a member vests after completing one work year of employment with an FRS employer.¹² Vested benefits are payable upon termination or death as a lump-sum distribution, direct rollover distribution, or periodic distribution.¹³ The investment plan also provides disability coverage for both in the line of duty and regular disability retirement benefits.¹⁴ An FRS member who qualifies for disability while enrolled in the investment plan must apply for benefits as if the employee were a member of the pension plan. If approved for retirement disability benefits, the member is transferred to the pension plan.¹⁵

The State Board of Administration (SBA) is primarily responsible for administering the investment plan.¹⁶ The SBA is comprised of the Governor as chair, the Chief Financial Officer, and the Attorney General.¹⁷

Pension Plan

The pension plan is administered by the secretary of the Department of Management Services through the Division of Retirement.¹⁸ Investment management of the pension plan assets is handled by the State Board of Administration.

Any member initially enrolled in the pension plan before July 1, 2011, vests in the pension plan after completing six years of service with an FRS employer.¹⁹ For members enrolled on or after July 1, 2011, the member vests in the pension plan after eight years of creditable service.²⁰

¹¹ Section 121.4501(6)(a), F.S.

¹² If a member terminates employment before vesting in the investment plan, the nonvested money is transferred from the member's account to the SBA for deposit and investment by the SBA in its suspense account for up to five years. If the member is not reemployed as an eligible employee within five years, then any nonvested accumulations transferred from a member's account to the SBA's suspense account are forfeited. (Section 121.4501(6)(b) – (d), F.S.)

¹³ Section 121.591, F.S.

¹⁴ Section 121.4501(16), F.S.

¹⁵ Pension plan disability retirement benefits, which apply for investment plan members who qualify for disability, compensate an in the line of duty disabled member up to 65 percent of the average monthly compensation as of the disability retirement date for special risk class members. Other members may receive up to 42 percent of the member's average monthly compensation for disability retirement benefits. If the disability occurs other than in the line of duty, the monthly benefit may not be less than 25 percent of the average monthly compensation as of the disability retirement date. Section 121.091(4)(f), F.S.

¹⁶ Section 121.4501(8), F.S.

¹⁷ Fla. Const. art. IV, s. 4.

¹⁸ Section 121.025, F.S.

¹⁹ Section 121.021(45)(a), F.S.

²⁰ Section 121.021(45)(b), F.S.

Benefits payable under the pension plan are calculated based on the member's years of creditable service multiplied by the service accrual rate multiplied by the member's average final compensation.²¹ For most members of the pension plan, normal retirement occurs at 30 years of service or age 62.²² For members in the Special Risk and Special Risk Administrative Support Classes, normal retirement occurs at 25 years of service or age 55.²³ For members initially enrolled in the pension plan on or after July 1, 2011, normal retirement occurs later. For unreduced benefits for members initially enrolled after that date, most members must complete 33 years of service or attain age 65, and members in the Special Risk classes must complete 30 years of service or attain age 60.²⁴

In the Line of Duty Death Benefits Available under Chapter 121, F.S.

The FRS currently provides death benefits for surviving spouses and/or eligible dependents of active members of the pension plan.²⁵ Death benefits may be paid for an active member of the FRS pension plan who dies before retirement due to an injury or illness.²⁶ Certain health conditions for firefighters, law enforcement, correctional and correctional probation officers are deemed accidental and suffered in the line of duty.²⁷ If the injury or illness arises out of and in the actual performance of duty required by his or her job, the member's surviving spouse and/or eligible dependent(s) are entitled to in the line of duty death benefits.

If an active FRS member (regardless of vested status) dies in the line of duty, the surviving spouse receives a monthly benefit for her lifetime equal to one-half the member's monthly salary at death.²⁸ If the spouse dies, the benefit continues until the member's youngest child reaches 18 or is married, whichever occurs first.²⁹ If the deceased member is entitled to a higher normal retirement benefit based on service credit, the normal retirement benefit is payable to the joint annuitant.³⁰

For in the line of duty deaths, the surviving spouse or eligible dependent(s) may purchase credit for any service which could have been claimed by the member at the time of member's death.³¹ If a member dies within one year of vesting, the surviving spouse or other eligible dependent may use the member's annual, sick, or compensatory leave, or purchasable service, to purchase enough service credit to vest the member posthumously.³²

²¹ Section 121.091, F.S.

²² Section 121.021(29)(a)1., F.S.

²³ Section 121.021(29)(b)1., F.S.

²⁴ Sections 121.021(29)(a)2. and (b)2., F.S.

²⁵ Under the investment plan, no minimum death benefit is payable to a surviving spouse or children. Accumulations in the member's account are payable to the designated beneficiary. Section 121.591, F.S.

²⁶ Section 121.091(7), F.S.

²⁷ Section 112.18(1)(a), F.S., provides any condition of health caused by tuberculosis, heart disease or hypertension resulting in the total or partial disability or death shall be presumed to have been accidental and suffered in the line of duty.

²⁸ Section 121.091(7)(d), F.S. If vested posthumously, the surviving spouse or dependent would be entitled to a death benefit.

²⁹ *Id.*

³⁰ Section 121.091(7)(b) and (d), F.S.

³¹ Section 121.091(7)(e), F.S.

³² Section 121.091(7)(f), F.S.

The following chart notes the Special Risk Class in the line of duty death benefits for the last five years for the State of Florida and the local governmental entities participating in the FRS:³³

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	Total
State Count	0	2	2	1	0	1	6
State Benefits	0	\$49,928	\$37,424	\$25,862	0	\$20,386	\$133,600
Local Count	5	5	4	2	1	2	19
Local Benefits	\$146,836	\$129,389	\$97,061	\$56,932	\$30,052	\$58,917	\$519,187

Death Benefits Available under Chapter 112, F.S.

Chapter 112, F.S., provides death benefits that are supplemental to the benefits afforded under ch. 121, F.S., for law enforcement officers, correctional officers, correctional probation officers, firefighters, instructional staff and school administrators under specified circumstances.³⁴ The Bureau of Crime Prevention and Training within the Department of Legal Affairs annually adjusts the statutory amounts³⁵ for price level changes in the Consumer Price Index since 2002.³⁶ The table below shows the benefit amounts currently provided.³⁷

	Law Enforcement	Firefighters	Instructional Personnel
Accidental Death in performance of duties	\$65,773	\$65,773	None
Accidental Death in response to emergency	Additional \$65,773	Additional \$65,773	None
Death by intentional act of another	\$198,272	\$198,272	\$198,272

The payments outlined above for accidental death in performance of duties, accidental death in response to emergency and death by intentional act of another, for firefighters, law enforcement, correctional, and correctional probation officers, are made to the beneficiary designated by the firefighter or officer in writing.³⁸ If no designation is made, payments are made to the firefighter

³³ E-mail from Department of Management Services dated September 30, 2015.

³⁴ For definitions of these terms, see ss. 112.19(1) and 112.1915(1)(b), F.S.

³⁵ Sections 112.19(2)(a), 112.19(2)(b), 112.19(2)(c), and 112.1915(3)(a), F.S.

³⁶ Sections 112.19(2)(j) and 112.191(2)(i), F.S.

³⁷ Conversation with Rick Nuss, Office of the Attorney General, Bureau of Criminal Justice Programs (Feb. 13, 2015).

³⁸ Sections 112.191(2)(d) and 112.19(2)(d), F.S.

or officer's surviving spouse and children in equal amounts.³⁹ If there is no surviving spouse or children, payment is made to the firefighter's or officer's parents.⁴⁰ If there is no surviving spouse, child or parent, payment will be made to the firefighter's or officer's estate.⁴¹

If instructional personnel dies as a result of an intentional act of another and a beneficiary is not designated, the instructional staff's or school administrator's estate receives the money.⁴²

Other death benefits under ch. 112, F.S., which are available to law enforcement, correctional officers, correctional probation officers, firefighters and instructional staff and school administrators who are killed in the line of duty include the following:

- Funeral and burial expenses (full-time law enforcement, correctional, or correctional probation officer employed by a state agency under specified circumstances;⁴³ and instructional staff and school administrator employed by school district);⁴⁴
- Surviving family health insurance premiums payment by political subdivision of the state and local school district (full-time law enforcement officer or correctional officer);⁴⁵ full-time firefighter;⁴⁶ and instructional staff and school administrator);⁴⁷
- Family health insurance premium payments for catastrophic injury (full-time law enforcement, correctional, correctional probation officer,⁴⁸ or firefighter⁴⁹ employed by state or a political subdivision of state); and
- Educational expenses of surviving spouse and children (law enforcement, correctional, or correctional probation officer;⁵⁰ firefighter;⁵¹ and instructional staff or school administrator).⁵²

Death benefits available under Chapter 185, F.S.

Chapter 185, F.S., governs municipal police pensions. If a municipal police officer dies before being eligible to retire, the officer's beneficiaries will receive:

- A refund of all contributions made by the officer to the retirement trust fund;⁵³
- Death benefits from life insurance or annuity contract if purchased for officer, subject to limitations;⁵⁴ and

³⁹ *Id.*

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² Section 112.1915(1)(f), F.S.

⁴³ Section 112.19(2)(f), F.S.

⁴⁴ Section 112.1915(3)(b), F.S.

⁴⁵ Section 112.19(2)(g), F.S.

⁴⁶ Section 112.191(2)(f), F.S.

⁴⁷ Section 112.1915(3)(c), F.S.

⁴⁸ Section 112.19(2)(h), F.S.

⁴⁹ Section 112.191(2)(g), F.S.

⁵⁰ Section 112.19(3), F.S.

⁵¹ Section 112.191(3), F.S.

⁵² Section 112.1915(3)(d), F.S. (surviving children only, not spouse).

⁵³ Section 185.21(1), F.S.

⁵⁴ *Id.*

- Benefits payable to officer at early or normal retirement age (if officer had at least 10 years of service).⁵⁵

Death benefits provided in accordance with s. 112.19, F.S., are not included in the calculation of death or retirement benefits under this chapter.⁵⁶

Death benefits available under Chapter 175, F.S.

Chapter 175, F.S., governs firefighter pensions. If a firefighter dies before being eligible to retire, the officer's beneficiaries will receive:⁵⁷

- A refund of all contributions made by the firefighter to the pension trust fund;⁵⁸
- Death benefits from life insurance or annuity contract if purchased for firefighter, subject to limitations;⁵⁹ and
- Benefits payable to firefighter at early or normal retirement age (if officer had at least 10 years of service).⁶⁰

Death benefits provided in accordance with s. 112.191, F.S., are not included in the calculation of death or retirement benefits under this chapter.

Compensation for death under Chapter 440, F.S.

The Workers' Compensation Law provides that the death of an employee of the state or one of its subdivisions, which results from an injury arising out of and in the course of employment, is a basis for a right to compensation.⁶¹ When a death results within one year of an accident, or within five years following continuous disability, the employer pays:⁶²

- Actual funeral expenses up to \$7,500;
- Compensation to enumerated dependents in the form of a percentage of the deceased employee's weekly wages, not to exceed \$150,000; and
- Payment of postsecondary student fees for the surviving spouse.

Survivor Death Benefits from the Public Safety Officers' Benefits Program

The Public Safety Officers' Benefits Program (PSOB), administered by the U.S. Department of Justice, provides education benefits and a one-time death benefit to eligible survivors of federal, state or local public safety officers who die in the line of duty. The amount of the PSOB benefit is \$339,310 for eligible deaths occurring on or after October 1, 2014.⁶³

⁵⁵ Section 185.21(2), F.S.

⁵⁶ *Id.*

⁵⁷ Section 175.201, F.S., for firefighters employed by any municipality, special fire control district, chapter plan, local law municipality, local law special fire control district, or local law plan.

⁵⁸ Section 175.201(1), F.S.

⁵⁹ *Id.*

⁶⁰ Section 175.201(2), F.S.

⁶¹ Section 440.02, F.S.

⁶² Section 440.16(1), F.S.

⁶³ U.S. Dep't of Justice Office of Justice Programs, *Public Safety Officers' Benefits Programs*, available at <https://www.psob.gov/index.html> (last visited Feb. 13, 2015).

III. Effect of Proposed Changes:

Section 1 amends s. 121.091, F.S., to increase the Florida Retirement System (FRS) pension plan's survivor benefits available to the spouse and children of members in the Special Risk Class when killed in the line of duty on or after July 1, 2013. Rather than receiving 50 percent of the member's salary at the time of death, the new survivor benefit is increased to 100 percent of the member's salary at the time of death. This survivor benefit is payable in lieu of the member's normal retirement benefits based on service credits and average final compensation.

The survivor benefits are payable for the life of the surviving spouse. If there is no surviving spouse or the spouse dies, the member's children will receive the benefits until the youngest child's eighteenth birthday. The benefits may be extended to the 25th birthday of an unmarried child enrolled as a full time student.

These survivor benefits are payable to the surviving spouse and children and supersede any beneficiary designation made by the member.

Section 2 amends s. 121.571, F.S., to specify that the new employer-paid contribution rates must be embedded in the system-wide blended rates assessed pursuant to s. 121.71, F.S.

Section 3 amends s. 121.591, F.S., to provide survivor benefits to the spouse and children of investment plan members in the Special Risk Class when killed in the line of duty on or after July 1, 2013. The spouse and children may elect to transfer the balance of the member's investment plan account to the survivor benefits program and receive the survivor benefits described in section 1 above (100 percent of the member's salary at the time of death). In addition to the transfer of moneys from the deceased member's investment account, additional employer-paid contributions into the survivor benefit account of the FRS Trust Fund are used to pay the survivor benefits.

Section 4 creates s. 121.5912, F.S., to establish legislative intent regarding the implementation of a survivor benefit program for the spouses and children of investment plan members in the Special Risk Class when killed in the line of duty. The program is intended to meet all applicable requirements of a qualified plan under the Internal Revenue Code. If the SBA or Department of Management Services (DMS) receives notification that a portion of this program will cause the FRS to be disqualified for tax purposes, that portion of the program ceases to be applicable.

Section 5 creates s. 121.735, F.S., to allocate 0.82 percentage points of the employer-paid contribution rate for investment plan members of the Special Risk Class to the survivor benefit program of the FRS investment plan. These contribution rates are applied as a percentage of the investment plan members' gross compensation for the calendar month.

Section 6 amends s. 121.71, F.S., to make a conforming change relating to the calculation by the system actuary of the contributions required for the FRS.

Section 7 amends s. 121.74, F.S., to make a technical correction relating to the contributions required by FRS employers to the FRS Trust Fund.

Section 8 amends s. 121.75, F.S., to make a conforming change relating to the distribution of contributions paid into the FRS Trust Fund.

Section 9 provides that, for the 2016-2017 fiscal year only, upon notification by the DMS that sufficient funds are not available to make the survivor benefit payments authorized by the bill, the State Board of Administration shall transfer sufficient funds from the Administrative Trust Fund to the survivor benefits account in the FRS Trust Fund in order to ensure timely payment of survivor benefits.

Section 10 increases the employer-paid contributions into the Florida Retirement System by 0.58 percentage points for the Special Risk Class and 0.06 percentage points for the Deferred Retirement Option Program.

Section 11 provides that the Legislature finds that this act fulfills an important state interest.

Section 12 appropriates the recurring amounts of \$5,445,537 from the General Revenue Fund and \$1,062,991 from trust funds to Administered Funds, to fund the increased employer contribution rates to be paid under the bill by state agencies, state universities, state colleges, and school districts.

Section 13 provides that this bill will take effect on July 1, 2016.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Article VII, s. 18(a) of the Florida Constitution provides in pertinent part that “no county or municipality shall be bound by any general law requiring such county or municipality to spend funds . . . unless the legislature has determined that such law fulfills an important state interest and unless:

- The law requiring such expenditure is approved by two-thirds of the membership in each house of the legislature; or
- The expenditure is required to comply with a law that applies to all persons similarly situated.”

This bill includes legislative findings that the bill fulfills an important state interest (see section 11), and the bill applies to all persons similarly situated (those employers participating in the Florida Retirement System with employees in the Special Risk Class and DROP), including state agencies, school boards, community colleges, counties, and municipalities. If this exception does not apply, the bill must be approved by two-thirds vote of each chamber to be binding upon the counties and municipalities participating in the FRS.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. Other Constitutional Issues:

Article X, s. 14 of the Florida Constitution provides:

A governmental unit responsible for any retirement or pension system supported in whole or in part by public funds shall not after January 1, 1977, provide any increase in the benefits to the members or beneficiaries of such system unless such unit has made or concurrently makes provision for the funding of the increase in benefits on a sound actuarial basis.

An actuarial study has been completed to comply with Art. X, s. 14 of the Florida Constitution. The bill provides adjustments to contribution rates consistent with that actuarial study and concurrent with the adjustments in retirement benefits.⁶⁴

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Under SB 7012, spouses and children of members in the Special Risk Class when killed in the line of duty may receive higher benefits than available under current law.

C. Government Sector Impact:

Employers participating in the FRS whose employees are members of the Special Risk Class or DROP will incur higher retirement contributions to fund these new benefits. The aggregate employer contributions anticipated to be paid into the Florida Retirement System Trust Fund in Fiscal Year 2015-2016 will increase by approximately \$25 million when compared to the employer contributions paid in Fiscal Year 2014-2015. However, the impacts on particular employers vary significantly based on whether the employers have members in the Special Risk Class or DROP. The impacts by employer group for Fiscal Year 2015-2016 are noted below.

⁶⁴ *Re: Actuarial Study – Special Risk Class In Line of Duty (ILOD) Death Benefits*, from Milliman, Inc., to Dan Drake, State Retirement Director, dated April 1, 2015. (on file with the Senate Committee on Governmental Oversight and Accountability)

Employer Group	Impact on Contributions
State Agencies	\$5.4 m
Universities	\$0.2 m
Colleges	\$0.1 m
School Boards	\$0.8 m
Counties	\$17.2 m
Other	\$1.3 m
Total	\$25.1 m

The bill appropriates the recurring amounts of \$5,445,537 from the General Revenue Fund and \$1,062,991 from trust funds to Administered Funds, to fund the increased employer contribution rates to be paid under the bill by state agencies, state universities, state colleges, and school districts.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 121.091, 121.571, 121.591, 121.71, 121.74, and 121.75.

The bill creates the following sections of the Florida Statutes: 121.5912 and 121.735.

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.

By the Committee on Governmental Oversight and Accountability

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1 A bill to be entitled
 2 An act relating to death benefits under the Florida
 3 Retirement System; amending s. 121.091, F.S.;
 4 authorizing payment of death benefits to the surviving
 5 spouse or children of a Special Risk Class member
 6 killed in the line of duty under specified
 7 circumstances; specifying eligibility; amending s.
 8 121.571, F.S.; conforming provisions to changes made
 9 by the act; amending s. 121.591, F.S.; authorizing
 10 payment of death benefits to the surviving spouse or
 11 surviving children of a Special Risk Class member in
 12 the investment plan; establishing qualifications and
 13 eligibility requirements in order to receive such
 14 benefits; prescribing the method of calculating the
 15 benefit; specifying circumstances under which benefit
 16 payments are terminated; creating s. 121.5912, F.S.;
 17 providing legislative intent; requiring the State
 18 Board of Administration or the Division of Retirement
 19 to take certain action upon receipt of notification of
 20 disqualification from the Internal Revenue Service;
 21 authorizing the state board and the Department of
 22 Management Services to adopt rules; creating s.
 23 121.735, F.S.; providing for allocations for death
 24 benefits authorized by the act; amending ss. 121.71,
 25 121.74, and 121.75, F.S.; conforming cross-references
 26 to changes made by the act; requiring the State Board
 27 of Administration to transfer moneys to fund survivor
 28 benefit payments under specified circumstances;
 29 adjusting employer contribution rates in order to fund

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

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30 changes made by the act; providing a directive to the
 31 Division of Law Revision and Information; declaring
 32 that the act fulfills an important state interest;
 33 providing an appropriation; providing an effective
 34 date.
 35
 36 Be It Enacted by the Legislature of the State of Florida:
 37
 38 Section 1. Paragraph (d) of subsection (7) of section
 39 121.091, Florida Statutes, is amended, and paragraph (i) is
 40 added to that subsection, to read:
 41 121.091 Benefits payable under the system.—Benefits may not
 42 be paid under this section unless the member has terminated
 43 employment as provided in s. 121.021(39)(a) or begun
 44 participation in the Deferred Retirement Option Program as
 45 provided in subsection (13), and a proper application has been
 46 filed in the manner prescribed by the department. The department
 47 may cancel an application for retirement benefits when the
 48 member or beneficiary fails to timely provide the information
 49 and documents required by this chapter and the department's
 50 rules. The department shall adopt rules establishing procedures
 51 for application for retirement benefits and for the cancellation
 52 of such application when the required information or documents
 53 are not received.
 54 (7) DEATH BENEFITS.—
 55 (d) Notwithstanding any other provision in this chapter to
 56 the contrary, with the exception of the Deferred Retirement
 57 Option Program, as provided in subsection (13):
 58 1. The surviving spouse of any member killed in the line of

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59 duty may receive a monthly pension equal to one-half of the
 60 monthly salary being received by the member at the time of death
 61 for the rest of the surviving spouse's lifetime or, if the
 62 member was vested, such surviving spouse may elect to receive a
 63 benefit as provided in paragraph (b). Benefits provided by this
 64 paragraph shall supersede any other distribution that may have
 65 been provided by the member's designation of beneficiary.

66 2. If the surviving spouse of a member killed in the line
 67 of duty dies, the monthly payments that ~~which~~ would have been
 68 payable to such surviving spouse had such surviving spouse lived
 69 shall be paid for the use and benefit of such member's child or
 70 children under 18 years of age and unmarried until the 18th
 71 birthday of the member's youngest child. Beginning July 1, 2016,
 72 such payments may be extended, for the surviving child of a
 73 member in the Special Risk Class at the time he or she was
 74 killed in the line of duty on or after July 1, 2013, until the
 75 25th birthday of any child of the member if the child is
 76 unmarried and enrolled as a full-time student.

77 3. If a member killed in the line of duty leaves no
 78 surviving spouse but is survived by a child or children under 18
 79 years of age, the benefits provided by subparagraph 1., normally
 80 payable to a surviving spouse, shall be paid for the use and
 81 benefit of such member's child or children under 18 years of age
 82 and unmarried until the 18th birthday of the member's youngest
 83 child. Beginning July 1, 2016, such monthly payments may be
 84 extended, for the surviving child of a member in the Special
 85 Risk Class at the time he or she was killed in the line of duty
 86 on or after July 1, 2013, until the 25th birthday of any child
 87 of the member if the child is unmarried and enrolled as a full-

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88 time student.

89 4. The surviving spouse of a member whose benefit
 90 terminated because of remarriage shall have the benefit
 91 reinstated beginning July 1, 1993, at an amount that would have
 92 been payable had the benefit not been terminated.

93 (i) Effective July 1, 2016, and notwithstanding any
 94 provision in this chapter to the contrary, if a member in the
 95 Special Risk Class, other than a participant in the Deferred
 96 Retirement Option Program under subsection (13), is killed in
 97 the line of duty on or after July 1, 2013, the following
 98 benefits are payable in addition to the benefits provided in
 99 paragraph (d):

100 1. The surviving spouse may receive a monthly pension equal
 101 to one-half of the monthly salary being received by the member
 102 at the time of the member's death for the rest of the surviving
 103 spouse's lifetime or, if the member was vested, such surviving
 104 spouse may elect to receive a benefit as provided in paragraph
 105 (b). Benefits provided by this paragraph supersede any other
 106 distribution that may have been provided by the member's
 107 designation of beneficiary.

108 2. If the surviving spouse dies, the monthly payments that
 109 otherwise would have been payable to such surviving spouse shall
 110 be paid for the use and benefit of the member's child or
 111 children under 18 years of age and unmarried until the 18th
 112 birthday of the member's youngest child. Such monthly payments
 113 may be extended until the 25th birthday of the member's child if
 114 the child is unmarried and enrolled as a full-time student.

115 3. If the member leaves no surviving spouse but is survived
 116 by a child or children under 18 years of age, the benefits

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provided by subparagraph 1., normally payable to a surviving spouse, shall be paid for the use and benefit of such member's child or children under 18 years of age and unmarried until the 18th birthday of the member's youngest child. Such monthly payments may be extended until the 25th birthday of any of the member's children if the child is unmarried and enrolled as a full-time student.

Section 2. Subsection (2) of section 121.571, Florida Statutes, is amended to read:

121.571 Contributions to the Florida Retirement System Investment Plan shall be made as follows:

(2) CONTRIBUTION RATES GENERALLY.—Contributions to fund the retirement, ~~and~~ disability, and line-of-duty death benefits provided under this part must be based on the uniform contribution rates established by s. 121.71 and on the membership class or subclass of the member. Such contributions must be allocated as provided in ss. 121.72, ~~and~~ 121.73, and 121.735.

Section 3. Subsection (3) of section 121.591, Florida Statutes, is amended, present subsection (4) of that section is redesignated as subsection (5), and a new subsection (4) is added to that section, to read:

121.591 Payment of benefits.—Benefits may not be paid under the Florida Retirement System Investment Plan unless the member has terminated employment as provided in s. 121.021(39)(a) or is deceased and a proper application has been filed as prescribed by the state board or the department. Benefits, including employee contributions, are not payable under the investment plan for employee hardships, unforeseeable emergencies, loans,

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medical expenses, educational expenses, purchase of a principal residence, payments necessary to prevent eviction or foreclosure on an employee's principal residence, or any other reason except a requested distribution for retirement, a mandatory de minimis distribution authorized by the administrator, or a required minimum distribution provided pursuant to the Internal Revenue Code. The state board or department, as appropriate, may cancel an application for retirement benefits if the member or beneficiary fails to timely provide the information and documents required by this chapter and the rules of the state board and department. In accordance with their respective responsibilities, the state board and the department shall adopt rules establishing procedures for application for retirement benefits and for the cancellation of such application if the required information or documents are not received. The state board and the department, as appropriate, are authorized to cash out a de minimis account of a member who has been terminated from Florida Retirement System covered employment for a minimum of 6 calendar months. A de minimis account is an account containing employer and employee contributions and accumulated earnings of not more than \$5,000 made under the provisions of this chapter. Such cash-out must be a complete lump-sum liquidation of the account balance, subject to the provisions of the Internal Revenue Code, or a lump-sum direct rollover distribution paid directly to the custodian of an eligible retirement plan, as defined by the Internal Revenue Code, on behalf of the member. Any nonvested accumulations and associated service credit, including amounts transferred to the suspense account of the Florida Retirement System Investment Plan Trust

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Fund authorized under s. 121.4501(6), shall be forfeited upon payment of any vested benefit to a member or beneficiary, except for de minimis distributions or minimum required distributions as provided under this section. If any financial instrument issued for the payment of retirement benefits under this section is not presented for payment within 180 days after the last day of the month in which it was originally issued, the third-party administrator or other duly authorized agent of the state board shall cancel the instrument and credit the amount of the instrument to the suspense account of the Florida Retirement System Investment Plan Trust Fund authorized under s. 121.4501(6). Any amounts transferred to the suspense account are payable upon a proper application, not to include earnings thereon, as provided in this section, within 10 years after the last day of the month in which the instrument was originally issued, after which time such amounts and any earnings attributable to employer contributions shall be forfeited. Any forfeited amounts are assets of the trust fund and are not subject to chapter 717.

(3) DEATH BENEFITS.—Under the Florida Retirement System Investment Plan:

(a) Survivor benefits are payable in accordance with the following terms and conditions, except as provided in subsection (4):

1. To the extent vested, benefits are payable only to a member's beneficiary or beneficiaries as designated by the member as provided in s. 121.4501(20).

2. Benefits shall be paid by the third-party administrator or designated approved providers in accordance with the law, the

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contracts, and any applicable state board rule or policy.

3. To receive benefits, the member must be deceased.

(b) Except as provided in subsection (4), in the event of a member's death, all vested accumulations as described in s. 121.4501(6), less withholding taxes remitted to the Internal Revenue Service, shall be distributed, as provided in paragraph (c) or as described in s. 121.4501(20), as if the member retired on the date of death. No other death benefits are available for survivors of members, except for benefits, or coverage for benefits, as are otherwise provided by law or separately provided by the employer, at the employer's discretion.

(c) Except as provided in subsection (4), upon receipt by the third-party administrator of a properly executed application for distribution of benefits, the total accumulated benefit is payable by the third-party administrator to the member's surviving beneficiary or beneficiaries, as:

1. A lump-sum distribution payable to the beneficiary or beneficiaries, or to the deceased member's estate;

2. An eligible rollover distribution, if permitted, on behalf of the surviving spouse of a deceased member, whereby all accrued benefits, plus interest and investment earnings, are paid from the deceased member's account directly to the custodian of an eligible retirement plan, as described in s. 402(c)(8)(B) of the Internal Revenue Code, on behalf of the surviving spouse; or

3. A partial lump-sum payment whereby a portion of the accrued benefit is paid to the deceased member's surviving spouse or other designated beneficiaries, less withholding taxes remitted to the Internal Revenue Service, and the remaining

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amount is transferred directly to the custodian of an eligible retirement plan, if permitted, as described in s. 402(c)(8)(B) of the Internal Revenue Code, on behalf of the surviving spouse. The proportions must be specified by the member or the surviving beneficiary.

This paragraph does not abrogate other applicable provisions of state or federal law providing for payment of death benefits.

(4) DEATH BENEFITS FOR SPECIAL RISK CLASS MEMBERS.—Benefits are provided under this subsection to the spouse and child or children of members in the Special Risk Class when such members are killed in the line of duty and are payable in lieu of the benefits that would otherwise be payable under subsection (1) or subsection (3). Benefits provided by this subsection supersede any other distribution that may have been provided by the member's designation of beneficiary. Such benefits must be funded from employer contributions made under s. 121.571, transferred employee contributions and funds accumulated pursuant to paragraph (a), and interest and earnings thereon.

(a) Transfer of funds.—To qualify to receive monthly benefits under this subsection:

1. All moneys accumulated in the member's account, including vested and nonvested accumulations as described in s. 121.4501(6), must be transferred from such individual accounts to the division for deposit in the survivor benefit account of the Florida Retirement System Trust Fund. Moneys in the survivor benefit account must be accounted for separately. Earnings must be credited on an annual basis for amounts held in the survivor benefit account of the Florida Retirement System Trust Fund

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based on actual earnings of the trust fund.

2. If the member has retained retirement credit earned under the pension plan as provided in s. 121.4501(3), a sum representing the actuarial present value of such credit within the Florida Retirement System Trust Fund shall be transferred by the division from the pension plan to the survivor benefit retirement program as implemented under this subsection and shall be deposited in the survivor benefit account of the trust fund.

(b) Survivor retirement; entitlement.—An investment plan member who is in the Special Risk Class at the time the member is killed in the line of duty on or after July 1, 2013, regardless of length of creditable service, may have survivor benefits paid as provided in s. 121.091(7)(d) and (i) to:

1. The surviving spouse for the spouse's lifetime; or
2. If there is no surviving spouse or the surviving spouse dies, the member's child or children under 18 years of age and unmarried until the 18th birthday of the member's youngest child. Such payments may be extended until the 25th birthday of any child of the member if the child is unmarried and enrolled as a full-time student as provided in s. 121.091(7)(d) and (i).

(c) Survivor benefit retirement effective date.—The effective retirement date for the surviving spouse or eligible child of a Special Risk Class member who is killed in the line of duty is:

1. The first day of the month following the member's death if the member dies on or after July 1, 2016.

2. July 1, 2016, for a member of the Special Risk Class when killed in the line of duty on or after July 1, 2013, but

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291 before July 1, 2016, if the application is received before July
 292 1, 2016; or the first day of the month following the receipt of
 293 such application.

294

295 If the investment plan account balance has already been paid out
 296 to the surviving spouse or the eligible unmarried dependent
 297 child or children, the benefit payable shall be actuarially
 298 reduced by the amount of the payout.

299 (d) Line-of-duty death benefit.—

300 1. The following individuals are eligible to receive a
 301 retirement benefit under s. 121.091(7) (d) and (i) if the
 302 member's account balance is surrendered and an application is
 303 received and approved:

304 a. The surviving spouse.

305 b. If there is no surviving spouse or the surviving spouse
 306 dies, the member's child or children under 18 years of age and
 307 unmarried until the 18th birthday of the member's youngest
 308 child, or until the 25th birthday of the member's child if the
 309 child is unmarried and enrolled as a full-time student.

310 2. Such surviving spouse or such child or children shall
 311 receive a monthly survivor benefit that begins accruing on the
 312 first day of the month of survivor benefit retirement, as
 313 approved by the division, and is payable on the last day of that
 314 month and each month thereafter during the surviving spouse's
 315 lifetime or on behalf of the unmarried children of the member
 316 until the 18th birthday of the youngest child, or until the 25th
 317 birthday of any of the member's unmarried children who are
 318 enrolled as full-time students. Survivor benefits must be paid
 319 out of the survivor benefit account of the Florida Retirement

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320 System Trust Fund established under this subsection.

321

322 If the investment plan account balance has already been paid out
 323 to the surviving spouse or the eligible unmarried dependent
 324 child or children, the benefit payable shall be actuarially
 325 reduced by the amount of the payout.

326 (e) Computation of survivor benefit retirement benefit.—The
 327 amount of each monthly payment must be calculated as provided
 328 under s. 121.091(7) (d) and (i).

329 (f) Death of the surviving spouse or children.—

330 1. Upon the death of a surviving spouse, the monthly
 331 benefits shall be paid through the last day of the month of
 332 death and shall terminate or be paid on behalf of the unmarried
 333 child or children until the 18th birthday of the youngest child,
 334 or the 25th birthday of any of the member's unmarried children
 335 who are enrolled as full-time students.

336 2. If the surviving spouse dies and the benefits are being
 337 paid on behalf of the member's unmarried children as provided in
 338 subparagraph 1., benefits shall be paid through the last day of
 339 the month until the later of the month the youngest child
 340 reaches his or her 18th birthday, the month of the 25th birthday
 341 of any of the member's unmarried children enrolled as full-time
 342 students, or the month of the death of the youngest child.

343 Section 4. Section 121.5912, Florida Statutes, is created
 344 to read:

345 121.5912 Survivor benefit retirement program; qualified
 346 status; rulemaking authority.—It is the intent of the
 347 Legislature that the survivor benefit retirement program for
 348 Special Risk Class members of the Florida Retirement System

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investment plan meet all applicable requirements for a qualified plan. If the state board or the division receives notification from the Internal Revenue Service that this program or any portion of this program will cause the retirement system, or any portion thereof, to be disqualified for tax purposes under the Internal Revenue Code, the portion that will cause the disqualification does not apply. Upon such notice, the state board or the division shall notify the presiding officers of the Legislature. The state board and the department may adopt any rules necessary to maintain the qualified status of the survivor benefit retirement program.

Section 5. Section 121.735, Florida Statutes, is created to read:

121.735 Allocations for member line-of-duty death benefits; percentage amounts.—

(1) The allocations established in subsection (3) shall be used to provide line-of-duty death benefit coverage for Special Risk Class members in the investment plan and shall be transferred monthly by the division from the Florida Retirement System Contributions Clearing Trust Fund to the survivor benefit account of the Florida Retirement System Trust Fund.

(2) Such allocations are stated as a percentage of each investment plan member's gross compensation for the calendar month. Any change in a contribution percentage is effective the first day of the month for which retirement contributions may be made on or after the beginning date of the change. Contribution percentages may be modified by general law.

(3) Effective July 1, 2016, allocations from the Florida Retirement System Contributions Clearing Trust Fund to provide

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line-of-duty death benefits for Special Risk Class members in the investment plan and to offset the costs of administering said coverage, are as follows:

<u>Membership Class</u>	<u>Percentage of Gross Compensation</u>
-------------------------	---

<u>Special Risk Class</u>	<u>0.82%</u>
---------------------------	--------------

Section 6. Subsection (1) of section 121.71, Florida Statutes, is amended to read:

121.71 Uniform rates; process; calculations; levy.—

(1) In conducting the system actuarial study required under s. 121.031, the actuary shall follow all requirements specified to determine, by Florida Retirement System employee membership class, the dollar contribution amounts necessary for the next fiscal year for the pension plan. In addition, the actuary shall determine, by Florida Retirement System membership class, based on an estimate for the next fiscal year of the gross compensation of employees participating in the investment plan, the dollar contribution amounts necessary to make the allocations required under ss. 121.72, ~~and~~ 121.73, and 121.735. For each employee membership class and subclass, the actuarial study must establish a uniform rate necessary to fund the benefit obligations under both Florida Retirement System

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retirement plans by dividing the sum of total dollars required by the estimated gross compensation of members in both plans.

Section 7. Section 121.74, Florida Statutes, is amended to read:

121.74 Administrative and educational expenses.—In addition to contributions required to fund member accounts under s. 121.71 ~~ss. 121.71 and 121.73~~, effective July 1, 2010, through June 30, 2014, employers participating in the Florida Retirement System shall contribute an employer assessment amount equal to 0.03 percent of the payroll reported for each class or subclass of Florida Retirement System membership. Effective July 1, 2014, the employer assessment is 0.04 percent of the payroll reported for each class or subclass of membership. The amount assessed shall be transferred by the division ~~of Retirement~~ from the Florida Retirement System Contributions Clearing Trust Fund to the State Board of Administration's Administrative Trust Fund to offset the costs of administering the investment plan and the costs of providing educational services to members of the Florida Retirement System. Approval of the trustees is required before the expenditure of these funds. Payments for third-party administrative or educational expenses shall be made only pursuant to the terms of the approved contracts for such services.

Section 8. Section 121.75, Florida Statutes, is amended to read:

121.75 Allocation for pension plan.—After making the transfers required pursuant to ss. 121.71, 121.72, 121.73, 121.735, and 121.74, the monthly balance of funds in the Florida Retirement System Contributions Clearing Trust Fund shall be

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transferred to the Florida Retirement System Trust Fund to pay the costs of providing pension plan benefits and plan administrative costs under the pension plan.

Section 9. For the 2016-2017 fiscal year only, upon notification by the Department of Management Services that sufficient funds are not available to make survivor benefit payments authorized by this act, the State Board of Administration shall transfer, to the extent necessary, moneys in the Administrative Trust Fund to the survivor benefits account in the Florida Retirement System Trust Fund to ensure the timely payment of survivor benefits.

Section 10. (1) In order to fund the benefit changes provided in this act, the required employer contribution rates for members of the Florida Retirement System established in s. 121.71(4), Florida Statutes, are adjusted as follows:

(a) The Special Risk Class is increased by 0.45 percentage point; and

(b) The Deferred Retirement Option Program is increased by 0.06 percentage point.

(2) In order to fund the benefit changes provided in this act, the required employer contribution rate for the unfunded actuarial liability of the Florida Retirement System established in s. 121.71(5), Florida Statutes, for the Special Risk Class is increased by 0.13 percentage point.

(3) The adjustments provided in subsections (1) and (2) are in addition to any other changes to such contribution rates which may be enacted into law to take effect on July 1, 2016. The Division of Law Revision and Information is directed to adjust accordingly the contribution rates provided in s. 121.71,

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461 Florida Statutes.

462 Section 11. The Legislature finds that a proper and
463 legitimate state purpose is served when employees and retirees
464 of the state and of its political subdivisions, and the
465 dependents, survivors, and beneficiaries of such employees and
466 retirees, are extended the basic protections afforded by
467 governmental retirement systems that provide fair and adequate
468 benefits that are managed, administered, and funded in an
469 actuarially sound manner, as required by s. 14, Article X of the
470 State Constitution and part VII of chapter 112, Florida
471 Statutes. Therefore, the Legislature determines and declares
472 that this act fulfills an important state interest.

473 Section 12. For the 2016-2017 fiscal year, the recurring
474 sums of \$5,445,537 from the General Revenue Fund and \$1,062,991
475 from trust funds are appropriated to Administered Funds in order
476 to fund the increased employer contribution rates to be paid
477 under this act by state agencies, state universities, state
478 colleges, and school districts.

479 Section 13. This act shall take effect July 1, 2016.

THE FLORIDA SENATE
APPEARANCE RECORD

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

1/3/16
Meeting Date

(SB) 7012
Bill Number (if applicable)

Topic Death Benefit FOR Special Risk CLASS

Amendment Barcode (if applicable)

Name GARY BRADFORD

Job Title Government Relations

Address 300 E. Boulevard St

Phone 800-833-5931

Street

Tallahassee

City

FL

State

33601

Zip

Email GARY@FIPBA.com

Speaking: ☒ For ☐ Against ☐ Information

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

Representing FLORIDA POLICE Benevolent 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.

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)

7012
Bill Number (if applicable)

Meeting Date

Amendment Barcode (if applicable)

Topic Death Benefits

Name Lisa Henning

Job Title Director Legis Affairs

Address 242 Office Plaza

Street

Tallahassee

City

FL

State

32301

Zip

Phone 850-766-8806

Email lregislative@aol.com

Speaking: ☒ For ☐ Against ☐ Information

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

Representing Fraternal Order of Police

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.

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)

Feb 3, 2016
Meeting Date

7012
Bill Number (if applicable)

Topic RETIREMENT DEATH BENEFITS

Amendment Barcode (if applicable)

Name JAMES DAY

Job Title Deputy Sheriff

Address 123 W. INDIANA AVE
Street

Phone _____

DeLand FL 32720
City State Zip

Email _____

Speaking: ☒ For ☐ Against ☐ Information

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

Representing FLORIDA SHERIFF'S ASSOC.

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.

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)

2/3/16
Meeting Date

7012
Bill Number (if applicable)

Topic FRS Death Benefits

Amendment Barcode (if applicable)

Name Rocco Salvatori

Job Title Firefighter

Address 345 W Madison St
Street

Phone 850-224-7333

Tallahassee FL 32301
City State Zip

Email roccosalvatori@icloud.com

Speaking: ☒ For ☐ Against ☐ Information

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

Representing Florida Professional Firefighters

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.

S-001 (10/14/14)

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 Committee on Appropriations

BILL: SB 7028

INTRODUCER: Governmental Oversight and Accountability Committee

SUBJECT: State Board of Administration

DATE: February 2, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
	Peacock	McVaney		GO Submitted as Committee Bill
1.	McSwain	DeLoach	AGG	Recommend: Favorable
2.	McSwain	Kynoch	AP	Favorable

I. Summary:

SB 7028 deletes one of the conditions that trigger the expiration of the State Board of Administration's (SBA) duty to scrutinize companies and to assemble the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List. The SBA will no longer be required to consider declarations from the United States Congress or the President via legislation, executive order, or written certification from the President to Congress, that mandatory divestment of companies with scrutinized business operations in Iran interfere with the conduct of U.S. foreign policy. The State Board of Administration must monitor certain events and report occurrence of these events to its trustees.

The bill clarifies the duties of the State Board of Administration relating to:

- The creation and maintenance of the various lists of scrutinized companies;
- The divestment of certain investments relating to those scrutinized companies; and
- The reporting of the various lists of scrutinized companies and specified criteria of the Florida Retirement System.

The fiscal impact on state government is indeterminate. The bill takes effect on July 1, 2016.

II. Present Situation:

State Board of Administration Investing Duties

The State Board of Administration (SBA) was created by Article IV, section 4(e) of the Florida Constitution. Its members are the Governor, the Chief Financial Officer, and the Attorney General. The board derives its powers to oversee state funds from Article XII, section 9 of the Florida Constitution and ch. 215, F.S.

The SBA has oversight over the Florida Retirement System (FRS) pension plan and the FRS investment plan, which represent approximately \$157.14 billion, or 87.3 percent, of the \$180 billion in assets managed by the SBA, as of June 30, 2015.¹ The pension plan is a defined benefit plan, and the investment plan is a defined contribution plan that employees may choose in lieu of the pension plan. The SBA also manages over 30 other investment portfolios, with combined assets of \$22.86 billion, including the Florida Hurricane Catastrophe Fund, the Florida Lottery Fund, the Florida Prepaid College Plan, and various debt-service accounts for state bond issues.²

State Sponsors of Terrorism

The United States Department of State maintains a list of countries determined to have repeatedly provided support for acts of international terrorism.³ The countries are designated "terrorist nations" under requirements in three federal laws: the Export Administration Act⁴; the Arms Export Control Act⁵; and the Foreign Assistance Act⁶. Taken together, the four main categories of sanctions resulting from designation under these authorities include restrictions on U.S. foreign assistance; a ban on defense exports and sales; certain controls over exports of dual use items; and miscellaneous financial and other restrictions.⁷

Currently, the State Department designates three countries under these authorities: Iran, Sudan and Syria.⁸ The chart below shows the date each country was designated a terrorist nation.

Country	Designation Date
Iran	January 19, 1984
Sudan	August 12, 1993
Syria	December 29, 1979

Cuba had been designated as a State Sponsor of Terrorism on March 1, 1982. In December 2014, President Obama requested the Secretary of State to review Cuba's designation as a state sponsor of terrorism, and to provide him a report within six months in regards to Cuba's support for international terrorism.⁹ On April 8, 2015, the Secretary of State completed his review and recommended to the President that Cuba no longer be designated as a state sponsor of terrorism.¹⁰

On April 14, 2015, the President submitted this report to Congress indicating the administration's intent to rescind Cuba's state sponsor of terrorism designation, including the certification that Cuba has not provided any support for international terrorism during the

¹ State Board of Administration "Performance Report to the Trustees" dated June 30, 2015, and issued on August 12, 2015.

² *Id.*

³ U.S. Department of State, Diplomacy in Action can be found online at <http://www.state.gov/j/ct/list/c14151.htm> (last visited Sept. 9, 2015).

⁴ 50 U.S.C. App 2405(j)

⁵ 22 U.S.C. s. 2780

⁶ 22 U.S.C. s. 2371

⁷ See <http://www.state.gov/s/ct/c14151.htm>.

⁸ *Id.*

⁹ U.S. Department of State, Diplomacy in Action, Recession of Cuba as a State Sponsor of Terrorism, at <http://www.state.gov/r/pa/prs/ps/2015/05/242986.htm> (last visited on Sept. 15, 2015).

¹⁰ *Id.*

previous six months and that Cuba has provided assurances that it will not support acts of international terrorism in the future.¹¹

After the 45-day Congressional pre-notification period expired, Cuba was officially removed from the list on May 29, 2015.¹²

Protecting Florida Investments Act

In 2007, the Legislature enacted the Protecting Florida's Investments Act (PFIA).¹³ The PFIA requires the SBA, acting on behalf of the Florida Retirement System Trust Fund (FRSTF), to assemble and publish a list of "Scrutinized Companies" that have prohibited business operations in Sudan and Iran. Once placed on the list of Scrutinized Companies, the SBA and its investment managers are prohibited from acquiring those companies' securities¹⁴ and are required to divest those securities if the companies¹⁵ do not cease the prohibited activities or take certain compensating actions. The implementation of the PFIA by the SBA does not affect any FRSTF investments in U.S. companies; the PFIA affects foreign companies with certain business operations in Sudan and Iran involving the petroleum or energy sector, oil or mineral extraction, power production, or military support activities.

The definition of "company" for purposes of the PFIA includes all wholly-owned subsidiaries, majority-owned subsidiaries, parent companies, or affiliates of such entities or business associations.

The term "public fund" is defined as "all funds, assets, trustee, and other designates under the State Board of Administration pursuant to chapter 121."¹⁶ This means those assets of the Florida Retirement System - both the pension plan as well as the investment plan.

According to staff of the SBA, the PFIA imposes the following reporting, engagement, and investment requirements on the SBA:

- Quarterly reporting to the Board of Trustees of every equity security in which the SBA has invested for the quarter, along with its industry category. This report is posted on the SBA website.
- Quarterly presentation to the Trustees of a "Scrutinized Companies" list for both Sudan and Iran for their approval. Scrutinized Company lists are available on the SBA's website¹⁷, along with information on the FRSTF direct and indirect holdings of Scrutinized Companies.
- Written notice to external investment managers of all PFIA requirements. Letters request that the managers of actively managed commingled vehicles (i.e., those with FRSTF and other clients' assets) consider removing Scrutinized Companies from the product or create a

¹¹ *Id.*

¹² *Id.*

¹³ Chapter 2007-88, Laws of Florida; *also, see* Senate Bill 2142 (reg. session 2007).

¹⁴ Section 215.473(3)(c), F.S.

¹⁵ Section 215.473(3)(b), F.S.

¹⁶ Section 215.473(1)(r), F.S.

¹⁷ The quarterly reports are available at

<http://www.sbafla.com/fsb/Portals/Internet/PFIA/CurrentProhibitedCompaniesList.pdf>

similar actively managed product that excludes such companies. Similar written requests must be provided to relevant investment managers within the Investment Plan.

- Written notice to any company with inactive business operations in Sudan or Iran, informing the company of the PFIA and encouraging it to continue to refrain from reinitiating active business operations.¹⁸ Such correspondence continues semiannually.¹⁹
- Written notice to any Scrutinized Company with active business operations, informing the company of its Scrutinized Company status and that it may become subject to divestment.²⁰ The written notice must inform the company of the opportunity to clarify its Sudan-related or Iran-related activities and encourage the company, within 90 days, to cease its scrutinized business operations or convert such operations to inactive status.²¹
- A prohibition on further investment on behalf of the FRSTF in any Scrutinized Company once the Sudan and Iran scrutinized lists have been approved by the Trustees. All publicly traded securities of Scrutinized Companies must be divested within 12 months after the company's initial (and continued) appearance on the Scrutinized Companies list. Divestment does not apply to indirect holdings in actively managed commingled investment funds—i.e., where the SBA is not the sole investor in the fund. Private equity funds are considered to be actively managed.
- Reporting to each member of the Board of Trustees, President of the Senate, and the Speaker of the House of Representatives of Scrutinized Company lists within 30 days of creation, and public disclosure of each list.²²
- Quarterly reporting to each member of the Board of Trustees, the President of the Senate, the Speaker of the House of Representatives, the United States Presidential Special Envoy to Sudan, and the United States Presidential Special Envoy to Iran.²³ The report must include the following:²⁴
 - A summary of correspondence with engaged companies;
 - A listing of all investments sold, redeemed, divested, or withdrawn;
 - A listing of all prohibited investments;
 - A description of any progress related to external managers offering PFIA compliant funds; and
 - A list of all publicly traded securities held directly by the state.
- Adoption and incorporation into the FRSTF Investment Policy Statement (IPS) of SBA actions taken in accordance with the PFIA. Changes to the IPS are reviewed by the Investment Advisory Council (IAC) and approved by the Trustees.
- Relevant Sudan or Iran portions of the PFIA are discontinued if the Congress or President of the United States passes legislation, executive order, or other written certification that:
 - Darfur genocide has been halted for at least 12 months;²⁵
 - Sanctions imposed against the Government of Sudan are revoked;²⁶

¹⁸ Section 215.473(3)(a)2., F.S.

¹⁹ *Id.*

²⁰ Section 215.473(3)(a)3., F.S.

²¹ *Id.*

²² Section 215.473(4)(a), F.S.

²³ Section 215.473(4)(b), F.S.

²⁴ Section 215.473(4)(b)1.-5., F.S.

²⁵ Section 215.473(5)(a)1., F.S.

²⁶ Section 215.473(5)(a)2., F.S.

- Government of Sudan honors its commitments to cease attacks on civilians, demobilize and demilitarize the Janjaweed and associated militias, grant free and unfettered access for deliveries of humanitarian assistance, and allow for the safe and voluntary return of refugees and internally displaced persons;²⁷
- Government of Iran has ceased to acquire weapons of mass destruction and support international terrorism;²⁸
- Sanctions imposed against the government of Iran are revoked;²⁹ or
- Mandatory divestment of the type provided for by the PFIA interferes with the conduct of U.S. foreign policy.³⁰
- Cessation of divestment and/or reinvestment into previously divested companies may occur if the value of all FRSTF assets under management decreases by 50 basis points (0.5 percent) or more as a result of divestment.³¹ If cessation of divestment is triggered, the SBA is required to provide a written report to each member of the Board of Trustees, the President of the Senate, and the Speaker of the House of Representatives prior to initial reinvestment.³² Such condition is required to be updated semiannually.³³

Prohibition Against Contracting with Scrutinized Companies and Companies Engaged in Business Operations in Cuba or Syria

Section 287.135(2), F.S., prohibits a company on the Scrutinized Companies with Activities in Sudan List or on the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List or is engaged in business operations in Cuba or Syria from bidding on, submitting a proposal for, or entering into or renewing a contract with an agency³⁴ or local governmental entity for goods or services of \$1 million or more. “Local governmental entity,” for the purposes of s. 287.135, F.S., means a county, municipality, special district, or other political subdivision of the state.

Section 287.135(3)(b), F.S., provides that any contract with an agency or local governmental entity for goods or services of \$1 million or more entered into or renewed on or after July 1, 2012, must contain a provision that allows for the termination of such contract at the option of the awarding body if the company is found to have submitted a false certification or has been placed on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List or have been engaged in business operations in Cuba or Syria.

Section 287.135(4)(a)1., F.S., allows an agency or local governmental entity to make a case-by-case exception to the prohibition for a company on the Scrutinized Companies with Activities in

²⁷ Section 215.473(5)(a)3., F.S.

²⁸ Section 215.473(5)(b)1., F.S.

²⁹ Section 215.473(5)(b)2., F.S.

³⁰ Section 215.473(5)(b)3., F.S.

³¹ Section 215.473(7), F.S.

³² *Id.*

³³ *Id.*

³⁴ Agency is defined in s. 287.012(1), F.S., as any of the various state officers, departments, boards, commissions, divisions, bureaus, and councils and any other unit of organization, however designated, of the executive branch of state government. “Agency” does not include the university and college boards of trustees or the state universities and colleges. Also, see s. 287.135(1), F.S. Definitions contained in ss. 287.012 and 215.473, F.S. are incorporated into s. 287.135, F.S.

Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List if:

- The scrutinized business operations³⁵ were made before July 1, 2011;
- The scrutinized business operations have not been expanded or renewed after July 1, 2011;
- The agency or local governmental entity determines that it is in the best interest of the state or local community to contract with the company;
- The company has adopted, has publicized, and is implementing a formal plan to cease scrutinized business operations and to refrain from engaging in any new scrutinized business operations; *and*
- *One* of the following occurs:
 - The local governmental entity makes a public finding that, absent such an exemption, the local governmental entity would be unable to obtain the goods or services for which the contract is offered.
 - For a contract with an executive agency, the Governor makes a public finding that, absent such an exemption, the agency would be unable to obtain the goods or services for which the contract is offered.
 - For a contract with an office of a state constitutional officer other than the Governor, the state constitutional officer makes a public finding that, absent such an exemption, the office would be unable to obtain the goods or services for which the contract is offered.

Section 287.135(4)(a)2., F.S., allows an agency or local governmental entity to make a case-by-case exception to the prohibition for a company engaged in business operations in Cuba or Syria if:

- The business operations were made before July 1, 2012;
- The business operations have not been expanded or renewed after July 1, 2012;
- The agency or local governmental entity determines that it is in the best interest of the state or local community to contract with the company;
- The company has adopted, has publicized, and is implementing a formal plan to cease business operations and to refrain from engaging in any new business operations; *and*
- *One* of the following occurs:
 - The local governmental entity makes a public finding that, absent such an exemption, the local governmental entity would be unable to obtain the goods or services for which the contract is offered.
 - For a contract with an executive agency, the Governor makes a public finding that, absent such an exemption, the agency would be unable to obtain the goods or services for which the contract is offered.
 - For a contract with an office of a state constitutional officer other than the Governor, the state constitutional officer makes a public finding that, absent such an exemption, the office would be unable to obtain the goods or services for which the contract is offered.

An agency or local governmental entity must require a company that submits a bid or proposal for, or that otherwise proposes to enter into or renew, a contract with the agency or local governmental entity for goods or services of \$1 million or more to certify, at the time a bid or proposal is submitted or before a contract is executed or renewed, that the company is not on the

³⁵ Section 215.473(1)(t), F.S., defines “scrutinized business operations” to mean business operations that result in a company becoming a scrutinized company.

Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or that it does not have business operations in Cuba or Syria.³⁶

If an agency or local governmental entity determines that a company has submitted a false certification, it shall provide the company with written notice, and the company will have 90 days to respond in writing to such determination.³⁷ If the company fails to demonstrate that the determination of false certification was made in error, then the awarding body *must* bring a civil action against the company.³⁸ If a civil action is brought and the court determines that the company submitted a false certification, the company shall pay all reasonable attorney's fees and costs (including costs for investigations that led to the finding of false certification).³⁹ Also, a civil penalty equal to the greater of \$2 million or twice the amount of the contract for which the false certification was submitted shall be imposed.⁴⁰ The company is ineligible to bid on any contract with an agency or local governmental entity for 3 years after the date the agency or local governmental entity determined that the company submitted a false certification.⁴¹ A civil action to collect the penalties must commence within 3 years after the date the false certification is made.⁴²

Section 287.135(6), F.S., specifies that only the awarding body may cause a civil action to be brought, and that the section does not create or authorize a private right of action or enforcement of the provided penalties. An unsuccessful bidder, or any other person other than the awarding body, may not protest the award or contract renewal on the basis of a false certification.

Section 287.135(7), F.S., specifies that this section preempts any ordinance or rule of any agency or local governmental entity involving public contracts for goods or services of \$1 million or more with a company engaged in scrutinized business operations.

Section 287.135 (8), F.S., provides that this provision becomes inoperative on the date that federal law ceases to authorize the state to adopt and enforce the contracting prohibitions of the type provided for in this section.

Fiduciary Standards

The fiduciary standards for the SBA are specified out as follows in s. 215.47(10), F.S.:

Investments made by the State Board of Administration shall be designed to maximize the financial return to the fund consistent with the risks incumbent in each investment and shall be designed to preserve an appropriate diversification of the portfolio. The board shall discharge its duties with respect to a plan solely in the interest of its participants and

³⁶ Section 287.135(5), F.S.

³⁷ Section 287.135(5)(a), F.S.

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ Section 287.135(5)(a)1., F.S.

⁴¹ Section 287.135(5)(a)2., F.S.

⁴² Section 287.135(5)(b), F.S.

beneficiaries. The board in performing the above investment duties shall comply with the fiduciary standards set forth in the Employee Retirement Income Security Act of 1974 (ERISA) at 29 U.S.C. s. 1104(a)(1)(A) through (C). In case of conflict with other provisions of law authorizing investments, the investment and fiduciary standards set forth in this subsection shall prevail.

The ERISA standard at 29 U.S.C. s. 1104(a)(1)(A) - (C) provides for the “prudent man standard of care,” requiring a fiduciary to:

- ...discharge his duties with respect to a plan solely in the interest of the participants and beneficiaries and—
- (A) for the exclusive purpose of:
 - (i) providing benefits to participants and their beneficiaries; and
 - (ii) defraying reasonable expenses of administering the plan;
- (B) with the care, skill, prudence, and diligence under the circumstances then prevailing that a prudent man acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of a like character and with like aims;
- (C) by diversifying the investments of the plan so as to minimize the risk of large losses, unless under the circumstances it is clearly prudent not to do so;

III. Effect of Proposed Changes:

Section 1 amends s. 215.473, F.S., to define the term “board” as the State Board of Administration. The definition of “public fund” is revised to mean all assets of the Florida Retirement System (FRS) held by the SBA in its capacity as a fiduciary pursuant to chapter 121.

Also, this section clarifies that the SBA must identify all scrutinized companies that have prohibited business operations in Sudan and Iran in which the FRS has direct and indirect holdings or could possibly have such holdings in the future.

Additionally, the bill clarifies that the SBA must maintain a list of Scrutinized Companies with Activities in Sudan and a list of Scrutinized Companies with Activities in the Iran Petroleum Energy Sector.

Further, the bill deletes one of the conditions that trigger the expiration of the SBA’s duty to scrutinize companies and to assemble the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List. The SBA will no longer be required to consider declarations from Congress or the President via legislation, executive order, or written certification from the President to Congress, that mandatory divestment of companies with scrutinized business operations in Iran interfere with the conduct of U.S. foreign policy. The bill requires the SBA, acting as a fiduciary pursuant to s. 215.47(10), F.S., to monitor events relating to expiration provisions of s. 215.473, F.S., and to report the occurrence and status of such conditions at quarterly meetings of its trustees.

Section 2 provides an effective date of July 1, 2016.

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 shares 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:

None.

C. Government Sector Impact:

The fiscal impact of SB 7028 is indeterminate.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill amends section 215.473 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial 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 the Committee on Governmental Oversight and Accountability

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A bill to be entitled

An act relating to the State Board of Administration; amending s. 215.473, F.S.; redefining the term "public fund"; defining the term "board"; requiring the board, rather than the public fund, to maintain a list of certain scrutinized companies rather than assembling the list by a certain time; clarifying provisions; deleting a condition that may no longer be used by the board in scrutinizing companies, relating to a specified declaration; requiring the board to monitor certain events and make specified reports at certain meetings of trustees; conforming provisions to changes made by the act; providing an effective date.

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

Section 1. Present paragraphs (b) through (x) of subsection (1) of section 215.473, Florida Statutes, are redesignated as paragraphs (c) through (y), respectively, present paragraph (r) of that subsection is amended, a new paragraph (b) is added to that subsection, and subsections (2) through (7) of that section are amended, to read:

215.473 Divestiture by the State Board of Administration; Sudan; Iran.—

(1) DEFINITIONS.—As used in this section, the term:

(b) "Board" means the State Board of Administration.

~~(s)(x)~~ "Public fund" means all ~~funds~~, assets of the Florida Retirement System held by, trustee, and other designates under the State Board of Administration in its capacity as a fiduciary

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pursuant to chapter 121.

(2) IDENTIFICATION OF COMPANIES.—

~~(a) Within 90 days after June 8, 2007, The board public fund~~ shall make its best efforts to identify all scrutinized companies in which the public fund has direct or indirect holdings or could possibly have such holdings in the future. Such efforts include:

1. Reviewing and relying, as appropriate in the board's ~~public fund's~~ judgment, on publicly available information regarding companies having business operations in Sudan, including information provided by nonprofit organizations, research firms, international organizations, and government entities;

2. Contacting asset managers contracted by the board public fund which invest in companies having business operations in Sudan;

3. Contacting other institutional investors that have divested from or engaged with companies that have business operations in Sudan; or

4. Reviewing the laws of the United States regarding the levels of business activity that would cause application of sanctions for companies conducting business or investing in countries that are designated state sponsors of terror.

~~(b) By the first meeting of the public fund following the 90-day period described in paragraph (a), The board public fund shall maintain a list of ~~assemble~~ all scrutinized companies that fit criteria specified in subparagraphs (1)(v)1., 2., and 3. labeled the (1)(u)1., 2., and 3. into a "Scrutinized Companies with Activities in Sudan List" and a list of all scrutinized~~

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companies that fit criteria specified in subparagraph (1)(v)4.
 labeled the ~~(1)(u)4.~~ into a "Scrutinized Companies with
 Activities in the Iran Petroleum Energy Sector List."

(c) The ~~board public fund~~ shall update and make publicly
 available quarterly the Scrutinized Companies with Activities in
 Sudan List and the Scrutinized Companies with Activities in the
 Iran Petroleum Energy Sector List based on evolving information
 from, among other sources, those listed in paragraph (a).

(d) Notwithstanding ~~the provisions of~~ this section, a
 social-development company that is not complicit in the Darfur
 genocide is not considered a scrutinized company under
 subparagraph (1)(v)1. ~~(1)(u)1.~~, subparagraph (1)(v)2. ~~(1)(u)2.~~,
 or subparagraph (1)(v)3. ~~(1)(u)3.~~

(3) REQUIRED ACTIONS.—The ~~board public fund~~ shall adhere to
 the following procedure for assembling companies on the
 Scrutinized Companies with Activities in Sudan List and the
 Scrutinized Companies with Activities in the Iran Petroleum
 Energy Sector List:

(a) *Engagement.*—

1. The ~~board public fund~~ shall immediately determine the
 companies on the Scrutinized Companies with Activities in Sudan
 List and the Scrutinized Companies with Activities in the Iran
 Petroleum Energy Sector List in which the public fund owns
 direct or indirect holdings.

2. For each company identified in this paragraph that has
 only inactive business operations, the ~~board public fund~~ shall
 send a written notice informing the company of this act and
 encouraging it to continue to refrain from initiating active
 business operations in Sudan or Iran until it is able to avoid

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scrutinized business operations. The ~~board public fund~~ shall
 continue such correspondence semiannually.

3. For each company newly identified under this paragraph
~~which that~~ has active business operations, the ~~board public fund~~
 shall send a written notice informing the company of its
 scrutinized company status and that it may become subject to
 divestment by the public fund. The notice must inform the
 company of the opportunity to clarify its Sudan-related or Iran-
 related activities and encourage the company, ~~within 90 days,~~ to
 cease its scrutinized business operations or convert such
 operations to inactive business operations within 90 days in
 order to avoid qualifying for divestment by the public fund.

4. If, within 90 days after the ~~board's public fund's~~ first
 engagement with a company pursuant to this paragraph, that
 company ceases scrutinized business operations, the company
 shall be removed from the Scrutinized Companies with Activities
 in Sudan List and the Scrutinized Companies with Activities in
 the Iran Petroleum Energy Sector List, and the provisions of
 this act shall cease to apply to that company unless that
 company resumes scrutinized business operations. If, within 90
 days after the ~~board's public fund's~~ first engagement, the
 company converts its scrutinized active business operations to
 inactive business operations, the company is subject to all
 provisions relating to inactive business operations. A company
 may be removed from one list but remain on the other list, in
 which case the company shall be subject to the provisions
 applicable to the list on which the company remains.

(b) *Divestment.*—

1. If, after 90 days following the ~~board's public fund's~~

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117 first engagement with a company pursuant to paragraph (a), the
 118 company continues to have scrutinized active business
 119 operations, and only while such company continues to have
 120 scrutinized active business operations, the ~~board public fund~~
 121 shall sell, redeem, divest, or withdraw all publicly traded
 122 securities of the company, except as provided in paragraph (d),
 123 from the public ~~fund fund's assets under management~~ within 12
 124 months after the company's most recent appearance on the
 125 Scrutinized Companies with Activities in Sudan List or on the
 126 Scrutinized Companies with Activities in the Iran Petroleum
 127 Energy Sector List.

128 2. If a company that ceased scrutinized active business
 129 operations following engagement pursuant to paragraph (a)
 130 resumes such operations, this paragraph immediately applies, and
 131 the ~~board public fund~~ shall send a written notice to the
 132 company. The company shall also be immediately reintroduced onto
 133 the Scrutinized Companies with Activities in Sudan List or on
 134 the Scrutinized Companies with Activities in the Iran Petroleum
 135 Energy Sector List, as applicable.

136 (c) *Prohibition.*—The ~~board public fund~~ may not acquire, on
 137 behalf of the public fund, securities of companies on the
 138 Scrutinized Companies with Activities in Sudan List or the
 139 Scrutinized Companies with Activities in the Iran Petroleum
 140 Energy Sector List that have active business operations, except
 141 as provided in paragraph (d).

142 (d) *Exemption.*—A company that the United States Government
 143 affirmatively declares to be excluded from its present or any
 144 future federal sanctions regime relating to Sudan or Iran is not
 145 subject to divestment or the investment prohibition pursuant to

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146 paragraphs (b) and (c).

147 (e) *Excluded securities.*—

148 1. Notwithstanding ~~the provisions of~~ this section,
 149 paragraphs (b) and (c) do not apply to indirect holdings in
 150 actively managed investment funds. However, the ~~board public~~
 151 ~~fund~~ shall submit letters to the managers of such investment
 152 funds containing companies that have scrutinized active business
 153 operations requesting that they consider removing such companies
 154 from the fund or create a similar actively managed fund having
 155 indirect holdings devoid of such companies. If the manager
 156 creates a similar fund, the board, on behalf of the public fund,
 157 shall replace all applicable investments with investments in the
 158 similar fund in an expedited timeframe consistent with prudent
 159 investing standards. For the purposes of this section, a private
 160 equity fund is deemed to be an actively managed investment fund.

161 2. Notwithstanding ~~the provisions of~~ this section,
 162 paragraphs (b) and (c) do not apply to exchange-traded funds.

163 (f) *Further exclusions.*—Notwithstanding any other provision
 164 of this act, the ~~board public fund~~, when discharging its
 165 responsibility for operation of a defined contribution plan,
 166 shall engage the manager of the investment offerings in such
 167 plans requesting that they consider removing scrutinized
 168 companies from the investment offerings or create an alternative
 169 investment offering devoid of scrutinized companies. If the
 170 manager creates an alternative investment offering and the
 171 offering is deemed by the ~~board public fund~~ to be consistent
 172 with prudent investor standards, the ~~board public fund~~ shall
 173 consider including such investment offering in the plan.

174 (4) REPORTING.—

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175 (a) The ~~board public fund~~ shall file a report with each
 176 member of ~~its the~~ Board of Trustees ~~of the State Board of~~
 177 ~~Administration~~, the President of the Senate, and the Speaker of
 178 the House of Representatives ~~which that~~ includes the Scrutinized
 179 Companies with Activities in Sudan List and the Scrutinized
 180 Companies with Activities in the Iran Petroleum Energy Sector
 181 List within 30 days after the list is created. This report shall
 182 be made available to the public.

183 (b) At each quarterly meeting of the Board of Trustees
 184 thereafter, the ~~board public fund~~ shall file a report regarding
 185 the public fund, which shall be made available to the public and
 186 to each member of ~~its the~~ Board of Trustees ~~of the State Board~~
 187 ~~of Administration~~, the President of the Senate, and the Speaker
 188 of the House of Representatives, and send a copy of that report
 189 to the United States Presidential Special Envoy to Sudan and the
 190 United States Presidential Special Envoy to Iran, or an
 191 appropriate designee or successor, which includes:

192 1. A summary of correspondence with companies engaged by
 193 the board on behalf of the public fund under subparagraphs
 194 (3) (a) 2. and 3.;

195 2. All investments sold, redeemed, divested, or withdrawn
 196 in compliance with paragraph (3) (b);

197 3. All prohibited investments under paragraph (3) (c);

198 4. Any progress made under paragraph (3) (e); and

199 5. A list of all publicly traded securities held directly
 200 by the public fund this state.

201 (5) EXPIRATION.—This section expires upon the occurrence of
 202 all of the following:

203 (a) If any of the following occurs ~~eeew~~, the board may

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204 ~~public fund shall~~ no longer scrutinize companies according to
 205 subparagraphs ~~(1) (v) 1. (1) (u) 1.,~~ 2., and 3. and ~~may shall~~ no
 206 longer assemble the Scrutinized Companies with Activities in
 207 Sudan List, shall cease engagement and divestment of such
 208 companies, and may reinvest in such companies if such companies
 209 do not satisfy the criteria for inclusion in the Scrutinized
 210 Companies with Activities in the Iran Petroleum Energy Sector
 211 List:

212 1. The Congress or President of the United States,
 213 affirmatively and unambiguously states, by means including, but
 214 not limited to, legislation, executive order, or written
 215 certification from the President to Congress, that the Darfur
 216 genocide has been halted for at least 12 months;

217 2. The United States revokes all sanctions imposed against
 218 the government of Sudan;

219 3. The Congress or President of the United States
 220 affirmatively and unambiguously states, by means including, but
 221 not limited to, legislation, executive order, or written
 222 certification from the President to Congress, that the
 223 government of Sudan has honored its commitments to cease attacks
 224 on civilians, demobilize and demilitarize the Janjaweed and
 225 associated militias, grant free and unfettered access for
 226 deliveries of humanitarian assistance, and allow for the safe
 227 and voluntary return of refugees and internally displaced
 228 persons; or

229 4. The Congress or President of the United States
 230 affirmatively and unambiguously states, by means including, but
 231 not limited to, legislation, executive order, or written
 232 certification from the President to Congress, that mandatory

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divestment of the type provided for in this section interferes with the conduct of United States foreign policy.

(b) If ~~either any~~ of the following occurs ~~eeer~~, the board ~~may public fund shall~~ no longer scrutinize companies according to subparagraph (1)(v)4., ~~may (1)(u)4. and shall~~ no longer assemble the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, and shall cease engagement, investment prohibitions, and divestment. ~~The public fund may reinvest in such companies if such companies do not satisfy the criteria for inclusion in the Scrutinized Companies with Activities in Sudan List.~~

1. The Congress or President of the United States affirmatively and unambiguously states, by means including, but not limited to, legislation, executive order, or written certification from the President to Congress, that the government of Iran has ceased to acquire weapons of mass destruction and support international terrorism; or

2. The United States revokes all sanctions imposed against the government of Iran; ~~or~~

~~3. The Congress or President of the United States affirmatively and unambiguously declares, by means including, but not limited to, legislation, executive order, or written certification from the President to Congress, that mandatory divestment of the type provided for in this section interferes with the conduct of United States foreign policy.~~

The board, on behalf of the public fund, may reinvest in such companies if such companies do not satisfy the criteria for inclusion in the Scrutinized Companies with Activities in Sudan

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List. The board, acting as a fiduciary in accordance with s. 215.47(10), shall monitor events relating to subparagraphs 1. and 2., and, upon finding that the conditions in subparagraph 1. or subparagraph 2. have occurred, the board shall report such finding at a quarterly meeting of its trustees. At each quarterly meeting of the trustees, the board shall report on the status of events relating to subparagraphs 1. and 2.

(6) INVESTMENT POLICY STATEMENT OBLIGATIONS.—The board's ~~public fund's~~ actions taken in compliance with this act, including all good faith determinations regarding companies as required by this act, shall be adopted and incorporated into the public fund's investment policy statement ~~(the IPS)~~ as provided set forth in s. 215.475.

(7) REINVESTMENT IN CERTAIN COMPANIES HAVING SCRUTINIZED ACTIVE BUSINESS OPERATIONS.—Notwithstanding any other provision of this act to the contrary, the public fund may cease divesting from certain scrutinized companies pursuant to paragraph (3)(b) or reinvest in certain scrutinized companies from which it divested pursuant to paragraph (3)(b) if clear and convincing evidence shows that the value of all assets of under management ~~by~~ the public fund becomes equal to or less than 99.50 percent, or 50 basis points, of the hypothetical value of all assets of under management ~~by~~ the public fund assuming no divestment for any company had occurred under paragraph (3)(b). Cessation of divestment, reinvestment, or any subsequent ongoing investment authorized by this act is limited to the minimum steps necessary to avoid the contingency set forth in this subsection or that no divestment of any company is required for less than fair value. For any cessation of divestment, reinvestment, or subsequent

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291 ongoing investment authorized by this act, the board ~~public fund~~
292 shall provide a written report to each member of its ~~the~~ Board
293 of Trustees ~~of the State Board of Administration~~, the President
294 of the Senate, and the Speaker of the House of Representatives
295 in advance of initial reinvestment, updated semiannually
296 thereafter as applicable, setting forth the reasons and
297 justification, supported by clear and convincing evidence, for
298 its decisions to cease divestment, reinvest, or remain invested
299 in companies having scrutinized active business operations. This
300 act does not apply to reinvestment in companies on the grounds
301 that they have ceased to have scrutinized active business
302 operations.

303 Section 2. 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 Committee on Appropriations

BILL: PCS/SB 7034 (469062)

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on Health and Human Services); and Children, Families, and Elder Affairs Committee

SUBJECT: Prenatal Services and Early Childhood Development

DATE: January 24, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
	<u>Hendon</u>	<u>Hendon</u>		CF Submitted as Committee Bill
1.	<u>Brown</u>	<u>Pigott</u>	<u>AHS</u>	Recommend: Fav/CS
2.	<u>Brown</u>	<u>Kynoch</u>	<u>AP</u>	Pre-meeting

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/SB 7034 revises the Early Steps program in the Department of Health (DOH). The program provides screening and early intervention services to parents with infants and toddlers who have or may have a developmental delay. The program is funded with both state and federal funds.

The bill expands the duties of the DOH clearinghouse for information on early intervention services for parents and providers of early intervention services. The bill provides goals for the Early Steps program, defines terms, and assigns duties to the DOH as well as the local Early Steps offices. The bill sets eligibility criteria for the program. The bill requires a statewide plan, performance standards, and an accountability report each year. The bill designates the Florida Interagency Coordinating Council for Infants and Toddlers as the state interagency coordination council required under federal law. The bill provides procedures for the successful transition of children from the Early Steps program to the local school districts. Finally, the bill repeals outdated sections of statute relating to the Early Steps program.

The bill, according to the DOH, has a negative fiscal impact of approximately \$221,640 in general revenue, \$7,998 of which is nonrecurring, plus an additional \$1,317,000 in recurring general revenue if the bill's new eligibility criteria are implemented.

The bill has an effective date of July 1, 2016.

II. Present Situation:

Florida's Early Steps program has its foundation in federal law. The Individuals with Disabilities Education Act (IDEA) was originally enacted by Congress in 1975 to help ensure that children with disabilities have the opportunity to receive a free appropriate public education, just like other children. The law has been revised many times. The most recent amendments expanded the program to pre-school children and were passed by Congress in December 2004, with final regulations published in August 2006 (Part B for school-aged children) and in September 2011 (Part C, for babies and toddlers).

The Early Steps program (Part C of the IDEA) provides services to families with infants and toddlers from birth until three years of age who have or are at risk of developmental delays or disabilities.¹ The federal government created grants to assist states in providing early intervention programs under Part C of the IDEA.² The program has no financial eligibility requirements and is an entitlement to any eligible child.³ Florida's Early Steps program is administered by Children's Medical Services within the Department of Health (DOH). The DOH contracts with hospitals and not-for-profit organizations such as Easter Seals across the state for coordination and delivery of services.⁴

States are not required to participate in Early Steps. The federal government encourages states to participate through its grant funding. By accepting a grant, states are required to abide by federal law and regulations for the program. For Fiscal Year 2015-2016, Florida's federal grant award is \$22.6 million.⁵ The 2015-2016 General Appropriations Act provides \$45.2 million general revenue for the program.⁶

The amount of a state's federal grant award is based each year on the number of children in the state's general population under three years of age using United States Census Bureau data.⁷ The amount of the grant is capped annually on that basis, regardless of the number of children receiving services. Federal data indicate that Florida served 1.9 percent of the population of infants and toddlers younger than three years of age in 2012, or 12,036 children.⁸

Federal rules governing early intervention programs for infants and toddlers with disabilities are found in Part 303 of Title 34, Code of Federal Regulations. The rules provide the purpose of the

¹ s. 391.302, F.S.

² 34 *Code of Federal Regulations* Part 303

³ *Id.*

⁴ Office of Program Policy Analysis & Government Accountability. Florida Legislature, Early Steps Has Revised Reimbursement Rates but Needs to Assess Impact of Expanded Outreach on Child Participation, Report No. 08-44, (July 2008) <http://www.oppaga.state.fl.us/MonitorDocs/Reports/pdf/0844rpt.pdf>.

⁵ Department of Health, presentation to the Senate Appropriations Subcommittee on Health and Human Services, October 7, 2015, available at http://www.flsenate.gov/PublishedContent/Committees/2014-2016/AHS/MeetingRecords/MeetingPacket_3169.pdf (last visited Dec. 11, 2015).

⁶ See Specific Appropriation 530, s. 3, ch. 2015-232, Laws of Florida.

⁷ U.S. Department of Education, Office of Special Education (OSEP), *Grants for Infants and Families, Part C of IDEA, Grants for Infants and Toddlers*, <http://www2.ed.gov/programs/osepeip/index.html> (last visited: Nov. 16, 2015).

⁸ U.S. Department of Education, *36th Annual Report to Congress on the Implementation of the Individuals with Disabilities Education Act, 2014*, pg. 261, <http://www2.ed.gov/about/reports/annual/osep/2014/parts-b-c/36th-idea-arc.pdf> (last visited: Nov. 16, 2015).

early intervention program, the activities that may be supported, the children that are eligible to be served, the types of services available, the definition of service coordination activities, and use of service coordinators.

Subpart D of Part 303 provides for a statewide system of early intervention services. This system must include a public awareness program; a comprehensive “child find” system that includes referral procedures; and procedures and timelines for comprehensive, multidisciplinary evaluations of children and an identification of family needs. States must also develop policies and procedures for individualized family support plans (IFSP). Early Steps lead agencies must ensure the IFSP is developed and implemented for each eligible child.

Federal law allows for early intervention services for an eligible child and the child’s family to begin before the completion of the evaluation and assessment, under certain conditions. While each agency or person involved in the provision of early intervention services is responsible for making good-faith efforts to assist the eligible child in achieving the outcomes in the IFSP, the law states that any agency or person cannot be held accountable if an eligible child does not achieve the growth projected in the child’s IFSP.

States must establish qualifications for personnel providing early intervention services to eligible children and families.⁹ States must have standards to ensure that necessary personnel carry out the purposes of the program and are appropriately and adequately prepared and trained.¹⁰ Parents must give written consent before the Early Steps program may evaluate, assess, and provide early intervention services to a child.¹¹ In the event parents do not give consent, reasonable efforts should be made to ensure the parent is aware of the nature of the evaluation, assessment, and services available, and understands that without consent, the child will not be able to receive the evaluation, assessment, or services.¹²

Federal regulations require that service providers give written notice to parents before the provider initiates or changes the identification, evaluation, or placement of the child, or provides the appropriate early intervention services to the child and the child’s family.¹³ Procedures to resolve disputes through a mediation process, at a minimum, must be available whenever a parent requests a hearing.¹⁴ The mediation process is voluntary, must be conducted by a qualified mediator, and cannot be used to deny or delay a parent’s right to a due process hearing.¹⁵ Mediation must be timely scheduled. Any agreement reached by the parties to the dispute must be in writing, and discussions that occur during mediation are confidential and cannot be used as evidence in any subsequent proceeding.¹⁶ The state must bear the cost of the mediation process.¹⁷ During the mediation, the child must continue to receive early intervention services currently

⁹ 34 CFR. s. 303.361

¹⁰ *Id.*

¹¹ 34 CFR. s 303.404

¹² *Id.*

¹³ 34 CFR s. 303.403

¹⁴ 34 CFR s. 303.419

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *Id.*

being provided.¹⁸ If the complaint involves an application for initial services, the child must receive any services that are not in dispute.¹⁹

State policy must specify which functions and services will be provided at no cost to all parents and which will be subject to a system of payments.²⁰ The inability of parents of an eligible child to pay for services must not result in a denial of services to the child or the child's family.²¹ States may establish a schedule of sliding fees for early intervention services but some functions such as evaluation, assessment, and service coordination are not subject to fees.²²

Funds provided by the federal grant may be used only for early intervention services for an eligible child who is not entitled to these services under any other federal, state, local or private source.²³ Interim payments to avoid delay in providing needed services to an eligible child are allowed but the agency that has ultimate responsibility for the payment must reimburse the program.²⁴

Each State that receives financial assistance for the program must establish a State Interagency Coordinating Council (council). The council must be appointed by the Governor and membership must reasonably represent the population of the state.²⁵ The council is to advise and assist the lead agency in:

- The development and implementation of the policies that constitute the statewide system;
- Achieving the full participation, coordination, and cooperation of all appropriate public agencies in the state; and
- The integration of services for infants and toddlers with disabilities and at-risk toddlers and their families regardless of whether at-risk infants and toddlers are eligible for early intervention services.²⁶

Eligible infants and toddlers are identified through referrals from hospitals, healthcare providers, and childcare staff who may interact on a regular basis with infants and toddlers. Parents may also contact the state's program directly for an evaluation and assessment. Before any evaluation can be conducted, parental consent is required. Evaluations and assessments must be completed within 45 days of the referral.²⁷

Early intervention skills for this population focus on five areas:

- Physical (reaching, rolling, crawling, and walking);
- Cognitive (thinking, learning, and solving problems);
- Communication (talking, listening, and understanding);

¹⁸ 34 CFR s. 303.425

¹⁹ *Id.*

²⁰ 34 CFR s. 303.520

²¹ *Id.*

²² 34 CFR s. 303.521

²³ 34 CFR s.303.527

²⁴ *Id.*

²⁵ 34 CFR s. 303.600

²⁶ 34 CFR s. 303.650

²⁷ Center for Parent Information and Resources, *Basics of the Early Intervention Process under Part C of the IDEA - Handout I*, http://www.parentcenterhub.org/wp-content/uploads/repo_items/legacy/partc/handout1.pdf (last visited: Nov. 16, 2015).

- Social/emotional (playing and feeling secure and happy); and
- Adaptive/self-help (eating and dressing).²⁸

States must have various components under 20 U.S.C. 1435, which broadly covers administrative, oversight, and regulatory functions, such as:

- Policies to ensure appropriate delivery of early intervention services to infants, toddlers, and their families;
- Individualized family service plans (IFSP) for each infant or toddler with a disability;
- A properly functioning administrative structure that identifies eligible infants and toddlers using a rigorous definition of “developmental delay,” makes referrals, centrally collects information, provides a directory of services and resources, incorporates data, and has a comprehensive system for personnel development;
- A single line of responsibility in a lead agency designated by the Governor, including financial responsibility, provision of services, resolution of disputes, and development of procedures to ensure timeliness of services; and
- A state interagency coordination council.

The IDEA requires that early intervention services be provided, to the maximum extent appropriate, in natural environments²⁹ such as the child’s home.³⁰ Florida has increased the delivery of services in the home or community based setting since 2008 but still falls below the national average for home-based services.³¹

III. Effect of Proposed Changes:

Section 1 amends s. 383.141, F.S., to provide additional direction to the information clearinghouse administered by the Department of Health (DOH). The bill requires the clearinghouse to provide comprehensive information to educate parents and providers of early intervention services. The DOH is directed to refer to children with developmental disabilities or delays as children with “unique abilities” whenever possible in the clearinghouse. The DOH is to provide education and training to parents and providers through the clearinghouse. The clearinghouse is to promote public awareness of intervention services available to parents of children with unique abilities.

The bill deletes from Florida Statutes the requirement for the DOH to establish access to clearinghouse information on its Internet website. The program is already subject to similar requirements under federal regulations.

²⁸ Center for Parent Information and Resources, *Overview of Early Intervention - What is Early Intervention?* <http://www.parentcenterhub.org/repository/ei-overview/> (last visited: Nov. 16, 2015).

²⁹ A “natural environment” includes the child’s home or a community setting where children would typically be participating if they did not have a disability. See “Program Description,” U.S. Department of Education, available at <http://www2.ed.gov/programs/osepeip/index.html> (last visited Dec. 11, 2015).

³⁰ U.S. Department of Education, Office of Special Education (OSEP), *Grants for Infants and Families, Part C of IDEA, Grants for Infants and Toddlers*, <http://www2.ed.gov/programs/osepeip/index.html> (last visited: Nov. 16, 2015).

³¹ U.S. Department of Education, *36th Annual Report to Congress on the Implementation of the Individuals with Disabilities Education Act, 2014*, pg. 120-121, <http://www2.ed.gov/about/reports/annual/osep/2014/parts-b-c/36th-idea-arc.pdf> (last visited: Nov. 16, 2015).

Section 2 amends s. 391.025, F.S., to rename the Florida Infants and Toddlers Early Intervention Program under the Children's Medical Services program as the Early Steps program.

Section 3 amends s. 391.026, F.S., to add to the DOH's responsibilities the administration of the Early Steps program.

Section 4 amends s. 391.301, F.S., to update the legislative intent of the Early Steps program and to establish goals for the program. Under the bill, the program must:

- Integrate information and coordinate services with other programs serving infants and toddlers;
- Enhance the development of infants and toddlers with disabilities and delays;
- Increase the awareness among parents, health care providers, and the public of the importance of the first three years of life for the development of the brain;
- Maintain the importance of the family in early intervention services;
- Provide comprehensive and coordinated services;
- Ensure timely evaluation of infants and toddlers and provide individual planning for intervention services;
- Improve the capacity of health care providers to serve children with unique needs; and
- Ensure programmatic and financial accountability through the establishment of a high-capacity data system, active monitoring of performance indicators, and ongoing quality improvement.

Section 5 amends s. 391.302, F.S., to add definitions for "developmental delay," "developmental disability," "habilitative services and devices," "local program office," and "rehabilitative services and devices" for the Early Steps program. The bill also deletes the definitions of "in-hospital intervention services" and "parent support and training."

Section 6 amends s. 391.308, F.S., to provide additional structure and guidance for the Early Steps program. The bill establishes performance standards for the program relating to services and referrals, individualized family support plans, and outcomes for infants and toddlers served.

The bill provides new duties to the DOH for the Early Steps program. The bill requires the DOH to:

- Develop a statewide plan for the program;
- Ensure that local program offices educate hospitals providing Level II and Level III neonatal intensive care about the program and the referral process for evaluation and intervention services;
- Establish standards and qualifications for service providers used by the program;
- Develop uniform procedures to determine eligibility for the program;
- Provide a statewide format for individualized family support plans;
- Promote interagency cooperation with the Medicaid program, the Department of Education, and programs providing child screening;
- Provide guidance to local program offices for coordinating Early Step program benefits with other programs such as Medicaid and private insurance;

- Provide a mediation process and, if necessary, an appeals process under ch. 120, F.S., for parents whose infant or toddler is determined not to be eligible for developmental evaluation or early intervention services or who were denied financial support for such services;
- Competitively procure local offices to administer the Early Steps program;
- Establish performance measures and standards to evaluate local Early Step offices; and
- Provide technical assistance to local Early Step offices.

The bill establishes eligibility criteria for the Early Steps program. The eligibility criteria are based on federal law with the underlying premise that infants and toddlers are eligible for an evaluation to determine the presence of a developmental disability or the risk of a developmental delay based on a physical or medical condition. The DOH is directed to apply specified criteria to determine eligibility for post-evaluation services if funding is provided in the General Appropriations Act. Infants and toddlers meeting the following criteria will be determined eligible:

- Having a developmental delay based on a standardized evaluation instrument that results in a score that is 1.5 standard deviations from the mean in two or more of the following domains: physical, cognitive, communication, social or emotional, and adaptive;
- Having a developmental delay based on a standardized evaluation instrument that results in a score that is 2.0 standard deviations from the mean in one of the following domains: physical, cognitive, communication, social/emotional, and adaptive;
- Having a developmental delay based on informed clinical opinion; or
- Being at risk of developmental delay based on an established condition known to result in developmental delay, or a physical or mental condition known to create a risk of developmental delay.

The bill provides duties to the Early Steps offices. These offices must:

- Evaluate a child within 45 days after referral;
- Notify parents if the child is eligible for services and provide an appeal process to those parents whose child is found ineligible;
- Make interagency agreements with local school districts;
- Provide services directly or procure early intervention services;
- Provide services in a natural environment to the extent possible;
- Develop an individualized family support plan for each child served in the program;
- Assess the progress of the child in meeting the goals of the individualized family support plan;
- Provide service coordination to ensure that assistance for families is properly managed, regardless of whether the program provides the services directly or through referral to other service providers;
- Make agreements with local Medicaid managed care organizations;
- Make agreements with local private insurers; and
- Provide data required by the DOH to assess the performance of the program.

The bill requires the DOH to report to the Governor and Legislature on the performance of the Early Steps program December 1st each year.

The bill designates the Florida Interagency Coordinating Council for Infants and Toddlers as the state interagency coordination council required under federal law.

The bill provides requirements to the local Early Steps offices to improve the transition to the local school district after age three if the child may need special education or related services.

Section 7 amends s. 413.092, F.S., relating to the Blind Babies program to conform the name change of the Florida Infants and Toddlers Early Intervention Program to the Early Steps program.

Section 8 amends s. 1003.575, F.S., relating to assistive technology devices for special education to conform the name change of the Florida Infants and Toddlers Early Intervention Program to the Early Steps program.

Section 9 repeals s. 391.303, F.S., relating to program requirements of the Florida Infants and Toddlers Early Intervention Program.

Section 10 repeals s. 391.304, F.S., relating to program coordination of the Florida Infants and Toddlers Early Intervention Program.

Section 11 repeals s. 391.305, F.S., relating to program standards for the Florida Infants and Toddlers Early Intervention Program.

Section 12 repeals s. 391.306, F.S., relating to funding and contracts for the Florida Infants and Toddlers Early Intervention Program.

Section 13 repeals s. 391.307, F.S., relating to program reviews under the Florida Infants and Toddlers Early Intervention Program.

Section 14 provides an effective date of 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:

Under PCS/SB 7034, additional guidance provided for the administration of the Early Steps program may result in additional opportunities for private providers of early childhood intervention services.

The Department of Health (DOH) reports that local Early Steps agencies under contract with the DOH might experience an increased workload associated with additional duties under the bill. Such an effect, if any, has an indeterminate cost.³²

C. Government Sector Impact:

The DOH reports that eligibility criteria created under the bill, if applied, will result in at least 1,000 children becoming eligible for Early Steps who would not otherwise qualify, at a cost of \$1,317,000 recurring general revenue.³³ However, the bill directs the DOH to apply the new eligibility criteria “as authorized in the General Appropriations Act” (GAA), and the GAA might or might not include such authorization.

The DOH also reports that, under the bill:³⁴

- The requirements for new hotlines specific to Down syndrome and other prenatally diagnosed developmental disabilities, the expansion of the clearinghouse database, and the accompanying duties to revise the DOH website, will cost \$130,988 in general revenue, \$3,999 of which is nonrecurring, which includes funding for a new full-time equivalent (FTE) position;
- An additional FTE for an attorney position will be required to handle appeals and hearings under ch. 120, F.S., at a cost of approximately \$90,652 in general revenue, \$3,999 of which is nonrecurring; and
- The DOH might experience a recurring, but indeterminate, increase in workload associated with other duties that existing DOH resources cannot absorb.

VI. Technical Deficiencies:

Section 6 of the bill amends s. 391.308, F.S., to provide eligibility criteria for the Early Steps program. One of the criteria (at lines 424-425) specifies infants and toddlers with a developmental delay based on “informed clinical opinion.” However, neither the bill nor existing law in ch. 391, F.S., defines the term “informed clinical opinion.”

³² Department of Health, *2016 Agency Legislative Bill Analysis, SB 7034*, Nov. 23, 2015, on file with the Appropriations Subcommittee on Health and Human Services.

³³ *Id.*

³⁴ *Id.*

VII. Related Issues:

The Department of Health (DOH) reports that:

- The bill's requirement for the DOH to provide an appeals process under ch. 120, F.S., is in conflict with federal regulations that provide the right to file a due process complaint, along with specific resolution procedures;³⁵ and
- The bill's requirements for posting public information do not meet the federal requirements for stakeholder input and that a more realistic implementation date for the bill's changes to eligibility criteria would be December 2016 or January 2017.³⁶

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 383.141, 391.025, 391.026, 391.301, 391.302, 391.308, 413.092, and 1003.575.

This bill repeals the following sections of the Florida Statutes: 391.303, 391.304, 391.305, 391.306, and 391.307.

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

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

Recommended CS by Appropriations Subcommittee on Health and Human Services on January 13, 2016:

The CS:

- Requires the Early Steps program to coordinate services with other programs serving infants and toddlers, as opposed to coordinating services with other early intervention programs as in the underlying bill;
- Deletes from statute the definitions of “in-hospital intervention services” and “parent support and training;”
- Requires the Department of Health (DOH) to educate certain hospitals about the Early Steps program, as opposed to ensuring that those hospitals provide certain services as in the underlying bill;
- Requires the DOH to provide a mediation process and, if necessary, an appeals process under ch. 120, F.S., to applicants found ineligible for services or who are denied financial support, as opposed to the underlying bill, which does not include the provision for a mediation process;
- Removes from the bill the requirement for local Early Steps offices to secure and maintain contracts with Medicaid managed care plans; and
- Changes all references in the bill to “Medicaid managed care entities” to “Medicaid managed care organizations,”

³⁵ *Id.*

³⁶ Testimony before the Senate Appropriations Subcommittee on Health and Human Services from Cassandra Pasley, Division Director of Children's Medical Services at the Department of Health, January 13, 2016.

B. Amendments:

None.

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



446630

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/04/2016	.	
	.	
	.	
	.	

The Committee on Appropriations (Garcia) recommended the following:

Senate Amendment

Delete line 393
and insert:
appeals process for applicants found



574824

LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
02/04/2016	.	
	.	
	.	
	.	

The Committee on Appropriations (Garcia) recommended the following:

Senate Amendment

Delete lines 414 - 423
and insert:

(b) Infants and toddlers determined to have a developmental delay based on informed clinical opinion and a standard evaluation instrument that results in a score that is 1.5 standard deviations from the mean in two or more of the following domains: physical, cognitive, communication, social or emotional, and adaptive.



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11 (c) Infants and toddlers determined to have a developmental
12 delay based on informed clinical opinion and a standard
13 evaluation instrument that results in a score that is 2.0
14 standard deviations from the mean in one of the following
15 domains: physical, cognitive, communication, social or
16 emotional, and adaptive.

17 (d) Infants and toddlers determined to have a developmental
18 delay based on informed clinical opinion and a standard
19 evaluation instrument that results in a score that is 1.5
20 standard deviations from the mean in one or more of the
21 following domains: physical, cognitive, communication, social or
22 emotional, and adaptive.



599504

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/04/2016	.	
	.	
	.	
	.	

The Committee on Appropriations (Garcia) recommended the following:

Senate Substitute for Amendment (574824)

Delete lines 408 - 429
and insert:

(3) ELIGIBILITY.—The department shall apply the following eligibility criteria if specific funding is provided, and the associated applicable eligibility criteria are identified, in the General Appropriations Act:

(a) Infants and toddlers are eligible for an evaluation to determine the presence of a developmental disability or the risk



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11 of a developmental delay based on a physical or medical
12 condition.

13 (b) Infants and toddlers determined to have a developmental
14 delay based on informed clinical opinion and an evaluation using
15 a standard evaluation instrument which results in a score that
16 is 1.5 standard deviations from the mean in two or more of the
17 following domains: physical, cognitive, communication, social or
18 emotional, and adaptive.

19 (c) Infants and toddlers determined to have a developmental
20 delay based on informed clinical opinion and an evaluation using
21 a standard evaluation instrument which results in a score that
22 is 2.0 standard deviations from the mean in one of the following
23 domains: physical, cognitive, communication, social or
24 emotional, and adaptive.

25 (d) Infants and toddlers determined to have a developmental
26 delay based on informed clinical opinion and an evaluation using
27 a standard evaluation instrument which results in a score that
28 is 1.5 standard deviations from the mean in one or more of the
29 following domains: physical, cognitive, communication, social or
30 emotional, and adaptive.

31 (e) Infants and toddlers determined to have a developmental
32 delay based on informed clinical opinion.

33 (f) Infants and toddlers at risk of developmental delay
34 based on an established condition known to result in
35 developmental delay, or a physical or mental condition known to
36 create a risk of developmental delay.



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Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on Health and Human Services)

A bill to be entitled

An act relating to prenatal services and early childhood development; amending s. 383.141, F.S.; revising the requirements for the Department of Health to maintain a clearinghouse of information for parents and health care providers and to increase public awareness on developmental evaluation and early intervention programs; requiring the clearinghouse to use a specified term; revising the information to be included in the clearinghouse; amending s. 391.025, F.S.; renaming the "Infants and Toddlers Early Intervention Program" as the "Early Steps Program"; revising the components of the Children's Medical Services program; amending s. 391.026, F.S.; requiring the department to serve as the lead agency in administering the Early Steps Program; amending s. 391.301, F.S.; establishing the Early Steps Program within the department; deleting provisions relating to legislative findings; authorizing the program to include certain screening and referral services for specified purposes; providing requirements and responsibilities for the program; amending s. 391.302, F.S.; defining terms; revising the definitions of certain terms; and deleting outdated terms; amending s. 391.308, F.S.; renaming the "Infants and Toddlers Early Intervention Program" as the "Early Steps Program"; requiring, rather than authorizing, the



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department to implement and administer the program; requiring the department to ensure that the program follows specified performance standards; providing requirements of the program to meet such performance standards; revising the duties of the department; requiring the department to apply specified eligibility criteria for the program based on an appropriation of funds; providing duties for local program offices; requiring the development of an individualized family support plan for each child served in the program; requiring referral for services by a local program office under certain circumstances; requiring the local program office to negotiate and maintain agreements with specified providers and managed care organizations; requiring the local program office to coordinate with managed care organizations; requiring the department to submit an annual report, subject to certain requirements, to the Governor, the Legislature, and the Florida Interagency Coordinating Council for Infants and Toddlers by a specified date; designating the Florida Interagency Coordinating Council for Infants and Toddlers as the state interagency coordinating council required by federal rule subject to certain requirements; providing requirements for the local program office and local school district to prepare certain children for the transition to school under certain circumstances; amending ss. 413.092 and 1003.575, F.S.; conforming provisions to changes made by the



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57 act; repealing ss. 391.303, 391.304, 391.305, 391.306,
58 and 391.307, F.S., relating to requirements for the
59 Children's Medical Services program, program
60 coordination, program standards, program funding and
61 contracts, and program review, respectively; providing
62 an effective date.

63
64 Be It Enacted by the Legislature of the State of Florida:

65
66 Section 1. Subsections (2) and (3) of section 383.141,
67 Florida Statutes, are amended, and subsection (4) is added to
68 that section, to read:

69 383.141 Prenatally diagnosed conditions; patient to be
70 provided information; definitions; information clearinghouse;
71 advisory council.-

72 (2) When a developmental disability is diagnosed based on
73 the results of a prenatal test, the health care provider who
74 ordered the prenatal test, or his or her designee, shall provide
75 the patient with current information about the nature of the
76 developmental disability, the accuracy of the prenatal test, and
77 resources for obtaining relevant support services, including
78 hotlines, resource centers, and information clearinghouses
79 related to Down syndrome or other prenatally diagnosed
80 developmental disabilities; support programs for parents and
81 families; and developmental evaluation and intervention services
82 under this part s. 391.303.

83 (3) The Department of Health shall develop and implement a
84 comprehensive information clearinghouse to educate health care
85 providers, inform parents, and increase public awareness



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86 regarding brain development, developmental disabilities and
87 delays, and all services, resources, and interventions available
88 to mitigate the effects of impaired development among children.
89 The clearinghouse must use the term "unique abilities" as much
90 as possible when identifying infants or children with
91 developmental disabilities and delays. The clearinghouse must
92 provide:

93 (a) Health information on conditions that may lead to
94 impaired development of physical, learning, language, or
95 behavioral skills.

96 (b) Education and information to support parents whose
97 unborn children have been prenatally diagnosed with
98 developmental disabilities or whose children have diagnosed or
99 suspected developmental delays.

100 (c) Education and training for health care providers to
101 recognize and respond appropriately to developmental
102 disabilities, delays, and conditions related to disabilities or
103 delays. Specific information approved by the advisory council
104 shall be made available to health care providers for use in
105 counseling parents whose unborn children have been prenatally
106 diagnosed with developmental disabilities or whose children have
107 diagnosed or suspected developmental delays.

108 (d) Promotion of public awareness of availability of
109 supportive services, such as resource centers, educational
110 programs, other support programs for parents and families, and
111 developmental evaluation and intervention services.

112 (e) Hotlines specific to Down syndrome and other prenatally
113 diagnosed developmental disabilities. The hotlines and the
114 department's clearinghouse must provide information to parents



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115 ~~and families or other caregivers regarding the Early Steps~~
116 ~~Program under s. 391.301, the Florida Diagnostic Learning and~~
117 ~~Resource System, the Early Learning program, Healthy Start, Help~~
118 ~~Me Grow, and any other intervention programs. Information~~
119 ~~offered must include directions on how to obtain early~~
120 ~~intervention, rehabilitative, and habilitative services and~~
121 ~~devices establish on its Internet website a clearinghouse of~~
122 ~~information related to developmental disabilities concerning~~
123 ~~providers of supportive services, information hotlines specific~~
124 ~~to Down syndrome and other prenatally diagnosed developmental~~
125 ~~disabilities, resource centers, educational programs, other~~
126 ~~support programs for parents and families, and developmental~~
127 ~~evaluation and intervention services under s. 391.303. Such~~
128 ~~information shall be made available to health care providers for~~
129 ~~use in counseling pregnant women whose unborn children have been~~
130 ~~prenatally diagnosed with developmental disabilities.~~

131 (4) (a) There is established an advisory council within the
132 Department of Health which consists of health care providers and
133 caregivers who perform health care services for persons who have
134 developmental disabilities, including Down syndrome and autism.
135 This group shall consist of nine members as follows:

- 136 1. Three members appointed by the Governor;
137 2. Three members appointed by the President of the Senate;
138 and
139 3. Three members appointed by the Speaker of the House of
140 Representatives.

141 (b) The advisory council shall provide technical assistance
142 to the Department of Health in the establishment of the
143 information clearinghouse and give the department the benefit of



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144 the council members' knowledge and experience relating to the
145 needs of patients and families of patients with developmental
146 disabilities and available support services.

147 (c) Members of the council shall elect a chairperson and a
148 vice chairperson. The elected chairperson and vice chairperson
149 shall serve in these roles until their terms of appointment on
150 the council expire.

151 (d) The advisory council shall meet quarterly to review
152 this clearinghouse of information, and may meet more often at
153 the call of the chairperson or as determined by a majority of
154 members.

155 (e) The council members shall be appointed to 4-year terms,
156 except that, to provide for staggered terms, one initial
157 appointee each from the Governor, the President of the Senate,
158 and the Speaker of the House of Representatives shall be
159 appointed to a 2-year term, one appointee each from these
160 officials shall be appointed to a 3-year term, and the remaining
161 initial appointees shall be appointed to 4-year terms. All
162 subsequent appointments shall be for 4-year terms. A vacancy
163 shall be filled for the remainder of the unexpired term in the
164 same manner as the original appointment.

165 (f) Members of the council shall serve without
166 compensation. Meetings of the council may be held in person,
167 without reimbursement for travel expenses, or by teleconference
168 or other electronic means.

169 (g) The Department of Health shall provide administrative
170 support for the advisory council.

171 Section 2. Paragraph (c) of subsection (1) of section
172 391.025, Florida Statutes, is amended to read:



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173 391.025 Applicability and scope.—

174 (1) The Children's Medical Services program consists of the
175 following components:

176 (c) The developmental evaluation and intervention program,
177 including the Early Steps Florida Infants and Toddlers Early
178 Intervention Program.

179 Section 3. Subsection (19) is added to section 391.026,
180 Florida Statutes, to read:

181 391.026 Powers and duties of the department.—The department
182 shall have the following powers, duties, and responsibilities:

183 (19) To serve as the lead agency in administering the Early
184 Steps Program pursuant to part C of the federal Individuals with
185 Disabilities Education Act and part III of this chapter.

186 Section 4. Section 391.301, Florida Statutes, is amended to
187 read:

188 391.301 Early Steps Program; establishment and goals
189 Developmental evaluation and intervention programs; legislative
190 findings and intent.—

191 (1) The Early Steps Program is established within the
192 department to serve infants and toddlers who are at risk of
193 developmental disabilities based on a physical or mental
194 condition and infants and toddlers with developmental delays by
195 providing developmental evaluation and early intervention and by
196 providing families with training and support services in a
197 variety of home and community settings in order to enhance
198 family and caregiver competence, confidence, and capacity to
199 meet their child's developmental needs and desired outcomes. The
200 Legislature finds that the high-risk and disabled newborn
201 infants in this state need in-hospital and outpatient



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202 ~~developmental evaluation and intervention and that their~~
203 ~~families need training and support services. The Legislature~~
204 ~~further finds that there is an identifiable and increasing~~
205 ~~number of infants who need developmental evaluation and~~
206 ~~intervention and family support due to the fact that increased~~
207 ~~numbers of low-birthweight and sick full-term newborn infants~~
208 ~~are now surviving because of the advances in neonatal intensive~~
209 ~~care medicine; increased numbers of medically involved infants~~
210 ~~are remaining inappropriately in hospitals because their parents~~
211 ~~lack the confidence or skills to care for these infants without~~
212 ~~support; and increased numbers of infants are at risk due to~~
213 ~~parent risk factors, such as substance abuse, teenage pregnancy,~~
214 ~~and other high-risk conditions.~~

215 (2) The program may include screening and referral ~~It is~~
216 ~~the intent of the Legislature to establish developmental~~
217 ~~evaluation and intervention services at all hospitals providing~~
218 ~~Level II or Level III neonatal intensive care services, in order~~
219 ~~to promptly identify newborns with disabilities or with~~
220 ~~conditions associated with risks of developmental delays so that~~
221 ~~families with high-risk or disabled infants may gain as early as~~
222 ~~possible the services and skills they need to support their~~
223 ~~infants' development infants.~~

224 (3) The program must ~~It is the intent of the Legislature~~
225 ~~that a methodology be developed to integrate information and~~
226 ~~coordinate services on infants with potentially disabling~~
227 ~~conditions with other programs serving infants and toddlers~~
228 ~~early intervention programs, including, but not limited to, Part~~
229 ~~C of Pub. L. No. 105-17 and the Healthy Start program, the~~
230 ~~newborn screening program, and the Blind Babies Program.~~



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- 231 (4) The program must:
232 (a) Provide services to enhance the development of infants
233 and toddlers with disabilities and delays.
234 (b) Expand the recognition by health care providers,
235 families, and the public of the significant brain development
236 that occurs during a child's first 3 years of life.
237 (c) Maintain the importance of the family in all areas of
238 the child's development and support the family's participation
239 in early intervention services and decisions affecting the
240 child.
241 (d) Operate a comprehensive, coordinated interagency system
242 of early intervention services and supports in accordance with
243 part C of the federal Individuals with Disabilities Education
244 Act.
245 (e) Ensure timely evaluation, individual planning, and
246 early intervention services necessary to meet the unique needs
247 of eligible infants and toddlers.
248 (f) Build the service capacity and enhance the competencies
249 of health care providers serving infants and toddlers with
250 unique needs and abilities.
251 (g) Ensure programmatic and fiscal accountability through
252 establishment of a high-capacity data system, active monitoring
253 of performance indicators, and ongoing quality improvement.
254 Section 5. Section 391.302, Florida Statutes, is amended to
255 read:
256 391.302 Definitions.—As used in ss. 391.301-391.308 ~~ss.~~
257 ~~391.301-391.307~~, the term:
258 (1) "Developmental delay" means a condition, identified and
259 measured through appropriate instruments and procedures, which



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- 260 may delay physical, cognitive, communication, social/emotional,
261 or adaptive development.
262 (2) "Developmental disability" means a condition,
263 identified and measured through appropriate instruments and
264 procedures, which may impair physical, cognitive, communication,
265 social/emotional, or adaptive development.
266 (3) "Developmental intervention" or "early intervention"
267 means individual and group individualized therapies and services
268 needed to enhance both the infant's or toddler's growth and
269 development and family functioning. The term includes
270 habilitative services and assistive technology devices,
271 rehabilitative services and assistive technology devices, and
272 parent support and training.
273 (4) "Habilitative services and devices" means health care
274 services and assistive technology devices that help a child
275 maintain, learn, or improve skills and functioning for daily
276 living.
277 (5)(2) "Infant or toddler" or "child" means a child from
278 birth until the child's third birthday.
279 ~~(3) "In-hospital intervention services" means the provision~~
280 ~~of assessments; the provision of individualized services;~~
281 ~~monitoring and modifying the delivery of medical interventions;~~
282 ~~and enhancing the environment for the high-risk, developmentally~~
283 ~~disabled, or medically involved infant or toddler in order to~~
284 ~~achieve optimum growth and development.~~
285 (7) "Local program office" means an office that administers
286 the Early Steps Program within a municipality, county, or
287 region.
288 ~~(4) "Parent support and training" means a range of services~~



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289 ~~to families of high-risk, developmentally disabled, or medically~~
290 ~~involved infants or toddlers, including family counseling,~~
291 ~~financial planning, agency referral, development of parent to-~~
292 ~~parent support groups, education concerning growth, development,~~
293 ~~and developmental intervention and objective measurable skills,~~
294 ~~including abuse avoidance skills, training of parents to~~
295 ~~advocate for their child, and bereavement counseling.~~

296 (9) "Rehabilitative services and devices" means restorative
297 and remedial services that maintain or enhance the current level
298 of functioning of a child if there is a possibility of
299 improvement or reversal of impairment.

300 Section 6. Section 391.308, Florida Statutes, is amended to
301 read:

302 391.308 Early Steps Infants and Toddlers Early Intervention
303 Program.—The department shall Department of Health may implement
304 and administer part C of the federal Individuals with
305 Disabilities Education Act (IDEA), which shall be known as the
306 "Early Steps "Florida Infants and Toddlers Early Intervention
307 Program."

308 (1) PERFORMANCE STANDARDS.—The department shall ensure that
309 the Early Steps Program complies with the following performance
310 standards:

311 (a) The program must provide services from referral through
312 transition in a family-centered manner that recognizes and
313 responds to unique circumstances and needs of infants and
314 toddlers and their families as measured by a variety of
315 qualitative data, including satisfaction surveys, interviews,
316 focus groups, and input from stakeholders.

317 (b) The program must provide individualized family support



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318 plans that are understandable and usable by families, health
319 care providers, and payers and that identify the current level
320 of functioning of the infant or toddler, family supports and
321 resources, expected outcomes, and specific early intervention
322 services needed to achieve the expected outcomes, as measured by
323 periodic system independent evaluation.

324 (c) The program must help each family to use available
325 resources in a way that maximizes the child's access to services
326 necessary to achieve the outcomes of the individualized family
327 support plan, as measured by family feedback and by independent
328 assessments of services used by each child.

329 (d) The program must offer families access to quality
330 services that effectively enable infants and toddlers with
331 developmental disabilities and developmental delays to achieve
332 optimal functional levels as measured by an independent
333 evaluation of outcome indicators in social emotional skills,
334 communication, and adaptive behaviors.

335 (2) DUTIES OF THE DEPARTMENT.—The department, shall:

336 (a) Jointly with the Department of Education, shall
337 Annually prepare a grant application to the United States
338 Department of Education for funding early intervention services
339 for infants and toddlers with disabilities, from birth through
340 36 months of age, and their families pursuant to part C of the
341 federal Individuals with Disabilities Education Act.

342 (b) (2) The department, Jointly with the Department of
343 Education, provide shall include a reading initiative as an
344 early intervention service for infants and toddlers.

345 (c) Annually develop a state plan for the Early Steps
346 Program.



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1. The plan must assess the need for early intervention services, evaluate the extent of the statewide need that is met by the program, identify barriers to fully meeting the need, and recommend specific action steps to improve program performance.

2. The plan must be developed through an inclusive process that involves families, local program offices, health care providers, and other stakeholders.

(d) Ensure local program offices educate hospitals that provide Level II and Level III neonatal intensive care services about the Early Steps Program and the referral process for the provision of developmental evaluation and intervention services.

(e) Establish standards and qualifications for developmental evaluation and early intervention service providers, including standards for determining the adequacy of provider networks in each local program office service area.

(f) Establish statewide uniform protocols and procedures to determine eligibility for developmental evaluation and early intervention services.

(g) Establish a consistent, statewide format and procedure for preparing and completing an individualized family support plan.

(h) Promote interagency cooperation and coordination, with the Medicaid program, the Department of Education program pursuant to part B of the federal Individuals with Disabilities Education Act, and programs providing child screening such as the Florida Diagnostic Learning and Resource System, the Office of Early Learning, Healthy Start, and Help Me Grow program.

1. Coordination with the Medicaid program shall be developed and maintained through written agreements with the



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Agency for Health Care Administration and Medicaid managed care organizations as well as through active and ongoing communication with these organizations. The department shall assist local program offices to negotiate agreements with Medicaid managed care organizations in the service areas of the local program offices. Such agreements may be formal or informal.

2. Coordination with education programs pursuant to part B of the federal Individuals with Disabilities Education Act shall be developed and maintained through written agreements with the Department of Education. The department shall assist local program offices to negotiate agreements with school districts in the service areas of the local program offices.

(i) Develop and disseminate the knowledge and methods necessary to effectively coordinate benefits among various payer types.

(j) Provide a mediation process and if necessary, an appeals process under chapter 120 for applicants found ineligible for developmental evaluation or early intervention services or denied financial support for such services.

(k) Competitively procure local program offices to provide services throughout the state in accordance with chapter 287. The department shall specify the requirements and qualifications for local program offices in the procurement document.

(l) Establish performance standards and other metrics for evaluation of local program offices, including standards for measuring timeliness of services, outcomes of early intervention services, and administrative efficiency. Performance standards and metrics shall be developed in consultation with local



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program offices.

(m) Provide technical assistance to the local program offices.

(3) ELIGIBILITY.-The department shall apply the following eligibility criteria if specific funding is provided in the General Appropriations Act.

(a) Infants and toddlers are eligible for an evaluation to determine the presence of a developmental disability or risk of a developmental delay based on a physical or medical condition.

(b) Infants and toddlers determined to have a developmental delay based on a standardized evaluation instrument that results in a score that is 1.5 standard deviations from the mean in two or more of the following domains: physical, cognitive, communication, social or emotional, and adaptive.

(c) Infants and toddlers determined to have a developmental delay based on a standardized evaluation instrument that results in a score that is 2.0 standard deviations from the mean in one of the following domains: physical, cognitive, communication, social/emotional, and adaptive.

(d) Infants and toddlers with a developmental delay based on informed clinical opinion.

(e) Infants and toddlers at risk of developmental delay based on an established condition known to result in developmental delay, or a physical or mental condition known to create a risk of developmental delay.

(4) DUTIES OF THE LOCAL PROGRAM OFFICES.-A local program office shall:

(a) Evaluate a child to determine eligibility within 45 calendar days after the child is referred to the program.



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(b) Notify the parent or legal guardian of his or her child's eligibility status initially and at least annually thereafter. If a child is determined not to be eligible, the local program office must provide the parent or legal guardian with written information on the right to an appeal and the process for making such an appeal.

(c) Secure and maintain interagency agreements or contracts with local school districts in a local service area.

(d) Provide services directly or procure services from health care providers that meet or exceed the minimum qualifications established for service providers. The local program office must become a Medicaid provider if it provides services directly.

(e) Provide directly or procure services that are, to the extent possible, delivered in a child's natural environment, such as in the child's home or community setting. The inability to provide services in the natural environment is not a sufficient reason to deny services.

(f) Develop an individualized family support plan for each child served. The plan must:

1. Be completed within 45 calendar days after the child is referred to the program;

2. Be developed in conjunction with the child's parent or legal guardian who provides written consent for the services included in the plan;

3. Be reviewed at least every six months with the parent or legal guardian and updated if needed; and

4. Include steps to transition to school or other future services by the child's third birthday.



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- 463 (g) Assess the progress of the child and his or her family
464 in meeting the goals of the individualized family support plan.
465 (h) For each service required by the individualized family
466 support plan, refer the child to an appropriate service provider
467 or work with Medicaid managed care organizations or private
468 insurers to secure the needed services.
469 (i) Provide service coordination, including contacting the
470 appropriate service provider to determine whether the provider
471 can timely deliver the service, providing the parent or legal
472 guardian with the name and contact information of the service
473 provider and the date and location of the service of any
474 appointment made on behalf of the child, and contacting the
475 parent or legal guardian after the service is provided to ensure
476 that the service is delivered timely and to determine whether
477 the family requests additional services.
478 (j) Negotiate and maintain agreements with Medicaid
479 providers and Medicaid managed care organizations in its area.
480 1. With the parent's or legal guardian's permission, the
481 services in the child's approved individualized family support
482 plan shall be communicated to the Medicaid managed care
483 organization. Services that cannot be funded by Medicaid must be
484 specifically identified and explained to the family.
485 2. The agreement between the local program office and
486 Medicaid managed care organizations must establish methods of
487 communication and procedures for the timely approval of services
488 covered by Medicaid.
489 (k) Develop agreements and arrangements with private
490 insurers in order to coordinate benefits and services for any
491 mutual enrollee.



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- 492 1. The child's approved individualized family support plan
493 may be communicated to the child's insurer with the parent's or
494 legal guardian's permission.
495 2. The local program office and private insurers shall
496 establish methods of communication and procedures for the timely
497 approval of services covered by the child's insurer, if
498 appropriate and approved by the child's parent or legal
499 guardian.
500 (1) Provide to the department data necessary for an
501 evaluation of the local program office performance.
502 (5) ACCOUNTABILITY REPORTING.—By December 1 of each year,
503 the department shall prepare and submit a report that assesses
504 the performance of the Early Steps Program to the Governor, the
505 President of the Senate, the Speaker of the House of
506 Representatives, and the Florida Interagency Coordinating
507 Council for Infants and Toddlers. The department must address
508 the performance standards in subsection (1) and report actual
509 performance compared to the standards for the prior fiscal year.
510 The data used to compile the report must be submitted by each
511 local program office in the state. The department shall report
512 on all of the following measures:
513 (a) Number and percentage of infants and toddlers served
514 with an individualized family support plan.
515 (b) Number and percentage of infants and toddlers
516 demonstrating improved social/emotional skills after the
517 program.
518 (c) Number and percentage of infants and toddlers
519 demonstrating improved use of knowledge and cognitive skills
520 after the program.



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521 (d) Number and percentage of families reporting positive
522 outcomes in their infant's and toddler's development as a result
523 of early intervention services.

524 (e) Progress toward meeting the goals of individualized
525 family support plans.

526 (f) Any additional measures established by the department.

527 (6) STATE INTERAGENCY COORDINATING COUNCIL.—The Florida
528 Interagency Coordinating Council for Infants and Toddlers shall
529 serve as the state interagency coordinating council required by
530 34 C.F.R. s. 303.600. The council shall be housed for
531 administrative purposes in the department, and the department
532 shall provide administrative support to the council.

533 (7) TRANSITION TO EDUCATION.—

534 (a) At least 90 days before a child reaches 3 years of age,
535 the local program office shall initiate transition planning to
536 ensure the child's successful transition from the Early Steps
537 Program to a school district program for children with
538 disabilities or to another program as part of an individual
539 family support plan.

540 (b) At least 90 days before a child reaches 3 years of age,
541 the local program office shall:

542 1. Notify the local school district in which the child
543 resides and the Department of Education that the child may be
544 eligible for special education or related services as determined
545 by the local school district pursuant to ss. 1003.21 and
546 1003.57, unless the child's parent or legal guardian has opted
547 out of such notification; and

548 2. Upon approval by the child's parent or legal guardian,
549 convene a transition conference that includes participation of a



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550 local school district representative and the parent or legal
551 guardian to discuss options for and availability of services.

552 (c) The local school district shall evaluate and determine
553 a child's eligibility to receive special education or related
554 services pursuant to part B of the federal Individuals with
555 Disabilities Education Act and ss. 1003.21 and 1003.57.

556 (d) The local program office, in conjunction with the local
557 school district, shall modify a child's individual family
558 support plan or, if applicable, the local school district shall
559 develop an individual education plan for the child pursuant to
560 ss. 1003.57, 1003.571, and 1003.5715, which identifies special
561 education or related services that the child will receive and
562 the providers or agencies that will provide such services.

563 (e) If a child is determined to be ineligible for school
564 district program services, the local program office and the
565 local school district shall provide the child's parent or legal
566 guardian with written information on other available services or
567 community resources.

568 (f) The local program office shall negotiate and maintain
569 an interagency agreement with each local school district in its
570 service area pursuant to the Individuals with Disabilities
571 Education Act, 20 U.S.C. s. 1435(a)(10)(F). Each interagency
572 agreement must be reviewed at least annually and updated upon
573 review, if needed.

574 Section 7. Subsections (1) and (2) of section 413.092,
575 Florida Statutes, are amended to read:

576 413.092 Blind Babies Program.—

577 (1) The Blind Babies Program is created within the Division
578 of Blind Services of the Department of Education to provide



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579 community-based early-intervention education to children from
580 birth through 5 years of age who are blind or visually impaired,
581 and to their parents, families, and caregivers, through
582 community-based provider organizations. The division shall
583 enlist parents, ophthalmologists, pediatricians, schools, the
584 Early Steps Program ~~Infant and Toddlers Early Intervention~~
585 ~~Programs~~, and therapists to help identify and enroll blind and
586 visually impaired children, as well as their parents, families,
587 and caregivers, in these educational programs.

588 (2) The program is not an entitlement but shall promote
589 early development with a special emphasis on vision skills to
590 minimize developmental delays. The education shall lay the
591 groundwork for future learning by helping a child progress
592 through normal developmental stages. It shall teach children to
593 discover and make the best use of their skills for future
594 success in school. It shall seek to ensure that visually
595 impaired and blind children enter school as ready to learn as
596 their sighted classmates. The program shall seek to link these
597 children, and their parents, families, and caregivers, to other
598 available services, training, education, and employment programs
599 that could assist these families in the future. This linkage may
600 include referrals to the school districts and the Early Steps
601 ~~Infants and Toddlers Early Intervention~~ Program for assessments
602 to identify any additional services needed which are not
603 provided by the Blind Babies Program. The division shall develop
604 a formula for eligibility based on financial means and may
605 create a means-based matrix to set a copayment fee for families
606 having sufficient financial means.

607 Section 8. Subsection (1) of section 1003.575, Florida



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608 Statutes, is amended to read:

609 1003.575 Assistive technology devices; findings;
610 interagency agreements.—Accessibility, utilization, and
611 coordination of appropriate assistive technology devices and
612 services are essential as a young person with disabilities moves
613 from early intervention to preschool, from preschool to school,
614 from one school to another, and from school to employment or
615 independent living. If an individual education plan team makes a
616 recommendation in accordance with State Board of Education rule
617 for a student with a disability, as defined in s. 1003.01(3), to
618 receive an assistive technology assessment, that assessment must
619 be completed within 60 school days after the team's
620 recommendation. To ensure that an assistive technology device
621 issued to a young person as part of his or her individualized
622 family support plan, individual support plan, or an individual
623 education plan remains with the individual through such
624 transitions, the following agencies shall enter into interagency
625 agreements, as appropriate, to ensure the transaction of
626 assistive technology devices:

627 (1) The Early Steps ~~Florida Infants and Toddlers Early~~
628 ~~Intervention~~ Program in the Division of Children's Medical
629 Services of the Department of Health.

630
631 Interagency agreements entered into pursuant to this section
632 shall provide a framework for ensuring that young persons with
633 disabilities and their families, educators, and employers are
634 informed about the utilization and coordination of assistive
635 technology devices and services that may assist in meeting
636 transition needs, and shall establish a mechanism by which a



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637 young person or his or her parent may request that an assistive
638 technology device remain with the young person as he or she
639 moves through the continuum from home to school to postschool.

640 Section 9. Section 391.303, Florida Statutes, is repealed.

641 Section 10. Section 391.304, Florida Statutes, is repealed.

642 Section 11. Section 391.305, Florida Statutes, is repealed.

643 Section 12. Section 391.306, Florida Statutes, is repealed.

644 Section 13. Section 391.307, Florida Statutes, is repealed.

645 Section 14. 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 Committee on Appropriations

BILL: CS/SB 7034

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on Health and Human Services); and Children, Families, and Elder Affairs Committee

SUBJECT: Prenatal Services and Early Childhood Development

DATE: February 4, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
	<u>Hendon</u>	<u>Hendon</u>		CF Submitted as Committee Bill
1.	<u>Brown</u>	<u>Pigott</u>	<u>AHS</u>	Recommend: Fav/CS
2.	<u>Brown</u>	<u>Kynoch</u>	<u>AP</u>	Fav/CS

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 7034 revises the Early Steps program in the Department of Health (DOH). The program provides screening and early intervention services to parents with infants and toddlers who have or may have a developmental delay. The program is funded with both state and federal funds.

The bill expands the duties of the DOH clearinghouse for information on early intervention services for parents and providers of early intervention services. The bill provides goals for the Early Steps program, defines terms, and assigns duties to the DOH as well as the local Early Steps offices. The bill sets eligibility criteria for the program. The bill requires a statewide plan, performance standards, and an accountability report each year. The bill designates the Florida Interagency Coordinating Council for Infants and Toddlers as the state interagency coordination council required under federal law. The bill provides procedures for the successful transition of children from the Early Steps program to the local school districts. Finally, the bill repeals outdated sections of statute relating to the Early Steps program.

The bill, according to the DOH, will require expenditures of approximately \$130,988 in general revenue, \$3,999 of which is nonrecurring, in the 2016-2017 fiscal year. The Early Steps program received an appropriation of \$11 million recurring general revenue in the 2015-2016 fiscal year, which should cover such 2016-2017 expenditures. The DOH also reports that, if the bill's new eligibility criteria are implemented, at least \$1,317,000 in recurring general revenue would be

needed. However, the bill directs the DOH to implement the new criteria subject to specific funding provided in the General Appropriations Act.

The bill has an effective date of July 1, 2016.

II. Present Situation:

Florida's Early Steps program has its foundation in federal law. The Individuals with Disabilities Education Act (IDEA) was originally enacted by Congress in 1975 to help ensure that children with disabilities have the opportunity to receive a free appropriate public education, just like other children. The law has been revised many times. The most recent amendments expanded the program to pre-school children and were passed by Congress in December 2004, with final regulations published in August 2006 (Part B for school-aged children) and in September 2011 (Part C, for babies and toddlers).

The Early Steps program (Part C of the IDEA) provides services to families with infants and toddlers from birth until three years of age who have or are at risk of developmental delays or disabilities.¹ The federal government created grants to assist states in providing early intervention programs under Part C of the IDEA.² The program has no financial eligibility requirements and is an entitlement to any eligible child.³ Florida's Early Steps program is administered by Children's Medical Services within the Department of Health (DOH). The DOH contracts with hospitals and not-for-profit organizations such as Easter Seals across the state for coordination and delivery of services.⁴

States are not required to participate in Early Steps. The federal government encourages states to participate through its grant funding. By accepting a grant, states are required to abide by federal law and regulations for the program. For Fiscal Year 2015-2016, Florida's federal grant award is \$22.6 million.⁵ The 2015-2016 General Appropriations Act provides \$45.2 million general revenue for the program.⁶

The amount of a state's federal grant award is based each year on the number of children in the state's general population under three years of age using United States Census Bureau data.⁷ The amount of the grant is capped annually on that basis, regardless of the number of children

¹ s. 391.302, F.S.

² 34 *Code of Federal Regulations* Part 303

³ *Id.*

⁴ Office of Program Policy Analysis & Government Accountability. Florida Legislature, Early Steps Has Revised Reimbursement Rates but Needs to Assess Impact of Expanded Outreach on Child Participation, Report No. 08-44, (July 2008) <http://www.oppaga.state.fl.us/MonitorDocs/Reports/pdf/0844rpt.pdf>.

⁵ Department of Health, presentation to the Senate Appropriations Subcommittee on Health and Human Services, October 7, 2015, available at http://www.flsenate.gov/PublishedContent/Committees/2014-2016/AHS/MeetingRecords/MeetingPacket_3169.pdf (last visited Dec. 11, 2015).

⁶ See Specific Appropriation 530, s. 3, ch. 2015-232, Laws of Florida.

⁷ U.S. Department of Education, Office of Special Education (OSEP), *Grants for Infants and Families, Part C of IDEA, Grants for Infants and Toddlers*, <http://www2.ed.gov/programs/osepeip/index.html> (last visited: Nov. 16, 2015).

receiving services. Federal data indicate that Florida served 1.9 percent of the population of infants and toddlers younger than three years of age in 2012, or 12,036 children.⁸

Federal rules governing early intervention programs for infants and toddlers with disabilities are found in Part 303 of Title 34, Code of Federal Regulations. The rules provide the purpose of the early intervention program, the activities that may be supported, the children that are eligible to be served, the types of services available, the definition of service coordination activities, and use of service coordinators.

Subpart D of Part 303 provides for a statewide system of early intervention services. This system must include a public awareness program; a comprehensive “child find” system that includes referral procedures; and procedures and timelines for comprehensive, multidisciplinary evaluations of children and an identification of family needs. States must also develop policies and procedures for individualized family support plans (IFSP). Early Steps lead agencies must ensure the IFSP is developed and implemented for each eligible child.

Federal law allows for early intervention services for an eligible child and the child’s family to begin before the completion of the evaluation and assessment, under certain conditions. While each agency or person involved in the provision of early intervention services is responsible for making good-faith efforts to assist the eligible child in achieving the outcomes in the IFSP, the law states that any agency or person cannot be held accountable if an eligible child does not achieve the growth projected in the child’s IFSP.

States must establish qualifications for personnel providing early intervention services to eligible children and families.⁹ States must have standards to ensure that necessary personnel carry out the purposes of the program and are appropriately and adequately prepared and trained.¹⁰ Parents must give written consent before the Early Steps program may evaluate, assess, and provide early intervention services to a child.¹¹ In the event parents do not give consent, reasonable efforts should be made to ensure the parent is aware of the nature of the evaluation, assessment, and services available, and understands that without consent, the child will not be able to receive the evaluation, assessment, or services.¹²

Federal regulations require that service providers give written notice to parents before the provider initiates or changes the identification, evaluation, or placement of the child, or provides the appropriate early intervention services to the child and the child’s family.¹³ Procedures to resolve disputes through a mediation process, at a minimum, must be available whenever a parent requests a hearing.¹⁴ The mediation process is voluntary, must be conducted by a qualified mediator, and cannot be used to deny or delay a parent’s right to a due process hearing.¹⁵

⁸ U.S. Department of Education, *36th Annual Report to Congress on the Implementation of the Individuals with Disabilities Education Act, 2014*, pg. 261, <http://www2.ed.gov/about/reports/annual/osep/2014/parts-b-c/36th-idea-arc.pdf> (last visited: Nov. 16, 2015).

⁹ 34 CFR. s. 303.361

¹⁰ *Id.*

¹¹ 34 CFR. s 303.404

¹² *Id.*

¹³ 34 CFR s. 303.403

¹⁴ 34 CFR s. 303.419

¹⁵ *Id.*

Mediation must be timely scheduled. Any agreement reached by the parties to the dispute must be in writing, and discussions that occur during mediation are confidential and cannot be used as evidence in any subsequent proceeding.¹⁶ The state must bear the cost of the mediation process.¹⁷ During the mediation, the child must continue to receive early intervention services currently being provided.¹⁸ If the complaint involves an application for initial services, the child must receive any services that are not in dispute.¹⁹

State policy must specify which functions and services will be provided at no cost to all parents and which will be subject to a system of payments.²⁰ The inability of parents of an eligible child to pay for services must not result in a denial of services to the child or the child's family.²¹ States may establish a schedule of sliding fees for early intervention services but some functions such as evaluation, assessment, and service coordination are not subject to fees.²²

Funds provided by the federal grant may be used only for early intervention services for an eligible child who is not entitled to these services under any other federal, state, local or private source.²³ Interim payments to avoid delay in providing needed services to an eligible child are allowed but the agency that has ultimate responsibility for the payment must reimburse the program.²⁴

Each State that receives financial assistance for the program must establish a State Interagency Coordinating Council (council). The council must be appointed by the Governor and membership must reasonably represent the population of the state.²⁵ The council is to advise and assist the lead agency in:

- The development and implementation of the policies that constitute the statewide system;
- Achieving the full participation, coordination, and cooperation of all appropriate public agencies in the state; and
- The integration of services for infants and toddlers with disabilities and at-risk toddlers and their families regardless of whether at-risk infants and toddlers are eligible for early intervention services.²⁶

Eligible infants and toddlers are identified through referrals from hospitals, healthcare providers, and childcare staff who may interact on a regular basis with infants and toddlers. Parents may also contact the state's program directly for an evaluation and assessment. Before any evaluation can be conducted, parental consent is required. Evaluations and assessments must be completed within 45 days of the referral.²⁷

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ 34 CFR s. 303.425

¹⁹ *Id.*

²⁰ 34 CFR s. 303.520

²¹ *Id.*

²² 34 CFR s. 303.521

²³ 34 CFR s.303.527

²⁴ *Id.*

²⁵ 34 CFR s. 303.600

²⁶ 34 CFR s. 303.650

²⁷ Center for Parent Information and Resources, *Basics of the Early Intervention Process under Part C of the IDEA - Handout I*, http://www.parentcenterhub.org/wp-content/uploads/repo_items/legacy/partc/handout1.pdf (last visited: Nov. 16, 2015).

Early intervention skills for this population focus on five areas:

- Physical (reaching, rolling, crawling, and walking);
- Cognitive (thinking, learning, and solving problems);
- Communication (talking, listening, and understanding);
- Social/emotional (playing and feeling secure and happy); and
- Adaptive/self-help (eating and dressing).²⁸

States must have various components under 20 U.S.C. 1435, which broadly covers administrative, oversight, and regulatory functions, such as:

- Policies to ensure appropriate delivery of early intervention services to infants, toddlers, and their families;
- Individualized family service plans (IFSP) for each infant or toddler with a disability;
- A properly functioning administrative structure that identifies eligible infants and toddlers using a rigorous definition of “developmental delay,” makes referrals, centrally collects information, provides a directory of services and resources, incorporates data, and has a comprehensive system for personnel development;
- A single line of responsibility in a lead agency designated by the Governor, including financial responsibility, provision of services, resolution of disputes, and development of procedures to ensure timeliness of services; and
- A state interagency coordination council.

The IDEA requires that early intervention services be provided, to the maximum extent appropriate, in natural environments²⁹ such as the child’s home.³⁰ Florida has increased the delivery of services in the home or community based setting since 2008 but still falls below the national average for home-based services.³¹

III. Effect of Proposed Changes:

Section 1 amends s. 383.141, F.S., to provide additional direction to the information clearinghouse administered by the Department of Health (DOH). The bill requires the clearinghouse to provide comprehensive information to educate parents and providers of early intervention services. The DOH is directed to refer to children with developmental disabilities or delays as children with “unique abilities” whenever possible in the clearinghouse. The DOH is to provide education and training to parents and providers through the clearinghouse. The clearinghouse is to promote public awareness of intervention services available to parents of children with unique abilities.

²⁸ Center for Parent Information and Resources, *Overview of Early Intervention - What is Early Intervention?* <http://www.parentcenterhub.org/repository/ei-overview/> (last visited: Nov. 16, 2015).

²⁹ A “natural environment” includes the child’s home or a community setting where children would typically be participating if they did not have a disability. See “Program Description,” U.S. Department of Education, available at <http://www2.ed.gov/programs/osepeip/index.html> (last visited Dec. 11, 2015).

³⁰ U.S. Department of Education, Office of Special Education (OSEP), *Grants for Infants and Families, Part C of IDEA, Grants for Infants and Toddlers*, <http://www2.ed.gov/programs/osepeip/index.html> (last visited: Nov. 16, 2015).

³¹ U.S. Department of Education, *36th Annual Report to Congress on the Implementation of the Individuals with Disabilities Education Act, 2014*, pg. 120-121, <http://www2.ed.gov/about/reports/annual/osep/2014/parts-b-c/36th-idea-arc.pdf> (last visited: Nov. 16, 2015).

The bill deletes from Florida Statutes the requirement for the DOH to establish access to clearinghouse information on its Internet website. The program is already subject to similar requirements under federal regulations.

Section 2 amends s. 391.025, F.S., to rename the Florida Infants and Toddlers Early Intervention Program under the Children's Medical Services program as the Early Steps program.

Section 3 amends s. 391.026, F.S., to add to the DOH's responsibilities the administration of the Early Steps program.

Section 4 amends s. 391.301, F.S., to update the legislative intent of the Early Steps program and to establish goals for the program. Under the bill, the program must:

- Integrate information and coordinate services with other programs serving infants and toddlers;
- Enhance the development of infants and toddlers with disabilities and delays;
- Increase the awareness among parents, health care providers, and the public of the importance of the first three years of life for the development of the brain;
- Maintain the importance of the family in early intervention services;
- Provide comprehensive and coordinated services;
- Ensure timely evaluation of infants and toddlers and provide individual planning for intervention services;
- Improve the capacity of health care providers to serve children with unique needs; and
- Ensure programmatic and financial accountability through the establishment of a high-capacity data system, active monitoring of performance indicators, and ongoing quality improvement.

Section 5 amends s. 391.302, F.S., to add definitions for "developmental delay," "developmental disability," "habilitative services and devices," "local program office," and "rehabilitative services and devices" for the Early Steps program. The bill also deletes the definitions of "in-hospital intervention services" and "parent support and training."

Section 6 amends s. 391.308, F.S., to provide additional structure and guidance for the Early Steps program. The bill establishes performance standards for the program relating to services and referrals, individualized family support plans, and outcomes for infants and toddlers served.

The bill provides new duties to the DOH for the Early Steps program. The bill requires the DOH to:

- Develop a statewide plan for the program;
- Ensure that local program offices educate hospitals providing Level II and Level III neonatal intensive care about the program and the referral process for evaluation and intervention services;
- Establish standards and qualifications for service providers used by the program;
- Develop uniform procedures to determine eligibility for the program;
- Provide a statewide format for individualized family support plans;

- Promote interagency cooperation with the Medicaid program, the Department of Education, and programs providing child screening;
- Provide guidance to local program offices for coordinating Early Step program benefits with other programs such as Medicaid and private insurance;
- Provide a mediation process and, if necessary, an appeals process for parents whose infant or toddler is determined not to be eligible for developmental evaluation or early intervention services or who were denied financial support for such services;
- Competitively procure local offices to administer the Early Steps program;
- Establish performance measures and standards to evaluate local Early Step offices; and
- Provide technical assistance to local Early Step offices.

The bill establishes eligibility criteria for the Early Steps program. The eligibility criteria are based on federal law with the underlying premise that infants and toddlers are eligible for an evaluation to determine the presence of a developmental disability or the risk of a developmental delay based on a physical or medical condition. The DOH is directed to apply specified criteria to determine eligibility for post-evaluation services if funding is provided, and the associated applicable eligibility criteria are identified, in the General Appropriations Act. Infants and toddlers meeting the following criteria will be determined eligible:

- Having a developmental delay based on informed clinical opinion and an evaluation using a standard evaluation instrument which results in a score that is 1.5 standard deviations from the mean in two or more of the following domains: physical, cognitive, communication, social or emotional, and adaptive;
- Having a developmental delay based on informed clinical opinion and an evaluation using a standard evaluation instrument which results in a score that is 2.0 standard deviations from the mean in one of the following domains: physical, cognitive, communication, social or emotional, and adaptive;
- Having a developmental delay based on informed clinical opinion and an evaluation using a standard evaluation instrument which results in a score that is 1.5 standard deviations from the mean in one or more of the following domains: physical, cognitive, communication, social or emotional, and adaptive;
- Having a developmental delay based on informed clinical opinion; or
- Being at risk of developmental delay based on an established condition known to result in developmental delay, or a physical or mental condition known to create a risk of developmental delay.

The bill provides duties to the Early Steps offices. These offices must:

- Evaluate a child within 45 days after referral;
- Notify parents if the child is eligible for services and provide an appeal process to those parents whose child is found ineligible;
- Make interagency agreements with local school districts;
- Provide services directly or procure early intervention services;
- Provide services in a natural environment to the extent possible;
- Develop an individualized family support plan for each child served in the program;
- Assess the progress of the child in meeting the goals of the individualized family support plan;

- Provide service coordination to ensure that assistance for families is properly managed, regardless of whether the program provides the services directly or through referral to other service providers;
- Make agreements with local Medicaid managed care organizations;
- Make agreements with local private insurers; and
- Provide data required by the DOH to assess the performance of the program.

The bill requires the DOH to report to the Governor and Legislature on the performance of the Early Steps program December 1st each year.

The bill designates the Florida Interagency Coordinating Council for Infants and Toddlers as the state interagency coordination council required under federal law.

The bill provides requirements to the local Early Steps offices to improve the transition to the local school district after age three if the child may need special education or related services.

Section 7 amends s. 413.092, F.S., relating to the Blind Babies program to conform the name change of the Florida Infants and Toddlers Early Intervention Program to the Early Steps program.

Section 8 amends s. 1003.575, F.S., relating to assistive technology devices for special education to conform the name change of the Florida Infants and Toddlers Early Intervention Program to the Early Steps program.

Section 9 repeals s. 391.303, F.S., relating to program requirements of the Florida Infants and Toddlers Early Intervention Program.

Section 10 repeals s. 391.304, F.S., relating to program coordination of the Florida Infants and Toddlers Early Intervention Program.

Section 11 repeals s. 391.305, F.S., relating to program standards for the Florida Infants and Toddlers Early Intervention Program.

Section 12 repeals s. 391.306, F.S., relating to funding and contracts for the Florida Infants and Toddlers Early Intervention Program.

Section 13 repeals s. 391.307, F.S., relating to program reviews under the Florida Infants and Toddlers Early Intervention Program.

Section 14 provides an effective date of 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:

Under CS/SB 7034, additional guidance provided for the administration of the Early Steps program may result in additional opportunities for private providers of early childhood intervention services.

The Department of Health (DOH) reports that local Early Steps agencies under contract with the DOH might experience an increased workload associated with additional duties under the bill. Such an effect, if any, has an indeterminate cost.³²

C. Government Sector Impact:

The DOH reports that eligibility criteria created under the bill, if applied, will result in at least 1,000 children becoming eligible for Early Steps who would not otherwise qualify, at a cost of \$1,317,000 recurring general revenue.³³ However, the bill directs the DOH to apply the new eligibility criteria if specific funding is provided, and the associated applicable eligibility criteria are identified, in the General Appropriations Act (GAA), and the GAA might or might not include such funding.

The DOH also reports that, under the bill:³⁴

- The requirements for new hotlines specific to Down syndrome and other prenatally diagnosed developmental disabilities, the expansion of the clearinghouse database, and the accompanying duties to revise the DOH website, will cost \$130,988 in general revenue, \$3,999 of which is nonrecurring, which includes funding for a new full-time equivalent (FTE) position; and
- The DOH might experience a recurring, but indeterminate, increase in workload associated with other duties that existing DOH resources cannot absorb.

³² Department of Health, *2016 Agency Legislative Bill Analysis, SB 7034*, Jan. 20, 2016, on file with the Senate Appropriations Subcommittee on Health and Human Services.

³³ *Id.*

³⁴ *Id.*

VI. Technical Deficiencies:

Section 6 of the bill amends s. 391.308, F.S., to provide eligibility criteria for the Early Steps program. Four of the criteria specify the eligibility of infants and toddlers determined to have a developmental delay based on “informed clinical opinion.” However, neither the bill nor existing law in ch. 391, F.S., define the term “informed clinical opinion.”

VII. Related Issues:

The Department of Health (DOH) reports that:³⁵

- The bill’s provision for eligibility criteria to be implemented “if specific funding is provided” could create a conflict with the program’s nature as an entitlement program; and
- The bill’s requirements for posting public information do not meet the federal requirements for stakeholder input and that a more realistic implementation date for the bill’s changes to eligibility criteria would be January 2017.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 383.141, 391.025, 391.026, 391.301, 391.302, 391.308, 413.092, and 1003.575.

This bill repeals the following sections of the Florida Statutes: 391.303, 391.304, 391.305, 391.306, and 391.307.

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

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

CS by Appropriations on February 3, 2016:

The CS:

- Revises the eligibility criteria specified in CS/SB 7034 and provide that the DOH will apply the eligibility criteria if specific funding is provided, and the associated applicable eligibility criteria that will apply are identified, in the GAA.
- Requires the Early Steps program to coordinate services with other programs serving infants and toddlers, as opposed to coordinating services with other early intervention programs as in the underlying bill;
- Deletes from statute the definitions of “in-hospital intervention services” and “parent support and training;”
- Requires the Department of Health (DOH) to educate certain hospitals about the Early Steps program, as opposed to ensuring that those hospitals provide certain services as in the underlying bill;
- Requires the DOH to provide a mediation process in addition to, an appeals process for applicants found ineligible for services or who are denied financial support and deletes the provision in CS/SB 7034 that the appeals process be conducted pursuant to ch. 120, F.S.;

³⁵ *Id.*

- Removes from the bill the requirement for local Early Steps offices to secure and maintain contracts with Medicaid managed care plans; and
- Changes all references in the bill to “Medicaid managed care entities” to “Medicaid managed care organizations,”

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 the Committee on Children, Families, and Elder Affairs

586-01459-16

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1 A bill to be entitled
 2 An act relating to prenatal services and early
 3 childhood development; amending s. 383.141, F.S.;
 4 revising the requirements for the Department of Health
 5 to maintain a clearinghouse of information for parents
 6 and health care providers and to increase public
 7 awareness on developmental evaluation and early
 8 intervention programs; requiring the clearinghouse to
 9 use a specified term; revising the information to be
 10 included in the clearinghouse; amending s. 391.025,
 11 F.S.; renaming the "Infants and Toddlers Early
 12 Intervention Program" as the "Early Steps Program";
 13 revising the components of the Children's Medical
 14 Services program; amending s. 391.026, F.S.; requiring
 15 the department to serve as the lead agency in
 16 administering the Early Steps Program; amending s.
 17 391.301, F.S.; establishing the Early Steps Program
 18 within the department; deleting provisions relating to
 19 legislative findings; authorizing the program to
 20 include certain screening and referral services for
 21 specified purposes; providing requirements and
 22 responsibilities for the program; amending s. 391.302,
 23 F.S.; defining terms; revising the definitions of
 24 certain terms; amending s. 391.308, F.S.; renaming the
 25 "Infants and Toddlers Early Intervention Program" as
 26 the "Early Steps Program"; requiring, rather than
 27 authorizing, the department to implement and
 28 administer the program; requiring the department to
 29 ensure that the program follows specified performance

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30 standards; providing requirements of the program to
 31 meet such performance standards; revising the duties
 32 of the department; requiring the department to apply
 33 specified eligibility criteria for the program;
 34 providing duties for local program offices; requiring
 35 the development of an individualized family support
 36 plan for each child served in the program; requiring
 37 referral for services by a local program office under
 38 certain circumstances; requiring the local program
 39 office to negotiate and maintain agreements with
 40 specified providers and managed care entities;
 41 requiring the local program office to coordinate with
 42 managed care plans; requiring the department to submit
 43 an annual report, subject to certain requirements, to
 44 the Governor, the Legislature, and the Florida
 45 Interagency Coordinating Council for Infants and
 46 Toddlers by a specified date; designating the Florida
 47 Interagency Coordinating Council for Infants and
 48 Toddlers as the state interagency coordinating council
 49 required by federal rule subject to certain
 50 requirements; providing requirements for the local
 51 program office and local school district to prepare
 52 certain children for the transition to school under
 53 certain circumstances; amending ss. 413.092 and
 54 1003.575, F.S.; conforming provisions to changes made
 55 by the act; repealing ss. 391.303, 391.304, 391.305,
 56 391.306, and 391.307, F.S., relating to requirements
 57 for the Children's Medical Services program, program
 58 coordination, program standards, program funding and

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contracts, and program review, respectively; providing an effective date.

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

Section 1. Subsections (2) and (3) of section 383.141, Florida Statutes, are amended, and subsection (4) is added to that section, to read:

383.141 Prenatally diagnosed conditions; patient to be provided information; definitions; information clearinghouse; advisory council.—

(2) When a developmental disability is diagnosed based on the results of a prenatal test, the health care provider who ordered the prenatal test, or his or her designee, shall provide the patient with current information about the nature of the developmental disability, the accuracy of the prenatal test, and resources for obtaining relevant support services, including hotlines, resource centers, and information clearinghouses related to Down syndrome or other prenatally diagnosed developmental disabilities; support programs for parents and families; and developmental evaluation and intervention services under this part s. 391.303.

(3) The Department of Health shall develop and implement a comprehensive information clearinghouse to educate health care providers, inform parents, and increase public awareness regarding brain development, developmental disabilities and delays, and all services, resources, and interventions available to mitigate the effects of impaired development among children. The clearinghouse must use the term "unique abilities" as much

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as possible when identifying infants or children with developmental disabilities and delays. The clearinghouse must provide:

(a) Health information on conditions that may lead to impaired development of physical, learning, language, or behavioral skills.

(b) Education and information to support parents whose unborn children have been prenatally diagnosed with developmental disabilities or whose children have diagnosed or suspected developmental delays.

(c) Education and training for health care providers to recognize and respond appropriately to developmental disabilities, delays, and conditions related to disabilities or delays. Specific information approved by the advisory council shall be made available to health care providers for use in counseling parents whose unborn children have been prenatally diagnosed with developmental disabilities or whose children have diagnosed or suspected developmental delays.

(d) Promotion of public awareness of availability of supportive services, such as resource centers, educational programs, other support programs for parents and families, and developmental evaluation and intervention services.

(e) Hotlines specific to Down syndrome and other prenatally diagnosed developmental disabilities. The hotlines and the department's clearinghouse must provide information to parents and families or other caregivers regarding the Early Steps Program under s. 391.301, the Florida Diagnostic Learning and Resource System, the Early Learning program, Healthy Start, Help Me Grow, and any other intervention programs. Information

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~~offered must include directions on how to obtain early intervention, rehabilitative, and habilitative services and devices establish on its Internet website a clearinghouse of information related to developmental disabilities concerning providers of supportive services, information hotlines specific to Down syndrome and other prenatally diagnosed developmental disabilities, resource centers, educational programs, other support programs for parents and families, and developmental evaluation and intervention services under s. 391.303. Such information shall be made available to health care providers for use in counseling pregnant women whose unborn children have been prenatally diagnosed with developmental disabilities.~~

(4) (a) There is established an advisory council within the Department of Health which consists of health care providers and caregivers who perform health care services for persons who have developmental disabilities, including Down syndrome and autism. This group shall consist of nine members as follows:

1. Three members appointed by the Governor;
2. Three members appointed by the President of the Senate;
- and
3. Three members appointed by the Speaker of the House of Representatives.

(b) The advisory council shall provide technical assistance to the Department of Health in the establishment of the information clearinghouse and give the department the benefit of the council members' knowledge and experience relating to the needs of patients and families of patients with developmental disabilities and available support services.

(c) Members of the council shall elect a chairperson and a

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vice chairperson. The elected chairperson and vice chairperson shall serve in these roles until their terms of appointment on the council expire.

(d) The advisory council shall meet quarterly to review this clearinghouse of information, and may meet more often at the call of the chairperson or as determined by a majority of members.

(e) The council members shall be appointed to 4-year terms, except that, to provide for staggered terms, one initial appointee each from the Governor, the President of the Senate, and the Speaker of the House of Representatives shall be appointed to a 2-year term, one appointee each from these officials shall be appointed to a 3-year term, and the remaining initial appointees shall be appointed to 4-year terms. All subsequent appointments shall be for 4-year terms. A vacancy shall be filled for the remainder of the unexpired term in the same manner as the original appointment.

(f) Members of the council shall serve without compensation. Meetings of the council may be held in person, without reimbursement for travel expenses, or by teleconference or other electronic means.

(g) The Department of Health shall provide administrative support for the advisory council.

Section 2. Paragraph (c) of subsection (1) of section 391.025, Florida Statutes, is amended to read:

391.025 Applicability and scope.—

(1) The Children's Medical Services program consists of the following components:

(c) The developmental evaluation and intervention program,

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175 including the Early Steps Florida Infants and Toddlers Early
 176 Intervention Program.

177 Section 3. Subsection (19) is added to section 391.026,
 178 Florida Statutes, to read:

179 391.026 Powers and duties of the department.—The department
 180 shall have the following powers, duties, and responsibilities:

181 (19) To serve as the lead agency in administering the Early
 182 Steps Program pursuant to part C of the federal Individuals with
 183 Disabilities Education Act and part III of this chapter.

184 Section 4. Section 391.301, Florida Statutes, is amended to
 185 read:

186 391.301 Early Steps Program; establishment and goals
 187 Developmental evaluation and intervention programs; legislative
 188 findings and intent.—

189 (1) The Early Steps Program is established within the
 190 department to serve infants and toddlers who are at risk of
 191 developmental disabilities and infants and toddlers with
 192 developmental delays by providing developmental evaluation and
 193 early intervention and by providing families with training and
 194 support services in a variety of home and community settings The
 195 Legislature finds that the high-risk and disabled newborn
 196 infants in this state need in-hospital and outpatient
 197 developmental evaluation and intervention and that their
 198 families need training and support services. The Legislature
 199 further finds that there is an identifiable and increasing
 200 number of infants who need developmental evaluation and
 201 intervention and family support due to the fact that increased
 202 numbers of low birthweight and sick full-term newborn infants
 203 are now surviving because of the advances in neonatal intensive

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204 ~~care medicine, increased numbers of medically involved infants~~
 205 ~~are remaining inappropriately in hospitals because their parents~~
 206 ~~lack the confidence or skills to care for these infants without~~
 207 ~~support, and increased numbers of infants are at risk due to~~
 208 ~~parent risk factors, such as substance abuse, teenage pregnancy,~~
 209 ~~and other high-risk conditions.—~~

210 (2) The program may include screening and referral It is
 211 ~~the intent of the Legislature to establish developmental~~
 212 ~~evaluation and intervention services at all hospitals providing~~
 213 ~~Level II or Level III neonatal intensive care services, in order~~
 214 ~~to promptly identify newborns with disabilities or with~~
 215 ~~conditions associated with risks of developmental delays so that~~
 216 ~~families with high risk or disabled infants may gain as early as~~
 217 ~~possible the services and skills they need to support their~~
 218 ~~infants' development infants.~~

219 (3) The program must It is the intent of the Legislature
 220 ~~that a methodology be developed to integrate information and~~
 221 ~~coordinate services on infants with potentially disabling~~
 222 ~~conditions with other early intervention programs, including,~~
 223 ~~but not limited to, Part C of Pub. L. No. 105-17 and the Healthy~~
 224 ~~Start program, the newborn screening program, and the Blind~~
 225 ~~Babies Program.~~

226 (4) The program must:

227 (a) Provide services to enhance the development of infants
 228 and toddlers with disabilities and delays.

229 (b) Expand the recognition by health care providers,
 230 families, and the public of the significant brain development
 231 that occurs during a child's first 3 years of life.

232 (c) Maintain the importance of the family in all areas of

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the child's development and support the family's participation in early intervention services and decisions affecting the child.

(d) Operate a comprehensive, coordinated interagency system of early intervention services and supports in accordance with part C of the federal Individuals with Disabilities Education Act.

(e) Ensure timely evaluation, individual planning, and early intervention services necessary to meet the unique needs of eligible infants and toddlers.

(f) Build the service capacity and enhance the competencies of health care providers serving infants and toddlers with unique needs and abilities.

(g) Ensure programmatic and fiscal accountability through establishment of a high-capacity data system, active monitoring of performance indicators, and ongoing quality improvement.

Section 5. Section 391.302, Florida Statutes, is amended to read:

391.302 Definitions.—As used in ss. 391.301-391.308 ~~ss. 391.301-391.307~~, the term:

(1) "Developmental delay" means a condition, identified and measured through appropriate instruments and procedures, which may delay physical, cognitive, communication, social/emotional, or adaptive development.

(2) "Developmental disability" means a condition, identified and measured through appropriate instruments and procedures, which may impair physical, cognitive, communication, social/emotional, or adaptive development.

(3) "Developmental intervention" or "early intervention"

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means individual and group ~~individualized~~ therapies and services needed to enhance both the infant's or toddler's growth and development and family functioning. The term includes habilitative services and assistive technology devices, rehabilitative services and assistive technology devices, and parent support and training.

(4) "Habilitative services and devices" means health care services and devices that help a child maintain, learn, or improve skills and functioning for daily living.

(5) ~~(2)~~ "Infant or toddler" or "child" means a child from birth until the child's third birthday.

(6) ~~(3)~~ "In-hospital intervention services" means the provision of assessments; the provision of individual individualized services; monitoring and modifying the delivery of medical interventions, and enhancing the environment for the high-risk, developmentally disabled, or medically involved infant or toddler in order to achieve optimum growth and development.

(7) "Local program office" means an office that administers the Early Steps Program within a municipality, county, or region.

(8) ~~(4)~~ "Parent support and training" means a range of services to families of high-risk, developmentally disabled, or medically involved infants or toddlers, including family counseling; ~~financial planning~~; agency referral; development of parent-to-parent support groups; education concerning growth, development, and developmental intervention and objective measurable skills, including abuse avoidance skills; and training of parents to advocate for their child; ~~and bereavement~~

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291 ~~counseling.~~

292 (9) "Rehabilitative services and devices" means restorative
 293 and remedial services that maintain or enhance the current level
 294 of functioning of a child if there is a possibility of
 295 improvement or reversal of impairment.

296 Section 6. Section 391.308, Florida Statutes, is amended to
 297 read:

298 391.308 ~~Early Steps Infants and Toddlers Early Intervention~~
 299 ~~Program.—The department shall Department of Health may~~ implement
 300 and administer part C of the federal Individuals with
 301 Disabilities Education Act (IDEA), which shall be known as the
 302 "Early Steps "Florida Infants and Toddlers Early Intervention
 303 Program."

304 (1) PERFORMANCE STANDARDS.—The department shall ensure that
 305 the Early Steps Program complies with the following performance
 306 standards:

307 (a) The program must provide services from referral through
 308 transition in a family-centered manner that recognizes and
 309 responds to unique circumstances and needs of infants and
 310 toddlers and their families as measured by a variety of
 311 qualitative data, including satisfaction surveys, interviews,
 312 focus groups, and input from stakeholders.

313 (b) The program must provide individualized family support
 314 plans that are understandable and usable by families, health
 315 care providers, and payors and that identify the current level
 316 of functioning of the infant or toddler, family supports and
 317 resources, expected outcomes, and specific early intervention
 318 services needed to achieve the expected outcomes, as measured by
 319 periodic system independent evaluation.

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320 (c) The program must help each family to use available
 321 resources in a way that maximizes the child's access to services
 322 necessary to achieve the outcomes of the individualized family
 323 support plan, as measured by family feedback and by independent
 324 assessments of services used by each child.

325 (d) The program must offer families access to quality
 326 services that effectively enable infants and toddlers with
 327 developmental disabilities and developmental delays to achieve
 328 optimal functional levels as measured by an independent
 329 evaluation of outcome indicators in social emotional skills,
 330 communication, and adaptive behaviors.

331 (2) DUTIES OF THE DEPARTMENT.—The department shall:

332 (a) Jointly with the Department of Education, shall
 333 Annually prepare a grant application to the United States
 334 Department of Education for funding early intervention services
 335 for infants and toddlers with disabilities, from birth through
 336 36 months of age, and their families pursuant to part C of the
 337 federal Individuals with Disabilities Education Act.

338 (b) ~~(2) The department,~~ Jointly with the Department of
 339 Education, ~~provide shall include~~ a reading initiative as an
 340 early intervention service for infants and toddlers.

341 (c) Annually develop a state plan for the Early Steps
 342 Program.

343 1. The plan must assess the need for early intervention
 344 services, evaluate the extent of the statewide need that is met
 345 by the program, identify barriers to fully meeting the need, and
 346 recommend specific action steps to improve program performance.

347 2. The plan must be developed through an inclusive process
 348 that involves families, local program offices, health care

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providers, and other stakeholders.

(d) Ensure the provision of developmental evaluation and intervention services in each hospital that provides Level II and Level III neonatal intensive care services to an infant or a toddler identified as being at risk for developmental disabilities who along with his or her family, would benefit from early intervention services.

(e) Establish standards and qualifications for developmental evaluation and early intervention service providers, including standards for determining the adequacy of provider networks in each local program office service area.

(f) Establish statewide uniform protocols and procedures to determine eligibility for developmental evaluation and early intervention services.

(g) Establish a consistent, statewide format and procedure for preparing and completing an individualized family support plan.

(h) Promote interagency cooperation and coordination, with the Medicaid program, the Department of Education program pursuant to part B of the federal Individuals with Disabilities Education Act, and programs providing child screening such as the Florida Diagnostic Learning and Resource System, the Early Learning program, Healthy Start, and Help Me Grow program.

1. Coordination with the Medicaid program shall be developed and maintained through written agreements with the Agency for Health Care Administration and Medicaid managed care entities as well as through active and ongoing communication with these entities. The department shall assist local program offices to negotiate agreements with Medicaid managed care

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entities in the service areas of the local program offices. Such agreements may be formal or informal.

2. Coordination with education programs pursuant to part B of the federal Individuals with Disabilities Education Act shall be developed and maintained through written agreements with the Department of Education. The department shall assist local program offices to negotiate agreements with school districts in the service areas of the local program offices.

(i) Develop and disseminate the knowledge and methods necessary to effectively coordinate benefits among various payor types.

(j) Provide an appeals process under chapter 120 for applicants found ineligible for developmental evaluation or early intervention services or denied financial support for such services.

(k) Competitively procure local program offices to provide services throughout the state in accordance with chapter 287. The department shall specify the requirements and qualifications for local program offices in the procurement document.

(l) Establish performance standards and other metrics for evaluation of local program offices, including standards for measuring timeliness of services, outcomes of early intervention services, and administrative efficiency. Performance standards and metrics shall be developed in consultation with local program offices.

(m) Provide technical assistance to the local program offices.

(3) ELIGIBILITY.—The department shall apply the following eligibility criteria as authorized in the General Appropriations

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407 Act.

408 (a) All infants and toddlers in this state are eligible for
 409 an evaluation to determine the presence of a developmental
 410 disability or conditions that cause or increase the risk of
 411 developmental delays.

412 (b) All infants and toddlers determined to have a
 413 developmental disability based on an established condition or
 414 determined to be at risk of developmental delays based on an
 415 informed clinical opinion are eligible for Early Steps Program
 416 services.

417 (c) A child is eligible for Early Steps Program services if
 418 the application of a standardized evaluation instrument results
 419 in a score that is 1.5 standard deviations from the mean in two
 420 or more of the following domains: physical, cognitive,
 421 communication, social or emotional, and adaptive.

422 (d) A child is eligible for Early Steps Program services if
 423 the application of a standardized evaluation instrument results
 424 in a score that is 2.0 standard deviations from the mean in one
 425 of the following domains: physical, cognitive, communication,
 426 social or emotional, and adaptive.

427 (e) A child is eligible for Early Steps Program services if
 428 diagnosed with a physical or mental condition that has a high
 429 probability of resulting in a developmental delay.

430 (4) DUTIES OF THE LOCAL PROGRAM OFFICES.—A local program
 431 office shall:

432 (a) Evaluate a child to determine eligibility within 45
 433 calendar days after the child is referred to the program.

434 (b) Notify the parent or legal guardian of his or her
 435 child's eligibility status initially and at least annually

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436 thereafter. If a child is determined not to be eligible, the
 437 local program office must provide the parent or legal guardian
 438 with written information on the right to an appeal and the
 439 process for making such an appeal.

440 (c) Secure and maintain interagency agreements or contracts
 441 with local school districts and the Medicaid managed care plans
 442 in a local service area.

443 (d) Provide services directly or procure services from
 444 health care providers that meet or exceed the minimum
 445 qualifications established for service providers. The local
 446 program office must become a Medicaid provider if it provides
 447 services directly.

448 (e) Provide directly or procure services that are, to the
 449 extent possible, delivered in a child's natural environment,
 450 such as in the child's home or community setting. The inability
 451 to provide services in the natural environment is not a
 452 sufficient reason to deny services.

453 (f) Develop an individualized family support plan for each
 454 child served. The plan must:

455 1. Be completed within 45 calendar days after referral in
 456 the program;

457 2. Be developed in conjunction with the child's parent or
 458 legal guardian who provides written consent for the services
 459 included in the plan;

460 3. Be reviewed at least every six months with the parent or
 461 legal guardian and updated if needed; and

462 4. Include steps to transition to school or other future
 463 services by the child's third birthday.

464 (g) Assess the progress of the child and his or her family

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in meeting the goals of the individualized family support plan.

(h) For each service required by the individualized family support plan, refer the child to an appropriate service provider or work with Medicaid managed care entities or private insurers to secure the needed services.

(i) Provide service coordination services, including contacting the appropriate service provider to determine whether the provider can timely deliver the service, providing the parent or legal guardian with the name and location of the service and the date of any appointment made on behalf of the child, and contacting the parent or legal guardian after the service is provided to ensure that the service is delivered timely and to determine whether the family requests additional services.

(j) Negotiate and maintain agreements with Medicaid providers and Medicaid managed care entities in its area.

1. With the parent's or legal guardian's permission, the services in the child's approved individualized family support plan shall be communicated to the Medicaid managed care entity. Services that cannot be funded by Medicaid must be specifically identified and explained to the family.

2. The agreement between the local program office and Medicaid managed care entities must establish methods of communication and procedures for the timely approval of services covered by Medicaid.

(k) Develop agreements and arrangements with private insurers in order to coordinate benefits and services for any mutual enrollee.

1. The child's approved individualized family support plan

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may be communicated to the child's insurer with the parent's or legal guardian's permission.

2. The local program office and private insurers shall establish methods of communication and procedures for the timely approval of services covered by the child's insurer, if appropriate and approved by the child's parent or legal guardian.

(1) Provide to the department data necessary for an evaluation of the local program office performance.

(5) ACCOUNTABILITY REPORTING.—By December 1 of each year, the department shall prepare and submit a report that assesses the performance of the Early Steps Program to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Florida Interagency Coordinating Council for Infants and Toddlers. The department must address the performance standards in subsection (1) and report actual performance compared to the standards for the prior fiscal year. The data used to compile the report must be submitted by each local program office in the state. The department shall report on all of the following measures:

(a) Number and percentage of infants and toddlers served with an individualized family support plan.

(b) Number and percentage of infants and toddlers demonstrating improved social/emotional skills after the program.

(c) Number and percentage of infants and toddlers demonstrating improved use of knowledge and cognitive skills after the program.

(d) Number and percentage of families reporting positive

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outcomes in their infant's and toddler's development as a result of early intervention services.

(e) Progress toward meeting the goals of individualized family support plans.

(f) Any additional measures established by the department.

(6) STATE INTERAGENCY COORDINATING COUNCIL.—The Florida Interagency Coordinating Council for Infants and Toddlers shall serve as the state interagency coordinating council required by 34 C.F.R. s. 303.600. The council shall be housed for administrative purposes in the department, and the department shall provide administrative support to the council.

(7) TRANSITION TO EDUCATION.—

(a) At least 90 days before a child reaches 3 years of age, the local program office shall initiate transition planning to ensure the child's successful transition from the Early Steps Program to a school district program for children with disabilities or to another program as part of an individual family support plan.

(b) At least 3 months before a child reaches 3 years of age, the local program office shall:

1. Notify the local school district in which the child resides and the Department of Education that the child may be eligible for special education or related services as determined by the local school district pursuant to ss. 1003.21 and 1003.57, unless the child's parent or legal guardian has opted out of such notification; and
2. Upon approval by the child's parent or legal guardian, convene a transition conference that includes participation of a local school district representative and the parent or legal

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guardian to discuss options for and availability of services.

(c) The local school district shall evaluate and determine a child's eligibility to receive special education or related services pursuant to part B of the federal Individuals with Disabilities Education Act and ss. 1003.21 and 1003.57.

(d) The local program office, in conjunction with the local school district, shall modify a child's individual family support plan or, if applicable, the local school district shall develop an individual education plan for the child pursuant to ss. 1003.57, 1003.571, and 1003.5715, which identifies special education or related services that the child will receive and the providers or agencies that will provide such services.

(e) If a child is determined to be ineligible for school district program services, the local program office and the local school district shall provide the child's parent or legal guardian with written information on other available services or community resources.

(f) The local program office shall negotiate and maintain an interagency agreement with each local school district in its service area pursuant to the Individuals with Disabilities Education Act, 20 U.S.C. s. 1435(a)(10)(F). Each interagency agreement must be reviewed at least annually and updated upon review, if needed.

Section 7. Subsections (1) and (2) of section 413.092, Florida Statutes, are amended to read:

413.092 Blind Babies Program.—

(1) The Blind Babies Program is created within the Division of Blind Services of the Department of Education to provide community-based early-intervention education to children from

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 581 birth through 5 years of age who are blind or visually impaired,
 582 and to their parents, families, and caregivers, through
 583 community-based provider organizations. The division shall
 584 enlist parents, ophthalmologists, pediatricians, schools, the
 585 Early Steps Program ~~Infant and Toddlers Early Intervention~~
 586 ~~Programs~~, and therapists to help identify and enroll blind and
 587 visually impaired children, as well as their parents, families,
 588 and caregivers, in these educational programs.

(2) The program is not an entitlement but shall promote
 early development with a special emphasis on vision skills to
 minimize developmental delays. The education shall lay the
 groundwork for future learning by helping a child progress
 through normal developmental stages. It shall teach children to
 discover and make the best use of their skills for future
 success in school. It shall seek to ensure that visually
 impaired and blind children enter school as ready to learn as
 their sighted classmates. The program shall seek to link these
 children, and their parents, families, and caregivers, to other
 available services, training, education, and employment programs
 that could assist these families in the future. This linkage may
 include referrals to the school districts and the Early Steps
 602 ~~Infants and Toddlers Early Intervention~~ Program for assessments
 603 to identify any additional services needed which are not
 604 provided by the Blind Babies Program. The division shall develop
 605 a formula for eligibility based on financial means and may
 606 create a means-based matrix to set a copayment fee for families
 607 having sufficient financial means.

Section 8. Subsection (1) of section 1003.575, Florida
 Statutes, is amended to read:

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 610 1003.575 Assistive technology devices; findings;
 611 interagency agreements.—Accessibility, utilization, and
 612 coordination of appropriate assistive technology devices and
 613 services are essential as a young person with disabilities moves
 614 from early intervention to preschool, from preschool to school,
 615 from one school to another, and from school to employment or
 616 independent living. If an individual education plan team makes a
 617 recommendation in accordance with State Board of Education rule
 618 for a student with a disability, as defined in s. 1003.01(3), to
 619 receive an assistive technology assessment, that assessment must
 620 be completed within 60 school days after the team's
 621 recommendation. To ensure that an assistive technology device
 622 issued to a young person as part of his or her individualized
 623 family support plan, individual support plan, or an individual
 624 education plan remains with the individual through such
 625 transitions, the following agencies shall enter into interagency
 626 agreements, as appropriate, to ensure the transaction of
 627 assistive technology devices:

(1) The Early Steps ~~Florida Infants and Toddlers Early~~
 629 ~~Intervention~~ Program in the Division of Children's Medical
 630 Services of the Department of Health.

Interagency agreements entered into pursuant to this section
 shall provide a framework for ensuring that young persons with
 disabilities and their families, educators, and employers are
 informed about the utilization and coordination of assistive
 technology devices and services that may assist in meeting
 transition needs, and shall establish a mechanism by which a
 young person or his or her parent may request that an assistive

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639 technology device remain with the young person as he or she
640 moves through the continuum from home to school to postschool.
641 Section 9. Section 391.303, Florida Statutes, is repealed.
642 Section 10. Section 391.304, Florida Statutes, is repealed.
643 Section 11. Section 391.305, Florida Statutes, is repealed.
644 Section 12. Section 391.306, Florida Statutes, is repealed.
645 Section 13. Section 391.307, Florida Statutes, is repealed.
646 Section 14. This act shall take effect July 1, 2016.

THE FLORIDA SENATE
APPEARANCE RECORD

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

2-3-16

Meeting Date

SB 7034

Bill Number (if applicable)

Topic Early Intervention

Amendment Barcode (if applicable)

Name Margaret J. Hooper

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Tallahassee FL 32301

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Speaking: ☒ For ☐ Against ☐ Information

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

Representing Florida Developmental Disabilities Council, 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.

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

S-001 (10/14/14)

CourtSmart Tag Report

Room: KN 412

Caption: Senate Appropriations Committee

Case No.:

Judge:

Type:

Started: 2/3/2016 9:10:17 AM

Ends: 2/3/2016 1:12:37 PM **Length:** 04:02:21

9:10:28 AM	Sen. Lee (Chair)
9:12:46 AM	S 2500
9:12:50 AM	Sen. Gaetz
9:22:46 AM	Sen. Garcia
9:33:18 AM	Sen. Negron
9:40:05 AM	Sen. Latvala
9:45:21 AM	Sen. Hays
9:54:16 AM	Am. 995017
9:54:35 AM	Sen. Latvala
9:55:36 AM	Am. 995011
9:55:44 AM	Sen. Latvala
9:56:21 AM	Am. 995012
9:56:25 AM	Sen. Latvala
9:57:07 AM	Am. 995014
9:57:16 AM	Sen. Latvala
9:57:44 AM	Am. 995021
9:57:52 AM	Sen. Latvala
9:59:02 AM	Am. 995028
9:59:07 AM	Sen. Latvala
9:59:16 AM	Am. 995044
9:59:25 AM	Sen. Latvala
9:59:50 AM	Am 995030
9:59:56 AM	Sen. Latvala
10:00:32 AM	Sen. Joyner
10:01:03 AM	Am. 995031
10:01:14 AM	Sen. Hays
10:01:35 AM	Sen. Latvala
10:01:56 AM	Am. 995032
10:02:03 AM	Sen. Latvala
10:02:58 AM	Am. 995041
10:03:03 AM	Sen. Latvala
10:03:49 AM	Am. 995043
10:03:55 AM	Sen. Latvala
10:04:03 AM	Am. 995009
10:04:14 AM	Sen. Latvala
10:04:41 AM	Am. 995047
10:04:46 AM	Sen. Latvala
10:05:58 AM	Sen. Joyner
10:07:48 AM	Sen. Latvala
10:09:47 AM	Sen. Benacquisto
10:10:52 AM	Sen. Joyner
10:11:34 AM	Sen. Gaetz
10:13:15 AM	Sen. Joyner
10:13:57 AM	Sen. Gaetz
10:15:10 AM	Sen. Joyner
10:15:27 AM	Sen. Gaetz
10:15:55 AM	Sen. Joyner
10:17:52 AM	Sen. Gaetz
10:20:27 AM	Sen. Joyner
10:21:11 AM	Sen. Gaetz
10:22:34 AM	Sen. Joyner
10:24:07 AM	Sen. Gaetz

10:25:24 AM	Sen. Joyner
10:26:38 AM	Sen. Gaetz
10:28:46 AM	Sen. Joyner
10:29:29 AM	Sen. Gaetz
10:30:17 AM	Sen. Joyner
10:31:25 AM	Sen. Gaetz
10:32:29 AM	Sen. Joyner
10:33:16 AM	Sen. Gaetz
10:34:24 AM	Sen. Joyner
10:34:27 AM	Sen. Flores
10:35:52 AM	Sen. Gaetz
10:36:34 AM	Sen. Flores
10:36:59 AM	Sen. Gaetz
10:38:36 AM	Sen. Flores
10:40:20 AM	Sen. Gaetz
10:42:22 AM	Am. 995001
10:42:28 AM	Sen. Gaetz
10:43:44 AM	Am. 995008
10:43:56 AM	Am. 995045
10:44:06 AM	Sen. Hays
10:51:42 AM	Sen. Lee
10:52:21 AM	Am. 995003
10:52:29 AM	Sen. Ring
10:53:00 AM	Am. 995046
10:53:07 AM	Sen. Gaetz
10:54:33 AM	Am. 995010
10:54:37 AM	Sen. Hukill
10:55:20 AM	Am. 995004
10:55:25 AM	Sen. Hukill
10:55:28 AM	Am. 995016
10:55:34 AM	Sen. Smith
10:56:03 AM	Am. 995019
10:56:12 AM	Sen. Garcia
10:56:36 AM	Am. 995020
10:56:44 AM	Sen. Garcia
10:57:04 AM	Am. 995000
10:57:12 AM	Sen. Garcia
10:57:24 AM	Sen. Benacquisto
10:58:16 AM	Am. 995005
10:58:22 AM	Sen. Smith
10:58:37 AM	Am. 995007
10:58:41 AM	Sen. Garcia
10:59:01 AM	Am. 995013
10:59:06 AM	Sen. Garcia
10:59:26 AM	Am. 995015
10:59:31 AM	Sen. Hays
11:00:31 AM	Am. 995040
11:00:35 AM	Sen. Smith
11:01:04 AM	Am. 995006
11:01:18 AM	Sen. Negron
11:01:21 AM	Am. 995035
11:01:35 AM	Sen. Negron
11:01:47 AM	Am. 995042
11:02:07 AM	Sen. Smith
11:02:20 AM	Am. 995023
11:02:24 AM	Sen. Negron
11:02:51 AM	Am. 995022
11:02:57 AM	Sen. Richter
11:03:19 AM	Am. 995024
11:03:31 AM	Sen. Negron
11:03:45 AM	Am. 995025
11:03:54 AM	Sen. Negron

11:04:23 AM	Sen. Latvala
11:04:58 AM	Sen. Negron
11:05:16 AM	Am. 995036
11:05:23 AM	Sen. Negron
11:05:44 AM	Am. 995029
11:05:49 AM	Sen. Negron
11:06:12 AM	Am. 995038
11:06:17 AM	Sen. Negron
11:06:52 AM	Am. 995039
11:06:59 AM	Sen. Smith
11:07:45 AM	Am. 995026
11:07:49 AM	Sen. Negron
11:10:19 AM	Sen. Richter
11:10:44 AM	Sen. Grimsley
11:11:12 AM	Sen. Hays
11:12:09 AM	Sen. Benacquisto
11:12:47 AM	Sen. Gaetz
11:14:10 AM	Sen. Hays
11:15:01 AM	Sen. Latvala
11:16:13 AM	Sen. Negron
11:18:12 AM	Sen. Hays
11:18:50 AM	Sen. Negron
11:19:34 AM	Sen. Lee
11:20:23 AM	Sen. Negron
11:22:17 AM	Am. 995027
11:22:25 AM	Sen. Latvala
11:22:47 AM	Sen. Hays
11:23:31 AM	Am. 995018
11:23:36 AM	Sen. Hays
11:23:49 AM	Am. 995049
11:23:54 AM	Sen. Smith
11:24:36 AM	Am. 995048
11:24:44 AM	Sen. Smith
11:25:59 AM	S 2500 (cont.)
11:26:04 AM	Daniel Lyons, Chief Executive Officer, Florida Alliance of Boys & Girls Clubs (waives in opposition)
11:26:21 AM	Lynn Dorler, Chief Executive Officer, Boys & Girls Clubs of Charlotte County (waives in opposition)
11:26:32 AM	Theresa J. Shaw, Chief Executive Officer, Boys & Girls Clubs of Collier County (waives in opposition)
11:26:37 AM	Dawn Stanhope, Chief Executive Officer, Boys & Girls Clubs of Manatee County (waives in opposition)
11:26:59 AM	Brian Quail, Chief Executive Officer, Boys & Girls Clubs of Broward County (waives in opposition)
11:27:09 AM	Shervin Rassa, Chief Executive Officer, Boys & Girls Clubs of the Emerald Coast (waives in opposition)
11:27:29 AM	Cary Ombres, Director, Best Buddies International, Inc.
11:32:16 AM	Judi Miller, Chief Executive Officer, Big Brothers Big Sisters
11:37:45 AM	Sen. Joyner
11:38:38 AM	J. Miller
11:39:05 AM	Sen. Joyner
11:39:41 AM	Sen. Lee
11:40:19 AM	J. Miller
11:41:30 AM	Sen. Joyner
11:47:02 AM	S 2502
11:47:21 AM	Sen. Lee
11:48:44 AM	S 2504
11:48:50 AM	Sen. Lee
11:49:53 AM	S 7042
11:50:01 AM	Sen. Ring
11:51:29 AM	Sen. Joyner
11:51:35 AM	Sen. Ring
11:51:53 AM	Sen. Joyner
11:52:12 AM	Sen. Ring
11:53:16 AM	S 2506
11:53:28 AM	Sen. Negron
11:54:45 AM	S 2508
11:55:03 AM	Sen. Garcia

11:56:37 AM Sen. Joyner
11:57:17 AM Allen Brown, Legislative Analyst, Appropriations Subcommittee on Health and Human Services
11:57:32 AM Sen. Joyner
11:58:05 AM A. Brown
11:59:10 AM Sen. Joyner
11:59:14 AM A. Brown
11:59:26 AM Ross McSwain, General Counsel/Deputy Staff Director, Senate Appropriations Committee
11:59:53 AM Sen. Joyner
12:00:26 PM Sen. Garcia
12:01:21 PM Sen. Joyner
12:02:30 PM S 2510
12:02:37 PM Sen. Garcia
12:04:08 PM S 7060
12:04:18 PM Sen. Garcia
12:04:32 PM Am. 440284
12:05:56 PM S 90
12:05:57 PM PCS 311396
12:06:15 PM Sen. Simpson
12:06:27 PM Sen. Benacquisto
12:06:36 PM Am. 323716
12:06:40 PM Sen. Simpson
12:06:55 PM Am. 500770
12:07:01 PM Sen. Simpson
12:07:07 PM S 90 (cont.)
12:07:22 PM Brewster Bevis, Senior Vice President, Associated Industries of Florida (waives in support)
12:07:29 PM Dale Calhoun, Florida Natural Gas Association (waives in support)
12:07:32 PM Charlie Latham, Florida Chapter Chair, Natural Waste & Recycling Association (waives in support)
12:08:35 PM S 100
12:08:42 PM Sen. Simpson
12:09:31 PM Sen. Joyner
12:09:36 PM Sen. Simpson
12:09:59 PM Am. 334112
12:10:11 PM Sen. Simpson
12:10:24 PM Am. 222728
12:10:34 PM Sen. Simpson
12:11:08 PM Am. 824416
12:11:22 PM Sen. Simpson
12:11:45 PM S 100 (cont.)
12:12:39 PM S 546
12:12:40 PM PCS 724450
12:12:55 PM Sen. Simpson
12:13:13 PM Am. 442978
12:13:34 PM Am. 644782
12:14:52 PM S 284
12:14:57 PM Sen. Thompson
12:16:45 PM Sen. Richter
12:16:54 PM Sen. Hays
12:17:03 PM Sen. Garcia
12:17:13 PM Sen. Altman
12:17:29 PM Sen. Simmons
12:17:57 PM Sen Benacquisto
12:18:12 PM S 468
12:18:23 PM Sen. Ring
12:18:39 PM Am. 140576
12:18:40 PM Sen. Ring
12:19:06 PM Am. 642728
12:19:09 PM Sen. Ring
12:19:35 PM Am. 480630
12:19:37 PM Sen. Ring
12:19:47 PM S 468 (cont.)
12:20:05 PM B. Bevis (waives in support)
12:20:08 PM James Taylor, Executive Director, Florida Technology Council

12:20:14 PM Martin Ginsberg (waives in opposition)
12:20:17 PM Donald Persson, Algebra Teacher/Coach (waives in opposition)
12:20:23 PM Sen. Ring
12:22:05 PM S 756
12:22:13 PM PCS 566040
12:22:18 PM Sen. Brandes
12:24:30 PM Sen. Joyner
12:24:43 PM Am. 404078
12:25:00 PM Sen. Brandes
12:25:13 PM Sen. Lee
12:25:28 PM S 756 (cont.)
12:25:39 PM Michael Rubin, Vice President, Government Affairs, Florida Ports Council (waives in support)
12:25:45 PM Richard Pinsky, Port of Palm Beach (waives in support)
12:26:38 PM Sen. Grimsley
12:26:47 PM Sen. Gaetz
12:27:02 PM Sen. Montford
12:27:28 PM S 822
12:27:34 PM PCS 811910
12:27:43 PM Sen. Stargel
12:28:30 PM Adam Basford, Director, Legislative Affairs, Florida Farm Bureau (waives in support)
12:28:32 PM Jonathan Rees, Deputy Director, Legislative Affairs, Florida Department of Agriculture and Consumer Services (waives in support)
12:28:36 PM BG Murphy, Deputy Director, Legislative Affairs, Department of Financial Services (waives in support)
12:29:28 PM S 7034
12:29:41 PM PCS 469062
12:29:52 PM Sen. Sobel
12:31:14 PM Am. 446630
12:31:25 PM Sen. Sobel
12:31:52 PM Sen. Benacquisto
12:31:58 PM Am. 574824
12:32:11 PM Am. 599504
12:32:18 PM Sen. Sobel
12:32:44 PM S 7034 (cont.)
12:32:48 PM Margaret J. Hooper, Public Policy Coordinator, Florida Developmental Disabilities Council, Inc. (waives in support)
12:32:51 PM Sen. Benacquisto
12:33:00 PM Sen. Sobel
12:33:06 PM Sen. Benacquisto
12:34:18 PM S 350
12:34:31 PM PCS 814970
12:34:36 PM Sen. Montford
12:34:42 PM Am. 541770
12:34:46 PM Sen. Montford
12:34:55 PM Sen. Ring
12:36:05 PM Sen. Benacquisto
12:36:12 PM Sen. Latvala
12:36:21 PM Sen. Benacquisto
12:36:40 PM Cynthia Henderson, Crowne Consulting (waives in support)
12:36:46 PM S 350 (cont.)
12:37:34 PM Sen. Benacquisto
12:37:39 PM S 772
12:37:49 PM PCS 442032
12:37:52 PM Sen. Richter
12:40:27 PM Sen. Benacquisto
12:40:38 PM Am. 150022
12:40:46 PM Sen. Joyner
12:41:32 PM Sen. Richter
12:41:41 PM Sen. Joyner
12:41:54 PM Sen. Richter
12:43:47 PM Sen. Joyner
12:43:56 PM Sen. Richter
12:44:17 PM Sen. Flores

12:45:21 PM	Sen. Richter
12:46:17 PM	Sen. Flores
12:47:15 PM	Sen. Richter
12:47:32 PM	Sen. Flores
12:47:59 PM	Bruce Kershner, Southeast Glass Association (waives in support)
12:48:02 PM	Am. 150022 (cont.)
12:48:14 PM	Am. 920060
12:48:21 PM	Sen. Garcia
12:49:05 PM	Sen. Joyner
12:49:14 PM	Sen. Garcia
12:49:27 PM	Sen. Benacquisto
12:49:50 PM	S 772 (cont.)
12:50:00 PM	J. Rees
12:50:51 PM	Tim Qualls, Executive Director, Florida Tax Collectors Association (waives in support)
12:50:56 PM	Sen. Joyner
12:51:32 PM	Sen. Richter
12:51:40 PM	Sen. Joyner
12:51:57 PM	Sen. Richter
12:52:38 PM	Sen. Joyner
12:53:11 PM	Sen. Benacquisto
12:53:20 PM	J. Rees
12:53:55 PM	Sen. Joyner
12:54:13 PM	Sen. Benacquisto
12:54:14 PM	Sen. Richter
12:54:28 PM	Sen. Benacquisto
12:55:18 PM	S 7008
12:55:25 PM	Sen. Ring
12:56:22 PM	Sen. Benacquisto
12:56:36 PM	Am. 915996
12:56:43 PM	Sen. Ring
12:56:52 PM	S 7008 (cont.)
12:57:33 PM	S 7012
12:57:41 PM	Sen. Ring
12:59:00 PM	Gary Bradford, Government Relations, Florida Police Benevolent Association (waives in support)
12:59:09 PM	Lisa Henning, Director, Legislative Affairs, Fraternal Order of Police
12:59:18 PM	James Day, Deputy Sheriff, Florida Sheriffs Association (waives in support)
12:59:28 PM	Rocco Salvatori, Firefighter, Florida Professional Firefighters
1:00:03 PM	Sen. Ring
1:01:07 PM	S 7028
1:01:15 PM	Sen. Ring
1:03:06 PM	S 372
1:03:19 PM	PCS 278904
1:03:21 PM	Sen. Lee
1:04:36 PM	Am. 853154
1:04:42 PM	Sen. Lee
1:05:33 PM	Sen. Joyner
1:05:38 PM	Sen. Lee
1:06:24 PM	Sen. Joyner
1:06:28 PM	Sen. Lee
1:07:10 PM	S 372 (cont.)
1:08:07 PM	S 908
1:08:14 PM	Sen. Lee
1:10:57 PM	Sen. Galvano
1:11:04 PM	Sen. Hukill
1:11:39 PM	Sen. Negron
1:11:44 PM	Sen. Flores
1:12:00 PM	Sen. Garcia
1:12:21 PM	Sen. Benacquisto