

CS/SB 1238 by TR, Hays; (Similar to CS/CS/H 1009) Low-speed Vehicles

810934	A	S	BTA, Bennett	btw L.170 - 171:	02/09 01:42 PM
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CS/SB 1398 by CM, Gardiner (CO-INTRODUCERS) Fasano, Lynn; (Similar to CS/1ST ENG/H 7023) Regional Workforce Boards

887066	A	S	BTA, Dean	Delete L.70:	02/07 08:01 PM
602092	A	S	BTA, Dean	Delete L.229 - 240:	02/07 08:02 PM
468330	A	S	BTA, Dean	Delete L.306:	02/07 08:02 PM
876790	A	S	BTA, Dean	Delete L.405 - 406:	02/07 08:03 PM

CS/SB 1416 by CM, Bogdanoff; (Similar to CS/1ST ENG/H 7027) Unemployment Compensation

832296	A	S	BTA, Bogdanoff	Delete L.401 - 407:	02/07 07:59 PM
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CS/SB 1464 by GO, Gaetz; (Similar to CS/H 1305) Public Records/Public Meetings/Application to Officers-elect

713512	D	S	BTA, Gaetz	Delete everything after	02/08 01:47 PM
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COMMITTEE MEETING EXPANDED AGENDA**BUDGET SUBCOMMITTEE ON TRANSPORTATION,
TOURISM, AND ECONOMIC DEVELOPMENT
APPROPRIATIONS****Senator Benacquisto, Chair**
Senator Margolis, Vice Chair**MEETING DATE:** Thursday, February 9, 2012**TIME:** 10:15 —11:45 a.m.**PLACE:** *Toni Jennings Committee Room, 110 Senate Office Building***MEMBERS:** Senator Benacquisto, Chair; Senator Margolis, Vice Chair; Senators Alexander, Bennett, Bogdanoff, Bullard, Dean, Diaz de la Portilla, Evers, Fasano, Gaetz, Gibson, Latvala, Norman, Sachs, Smith, and Sobel

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
	CS/SB 1238 Transportation / Hays (Identical CS/H 1009)	Low-speed Vehicles; Authorizing the conversion of a vehicle titled or branded and registered as a low-speed vehicle to a golf cart; providing procedures; providing for a fee, etc. TR 01/19/2012 Fav/CS BTA 02/09/2012 Not Considered BC	Not Considered
	CS/SB 1398 Commerce and Tourism / Gardiner (Similar CS/H 7023, Compare S 1488)	Regional Workforce Boards; Citing this act as the "Regional Workforce Boards Accountability Act"; providing that tuition, books, and fees of training providers qualify as an Individual Training Account expenditure; requiring members and the executive director of a regional workforce board to make financial disclosures; requiring that staff of the Department of Economic Opportunity, under the direction of Workforce Florida, Inc., assign staff to review the performance of regional workforce boards; requiring Workforce Florida, Inc., to evaluate the means to establish a single, statewide-workforce system brand and to report its findings and recommendations to the Governor by a specified date, etc. CM 01/26/2012 Fav/CS BTA 02/09/2012 Not Considered BC	Not Considered

COMMITTEE MEETING EXPANDED AGENDA

Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations
 Thursday, February 9, 2012, 10:15 —11:45 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
	CS/SB 1416 Commerce and Tourism / Bogdanoff (Similar CS/H 7027, Compare H 7041, CS/S 1204)	Unemployment Compensation; Revising a short title to rename "unemployment compensation" as "reemployment assistance"; renaming the Unemployment Appeals Commission as the Reemployment Assistance Appeals Commission; providing scoring requirements relating to initial skills reviews; prohibiting benefits from being charged to the employment record of an employer that is forced to lay off workers as a result of a manmade disaster of national significance; deleting an exemption from public records requirements for unemployment compensation records and reports, etc. CM 01/26/2012 Fav/CS BTA 02/09/2012 Not Considered BC	Not Considered
	CS/SB 1464 Governmental Oversight and Accountability / Gaetz (Similar H 1305)	Public Records/Public Meetings/Application to Officers-elect; Declaring that it is the policy of this state that the provisions of ch. 119, F.S., apply to officers-elect upon their election to public office; requiring that such officers-elect adopt and implement reasonable measures to ensure compliance with the public records obligations set forth in ch. 119, F.S.; requiring that the public records of an officer-elect be maintained in accordance with the policies and procedures of the public office to which the officer has been elected; requiring that online and electronic communication and recordkeeping systems preserve the records on such systems so as to not impair the ability of the public to inspect or copy such public records; revising public meeting requirements to apply the requirements to meetings with or attended by officers-elect, etc. GO 01/26/2012 Fav/CS BTA 02/09/2012 Not Considered BC	Not Considered
Review and Discussion of Fiscal Year 2012-2013 Budget Issues relating to:			
	Department of Economic Opportunity Florida Housing Finance Corporation Department of Highway Safety and Motor Vehicles Department of Military Affairs Department of State Department of Transportation Orlando Orange County Expressway Authority Tampa Hillsborough County Expressway Authority Mid-Bay Bridge Authority EOG/Division of Emergency Management		Discussed

COMMITTEE MEETING EXPANDED AGENDA

Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations
Thursday, February 9, 2012, 10:15 —11:45 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
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Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

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

BILL: CS/SB 1238

INTRODUCER: Transportation Committee and Senator Hays

SUBJECT: Low-speed Vehicles

DATE: February 3, 2012

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Weidenbenner	Buford	TR	Fav/CS
2.	Carey	Meyer, R.	BTA	Pre-meeting
3.			BC	
4.				
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Please see Section VIII. for Additional Information:

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|------------------------------|-------------------------------------|---|
| A. COMMITTEE SUBSTITUTE..... | <input checked="" type="checkbox"/> | Statement of Substantial Changes |
| B. AMENDMENTS..... | <input type="checkbox"/> | Technical amendments were recommended |
| | <input type="checkbox"/> | Amendments were recommended |
| | <input type="checkbox"/> | Significant amendments were recommended |

I. Summary:

This bill establishes procedures to allow the conversion of a vehicle titled or branded and registered as a low-speed vehicle to a golf cart upon payment of a \$40 administrative fee, and verification of the conversion by the Department of Highway Safety and Motor Vehicles (department).

This bill substantially amends section 319.14 of the Florida Statutes.

II. Present Situation:

Low-speed Vehicles

Section 320.01(42), F.S., defines “low-speed vehicle” as any four-wheeled electric vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour, including neighborhood electric vehicles. Low-speed vehicles must comply with the safety standards in 49 C.F.R. s. 571.500 and s. 316.2122, F.S.

Section 316.2122, F.S., authorizes operation of a low-speed vehicle on any road with the following restrictions:

- A low-speed vehicle may be operated only on streets where the posted speed limit is 35 miles per hour or less. This does not prohibit a low-speed vehicle from crossing a road or street at an intersection where the road or street has a posted speed limit of more than 35 miles per hour.
- A low-speed vehicle must be equipped with headlamps, stop lamps, turn signal lamps, taillamps, reflex reflectors, parking brakes, rearview mirrors, windshields, seat belts, and vehicle identification numbers.
- A low-speed vehicle must be registered and insured in accordance with s. 320.02, F.S., and titled pursuant to ch. 319, F.S.
- Any person operating a low-speed vehicle must have in his or her possession a valid driver's license.
- A county or municipality may prohibit the operation of low-speed vehicles on any road under its jurisdiction if the governing body of the county or municipality determines that such prohibition is necessary in the interest of safety.
- The Florida Department of Transportation (FDOT) may prohibit the operation of low-speed vehicles on any road under its jurisdiction if it determines that such prohibition is necessary in the interest of safety.

Golf Carts

Section 320.01(22), F.S., defines a golf cart as a motor vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes and is not capable of exceeding speeds of 20 miles per hour.

Golf carts are exempt from registration and license taxes under s. 320.105, F.S., and pursuant to s. 322.04, F.S., golf cart drivers are not required to have a driver's license or insurance.

Pursuant to s. 316.2125(2)(a), F.S., the operation of golf carts on local roads is allowed. After making a safety determination, a city or county may designate county or city roads for golf cart use. A city or county may prohibit the use of golf carts on any road under its jurisdiction in the interest of safety.

Pursuant to s. 316.212(2), F.S., the operation of a golf cart on state highways is allowed if the FDOT determines: the safe and efficient flow of traffic will not be impeded; the road is the only available public road along which the golf carts may travel or the road provides the safest travel route among alternative routes available; and, the speed, volume, and character of motor vehicle traffic using the road is considered.

Pursuant to s. 316.212(6), F.S., a golf cart operated on a public road must be equipped with efficient brakes, reliable steering apparatus, safe tires, a rearview mirror, and red reflectorized warning devices in both the front and the rear. A golf cart may be operated only during the hours between sunrise and sunset, unless the FDOT or local government has determined a golf cart may be operated during the hours between sunset and sunrise and the golf cart is equipped with headlights, brake lights, turn signals, and a windshield, in addition to the other equipment requirements.

Pursuant to s. 316.2125, F.S., golf carts may operate on roads within a self-contained retirement community unless the roads within the community are state or local roads and the FDOT or local

government prohibits such use for safety reasons. Golf carts operating within a self-contained retirement community must also be equipped with efficient brakes, reliable steering apparatus, safe tires, a rearview mirror, and red reflectorized warning devices in both the front and the rear. Golf carts operating at night within a self-contained retirement community must also be equipped with headlights, brake lights, turn signals, and a windshield.

Low Speed Vehicles Versus Golf Carts

The significant differences for an owner of a low speed vehicle and a golf cart are:

- The golf cart does not have to be driven by a licensed driver;
- The golf cart does not have to be registered or titled; and
- The golf cart does not have to be insured.

In 1999, the Florida Legislature first authorized the use of low speed vehicles on certain public roads and set speed limits for golf carts.¹ Golf carts have become the symbol of liberation in active, self contained-retirement communities. There is one such community in Florida that boasts of more than 83,000 residents, 50,000 golf carts and 100 miles of golf cart trails that will allow residents to go to the hairdresser, grocery store, bank, dancing, movies, and even play golf.² It has been estimated that license and insurance costs for low speed vehicles can approach \$600 annually.³ The rising costs of insurance is burdensome on residents in retirement communities who are living on fixed incomes and have seen annual premiums rise from as low as \$150 to as much as \$1,000 despite the fact that these low speed vehicles are being driven primarily on the same paths as golf carts and there has been no documented history of accidents involving these vehicles.⁴ Many residents in retirement communities own low speed vehicles and desire to convert to a slower speed vehicle to eliminate insurance and registration costs. This conversion can be accomplished by reprogramming the controller board or by changing the controller which is not a highly complex undertaking.⁵ Current Florida law does not allow for rebranding of a low speed vehicle as a golf cart after the conversion is performed.

III. Effect of Proposed Changes:

The bill creates s. 319.14(10)(a), F.S., to authorize a vehicle titled or branded and registered as a low-speed vehicle to be converted to a golf cart pursuant to the following procedures:

- The owner of the converted vehicle must contact the regional office of the department to verify the conversion, surrender the registration license plate and the current certificate of title, and pay the \$40 administrative fee.
- Upon verification of the conversion, the department shall note in the vehicle record that the low-speed vehicle has been converted to a golf cart and cancel the certificate of title and registration of the vehicle.

¹ L.O.F. 99-163.

² http://www.slate.com/articles/life/silver_lining/2011/02/slow_ride_take_it_easy.single.html. Site last visited 1/17/2012.

³ <http://m.tcpalm.com/news/2011/dec/30/tradition-resident-pushing-for-use-of-golf-carts/>. Site last visited 1/17/2012.

⁴ Oral conversation on 1/17/2012 with Jerry Dillon, representative of Tomberlin Ambassador Group, a club for golf cart owners in The Villages, Florida.

⁵ Oral conversation on 1/17/2012 with Jose Mateo, sole proprietor, dba BV Golf Carts, Tallahassee, Florida.

Section 319.14(10)(b), F.S., provides the department shall establish a fee of \$40 to cover the cost of verification and associated administrative costs for carrying out its responsibilities under s. 319.14(10).F.S.

This act shall take effect July 1, 2012.

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:

Vehicle owners choosing to convert his or her low speed vehicle to a golf cart must pay the \$40 verification fee. The practical effect of a conversion is to eliminate the need to register and insure the vehicle.

C. Government Sector Impact:

The number of low-speed vehicles that will be converted to a golf cart is indeterminate; therefore the fiscal impact is not known.⁶

According to the department, its Information Systems Administration (ISA) will require approximately 93 hours, non-recurring, in order to implement the provisions of this bill; however, these hours can be incorporated into ISA's normal workload.

VI. Technical Deficiencies:

None.

⁶ Department of Highway Safety and Motor Vehicles, *Agency Bill Analysis: SB 1238 (December 21, 2011)* (on file with the Senate Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations).

VII. Related Issues:

None.

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

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

CS by Transportation on January 19, 2012:

The CS eliminates references to an “inspection” by the Department of Highway Safety and Motor Vehicles as verification of a conversion can be performed without a physical inspection.

B. Amendments:

None.

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



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LEGISLATIVE ACTION

Senate

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House

The Committee on Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations (Bennett) recommended the following:

Senate Amendment (with title amendment)

Between lines 170 and 171
insert:

Section 2. Subsection (42) of section 320.01, Florida Statutes, is amended to read:

320.01 Definitions, general.—As used in the Florida Statutes, except as otherwise provided, the term:

(42) "Low-speed vehicle" means any four-wheeled ~~electric~~ vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour, including, without



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limitation, neighborhood electric vehicles. Low-speed vehicles must comply with the safety standards in 49 C.F.R. s. 571.500 and s. 316.2122.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete line 6

and insert:

providing for a fee; amending s. 320.01, F.S.;

redefining the term "low-speed vehicle"; providing an

effective date.

By the Committee on Transportation; and Senator Hays

596-02048-12

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A bill to be entitled

An act relating to low-speed vehicles; amending s. 319.14, F.S.; authorizing the conversion of a vehicle titled or branded and registered as a low-speed vehicle to a golf cart; providing procedures; providing for a fee; providing an effective date.

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

Section 1. Section 319.14, Florida Statutes, is amended to read:

319.14 Sale of motor vehicles registered or used as taxicabs, police vehicles, lease vehicles, or rebuilt vehicles and nonconforming vehicles; conversion of low-speed vehicles.—

(1) (a) No person shall knowingly offer for sale, sell, or exchange any vehicle that has been licensed, registered, or used as a taxicab, police vehicle, or short-term-lease vehicle, or a vehicle that has been repurchased by a manufacturer pursuant to a settlement, determination, or decision under chapter 681, until the department has stamped in a conspicuous place on the certificate of title of the vehicle, or its duplicate, words stating the nature of the previous use of the vehicle or the title has been stamped "Manufacturer's Buy Back" to reflect that the vehicle is a nonconforming vehicle. If the certificate of title or duplicate was not so stamped upon initial issuance thereof or if, subsequent to initial issuance of the title, the use of the vehicle is changed to a use requiring the notation provided for in this section, the owner or lienholder of the vehicle shall surrender the certificate of title or duplicate to

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the department prior to offering the vehicle for sale, and the department shall stamp the certificate or duplicate as required herein. When a vehicle has been repurchased by a manufacturer pursuant to a settlement, determination, or decision under chapter 681, the title shall be stamped "Manufacturer's Buy Back" to reflect that the vehicle is a nonconforming vehicle.

(b) No person shall knowingly offer for sale, sell, or exchange a rebuilt vehicle until the department has stamped in a conspicuous place on the certificate of title for the vehicle words stating that the vehicle has been rebuilt or assembled from parts, or is a kit car, glider kit, replica, or flood vehicle unless proper application for a certificate of title for a vehicle that is rebuilt or assembled from parts, or is a kit car, glider kit, replica, or flood vehicle has been made to the department in accordance with this chapter and the department has conducted the physical examination of the vehicle to assure the identity of the vehicle and all major component parts, as defined in s. 319.30(1), which have been repaired or replaced. Thereafter, the department shall affix a decal to the vehicle, in the manner prescribed by the department, showing the vehicle to be rebuilt.

(c) As used in this section:

1. "Police vehicle" means a motor vehicle owned or leased by the state or a county or municipality and used in law enforcement.

2.a. "Short-term-lease vehicle" means a motor vehicle leased without a driver and under a written agreement to one or more persons from time to time for a period of less than 12 months.

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b. "Long-term-lease vehicle" means a motor vehicle leased without a driver and under a written agreement to one person for a period of 12 months or longer.

c. "Lease vehicle" includes both short-term-lease vehicles and long-term-lease vehicles.

3. "Rebuilt vehicle" means a motor vehicle or mobile home built from salvage or junk, as defined in s. 319.30(1).

4. "Assembled from parts" means a motor vehicle or mobile home assembled from parts or combined from parts of motor vehicles or mobile homes, new or used. "Assembled from parts" does not mean a motor vehicle defined as a "rebuilt vehicle" in subparagraph 3., which has been declared a total loss pursuant to s. 319.30.

5. "Kit car" means a motor vehicle assembled with a kit supplied by a manufacturer to rebuild a wrecked or outdated motor vehicle with a new body kit.

6. "Glider kit" means a vehicle assembled with a kit supplied by a manufacturer to rebuild a wrecked or outdated truck or truck tractor.

7. "Replica" means a complete new motor vehicle manufactured to look like an old vehicle.

8. "Flood vehicle" means a motor vehicle or mobile home that has been declared to be a total loss pursuant to s. 319.30(3)(a) resulting from damage caused by water.

9. "Nonconforming vehicle" means a motor vehicle which has been purchased by a manufacturer pursuant to a settlement, determination, or decision under chapter 681.

10. "Settlement" means an agreement entered into between a manufacturer and a consumer that occurs after a dispute is

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submitted to a program, or an informal dispute settlement procedure established by a manufacturer or is approved for arbitration before the New Motor Vehicle Arbitration Board as defined in s. 681.102.

(2) No person shall knowingly sell, exchange, or transfer a vehicle referred to in subsection (1) without, prior to consummating the sale, exchange, or transfer, disclosing in writing to the purchaser, customer, or transferee the fact that the vehicle has previously been titled, registered, or used as a taxicab, police vehicle, or short-term-lease vehicle or is a vehicle that is rebuilt or assembled from parts, or is a kit car, glider kit, replica, or flood vehicle, or is a nonconforming vehicle, as the case may be.

(3) Any person who, with intent to offer for sale or exchange any vehicle referred to in subsection (1), knowingly or intentionally advertises, publishes, disseminates, circulates, or places before the public in any communications medium, whether directly or indirectly, any offer to sell or exchange the vehicle shall clearly and precisely state in each such offer that the vehicle has previously been titled, registered, or used as a taxicab, police vehicle, or short-term-lease vehicle or that the vehicle or mobile home is a vehicle that is rebuilt or assembled from parts, or is a kit car, glider kit, replica, or flood vehicle, or a nonconforming vehicle, as the case may be. Any person who violates this subsection commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(4) When a certificate of title, including a foreign certificate, is branded to reflect a condition or prior use of

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the titled vehicle, the brand must be noted on the registration certificate of the vehicle and such brand shall be carried forward on all subsequent certificates of title and registration certificates issued for the life of the vehicle.

(5) Any person who knowingly sells, exchanges, or offers to sell or exchange a motor vehicle or mobile home contrary to the provisions of this section or any officer, agent, or employee of a person who knowingly authorizes, directs, aids in, or consents to the sale, exchange, or offer to sell or exchange a motor vehicle or mobile home contrary to the provisions of this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(6) Any person who removes a rebuilt decal from a rebuilt vehicle with the intent to conceal the rebuilt status of the vehicle commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(7) This section applies to a mobile home, travel trailer, camping trailer, truck camper, or fifth-wheel recreation trailer only when such mobile home or vehicle is a rebuilt vehicle or is assembled from parts.

(8) No person shall be liable or accountable in any civil action arising out of a violation of this section if the designation of the previous use or condition of the motor vehicle is not noted on the certificate of title and registration certificate of the vehicle which was received by, or delivered to, such person, unless such person has actively concealed the prior use or condition of the vehicle from the purchaser.

(9) Subsections (1), (2), and (3) do not apply to the

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transfer of ownership of a motor vehicle after the motor vehicle has ceased to be used as a lease vehicle and the ownership has been transferred to an owner for private use or to the transfer of ownership of a nonconforming vehicle with 36,000 or more miles on its odometer, or 34 months whichever is later and the ownership has been transferred to an owner for private use. Such owner, as shown on the title certificate, may request the department to issue a corrected certificate of title that does not contain the statement of the previous use of the vehicle as a lease vehicle or condition as a nonconforming vehicle.

(10)(a) A vehicle titled or branded and registered as a low-speed vehicle may be converted to a golf cart pursuant to the following:

1. The owner of the converted vehicle must contact the regional office of the department to verify the conversion, surrender the registration license plate and the current certificate of title, and pay the appropriate fee established under paragraph (b).

2. Upon verification of the conversion, the department shall note in the vehicle record that the low-speed vehicle has been converted to a golf cart and cancel the certificate of title and registration of the vehicle.

(b) The department shall establish a fee of \$40 to cover the cost of verification and associated administrative costs for carrying out its responsibilities under this subsection.

Section 2. This act shall take effect July 1, 2012.

S1238

GENERAL BILL/CS by TR, Hays; (Similar CS/CS/H 1009)

Low-speed Vehicles. EFFECTIVE DATE: 07/01/2012.

01/25/12 S Subreferred to Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations -SJ 282 ; Now in Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations

02/06/12 S On Committee agenda-- Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations, 02/09/12, 10:15 am, 110 Senate Office Building --Not Considered

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 Budget Subcommittee on Transportation, Tourism, and Economic
Development Appropriations

BILL: CS/SB 1398

INTRODUCER: Commerce and Tourism Committee; and Senators Gardiner and Fasano

SUBJECT: Regional Workforce Boards

DATE: February 3, 2012

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hrdlicka	Hrdlicka	CM	Fav/CS
2.	Martin	Meyer, R.	BTA	Pre-meeting
3.			BC	
4.				
5.				
6.				

Please see Section VIII. for Additional Information:

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|------------------------------|-------------------------------------|---|
| A. COMMITTEE SUBSTITUTE..... | <input checked="" type="checkbox"/> | Statement of Substantial Changes |
| B. AMENDMENTS..... | <input type="checkbox"/> | Technical amendments were recommended |
| | <input type="checkbox"/> | Amendments were recommended |
| | <input type="checkbox"/> | Significant amendments were recommended |

I. Summary:

CS/SB 1398 amends statutes related to Florida's workforce system, and includes measures designed to increase the accountability of the workforce system.

Specifically the CS:

- Limits the total membership of each local regional workforce board to the minimum membership required under federal law. However, upon approval by the Governor the local elected official may appoint additional members. Additionally, if a public education or training provider is on the board, both a representative of a private non-profit provider and a representative of a private for-profit provider must be appointed to the board;
- Requires each member and the executive director or person responsible for the operational and administrative functions of a regional workforce board to file a disclosure of financial interest pursuant to s. 112.3145, F.S., if they are not already required to file a financial disclosure pursuant to s. 8, art. II, of the State Constitution, or s. 112.3144, F.S.;
- Provides that the chair and the executive director or person responsible for the operational and administrative functions of a regional workforce board shall serve at the pleasure of the Governor;

- Provides authority for the Governor to remove any member of a regional workforce board for cause;
- Requires the regional workforce board to develop an annual budget for the purpose of carrying out its duties that must be approved by the local elected official and submitted to Workforce Florida, Inc., within 2 weeks of approval;
- Requires Workforce Florida, Inc., to evaluate the development of a single, statewide workforce-system brand for Florida and submit a report to the Governor by a date certain;
- Revives from expiration the provision which prohibits the regional workforce boards from utilizing state or federal funds for meals, food, beverages, entertainment, or recreational activities;
- Revives from expiration the provision which requires that any contract between a regional workforce board and a member of the board, or a contract between a board and a relative of a member or employee of the board, has to be approved by a two-thirds vote of the board;
- Requires contracts totaling \$2,500 or greater to be approved by a majority vote of the regional workforce board;
- Requires at least 50 percent of the Title I funds for Adults and Dislocated Workers to be expended on Individual Training Accounts, including tuition, books, and fees of training providers;
- Requires regional workforce boards to provide the greatest possible choice of training providers, and prohibits the boards from limiting choice due to costs, location, or historical training arrangements; and
- Saves from repeal a provision that provides that state workforce services participants in an adult or youth work experience activity are considered employees of the state for the purpose of workers' compensation coverage.

This CS amends ss. 445.003, 445.007, and 445.009, F.S.

II. Present Situation:

Florida's Workforce System

The Workforce Innovation Act of 2000 was passed in an effort to better connect the state's economic development strategies with its workforce development system.¹ The act established a three-tier system for the delivery of workforce services.²

The Department of Economic Opportunity (DEO) is Florida's lead state workforce agency.³ However, Workforce Florida, Inc., (WFI) sets the state's workforce development policy and guidance.⁴ Workforce services in Florida are provided by 24 regional workforce boards (RWB or board) who deliver services through nearly 90 One-Stop Career Centers around the state.

¹ Chapter 2000-165, L.O.F. See staff analysis for SB 2050 and HB 1135 (2000).

² See ch. 445., F.S.

³ Primarily through the Division of Workforce Services.

⁴ WFI is Florida's state workforce investment board. See 29 U.S.C. 2821.

WFI is a nonprofit corporation that provides state-level policy, planning, performance evaluation, and oversight to DEO and the 24 regional workforce boards.⁵ DEO manages the performance-based contract with WFI for the statewide administration and coordination of workforce services. DEO assists WFI in developing and disseminating policies, providing technical assistance, and monitoring a variety of workforce programs.

DEO is the state agency which receives the federal funds for employment-related programs, such as Welfare to Work, Temporary Assistance to Needy Families, and the Workforce Investment Act, and distributes these funds to the state's 24 RWBs. The workforce services programs are over 96 percent federally funded.⁶ DEO is responsible for financial and performance reports which are provided to the U.S. Department of Labor and other federal organizations.

Each RWB develops a local plan for using the funds provided by DEO and oversees workforce development activities in the region. The boards also select contractors to operate local One-Stop Career Centers. The One-Stop Career Centers deliver employment services to job seekers and employers. Services include job placement and recruitment assistance as well as funding for skills training.⁷

Each RWB operates under a charter approved by WFI; they also enter into performance based memorandums of understanding for program support services provided by DEO.⁸ DEO monitors the RWB and One-Stop Career Center activities to ensure that they comply with federal and state requirements. DEO provides One-Stop Program Support services (workforce program information, guidance, training, and technical assistance) to the RWBs.

Regional Workforce Boards

The service areas of the RWBs align with community college system.⁹ Approval of each RWB's service plan and budget is done by the local government or local coalition (for boards whose service areas serve multiple counties).¹⁰ Each board is allowed to implement the policies based upon the economic development, business, and workforce needs of its particular region of the state.¹¹

The county or city governing bodies, within an RWB's designated service area, enter into an inter-local agreement to establish the local parameters under which the RWB will operate. This includes the manner in which board members are appointed. Once board appointments are made, board members select a chair. The board chair may serve for a term of not more than 2 years and cannot serve more than two terms. Board membership must comply with the requirements outlined in federal workforce law.¹² Specifically, the Governor of the state, in partnership with

⁵ Section 445.004, F.S.

⁶ Data from the Sunset Review Report for the Agency for Workforce Innovation (June 30, 2010), on file with the Commerce and Tourism Committee.

⁷ Sections 445.007 and 445.009, F.S.

⁸ Section 445.009(3), F.S.

⁹ See also 29 U.S.C. 2831.

¹⁰ 29 U.S.C. s. 2832(3). Additionally, each local plan is required to be submitted to the Governor for approval. 29 U.S.C. 2833.

¹¹ See s. 445.003, F.S.

¹² 29 U.S.C. s. 2832.

the state board, shall establish criteria for use by chief elected officials in the local areas for appointment of members of the local boards. Such criteria shall require, at a minimum, that the membership of each local board shall include the following:

- Representatives of business in the local area, who:
 - Are owners of businesses, chief executives or operating officers of businesses, and other business executives or employers with optimum policymaking or hiring authority;
 - Represent businesses with employment opportunities that reflect the employment opportunities of the local area; and
 - Are appointed from among individuals nominated by local business organizations and business trade associations;
- Representatives of local educational entities, including representatives of local educational agencies, local school boards, entities providing adult education and literacy activities, and postsecondary educational institutions (including representatives of community colleges, where such entities exist), selected from among individuals nominated by regional or local educational agencies, institutions, or organizations representing such local educational entities;
- Representatives of labor organizations (for a local area in which employees are represented by labor organizations), nominated by local labor federations, or (for a local area in which no employees are represented by such organizations), other representatives of employees;
- Representatives of community-based organizations (including organizations representing individuals with disabilities and veterans, for a local area in which such organizations are present);
- Representatives of economic development agencies, including private sector economic development entities;
- Representatives of each of the one-stop partners; and
- Other individuals or representatives of entities as the chief elected official in the local area may determine to be appropriate.

The appointment of an executive director to staff a regional workforce board is made by the board members. Additionally, the chairman of the regional workforce board is elected by its members and is not subject to Senate confirmation.

Federal law defines the “chief elected official” as the chief elected executive officer of a unit of general local government in a local area.¹³ In a case in which a local area includes more than one unit of general local government, an agreement must be reached specifying each chief elected official’s role. In general, the chief elected official in a local or regional area shall serve as the local grant recipient for, and shall be liable for any misuse of, the grant funds allocated to the local or regional area.¹⁴

¹³ 29 U.S.C. s. 2801(6).

¹⁴ 29 U.S.C. s. 2832(3).

Contract Approval and Spending Prohibitions

Section 445.007(11), F.S., expired July 1, 2011, and had required that if a board enters into a contract with an organization or individual represented on the board of directors, (1) the contract must be approved by a two-thirds vote of the board, a quorum having been established, and (2) the board member who could benefit financially from the transaction must abstain from voting on the contract. In August 2011, WFI approved a policy prohibiting contracts between a board and a member of the board that has a relationship with the vendor, with certain exceptions.¹⁵

Section 445.007(10), F.S., expired July 1, 2011, and had prohibited state and federal funds from being used to pay for meals, food, or beverages for staff or board members of the RWBs, DEO, or WFI. However, preapproved, reasonable, and necessary per diem allowances and travel expenses were allowed for reimbursement as established in s. 112.061, F.S. Further, the section prohibited the use of state or federal funds for entertainment costs or recreational activities for RWB members and staff.

Additionally, proviso language in the FY 2011-12 General Appropriations Act related to funding for boards set certain requirements:¹⁶

- Any expenditures by boards for “outreach,” “advertising,” or “public relations” must have a direct program benefit and shall be spent in strict accordance with all applicable federal regulations and guidance. Costs of promotional items, including but not limited to capes, blankets, clothing, and memorabilia, including models, gifts, and souvenirs, which exceed \$5,000 for outreach purposes must be approved prior to purchase by DEO.
- No funds may be used directly or indirectly to pay for meals, food, or beverages for board members, staff, or employees of regional workforce boards, WFI, or DEO except as expressly authorized by state law. Preapproved, reasonable, and necessary per diem allowances and travel expenses may be reimbursed.¹⁷
- No funds may be used for entertainment costs and recreational activities for board members and employees as these terms are defined in 2 C.F.R. part 230.¹⁸
- No funds may be used for any contract exceeding \$25,000 between a board and a member of that board that has any relationship with the contracting vendor, unless the contract has been reviewed by AWI and WFI.¹⁹

U.S. Department of Labor Investigation

Currently, the U.S. Department of Labor is conducting an on-going statewide investigation for misspending funds and fraud. The following boards have received subpoenas:

- Region 8 – First Coast Workforce Development, Inc. – Baker, Clay, Duval, Nassau, Putnam, St. Johns counties
- Region 11 – Center for Business Excellence – Flagler/Volusia counties

¹⁵ See materials from WFI Board of Directors meeting on August 18, 2011, available at <http://www.workforceflorida.com/Calendar/calendar2011.php> (last visited 1/20/2012).

¹⁶ Line 2006, s. 6, ch. 2011-69, L.O.F.

¹⁷ Previously included in FY 2010-11 General Appropriations Act.

¹⁸ Id.

¹⁹ Id.

- Region 12 – Workforce Central Florida – Orange, Osceola, Seminole, Lake and Sumter counties
- Region 14 – Worknet Pinellas – Pinellas County
- Region 15 – Tampa Bay Workforce Alliance – Hillsborough County
- Region 17 – Polk County Workforce Development Board – Polk County
- Region 19 – Heartland Workforce – DeSoto, Hardee, Highlands counties
- Region 21 – Workforce Alliance – Palm Beach County
- Region 22 – Workforce One – Broward County
- Region 23 – South Florida Workforce Investment Board – Miami-Dade/Monroe counties

Recent Spending Disallowed

As part of the state monitoring requirements, DEO also investigates complaints of misspending by RWBs. In recent years, spending was disallowed by the former Agency for Workforce Innovation (AWI) (calendar years 2010-2011), including:

- Tampa Bay Workforce Alliance –
 - AWI disallowed \$147,128.18 for food purchases and expenditures for activities, meetings, sponsorships, and the purchase of promotional materials by the board.
- Workforce Central Florida –
 - AWI disallowed a total of \$38,875.60 that the board could have saved by reimbursing employees instead of purchasing 20 cars for \$258,800.
 - AWI and the U.S. Department of Justice disallowed \$739,605 improperly spent on a legal settlement with SunTrust over a broken lease agreement.
- Polk County Workforce Development Board (Polk Works) –
 - AWI disallowed \$155,559 for revocations done to local One-Stop Career Centers because the board did not correctly seek bids for the upgrades and repairs.

Additionally, in the spring of 2010, AWI conducted a survey of boards, at the request of Senator Fasano, to determine the value of contracts and individual training accounts entered into between the board and board members or their relatives. The survey found:

- 574 related party contracts, about \$55.4 million (60 percent with public organizations (like community colleges); 22 percent with private non-profits; and 18 percent with private for-profits); and
- Compliance with state law about related party contract approval was inconsistent.

Funds disallowed and found to be misspent must be repaid; because of the federal law, if the regional workforce board cannot repay the fund, the responsibility may fall to the local governments.²⁰

In September 2011, Governor Rick Scott placed the Workforce Central Florida RWB on a two week probationary period, after which if certain steps had not been taken the board would have been subject to decertification.²¹ The required steps included that certain senior executive staff be relieved of their duties, including the CEO and president of the board, and that the then current

²⁰ See discussion of Regional Workforce Boards above.

²¹ Federal law vests such authority with the Governor.

board of directors be removed and replaced with a new board. The Governor's letter to the chair of the Central Florida Area Workforce Investment Consortium stated that the RWB had nearly \$5.3 million in reviewed expenditures that had been found not to be in compliance with federal fiscal requirements.²²

Financial Disclosures

Section 112.3145(2), F.S., requires the following:

- Each state or local officer and specified state employee to file a statement of financial interests no later than July 1 of each year;
- Each state or local officer and specified state employee must file a final statement of financial interests within 60 days after leaving his or her public position. The disclosure covers the period between January 1 of the year in which the person leaves and the last day of office or employment, unless within the 60-day period the person takes another public position requiring financial disclosure; and
- Each state or local officer who is appointed and each specified state employee who is employed must file a statement of financial interests within 30 days from the date of appointment or, in the case of a specified state employee, from the date on which the employment begins.

A 2008 opinion by the Commission on Ethics stated that “[a]ppointed and ex officio members of the board of directors of a regional workforce development board are not subject to the financial disclosure provisions in Section 112.3145, Florida Statutes.”²³

Workers' Compensation Coverage

The Welfare Transition Program, the Food Stamp Employment and Training Program, and the Workforce Investment Act Program provide work experience for adult and youth participants.

In the Welfare Transition Program, participants engage in work experience as a condition for their continued receipt of cash assistance under the federal Temporary Assistance for Needy Families (TANF) Program. In the Food Stamp Employment and Training Program, certain participants are required to engage in work experience as a condition for their continued receipt of food stamp benefits. In the Workforce Investment Act Program, work experience is an activity that is primarily used for youth who have had limited exposure to the world of work.

Federal law requires that participants in a federally funded work experience activity must be covered either under the state workers' compensation law or comparable insurance coverage must be secured. The cost for any workers' compensation coverage provided under this proposal would be paid for by the applicable federal grant program. The overall cost would be lower if all participants were covered under the state's plan rather than each regional workforce board and each individual service provider having to negotiate separate insurance coverage for their participants.

²² Letter from Governor Rick Scott to Mayor Teresa Jacobs, Mayor of Orange County, dated September 21, 2011, on file with the Senate Commerce and Tourism Committee.

²³ Florida Commission on Ethics, “Financial Disclosure: Applicability of Disclosure Law to Incorporated Workforce Development Board,” CEO 08-3 (January 30, 2008), on file with the Senate Commerce and Tourism Committee.

Section 445.009(11), F.S., allows a participant in an adult or youth work experience activity to be deemed an employee of the state for purposes of workers' compensation coverage.²⁴ This subsection of statute is set to expire on June 30, 2012.

III. Effect of Proposed Changes:

Section 1 provides this act may be cited as the Regional Workforce Boards Accountability Act.

Section 2 amends s. 445.003, F.S., to require at least 50 percent of the Title I funds for Adults and Dislocated Workers to be expended on Individual Training Accounts. The CS specifies that tuition, books, and fees of training providers are qualified expenditures. The CS removes the ability for the RWB to expend the funds on other programs developed by the board in compliance with the policies of WFI.

Section 3 amends s. 445.007, F.S., related to regional workforce boards.

Board Membership

Related to the board members, the CS:

- Limits the total membership of each local RWB to the minimum membership required under federal law; however:
 - Upon approval by the Governor the local elected official may appoint additional members; and
 - If a public education or training provider serves on the board, then both a private non-profit provider and a private for-profit provider must serve on the board;
- Requires each member and the executive director or person responsible for the operational and administrative functions of a RWB to file a disclosure of financial interest pursuant to s. 112.3145, F.S., if they are not already required to file a financial disclosure pursuant to s. 8, art. II, of the State Constitution, or s. 112.3144, F.S.;
- Codifies the federal law which sets the requirements for board chairs;
- Provides that the chair and the executive director or person responsible for the operational and administrative functions of a RWB shall serve at the pleasure of the Governor; and
- Provides authority for the Governor to remove any member of a RWB for cause, including engaging in fraud or other criminal acts, incapacity, unfitness, neglect of duty, or official incompetence and irresponsibility.

Budget and Compliance

Each RWB is required to develop an annual budget for the purpose of carrying out its duties that must be approved by the local elected official and submitted to WFI within two weeks of approval. Additionally, DEO, under the direction of WFI, is required to assign staff to meet with each RWB annually to review the board's performance and to certify that the board is in compliance with applicable state and federal law.²⁵

²⁴ Section 47, ch. 2011-147, L.O.F., amended this provision in order to implement Specific Appropriation 2008 of the 2011-2012 General Appropriations Act.

²⁵ Under current law, WFI is required to assign staff for these purposes, and does not specify that the staff may be from DEO.

Contracts

Related to contracts by the board, the CS:

- Revives from repeal the provision which prohibits the regional workforce boards from utilizing state or federal funds for meals, food, beverages, entertainment, or recreational activities;
- Revives from expiration the provision which deals with contracts between a regional workforce board and a member of the board, or a contract between a board and a relative of a member or employee of the board. Such contracts totaling \$25,000 or greater must be approved by WFI before execution, submitted to DEO for review, and approved by a two-thirds vote of the board. Contracts under \$25,000 must simply be reported to DEO and WFI within 30 days of approval; and
- Requires contracts totaling \$2,500 or greater to be approved by a majority vote of the board, and reported to WFI and DEO within 30 days of approval.

Training

Further, the CS requires the RWBs to provide the greatest possible choice of training providers, and prohibits the boards from limiting choice due to costs, location, or historical training arrangements. However, the boards are permitted to restrict the amount of training resources available to any one client, and may base such restrictions on the cost of training in the client's chosen occupational area.

Section 4 amends s. 445.009, F.S., to save from repeal a provision that provides that state workforce services participants in an adult or youth work experience activity are considered employees of the state for the purpose of workers' compensation coverage.

Section 5 requires WFI to evaluate the development of a single, statewide workforce-system brand for Florida and submit a report to the Governor by August 1, 2012.

Section 6 provides an effective date of July 1, 2012.

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:

Private training providers who previously were not participants due to the costs of their training services may have more opportunities to provide training to individuals served by RWBs. However, these changes may result in fewer individuals receiving services.

C. Government Sector Impact:

The CS continues the state's current policy to provide that state workforce services participants in an adult or youth work experience activity are employees of the state for workers compensation coverage. This provision allows existing federal funds to be efficiently utilized and reduces the overall cost of workers' compensation coverage to the state.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

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

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

CS by Commerce and Tourism on January 26, 2012:

The committee substitute does the following:

- Potentially increases the number of individuals serving on a board by requiring that if a public education or training provider is on the board, both a representative of a private non-profit provider and a representative of a private for-profit provider must be appointed to the board;
- Removes the requirement that the chair and the executive director or person responsible for the operational and administrative functions of a regional workforce board shall serve at the approval of the Governor;
- Requires contracts between a regional workforce board and a member of the board, or a contract between a board and a relative of a member or employee of the board, be approved by a two-thirds vote of the board with a quorum present (current law requires approval by two-thirds of the entire board);
- Requires contracts totaling \$2,500 or greater to be approved by a majority vote of the regional workforce board;

- Requires at least 50 percent of the Title I funds for Adults and Dislocated Workers to be expended on Individual Training Accounts, including tuition, books, and fees of training providers; and
- Requires regional workforce boards to provide the greatest possible choice of training providers, and prohibits the boards from limiting choice due to costs, location, or historical training arrangements.

B. Amendments:

None.

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



887066

LEGISLATIVE ACTION

Senate

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House

The Committee on Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations (Dean) recommended the following:

Senate Amendment (with title amendment)

Delete line 70
and insert:
providers and other training services aligned with training
prescribed and authorized by the Workforce Investment Act of
1998 qualify as ~~an~~ Individual Training Account expenditures
~~expenditure.~~

===== T I T L E A M E N D M E N T =====



887066

12 And the title is amended as follows:
13 Delete lines 4 - 6
14 and insert:
15 specifying qualified expenditures for Individual
16 Training Accounts; amending s. 445.007, F.S.;
17 authorizing
18



602092

LEGISLATIVE ACTION

Senate

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House

The Committee on Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations (Dean) recommended the following:

Senate Amendment (with title amendment)

Delete lines 229 - 240
and insert:

(b) A chair shall be appointed ~~described in Pub. L. No. 105-220, Title I, s. 117(b)(2)(A)(i)~~ to serve for a term of no more than 2 years and shall serve no more than two terms.

(c) The Governor may remove a member of the board, the executive director of the board, or the designated person responsible for the operational and administrative functions of the board for cause. As used in this paragraph, the term "cause"



602092

includes, but is not limited to, engaging in fraud or other
criminal acts, incapacity, unfitness, neglect of duty, official
incompetence and irresponsibility, misfeasance, malfeasance,
nonfeasance, or lack of performance.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

 Delete lines 13 - 15

and insert:

 make financial disclosures; authorizing the Governor
 to remove board members or the executive director of
 the board for cause; requiring that staff of the



468330

LEGISLATIVE ACTION

Senate

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House

The Committee on Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations (Dean) recommended the following:

Senate Amendment (with title amendment)

Delete line 306
and insert:
by federal law and policies of the Department of Economic Opportunity and Workforce Florida, Inc., for the expenditure of federal, state, and nonpass-through funds. The making or approval of smaller, multiple payments for a single purchase with the intent to avoid or evade the monetary thresholds and procedures established by federal law and policies of the Department of Economic Opportunity and Workforce Florida, Inc.,



468330

is grounds for removal for cause. Regional

Delete lines 380 - 387.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete line 21

and insert:

those who qualify for training services; providing
requirements for the procurement and expenditure of
certain funds; requiring a

Delete lines 36 - 39

and insert:

amending s. 445.009, F.S.;



876790

LEGISLATIVE ACTION

Senate

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House

The Committee on Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations (Dean) recommended the following:

Senate Amendment

Delete lines 405 - 406
and insert:
of its findings and recommendations to the Governor by November 1, 2012.

By the Committee on Commerce and Tourism; and Senators Gardiner
and Fasano

577-02439-12

20121398c1

1 A bill to be entitled
2 An act relating to regional workforce boards;
3 providing a short title; amending s. 445.003, F.S.;
4 providing that tuition, books, and fees of training
5 providers qualify as an Individual Training Account
6 expenditure; amending s. 445.007, F.S.; authorizing
7 the chief elected official in the area of a regional
8 workforce board to appoint representatives to the
9 board if authorized by the Governor; providing that
10 additional members may be added to the board under
11 certain circumstances; requiring members and the
12 executive director of a regional workforce board to
13 make financial disclosures; providing that the chair
14 and members of a regional workforce board serve at the
15 pleasure of the Governor; requiring that staff of the
16 Department of Economic Opportunity, under the
17 direction of Workforce Florida, Inc., assign staff to
18 review the performance of regional workforce boards;
19 encouraging each regional workforce board to provide
20 the greatest possible choice of training providers to
21 those who qualify for training services; requiring a
22 regional workforce board to develop an annual budget,
23 subject to the approval of the chief elected official
24 of the area; requiring the regional workforce board to
25 submit its budget for review to Workforce Florida,
26 Inc.; reinstating expired provisions that restrict the
27 ability of a regional workforce board to use state or
28 federal funds for meals, food, or beverages and that
29 prohibit a board from using state or federal funds for

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

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30 entertainment costs or recreational activities for
31 board members or employees; reinstating expired
32 provisions that limit the ability of a regional
33 workforce board to enter into contracts with a member,
34 employee, or relative of a member or employee of the
35 board; making technical and grammatical changes;
36 providing for contracts totaling \$2,500 or more to be
37 approved by the regional workforce board and reported
38 to the Department of Economic Opportunity and
39 Workforce Florida, Inc.; amending s. 445.009, F.S.;
40 deleting the expiration of a provision relating to the
41 determination of the wages of a participant in an
42 adult or youth work experience activity; making
43 technical and grammatical changes; requiring Workforce
44 Florida, Inc., to evaluate the means to establish a
45 single, statewide-workforce system brand and to report
46 its findings and recommendations to the Governor by a
47 specified date; providing an effective date.

48
49 Be It Enacted by the Legislature of the State of Florida:

50
51 Section 1. This act may be cited as the "Regional Workforce
52 Boards Accountability Act."

53 Section 2. Paragraph (a) of subsection (3) of section
54 445.003, Florida Statutes, is amended to read:
55 445.003 Implementation of the federal Workforce Investment
56 Act of 1998.—

57 (3) FUNDING.—

58 (a) Title I, Workforce Investment Act of 1998 funds;

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

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Wagner-Peyser funds; and NAFTA/Trade Act funds will be expended based on the 5-year plan of Workforce Florida, Inc. The plan shall outline and direct the method used to administer and coordinate various funds and programs that are operated by various agencies. The following provisions shall also apply to these funds:

1. At least 50 percent of the Title I funds for Adults and Dislocated Workers that are passed through to regional workforce boards shall be allocated and expended on ~~to~~ Individual Training Accounts unless a regional workforce board obtains a waiver from Workforce Florida, Inc. Tuition, books, and fees of training providers qualify as an Individual Training Account expenditure, ~~as do other programs developed by regional workforce boards in compliance with policies of Workforce Florida, Inc.~~

2. Fifteen percent of Title I funding shall be retained at the state level and shall be dedicated to state administration and used to design, develop, induce, and fund innovative Individual Training Account pilots, demonstrations, and programs. Of such funds retained at the state level, \$2 million shall be reserved for the Incumbent Worker Training Program, created under subparagraph 3. Eligible state administration costs include the costs of: funding for the board and staff of Workforce Florida, Inc.; operating fiscal, compliance, and management accountability systems through Workforce Florida, Inc.; conducting evaluation and research on workforce development activities; and providing technical and capacity building assistance to regions at the direction of Workforce Florida, Inc. Notwithstanding s. 445.004, such administrative costs shall not exceed 25 percent of these funds. An amount not

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to exceed 75 percent of these funds shall be allocated to Individual Training Accounts and other workforce development strategies for other training designed and tailored by Workforce Florida, Inc., including, but not limited to, programs for incumbent workers, displaced homemakers, nontraditional employment, and enterprise zones. Workforce Florida, Inc., shall design, adopt, and fund Individual Training Accounts for distressed urban and rural communities.

3. The Incumbent Worker Training Program is created for the purpose of providing grant funding for continuing education and training of incumbent employees at existing Florida businesses. The program will provide reimbursement grants to businesses that pay for preapproved, direct, training-related costs.

a. The Incumbent Worker Training Program will be administered by Workforce Florida, Inc. Workforce Florida, Inc., at its discretion, may contract with a private business organization to serve as grant administrator.

b. To be eligible for the program's grant funding, a business must have been in operation in Florida for a minimum of 1 year prior to the application for grant funding; have at least one full-time employee; demonstrate financial viability; and be current on all state tax obligations. Priority for funding shall be given to businesses with 25 employees or fewer, businesses in rural areas, businesses in distressed inner-city areas, businesses in a qualified targeted industry, businesses whose grant proposals represent a significant upgrade in employee skills, or businesses whose grant proposals represent a significant layoff avoidance strategy.

c. All costs reimbursed by the program must be preapproved

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by Workforce Florida, Inc., or the grant administrator. The program will not reimburse businesses for trainee wages, the purchase of capital equipment, or the purchase of any item or service that may possibly be used outside the training project. A business approved for a grant may be reimbursed for preapproved, direct, training-related costs including tuition; fees; books and training materials; and overhead or indirect costs not to exceed 5 percent of the grant amount.

d. A business that is selected to receive grant funding must provide a matching contribution to the training project, including, but not limited to, wages paid to trainees or the purchase of capital equipment used in the training project; must sign an agreement with Workforce Florida, Inc., or the grant administrator to complete the training project as proposed in the application; must keep accurate records of the project's implementation process; and must submit monthly or quarterly reimbursement requests with required documentation.

e. All Incumbent Worker Training Program grant projects shall be performance-based with specific measurable performance outcomes, including completion of the training project and job retention. Workforce Florida, Inc., or the grant administrator shall withhold the final payment to the grantee until a final grant report is submitted and all performance criteria specified in the grant contract have been achieved.

f. Workforce Florida, Inc., may establish guidelines necessary to implement the Incumbent Worker Training Program.

g. No more than 10 percent of the Incumbent Worker Training Program's total appropriation may be used for overhead or indirect purposes.

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4. At least 50 percent of Rapid Response funding shall be dedicated to Intensive Services Accounts and Individual Training Accounts for dislocated workers and incumbent workers who are at risk of dislocation. Workforce Florida, Inc., shall also maintain an Emergency Preparedness Fund from Rapid Response funds which will immediately issue Intensive Service Accounts and Individual Training Accounts as well as other federally authorized assistance to eligible victims of natural or other disasters. At the direction of the Governor, for events that qualify under federal law, these Rapid Response funds shall be released to regional workforce boards for immediate use. Funding shall also be dedicated to maintain a unit at the state level to respond to Rapid Response emergencies around the state, to work with state emergency management officials, and to work with regional workforce boards. All Rapid Response funds must be expended based on a plan developed by Workforce Florida, Inc., and approved by the Governor.

Section 3. Section 445.007, Florida Statutes, is amended to read:

445.007 Regional workforce boards.—

(1) (a) One regional workforce board shall be appointed in each designated service delivery area and shall serve as the local workforce investment board pursuant to the Workforce Investment Act of 1998, 29 U.S.C. 2801 et. seq. Pub. L. No. 105-220. The membership of the board shall be consistent with and limited to the members described in 29 U.S.C. 2832(b)(2)(A) Pub. L. No. 105-220, Title I, s. 117(b). The board may also include other individuals and representatives of entities who are appointed by the chief elected official in the local area if

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175 authorized by the Governor. If a public education or training
 176 provider is represented on the board, a representative of a
 177 private nonprofit provider and a representative of a private
 178 for-profit provider must also be appointed to the board.

179 (b) The board shall include one nonvoting representative
 180 from a military installation if a military installation is
 181 located within the region and the appropriate military command
 182 or organization authorizes such representation. It is the intent
 183 of the Legislature that membership of a regional workforce board
 184 include persons who are current or former recipients of welfare
 185 transition assistance as defined in s. 445.002(2) or workforce
 186 services as provided in s. 445.009(1) or that such persons be
 187 included as ex officio members of the board or of committees
 188 organized by the board. The importance of minority and gender
 189 representation shall be considered when making appointments to
 190 the board.

191 (c) The board, its committees, subcommittees, and
 192 subdivisions, and other units of the workforce system, including
 193 units that may consist in whole or in part of local governmental
 194 units, may use any method of telecommunications to conduct
 195 meetings, including establishing a quorum through
 196 telecommunications, provided that the public is given proper
 197 notice of the telecommunications meeting and reasonable access
 198 to observe and, when appropriate, participate. Regional
 199 workforce boards are subject to chapters 119 and 286 and s. 24,
 200 Art. I of the State Constitution.

201 (d) If the regional workforce board enters into a contract
 202 with an organization or individual represented on the board of
 203 directors, the contract must be approved by a two-thirds vote of

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204 the board, a quorum having been established, and the board
 205 member who could benefit financially from the transaction must
 206 abstain from voting on the contract. A board member must
 207 disclose any such conflict in a manner that is consistent with
 208 the procedures outlined in s. 112.3143.

209 (e) Each member of a regional workforce board who is not
 210 otherwise required to file a financial disclosure pursuant to s.
 211 8, Art. II of the State Constitution or s. 112.3144 shall file a
 212 disclosure of financial interests pursuant to s. 112.3145. The
 213 executive director or other person responsible for the
 214 operational and administrative functions of the regional
 215 workforce board who is not otherwise required to file a
 216 financial disclosure pursuant to s. 8, Art. II of the State
 217 Constitution or s. 112.3144 shall file a disclosure of financial
 218 interests pursuant to s. 112.3145.

219 (2) (a) The regional workforce board shall elect a chair
 220 from among the representatives of businesses in the local area
 221 who:

222 1. Are owners of businesses, chief executives or operating
 223 officers of businesses, and other business executives or
 224 employers who have optimum policymaking or hiring authority;

225 2. Represent businesses that offer employment opportunities
 226 similar to the employment opportunities of the local area; and

227 3. Are appointed from among individuals nominated by local
 228 business organizations and business trade associations.

229 (b) The chair serves at the pleasure of the Governor. A
 230 chair shall be appointed ~~described in Pub. L. No. 105-220, Title~~
 231 ~~I, s. 117(b) (2) (A) (i)~~ to serve for a term of no more than 2
 232 years and shall serve no more than two terms.

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(c) The executive director of the board or other person responsible for the operational and administrative functions of the board serves at the pleasure of the Governor.

(d) The Governor may remove a member of the board for cause. As used in this paragraph, the term "cause" includes, but is not limited to, engaging in fraud or other criminal acts, incapacity, unfitness, neglect of duty, or official incompetence and irresponsibility.

(3) The Department of Economic Opportunity, under the direction of Workforce Florida, Inc., shall assign staff to meet with each regional workforce board annually to review the board's performance and to certify that the board is in compliance with applicable state and federal law.

(4) In addition to the duties and functions specified by Workforce Florida, Inc., and by the interlocal agreement approved by the local county or city governing bodies, the regional workforce board shall have the following responsibilities:

(a) Develop, submit, ratify, or amend the local plan pursuant to 29 U.S.C. 2833 ~~Pub. L. No. 105-220, Title I, s. 118,~~ and ~~the provisions of this chapter act.~~

(b) Conclude agreements necessary to designate the fiscal agent and administrative entity. A public or private entity, including an entity established pursuant to s. 163.01, which makes a majority of the appointments to a regional workforce board may serve as the board's administrative entity if approved by Workforce Florida, Inc., based upon a showing that a fair and competitive process was used to select the administrative entity.

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(c) Complete assurances required for the charter process of Workforce Florida, Inc., and provide ongoing oversight related to administrative costs, duplicated services, career counseling, economic development, equal access, compliance and accountability, and performance outcomes.

(d) Oversee the one-stop delivery system in its local area.

(5) Workforce Florida, Inc., shall implement a training program for the regional workforce boards to familiarize board members with the state's workforce development goals and strategies.

(6) The regional workforce board shall designate all local service providers and may not transfer this authority to a third party. Consistent with the intent of the Workforce Investment Act, regional workforce boards should provide the greatest possible choice of training providers to those who qualify for training services. A regional workforce board may not restrict the choice of training providers based upon cost, location, or historical training arrangement. A board, however, may restrict the amount of training resources available to any one client. Such restrictions may vary based upon the cost of training in the client's chosen occupational area. The regional workforce board may be designated as a one-stop operator and direct provider of intake, assessment, eligibility determinations, or other direct provider services except training services. Such designation may occur only with the agreement of the chief elected official and the Governor as specified in 29 U.S.C. s. 2832(f)(2). Workforce Florida, Inc., shall establish procedures by which a regional workforce board may request permission to operate under this section and the criteria under which such

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 291 permission may be granted. The criteria shall include, but need
 292 not be limited to, a reduction in the cost of providing the
 293 permitted services. Such permission shall be granted for a
 294 period not to exceed 3 years for any single request submitted by
 295 the regional workforce board.

296 (7) Regional workforce boards shall adopt a committee
 297 structure consistent with applicable federal law and state
 298 policies established by Workforce Florida, Inc.

299 (8) The importance of minority and gender representation
 300 shall be considered when appointments are made to any committee
 301 established by the regional workforce board.

302 (9) For purposes of procurement, regional workforce boards
 303 and their administrative entities are not state agencies and are
 304 exempt from chapters 120 and 287. The regional workforce boards
 305 shall apply the procurement and expenditure procedures required
 306 by federal law for the expenditure of federal funds. Regional
 307 workforce boards, their administrative entities, committees, and
 308 subcommittees, and other workforce units may authorize
 309 expenditures to award suitable framed certificates, pins, or
 310 other tokens of recognition for performance by units of the
 311 workforce system. Regional workforce boards; their
 312 administrative entities, committees, and subcommittees; and
 313 other workforce units may authorize expenditures for promotional
 314 items, such as t-shirts, hats, or pens printed with messages
 315 promoting Florida's workforce system to employers, job seekers,
 316 and program participants. However, such expenditures are subject
 317 to federal regulations applicable to the expenditure of federal
 318 funds. All contracts executed by regional workforce boards must
 319 include specific performance expectations and deliverables.

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 320 (10) A regional workforce board shall prepare an annual
 321 budget for the purpose of carrying out its duties under this
 322 section. The budget is subject to the approval of the chief
 323 elected local official in the area. Each regional workforce
 324 board shall submit its budget for review to Workforce Florida,
 325 Inc., within 2 weeks after approval by the chief elected local
 326 official.

327 ~~(11)(10)~~ State and federal funds provided to the regional
 328 workforce boards may not be used directly or indirectly to pay
 329 for meals, food, or beverages for board members, staff, or
 330 employees of regional workforce boards, Workforce Florida, Inc.,
 331 or the Department of Economic Opportunity Agency for Workforce
 332 ~~Innovation~~ except as expressly authorized by state law.
 333 Preapproved, reasonable, and necessary per diem allowances and
 334 travel expenses may be reimbursed. Such reimbursement shall be
 335 at the standard travel reimbursement rates established in s.
 336 112.061 and shall be in compliance with all applicable federal
 337 and state requirements. Workforce Florida, Inc., shall develop a
 338 statewide fiscal policy applicable to the state board and all
 339 regional workforce boards, to hold both the state and regional
 340 boards strictly accountable for adherence to the policy and
 341 subject to regular and periodic monitoring by the Department of
 342 Economic Opportunity Agency for Workforce Innovation, the
 343 administrative entity for Workforce Florida, Inc. A board may
 344 not use ~~Boards are prohibited from expending~~ state or federal
 345 funds for entertainment costs or ~~and~~ recreational activities for
 346 board members and employees as these terms are defined by 2
 347 C.F.R. part 230. ~~This subsection expires July 1, 2011.~~

348 (12)(11) To increase transparency and accountability,

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349 regional workforce boards must ~~shall~~ comply with the
 350 ~~requirements of~~ this section before contracting with a member of
 351 the regional workforce board or a relative, as defined in s.
 352 112.3143(1)(b), of a regional workforce board member or employee
 353 of the board. Such contracts may ~~shall~~ not be executed before or
 354 without the approval of Workforce Florida, Inc. Such contracts,
 355 as well as documentation demonstrating adherence to this section
 356 as specified by Workforce Florida, Inc., must be submitted to
 357 the Department of Economic Opportunity Agency for Workforce
 358 Innovation for review and recommendation according to criteria
 359 to be determined by Workforce Florida, Inc. Such contracts
 360 between relatives, as defined in s. 112.3143(1)(b), of a board
 361 member or employee of a board must be approved by a two-thirds
 362 vote of the entire board, a quorum having been established; all
 363 conflicts of interest must be disclosed before ~~prior to~~ the
 364 vote; and any member who may benefit from the contract, or whose
 365 relative may benefit from the contract, must abstain from the
 366 vote ~~and the contract must be reviewed and approved as stated~~
 367 ~~above.~~ Contracts under \$25,000 between a regional workforce
 368 board and a member of that board or between relatives, as
 369 defined in s. 112.3143(1)(b), of a board member or employees of
 370 a board are not required to have the prior approval of Workforce
 371 Florida, Inc., exempt from the review and recommendation process
 372 but must be approved by a two-thirds vote of the entire board, a
 373 quorum having been established, and must be reported to the
 374 Department of Economic Opportunity Agency for Workforce
 375 Innovation and Workforce Florida, Inc., within 30 days after
 376 approval. If a contract cannot be approved by Workforce Florida,
 377 Inc., a review of the decision to disapprove the contract may be

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378 requested by the regional workforce board or other parties to
 379 the disapproved contract. ~~This subsection expires July 1, 2011.~~
 380 (13) All contracts totaling \$2,500 or greater which are not
 381 subject to the provisions of subsection (12) require approval by
 382 a majority vote of the board, a quorum having been established,
 383 and must be reported to the Department of Economic Opportunity
 384 and Workforce Florida, Inc., within 30 days after approval. All
 385 conflicts of interest must be disclosed before the vote and any
 386 member who may benefit from the contract must abstain from the
 387 vote.

388 Section 4. Subsection (11) of section 445.009, Florida
 389 Statutes, is amended to read:

390 445.009 One-stop delivery system.—

391 (11) A participant in an adult or youth work experience
 392 activity administered under this chapter shall be deemed an
 393 employee of the state for purposes of workers' compensation
 394 coverage. In determining the average weekly wage, all
 395 remuneration received from the employer shall be considered a
 396 gratuity, and the participant is ~~shall~~ not be entitled to any
 397 benefits otherwise payable under s. 440.15, regardless of
 398 whether the participant is ~~may be~~ receiving wages and
 399 remuneration from other employment with another employer and
 400 regardless of his or her future wage-earning capacity. ~~This~~
 401 ~~subsection expires July 1, 2012.~~

402 Section 5. Workforce Florida, Inc., shall evaluate the
 403 means to establish a single, statewide workforce-system brand
 404 for this state. Workforce Florida, Inc., shall submit a report
 405 of its findings and recommendations to the Governor by August 1,
 406 2012.

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407

Section 6. This act shall take effect July 1, 2012.

S1398

GENERAL BILL/CS by CM; Gardiner; (CO-INTRODUCERS) Fasano; Lynn; (Similar CS/1ST ENG/H 7023, Compare S 1488, S 1996, S 2002)

Regional Workforce Boards. EFFECTIVE DATE: 07/01/2012.

01/31/12 S Subreferred to Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations -SJ 303 ; Now in Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations

02/06/12 S On Committee agenda-- Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations, 02/09/12, 10:15 am, 110 Senate Office Building --Not Considered

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 Budget Subcommittee on Transportation, Tourism, and Economic
Development Appropriations

BILL: CS/SB 1416

INTRODUCER: Commerce and Tourism Committee; and Senator Bogdanoff

SUBJECT: Unemployment Compensation

DATE: February 3, 2012

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hrdlicka	Hrdlicka	CM	Fav/CS
2.	Martin	Meyer, R.	BTA	Pre-meeting
3.			BC	
4.				
5.				
6.				

Please see Section VIII. for Additional Information:

- | | | |
|------------------------------|--|---|
| A. COMMITTEE SUBSTITUTE..... | <input checked="checked" type="checkbox"/> | Statement of Substantial Changes |
| B. AMENDMENTS..... | <input type="checkbox"/> | Technical amendments were recommended |
| | <input type="checkbox"/> | Amendments were recommended |
| | <input type="checkbox"/> | Significant amendments were recommended |

I. Summary:

CS/SB 1416 rebrands the state's unemployment compensation program in ch. 443, F.S., as the reemployment assistance program.

The CS makes additional changes, including:

- Requiring the Department of Economic Opportunity (DEO) to establish a numeric score on the initial skills review which demonstrates a minimum proficiency in workforce skills. Individuals who fall below the minimum score may elect to take workforce skills training, and DEO is required to develop best practices, evaluate the training, and report findings and recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1, 2013;
- Clarifying that individuals who are non-Florida residents, on temporary layoffs, union members, or participating in short-time compensation plans are not required to complete the initial skills review;
- Reducing the number of required work search contacts from 5 to 3 to individuals who live in small counties;

- Clarifying work search requirements for union members and individuals on temporary layoffs or participating in short-time compensation plans;
- Increasing the period of disqualification for making a fraudulent claim from the time that the fraudulent claim was made until 1 year after DEO discovers the fraud or until all fraudulent overpayments are repaid in full;
- Applying certain restrictions on the payment of benefits to an individual employed by an educational institution to an individual who provides services to an educational institution through a contract between the individual's employer and the institution (effective July 1, 2013);
- Extending the statute of limitations related to the collection of overpayments by providing that the commencement of collections must be initiated within 7 years after the redetermination or decision;
- Authorizing DEO to noncharge the accounts of employers that are forced to lay off workers due to a man-made disaster of national significance;
- Clarifying what constitutes prima facie evidence that a person claimed and received benefits; and
- Incorporating federal provisions relating to the release of confidential information.

The CS also allows employee leasing companies to make a one-time decision to change from reporting leased employees under their company account to reporting the employees under their respective clients' accounts, an option that could result in lower taxes for those companies choosing to change.

Further, the CS codifies the executive order extending the temporary state extended benefits program.

This CS amends the following sections of the Florida Statutes: ss. 443.011, 443.012, 443.036, 443.051, 443.071, 443.091, 443.101, 443.111, 443.1113, 443.1116, 443.1215, 443.1216, 443.131, 443.1113, 443.131, 443.1312, 443.1313, 443.1315, 443.1316, 443.1317, 443.141, 443.151, 443.163, 443.171, 443.1715, 443.17161, 443.181, 443.191, 443.221, 20.60, 27.52, 40.24, 45.031, 55.204, 57.082, 61.046, 61.1824, 61.30, 69.041, 77.041, 110.205, 110.502, 120.80, 125.9502, 212.096, 213.053, 216.292, 220.03, 220.181, 220.191, 220.194, 222.15, 222.16, 225.20, 288.075, 288.1045, 288.106, 288.1081, 288.1089, 334.30, 408.809, 409.2563, 409.2576, 414.295, 435.06, 440.12, 440.15, 440.381, 440.42, 445.009, 445.016, 446.50, 448.110, 450.31, 450.33, 468.529, 553.791, 624.509, 679.4061, 679.4081, 895.02, 896.101, 921.0022, 946.513, 946.523, 985.618, 1003.496, 1008.39, and 1008.41, F.S.

This CS revives, readopts, and amends s. 443.1117, F.S.

II. Present Situation:

Unemployment Compensation Overview

According to the U.S. Department of Labor (USDOL), the Federal-State Unemployment Insurance Program provides unemployment benefits to eligible workers who are unemployed through no-fault of their own (as determined under state law) and who meet the requirements of

state law.¹ The program is administered as a partnership of the federal government and the states.² The individual states collect unemployment compensation (UC) payroll taxes on a quarterly basis, which are used to pay benefits, while the Internal Revenue Service collects an annual federal payroll tax under the Federal Unemployment Tax Act (FUTA).³ FUTA collections go to the states for costs of administering state UC and job service programs. In addition, FUTA pays one-half of the cost of extended unemployment benefits (during periods of high unemployment) and provides for a fund from which states may borrow, if necessary, to pay benefits.⁴

States are permitted to set benefit eligibility requirements, the amount and duration of benefits, and the state tax structure, as long as state law does not conflict with FUTA or Social Security Act requirements. Florida's UC program was created by the Legislature in 1937.⁵ The Department of Economic Opportunity (DEO) is the current agency responsible for administering Florida's UC laws, primarily through its Division of Workforce Services. DEO contracts with the Florida Department of Revenue (DOR) to provide unemployment tax collections services.⁶

State Unemployment Compensation Benefits

A qualified claimant may receive UC benefits equal to 25 percent of wages, not to exceed \$6,325 in a benefit year.⁷ Benefits range from a minimum of \$32 per week to a maximum weekly benefit amount of \$275 for up to 23 weeks, depending on the claimant's length of prior employment and wages earned, and the unemployment rate.⁸

To receive UC benefits, a claimant must meet certain monetary and non-monetary eligibility requirements. Key eligibility requirements involve a claimant's earnings during a certain period of time, the manner in which the claimant became unemployed, and the claimant's efforts to find new employment.

Determinations and Redeterminations

DEO issues determinations and redeterminations on the monetary and non-monetary eligibility requirements.⁹ Determinations and redeterminations are statements by the department regarding the application of law to an individual's eligibility for benefits or the effect of the benefits on an employer's tax account.

¹USDOL, Employment and Training Administration (ETA), State Unemployment Insurance Benefits, available at <http://workforcesecurity.doleta.gov/unemploy/uifactsheet.asp> (last visited 1/20/2012).

² There are 53 programs, including the 50 states, Puerto Rico, the Virgin Islands, and the District of Columbia.

³ FUTA is codified at 26 U.S.C. 3301-3311.

⁴ USDOL, ETA, Unemployment Insurance Tax Topic, available at <http://workforcesecurity.doleta.gov/unemploy/uitaxtopic.asp> (last visited 1/20/2012).

⁵Chapter 18402, L.O.F.

⁶ Section 443.1316, F.S.

⁷ Section 443.111(5), F.S. The maximum amount of benefits available is calculated by multiplying an individual's weekly benefit amount by the number of available benefit weeks.

⁸ Section 443.111(3), F.S. A benefit week begins on Sunday and ends on Saturday. If the average unemployment rate for the 3 months in the most recent third calendar year quarter is at or below 5 percent, then the maximum weeks of benefits available is 12; for each 0.5 percent that the unemployment rate is above 5 percent, an additional week of benefits becomes available up to 23 weeks at an unemployment rate of 10.5 percent.

⁹ Section 443.151(3), F.S.

Able and Available for Work

A claimant must meet certain requirements in order to be eligible for benefits for each week of unemployment. These include a finding by DEO that the individual:¹⁰

- Has filed a claim for benefits;
- Is registered to work and reports to the One-Stop Career Center;
- Takes and completes the initial skills review;
- Is able to and available for work;¹¹
- Contacts at least 5 prospective employers each week or reports to the One-Stop Career Center for reemployment services;
- Participates in reemployment services;
- Has been unemployed for a waiting period of 1 week;
- Has been paid total base period wages equal to the high quarter wages multiplied by 1.5, but at least \$3,400 in the base period; and
- Has submitted a valid social security number to DEO.

The law does not distinguish between part-time and full-time work with respect to benefits. With respect to the requirements of being able to work and available for work, Rule 60BB-3.021(2), F.A.C., provides that in order to be eligible for benefits an individual must be able to work and available for work during the major portion of the individual's customary work week. Consequently, individuals whose benefits are not based on full-time work are not required to seek or be available to accept full-time work.

Initial Skills Review

Claimants are required to participate in an initial skills review. The administrator or operator of the online education or training program is required to report to DEO that the individual has taken the initial skills test for benefit eligibility purposes, and to the regional workforce board or One-Stop Career Center the results of the initial skills test for purposes of reemployment services. The regional workforce board is required to develop a plan to use the initial skills review to refer individuals training and employment opportunities.¹²

An initial skills review is an online education or training program, like Florida Ready to Work,¹³ that is approved by DEO and designed to measure an individual's mastery of workplace skills.¹⁴

Florida Ready to Work is an employee credentialing program that is funded by the state.¹⁵ To participate, individuals must first go to a local assessment center to sign up for the program.

¹⁰ Section 443.091(1), F.S.

¹¹ "Able to work" means physically and mentally capable of performing the duties of the occupation in which work is being sought. "Available for work" means actively seeking and being ready and willing to accept suitable employment. See s. 443.036(1) and (6), F.S. Additionally, DEO has adopted criteria, as directed in the statute, to determine an individual's ability to work and availability for work. See Rule 60BB-3.021, F.A.C.

¹² Section 443.091(1)(c), F.S.

¹³ Section 445.06, F.S.

¹⁴ Section 443.036(26), F.S.

¹⁵ Website available at <http://floridareadytowork.com/> (last visited 1/20/2012). The 2006 Florida Legislature created the Florida Ready to Work Certificate Program to enhance the workplace skills of Florida's students to better prepare them for successful employment in specific occupations. See s. 35, ch. 2006-74, L.O.F. A student who earns a Ready to Work Credential (credential) will be considered equipped with the skills to enter the workforce. Any Florida student or resident is

Once signed up, an individual may take the initial skills review at the assessment center or online at any location with Internet access. The assessment measures general skills necessary for 90 percent of all jobs in three areas: locating information, reading, and applied math. All the questions are based on workplace scenarios. After taking the initial skills review, an individual may take additional course material to try to improve his or her skills. An individual who completes the entire program may receive a Florida Ready to Work Credential to use as a tool when applying for jobs. This program is provided to Floridians at no cost.

DEO has contracted with Worldwide Interactive Network (WIN), the contractor for Florida Ready to Work, to provide the initial skills review required by the unemployment statute.¹⁶ The Florida Ready to Work initial skills review is integrated into the process of applying for benefits to provide a streamlined process. The total cost of contracting with WIN for the initial skills review is \$10 million for FY 2011-12; however WIN provided DEO with an \$8 million discount, making the actual cost \$2 million.¹⁷ The Florida Ready to Work program was funded by \$3 million in General Revenue and \$2 million from the Workers' Compensation Administration Trust Fund in FY 2011-12.¹⁸

Reemployment

To maintain eligibility for benefits, an individual must be ready, willing, and able to work and must be actively seeking work. An individual must make a thorough and continued effort to obtain work and take positive actions to become reemployed. To aid unemployed individuals, free reemployment services and assistance are available. DEO defines reemployment services as: job search assistance, job and vocational training referrals, employment counseling and testing, labor market information, employability skills enhancement, needs assessment, orientation, and other related services provided by One-Stop Career Centers operated by local regional workforce boards.¹⁹

DEO's website provides links to local, state, and national employment databases.²⁰ Claimants are automatically registered with their local One-Stop Career Center when their claims are filed and are required to report to the One-Stop Career Center as directed by the regional workforce board for reemployment services.²¹ The One-Stops provide job search counseling and workshops, occupational and labor market information, referral to potential employers, and job training assistance. Claimants may also receive an e-mail from Employ Florida Marketplace with information about employment services or available jobs.²² Additionally, a claimant may be

eligible to earn the credential. Prior to FY 2011-12 the program was administered by the Florida Department of Education (DOE), Division of Workforce Education, in cooperation with Worldwide Interactive Network (WIN) and the nationally recognized ACT® WorkKeys program.

¹⁶ The 2011 Florida Legislature transferred the Ready to Work Certificate Program from the DOE to the newly created Department of Economic Opportunity (DEO). See ss. 5 and 476, ch. 2011-142, L.O.F.

¹⁷ Contract on file with the Senate Commerce and Tourism Committee. With other costs, such as additional training and certifications available, the total cost of the Florida Ready to Work Program under the contract is \$5 million.

¹⁸ See s. 2, Specific Appropriation 98, ch. 2011-69, L.O.F. Of these funds, \$2.3 million from the General Revenue Fund was provided from recurring funds, and the remainder of both funds was provided from nonrecurring funds.

¹⁹ Rule 60BB-3.011(12), F.A.C.

²⁰ For example, on www.fluidnow.com, where individuals can claim their weeks online.

²¹ Section 443.091(1)(b), F.S.

²² Employ Florida Marketplace is a partnership of Workforce Florida, Inc., and DEO. It provides job-matching and workforce resources. <https://www.employflorida.com>.

selected to participate in reemployment assistance services, such as Reemployment and Eligibility Assessments (REAs).²³

Disqualification for Unemployment Compensation

Section 443.101, F.S., specifies the circumstances under which an individual would be disqualified from receiving unemployment compensation benefits, to include:

- Voluntarily leaving work without good cause, or being discharged by his or her employing unit for misconduct connected with the work;²⁴
- Failing to apply for available suitable work when directed by DEO or the One-Stop Career Center, to accept suitable work when offered, or to return to suitable self-employment when directed to do so;²⁵
- Making false or fraudulent representations in filing for benefits;
- Termination from employment for a crime punishable by imprisonment, or any dishonest act in connection with his or her work; and
- Discharge from employment due to drug use or rejection from a job offer for failing a drug test.

The statute specifies the duration of the disqualification and the requirements for requalification for an individual's next benefit claim, depending on the reason for the disqualification.

Collection of Overpayments

Current law provides several options for the state to recoup overpaid unemployment benefits, including, but not limited to, wage garnishment, deducting any outstanding balance from future unemployment benefits or lottery winnings, and forwarding any unpaid balance to a contracted debt collection agency.²⁶ Any recovery or recoupment of benefits must be effected within 5 years of a redetermination or decision for cases involving fraud, and within 3 years for all other cases of overpayments.

Employee Leasing Companies

An employee leasing company is “a form of business entity engaged in an arrangement whereby the entity assigns its employees to a client and allocates the direction of and control over the leased employees between the leasing company and the client.”²⁷ The leasing company provides services for the client companies, such as handling the filing of UC taxes and workers’

²³ REAs are in-person interviews with selected UC claimants to review the claimants’ adherence to state UC eligibility criteria, determine if reemployment services are needed for the claimant to secure future employment, refer individuals to reemployment services, as appropriate, and provide labor market information which addresses the claimant’s specific needs. Research has shown that interviewing claimants for the above purposes reduces UC duration and saves UC trust fund resources by helping claimants find jobs faster and eliminating payments to ineligible individuals. Florida administers the REA Initiative through local One-Stop Career Centers. Rule 60BB-3.028, F.A.C., provides more information on reemployment services and requirements for participation.

²⁴ An individual is not disqualified for voluntarily leaving temporary work to return to full time work or to relocate with his or her military spouse due to relocation orders. An individual who voluntarily quits work for a good *personal* cause not related to any of the conditions specified in the statute will be disqualified from receiving benefits.

²⁵ Section 443.101(2), F.S., sets forth the requirements to determine “suitable work.”

²⁶ Section 443.151(6), F.S.

²⁷ Department of Business and Professional Regulation, Board of Employee Leasing Companies, definitions, available at <http://www.myfloridalicense.com/dbpr/pro/emplo/codes.html> (last visited 1/21/2012).

compensation. Under current law, employee leasing companies are required to report leased employees under the leasing company's UC tax account and contribution rate.²⁸

Temporary State Extended Benefits

In 2009, the Legislature enacted a temporary state extended benefits program for unemployed individuals in order to qualify for federal funds.²⁹ Under this program, the federal government pays 100 percent of temporary state extended benefits to former private sector employees. The federal funds are paid from a separate federal general revenue account and do not affect the balance of Florida's UC Trust Fund. There is no cost to private employers; however, "reimbursable" employers like state and local governments are not covered by the federal government and must pay for the benefits themselves. These benefits are not charged to employers and have no effect on an employer's experience rating.

Since the implementation of the temporary state extended benefits program in the American Recovery and Reinvestment Act of 2009, the existence of the program has been extended several times by the federal government. Most recently, in December 2011, Congress extended the eligibility window for Emergency Unemployment Compensation (EUC) and for state extended benefits through March 7, 2012.³⁰

Florida already had an extended benefits program in statute,³¹ but in order to participate in the federal program, Florida had to enact a temporary state extended benefits program with an alternate trigger rate based upon the average total unemployment rate (TUR).³² Florida's regular state extended benefits program triggers "on" based upon a higher individual unemployment rate (IUR). In the past, the program has generally been set forth in state statute, adopted by the Legislature. However, on January 6, 2012, Governor Scott signed an executive order extending the program after the federal bill was signed into law.³³

III. Effect of Proposed Changes:

CS/SB 1416 rebrands the state's unemployment compensation program in ch. 443, F.S., as the reemployment assistance program.

To make the rebranding changes, the CS amends the following statutes: ss. 443.011 (**Section 1**), 443.012 (**Section 2**), 443.036 (**Section 3**), 443.051 (**Section 4**), 443.071 (**Section 5**), 443.091, 443.101 (**Section 7**), 443.111 (**Section 8**), 443.1113 (**Section 9**), 443.1116 (**Section 10**), 443.1215 (**Section 11**), 443.1216 (**Section 12**), 443.131 (**Section 13**), 443.1113 (**Section 10**), 443.131 (**Section 13**), 443.1312 (**Section 14**), 443.1313 (**Section 15**), 443.1315 (**Section 16**), 443.1316 (**Section 17**), 443.1317 (**Section 18**), 443.141 (**Section 19**), 443.151 (**Section 20**), 443.163 (**Section 21**), 443.171 (**Section 22**), 443.1715 (**Section 23**), 443.17161 (**Section 24**),

²⁸ Section 443.1216, F.S.

²⁹ Chapter 2009-99, L.O.F. Temporary extended benefits was originally created and funded by the American Recovery and Reinvestment Act of 2009 (Recovery Act). Section 2005, Public L. No. 111-5.

³⁰ Pub. L. No. 112-78.

³¹ Section 443.1115, F.S.

³² Section 443.1117, F.S., expired January 4, 2012.

³³ Executive Order No. 12-03.

443.181 (Section 25), 443.191 (Section 26), 443.221 (Section 27), 20.60 (Section 28), 27.52 (Section 29), 40.24 (Section 30), 45.031 (Section 31), 55.204 (Section 32), 57.082 (Section 33), 61.046 (Section 34), 61.1824 (Section 35), 61.30 (Section 36), 69.041 (Section 37), 77.041 (Section 38), 110.205 (Section 39), 110.502 (Section 40), 120.80 (Section 41), 125.9502 (Section 42), 212.096 (Section 43), 213.053 (Section 44), 216.292 (Section 45), 220.03 (Section 46), 220.181 (Section 47), 220.191 (Section 48), 220.194 (Section 49), 222.15 (Section 50), 222.16 (Section 51), 225.20 (Section 52), 288.075 (Section 53), 288.1045 (Section 54), 288.106 (Section 55), 288.1081 (Section 56), 288.1089 (Section 57), 334.30 (Section 58), 408.809 (Section 59), 409.2563 (Section 60), 409.2576 (Section 61), 414.295 (Section 62), 435.06 (Section 63), 440.12 (Section 64), 440.15 (Section 65), 440.381 (Section 66), 440.42 (Section 67), 445.009 (Section 68), 445.016 (Section 69), 446.50 (Section 70), 448.110 (Section 71), 450.31 (Section 72), 450.33 (Section 73), 468.529 (Section 74), 553.791 (Section 75), 624.509 (Section 76), 679.4061 (Section 77), 679.4081 (Section 78), 895.02 (Section 79), 896.101 (Section 80), 921.0022 (Section 81), 946.513 (Section 82), 946.523 (Section 83), 985.618 (Section 84), 1003.496 (Section 85), 1008.39 (Section 86), and 1008.41 (Section 87).

Section 3 also amends s. 443.036, F.S., to define “reemployment assistance” to mean, in part, cash benefits payable to individuals due to their unemployment.

Evidence of Receipt of Benefits

Section 5 amends s. 443.071, F.S., to clarify what constitutes prima facie evidence that a person claimed and received benefits. Specifically a transaction history generated by a password or other identifying code used by DEO to establish that claim for a week of benefits was made, together with documentation that payment was made by a state warrant, direct deposit, or onto a department-issued debit card, constitutes prima facie evidence that the person received benefits from the state.

Section 6 amends provisions in s. 443.091, F.S., related to the initial skills review and work search requirements.

Initial Skills Review

The CS requires DEO to prescribe a numeric score on the initial skills review that demonstrates a minimal proficiency in workforce skills. Any individual who falls below the minimal proficiency score will be offered training opportunities, at no cost to the individual, to improve his or her workforce skills. DEO is required to work with WFI, the regional workforce boards, and the One-Stop Career Centers to develop best practices for skills improvement to such individuals. Further, DEO is required to evaluate the use, effectiveness, and costs associated with the voluntary training offered, and report the department’s findings and recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1, 2013.

Additionally, the CS specifies that individuals who are non-Florida residents, on temporary layoffs, union members, or participating in short-time compensation plans are not required to complete the initial skill review.

Work Search Requirements

Under current law, most individuals receiving unemployment benefits are required to contact at least five potential employers each week. Individuals may also meet the work search requirement by reporting to a local one-stop career center to meet with a representative of the center for reemployment services.

Under the CS, individuals who live in small counties are only required to contact three potential employers each week.³⁴ Further, union members who customarily obtain employment through a union hiring hall may satisfy the work search requirement by reporting to their union hall. Further, the work search requirements do not apply to individuals on temporary layoffs or participating in short-time compensation plans.

Leased Employees to Educational Institutions

The CS provides that certain restrictions on the payment of benefits to an individual employed by an educational institution also applies to an individual who provides services to an educational institution through a contract between the individual's employer and the institution. The restrictions apply only if at least 75 percent of the individual's wages with the private employer were attributable to services provided to the educational institution. Such restrictions include that benefits are not payable between terms, such as summer break. However, this provision does not take effect until July 1, 2013.

Disqualification

Section 7 also amends s. 443.101, F.S., to increase the duration of disqualification from receiving benefits for making fraudulent representations. Under current law, an individual who makes false or fraudulent representations to obtain benefits is disqualified from receiving benefits for 1 year from the date of discovery of the fraud by DEO. Under the CS, such individual is disqualified from the week in which the false or fraudulent representation is made until 1 year from the date of discovery of the fraud by DEO and until any overpayment of benefits resulting from such fraud has been repaid in full.

Employee Leasing Companies

Under current law, employee leasing companies are required to report leased employees under the leasing company's UC tax account and contribution rate.

Section 12 amends s. 443.1216, F.S., to allow the employee leasing company to report leased employees under the accounts of its clients for unemployment tax purposes only. The CS allows a one-time election to change an employee leasing company's reporting and contribution method. The leasing company is required to notify DOR of such election by July 1, 2012, and provide certain information. If the leasing company does not make a selection by July 1, then the company will not be able to change its reporting method and will continue to report leased employees under the leasing company's UC tax account and contribution rate.

³⁴ The term "small counties" is defined in s. 120.52(19), F.S., as any county that has an unincarcerated population of 75,000 or less according to the most recent decennial census.

Man-made Disasters

Section 13 also amends s. 443.131, F.S., to provide tax relief to employers by noncharging benefits paid to individuals who separated from work as a direct result of an oil spill, terrorist attack, or other similar disaster of national significance not subject to a federal declaration of disaster.

Recovery of Benefits

Section 20 also amends s. 443.151, F.S., to extend the period of time that DEO may seek recovery of benefits wrongly or incorrectly paid. Under current law, DEO must collect the benefits within 5 years of the determination that the benefits were wrongly or incorrectly paid, either due to fraud or other reason. Under the CS, DEO's recovery efforts must be commenced within 7 years of the determination that the benefits were wrongly or incorrectly paid. After commencing recovery efforts, DEO has an unlimited time to recover the benefits.

Confidentiality

Section 22 also amends s. 443.171, F.S., and **Section 23** also amends s. 443.1715, F.S., to incorporate federal provisions related to the release of confidential information released to the unemployment compensation program.

Temporary State Extended Benefits Program

Due to the extension of the 100 percent federal funding for the temporary state extended benefits program, **Section 88** revives, readopts, and amends s. 443.1117, F.S., to reflect such extension. The section expired on January 4, 2012. This CS codifies the executive order signed by Governor Scott in January 2012, and revives the statute through March 11, 2012, in order for Floridians to be eligible for 100 percent federal funding for benefits for former private sector employees.

This section is effective retroactive to January 4, 2012, and expires on March 11, 2012. The section contains an expiration date, because under the federal program, after March 11, 2012, any extended benefits paid will only be reimbursed by the federal government at a rate of 50 percent for former private sector employees making new claims. The CS sets a sunset date in enacting the program in order to take the best advantage of the program.

Section 89 clarifies that the temporary extended benefits will be available to unemployed Floridians who establish entitlement to extended benefits between January 4, 2012, and March 11, 2012.

Section 90 provides for severability for any provision of the act which is held invalid.

Section 91 provides that this act fulfills an important state interest.

Section 92 provides an effective date of July 1, 2012, unless otherwise expressed in the CS.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Section 18, Article VII of the Florida Constitution, excuses counties and municipalities from complying with laws requiring them to spend funds or to take an action unless certain conditions are met.

To the extent this CS requires cities and counties to expend funds to pay state extended benefits for eligible former employees from January to March 2012, the provisions of Section 18(a), Article VII of the State Constitution may apply. If those provisions do apply, in order for the law to be binding upon the cities and counties, the Legislature must find that the law fulfills an important state interest (see **Section 91** of the CS) and one of the following relevant exceptions:

- a. Appropriate funds estimated at the time of enactment to be sufficient to fund such expenditures;
- b. Authorize a county or municipality to enact a funding source not available for such local government on February 1, 1989, that can be used to generate the amount of funds necessary to fund the expenditures;
- c. The expenditure is required to comply with a law that applies to all persons “similarly situated,” including state and local governments; or
- d. The law is either required to comply with a federal requirement or required for eligibility for a federal entitlement.

“Similarly situated” refers to those laws affecting other entities, either private or governmental, in addition to counties and municipalities. Because the CS would impact “all persons similarly situated,” this exception appears to apply.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

An employee leasing company is allowed, under the CS, to make a one-time election to change the way it reports for purposes of the UC tax, by reporting under the account of its clients. A company will likely decide to make this election only if it is financially advantageous to the company. However, while potentially lowering a leasing company’s UC taxes, such election may have a negative effect on the balance of the UC Trust Fund. By changing its reporting method, the taxes due to the UC Trust Fund are likely to be less than when the leasing company was reporting under its own tax account. Additionally

such a change may result in an increase in socialized costs, and thus higher taxes to other employers. The Office of Economic and Demographic Research estimated for the next three years an additional \$10.2 million increase for other employers in 2013, \$2.5 million in 2014, and \$5.7 million in 2015.

B. Private Sector Impact:

Individuals who fraudulently or mistakenly receive unemployment benefits will be liable to repay DEO to a longer period of time.

Participation in the temporary state extended benefits program is expected to bring an estimated \$59 million in additional benefits to Florida and benefit 51,000 Floridians.³⁵ Payment of these benefits comes 100 percent from federal funds. There will be no cost to private employers and there will be no effect on their contribution rates. Benefits paid by public employers, non-profits, and other reimbursable employers are not covered by federal funds (see explanation below related to Government Sector Impact for impact on public employers).

C. Government Sector Impact:

Related to the provisions of the CS that affect the tax, the Department of Revenue estimates the following costs to implement the employee leasing company reporting option: \$115,485 in FY 2011-12; and an impact of \$65,084 in FY 2012-13. These costs are eligible for federal funding under FUTA.

The total cost in FY 2011-12 includes \$285 in nonrecurring costs for tax information publication printing and mailing; and \$115,200 in nonrecurring costs to modify the SUNTAX system. The total cost in FY 2011-12 is \$65,084 to hire 2 OPS positions to process the elections to change reporting methods.

In order to participate in federal sharing, the temporary state extended benefits program had to encompass unemployed individuals of both the private and public sectors. Extended benefits for former state and local employees do not qualify for federal funding due to the fact that these entities are self-insured and the federal law does not allow for their participation in federal sharing. The temporary extended benefits for these former employees must be paid by the governmental entity. The extension enacted on December 2011 is estimated to cost a total of \$1.65 million, approximately \$250,000 from state funds and \$1.4 million from local government funds.³⁶ The state funds required would be paid by the various state entities whose former employees qualify for benefits during the extension period, and such funds would likely be provided from a mixture of state General Revenue Fund, state trust funds, and federal trust funds, depending on how the salaries and benefits of the entity's employees are funded. Because this liability for state agencies would be spread over many entities and several funds, the fiscal impact on any one agency is not likely to be significant.

³⁵ Estimate from the Department of Economic Opportunity, on file with the Senate Commerce and Tourism Committee.

³⁶ Estimates from the Department of Economic Opportunity, on file with the Senate Commerce and Tourism Committee.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

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

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

CS by Commerce and Tourism on January 26, 2012:

The committee substitute does the following:

- Clarifies what constitutes evidence that a person claimed and received benefits;
- Instructs DEO, WFI, the regional workforce boards, and One-Stop Career Centers to develop best practices for the optional additional training for individuals who score below the minimum established by DEO for the initial skills review;
- Subjects individuals who provide services for an educational institution while working for a private employer to certain benefit limitations;
- Allows employee leasing companies to make a one-time decision to change from reporting leased employees under their company account to reporting the employees under their respective clients' accounts, an option that could result in lower taxes for those companies choosing to change; and
- Codifies the executive order by Governor Scott which allowed for the extension of the temporary extended benefits program in Florida through March 2012.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate

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House

The Committee on Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations (Bogdanoff) recommended the following:

Senate Amendment

Delete lines 401 - 407
and insert:

(f) Effective July 1, 2013, paragraphs (a), (b), and (c)
shall apply to services provided by an individual for an
educational institution while in the employ of a private
employer holding a contractual relationship with such
educational institution, but only if the base period wages
attributable to such services are identified as such in the
quarterly reports filed pursuant to s. 443.131(1).

By the Committee on Commerce and Tourism; and Senator Bogdanoff

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1 A bill to be entitled
 2 An act relating to unemployment compensation; amending
 3 s. 443.011, F.S.; revising a short title to rename
 4 "unemployment compensation" as "reemployment
 5 assistance"; amending s. 443.012, F.S.; renaming the
 6 Unemployment Appeals Commission as the Reemployment
 7 Assistance Appeals Commission; amending s. 443.036,
 8 F.S.; providing a definition for the term
 9 "reemployment assistance"; revising references to
 10 conform to changes made by the act; amending s.
 11 443.071, F.S.; specifying what constitutes prima facie
 12 evidence that the person claimed and received
 13 reemployment assistance from the state through
 14 transaction history and payment; revising references
 15 to conform to changes made by the act; amending s.
 16 443.091, F.S.; providing scoring requirements relating
 17 to initial skills reviews; providing for workforce
 18 training for certain eligible claimants; requiring the
 19 development and use of best practices; providing
 20 reporting requirements; providing work search
 21 requirements for certain claimants; revising
 22 references to conform to changes made by the act;
 23 providing for the applicability of certain exceptions
 24 relating to benefits based on employment with a
 25 private employer under contract with an educational
 26 institution; amending s. 443.101, F.S.; clarifying how
 27 a disqualification for benefits for fraud is imposed;
 28 revising references to conform to changes made by the
 29 act; amending s. 443.1216, F.S.; providing that

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

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30 employee leasing companies may make a one-time
 31 election to report leased employees under the
 32 respective unemployment account of each leasing
 33 company client; providing procedures and application
 34 for such election; revising references to conform to
 35 the changes made by the act; amending s. 443.131,
 36 F.S.; prohibiting benefits from being charged to the
 37 employment record of an employer that is forced to lay
 38 off workers as a result of a manmade disaster of
 39 national significance; revising references to conform
 40 to changes made by the act; amending s. 443.151, F.S.;
 41 revising the statute of limitations related to the
 42 collection of unemployment compensation benefits
 43 overpayments; revising references to conform to
 44 changes made by the act; amending s. 443.171, F.S.;
 45 deleting an exemption from public records requirements
 46 for unemployment compensation records and reports;
 47 revising references to conform to changes made by the
 48 act; amending s. 443.1715, F.S.; revising an exemption
 49 from public records requirements for unemployment
 50 compensation records and reports; revising references
 51 to conform to changes made by the act; amending ss.
 52 20.60, 27.52, 40.24, 45.031, 55.204, 57.082, 61.046,
 53 61.1824, 61.30, 69.041, 77.041, 110.205, 110.502,
 54 120.80, 125.9502, 212.096, 213.053, 216.292, 220.03,
 55 220.181, 220.191, 220.194, 222.15, 222.16, 255.20,
 56 288.075, 288.1045, 288.106, 288.1081, 288.1089,
 57 334.30, 408.809, 409.2563, 409.2576, 414.295, 435.06,
 58 440.12, 440.15, 440.381, 440.42, 443.051, 443.111,

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

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443.1113, 443.1116, 443.1215, 443.1312, 443.1313,
 443.1315, 443.1316, 443.1317, 443.141, 443.163,
 443.17161, 443.181, 443.191, 443.221, 445.009,
 445.016, 446.50, 448.110, 450.31, 450.33, 468.529,
 553.791, 624.509, 679.4061, 679.4081, 895.02, 896.101,
 921.0022, 946.513, 946.523, 985.618, 1003.496,
 1008.39, and 1008.41, F.S.; revising references to
 conform to changes made by the act; reviving,
 readopting, and amending s. 443.1117, F.S., relating
 to temporary extended benefits; providing for
 retroactive application; providing for applicability
 relating to extended benefits for certain weeks and
 for periods of high unemployment; providing for
 applicability; providing for severability; providing
 that the act fulfills an important state interest;
 providing effective dates.

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

Section 1. Section 443.011, Florida Statutes, is amended to
 read:

443.011 Short title.—This chapter may be cited as the
 “Reemployment Assistance Program ~~Unemployment Compensation~~ Law.”

Section 2. Subsections (1), (3), (10), and (12) of section
 443.012, Florida Statutes, are amended to read:

443.012 Reemployment Assistance ~~Unemployment~~ Appeals
 Commission.—

(1) There is created within the Division of Workforce
 Services of the Department of Economic Opportunity a

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Reemployment Assistance ~~an Unemployment~~ Appeals Commission. The
 commission is composed of a chair and two other members
 appointed by the Governor, subject to confirmation by the
 Senate. Only one appointee may be a representative of employers,
 as demonstrated by his or her previous vocation, employment, or
 affiliation; and only one appointee may be a representative of
 employees, as demonstrated by his or her previous vocation,
 employment, or affiliation.

(a) The chair shall devote his or her entire time to
 commission duties and is responsible for the administrative
 functions of the commission.

(b) The chair has authority to appoint a general counsel
 and other personnel to carry out the duties and responsibilities
 of the commission.

(c) The chair must have the qualifications required by law
 for a judge of the circuit court and may not engage in any other
 business vocation or employment. Notwithstanding any other law,
 the chair shall be paid a salary equal to that paid under state
 law to a judge of the circuit court.

(d) The remaining members shall be paid a stipend of \$100
 for each day they are engaged in the work of the commission. The
 chair and other members are entitled to be reimbursed for travel
 expenses, as provided in s. 112.061.

(e) The total salary and travel expenses of each member of
 the commission shall be paid from the Employment Security
 Administration Trust Fund.

(3) The commission has all authority, powers, duties, and
 responsibilities relating to reemployment assistance
~~unemployment compensation~~ appeal proceedings under this chapter.

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(10) The commission shall have a seal for authenticating its orders, awards, and proceedings, upon which shall be inscribed the words "State of Florida-Reemployment Assistance ~~Unemployment~~ Appeals Commission-Seal," and it shall be judicially noticed.

(12) Orders of the commission relating to reemployment assistance ~~unemployment compensation~~ under this chapter are subject to review only by notice of appeal to the district courts of appeal in the manner provided in s. 443.151(4)(e).

Section 3. Subsections (12), (14), and (26) of section 443.036, Florida Statutes, are amended, present subsections (38) through (46) are renumbered as subsections (39) through (47), respectively, present subsections (38) and (42) are amended, and a new subsection (38) is added to that section, to read:

443.036 Definitions.—As used in this chapter, the term:

(12) "Commission" means the Reemployment Assistance ~~Unemployment~~ Appeals Commission.

(14) "Contribution" means a payment of payroll tax to the Unemployment Compensation Trust Fund which is required under this chapter to finance reemployment assistance ~~unemployment~~ benefits.

(26) "Initial skills review" means an online education or training program, such as that established under s. 1004.99, that is approved by the Department of Economic Opportunity ~~Agency for Workforce Innovation~~ and designed to measure an individual's mastery level of workplace skills.

(38) "Reemployment assistance" means cash benefits payable to individuals with respect to their unemployment pursuant to the provisions of this chapter. Where the context requires,

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reemployment assistance also means cash benefits payable to individuals with respect to their unemployment pursuant to 5 U.S.C. ss. 8501-8525, 26 U.S.C. ss. 3301-3311, 42 U.S.C. ss. 501-504, 1101-1110, and 1321-1324, or pursuant to state laws which have been certified pursuant to 26 U.S.C. s. 3304 and 42 U.S.C. s. 503. Any reference to reemployment assistance shall mean compensation payable from an unemployment fund as defined in 26 U.S.C. s. 3306(f).

(39)~~(38)~~ "Reimbursement" means a payment of money to the Unemployment Compensation Trust Fund in lieu of a contribution which is required under this chapter to finance reemployment assistance ~~unemployment~~ benefits.

(43)~~(42)~~ "Tax collection service provider" or "service provider" means the state agency providing reemployment assistance ~~unemployment~~ tax collection services under contract with the Department of Economic Opportunity through an interagency agreement pursuant to s. 443.1316.

Section 4. Paragraph (a) of subsection (1) and paragraphs (b) and (d) of subsection (3) of section 443.051, Florida Statutes, are amended to read:

443.051 Benefits not alienable; exception, child support intercept.—

(1) DEFINITIONS.—As used in this section:

(a) "Reemployment assistance" or "unemployment compensation" means any compensation payable under state law, including amounts payable pursuant to an agreement under any federal law providing for compensation, assistance, or allowances for unemployment.

(3) EXCEPTION, SUPPORT INTERCEPT.—

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175 (b) For support obligations established on or after July 1,
 176 2006, and for support obligations established before July 1,
 177 2006, when the support order does not address the withholding of
 178 reemployment assistance or unemployment compensation, the
 179 department shall deduct and withhold 40 percent of the
 180 reemployment assistance or unemployment compensation otherwise
 181 payable to an individual disclosed under paragraph (a). If
 182 delinquencies, arrearages, or retroactive support are owed and
 183 repayment has not been ordered, the unpaid amounts are included
 184 in the support obligation and are subject to withholding. If the
 185 amount deducted exceeds the support obligation, the Department
 186 of Revenue shall promptly refund the amount of the excess
 187 deduction to the obligor. For support obligations in effect
 188 before July 1, 2006, if the support order addresses the
 189 withholding of reemployment assistance or unemployment
 190 compensation, the department shall deduct and withhold the
 191 amount ordered by the court or administrative agency that issued
 192 the support order as disclosed by the Department of Revenue.

193 (d) Any amount deducted and withheld under this subsection
 194 shall for all purposes be treated as if it were paid to the
 195 individual as reemployment assistance or unemployment
 196 compensation and paid by the individual to the Department of
 197 Revenue for support obligations.

198 Section 5. Subsections (6), (7), and (8) of section
 199 443.071, Florida Statutes, are amended to read:

200 443.071 Penalties.—

201 (6) The entry into evidence of an application for
 202 reemployment assistance ~~unemployment~~ benefits initiated by the
 203 use of the Internet claims program or the interactive voice

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204 response system telephone claims program of the Department of
 205 Economic Opportunity constitutes prima facie evidence of the
 206 establishment of a personal benefit account by or for an
 207 individual if the following information is provided: the
 208 applicant's name, residence address, date of birth, social
 209 security number, and present or former place of work.

210 (7) The entry into evidence of a transaction history
 211 generated by a personal identification number, password, or
 212 other identifying code used by the department in establishing
 213 that a certification or claim for one or more weeks of benefits
 214 was made against the benefit account of the individual, together
 215 with documentation that payment was paid by a state warrant made
 216 to the order of the person, ~~or by~~ direct deposit via electronic
 217 means, or department-issued debit card, constitutes prima facie
 218 evidence that the person claimed and received reemployment
 219 assistance ~~unemployment~~ benefits from the state.

220 (8) All records relating to investigations of reemployment
 221 assistance ~~unemployment compensation~~ fraud in the custody of the
 222 Department of Economic Opportunity or its tax collection service
 223 provider are available for examination by the Department of Law
 224 Enforcement, the state attorneys, or the Office of the Statewide
 225 Prosecutor in the prosecution of offenses under s. 817.568 or in
 226 proceedings brought under this chapter.

227 Section 6. Paragraphs (c), (d), and (f) of subsection (1)
 228 and subsection (3) of section 443.091, Florida Statutes, are
 229 amended to read:

230 443.091 Benefit eligibility conditions.—

231 (1) An unemployed individual is eligible to receive
 232 benefits for any week only if the Department of Economic

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Opportunity finds that:

(c) To make continued claims for benefits, she or he is reporting to the department in accordance with this paragraph and ~~department agency~~ rules, and participating in an initial skills review, as directed by the ~~department agency~~. Department Agency rules may not conflict with s. 443.111(1)(b), which requires that each claimant continue to report regardless of any pending appeal relating to her or his eligibility or disqualification for benefits.

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

2. The administrator or operator of the initial skills review shall notify the ~~department agency~~ when the individual completes the initial skills review and report the results of the review to the regional workforce board or the one-stop career center as directed by the workforce board. The department shall prescribe a numeric score on the initial skills review that demonstrates a minimal proficiency in workforce skills. The ~~department, workforce board, or one-stop career center~~ shall use the initial skills review to develop a plan for referring individuals to training and employment opportunities. The failure of the individual to comply with this requirement will result in the individual being determined ineligible for benefits for the week in which the noncompliance occurred and for any subsequent week of unemployment until the requirement is satisfied. However, this requirement does not apply if the individual is able to affirmatively attest to being unable to

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complete such review due to illiteracy or a language impediment or is exempt from the work registration requirement as set forth in paragraph (b).

3. Any individual that falls below the minimal proficiency score prescribed by the department in subparagraph 2. on the initial skills review shall be offered training opportunities and encouraged to participate in such training at no cost to the individual in order to improve his or her workforce skills to the minimal proficiency level.

4. The department shall coordinate with Workforce Florida, Inc., the workforce boards, and the one-stop career centers to identify, develop, and utilize best practices for improving the skills of individuals who choose to participate in training opportunities and who have a minimal proficiency score below the score prescribed in subparagraph 2.

5. The department, in coordination with Workforce Florida, Inc., the workforce boards, and the one-stop career centers, shall evaluate the use, effectiveness, and costs associated with the training prescribed in subparagraph 3. and report its findings and recommendations for training and the use of best practices to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1, 2013.

(d) She or he is able to work and is available for work. In order to assess eligibility for a claimed week of unemployment, the department shall develop criteria to determine a claimant's ability to work and availability for work. A claimant must be actively seeking work in order to be considered available for work. This means engaging in systematic and sustained efforts to find work, including contacting at least five prospective

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employers for each week of unemployment claimed. The department
~~agency~~ may require the claimant to provide proof of such efforts
to the one-stop career center as part of reemployment services.
The department ~~agency~~ shall conduct random reviews of work
search information provided by claimants. As an alternative to
contacting at least five prospective employers for any week of
unemployment claimed, a claimant may, for that same week, report
in person to a one-stop career center to meet with a
representative of the center and access reemployment services of
the center. The center shall keep a record of the services or
information provided to the claimant and shall provide the
records to the department ~~agency~~ upon request by the department
~~agency~~. However:

1. Notwithstanding any other provision of this paragraph or
paragraphs (b) and (e), an otherwise eligible individual may not
be denied benefits for any week because she or he is in training
with the approval of the department, or by reason of s.
443.101(2) relating to failure to apply for, or refusal to
accept, suitable work. Training may be approved by the
department in accordance with criteria prescribed by rule. A
claimant's eligibility during approved training is contingent
upon satisfying eligibility conditions prescribed by rule.

2. Notwithstanding any other provision of this chapter, an
otherwise eligible individual who is in training approved under
s. 236(a)(1) of the Trade Act of 1974, as amended, may not be
determined ineligible or disqualified for benefits due to
enrollment in such training or because of leaving work that is
not suitable employment to enter such training. As used in this
subparagraph, the term "suitable employment" means work of a

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substantially equal or higher skill level than the worker's past
adversely affected employment, as defined for purposes of the
Trade Act of 1974, as amended, the wages for which are at least
80 percent of the worker's average weekly wage as determined for
purposes of the Trade Act of 1974, as amended.

3. Notwithstanding any other provision of this section, an
otherwise eligible individual may not be denied benefits for any
week because she or he is before any state or federal court
pursuant to a lawfully issued summons to appear for jury duty.

4. Union members who customarily obtain employment through
a union hiring hall may satisfy the work search requirements of
this paragraph by reporting daily to their union hall.

5. The work search requirements of this paragraph do not
apply to persons who are unemployed as a result of a temporary
layoff or who are claiming benefits under an approved short-time
compensation plan as provided in s. 443.1116.

6. In small counties as defined in s. 120.52(19), a
claimant engaging in systematic and sustained efforts to find
work must contact at least three prospective employers for each
week of unemployment claimed.

(f) She or he has been unemployed for a waiting period of 1
week. A week may ~~not~~ be counted as a waiting week ~~of~~
~~unemployment~~ under this subsection only if unless:

1. It occurs within the benefit year that includes the week
for which she or he claims payment of benefits;~~-~~

2. Benefits have not been paid for that week; ~~and-~~

3. The individual was eligible for benefits for that week
as provided in this section and s. 443.101, except for the
requirements of this subsection and s. 443.101(5).

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(3) Benefits based on service in employment described in s. 443.1216(2) and (3) are payable in the same amount, on the same terms, and subject to the same conditions as benefits payable based on other service subject to this chapter, except that:

(a) Benefits are not payable for services in an instructional, research, or principal administrative capacity for an educational institution or an institution of higher education for any week of unemployment commencing during the period between 2 successive academic years; during a similar period between two regular terms, whether or not successive; or during a period of paid sabbatical leave provided for in the individual's contract, to any individual, if the individual performs those services in the first of those academic years or terms and there is a contract or a reasonable assurance that the individual will perform services in any such capacity for any educational institution or institution of higher education in the second of those academic years or terms.

(b) Benefits may not be based on services in any other capacity for an educational institution or an institution of higher education to any individual for any week that commences during a period between 2 successive academic years or terms if the individual performs those services in the first of the academic years or terms and there is a reasonable assurance that the individual will perform those services in the second of the academic years or terms. However, if compensation is denied to any individual under this paragraph and the individual was not offered an opportunity to perform those services for the educational institution for the second of those academic years or terms, that individual is entitled to a retroactive payment

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of compensation for each week for which the individual filed a timely claim for compensation and for which compensation was denied solely by reason of this paragraph.

(c) Benefits are not payable based on services provided to an educational institution or institution of higher learning to any individual for any week that commences during an established and customary vacation period or holiday recess if the individual performs any services described in paragraph (a) or paragraph (b) in the period immediately before the vacation period or holiday recess and there is a reasonable assurance that the individual will perform any service in the period immediately after the vacation period or holiday recess.

(d) Benefits are not payable for services in any capacity specified in paragraphs (a), (b), and (c) to any individual who performed those services in an educational institution while in the employ of a governmental agency or governmental entity that is established and operated exclusively for the purpose of providing those services to one or more educational institutions.

(e) Benefits are not payable for services in any capacity specified in paragraphs (a), (b), (c), and (d) to any individual who provided those services to or on behalf of an educational institution, or an institution of higher education.

(f) Beginning July 1, 2013, paragraphs (a)-(e) apply to any individual who provided services for an educational institution while in the employ of a private employer holding a contractual relationship with such educational institution, but only if at least 75 percent of the individual's base period wages with the private employer are attributable to services performed in an

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educational institution.

(g) ~~(f)~~ As used in this subsection, the term:

1. "Fixed contract" means a written agreement of employment for a specified period of time.

2. "Continuing contract" means a written agreement that is automatically renewed until terminated by one of the parties to the contract.

Section 7. Subsections (5), (6), (9), and (11) and paragraph (b) of subsection (10) of section 443.101, Florida Statutes, are amended to read:

443.101 Disqualification for benefits.—An individual shall be disqualified for benefits:

(5) For any week with respect to which or a part of which he or she has received or is seeking reemployment assistance or unemployment benefits under a reemployment assistance or an unemployment compensation law of another state or of the United States. For the purposes of this subsection, a reemployment assistance or an unemployment compensation law of the United States is any law of the United States which provides for payment of any type and in any amounts for periods of unemployment due to lack of work. However, if the appropriate agency of the other state or of the United States finally determines that he or she is not entitled to reemployment assistance or unemployment benefits, this disqualification does not apply.

(6) For ~~a period not to exceed 1 year from the date of the discovery by the Department of Economic Opportunity of the making of~~ any false or fraudulent representation for the purpose of obtaining benefits contrary to this chapter, constituting a

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violation under s. 443.071. The disqualification imposed under this subsection shall begin with the week in which the false or fraudulent representation is made and shall continue for a period not to exceed 1 year after the date the Department of Economic Opportunity discovers the false or fraudulent representation and until any overpayment of benefits resulting from such representation has been repaid in full. This disqualification may be appealed in the same manner as any other disqualification imposed under this section. A conviction by any court of competent jurisdiction in this state of the offense prohibited or punished by s. 443.071 is conclusive upon the appeals referee and the commission of the making of the false or fraudulent representation for which disqualification is imposed under this section.

(9) If the individual was terminated from his or her work as follows:

(a) If the Department of Economic Opportunity or the Reemployment Assistance Unemployment Appeals Commission finds that the individual was terminated from work for violation of any criminal law, under any jurisdiction, which was in connection with his or her work, and the individual was convicted, or entered a plea of guilty or nolo contendere, the individual is not entitled to reemployment assistance ~~unemployment~~ benefits for up to 52 weeks, pursuant to rules adopted by the department, and until he or she has earned income of at least 17 times his or her weekly benefit amount. If, before an adjudication of guilt, an admission of guilt, or a plea of nolo contendere, the employer proves by competent substantial evidence to the department that the arrest was due

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to a crime against the employer or the employer's business, customers, or invitees, the individual is not entitled to reemployment assistance ~~unemployment~~ benefits.

(b) If the department or the Reemployment Assistance ~~Unemployment~~ Appeals Commission finds that the individual was terminated from work for any dishonest act in connection with his or her work, the individual is not entitled to reemployment assistance ~~unemployment~~ benefits for up to 52 weeks, pursuant to rules adopted by the department, and until he or she has earned income of at least 17 times his or her weekly benefit amount. If the employer terminates an individual as a result of a dishonest act in connection with his or her work and the department finds misconduct in connection with his or her work, the individual is not entitled to reemployment assistance ~~unemployment~~ benefits.

If an individual is disqualified for benefits, the account of the terminating employer, if the employer is in the base period, is noncharged at the time the disqualification is imposed.

(10) Subject to the requirements of this subsection, if the claim is made based on the loss of employment as a leased employee for an employee leasing company or as a temporary employee for a temporary help firm.

(b) A temporary or leased employee is deemed to have voluntarily quit employment and is disqualified for benefits under subparagraph (1)(a)1. if, upon conclusion of his or her latest assignment, the temporary or leased employee, without good cause, failed to contact the temporary help or employee-leasing firm for reassignment, if the employer advised the temporary or leased employee at the time of hire and that the

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leased employee is notified also at the time of separation that he or she must report for reassignment upon conclusion of each assignment, regardless of the duration of the assignment, and that reemployment assistance ~~unemployment~~ benefits may be denied for failure to report. For purposes of this section, the time of hire for a day laborer is upon his or her acceptance of the first assignment following completion of an employment application with the labor pool. The labor pool as defined in s. 448.22(1) must provide notice to the temporary employee upon conclusion of the latest assignment that work is available the next business day and that the temporary employee must report for reassignment the next business day. The notice must be given by means of a notice printed on the paycheck, written notice included in the pay envelope, or other written notification at the conclusion of the current assignment.

(11) If an individual is discharged from employment for drug use as evidenced by a positive, confirmed drug test as provided in paragraph (1)(d), or is rejected for offered employment because of a positive, confirmed drug test as provided in paragraph (2)(c), test results and chain of custody documentation provided to the employer by a licensed and approved drug-testing laboratory is self-authenticating and admissible in reemployment assistance ~~unemployment compensation~~ hearings, and such evidence creates a rebuttable presumption that the individual used, or was using, controlled substances, subject to the following conditions:

(a) To qualify for the presumption described in this subsection, an employer must have implemented a drug-free workplace program under ss. 440.101 and 440.102, and must submit

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proof that the employer has qualified for the insurance discounts provided under s. 627.0915, as certified by the insurance carrier or self-insurance unit. In lieu of these requirements, an employer who does not fit the definition of "employer" in s. 440.102 may qualify for the presumption if the employer is in compliance with equivalent or more stringent drug-testing standards established by federal law or regulation.

(b) Only laboratories licensed and approved as provided in s. 440.102(9), or as provided by equivalent or more stringent licensing requirements established by federal law or regulation may perform the drug tests.

(c) Disclosure of drug test results and other information pertaining to drug testing of individuals who claim or receive compensation under this chapter shall be governed by s. 443.1715.

Section 8. Paragraph (b) of subsection (1), subsection (2), and paragraph (a) of subsection (5) of section 443.111, Florida Statutes, are amended to read:

443.111 Payment of benefits.—

(1) MANNER OF PAYMENT.—Benefits are payable from the fund in accordance with rules adopted by the Department of Economic Opportunity, subject to the following requirements:

(b) As required under s. 443.091(1), each claimant must report at least biweekly to receive reemployment assistance ~~unemployment~~ benefits and to attest to the fact that she or he is able and available for work, has not refused suitable work, is seeking work and has met the requirements of s. 443.091(d). ~~contacted at least five prospective employers or reported in person to a one-stop career center for reemployment services for~~

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~~each week of unemployment claimed~~, and, if she or he has worked, to report earnings from that work. Each claimant must continue to report regardless of any appeal or pending appeal relating to her or his eligibility or disqualification for benefits.

(2) QUALIFYING REQUIREMENTS.—To establish a benefit year for reemployment assistance ~~unemployment~~ benefits, an individual must have:

(a) Wage credits in two or more calendar quarters of the individual's base period.

(b) Minimum total base period wage credits equal to the high quarter wages multiplied by 1.5, but at least \$3,400 in the base period.

(5) DURATION OF BENEFITS.—

(a) As used in this section, the term "Florida average unemployment rate" means the average of the 3 months for the most recent third calendar year quarter of the seasonally adjusted statewide unemployment rates as published by the Department of Economic Opportunity Agency for Workforce Innovation ~~Agency for Workforce~~.

Section 9. Section 443.1113, Florida Statutes, is amended to read:

443.1113 Reemployment Assistance Unemployment Compensation ~~Unemployment Compensation~~ Claims and Benefits Information System.—

(1) To the extent that funds are appropriated for each phase of the Reemployment Assistance Unemployment Compensation ~~Unemployment Compensation~~ Claims and Benefits Information System by the Legislature, the Department of Economic Opportunity shall replace and enhance the functionality provided in the following systems with an integrated Internet-based system that is known as the

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581 "Reemployment Assistance ~~Unemployment Compensation~~ Claims and
 582 Benefits Information System":

583 (a) Claims and benefit mainframe system.
 584 (b) Florida unemployment Internet direct.
 585 (c) Florida continued claim Internet directory.
 586 (d) Call center interactive voice response system.
 587 (e) Benefit overpayment screening system.
 588 (f) Internet and Intranet appeals system.

589 (2) The Reemployment Assistance ~~Unemployment Compensation~~
 590 Claims and Benefits System shall accomplish the following main
 591 business objectives:

592 (a) Wherever cost-effective and operationally feasible,
 593 eliminate or automate existing paper processes and enhance any
 594 existing automated workflows in order to expedite customer
 595 transactions and eliminate redundancy.

596 (b) Enable online, self-service access to claimant and
 597 employer information and federal and state reporting.

598 (c) Integrate benefit payment control with the adjudication
 599 program and collection system in order to improve the detection
 600 of fraud.

601 (d) Comply with all requirements established in federal and
 602 state law for reemployment assistance ~~unemployment compensation~~.

603 (e) Integrate with the Department of Revenue's statewide
 604 unified tax system that collects reemployment assistance
 605 ~~unemployment compensation~~ taxes.

606 (3) The scope of the Reemployment Assistance ~~Unemployment~~
 607 ~~Compensation~~ Claims and Benefits Information System does not
 608 include any of the following functionalities:

609 (a) Collection of reemployment assistance ~~unemployment~~

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610 ~~compensation~~ taxes.

611 (b) General ledger, financial management, or budgeting
 612 capabilities.

613 (c) Human resource planning or management capabilities.

614 (4) The project to implement the Reemployment Assistance
 615 ~~Unemployment Compensation~~ Claims and Benefits Information System
 616 shall be comprised of the following phases and corresponding
 617 implementation timeframes:

618 (a) No later than the end of fiscal year 2009-2010
 619 completion of the business re-engineering analysis and
 620 documentation of both the detailed system requirements and the
 621 overall system architecture.

622 (b) The Reemployment Assistance ~~Unemployment~~ Claims and
 623 Benefits Internet portal that replaces the Florida Unemployment
 624 Internet Direct and the Florida Continued Claims Internet
 625 Directory systems, the Call Center Interactive Voice Response
 626 System, the Benefit Overpayment Screening System, the Internet
 627 and Intranet Appeals System, and the Claims and Benefits
 628 Mainframe System shall be deployed to full operational status no
 629 later than the end of fiscal year 2012-2013.

630 (5) The Department of Economic Opportunity shall implement
 631 the following project governance structure until such time as
 632 the project is completed, suspended, or terminated:

633 (a) The project sponsor for the Reemployment Assistance
 634 ~~Unemployment Compensation~~ Claims and Benefits Information System
 635 project is the department.

636 (b) The project shall be governed by an executive steering
 637 committee composed of the following voting members or their
 638 designees:

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- 639 1. The executive director of the department.
 640 2. The executive director of the Department of Revenue.
 641 3. The director of the Division of Workforce Services
 642 within the department.
 643 4. The program director of the General Tax Administration
 644 Program Office within the Department of Revenue.
 645 5. The chief information officer of the department.
 646 (c) The executive steering committee has the overall
 647 responsibility for ensuring that the project meets its primary
 648 objectives and is specifically responsible for:
 649 1. Providing management direction and support to the
 650 project management team.
 651 2. Assessing the project's alignment with the strategic
 652 goals of the department for administering the reemployment
 653 assistance ~~unemployment compensation~~ program.
 654 3. Reviewing and approving or disapproving any changes to
 655 the project's scope, schedule, and costs.
 656 4. Reviewing, approving or disapproving, and determining
 657 whether to proceed with any major project deliverables.
 658 5. Recommending suspension or termination of the project to
 659 the Governor, the President of the Senate, and the Speaker of
 660 the House of Representatives if it determines that the primary
 661 objectives cannot be achieved.
 662 (d) The project management team shall work under the
 663 direction of the executive steering committee and shall be
 664 minimally comprised of senior managers and stakeholders from the
 665 department and the Department of Revenue. The project management
 666 team is responsible for:
 667 1. Providing daily planning, management, and oversight of

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- 668 the project.
 669 2. Submitting an operational work plan and providing
 670 quarterly updates to that plan to the executive steering
 671 committee. The plan must specify project milestones,
 672 deliverables, and expenditures.
 673 3. Submitting written monthly project status reports to the
 674 executive steering committee which include:
 675 a. Planned versus actual project costs;
 676 b. An assessment of the status of major milestones and
 677 deliverables;
 678 c. Identification of any issues requiring resolution, the
 679 proposed resolution for these issues, and information regarding
 680 the status of the resolution;
 681 d. Identification of risks that must be managed; and
 682 e. Identification of and recommendations regarding
 683 necessary changes in the project's scope, schedule, or costs.
 684 All recommendations must be reviewed by project stakeholders
 685 before submission to the executive steering committee in order
 686 to ensure that the recommendations meet required acceptance
 687 criteria.
 688 Section 10. Paragraph (b) of subsection (8) of section
 689 443.1116, Florida Statutes, is amended to read:
 690 443.1116 Short-time compensation.—
 691 (8) EFFECT OF SHORT-TIME COMPENSATION BENEFITS RELATING TO
 692 THE PAYMENT OF REGULAR AND EXTENDED BENEFITS.—
 693 (b) An individual who receives all of the short-time
 694 compensation or combined reemployment assistance or unemployment
 695 compensation and short-time compensation available in a benefit
 696 year is considered an exhaustee for purposes of the extended

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benefits program in s. 443.1115 and, if otherwise eligible under those provisions, is eligible to receive extended benefits.

Section 11. Subsection (3) of section 443.1215, Florida Statutes, is amended to read:

443.1215 Employers.—

(3) An employing unit that fails to keep the records of employment required by this chapter and by the rules of the Department of Economic Opportunity and the state agency providing reemployment assistance ~~unemployment~~ tax collection services is presumed to be an employer liable for the payment of contributions under this chapter, regardless of the number of individuals employed by the employing unit. However, the tax collection service provider shall make written demand that the employing unit keep and maintain required payroll records. The demand must be made at least 6 months before assessing contributions against an employing unit determined to be an employer that is subject to this chapter solely by reason of this subsection.

Section 12. Paragraphs (a) and (d) of subsection (1), subsections (8) and (12), and paragraphs (f), (h), and (p) of subsection (13) of section 443.1216, Florida Statutes, are amended to read:

443.1216 Employment.—Employment, as defined in s. 443.036, is subject to this chapter under the following conditions:

(1) (a) The employment subject to this chapter includes a service performed, including a service performed in interstate commerce, by:

1. An officer of a corporation.

2. An individual who, under the usual common-law rules

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applicable in determining the employer-employee relationship, is an employee. However, whenever a client, as defined in s. 443.036(18), which would otherwise be designated as an employing unit has contracted with an employee leasing company to supply it with workers, those workers are considered employees of the employee leasing company. An employee leasing company may lease corporate officers of the client to the client and other workers to the client, except as prohibited by regulations of the Internal Revenue Service. Employees of an employee leasing company must be reported under the employee leasing company's tax identification number and contribution rate for work performed for the employee leasing company.

a. However, except for the internal employees of an employee leasing company, each employee leasing company may make a separate one-time election to report and pay contributions under the tax identification number and contribution rate for each client of the employee leasing company. Under the client method, an employee leasing company choosing this option must assign leased employees to the client company that is leasing the employees. The client method is solely a method to report and pay unemployment contributions and whichever method is chosen, such election may not impact any other aspect of state law. An employee leasing company that elects the client method must pay contributions at the rates assigned to each client company.

(I) The election applies to all of the employee leasing company's current and future clients.

(II) The employee leasing company must notify the Department of Revenue of its election by July 1, 2012, and such

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755 election applies to reports and contributions for the first
 756 quarter of the following calendar year. The notification must
 757 include:

758 (A) A list of each client company and the unemployment
 759 account number or, if one has not yet been issued, the federal
 760 employment identification number, as established by the employee
 761 leasing company upon the election to file by client method;

762 (B) A list of each client company's current and previous
 763 employees and their respective social security numbers for the
 764 prior 3 state fiscal years or, if the client company has not
 765 been a client for the prior 3 state fiscal years, such portion
 766 of the prior 3 state fiscal years that the client company has
 767 been a client must be supplied;

768 (C) The wage data and benefit charges associated with each
 769 client company for the prior 3 state fiscal years or, if the
 770 client company has not been a client for the prior 3 state
 771 fiscal years, such portion of the prior 3 state fiscal years
 772 that the client company has been a client must be supplied. If
 773 the client company's employment record is chargeable with
 774 benefits for less than 8 calendar quarters while being a client
 775 of the employee leasing company, the client company must pay
 776 contributions at the initial rate of 2.7 percent; and

777 (D) The wage data and benefit charges for the prior 3 state
 778 fiscal years that cannot be associated with a client company
 779 must be reported and charged to the employee leasing company.

780 (III) Subsequent to choosing the client method, the
 781 employee leasing company may not change its reporting method.

782 (IV) The employee leasing company shall file a Florida
 783 Department of Revenue Employer's Quarterly Report for each

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784 client company by approved electronic means, and pay all
 785 contributions by approved electronic means.

786 (V) For the purposes of calculating experience rates when
 787 the client method is chosen, each client's own benefit charges
 788 and wage data experience while with the employee leasing company
 789 determines each client's tax rate where the client has been a
 790 client of the employee leasing company for at least 8 calendar
 791 quarters before the election. The client company shall continue
 792 to report the nonleased employees under its tax rate.

793 (VI) The election is binding on each client of the employee
 794 leasing company, for as long as a written agreement is in effect
 795 between the client and the employee leasing company pursuant to
 796 s. 468.525(3) (a). If the relationship between the employee
 797 leasing company and the client terminates, the client retains
 798 the wage and benefit history experienced under the employee
 799 leasing company.

800 (VII) Notwithstanding which election method the employee
 801 leasing company chooses, the applicable client company is an
 802 employing unit for purposes of s. 443.071. The employee leasing
 803 company or any of its officers or agents are liable for any
 804 violation of s. 443.071 engaged in by such persons or entities.
 805 The applicable client company or any of its officers or agents
 806 are liable for any violation of s. 443.071 engaged in by such
 807 persons or entities. The employee leasing company or its
 808 applicable client company are not liable for any violation of s.
 809 443.071 engaged in by the other party or by the other party's
 810 officers or agents.

811 (VIII) If an employee leasing company fails to select the
 812 client method of reporting not later than July 1, 2012, the

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entity is required to report under the employee leasing company's tax identification number and contribution rate.

(IX) After an employee leasing company is licensed pursuant to part XI of chapter 468, each newly licensed entity has 30 days after the date the license is granted to notify the tax collection service provider in writing of their selection of the client method. A newly licensed employee leasing company that fails to timely select reporting pursuant to the client method of reporting must report under the employee leasing company's tax identification number and contribution rate.

(X) Irrespective of the election, each transfer of trade or business, including workforce, or a portion thereof, between employee leasing companies is subject to the provisions of s. 443.131(3)(g) if, at the time of the transfer, there is common ownership, management, or control between the entities.

b.a. In addition to any other report required to be filed by law, an employee leasing company shall submit a report to the Labor Market Statistics Center within the Department of Economic Opportunity which includes each client establishment and each establishment of the employee leasing company, or as otherwise directed by the department. The report must include the following information for each establishment:

(I) The trade or establishment name;

(II) The former reemployment assistance ~~unemployment compensation~~ account number, if available;

(III) The former federal employer's identification number ~~(FEIN)~~, if available;

(IV) The industry code recognized and published by the United States Office of Management and Budget, if available;

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(V) A description of the client's primary business activity in order to verify or assign an industry code;

(VI) The address of the physical location;

(VII) The number of full-time and part-time employees who worked during, or received pay that was subject to reemployment assistance ~~unemployment compensation~~ taxes for, the pay period including the 12th of the month for each month of the quarter;

(VIII) The total wages subject to reemployment assistance ~~unemployment compensation~~ taxes paid during the calendar quarter;

(IX) An internal identification code to uniquely identify each establishment of each client;

(X) The month and year that the client entered into the contract for services; and

(XI) The month and year that the client terminated the contract for services.

c.b. The report must ~~shall~~ be submitted electronically or in a manner otherwise prescribed by the Department of Economic Opportunity in the format specified by the Bureau of Labor Statistics of the United States Department of Labor for its Multiple Worksite Report for Professional Employer Organizations. The report must be provided quarterly to the Labor Market Statistics Center within the department, or as otherwise directed by the department, and must be filed by the last day of the month immediately after ~~following~~ the end of the calendar quarter. The information required in sub-sub-paragraphs b.(X) and (XI) ~~a.(X) and (XI)~~ need be provided only in the quarter in which the contract to which it relates was entered into or terminated. The sum of the employment data

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and the sum of the wage data in this report must match the employment and wages reported in the reemployment assistance ~~unemployment compensation~~ quarterly tax and wage report. A report is not required for any calendar quarter preceding the third calendar quarter of 2010.

~~d.e.~~ The department shall adopt rules as necessary to administer this subparagraph, and may administer, collect, enforce, and waive the penalty imposed by s. 443.141(1)(b) for the report required by this subparagraph.

~~e.d.~~ For the purposes of this subparagraph, the term "establishment" means any location where business is conducted or where services or industrial operations are performed.

3. An individual other than an individual who is an employee under subparagraph 1. or subparagraph 2., who performs services for remuneration for any person:

a. As an agent-driver or commission-driver engaged in distributing meat products, vegetable products, fruit products, bakery products, beverages other than milk, or laundry or drycleaning services for his or her principal.

b. As a traveling or city salesperson engaged on a full-time basis in the solicitation on behalf of, and the transmission to, his or her principal of orders from wholesalers, retailers, contractors, or operators of hotels, restaurants, or other similar establishments for merchandise for resale or supplies for use in the ~~their~~ business operations. This sub-subparagraph does not apply to an agent-driver or a commission-driver and does not apply to sideline sales activities performed on behalf of a person other than the salesperson's principal.

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4. The services described in subparagraph 3. are employment subject to this chapter only if:

a. The contract of service contemplates that substantially all of the services are to be performed personally by the individual;

b. The individual does not have a substantial investment in facilities used in connection with the services, other than facilities used for transportation; and

c. The services are not in the nature of a single transaction that is not part of a continuing relationship with the person for whom the services are performed.

(d) If two or more related corporations concurrently employ the same individual and compensate the individual through a common paymaster, each related corporation is considered to have paid wages to the individual only in the amounts actually disbursed by that corporation to the individual and is not considered to have paid the wages actually disbursed to the individual by another of the related corporations. The department and the state agency providing reemployment assistance ~~unemployment~~ tax collection services may adopt rules necessary to administer this paragraph.

1. As used in this paragraph, the term "common paymaster" means a member of a group of related corporations that disburses wages to concurrent employees on behalf of the related corporations and that is responsible for keeping payroll records for those concurrent employees. A common paymaster is not required to disburse wages to all the employees of the related corporations; however, this subparagraph does not apply to wages of concurrent employees which are not disbursed through a common

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929 paymaster. A common paymaster must pay concurrently employed
930 individuals under this subparagraph by one combined paycheck.

931 2. As used in this paragraph, the term "concurrent
932 employment" means the existence of simultaneous employment
933 relationships between an individual and related corporations.
934 Those relationships require the performance of services by the
935 employee for the benefit of the related corporations, including
936 the common paymaster, in exchange for wages that, if deductible
937 for the purposes of federal income tax, are deductible by the
938 related corporations.

939 3. Corporations are considered related corporations for an
940 entire calendar quarter if they satisfy any one of the following
941 tests at any time during the calendar quarter:

942 a. The corporations are members of a "controlled group of
943 corporations" as defined in s. 1563 of the Internal Revenue Code
944 of 1986 or would be members if s. 1563(a) (4) and (b) did not
945 apply.

946 b. In the case of a corporation that does not issue stock,
947 at least 50 percent of the members of the board of directors or
948 other governing body of one corporation are members of the board
949 of directors or other governing body of the other corporation or
950 the holders of at least 50 percent of the voting power to select
951 those members are concurrently the holders of at least 50
952 percent of the voting power to select those members of the other
953 corporation.

954 c. At least 50 percent of the officers of one corporation
955 are concurrently officers of the other corporation.

956 d. At least 30 percent of the employees of one corporation
957 are concurrently employees of the other corporation.

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958 4. The common paymaster must report to the tax collection
959 service provider, as part of the reemployment assistance
960 ~~unemployment compensation~~ quarterly tax and wage report, the
961 state reemployment assistance ~~unemployment compensation~~ account
962 number and name of each related corporation for which concurrent
963 employees are being reported. Failure to timely report this
964 information shall result in the related corporations being
965 denied common paymaster status for that calendar quarter.

966 5. The common paymaster shall remit ~~also has the primary~~
967 ~~responsibility for remitting~~ contributions due under this
968 chapter for the wages it disburses as the common paymaster. The
969 common paymaster must compute these contributions as though it
970 were the sole employer of the concurrently employed individuals.
971 If a common paymaster fails to timely remit these contributions
972 or reports, in whole or in part, the common paymaster is ~~remains~~
973 liable for the full amount of the unpaid portion of these
974 contributions. In addition, each of the other related
975 corporations using the common paymaster is jointly and severally
976 liable for its appropriate share of these contributions. Each
977 related corporation's share equals the greater of:

978 a. The liability of the common paymaster under this
979 chapter, after taking into account any contributions made.

980 b. The liability under this chapter which, notwithstanding
981 this section, would have existed for the wages from the other
982 related corporations, reduced by an allocable portion of any
983 contributions previously paid by the common paymaster for those
984 wages.

985 (8) Services not covered under paragraph (7) (b) which are
986 performed entirely outside of this state, and for which

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contributions are not required or paid under a reemployment assistance or an unemployment compensation law of any other state or of the Federal Government, are deemed to be employment subject to this chapter if the individual performing the services is a resident of this state and the tax collection service provider approves the election of the employing unit for whom the services are performed, electing that the entire service of the individual is deemed to be employment subject to this chapter.

(12) The employment subject to this chapter includes services covered by a reciprocal arrangement under s. 443.221 between the Department of Economic Opportunity or its tax collection service provider and the agency charged with the administration of another state reemployment assistance or unemployment compensation law or a federal reemployment assistance or unemployment compensation law, under which all services performed by an individual for an employing unit are deemed to be performed entirely within this state, if the department or its tax collection service provider approved an election of the employing unit in which all of the services performed by the individual during the period covered by the election are deemed to be insured work.

(13) The following are exempt from coverage under this chapter:

(f) Service performed in the employ of a public employer as defined in s. 443.036, except as provided in subsection (2), and service performed in the employ of an instrumentality of a public employer as described in s. 443.036(36)(b) or (c)

~~443.036(35)(b) or (e)~~, to the extent that the instrumentality is

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immune under the United States Constitution from the tax imposed by s. 3301 of the Internal Revenue Code for that service.

(h) Service for which reemployment assistance ~~unemployment compensation~~ is payable under a reemployment assistance or an unemployment compensation system established by the United States Congress, of which this chapter is not a part.

(p) Service covered by an arrangement between the Department of Economic Opportunity, or its tax collection service provider, and the agency charged with the administration of another state or federal reemployment assistance or unemployment compensation law under which all services performed by an individual for an employing unit during the period covered by the employing unit's duly approved election is deemed to be performed entirely within the other agency's state or under the federal law.

Section 13. Paragraph (a) and (f) of subsection (3) of section 443.131, Florida Statutes, are amended to read:

443.131 Contributions.—

(3) VARIATION OF CONTRIBUTION RATES BASED ON BENEFIT EXPERIENCE.—

(a) *Employment records.*—The regular and short-time compensation benefits paid to an eligible individual shall be charged to the employment record of each employer who paid the individual wages of at least \$100 during the individual's base period in proportion to the total wages paid by all employers who paid the individual wages during the individual's base period. Benefits may not be charged to the employment record of an employer who furnishes part-time work to an individual who, because of loss of employment with one or more other employers,

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is eligible for partial benefits while being furnished part-time work by the employer on substantially the same basis and in substantially the same amount as the individual's employment during his or her base period, regardless of whether this part-time work is simultaneous or successive to the individual's lost employment. Further, as provided in s. 443.151(3), benefits may not be charged to the employment record of an employer who furnishes the Department of Economic Opportunity with notice, as prescribed in rules of the department, that any of the following apply:

1. If an individual leaves his or her work without good cause attributable to the employer or is discharged by the employer for misconduct connected with his or her work, benefits subsequently paid to the individual based on wages paid by the employer before the separation may not be charged to the employment record of the employer.

2. If an individual is discharged by the employer for unsatisfactory performance during an initial employment probationary period, benefits subsequently paid to the individual based on wages paid during the probationary period by the employer before the separation may not be charged to the employer's employment record. As used in this subparagraph, the term "initial employment probationary period" means an established probationary plan that applies to all employees or a specific group of employees and that does not exceed 90 calendar days following the first day a new employee begins work. The employee must be informed of the probationary period within the first 7 days of work. The employer must demonstrate by conclusive evidence that the individual was separated because of

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unsatisfactory work performance and not because of lack of work due to temporary, seasonal, casual, or other similar employment that is not of a regular, permanent, and year-round nature.

3. Benefits subsequently paid to an individual after his or her refusal without good cause to accept suitable work from an employer may not be charged to the employment record of the employer if any part of those benefits are based on wages paid by the employer before the individual's refusal to accept suitable work. As used in this subparagraph, the term "good cause" does not include distance to employment caused by a change of residence by the individual. The department shall adopt rules prescribing for the payment of all benefits whether this subparagraph applies regardless of whether a disqualification under s. 443.101 applies to the claim.

4. If an individual is separated from work as a direct result of a natural disaster declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. ss. 5121 et seq., benefits subsequently paid to the individual based on wages paid by the employer before the separation may not be charged to the employment record of the employer.

5. If an individual is separated from work as a direct result of an oil spill, terrorist attack, or other similar disaster of national significance not subject to a declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, benefits subsequently paid to the individual based on wages paid by the employer before the separation may not be charged to the employment record of the employer.

(f) *Transfer of employment records.*—

1. For the purposes of this subsection, two or more

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1103 employers who are parties to a transfer of business or the
 1104 subject of a merger, consolidation, or other form of
 1105 reorganization, effecting a change in legal identity or form,
 1106 are deemed a single employer and are considered to be one
 1107 employer with a continuous employment record if the tax
 1108 collection service provider finds that the successor employer
 1109 continues to carry on the employing enterprises of all of the
 1110 predecessor employers and that the successor employer has paid
 1111 all contributions required of and due from all of the
 1112 predecessor employers and has assumed liability for all
 1113 contributions that may become due from all of the predecessor
 1114 employers. In addition, an employer may not be considered a
 1115 successor under this subparagraph if the employer purchases a
 1116 company with a lower rate into which employees with job
 1117 functions unrelated to the business endeavors of the predecessor
 1118 are transferred for the purpose of acquiring the low rate and
 1119 avoiding payment of contributions. As used in this paragraph,
 1120 notwithstanding s. 443.036(14), the term "contributions" means
 1121 all indebtedness to the tax collection service provider,
 1122 including, but not limited to, interest, penalty, collection
 1123 fee, and service fee. A successor employer must accept the
 1124 transfer of all of the predecessor employers' employment records
 1125 within 30 days after the date of the official notification of
 1126 liability by succession. If a predecessor employer has unpaid
 1127 contributions or outstanding quarterly reports, the successor
 1128 employer must pay the total amount with certified funds within
 1129 30 days after the date of the notice listing the total amount
 1130 due. After the total indebtedness is paid, the tax collection
 1131 service provider shall transfer the employment records of all of

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1132 the predecessor employers to the successor employer's employment
 1133 record. The tax collection service provider shall determine the
 1134 contribution rate of the combined successor and predecessor
 1135 employers upon the transfer of the employment records, as
 1136 prescribed by rule, in order to calculate any change in the
 1137 contribution rate resulting from the transfer of the employment
 1138 records.

1139 2. Regardless of whether a predecessor employer's
 1140 employment record is transferred to a successor employer under
 1141 this paragraph, the tax collection service provider shall treat
 1142 the predecessor employer, if he or she subsequently employs
 1143 individuals, as an employer without a previous employment record
 1144 or, if his or her coverage is terminated under s. 443.121, as a
 1145 new employing unit.

1146 3. The state agency providing reemployment assistance
 1147 ~~unemployment~~ tax collection services may adopt rules governing
 1148 the partial transfer of experience rating when an employer
 1149 transfers an identifiable and segregable portion of his or her
 1150 payrolls and business to a successor employing unit. As a
 1151 condition of each partial transfer, these rules must require the
 1152 following to be filed with the tax collection service provider:
 1153 an application by the successor employing unit, an agreement by
 1154 the predecessor employer, and the evidence required by the tax
 1155 collection service provider to show the benefit experience and
 1156 payrolls attributable to the transferred portion through the
 1157 date of the transfer. These rules must provide that the
 1158 successor employing unit, if not an employer subject to this
 1159 chapter, becomes an employer as of the date of the transfer and
 1160 that the transferred portion of the predecessor employer's

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employment record is removed from the employment record of the predecessor employer. For each calendar year after the date of the transfer of the employment record in the records of the tax collection service provider, the service provider shall compute the contribution rate payable by the successor employer or employing unit based on his or her employment record, combined with the transferred portion of the predecessor employer's employment record. These rules may also prescribe what contribution rates are payable by the predecessor and successor employers for the period between the date of the transfer of the transferred portion of the predecessor employer's employment record in the records of the tax collection service provider and the first day of the next calendar year.

4. This paragraph does not apply to an employee leasing company and client contractual agreement as defined in s. 443.036, except as provided in s. 443.1216(1)(a)2.a. The tax collection service provider shall, if the contractual agreement is terminated or the employee leasing company fails to submit reports or pay contributions as required by the service provider, treat the client as a new employer without previous employment record unless the client is otherwise eligible for a variation from the standard rate.

Section 14. Paragraph (d) of subsection (2) of section 443.1312, Florida Statutes, is amended to read:

443.1312 Reimbursements; nonprofit organizations.—Benefits paid to employees of nonprofit organizations shall be financed in accordance with this section.

(2) LIABILITY FOR CONTRIBUTIONS AND ELECTION OF REIMBURSEMENT.—A nonprofit organization that is, or becomes,

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subject to this chapter under s. 443.1215(1)(c) or s. 443.121(3)(a) must pay contributions under s. 443.131 unless it elects, in accordance with this subsection, to reimburse the Unemployment Compensation Trust Fund for all of the regular benefits, short-time compensation benefits, and one-half of the extended benefits paid, which are attributable to service in the employ of the nonprofit organization, to individuals for weeks of unemployment which begin during the effective period of the election.

(d) In accordance with rules adopted by the Department of Economic Opportunity or the state agency providing reemployment assistance ~~unemployment~~ tax collection services, the tax collection service provider shall notify each nonprofit organization of any determination of the organization's status as an employer, the effective date of any election the organization makes, and the effective date of any termination of the election. Each determination is subject to reconsideration, appeal, and review under s. 443.141(2)(c).

Section 15. Subsection (3) and paragraph (a) of subsection (4) of section 443.1313, Florida Statutes, are amended to read:

443.1313 Public employers; reimbursements; election to pay contributions.—Benefits paid to employees of a public employer, as defined in s. 443.036, based on service described in s. 443.1216(2) shall be financed in accordance with this section.

(3) CHANGE OF ELECTION.—Upon electing to be a reimbursing or contributing employer under this section, a public employer may not change this election for at least 2 calendar years. This subsection does not prevent a public employer subject to this subsection from changing its election after completing 2

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1219 calendar years under another financing method if the new
 1220 election is timely filed. The state agency providing
 1221 reemployment assistance ~~unemployment~~ tax collection services may
 1222 adopt rules prescribing procedures for changing methods of
 1223 reporting.

1224 (4) PUBLIC EMPLOYERS REEMPLOYMENT ASSISTANCE ~~UNEMPLOYMENT~~
 1225 ~~COMPENSATION~~ BENEFIT ACCOUNT.—

1226 (a) There is established within the Unemployment
 1227 Compensation Trust Fund a Public Employers Reemployment
 1228 Assistance ~~Unemployment Compensation~~ Benefit Account, which must
 1229 be maintained as a separate account within the trust fund. All
 1230 benefits paid to the employees of a public employer that elects
 1231 to become a contributing employer under paragraph (b) must be
 1232 charged to the Public Employers Unemployment Compensation
 1233 Benefit Account.

1234 Section 16. Subsection (7) of section 443.1315, Florida
 1235 Statutes, is amended to read:

1236 443.1315 Treatment of Indian tribes.—

1237 (7) The Department of Economic Opportunity and the state
 1238 agency providing reemployment assistance ~~unemployment~~ tax
 1239 collection services shall adopt rules necessary to administer
 1240 this section.

1241 Section 17. Section 443.1316, Florida Statutes, is amended
 1242 to read:

1243 443.1316 Reemployment assistance ~~Unemployment~~ tax
 1244 collection services; interagency agreement.—

1245 (1) The Department of Economic Opportunity shall contract
 1246 with the Department of Revenue, through an interagency
 1247 agreement, to perform the duties of the tax collection service

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1248 provider and provide other reemployment assistance ~~unemployment~~
 1249 tax collection services under this chapter. Under the
 1250 interagency agreement, the tax collection service provider may
 1251 only implement:

1252 (a) The provisions of this chapter conferring duties upon
 1253 the tax collection service provider.

1254 (b) The provisions of law conferring duties upon the
 1255 department which are specifically delegated to the tax
 1256 collection service provider in the interagency agreement.

1257 (2) (a) The Department of Revenue is considered to be
 1258 administering a revenue law of this state when the department
 1259 implements this chapter, or otherwise provides reemployment
 1260 assistance ~~unemployment~~ tax collection services, under contract
 1261 with the department through the interagency agreement.

1262 (b) Sections 213.015(1)-(3), (5)-(7), (9)-(19), and (21);
 1263 213.018; 213.025; 213.051; 213.053; 213.0532; 213.0535; 213.055;
 1264 213.071; 213.10; 213.21(4); 213.2201; 213.23; 213.24; 213.25;
 1265 213.27; 213.28; 213.285; 213.34(1), (3), and (4); 213.37;
 1266 213.50; 213.67; 213.69; 213.692; 213.73; 213.733; 213.74; and
 1267 213.757 apply to the collection of reemployment assistance
 1268 ~~unemployment~~ contributions and reimbursements by the Department
 1269 of Revenue unless prohibited by federal law.

1270 Section 18. Paragraph (a) of subsection (1) and subsections
 1271 (2) and (3) of section 443.1317, Florida Statutes, are amended
 1272 to read:

1273 443.1317 Rulemaking authority; enforcement of rules.—

1274 (1) DEPARTMENT OF ECONOMIC OPPORTUNITY.—

1275 (a) Except as otherwise provided in s. 443.012, the
 1276 Department of Economic Opportunity has ultimate authority over

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1277 the administration of the Reemployment Assistance ~~Unemployment~~
 1278 ~~Compensation~~ Program.

1279 (2) TAX COLLECTION SERVICE PROVIDER.—The state agency
 1280 providing reemployment assistance ~~unemployment~~ tax collection
 1281 services under contract with the Department of Economic
 1282 Opportunity through an interagency agreement pursuant to s.
 1283 443.1316 may adopt rules under ss. 120.536(1) and 120.54,
 1284 subject to approval by the department, to administer the
 1285 provisions of law described in s. 443.1316(1)(a) and (b) which
 1286 are within this chapter. These rules must not conflict with the
 1287 rules adopted by the department or with the interagency
 1288 agreement.

1289 (3) ENFORCEMENT OF RULES.—The Department of Economic
 1290 Opportunity may enforce any rule adopted by the state agency
 1291 providing reemployment assistance ~~unemployment~~ tax collection
 1292 services to administer this chapter. The tax collection service
 1293 provider may enforce any rule adopted by the department to
 1294 administer the provisions of law described in s. 443.1316(1)(a)
 1295 and (b).

1296 Section 19. Paragraphs (b) and (g) of subsection (1),
 1297 paragraph (c) of subsection (2), and paragraphs (c) and (e) of
 1298 subsection (4) of section 443.141, Florida Statutes, are amended
 1299 to read:

1300 443.141 Collection of contributions and reimbursements.—

1301 (1) PAST DUE CONTRIBUTIONS AND REIMBURSEMENTS; DELINQUENT,
 1302 ERRONEOUS, INCOMPLETE, OR INSUFFICIENT REPORTS.—

1303 (b) *Penalty for delinquent, erroneous, incomplete, or*
 1304 *insufficient reports.*—

1305 1. An employing unit that fails to file any report required

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1306 by the Department of Economic Opportunity or its tax collection
 1307 service provider, in accordance with rules for administering
 1308 this chapter, shall pay to the service provider for each
 1309 delinquent report the sum of \$25 for each 30 days or fraction
 1310 thereof that the employing unit is delinquent, unless the
 1311 department ~~agency~~ or its service provider, whichever required
 1312 the report, finds that the employing unit has good reason for
 1313 failing to file the report. The department or its service
 1314 provider may assess penalties only through the date of the
 1315 issuance of the final assessment notice. However, additional
 1316 penalties accrue if the delinquent report is subsequently filed.

1317 2.a. An employing unit that files an erroneous, incomplete,
 1318 or insufficient report with the department or its tax collection
 1319 service provider shall pay a penalty. The amount of the penalty
 1320 is \$50 or 10 percent of any tax due, whichever is greater, but
 1321 no more than \$300 per report. The penalty shall be added to any
 1322 tax, penalty, or interest otherwise due.

1323 b. The department or its tax collection service provider
 1324 shall waive the penalty if the employing unit files an accurate,
 1325 complete, and sufficient report within 30 days after a penalty
 1326 notice is issued to the employing unit. The penalty may not be
 1327 waived pursuant to this subparagraph more than one time during a
 1328 12-month period.

1329 c. As used in this subsection, the term "erroneous,
 1330 incomplete, or insufficient report" means a report so lacking in
 1331 information, completeness, or arrangement that the report cannot
 1332 be readily understood, verified, or reviewed. Such reports
 1333 include, but are not limited to, reports having missing wage or
 1334 employee information, missing or incorrect social security

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1335 numbers, or illegible entries; reports submitted in a format
 1336 that is not approved by the department or its tax collection
 1337 service provider; and reports showing gross wages that do not
 1338 equal the total of the wages of each employee. However, the term
 1339 does not include a report that merely contains inaccurate data
 1340 that was supplied to the employer by the employee, if the
 1341 employer was unaware of the inaccuracy.

1342 3. Penalties imposed pursuant to this paragraph shall be
 1343 deposited in the Special Employment Security Administration
 1344 Trust Fund.

1345 4. The penalty and interest for a delinquent, erroneous,
 1346 incomplete, or insufficient report may be waived if the penalty
 1347 or interest is inequitable. The provisions of s. 213.24(1) apply
 1348 to any penalty or interest that is imposed under this section.

1349 (g) *Adoption of rules.*—The department and the state agency
 1350 providing reemployment assistance ~~unemployment~~ tax collection
 1351 services may adopt rules to administer this subsection.

1352 (2) REPORTS, CONTRIBUTIONS, APPEALS.—

1353 (c) *Appeals.*—The department and the state agency providing
 1354 reemployment assistance ~~unemployment~~ tax collection services
 1355 shall adopt rules prescribing the procedures for an employing
 1356 unit determined to be an employer to file an appeal and be
 1357 afforded an opportunity for a hearing on the determination.
 1358 Pending a hearing, the employing unit must file reports and pay
 1359 contributions in accordance with s. 443.131.

1360 (4) MISCELLANEOUS PROVISIONS FOR COLLECTION OF
 1361 CONTRIBUTIONS AND REIMBURSEMENTS.—

1362 (c) Any agent or employee designated by the Department of
 1363 Economic Opportunity or its tax collection service provider may

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1364 administer an oath to any person for any return or report
 1365 required by this chapter or by the rules of the department or
 1366 the state agency providing reemployment assistance ~~unemployment~~
 1367 tax collection services, and an oath made before the department
 1368 or its service provider or any authorized agent or employee has
 1369 the same effect as an oath made before any judicial officer or
 1370 notary public of the state.

1371 (e) The tax collection service provider may commence an
 1372 action in any other state to collect reemployment assistance
 1373 ~~unemployment compensation~~ contributions, reimbursements,
 1374 penalties, and interest legally due this state. The officials of
 1375 other states that extend a like comity to this state may sue for
 1376 the collection of contributions, reimbursements, interest, and
 1377 penalties in the courts of this state. The courts of this state
 1378 shall recognize and enforce liability for contributions,
 1379 reimbursements, interest, and penalties imposed by other states
 1380 that extend a like comity to this state.

1381 Section 20. Paragraph (b) of subsection (1), paragraph (b)
 1382 of subsection (2), paragraph (c) of subsection (3), and
 1383 paragraphs (a) and (b) of subsection (6) of section 443.151,
 1384 Florida Statutes, are amended to read:

1385 443.151 Procedure concerning claims.—

1386 (1) POSTING OF INFORMATION.—

1387 (b)1. The department shall advise each individual filing a
 1388 new claim for reemployment assistance ~~unemployment compensation~~,
 1389 at the time of filing the claim, that:

1390 a. Reemployment assistance ~~unemployment compensation~~ is
 1391 subject to federal income tax.

1392 b. Requirements exist pertaining to estimated tax payments.

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1393 c. The individual may elect to have federal income tax
 1394 deducted and withheld from the individual's payment of
 1395 reemployment assistance ~~unemployment compensation~~ at the amount
 1396 specified in the federal Internal Revenue Code.

1397 d. The individual is not permitted to change a previously
 1398 elected withholding status more than twice per calendar year.

1399 2. Amounts deducted and withheld from reemployment
 1400 assistance ~~unemployment compensation~~ must remain in the
 1401 Unemployment Compensation Trust Fund until transferred to the
 1402 federal taxing authority as payment of income tax.

1403 3. The department shall follow all procedures specified by
 1404 the United States Department of Labor and the federal Internal
 1405 Revenue Service pertaining to the deducting and withholding of
 1406 income tax.

1407 4. If more than one authorized request for deduction and
 1408 withholding is made, amounts must be deducted and withheld in
 1409 accordance with the following priorities:

1410 a. Reemployment assistance ~~Unemployment~~ overpayments have
 1411 first priority;

1412 b. Child support payments have second priority; and

1413 c. Withholding under this subsection has third priority.

1414 (2) FILING OF CLAIM INVESTIGATIONS; NOTIFICATION OF
 1415 CLAIMANTS AND EMPLOYERS.—

1416 (b) *Process*.—When the Reemployment Assistance ~~Unemployment~~
 1417 ~~Compensation~~ Claims and Benefits Information System described in
 1418 s. 443.1113 is fully operational, the process for filing claims
 1419 must incorporate the process for registering for work with the
 1420 workforce information systems established pursuant to s.
 1421 445.011. A claim for benefits may not be processed until the

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1422 work registration requirement is satisfied. The department may
 1423 adopt rules as necessary to administer the work registration
 1424 requirement set forth in this paragraph.

1425 (3) DETERMINATION OF ELIGIBILITY.—

1426 (c) *Nonmonetary determinations*.—If the department receives
 1427 information that may result in a denial of benefits, the
 1428 department must complete an investigation of the claim required
 1429 by subsection (2) and provide notice of a nonmonetary
 1430 determination to the claimant and the employer from whom the
 1431 claimant's reason for separation affects his or her entitlement
 1432 to benefits. The determination must state the reason for the
 1433 determination and whether the reemployment assistance
 1434 ~~unemployment~~ tax account of the contributing employer is charged
 1435 for benefits paid on the claim. The nonmonetary determination is
 1436 final unless within 20 days after the mailing of the notices to
 1437 the parties' last known addresses, or in lieu of mailing, within
 1438 20 days after the delivery of the notices, an appeal or written
 1439 request for reconsideration is filed by the claimant or other
 1440 party entitled to notice. The department may adopt rules as
 1441 necessary to implement the processes described in this paragraph
 1442 relating to notices of nonmonetary determination and the appeals
 1443 or reconsideration requests filed in response to such notices,
 1444 and may adopt rules prescribing the manner and procedure by
 1445 which employers within the base period of a claimant become
 1446 entitled to notice of nonmonetary determination.

1447 (6) RECOVERY AND RECOUPMENT.—

1448 (a) Any person who, by reason of her or his fraud, receives
 1449 benefits under this chapter to which she or he is not entitled
 1450 is liable for repaying those benefits to the Department of

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Economic Opportunity on behalf of the trust fund or, in the discretion of the department, to have those benefits deducted from future benefits payable to her or him under this chapter. To enforce this paragraph, the department must find the existence of fraud through a redetermination or decision under this section within 2 years after the fraud was committed. Any recovery or recoupment of benefits must be commenced ~~effected~~ within 7 ~~5~~ years after the redetermination or decision.

(b) Any person who, by reason other than her or his fraud, receives benefits under this chapter to which, under a redetermination or decision pursuant to this section, she or he is not entitled, is liable for repaying those benefits to the department on behalf of the trust fund or, in the discretion of the department, to have those benefits deducted from any future benefits payable to her or him under this chapter. Any recovery or recoupment of benefits must be commenced ~~effected~~ within 7 ~~3~~ years after the redetermination or decision.

Section 21. Subsection (1) and paragraph (c) of subsection (3) of section 443.163, Florida Statutes, are amended to read:

443.163 Electronic reporting and remitting of contributions and reimbursements.—

(1) An employer may file any report and remit any contributions or reimbursements required under this chapter by electronic means. The Department of Economic Opportunity or the state agency providing reemployment assistance ~~unemployment~~ tax collection services shall adopt rules prescribing the format and instructions necessary for electronically filing reports and remitting contributions and reimbursements to ensure a full collection of contributions and reimbursements due. The

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acceptable method of transfer, the method, form, and content of the electronic means, and the method, if any, by which the employer will be provided with an acknowledgment shall be prescribed by the department or its tax collection service provider. However, any employer who employed 10 or more employees in any quarter during the preceding state fiscal year must file the Employers Quarterly Reports (UCT-6) for the current calendar year and remit the contributions and reimbursements due by electronic means approved by the tax collection service provider. A person who prepared and reported for 100 or more employers in any quarter during the preceding state fiscal year must file the Employers Quarterly Reports (UCT-6) for each calendar quarter in the current calendar year, beginning with reports due for the second calendar quarter of 2003, by electronic means approved by the tax collection service provider.

(3) The tax collection service provider may waive the requirement to file an Employers Quarterly Report (UCT-6) by electronic means for employers that are unable to comply despite good faith efforts or due to circumstances beyond the employer's reasonable control.

(c) The department or the state agency providing reemployment assistance ~~unemployment~~ tax collection services may establish by rule the length of time a waiver is valid and may determine whether subsequent waivers will be authorized, based on this subsection.

Section 22. Subsections (2) and (5) and paragraphs (a) and (c) of subsection (9) of section 443.171, Florida Statutes, are amended to read:

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1509 443.171 Department of Economic Opportunity and commission;
 1510 powers and duties; records and reports; proceedings; state-
 1511 federal cooperation.-

1512 (2) PUBLICATION OF ACTS AND RULES.-The Department of
 1513 Economic Opportunity shall cause to be printed and distributed
 1514 to the public, or otherwise distributed to the public through
 1515 the Internet or similar electronic means, the text of this
 1516 chapter and of the rules for administering this chapter adopted
 1517 by the department or the state agency providing reemployment
 1518 assistance ~~unemployment~~ tax collection services and any other
 1519 matter relevant and suitable. The department shall furnish this
 1520 information to any person upon request. However, any pamphlet,
 1521 rules, circulars, or reports required by this chapter may not
 1522 contain any matter except the actual data necessary to complete
 1523 them or the actual language of the rule, together with the
 1524 proper notices.

1525 (5) RECORDS AND REPORTS.-Each employing unit shall keep
 1526 true and accurate work records, containing the information
 1527 required by the Department of Economic Opportunity or its tax
 1528 collection service provider. These records must be open to
 1529 inspection and are subject to being copied by the department or
 1530 its tax collection service provider at any reasonable time and
 1531 as often as necessary. The department or its tax collection
 1532 service provider may require from any employing unit any sworn
 1533 or unsworn reports, for persons employed by the employing unit,
 1534 necessary for the effective administration of this chapter.
 1535 However, a state or local governmental agency performing
 1536 intelligence or counterintelligence functions need not report an
 1537 employee if the head of that agency determines that reporting

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1538 the employee could endanger the safety of the employee or
 1539 compromise an ongoing investigation or intelligence mission.
 1540 ~~Information revealing the employing unit's or individual's~~
 1541 ~~identity obtained from the employing unit or from any individual~~
 1542 ~~through the administration of this chapter, is, except to the~~
 1543 ~~extent necessary for the proper presentation of a claim or upon~~
 1544 ~~written authorization of the claimant who has a workers'~~
 1545 ~~compensation claim pending, confidential and exempt from s.~~
 1546 ~~119.07(1). This confidential information is available only to~~
 1547 ~~public employees in the performance of their public duties. Any~~
 1548 ~~claimant, or the claimant's legal representative, at a hearing~~
 1549 ~~before an appeals referee or the commission must be supplied~~
 1550 ~~with information from these records to the extent necessary for~~
 1551 ~~the proper presentation of her or his claim. Any employee or~~
 1552 ~~member of the commission, any employee of the department or its~~
 1553 ~~tax collection service provider, or any other person receiving~~
 1554 ~~confidential information who violates this subsection commits a~~
 1555 ~~misdemeanor of the second degree, punishable as provided in s.~~
 1556 ~~775.082 or s. 775.083. However, the department or its tax~~
 1557 ~~collection service provider may furnish to any employer copies~~
 1558 ~~of any report previously submitted by that employer, upon the~~
 1559 ~~request of the employer. The department or its tax collection~~
 1560 ~~service provider may charge a reasonable fee for copies of~~
 1561 ~~reports, which may not exceed the actual reasonable cost of the~~
 1562 ~~preparation of the copies as prescribed by rules adopted by the~~
 1563 ~~department or the state agency providing tax collection~~
 1564 ~~services. Fees received by the department or its tax collection~~
 1565 ~~service provider for copies furnished under this subsection must~~
 1566 ~~be deposited in the Employment Security Administration Trust~~

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(9) STATE-FEDERAL COOPERATION.-

(a)1. In the administration of this chapter, the Department of Economic Opportunity and its tax collection service provider shall cooperate with the United States Department of Labor to the fullest extent consistent with this chapter and shall take those actions, through the adoption of appropriate rules, administrative methods, and standards, necessary to secure for this state all advantages available under the provisions of federal law relating to reemployment assistance ~~unemployment compensation~~.

2. In the administration of the provisions in s. 443.1115, which are enacted to conform with the Federal-State Extended Unemployment Compensation Act of 1970, the department shall take those actions necessary to ensure that those provisions are interpreted and applied to meet the requirements of the federal act as interpreted by the United States Department of Labor and to secure for this state the full reimbursement of the federal share of extended benefits paid under this chapter which is reimbursable under the federal act.

3. The department and its tax collection service provider shall comply with the regulations of the United States Department of Labor relating to the receipt or expenditure by this state of funds granted under federal law; shall submit the reports in the form and containing the information the United States Department of Labor requires; and shall comply with directions of the United States Department of Labor necessary to assure the correctness and verification of these reports.

(c) The department and its tax collection service provider

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shall cooperate with the agencies of other states, and shall make every proper effort within their means, to oppose and prevent any further action leading to the complete or substantial federalization of state reemployment assistance ~~unemployment compensation~~ funds or state employment security programs. The department and its tax collection service provider may make, and may cooperate with other appropriate agencies in making, studies as to the practicability and probable cost of possible new state-administered social security programs and the relative desirability of state, rather than federal, action in that field of study.

Section 23. Subsections (1) and (2) of section 443.1715, Florida Statutes, are amended to read:

443.1715 Disclosure of information; confidentiality.-

(1) RECORDS AND REPORTS.-Information revealing an employing unit's or individual's identity obtained from the employing unit or any individual under the administration of this chapter, and any determination revealing that information, ~~except to the extent necessary for the proper presentation of a claim or upon written authorization of the claimant who has a workers' compensation claim pending or is receiving compensation benefits~~, is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This confidential information may be released in accordance with the provisions in 20 C.F.R. part 603 only to public employees in the performance of their public duties. ~~Except as otherwise provided by law, public employees receiving this confidential information must maintain the confidentiality of the information. Any claimant, or the claimant's legal representative, at a hearing before an~~

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appeals referee or the commission is entitled to information from these records to the extent necessary for the proper presentation of her or his claim. A person receiving confidential information who violates this subsection commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. The Department of Economic Opportunity or its tax collection service provider may, however, furnish to any employer copies of any report submitted by that employer upon the request of the employer and may furnish to any claimant copies of any report submitted by that claimant upon the request of the claimant. The department or its tax collection service provider may charge a reasonable fee for copies of these reports as prescribed by rule, which may not exceed the actual reasonable cost of the preparation of the copies. Fees received for copies under this subsection must be deposited in the Employment Security Administration Trust Fund.

(2) DISCLOSURE OF INFORMATION.—

(a) Subject to restrictions the Department of Economic Opportunity or the state agency providing reemployment assistance ~~unemployment~~ tax collection services adopts by rule, information declared confidential under this section is available to any agency of this or any other state, or any federal agency, charged with the administration of any reemployment assistance or unemployment compensation law or the maintenance of the one-stop delivery system, or the Bureau of Internal Revenue of the United States Department of the Treasury, or the Florida Department of Revenue. Information obtained in connection with the administration of the one-stop delivery system may be made available to persons or agencies for

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purposes appropriate to the operation of a public employment service or a job-preparatory or career education or training program. The department shall, on a quarterly basis, furnish the National Directory of New Hires with information concerning the wages and reemployment assistance ~~unemployment~~ benefits paid to individuals, by the dates, in the format, and containing the information specified in the regulations of the United States Secretary of Health and Human Services. Upon request, the department shall furnish any agency of the United States charged with the administration of public works or assistance through public employment, and may furnish to any state agency similarly charged, the name, address, ordinary occupation, and employment status of each recipient of benefits and the recipient's rights to further benefits under this chapter. Except as otherwise provided by law, the receiving agency must retain the confidentiality of this information as provided in this section. The tax collection service provider may request the Comptroller of the Currency of the United States to examine the correctness of any return or report of any national banking association rendered under this chapter and may in connection with that request transmit any report or return for examination to the Comptroller of the Currency of the United States as provided in s. 3305(c) of the federal Internal Revenue Code.

(b) The employer or the employer's workers' compensation carrier against whom a claim for benefits under chapter 440 has been made, or a representative of either, may request from the department records of wages of the employee reported to the department by any employer for the quarter that includes the date of the accident that is the subject of such claim and for

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subsequent quarters.

1. The request must be made with the authorization or consent of the employee or any employer who paid wages to the employee after the date of the accident.

2. The employer or carrier shall make the request on a form prescribed by rule for such purpose by the department ~~agency~~. Such form shall contain a certification by the requesting party that it is a party entitled to the information requested.

3. The department shall provide the most current information readily available within 15 days after receiving the request.

Section 24. Subsections (1), (4), (5), (6), and (7) and paragraph (c) of subsection (2) of section 443.17161, Florida Statutes, are amended to read:

443.17161 Authorized electronic access to employer information.—

(1) Notwithstanding any other provision of this chapter, the Department of Economic Opportunity ~~Agency for Workforce Innovation~~ shall contract with one or more consumer reporting agencies to provide users with secured electronic access to employer-provided information relating to the quarterly wages report submitted in accordance with the state's reemployment assistance ~~unemployment compensation~~ law. The access is limited to the wage reports for the appropriate amount of time for the purpose the information is requested.

(2) Users must obtain consent in writing or by electronic signature from an applicant for credit, employment, or other permitted purposes. Any written or electronic signature consent from an applicant must be signed and must include the following:

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(c) Notice that the files of the Department of Economic Opportunity ~~Agency for Workforce Innovation~~ or its tax collection service provider containing information concerning wage and employment history which is submitted by the applicant or his or her employers may be accessed; and

(4) If a consumer reporting agency or user violates this section, the Department of Economic Opportunity ~~Agency for Workforce Innovation~~ shall, upon 30 days' written notice to the consumer reporting agency, terminate the contract established between the ~~department~~ Agency for Workforce Innovation and the consumer reporting agency or require the consumer reporting agency to terminate the contract established between the consumer reporting agency and the user under this section.

(5) The Department of Economic Opportunity ~~Agency for Workforce Innovation~~ shall establish minimum audit, security, net worth, and liability insurance standards, technical requirements, and any other terms and conditions considered necessary in the discretion of the state agency to safeguard the confidentiality of the information released under this section and to otherwise serve the public interest. The ~~department~~ Agency for Workforce Innovation shall also include, in coordination with any necessary state agencies, necessary audit procedures to ensure that these rules are followed.

(6) In contracting with one or more consumer reporting agencies under this section, any revenues generated by the contract must be used to pay the entire cost of providing access to the information. Further, in accordance with federal regulations, any additional revenues generated by the Department of Economic Opportunity ~~Agency for Workforce Innovation~~ or the

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state under this section must be paid into the Administrative Trust Fund of the ~~department~~ Agency for Workforce Innovation for the administration of the unemployment compensation system or be used as program income.

(7) The ~~Department of Economic Opportunity~~ Agency for Workforce Innovation may not provide wage and employment history information to any consumer reporting agency before the consumer reporting agency or agencies under contract with the ~~department~~ Agency for Workforce Innovation pay all development and other startup costs incurred by the state in connection with the design, installation, and administration of technological systems and procedures for the electronic access program.

Section 25. Subsection (2) of section 443.181, Florida Statutes, is amended to read:

443.181 Public employment service.—

(2) All funds received by this state under 29 U.S.C. ss. 49-49l-1 must be paid into the Employment Security Administration Trust Fund, and these funds are available to the Department of Economic Opportunity for expenditure as provided by this chapter or by federal law. For the purpose of establishing and maintaining one-stop career centers, the department may enter into agreements with the Railroad Retirement Board or any other agency of the United States charged with the administration of a reemployment assistance or ~~an~~ unemployment compensation law, with any political subdivision of this state, or with any private, nonprofit organization. As a part of any such agreement, the department may accept moneys, services, or quarters as a contribution to the Employment Security Administration Trust Fund.

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Section 26. Subsection (6) of section 443.191, Florida Statutes, is amended to read:

443.191 Unemployment Compensation Trust Fund; establishment and control.—

(6) TRUST FUND SOLE SOURCE FOR BENEFITS.—The Unemployment Compensation Trust Fund is the sole and exclusive source for paying reemployment assistance ~~unemployment~~ benefits, and these benefits are due and payable only to the extent that contributions or reimbursements, with increments thereon, actually collected and credited to the fund and not otherwise appropriated or allocated, are available for payment. The state shall administer the fund without any liability on the part of the state beyond the amount of moneys received from the United States Department of Labor or other federal agency.

Section 27. Paragraphs (b), (c), and (d) of subsection (1) and subsections (3) and (4) of section 443.221, Florida Statutes, are amended to read:

443.221 Reciprocal arrangements.—

(1)

(b) For services to be considered as performed within a state under a reciprocal agreement, the employing unit must have an election in effect for those services, which is approved by the agency charged with the administration of such state's reemployment assistance or unemployment compensation law, under which all the services performed by the individual for the employing unit are deemed to be performed entirely within that state.

(c) The department shall participate in any arrangements for the payment of compensation on the basis of combining an

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individual's wages and employment covered under this chapter with her or his wages and employment covered under the reemployment assistance or unemployment compensation laws of other states, which are approved by the United States Secretary of Labor, in consultation with the state reemployment assistance or unemployment compensation agencies, as reasonably calculated to assure the prompt and full payment of compensation in those situations and which include provisions for:

1. Applying the base period of a single state law to a claim involving the combining of an individual's wages and employment covered under two or more state reemployment assistance or unemployment compensation laws; and

2. Avoiding the duplicate use of wages and employment because of the combination.

(d) Contributions or reimbursements due under this chapter with respect to wages for insured work are, for the purposes of ss. 443.131, 443.1312, 443.1313, and 443.141, deemed to be paid to the fund as of the date payment was made as contributions or reimbursements therefor under another state or federal reemployment assistance or unemployment compensation law, but an arrangement may not be entered into unless it contains provisions for reimbursement to the fund of the contributions or reimbursements and the actual earnings thereon as the department or its tax collection service provider finds are fair and reasonable as to all affected interests.

(3) The Department of Economic Opportunity or its tax collection service provider may enter into reciprocal arrangements with other states or the Federal Government, or both, for exchanging services, determining and enforcing payment

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obligations, and making available facilities and information. The department or its tax collection service provider may conduct investigations, secure and transmit information, make available services and facilities, and exercise other powers provided under this chapter to facilitate the administration of any reemployment assistance or unemployment compensation or public employment service law and, in a similar manner, accept and use information, services, and facilities made available to this state by the agency charged with the administration of any other unemployment compensation or public employment service law.

(4) To the extent permissible under federal law, the Department of Economic Opportunity may enter into or cooperate in arrangements whereby facilities and services provided under this chapter and facilities and services provided under the reemployment assistance or unemployment compensation law of any foreign government may be used for the taking of claims and the payment of benefits under the employment security law of the state or under a similar law of that government.

Section 28. Paragraph (c) of subsection (5) and subsection (8) of section 20.60, Florida Statutes, are amended to read:

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

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

(c) The Division of Workforce Services shall:

1. Prepare and submit a unified budget request for workforce in accordance with chapter 216 for, and in conjunction

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with, Workforce Florida, Inc., and its board.

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

a. All program and fiscal instructions to regional workforce boards shall emanate from the Department of Economic Opportunity pursuant to plans and policies of Workforce Florida, Inc., which shall be responsible for all policy directions to the regional workforce boards.

b. Unless otherwise provided by agreement with Workforce Florida, Inc., administrative and personnel policies of the Department of Economic Opportunity shall apply.

3. Implement the state's reemployment assistance ~~unemployment compensation~~ program. The Department of Economic Opportunity shall ensure that the state appropriately administers the reemployment assistance ~~unemployment compensation~~ program pursuant to state and federal law.

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

(8) The Reemployment Assistance ~~Unemployment~~ Appeals Commission, authorized by s. 443.012, is not subject to control, supervision, or direction by the department in the performance of its powers and duties but shall receive any and all support and assistance from the department which is required for the performance of its duties.

Section 29. Paragraph (a) of subsection (1) of section 27.52, Florida Statutes, is amended to read:

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27.52 Determination of indigent status.—

(1) APPLICATION TO THE CLERK.—A person seeking appointment of a public defender under s. 27.51 based upon an inability to pay must apply to the clerk of the court for a determination of indigent status using an application form developed by the Florida Clerks of Court Operations Corporation with final approval by the Supreme Court.

(a) The application must include, at a minimum, the following financial information:

1. Net income, consisting of total salary and wages, minus deductions required by law, including court-ordered support payments.

2. Other income, including, but not limited to, social security benefits, union funds, veterans' benefits, workers' compensation, other regular support from absent family members, public or private employee pensions, reemployment assistance or unemployment compensation, dividends, interest, rent, trusts, and gifts.

3. Assets, including, but not limited to, cash, savings accounts, bank accounts, stocks, bonds, certificates of deposit, equity in real estate, and equity in a boat or a motor vehicle or in other tangible property.

4. All liabilities and debts.

5. If applicable, the amount of any bail paid for the applicant's release from incarceration and the source of the funds.

The application must include a signature by the applicant which attests to the truthfulness of the information provided. The

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1915 application form developed by the corporation must include
 1916 notice that the applicant may seek court review of a clerk's
 1917 determination that the applicant is not indigent, as provided in
 1918 this section.

1919 Section 30. Subsection (6) of section 40.24, Florida
 1920 Statutes, is amended to read:

1921 40.24 Compensation and reimbursement policy.—

1922 (6) A juror who receives reemployment assistance
 1923 ~~unemployment~~ benefits does not lose such benefits because he or
 1924 she receives compensation for juror service.

1925 Section 31. Paragraph (a) of subsection (7) of section
 1926 45.031, Florida Statutes, is amended to read:

1927 45.031 Judicial sales procedure.—In any sale of real or
 1928 personal property under an order or judgment, the procedures
 1929 provided in this section and ss. 45.0315-45.035 may be followed
 1930 as an alternative to any other sale procedure if so ordered by
 1931 the court.

1932 (7) DISBURSEMENTS OF PROCEEDS.—

1933 (a) On filing a certificate of title, the clerk shall
 1934 disburse the proceeds of the sale in accordance with the order
 1935 or final judgment and shall file a report of such disbursements
 1936 and serve a copy of it on each party, and on the Department of
 1937 Revenue if the department was named as a defendant in the action
 1938 or if the Department of Economic Opportunity or the former
 1939 Agency for Workforce Innovation was named as a defendant while
 1940 the Department of Revenue was providing reemployment assistance
 1941 ~~unemployment~~ tax collection services under contract with the
 1942 Department of Economic Opportunity or the former Agency for
 1943 Workforce Innovation through an interagency agreement pursuant

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1944 to s. 443.1316.

1945 Section 32. Subsection (2) of section 55.204, Florida
 1946 Statutes, is amended to read:

1947 55.204 Duration and continuation of judgment lien;
 1948 destruction of records.—

1949 (2) Liens securing the payment of child support or tax
 1950 obligations under s. 95.091(1)(b) lapse 20 years after the date
 1951 of the original filing of the warrant or other document required
 1952 by law to establish a lien. Liens securing the payment of
 1953 reemployment assistance ~~unemployment~~ tax obligations lapse 10
 1954 years after the date of the original filing of the notice of
 1955 lien. A second lien based on the original filing may not be
 1956 obtained.

1957 Section 33. Paragraph (a) of subsection (1) of section
 1958 57.082, Florida Statutes, is amended to read:

1959 57.082 Determination of civil indigent status.—

1960 (1) APPLICATION TO THE CLERK.—A person seeking appointment
 1961 of an attorney in a civil case eligible for court-appointed
 1962 counsel, or seeking relief from payment of filing fees and
 1963 prepayment of costs under s. 57.081, based upon an inability to
 1964 pay must apply to the clerk of the court for a determination of
 1965 civil indigent status using an application form developed by the
 1966 Florida Clerks of Court Operations Corporation with final
 1967 approval by the Supreme Court.

1968 (a) The application must include, at a minimum, the
 1969 following financial information:

1970 1. Net income, consisting of total salary and wages, minus
 1971 deductions required by law, including court-ordered support
 1972 payments.

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1973 2. Other income, including, but not limited to, social
 1974 security benefits, union funds, veterans' benefits, workers'
 1975 compensation, other regular support from absent family members,
 1976 public or private employee pensions, reemployment assistance or
 1977 unemployment compensation, dividends, interest, rent, trusts,
 1978 and gifts.

1979 3. Assets, including, but not limited to, cash, savings
 1980 accounts, bank accounts, stocks, bonds, certificates of deposit,
 1981 equity in real estate, and equity in a boat or a motor vehicle
 1982 or in other tangible property.

1983 4. All liabilities and debts.

1984

1985 The application must include a signature by the applicant which
 1986 attests to the truthfulness of the information provided. The
 1987 application form developed by the corporation must include
 1988 notice that the applicant may seek court review of a clerk's
 1989 determination that the applicant is not indigent, as provided in
 1990 this section.

1991 Section 34. Subsection (8) of section 61.046, Florida
 1992 Statutes, is amended to read:

1993 61.046 Definitions.—As used in this chapter, the term:

1994 (8) "Income" means any form of payment to an individual,
 1995 regardless of source, including, but not limited to: wages,
 1996 salary, commissions and bonuses, compensation as an independent
 1997 contractor, worker's compensation, disability benefits, annuity
 1998 and retirement benefits, pensions, dividends, interest,
 1999 royalties, trusts, and any other payments, made by any person,
 2000 private entity, federal or state government, or any unit of
 2001 local government. United States Department of Veterans Affairs

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2002 disability benefits and reemployment assistance or unemployment
 2003 compensation, as defined in chapter 443, are excluded from this
 2004 definition of income except for purposes of establishing an
 2005 amount of support.

2006 Section 35. Paragraph (a) of subsection (3) of section
 2007 61.1824, Florida Statutes, is amended to read:

2008 61.1824 State Disbursement Unit.—

2009 (3) The State Disbursement Unit shall perform the following
 2010 functions:

2011 (a) Disburse all receipts from intercepts, including, but
 2012 not limited to, United States Internal Revenue Service,
 2013 reemployment assistance or unemployment compensation, lottery,
 2014 and administrative offset intercepts.

2015 Section 36. Paragraph (a) of subsection (2) of section
 2016 61.30, Florida Statutes, is amended to read:

2017 61.30 Child support guidelines; retroactive child support.—

2018 (2) Income shall be determined on a monthly basis for each
 2019 parent as follows:

2020 (a) Gross income shall include, but is not limited to, the
 2021 following:

2022 1. Salary or wages.

2023 2. Bonuses, commissions, allowances, overtime, tips, and
 2024 other similar payments.

2025 3. Business income from sources such as self-employment,
 2026 partnership, close corporations, and independent contracts.

2027 "Business income" means gross receipts minus ordinary and
 2028 necessary expenses required to produce income.

2029 4. Disability benefits.

2030 5. All workers' compensation benefits and settlements.

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2031 6. Reemployment assistance or unemployment compensation.
 2032 7. Pension, retirement, or annuity payments.
 2033 8. Social security benefits.
 2034 9. Spousal support received from a previous marriage or
 2035 court ordered in the marriage before the court.
 2036 10. Interest and dividends.
 2037 11. Rental income, which is gross receipts minus ordinary
 2038 and necessary expenses required to produce the income.
 2039 12. Income from royalties, trusts, or estates.
 2040 13. Reimbursed expenses or in kind payments to the extent
 2041 that they reduce living expenses.
 2042 14. Gains derived from dealings in property, unless the
 2043 gain is nonrecurring.
 2044 Section 37. Paragraph (a) of subsection (4) of section
 2045 69.041, Florida Statutes, is amended to read:
 2046 69.041 State named party; lien foreclosure, suit to quiet
 2047 title.-
 2048 (4) (a) The Department of Revenue has the right to
 2049 participate in the disbursement of funds remaining in the
 2050 registry of the court after distribution pursuant to s.
 2051 45.031(7). The department shall participate in accordance with
 2052 applicable procedures in any mortgage foreclosure action in
 2053 which the department has a duly filed tax warrant, or interests
 2054 under a lien arising from a judgment, order, or decree for
 2055 support, as defined in s. 409.2554, or interest in an
 2056 reemployment assistance ~~unemployment compensation~~ tax lien under
 2057 contract with the Department of Economic Opportunity through an
 2058 interagency agreement pursuant to s. 443.1316, against the
 2059 subject property and with the same priority, regardless of

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2060 whether a default against the department, the Department of
 2061 Economic Opportunity, or the former Agency for Workforce
 2062 Innovation has been entered for failure to file an answer or
 2063 other responsive pleading.

2064 Section 38. Subsection (1) of section 77.041, Florida
 2065 Statutes, is amended to read:

2066 77.041 Notice to individual defendant for claim of
 2067 exemption from garnishment; procedure for hearing.-

2068 (1) Upon application for a writ of garnishment by a
 2069 plaintiff, if the defendant is an individual, the clerk of the
 2070 court shall attach to the writ the following "Notice to
 2071 Defendant":
 2072

2073 NOTICE TO DEFENDANT OF RIGHT AGAINST
 2074 GARNISHMENT OF WAGES, MONEY,
 2075 AND OTHER PROPERTY
 2076

2077 The Writ of Garnishment delivered to you with this Notice
 2078 means that wages, money, and other property belonging to you
 2079 have been garnished to pay a court judgment against you.
 2080 HOWEVER, YOU MAY BE ABLE TO KEEP OR RECOVER YOUR WAGES, MONEY,
 2081 OR PROPERTY. READ THIS NOTICE CAREFULLY.
 2082 State and federal laws provide that certain wages, money,
 2083 and property, even if deposited in a bank, savings and loan, or
 2084 credit union, may not be taken to pay certain types of court
 2085 judgments. Such wages, money, and property are exempt from
 2086 garnishment. The major exemptions are listed below on the form
 2087 for Claim of Exemption and Request for Hearing. This list does
 2088 not include all possible exemptions. You should consult a lawyer

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2089 for specific advice.

2090 TO KEEP YOUR WAGES, MONEY, AND OTHER PROPERTY FROM

2091 BEING GARNISHED, OR TO GET BACK ANYTHING ALREADY

2092 TAKEN, YOU MUST COMPLETE A FORM FOR CLAIM OF EXEMPTION

2093 AND REQUEST FOR HEARING AS SET FORTH BELOW AND HAVE

2094 THE FORM NOTARIZED. YOU MUST FILE THE FORM WITH THE

2095 CLERK'S OFFICE WITHIN 20 DAYS AFTER THE DATE YOU

2096 RECEIVE THIS NOTICE OR YOU MAY LOSE IMPORTANT RIGHTS.

2097 YOU MUST ALSO MAIL OR DELIVER A COPY OF THIS FORM TO

2098 THE PLAINTIFF AND THE GARNISHEE AT THE ADDRESSES

2099 LISTED ON THE WRIT OF GARNISHMENT.

2100 If you request a hearing, it will be held as soon as

2101 possible after your request is received by the court. The

2102 plaintiff must file any objection within 3 business days if you

2103 hand delivered to the plaintiff a copy of the form for Claim of

2104 Exemption and Request for Hearing or, alternatively, 8 business

2105 days if you mailed a copy of the form for claim and request to

2106 the plaintiff. If the plaintiff files an objection to your Claim

2107 of Exemption and Request for Hearing, the clerk will notify you

2108 and the other parties of the time and date of the hearing. You

2109 may attend the hearing with or without an attorney. If the

2110 plaintiff fails to file an objection, no hearing is required,

2111 the writ of garnishment will be dissolved and your wages, money,

2112 or property will be released.

2113 YOU SHOULD FILE THE FORM FOR CLAIM OF EXEMPTION

2114 IMMEDIATELY TO KEEP YOUR WAGES, MONEY, OR PROPERTY

2115 FROM BEING APPLIED TO THE COURT JUDGMENT. THE CLERK

2116 CANNOT GIVE YOU LEGAL ADVICE. IF YOU NEED LEGAL

2117 ASSISTANCE YOU SHOULD SEE A LAWYER. IF YOU CANNOT

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2118 AFFORD A PRIVATE LAWYER, LEGAL SERVICES MAY BE

2119 AVAILABLE. CONTACT YOUR LOCAL BAR ASSOCIATION OR ASK

2120 THE CLERK'S OFFICE ABOUT ANY LEGAL SERVICES PROGRAM IN

2121 YOUR AREA.

2122

2123 CLAIM OF EXEMPTION AND

2124 REQUEST FOR HEARING

2125

2126 I claim exemptions from garnishment under the following

2127 categories as checked:

.... 1. Head of family wages. (You must check a. or b. below.)

2128

.... a. I provide more than one-half of the support for a child

or other dependent and have net earnings of \$750 or less

per week.

2129

.... b. I provide more than one-half of the support for a child

or other dependent, have net earnings of more than \$750 per

week, but have not agreed in writing to have my wages

garnished.

2130

.... 2. Social Security benefits.

2131

.... 3. Supplemental Security Income benefits.

2132

.... 4. Public assistance (welfare).

2133

.... 5. Workers' Compensation.

2134

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.... 6. Reemployment assistance or unemployment Compensation.

.... 7. Veterans' benefits.

.... 8. Retirement or profit-sharing benefits or pension money.

.... 9. Life insurance benefits or cash surrender value of a
life insurance policy or proceeds of annuity contract.

.... 10. Disability income benefits.

.... 11. Prepaid College Trust Fund or Medical Savings Account.

.... 12. Other exemptions as provided by law.
.....(explain)

I request a hearing to decide the validity of my claim. Notice
of the hearing should be given to me at:

Address:

Telephone number:.....

The statements made in this request are true to the best of my
knowledge and belief.

.....

Defendant's signature

Date.....

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2155

2156 STATE OF FLORIDA

2157 COUNTY OF

2158

2159 Sworn and subscribed to before me this day of ...(month
2160 and year)..., by ...(name of person making statement)...

2161 Notary Public/Deputy Clerk

2162 Personally KnownOR Produced Identification....

2163 Type of Identification Produced.....

2164

2165 Section 39. Paragraph (n) of subsection (2) of section
2166 110.205, Florida Statutes, is amended to read:

2167 110.205 Career service; exemptions.—

2168 (2) EXEMPT POSITIONS.—The exempt positions that are not
2169 covered by this part include the following:

2170 (n)1.a. In addition to those positions exempted by other
2171 paragraphs of this subsection, each department head may
2172 designate a maximum of 20 policymaking or managerial positions,
2173 as defined by the department and approved by the Administration
2174 Commission, as being exempt from the Career Service System.
2175 Career service employees who occupy a position designated as a
2176 position in the Selected Exempt Service under this paragraph
2177 shall have the right to remain in the Career Service System by
2178 opting to serve in a position not exempted by the employing
2179 agency. Unless otherwise fixed by law, the department shall set
2180 the salary and benefits of these positions in accordance with
2181 the rules of the Selected Exempt Service; provided, however,
2182 that if the agency head determines that the general counsel,
2183 chief Cabinet aide, public information administrator or

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2184 comparable position for a Cabinet officer, inspector general, or
 2185 legislative affairs director has both policymaking and
 2186 managerial responsibilities and if the department determines
 2187 that any such position has both policymaking and managerial
 2188 responsibilities, the salary and benefits for each such position
 2189 shall be established by the department in accordance with the
 2190 rules of the Senior Management Service.

2191 b. In addition, each department may designate one
 2192 additional position in the Senior Management Service if that
 2193 position reports directly to the agency head or to a position in
 2194 the Senior Management Service and if any additional costs are
 2195 absorbed from the existing budget of that department.

2196 2. If otherwise exempt, employees of the Public Employees
 2197 Relations Commission, the Commission on Human Relations, and the
 2198 Reemployment Assistance ~~Unemployment~~ Appeals Commission, upon
 2199 the certification of their respective commission heads, may be
 2200 provided for under this paragraph as members of the Senior
 2201 Management Service, if otherwise qualified. However, the deputy
 2202 general counsel of the Public Employees Relations Commission
 2203 shall be compensated as members of the Selected Exempt Service.

2204 Section 40. Subsection (4) of section 110.502, Florida
 2205 Statutes, is amended to read:

2206 110.502 Scope of act; status of volunteers.—

2207 (4) Persons working with state agencies pursuant to this
 2208 part shall be considered as unpaid independent volunteers and
 2209 shall not be entitled to reemployment assistance ~~unemployment~~
 2210 ~~compensation~~.

2211 Section 41. Subsection (10) of section 120.80, Florida
 2212 Statutes, is amended to read:

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2213 120.80 Exceptions and special requirements; agencies.—

2214 (10) DEPARTMENT OF ECONOMIC OPPORTUNITY.—

2215 (a) Notwithstanding s. 120.54, the rulemaking provisions of
 2216 this chapter do not apply to reemployment assistance
 2217 ~~unemployment~~ appeals referees.

2218 (b) Notwithstanding s. 120.54(5), the uniform rules of
 2219 procedure do not apply to appeal proceedings conducted under
 2220 chapter 443 by the Reemployment Assistance ~~Unemployment~~ Appeals
 2221 Commission, special deputies, or reemployment assistance
 2222 ~~unemployment~~ appeals referees.

2223 (c) Notwithstanding s. 120.57(1)(a), hearings under chapter
 2224 443 may not be conducted by an administrative law judge assigned
 2225 by the division, but instead shall be conducted by the
 2226 Reemployment Assistance ~~Unemployment~~ Appeals Commission in
 2227 reemployment assistance ~~unemployment compensation~~ appeals,
 2228 reemployment assistance ~~unemployment~~ appeals referees, and the
 2229 Department of Economic Opportunity or its special deputies under
 2230 s. 443.141.

2231 Section 42. Subsection (4) of section 125.9502, Florida
 2232 Statutes, is amended to read:

2233 125.9502 Scope of ss. 125.9501-125.9506; status of
 2234 volunteers.—

2235 (4) Persons working with a unit of county government or a
 2236 constitutional county officer pursuant to ss. 125.9501-125.9506
 2237 are considered unpaid independent volunteers and are not
 2238 entitled to reemployment assistance ~~unemployment compensation~~.

2239 Section 43. Paragraph (d) of subsection (1) and paragraph
 2240 (b) of subsection (2) of section 212.096, Florida Statutes, are
 2241 amended to read:

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2242 212.096 Sales, rental, storage, use tax; enterprise zone
2243 jobs credit against sales tax.-

2244 (1) For the purposes of the credit provided in this
2245 section:

2246 (d) "Job" means a full-time position, as consistent with
2247 terms used by the Department of Economic Opportunity Agency for
2248 Workforce Innovation and the United States Department of Labor
2249 for purposes of reemployment assistance ~~unemployment~~
2250 ~~compensation~~ tax administration and employment estimation
2251 resulting directly from a business operation in this state. This
2252 term may not include a temporary construction job involved with
2253 the construction of facilities or any job that has previously
2254 been included in any application for tax credits under s.
2255 220.181(1). The term also includes employment of an employee
2256 leased from an employee leasing company licensed under chapter
2257 468 if such employee has been continuously leased to the
2258 employer for an average of at least 36 hours per week for more
2259 than 6 months.

2260

2261 A person shall be deemed to be employed if the person performs
2262 duties in connection with the operations of the business on a
2263 regular, full-time basis, provided the person is performing such
2264 duties for an average of at least 36 hours per week each month.
2265 The person must be performing such duties at a business site
2266 located in the enterprise zone.

2267 (2)

2268 (b) The credit shall be computed as 20 percent of the
2269 actual monthly wages paid in this state to each new employee
2270 hired when a new job has been created, unless the business is

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2271 located within a rural enterprise zone pursuant to s. 290.004,
2272 in which case the credit shall be 30 percent of the actual
2273 monthly wages paid. If no less than 20 percent of the employees
2274 of the business are residents of an enterprise zone, excluding
2275 temporary and part-time employees, the credit shall be computed
2276 as 30 percent of the actual monthly wages paid in this state to
2277 each new employee hired when a new job has been created, unless
2278 the business is located within a rural enterprise zone, in which
2279 case the credit shall be 45 percent of the actual monthly wages
2280 paid. If the new employee hired when a new job is created is a
2281 participant in the welfare transition program, the following
2282 credit shall be a percent of the actual monthly wages paid: 40
2283 percent for \$4 above the hourly federal minimum wage rate; 41
2284 percent for \$5 above the hourly federal minimum wage rate; 42
2285 percent for \$6 above the hourly federal minimum wage rate; 43
2286 percent for \$7 above the hourly federal minimum wage rate; and
2287 44 percent for \$8 above the hourly federal minimum wage rate.
2288 For purposes of this paragraph, monthly wages shall be computed
2289 as one-twelfth of the expected annual wages paid to such
2290 employee. The amount paid as wages to a new employee is the
2291 compensation paid to such employee that is subject to
2292 reemployment assistance ~~unemployment~~ tax. The credit shall be
2293 allowed for up to 24 consecutive months, beginning with the
2294 first tax return due pursuant to s. 212.11 after approval by the
2295 department.

2296 Section 44. Subsection (4) of section 213.053, Florida
2297 Statutes, is amended to read:

2298 213.053 Confidentiality and information sharing.-

2299 (4) The department, while providing reemployment assistance

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2300 ~~unemployment~~ tax collection services under contract with the
 2301 Department of Economic Opportunity through an interagency
 2302 agreement pursuant to s. 443.1316, may release reemployment
 2303 assistance ~~unemployment~~ tax rate information to the agent of an
 2304 employer who provides payroll services for more than 100
 2305 employers, pursuant to the terms of a memorandum of
 2306 understanding. The memorandum of understanding must state that
 2307 the agent affirms, subject to the criminal penalties contained
 2308 in ss. 443.171 and 443.1715, that the agent will retain the
 2309 confidentiality of the information, that the agent has in effect
 2310 a power of attorney from the employer which permits the agent to
 2311 obtain reemployment assistance ~~unemployment~~ tax rate
 2312 information, and that the agent shall provide the department
 2313 with a copy of the employer's power of attorney upon request.

2314 Section 45. Paragraph (a) of subsection (6) of section
 2315 216.292, Florida Statutes, is amended to read:

2316 216.292 Appropriations nontransferable; exceptions.—

2317 (6) The Chief Financial Officer shall transfer from any
 2318 available funds of an agency or the judicial branch the
 2319 following amounts and shall report all such transfers and the
 2320 reasons therefor to the legislative appropriations committees
 2321 and the Executive Office of the Governor:

2322 (a) The amount due to the Unemployment Compensation Trust
 2323 Fund which is more than 90 days delinquent on reimbursements due
 2324 to the Unemployment Compensation Trust Fund. The amount
 2325 transferred shall be that certified by the state agency
 2326 providing reemployment assistance ~~unemployment~~ tax collection
 2327 services under contract with the Department of Economic
 2328 Opportunity through an interagency agreement pursuant to s.

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2329 443.1316.

2330 Section 46. Paragraph (ff) of subsection (1) of section
 2331 220.03, Florida Statutes, is amended to read:

2332 220.03 Definitions.—

2333 (1) SPECIFIC TERMS.—When used in this code, and when not
 2334 otherwise distinctly expressed or manifestly incompatible with
 2335 the intent thereof, the following terms shall have the following
 2336 meanings:

2337 (ff) "Job" means a full-time position, as consistent with
 2338 terms used by the Department of Economic Opportunity and the
 2339 United States Department of Labor for purposes of reemployment
 2340 assistance ~~unemployment compensation~~ tax administration and
 2341 employment estimation resulting directly from business
 2342 operations in this state. The term may not include a temporary
 2343 construction job involved with the construction of facilities or
 2344 any job that has previously been included in any application for
 2345 tax credits under s. 212.096. The term also includes employment
 2346 of an employee leased from an employee leasing company licensed
 2347 under chapter 468 if the employee has been continuously leased
 2348 to the employer for an average of at least 36 hours per week for
 2349 more than 6 months.

2350 Section 47. Paragraph (b) of subsection (1) of section
 2351 220.181, Florida Statutes, is amended to read:

2352 220.181 Enterprise zone jobs credit.—

2353 (1)

2354 (b) This credit applies only with respect to wages subject
 2355 to reemployment assistance ~~unemployment~~ tax. The credit provided
 2356 in this section does not apply:

2357 1. For any employee who is an owner, partner, or majority

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2358 stockholder of an eligible business.

2359 2. For any new employee who is employed for any period less
2360 than 3 months.

2361 Section 48. Paragraph (e) of subsection (1) of section
2362 220.191, Florida Statutes, is amended to read:

2363 220.191 Capital investment tax credit.—

2364 (1) DEFINITIONS.—For purposes of this section:

2365 (e) "Jobs" means full-time equivalent positions, as that
2366 term is consistent with terms used by the Department of Economic
2367 Opportunity and the United States Department of Labor for
2368 purposes of reemployment assistance ~~unemployment~~ tax
2369 administration and employment estimation, resulting directly
2370 from a project in this state. The term does not include
2371 temporary construction jobs involved in the construction of the
2372 project facility.

2373 Section 49. Paragraph (d) of subsection (3) of section
2374 220.194, Florida Statutes, is amended to read:

2375 220.194 Corporate income tax credits for spaceflight
2376 projects.—

2377 (3) DEFINITIONS.—As used in this section, the term:

2378 (d) "New job" means the full-time employment of an employee
2379 in a manner that is consistent with terms used by the Department
2380 of Economic Opportunity ~~Agency for Workforce Innovation~~ and the
2381 United States Department of Labor for purposes of reemployment
2382 assistance ~~unemployment compensation~~ tax administration and
2383 employment estimation. In order to meet the requirement for
2384 certification specified in paragraph (5)(b), a new job must:

2385 1. Pay new employees at least 115 percent of the statewide
2386 or countywide average annual private sector wage for the 3

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2387 taxable years immediately preceding filing an application for
2388 certification;

2389 2. Require a new employee to perform duties on a regular
2390 full-time basis in this state for an average of at least 36
2391 hours per week each month for the 3 taxable years immediately
2392 preceding filing an application for certification; and

2393 3. Not be held by a person who has previously been included
2394 as a new employee on an application for any credit authorized
2395 under this section.

2396 Section 50. Section 222.15, Florida Statutes, is amended to
2397 read:

2398 222.15 Wages or reemployment assistance or unemployment
2399 compensation payments due deceased employee may be paid spouse
2400 or certain relatives.—

2401 (1) It is lawful for any employer, in case of the death of
2402 an employee, to pay to the wife or husband, and in case there is
2403 no wife or husband, then to the child or children, provided the
2404 child or children are over the age of 18 years, and in case
2405 there is no child or children, then to the father or mother, any
2406 wages or travel expenses that may be due such employee at the
2407 time of his or her death.

2408 (2) It is also lawful for the Department of Economic
2409 Opportunity, in case of death of any unemployed individual, to
2410 pay to those persons referred to in subsection (1) any
2411 reemployment assistance or unemployment compensation payments
2412 that may be due to the individual at the time of his or her
2413 death.

2414 Section 51. Section 222.16, Florida Statutes, is amended to
2415 read:

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2416 222.16 Wages or reemployment assistance or unemployment
 2417 compensation payments so paid not subject to administration.—Any
 2418 wages, travel expenses, or reemployment assistance or
 2419 unemployment compensation payments so paid under the authority
 2420 of s. 222.15 shall not be considered as assets of the estate and
 2421 subject to administration; provided, however, that the travel
 2422 expenses so exempted from administration shall not exceed the
 2423 sum of \$300.

2424 Section 52. Paragraph (m) of subsection (1) of section
 2425 255.20, Florida Statutes, is amended to read:

2426 255.20 Local bids and contracts for public construction
 2427 works; specification of state-produced lumber.—

2428 (1) A county, municipality, special district as defined in
 2429 chapter 189, or other political subdivision of the state seeking
 2430 to construct or improve a public building, structure, or other
 2431 public construction works must competitively award to an
 2432 appropriately licensed contractor each project that is estimated
 2433 in accordance with generally accepted cost-accounting principles
 2434 to cost more than \$300,000. For electrical work, the local
 2435 government must competitively award to an appropriately licensed
 2436 contractor each project that is estimated in accordance with
 2437 generally accepted cost-accounting principles to cost more than
 2438 \$75,000. As used in this section, the term “competitively award”
 2439 means to award contracts based on the submission of sealed bids,
 2440 proposals submitted in response to a request for proposal,
 2441 proposals submitted in response to a request for qualifications,
 2442 or proposals submitted for competitive negotiation. This
 2443 subsection expressly allows contracts for construction
 2444 management services, design/build contracts, continuation

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2445 contracts based on unit prices, and any other contract
 2446 arrangement with a private sector contractor permitted by any
 2447 applicable municipal or county ordinance, by district
 2448 resolution, or by state law. For purposes of this section, cost
 2449 includes the cost of all labor, except inmate labor, and the
 2450 cost of equipment and materials to be used in the construction
 2451 of the project. Subject to the provisions of subsection (3), the
 2452 county, municipality, special district, or other political
 2453 subdivision may establish, by municipal or county ordinance or
 2454 special district resolution, procedures for conducting the
 2455 bidding process.

2456 (m) Any contractor may be considered ineligible to bid by
 2457 the governmental entity if the contractor has been found guilty
 2458 by a court of any violation of federal labor or employment tax
 2459 laws regarding subjects such as safety, tax withholding,
 2460 workers' compensation, reemployment assistance or unemployment
 2461 tax, social security and Medicare tax, wage or hour, or
 2462 prevailing rate laws within the past 5 years.

2463 Section 53. Subsection (5) of section 288.075, Florida
 2464 Statutes, is amended to read:

2465 288.075 Confidentiality of records.—

2466 (5) IDENTIFICATION, ACCOUNT, AND REGISTRATION NUMBERS.—A
 2467 federal employer identification number, reemployment assistance
 2468 ~~unemployment compensation~~ account number, or Florida sales tax
 2469 registration number held by an economic development agency is
 2470 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
 2471 of the State Constitution.

2472 Section 54. Paragraph (c) of subsection (1) of section
 2473 288.1045, Florida Statutes, is amended to read:

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2474 288.1045 Qualified defense contractor and space flight
 2475 business tax refund program.—
 2476 (1) DEFINITIONS.—As used in this section:
 2477 (c) "Business unit" means an employing unit, as defined in
 2478 s. 443.036, that is registered with the department for
 2479 reemployment assistance ~~unemployment compensation~~ purposes or
 2480 means a subcategory or division of an employing unit that is
 2481 accepted by the department as a reporting unit.
 2482 Section 55. Paragraph (d) of subsection (2) of section
 2483 288.106, Florida Statutes, is amended to read:
 2484 288.106 Tax refund program for qualified target industry
 2485 businesses.—
 2486 (2) DEFINITIONS.—As used in this section:
 2487 (d) "Business" means an employing unit, as defined in s.
 2488 443.036, that is registered for reemployment assistance
 2489 ~~unemployment compensation~~ purposes with the state agency
 2490 providing reemployment assistance ~~unemployment~~ tax collection
 2491 services under an interagency agreement pursuant to s. 443.1316,
 2492 or a subcategory or division of an employing unit that is
 2493 accepted by the state agency providing reemployment assistance
 2494 ~~unemployment~~ tax collection services as a reporting unit.
 2495 Section 56. Paragraph (b) of subsection (3) of section
 2496 288.1081, Florida Statutes, is amended to read:
 2497 288.1081 Economic Gardening Business Loan Pilot Program.—
 2498 (3)
 2499 (b) A loan applicant must submit a written application to
 2500 the loan administrator in the format prescribed by the loan
 2501 administrator. The application must include:
 2502 1. The applicant's federal employer identification number,

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2503 reemployment assistance ~~unemployment~~ account number, and sales
 2504 or other tax registration number.
 2505 2. The street address of the applicant's principal place of
 2506 business in this state.
 2507 3. A description of the type of economic activity, product,
 2508 or research and development undertaken by the applicant,
 2509 including the six-digit North American Industry Classification
 2510 System code for each type of economic activity conducted by the
 2511 applicant.
 2512 4. The applicant's annual revenue, number of employees,
 2513 number of full-time equivalent employees, and other information
 2514 necessary to verify the applicant's eligibility for the pilot
 2515 program under s. 288.1082(4)(a).
 2516 5. The projected investment in the business, if any, which
 2517 the applicant proposes in conjunction with the loan.
 2518 6. The total investment in the business from all sources,
 2519 if any, which the applicant proposes in conjunction with the
 2520 loan.
 2521 7. The number of net new full-time equivalent jobs that, as
 2522 a result of the loan, the applicant proposes to create in this
 2523 state as of December 31 of each year and the average annual wage
 2524 of the proposed jobs.
 2525 8. The total number of full-time equivalent employees the
 2526 applicant currently employs in this state.
 2527 9. The date that the applicant anticipates it needs the
 2528 loan.
 2529 10. A detailed explanation of why the loan is needed to
 2530 assist the applicant in expanding jobs in the state.
 2531 11. A statement that all of the applicant's available

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corporate assets are pledged as collateral for the amount of the loan.

12. A statement that the applicant, upon receiving the loan, agrees not to seek additional long-term debt without prior approval of the loan administrator.

13. A statement that the loan is a joint obligation of the business and of each person who owns at least 20 percent of the business.

14. Any additional information requested by the department or the loan administrator.

Section 57. Paragraph (a) of subsection (3) of section 288.1089, Florida Statutes, is amended to read:

288.1089 Innovation Incentive Program.—

(3) To be eligible for consideration for an innovation incentive award, an innovation business, a research and development entity, or an alternative and renewable energy company must submit a written application to the department before making a decision to locate new operations in this state or expand an existing operation in this state. The application must include, but not be limited to:

(a) The applicant's federal employer identification number, reemployment assistance ~~unemployment~~ account number, and state sales tax registration number. If such numbers are not available at the time of application, they must be submitted to the department in writing before the disbursement of any payments under this section.

Section 58. Subsection (1) of section 334.30, Florida Statutes, is amended to read:

334.30 Public-private transportation facilities.—The

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Legislature finds and declares that there is a public need for the rapid construction of safe and efficient transportation facilities for the purpose of traveling within the state, and that it is in the public's interest to provide for the construction of additional safe, convenient, and economical transportation facilities.

(1) The department may receive or solicit proposals and, with legislative approval as evidenced by approval of the project in the department's work program, enter into agreements with private entities, or consortia thereof, for the building, operation, ownership, or financing of transportation facilities. The department may advance projects programmed in the adopted 5-year work program or projects increasing transportation capacity and greater than \$500 million in the 10-year Strategic Intermodal Plan using funds provided by public-private partnerships or private entities to be reimbursed from department funds for the project as programmed in the adopted work program. The department shall by rule establish an application fee for the submission of unsolicited proposals under this section. The fee must be sufficient to pay the costs of evaluating the proposals. The department may engage the services of private consultants to assist in the evaluation. Before approval, the department must determine that the proposed project:

(a) Is in the public's best interest;

(b) Would not require state funds to be used unless the project is on the State Highway System;

(c) Would have adequate safeguards in place to ensure that no additional costs or service disruptions would be realized by

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the traveling public and residents of the state in the event of default or cancellation of the agreement by the department;

(d) Would have adequate safeguards in place to ensure that the department or the private entity has the opportunity to add capacity to the proposed project and other transportation facilities serving similar origins and destinations; and

(e) Would be owned by the department upon completion or termination of the agreement.

The department shall ensure that all reasonable costs to the state, related to transportation facilities that are not part of the State Highway System, are borne by the private entity. The department shall also ensure that all reasonable costs to the state and substantially affected local governments and utilities, related to the private transportation facility, are borne by the private entity for transportation facilities that are owned by private entities. For projects on the State Highway System, the department may use state resources to participate in funding and financing the project as provided for under the department's enabling legislation. Because the Legislature recognizes that private entities or consortia thereof would perform a governmental or public purpose or function when they enter into agreements with the department to design, build, operate, own, or finance transportation facilities, the transportation facilities, including leasehold interests thereof, are exempt from ad valorem taxes as provided in chapter 196 to the extent property is owned by the state or other government entity, and from intangible taxes as provided in chapter 199 and special assessments of the state, any city,

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town, county, special district, political subdivision of the state, or any other governmental entity. The private entities or consortia thereof are exempt from tax imposed by chapter 201 on all documents or obligations to pay money which arise out of the agreements to design, build, operate, own, lease, or finance transportation facilities. Any private entities or consortia thereof must pay any applicable corporate taxes as provided in chapter 220, and reemployment assistance ~~unemployment~~ ~~compensation~~ taxes as provided in chapter 443, and sales and use tax as provided in chapter 212 shall be applicable. The private entities or consortia thereof must also register and collect the tax imposed by chapter 212 on all their direct sales and leases that are subject to tax under chapter 212. The agreement between the private entity or consortia thereof and the department establishing a transportation facility under this chapter constitutes documentation sufficient to claim any exemption under this section.

Section 59. Subsection (8) of section 408.809, Florida Statutes, is amended to read:

408.809 Background screening; prohibited offenses.—

(8) There is no reemployment assistance ~~unemployment~~ ~~compensation~~ or other monetary liability on the part of, and no cause of action for damages arising against, an employer that, upon notice of a disqualifying offense listed under chapter 435 or this section, terminates the person against whom the report was issued, whether or not that person has filed for an exemption with the Department of Health or the agency.

Section 60. Paragraph (e) of subsection (7) of section 409.2563, Florida Statutes, is amended to read:

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2648 409.2563 Administrative establishment of child support
 2649 obligations.—
 2650 (7) ADMINISTRATIVE SUPPORT ORDER.—
 2651 (e) An administrative support order must comply with ss.
 2652 61.13(1) and 61.30. The department shall develop a standard form
 2653 or forms for administrative support orders. An administrative
 2654 support order must provide and state findings, if applicable,
 2655 concerning:
 2656 1. The full name and date of birth of the child or
 2657 children;
 2658 2. The name of the parent from whom support is being sought
 2659 and the other parent or caregiver;
 2660 3. The parent's duty and ability to provide support;
 2661 4. The amount of the parent's monthly support obligation;
 2662 5. Any obligation to pay retroactive support;
 2663 6. The parent's obligation to provide for the health care
 2664 needs of each child, whether through health insurance,
 2665 contribution toward the cost of health insurance, payment or
 2666 reimbursement of health care expenses for the child, or any
 2667 combination thereof;
 2668 7. The beginning date of any required monthly payments and
 2669 health insurance;
 2670 8. That all support payments ordered must be paid to the
 2671 Florida State Disbursement Unit as provided by s. 61.1824;
 2672 9. That the parents, or caregiver if applicable, must file
 2673 with the department when the administrative support order is
 2674 rendered, if they have not already done so, and update as
 2675 appropriate the information required pursuant to paragraph
 2676 (13) (b);

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2677 10. That both parents, or parent and caregiver if
 2678 applicable, are required to promptly notify the department of
 2679 any change in their mailing addresses pursuant to paragraph
 2680 (13) (c); and
 2681 11. That if the parent ordered to pay support receives
 2682 reemployment assistance or unemployment compensation benefits,
 2683 the payor shall withhold, and transmit to the department, 40
 2684 percent of the benefits for payment of support, not to exceed
 2685 the amount owed.
 2686
 2687 An income deduction order as provided by s. 61.1301 must be
 2688 incorporated into the administrative support order or, if not
 2689 incorporated into the administrative support order, the
 2690 department or the Division of Administrative Hearings shall
 2691 render a separate income deduction order.
 2692 Section 61. Paragraph (a) of subsection (3), subsection
 2693 (8), and paragraph (a) of subsection (9) of section 409.2576,
 2694 Florida Statutes, are amended to read:
 2695 409.2576 State Directory of New Hires.—
 2696 (3) EMPLOYERS TO FURNISH REPORTS.—
 2697 (a) Each employer subject to the reporting requirements of
 2698 chapter 443 with 250 or more employees, shall provide to the
 2699 State Directory of New Hires, a report listing the employer's
 2700 legal name, address, and reemployment assistance ~~unemployment~~
 2701 ~~compensation~~ identification number. The report must also provide
 2702 the name and social security number of each new employee or
 2703 rehired employee at the end of the first pay period following
 2704 employment or reemployment.
 2705 (8) PROVIDING INFORMATION TO NATIONAL DIRECTORY.—The State

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2706 Directory of New Hires must furnish information regarding newly
 2707 hired or rehired employees to the National Directory of New
 2708 Hires for matching with the records of other state case
 2709 registries within 3 business days of entering such information
 2710 from the employer into the State Directory of New Hires. The
 2711 State Directory of New Hires shall enter into an agreement with
 2712 the Department of Economic Opportunity or its tax collection
 2713 service provider for the quarterly reporting to the National
 2714 Directory of New Hires information on wages and reemployment
 2715 assistance ~~unemployment compensation~~ taken from the quarterly
 2716 report to the Secretary of Labor, now required by Title III of
 2717 the Social Security Act, except that no report shall be filed
 2718 with respect to an employee of a state or local agency
 2719 performing intelligence or counterintelligence functions, if the
 2720 head of such agency has determined that filing such a report
 2721 could endanger the safety of the employee or compromise an
 2722 ongoing investigation or intelligence mission.

2723 (9) DISCLOSURE OF INFORMATION.—

2724 (a) New hire information shall be disclosed to the state
 2725 agency administering the following programs for the purposes of
 2726 determining eligibility under those programs:

2727 1. Any state program funded under part A of Title IV of the
 2728 Social Security Act;

2729 2. The Medicaid program under Title XIX of the Social
 2730 Security Act;

2731 3. The reemployment assistance or unemployment compensation
 2732 program under s. 3304 of the Internal Revenue Code of 1954;

2733 4. The food assistance program under the Food and Nutrition
 2734 Act of 2008; and

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2735 5. Any state program under a plan approved under Title I
 2736 (Old-Age Assistance for the Aged), Title X (Aid to the Blind),
 2737 Title XIV (Aid to the Permanently and Totally Disabled), or
 2738 Title XVI (Aid to the Aged, Blind, or Disabled; Supplemental
 2739 Security Income for the Aged, Blind, and Disabled) of the Social
 2740 Security Act.

2741 Section 62. Paragraph (f) of subsection (1) of section
 2742 414.295, Florida Statutes, is amended to read:

2743 414.295 Temporary cash assistance programs; public records
 2744 exemption.—

2745 (1) Personal identifying information of a temporary cash
 2746 assistance program participant, a participant's family, or a
 2747 participant's family or household member, except for information
 2748 identifying a parent who does not live in the same home as the
 2749 child, held by the department, the Office of Early Learning,
 2750 Workforce Florida, Inc., the Department of Health, the
 2751 Department of Revenue, the Department of Education, or a
 2752 regional workforce board or local committee created pursuant to
 2753 s. 445.007 is confidential and exempt from s. 119.07(1) and s.
 2754 24(a), Art. I of the State Constitution. Such confidential and
 2755 exempt information may be released for purposes directly
 2756 connected with:

2757 (f) The administration of the reemployment assistance
 2758 ~~unemployment compensation~~ program.

2759 Section 63. Subsection (4) of section 435.06, Florida
 2760 Statutes, is amended to read:

2761 435.06 Exclusion from employment.—

2762 (4) There is no reemployment assistance ~~unemployment~~
 2763 ~~compensation~~ or other monetary liability on the part of, and no

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cause of action for damages against, an employer that, upon notice of a conviction or arrest for a disqualifying offense listed under this chapter, terminates the person against whom the report was issued or who was arrested, regardless of whether or not that person has filed for an exemption pursuant to this chapter.

Section 64. Subsection (2) of section 440.12, Florida Statutes, is amended to read:

440.12 Time for commencement and limits on weekly rate of compensation.—

(2) Compensation for disability resulting from injuries which occur after December 31, 1974, shall not be less than \$20 per week. However, if the employee's wages at the time of injury are less than \$20 per week, he or she shall receive his or her full weekly wages. If the employee's wages at the time of the injury exceed \$20 per week, compensation shall not exceed an amount per week which is:

(a) Equal to 100 percent of the statewide average weekly wage, determined as hereinafter provided for the year in which the injury occurred; however, the increase to 100 percent from 66 2/3 percent of the statewide average weekly wage shall apply only to injuries occurring on or after August 1, 1979; and

(b) Adjusted to the nearest dollar.

For the purpose of this subsection, the "statewide average weekly wage" means the average weekly wage paid by employers subject to the Florida Reemployment Assistance Program ~~Unemployment Compensation~~ Law as reported to the Department of Economic Opportunity for the four calendar quarters ending each

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June 30, which average weekly wage shall be determined by the Department of Economic Opportunity on or before November 30 of each year and shall be used in determining the maximum weekly compensation rate with respect to injuries occurring in the calendar year immediately following. The statewide average weekly wage determined by the Department of Economic Opportunity shall be reported annually to the Legislature.

Section 65. Paragraph (c) of subsection (9) and subsection (10) of section 440.15, Florida Statutes, are amended to read:

440.15 Compensation for disability.—Compensation for disability shall be paid to the employee, subject to the limits provided in s. 440.12(2), as follows:

(9) EMPLOYEE ELIGIBLE FOR BENEFITS UNDER THIS CHAPTER AND FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE ACT.—

(c) Disability compensation benefits payable for any week, including those benefits provided by paragraph (1)(f), may not be reduced pursuant to this subsection until the Social Security Administration determines the amount otherwise payable to the employee under 42 U.S.C. ss. 402 and 423 and the employee has begun receiving such social security benefit payments. The employee shall, upon demand by the department, the employer, or the carrier, authorize the Social Security Administration to release disability information relating to her or him and authorize the Department of Economic Opportunity to release reemployment assistance ~~unemployment compensation~~ information relating to her or him, in accordance with rules to be adopted by the department prescribing the procedure and manner for requesting the authorization and for compliance by the employee. The department or the employer or carrier may not make any

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2822 payment of benefits for total disability or those additional
 2823 benefits provided by paragraph (1) (f) for any period during
 2824 which the employee willfully fails or refuses to authorize the
 2825 release of information in the manner and within the time
 2826 prescribed by such rules. The authority for release of
 2827 disability information granted by an employee under this
 2828 paragraph is effective for a period not to exceed 12 months and
 2829 such authority may be renewed, as the department prescribes by
 2830 rule.

2831 (10) EMPLOYEE ELIGIBLE FOR BENEFITS UNDER THIS CHAPTER WHO
 2832 HAS RECEIVED OR IS ENTITLED TO RECEIVE REEMPLOYMENT ASSISTANCE
 2833 ~~UNEMPLOYMENT COMPENSATION.~~—

2834 (a) No compensation benefits shall be payable for temporary
 2835 total disability or permanent total disability under this
 2836 chapter for any week in which the injured employee has received,
 2837 or is receiving, reemployment assistance or unemployment
 2838 compensation benefits.

2839 (b) If an employee is entitled to temporary partial
 2840 benefits pursuant to subsection (4) and reemployment assistance
 2841 or unemployment compensation benefits, such reemployment
 2842 assistance or unemployment compensation benefits shall be
 2843 primary and the temporary partial benefits shall be supplemental
 2844 only, the sum of the two benefits not to exceed the amount of
 2845 temporary partial benefits which would otherwise be payable.

2846 Section 66. Subsections (4) and (7) of section 440.381,
 2847 Florida Statutes, are amended to read:

2848 440.381 Application for coverage; reporting payroll;
 2849 payroll audit procedures; penalties.—

2850 (4) Each employer must submit a copy of the quarterly

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2851 earnings report required by chapter 443 at the end of each
 2852 quarter to the carrier and submit self-audits supported by the
 2853 quarterly earnings reports required by chapter 443 and the rules
 2854 adopted by the Department of Economic Opportunity or by the
 2855 state agency providing reemployment assistance ~~unemployment~~ tax
 2856 collection services under contract with the Department of
 2857 Economic Opportunity through an interagency agreement pursuant
 2858 to s. 443.1316. The reports must include a sworn statement by an
 2859 officer or principal of the employer attesting to the accuracy
 2860 of the information contained in the report.

2861 (7) If an employee suffering a compensable injury was not
 2862 reported as earning wages on the last quarterly earnings report
 2863 filed with the Department of Economic Opportunity or the state
 2864 agency providing reemployment assistance ~~unemployment~~ tax
 2865 collection services under contract with the Department of
 2866 Economic Opportunity through an interagency agreement pursuant
 2867 to s. 443.1316 before the accident, the employer shall indemnify
 2868 the carrier for all workers' compensation benefits paid to or on
 2869 behalf of the employee unless the employer establishes that the
 2870 employee was hired after the filing of the quarterly report, in
 2871 which case the employer and employee shall attest to the fact
 2872 that the employee was employed by the employer at the time of
 2873 the injury. Failure of the employer to indemnify the insurer
 2874 within 21 days after demand by the insurer is grounds for the
 2875 insurer to immediately cancel coverage. Any action for
 2876 indemnification brought by the carrier is cognizable in the
 2877 circuit court having jurisdiction where the employer or carrier
 2878 resides or transacts business. The insurer is entitled to a
 2879 reasonable attorney's fee if it recovers any portion of the

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2880 benefits paid in the action.

2881 Section 67. Subsection (2) of section 440.42, Florida
2882 Statutes, is amended to read:

2883 440.42 Insurance policies; liability.—

2884 (2) A workers' compensation insurance policy may require
2885 the employer to release certain employment and wage information
2886 maintained by the state pursuant to federal and state
2887 reemployment assistance ~~unemployment compensation~~ laws except to
2888 the extent prohibited or limited under federal law. By entering
2889 into a workers' compensation insurance policy with such a
2890 provision, the employer consents to the release of the
2891 information. The insurance carrier requiring such consent shall
2892 safeguard the information and maintain its confidentiality. The
2893 carrier shall limit use of the information to verifying
2894 compliance with the terms of the workers' compensation insurance
2895 policy. The department may charge a fee to cover the cost of
2896 disclosing the information.

2897 Section 68. Paragraph (i) of subsection (1) and paragraph
2898 (b) of subsection (9) of section 445.009, Florida Statutes, are
2899 amended to read:

2900 445.009 One-stop delivery system.—

2901 (1) The one-stop delivery system is the state's primary
2902 customer-service strategy for offering every Floridian access,
2903 through service sites or telephone or computer networks, to the
2904 following services:

2905 (i) Claim filing for reemployment assistance ~~unemployment~~
2906 ~~compensation~~ services.

2907 (9)

2908 (b) The network shall assure that a uniform method is used

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2909 to determine eligibility for and management of services provided
2910 by agencies that conduct workforce development activities. The
2911 Department of Management Services shall develop strategies to
2912 allow access to the databases and information management systems
2913 of the following systems in order to link information in those
2914 databases with the one-stop delivery system:

2915 1. The Reemployment Assistance ~~Unemployment Compensation~~
2916 Program under chapter 443.

2917 2. The public employment service described in s. 443.181.

2918 3. The FLORIDA System and the components related to
2919 temporary cash assistance, food assistance, and Medicaid
2920 eligibility.

2921 4. The Student Financial Assistance System of the
2922 Department of Education.

2923 5. Enrollment in the public postsecondary education system.

2924 6. Other information systems determined appropriate by
2925 Workforce Florida, Inc.

2926 Section 69. Subsection (6) of section 445.016, Florida
2927 Statutes, is amended to read:

2928 445.016 Untried Worker Placement and Employment Incentive
2929 Act.—

2930 (6) During an untried worker's probationary placement, the
2931 for-profit or not-for-profit agent shall be the employer of
2932 record of that untried worker, and shall provide workers'
2933 compensation and reemployment assistance ~~unemployment~~
2934 ~~compensation~~ coverage as provided by law. The business employing
2935 the untried worker through the agent may be eligible to apply
2936 for any tax credits, wage supplementation, wage subsidy, or
2937 employer payment for that employee that are authorized in law or

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2938 by agreement with the employer. After satisfactory completion of
2939 such a probationary period, an untried worker shall not be
2940 considered an untried worker.

2941 Section 70. Paragraph (c) of subsection (2) and paragraph
2942 (a) of subsection (3) of section 446.50, Florida Statutes, are
2943 amended to read:

2944 446.50 Displaced homemakers; multiservice programs; report
2945 to the Legislature; Displaced Homemaker Trust Fund created.—

2946 (2) DEFINITION.—For the purposes of this section, the term
2947 “displaced homemaker” means an individual who:

2948 (c) Is not adequately employed, as defined by rule of the
2949 Department of Economic Opportunity ~~agency~~;

2950 (3) POWERS AND DUTIES OF THE DEPARTMENT OF ECONOMIC
2951 OPPORTUNITY.—

2952 (a) The Department of Economic Opportunity, under plans
2953 established by Workforce Florida, Inc., shall establish, or
2954 contract for the establishment of, programs for displaced
2955 homemakers which shall include:

2956 1. Job counseling, by professionals and peers, specifically
2957 designed for a person entering the job market after a number of
2958 years as a homemaker.

2959 2. Job training and placement services, including:

2960 a. Training programs for available jobs in the public and
2961 private sectors, taking into account the skills and job
2962 experiences of a homemaker and developed by working with public
2963 and private employers.

2964 b. Assistance in locating available employment for
2965 displaced homemakers, some of whom could be employed in existing
2966 job training and placement programs.

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2967 c. Utilization of the services of the state employment
2968 service in locating employment opportunities.

2969 3. Financial management services providing information and
2970 assistance with respect to insurance, including, but not limited
2971 to, life, health, home, and automobile insurance, and taxes,
2972 estate and probate problems, mortgages, loans, and other related
2973 financial matters.

2974 4. Educational services, including high school equivalency
2975 degree and such other courses as the department determines would
2976 be of interest and benefit to displaced homemakers.

2977 5. Outreach and information services with respect to
2978 federal and state employment, education, health, and
2979 reemployment ~~unemployment~~ assistance programs that the
2980 department determines would be of interest and benefit to
2981 displaced homemakers.

2982 Section 71. Paragraph (b) of subsection (4) of section
2983 448.110, Florida Statutes, is amended to read:

2984 448.110 State minimum wage; annual wage adjustment;
2985 enforcement.—

2986 (4)

2987 (b) The Department of Revenue and the Department of
2988 Economic Opportunity shall annually publish the amount of the
2989 adjusted state minimum wage and the effective date. Publication
2990 shall occur by posting the adjusted state minimum wage rate and
2991 the effective date on the Internet home pages of the Department
2992 of Economic Opportunity and the Department of Revenue by October
2993 15 of each year. In addition, to the extent funded in the
2994 General Appropriations Act, the Department of Economic
2995 Opportunity shall provide written notice of the adjusted rate

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2996 and the effective date of the adjusted state minimum wage to all
 2997 employers registered in the most current reemployment assistance
 2998 ~~unemployment compensation~~ database. Such notice shall be mailed
 2999 by November 15 of each year using the addresses included in the
 3000 database. Employers are responsible for maintaining current
 3001 address information in the reemployment assistance ~~unemployment~~
 3002 ~~compensation~~ database. The Department of Economic Opportunity is
 3003 not responsible for failure to provide notice due to incorrect
 3004 or incomplete address information in the database. The
 3005 Department of Economic Opportunity shall provide the Department
 3006 of Revenue with the adjusted state minimum wage rate information
 3007 and effective date in a timely manner.

3008 Section 72. Paragraph (e) of subsection (2) of section
 3009 450.31, Florida Statutes, is amended to read:

3010 450.31 Issuance, revocation, and suspension of, and refusal
 3011 to issue or renew, certificate of registration.—

3012 (2) The department may revoke, suspend, or refuse to issue
 3013 or renew any certificate of registration when it is shown that
 3014 the farm labor contractor has:

3015 (e) Failed to pay reemployment assistance ~~unemployment~~
 3016 ~~compensation~~ taxes as determined by the Department of Economic
 3017 Opportunity; or

3018 Section 73. Subsection (9) of section 450.33, Florida
 3019 Statutes, is amended to read:

3020 450.33 Duties of farm labor contractor.—Every farm labor
 3021 contractor must:

3022 (9) Comply with all applicable statutes, rules, and
 3023 regulations of the United States and of the State of Florida for
 3024 the protection or benefit of labor, including, but not limited

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3025 to, those providing for wages, hours, fair labor standards,
 3026 social security, workers' compensation, reemployment assistance
 3027 or unemployment compensation, child labor, and transportation.

3028 Section 74. Subsections (1) and (3) of section 468.529,
 3029 Florida Statutes, are amended to read:

3030 468.529 Licensee's insurance; employment tax; benefit
 3031 plans.—

3032 (1) A licensed employee leasing company is the employer of
 3033 the leased employees, except that this provision is not intended
 3034 to affect the determination of any issue arising under Pub. L.
 3035 No. 93-406, the Employee Retirement Income Security Act, as
 3036 amended from time to time. An employee leasing company shall be
 3037 responsible for timely payment of reemployment assistance
 3038 ~~unemployment~~ taxes pursuant to chapter 443, and shall be
 3039 responsible for providing workers' compensation coverage
 3040 pursuant to chapter 440. However, no licensed employee leasing
 3041 company shall sponsor a plan of self-insurance for health
 3042 benefits, except as may be permitted by the provisions of the
 3043 Florida Insurance Code or, if applicable, by Pub. L. No. 93-406,
 3044 the Employee Retirement Income Security Act, as amended from
 3045 time to time. For purposes of this section, a "plan of self-
 3046 insurance" shall exclude any arrangement where an admitted
 3047 insurance carrier has issued a policy of insurance primarily
 3048 responsible for the obligations of the health plan.

3049 (3) A licensed employee leasing company shall within 30
 3050 days after initiation or termination notify its workers'
 3051 compensation insurance carrier, the Division of Workers'
 3052 Compensation of the Department of Financial Services, and the
 3053 state agency providing reemployment assistance ~~unemployment~~ tax

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collection services under contract with the Department of Economic Opportunity through an interagency agreement pursuant to s. 443.1316 of both the initiation or the termination of the company's relationship with any client company.

Section 75. Subsection (8) of section 553.791, Florida Statutes, is amended to read:

553.791 Alternative plans review and inspection.—

(8) A private provider performing required inspections under this section shall inspect each phase of construction as required by the applicable codes. The private provider shall be permitted to send a duly authorized representative to the building site to perform the required inspections, provided all required reports are prepared by and bear the signature of the private provider or the private provider's duly authorized representative. The duly authorized representative must be an employee of the private provider entitled to receive reemployment assistance ~~unemployment compensation~~ benefits under chapter 443. The contractor's contractual or legal obligations are not relieved by any action of the private provider.

Section 76. Paragraph (b) of subsection (5) of section 624.509, Florida Statutes, is amended to read:

624.509 Premium tax; rate and computation.—

(5)

(b) For purposes of this subsection:

1. The term "salaries" does not include amounts paid as commissions.

2. The term "employees" does not include independent contractors or any person whose duties require that the person hold a valid license under the Florida Insurance Code, except

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adjusters, managing general agents, and service representatives, as defined in s. 626.015.

3. The term "net tax" means the tax imposed by this section after applying the calculations and credits set forth in subsection (4).

4. An affiliated group of corporations that created a service company within its affiliated group on July 30, 2002, shall allocate the salary of each service company employee covered by contracts with affiliated group members to the companies for which the employees perform services. The salary allocation is based on the amount of time during the tax year that the individual employee spends performing services or otherwise working for each company over the total amount of time the employee spends performing services or otherwise working for all companies. The total amount of salary allocated to an insurance company within the affiliated group shall be included as that insurer's employee salaries for purposes of this section.

a. Except as provided in subparagraph (a)2., the term "affiliated group of corporations" means two or more corporations that are entirely owned by a single corporation and that constitute an affiliated group of corporations as defined in s. 1504(a) of the Internal Revenue Code.

b. The term "service company" means a separate corporation within the affiliated group of corporations whose employees provide services to affiliated group members and which are treated as service company employees for reemployment assistance or unemployment compensation and common law purposes. The holding company of an affiliated group may not qualify as a

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3112 service company. An insurance company may not qualify as a
3113 service company.

3114 c. If an insurance company fails to substantiate, whether
3115 by means of adequate records or otherwise, its eligibility to
3116 claim the service company exception under this section, or its
3117 salary allocation under this section, no credit shall be
3118 allowed.

3119 5. A service company that is a subsidiary of a mutual
3120 insurance holding company, which mutual insurance holding
3121 company was in existence on or before January 1, 2000, shall
3122 allocate the salary of each service company employee covered by
3123 contracts with members of the mutual insurance holding company
3124 system to the companies for which the employees perform
3125 services. The salary allocation is based on the ratio of the
3126 amount of time during the tax year which the individual employee
3127 spends performing services or otherwise working for each company
3128 to the total amount of time the employee spends performing
3129 services or otherwise working for all companies. The total
3130 amount of salary allocated to an insurance company within the
3131 mutual insurance holding company system shall be included as
3132 that insurer's employee salaries for purposes of this section.
3133 However, this subparagraph does not apply for any tax year
3134 unless funds sufficient to offset the anticipated salary credits
3135 have been appropriated to the General Revenue Fund prior to the
3136 due date of the final return for that year.

3137 a. The term "mutual insurance holding company system" means
3138 two or more corporations that are subsidiaries of a mutual
3139 insurance holding company and in compliance with part IV of
3140 chapter 628.

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3141 b. The term "service company" means a separate corporation
3142 within the mutual insurance holding company system whose
3143 employees provide services to other members of the mutual
3144 insurance holding company system and are treated as service
3145 company employees for reemployment assistance or unemployment
3146 compensation and common-law purposes. The mutual insurance
3147 holding company may not qualify as a service company.

3148 c. If an insurance company fails to substantiate, whether
3149 by means of adequate records or otherwise, its eligibility to
3150 claim the service company exception under this section, or its
3151 salary allocation under this section, no credit shall be
3152 allowed.

3153 Section 77. Paragraph (c) of subsection (8) of section
3154 679.4061, Florida Statutes, is amended to read:

3155 679.4061 Discharge of account debtor; notification of
3156 assignment; identification and proof of assignment; restrictions
3157 on assignment of accounts, chattel paper, payment intangibles,
3158 and promissory notes ineffective.—

3159 (8) This section is subject to law other than this chapter
3160 which establishes a different rule for an account debtor who is
3161 an individual and who incurred the obligation primarily for
3162 personal, family, or household purposes. Subsections (4) and (6)
3163 do not apply to the creation, attachment, perfection, or
3164 enforcement of a security interest in:

3165 (c) The interest of a debtor who is a natural person in
3166 reemployment assistance or unemployment, alimony, disability,
3167 pension, or retirement benefits or victim compensation funds.

3168 Section 78. Paragraph (c) of subsection (6) of section
3169 679.4081, Florida Statutes, is amended to read:

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3170 679.4081 Restrictions on assignment of promissory notes,
 3171 health-care-insurance receivables, and certain general
 3172 intangibles ineffective.-

3173 (6) Subsections (1) and (3) do not apply to the creation,
 3174 attachment, perfection, or enforcement of a security interest
 3175 in:

3176 (c) The interest of a debtor who is a natural person in
 3177 reemployment assistance or unemployment, alimony, disability,
 3178 pension, or retirement benefits or victim compensation funds.

3179 Section 79. Paragraph (a) of subsection (1) of section
 3180 895.02, Florida Statutes, is amended to read:

3181 895.02 Definitions.-As used in ss. 895.01-895.08, the term:

3182 (1) "Racketeering activity" means to commit, to attempt to
 3183 commit, to conspire to commit, or to solicit, coerce, or
 3184 intimidate another person to commit:

3185 (a) Any crime that is chargeable by petition, indictment,
 3186 or information under the following provisions of the Florida
 3187 Statutes:

3188 1. Section 210.18, relating to evasion of payment of
 3189 cigarette taxes.

3190 2. Section 316.1935, relating to fleeing or attempting to
 3191 elude a law enforcement officer and aggravated fleeing or
 3192 eluding.

3193 3. Section 403.727(3)(b), relating to environmental
 3194 control.

3195 4. Section 409.920 or s. 409.9201, relating to Medicaid
 3196 fraud.

3197 5. Section 414.39, relating to public assistance fraud.

3198 6. Section 440.105 or s. 440.106, relating to workers'

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3199 compensation.

3200 7. Section 443.071(4), relating to creation of a fictitious
 3201 employer scheme to commit reemployment assistance ~~unemployment~~
 3202 ~~compensation~~ fraud.

3203 8. Section 465.0161, relating to distribution of medicinal
 3204 drugs without a permit as an Internet pharmacy.

3205 9. Section 499.0051, relating to crimes involving
 3206 contraband and adulterated drugs.

3207 10. Part IV of chapter 501, relating to telemarketing.

3208 11. Chapter 517, relating to sale of securities and
 3209 investor protection.

3210 12. Section 550.235 or s. 550.3551, relating to dogracing
 3211 and horseracing.

3212 13. Chapter 550, relating to jai alai frontons.

3213 14. Section 551.109, relating to slot machine gaming.

3214 15. Chapter 552, relating to the manufacture, distribution,
 3215 and use of explosives.

3216 16. Chapter 560, relating to money transmitters, if the
 3217 violation is punishable as a felony.

3218 17. Chapter 562, relating to beverage law enforcement.

3219 18. Section 624.401, relating to transacting insurance
 3220 without a certificate of authority, s. 624.437(4)(c)1., relating
 3221 to operating an unauthorized multiple-employer welfare
 3222 arrangement, or s. 626.902(1)(b), relating to representing or
 3223 aiding an unauthorized insurer.

3224 19. Section 655.50, relating to reports of currency
 3225 transactions, when such violation is punishable as a felony.

3226 20. Chapter 687, relating to interest and usurious
 3227 practices.

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3228 21. Section 721.08, s. 721.09, or s. 721.13, relating to
 3229 real estate timeshare plans.

3230 22. Section 775.13(5)(b), relating to registration of
 3231 persons found to have committed any offense for the purpose of
 3232 benefiting, promoting, or furthering the interests of a criminal
 3233 gang.

3234 23. Section 777.03, relating to commission of crimes by
 3235 accessories after the fact.

3236 24. Chapter 782, relating to homicide.

3237 25. Chapter 784, relating to assault and battery.

3238 26. Chapter 787, relating to kidnapping or human
 3239 trafficking.

3240 27. Chapter 790, relating to weapons and firearms.

3241 28. Chapter 794, relating to sexual battery, but only if
 3242 such crime was committed with the intent to benefit, promote, or
 3243 further the interests of a criminal gang, or for the purpose of
 3244 increasing a criminal gang member's own standing or position
 3245 within a criminal gang.

3246 29. Section 796.03, s. 796.035, s. 796.04, s. 796.045, s.
 3247 796.05, or s. 796.07, relating to prostitution and sex
 3248 trafficking.

3249 30. Chapter 806, relating to arson and criminal mischief.

3250 31. Chapter 810, relating to burglary and trespass.

3251 32. Chapter 812, relating to theft, robbery, and related
 3252 crimes.

3253 33. Chapter 815, relating to computer-related crimes.

3254 34. Chapter 817, relating to fraudulent practices, false
 3255 pretenses, fraud generally, and credit card crimes.

3256 35. Chapter 825, relating to abuse, neglect, or

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

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3257 exploitation of an elderly person or disabled adult.

3258 36. Section 827.071, relating to commercial sexual
 3259 exploitation of children.

3260 37. Chapter 831, relating to forgery and counterfeiting.

3261 38. Chapter 832, relating to issuance of worthless checks
 3262 and drafts.

3263 39. Section 836.05, relating to extortion.

3264 40. Chapter 837, relating to perjury.

3265 41. Chapter 838, relating to bribery and misuse of public
 3266 office.

3267 42. Chapter 843, relating to obstruction of justice.

3268 43. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or
 3269 s. 847.07, relating to obscene literature and profanity.

3270 44. Section 849.09, s. 849.14, s. 849.15, s. 849.23, or s.
 3271 849.25, relating to gambling.

3272 45. Chapter 874, relating to criminal gangs.

3273 46. Chapter 893, relating to drug abuse prevention and
 3274 control.

3275 47. Chapter 896, relating to offenses related to financial
 3276 transactions.

3277 48. Sections 914.22 and 914.23, relating to tampering with
 3278 or harassing a witness, victim, or informant, and retaliation
 3279 against a witness, victim, or informant.

3280 49. Sections 918.12 and 918.13, relating to tampering with
 3281 jurors and evidence.

3282 Section 80. Paragraph (g) of subsection (8) of section
 3283 896.101, Florida Statutes, is amended to read:

3284 896.101 Florida Money Laundering Act; definitions;
 3285 penalties; injunctions; seizure warrants; immunity.-

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3286 (8)

3287 (g)1. Upon service of the temporary order served pursuant

3288 to this section, the petitioner shall immediately notify by

3289 certified mail, return receipt requested, or by personal

3290 service, both the person or entity in possession of the monetary

3291 instruments or funds and the owner of the monetary instruments

3292 or funds if known, of the order entered pursuant to this section

3293 and that the lawful owner of the monetary instruments or funds

3294 being enjoined may request a hearing to contest and modify the

3295 order entered pursuant to this section by petitioning the court

3296 that issued the order, so that such notice is received within 72

3297 hours.

3298 2. The notice shall advise that the hearing shall be held

3299 within 3 days of the request, and the notice must state that the

3300 hearing will be set and noticed by the person against whom the

3301 order is served.

3302 3. The notice shall specifically state that the lawful

3303 owner has the right to produce evidence of legitimate business

3304 expenses, obligations, and liabilities, including but not

3305 limited to, employee payroll expenses verified by current

3306 reemployment assistance ~~unemployment compensation~~ records,

3307 employee workers' compensation insurance, employee health

3308 insurance, state and federal taxes, and regulatory or licensing

3309 fees only as may become due before the expiration of the

3310 temporary order.

3311 4. Upon determination by the court that the expenses are

3312 valid, payment of such expenses may be effected by the owner of

3313 the enjoined monetary instruments or funds only to the court-

3314 ordered payees through court-reviewed checks, issued by the

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3315 owner of, and the person or entity in possession of, the

3316 enjoined monetary instruments or funds. Upon presentment, the

3317 person or entity in possession of the enjoined funds or monetary

3318 instruments shall only honor the payment of the check to the

3319 court-ordered payee.

3320 Section 81. Paragraph (a) of subsection (3) of section

3321 921.0022, Florida Statutes, is amended to read:

3322 921.0022 Criminal Punishment Code; offense severity ranking

3323 chart.—

3324 (3) OFFENSE SEVERITY RANKING CHART

3325 (a) LEVEL 1

3326

Florida Statute	Felony Degree	Description
24.118(3) (a)	3rd	Counterfeit or altered state lottery ticket.
212.054(2) (b)	3rd	Discretionary sales surtax; limitations, administration, and collection.
212.15(2) (b)	3rd	Failure to remit sales taxes, amount greater than \$300 but less than \$20,000.
316.1935(1)	3rd	Fleeing or attempting to elude law enforcement officer.
319.30(5)	3rd	Sell, exchange, give away certificate of title or identification number plate.

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3332 319.35(1)(a) 3rd Tamper, adjust, change, etc., an
odometer.

3333 320.26(1)(a) 3rd Counterfeit, manufacture, or sell
registration license plates or validation
stickers.

3334 322.212 3rd Possession of forged, stolen,
(1)(a)-(c) counterfeit, or unlawfully issued
driver's license; possession of simulated
identification.

3335 322.212(4) 3rd Supply or aid in supplying unauthorized
driver's license or identification card.

3336 322.212(5)(a) 3rd False application for driver's license or
identification card.

3337 414.39(2) 3rd Unauthorized use, possession, forgery, or
alteration of food assistance program,
Medicaid ID, value greater than \$200.

3338 414.39(3)(a) 3rd Fraudulent misappropriation of public
assistance funds by employee/official,
value more than \$200.

3339 443.071(1) 3rd False statement or representation to
obtain or increase reemployment

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3340 assistance ~~unemployment compensation~~
benefits.

509.151(1) 3rd Defraud an innkeeper, food or lodging
value greater than \$300.

3341 517.302(1) 3rd Violation of the Florida Securities and
Investor Protection Act.

3342 562.27(1) 3rd Possess still or still apparatus.

3343 713.69 3rd Tenant removes property upon which lien
has accrued, value more than \$50.

3344 812.014(3)(c) 3rd Petit theft (3rd conviction); theft of
any property not specified in subsection
(2).

3345 812.081(2) 3rd Unlawfully makes or causes to be made a
reproduction of a trade secret.

3346 815.04(4)(a) 3rd Offense against intellectual property
(i.e., computer programs, data).

3347 817.52(2) 3rd Hiring with intent to defraud, motor
vehicle services.

3348 817.569(2) 3rd Use of public record or public records
information to facilitate commission of a

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	577-02440A-12		20121416c1
			felony.
3349			
	826.01	3rd	Bigamy.
3350			
	828.122(3)	3rd	Fighting or baiting animals.
3351			
	831.04(1)	3rd	Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28.
3352			
	831.31(1)(a)	3rd	Sell, deliver, or possess counterfeit controlled substances, all but s. 893.03(5) drugs.
3353			
	832.041(1)	3rd	Stopping payment with intent to defraud \$150 or more.
3354			
	832.05(2)(b) & (4)(c)	3rd	Knowing, making, issuing worthless checks \$150 or more or obtaining property in return for worthless check \$150 or more.
3355			
	838.15(2)	3rd	Commercial bribe receiving.
3356			
	838.16	3rd	Commercial bribery.
3357			
	843.18	3rd	Fleeing by boat to elude a law enforcement officer.
3358			
	847.011(1)(a)	3rd	Sell, distribute, etc., obscene, lewd,

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			etc., material (2nd conviction).
3359			
	849.01	3rd	Keeping gambling house.
3360			
	849.09(1)(a)-(d)	3rd	Lottery; set up, promote, etc., or assist therein, conduct or advertise drawing for prizes, or dispose of property or money by means of lottery.
3361			
	849.23	3rd	Gambling-related machines; "common offender" as to property rights.
3362			
	849.25(2)	3rd	Engaging in bookmaking.
3363			
	860.08	3rd	Interfere with a railroad signal.
3364			
	860.13(1)(a)	3rd	Operate aircraft while under the influence.
3365			
	893.13(2)(a)2.	3rd	Purchase of cannabis.
3366			
	893.13(6)(a)	3rd	Possession of cannabis (more than 20 grams).
3367			
	934.03(1)(a)	3rd	Intercepts, or procures any other person to intercept, any wire or oral communication.
3368			
3369			Section 82. Subsection (2) of section 946.513, Florida

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3370 Statutes, is amended to read:

3371 946.513 Private employment of inmates; disposition of
3372 compensation received.—

3373 (2) No inmate is eligible for reemployment assistance
3374 ~~benefits unemployment compensation~~, whether employed by the
3375 corporation or by any other private enterprise operating on the
3376 grounds of a correctional institution or elsewhere, when such
3377 employment is part of a correctional work program or work-
3378 release program of either the corporation or the department.

3379 Section 83. Subsection (2) of section 946.523, Florida
3380 Statutes, is amended to read:

3381 946.523 Prison industry enhancement (PIE) programs.—

3382 (2) Notwithstanding any other law to the contrary,
3383 including s. 440.15(8), private sector employers shall provide
3384 workers' compensation coverage to inmates who participate in
3385 prison industry enhancement (PIE) programs under subsection (1).
3386 However, inmates are not entitled to reemployment assistance
3387 ~~benefits unemployment compensation~~.

3388 Section 84. Paragraph (c) of subsection (5) of section
3389 985.618, Florida Statutes, is amended to read:

3390 985.618 Educational and career-related programs.—

3391 (5)

3392 (c) Notwithstanding any other law to the contrary,
3393 including s. 440.15(8), private sector employers shall provide
3394 juveniles participating in juvenile work programs under
3395 paragraph (b) with workers' compensation coverage, and juveniles
3396 shall be entitled to the benefits of such coverage. Nothing in
3397 this subsection shall be construed to allow juveniles to
3398 participate in reemployment assistance ~~unemployment compensation~~

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3399 benefits.

3400 Section 85. Subsection (3) of section 1003.496, Florida
3401 Statutes, is amended to read:

3402 1003.496 High School to Business Career Enhancement
3403 Program.—

3404 (3) Employment under this section of a student intern who
3405 meets the criteria of s. 443.1216(13)(q) is not employment for
3406 purposes of reemployment assistance ~~unemployment compensation~~
3407 under chapter 443.

3408 Section 86. Subsection (3) of section 1008.39, Florida
3409 Statutes, is amended to read:

3410 1008.39 Florida Education and Training Placement
3411 Information Program.—

3412 (3) The Florida Education and Training Placement
3413 Information Program must not make public any information that
3414 could identify an individual or the individual's employer. The
3415 Department of Education must ensure that the purpose of
3416 obtaining placement information is to evaluate and improve
3417 public programs or to conduct research for the purpose of
3418 improving services to the individuals whose social security
3419 numbers are used to identify their placement. If an agreement
3420 assures that this purpose will be served and that privacy will
3421 be protected, the Department of Education shall have access to
3422 the reemployment assistance ~~unemployment insurance~~ wage reports
3423 maintained by the Department of Economic Opportunity, the files
3424 of the Department of Children and Family Services that contain
3425 information about the distribution of public assistance, the
3426 files of the Department of Corrections that contain records of
3427 incarcerations, and the files of the Department of Business and

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3428 Professional Regulation that contain the results of licensure
3429 examination.

3430 Section 87. Paragraph (b) of subsection (1) of section
3431 1008.41, Florida Statutes, is amended to read:

3432 1008.41 Workforce education; management information
3433 system.—

3434 (1) The Commissioner of Education shall coordinate uniform
3435 program structures, common definitions, and uniform management
3436 information systems for workforce education for all divisions
3437 within the department. In performing these functions, the
3438 commissioner shall designate deadlines after which data elements
3439 may not be changed for the coming fiscal or school year. School
3440 districts and Florida College System institutions shall be
3441 notified of data element changes at least 90 days prior to the
3442 start of the subsequent fiscal or school year. Such systems must
3443 provide for:

3444 (b) Compliance with state and federal confidentiality
3445 requirements, except that the department shall have access to
3446 the reemployment assistance ~~unemployment insurance~~ wage reports
3447 to collect and report placement information about former
3448 students. Such placement reports must not disclose the
3449 individual identities of former students.

3450 Section 88. Notwithstanding the expiration date contained
3451 in section 13 of chapter 2011-235, Laws of Florida, operating
3452 retroactive to January 4, 2012, and expiring March 11, 2012,
3453 section 443.1117, Florida Statutes, is revived, readopted, and
3454 amended to read:

3455 443.1117 Temporary extended benefits.—

3456 (1) APPLICABILITY OF EXTENDED BENEFITS STATUTE.—Except if

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3457 the result is inconsistent with other provisions of this
3458 section, s. 443.1115(2), (3), (4), (6), and (7) apply to all
3459 claims covered by this section.

3460 (2) DEFINITIONS.—As used in this section, the term:

3461 (a) "Regular benefits" and "extended benefits" have the
3462 same meaning as in s. 443.1115.

3463 (b) "Eligibility period" means the weeks in an individual's
3464 benefit year or emergency benefit period which begin in an
3465 extended benefit period and, if the benefit year or emergency
3466 benefit period ends within that extended benefit period, any
3467 subsequent weeks beginning in that period.

3468 (c) "Emergency benefits" means benefits ~~Emergency~~
3469 ~~Unemployment Compensation~~ paid pursuant to Pub. L. No. 110-252,
3470 and any subsequent federal law that provides for the payment of
3471 Emergency Unemployment Compensation ~~Pub. L. No. 110-449, Pub. L.~~
3472 ~~No. 111-5, Pub. L. No. 111-92, Pub. L. No. 111-118, Pub. L. No.~~
3473 ~~111-144, Pub. L. No. 111-157, Pub. L. No. 111-205, and Pub. L.~~
3474 ~~No. 111-312.~~

3475 (d) "Extended benefit period" means a period that:

3476 1. Begins with the third week after a week for which there
3477 is a state "on" indicator; and

3478 2. Ends with any of the following weeks, whichever occurs
3479 later:

3480 a. The third week after the first week for which there is a
3481 state "off" indicator; or

3482 b. The 13th consecutive week of that period.

3483 However, an extended benefit period may not begin by reason
3484 of a state "on" indicator before the 14th week after the end of
3485 a prior extended benefit period that was in effect for this

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3486 state.

3487 (e) "Emergency benefit period" means the period during
3488 which an individual receives emergency benefits.

3489 (f) "Exhaustee" means an individual who, for any week of
3490 unemployment in her or his eligibility period:

3491 1. Has received, before that week, all of the regular
3492 benefits and emergency benefits, if any, available under this
3493 chapter or any other law, including dependents' allowances and
3494 benefits payable to federal civilian employees and ex-
3495 servicemembers under 5 U.S.C. ss. 8501-8525, in the current
3496 benefit year or emergency benefit period that includes that
3497 week. For the purposes of this subparagraph, an individual has
3498 received all of the regular benefits and emergency benefits, if
3499 any, available even if, as a result of a pending appeal for
3500 wages paid for insured work which were not considered in the
3501 original monetary determination in the benefit year, she or he
3502 may subsequently be determined to be entitled to added regular
3503 benefits;

3504 2. Had a benefit year that expired before that week, and
3505 was paid no, or insufficient, wages for insured work on the
3506 basis of which she or he could establish a new benefit year that
3507 includes that week; and

3508 3.a. Has no right to unemployment benefits or allowances
3509 under the Railroad Unemployment Insurance Act or other federal
3510 laws as specified in regulations issued by the United States
3511 Secretary of Labor; and

3512 b. Has not received and is not seeking unemployment
3513 benefits under the unemployment compensation law of Canada; but
3514 if an individual is seeking those benefits and the appropriate

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3515 agency finally determines that she or he is not entitled to
3516 benefits under that law, she or he is considered an exhaustee.

3517 (g) "State 'on' indicator" means, with respect to weeks of
3518 unemployment ending on or before February 11, 2012 ~~December 10,~~
3519 ~~2011~~, the occurrence of a week in which the average total
3520 unemployment rate, seasonally adjusted, as determined by the
3521 United States Secretary of Labor, for the most recent 3 months
3522 for which data for all states are published by the United States
3523 Department of Labor:

3524 1. Equals or exceeds 110 percent of the average of those
3525 rates for the corresponding 3-month period ending in any or all
3526 of the preceding 3 calendar years; and

3527 2. Equals or exceeds 6.5 percent.

3528 (h) "High unemployment period" means, with respect to weeks
3529 of unemployment ending on or before February 11, 2012 ~~December~~
3530 ~~10, 2011~~, any week in which the average total unemployment rate,
3531 seasonally adjusted, as determined by the United States
3532 Secretary of Labor, for the most recent 3 months for which data
3533 for all states are published by the United States Department of
3534 Labor:

3535 1. Equals or exceeds 110 percent of the average of those
3536 rates for the corresponding 3-month period ending in any or all
3537 of the preceding 3 calendar years; and

3538 2. Equals or exceeds 8 percent.

3539 (i) "State 'off' indicator" means the occurrence of a week
3540 in which there is no state "on" indicator or which does not
3541 constitute a high unemployment period.

3542 (3) TOTAL EXTENDED BENEFIT AMOUNT.—Except as provided in
3543 subsection (4):

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3544 (a) For any week for which there is an "on" indicator
 3545 pursuant to paragraph (2)(g), the total extended benefit amount
 3546 payable to an eligible individual for her or his applicable
 3547 benefit year is the lesser of:

3548 1. Fifty percent of the total regular benefits payable
 3549 under this chapter in the applicable benefit year; or

3550 2. Thirteen times the weekly benefit amount payable under
 3551 this chapter for a week of total unemployment in the applicable
 3552 benefit year.

3553 (b) For any high unemployment period, the total extended
 3554 benefit amount payable to an eligible individual for her or his
 3555 applicable benefit year is the lesser of:

3556 1. Eighty percent of the total regular benefits payable
 3557 under this chapter in the applicable benefit year; or

3558 2. Twenty times the weekly benefit amount payable under
 3559 this chapter for a week of total unemployment in the applicable
 3560 benefit year.

3561 (4) EFFECT ON TRADE READJUSTMENT.—Notwithstanding any other
 3562 provision of this chapter, if the benefit year of an individual
 3563 ends within an extended benefit period, the number of weeks of
 3564 extended benefits the individual is entitled to receive in that
 3565 extended benefit period for weeks of unemployment beginning
 3566 after the end of the benefit year, except as provided in this
 3567 section, is reduced, but not to below zero, by the number of
 3568 weeks for which the individual received, within that benefit
 3569 year, trade readjustment allowances under the Trade Act of 1974,
 3570 as amended.

3571 Section 89. The provisions of s. 443.1117, Florida
 3572 Statutes, as revived, readopted, and amended by this act, apply

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3573 only to claims for weeks of unemployment in which an exhaustee
 3574 establishes entitlement to extended benefits pursuant to that
 3575 section which are established for the period between January 4,
 3576 2012, and March 11, 2012.

3577 Section 90. If any provision of this act or its application
 3578 to any person or circumstance is held invalid, the invalidity
 3579 does not affect other provisions or applications of the act
 3580 which can be given effect without the invalid provision or
 3581 application, and to this end the provision of the act are
 3582 severable.

3583 Section 91. The Legislature finds that this act fulfills an
 3584 important state interest.

3585 Section 92. Except as otherwise expressly provided in this
 3586 act, this act shall take effect July 1, 2012.

S1416

GENERAL BILL/CS by CM, Bogdanoff; (Similar CS/1ST ENG/H 7027, Compare CS/S 1204, S 1996, CS/1ST ENG/H 7041)
Unemployment Compensation. EFFECTIVE DATE: except as otherwise expressly provided in this act, this act shall take effect
July 1, 2012.

01/31/12 S Now in Budget Subcommittee on Transportation, Tourism, and Economic Development
Appropriations; CS by Commerce and Tourism read 1st time -SJ 306

02/06/12 S On Committee agenda-- Budget Subcommittee on Transportation, Tourism, and Economic
Development Appropriations, 02/09/12, 10:15 am, 110 Senate Office Building --Not Considered

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 Budget Subcommittee on Transportation, Tourism, and Economic
Development Appropriations

BILL: CS/SB 1464

INTRODUCER: Governmental Oversight and Accountability Committee; and Senator Gaetz

SUBJECT: Public Records/Public Meetings/Application to Officers-elect

DATE: February 3, 2012

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Seay	Roberts	GO	Fav/CS
2.	Martin	Meyer, R.	BTA	Pre-meeting
3.			BC	
4.				
5.				
6.				

Please see Section VIII. for Additional Information:

- | | | |
|------------------------------|-------------------------------------|---|
| A. COMMITTEE SUBSTITUTE..... | <input checked="" type="checkbox"/> | Statement of Substantial Changes |
| B. AMENDMENTS..... | <input type="checkbox"/> | Technical amendments were recommended |
| | <input type="checkbox"/> | Amendments were recommended |
| | <input type="checkbox"/> | Significant amendments were recommended |

I. Summary:

This bill requires that officers-elect adopt and implement reasonable measures to ensure compliance with the public records requirements established by Chapter 119, F.S. The bill requires that officers-elect maintain public records in accordance with the policies and procedures of the office to which they have been elected. The bill defines officers-elect as the Governor, Lieutenant Governor, Attorney General, Chief Financial Officer and Commissioner of Agriculture. The bill requires that transition records stored online or electronically be preserved to allow for public inspection. The bill requires an officer-elect to deliver transition records to their office as soon as practicable upon taking the oath of office. This bill clarifies that officers-elect are subject to the public meetings requirements established in Chapter 286, F.S.

This bill creates s. 119.035, amends s. 286.011, and reenacts s. 112.3215(8)(b) of the Florida Statutes.

II. Present Situation:

Florida Public Records and Meetings Laws

The State of Florida has a long history of providing public access to governmental records. The Florida Legislature enacted the first public records law in 1892.¹ One hundred years later, Floridians adopted an amendment to the State Constitution that raised the statutory right of access to public records to a constitutional level.² Article I, s. 24 of the State Constitution, provides that:

Every person has the right to inspect or copy any public record made or received in connection with the official business of any public body, officer, or employee of the state, or persons acting on their behalf, except with respect to records exempted pursuant to this section or specifically made confidential by this Constitution. This section specifically includes the legislative, executive, and judicial branches of government and each agency or department created thereunder; counties, municipalities, and districts; and each constitutional officer, board, and commission, or entity created pursuant to law or this Constitution.

Article I, s. 24 of the State Constitution also provides that all meetings of any collegial public body of the executive branch of state government or of any collegial public body of a county, municipality, school district, or special district, at which official acts are to be taken or at which public business of such body is to be transacted or discussed, shall be open and noticed to the public and meetings of the Legislature shall be open and noticed as provided in Article III, Section 4(e), except with respect to meetings exempted pursuant to this section or specifically closed by this Constitution. In addition, the Sunshine Law, s. 286.011, F.S., provides that all meetings of any board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision, except as otherwise provided in the Constitution, at which official acts are to be taken are declared to be public meetings open to the public at all times, and no resolution, rule, or formal action shall be considered binding except as taken or made at such meeting.

Only the Legislature is authorized to create exemptions to open government requirements.³ An exemption must be created in general law, must state the public necessity justifying it, and must not be broader than necessary to meet that public necessity.⁴ A bill enacting an exemption⁵ may not contain other substantive provisions, although it may contain multiple exemptions that relate to one subject.⁶

¹ Section 1390, 1391 F.S. (Rev. 1892).

² Article I, s. 24, Fla. Constitution.

³ Art. I, s. 24(c), Fla. Constitution.

⁴ *Memorial Hospital-West Volusia v. News-Journal Corporation*, 729 So. 2d 373, 380 (Fla. 1999); *Halifax Hospital Medical Center v. News-Journal Corporation*, 724 So.2d 567 (Fla. 1999).

⁵ Under s. 119.15, F.S., an existing exemption may be considered a new exemption if the exemption is expanded to cover additional records.

⁶ Art. I, s. 24(c), Fla. Constitution.

Application of Public Records and Meetings Requirements to Officers-Elect

Officers-elect have been held subject to public records and meetings requirements upon certification of their election.⁷ Although not explicitly stated in statute, this principle has been adopted through case law.⁸ *Hough* stated that members-elect of boards, commissions, agencies and other governing bodies are subject to the public meetings requirements.⁹ However, case law has not specifically ruled on the requirement to have written communications of officers-elect open to public inspection. Despite ambiguity in the law, the Department of State has routinely archived transition records for incoming governors since 1971.

III. Effect of Proposed Changes:

Section 1 creates s. 119.035, F.S., specifying that officers-elect are subject to the public records requirements contained in Ch. 119, F.S.; requiring that public records of an officer-elect are to be maintained according to the policies and procedures of the public office to which the officer has been elected; requiring that an officer-elect maintain transition records contained in an online or electronic communication or recordkeeping system; requiring the officer-elect to deliver public records created during the transition to the person or persons responsible for records in such office upon taking the oath of office; providing a definition for officers-elect.

Section 2 amends s. 286.011, F.S., providing that meetings with or attended by an officer-elect at which official acts are to take place are considered public meetings open to the public and must be reasonably noticed.

Section 3 reenacts s. 112.3215(8)(b), F.S., incorporating the amendment to s. 286.011, F.S.

Section 4 provides an effective date of July 1, 2012.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

⁷ See Attorney General Opinion 74-40.

⁸ See *Hough v. Stembridge*, 278 So.2d 288 (Fla. 3d DCA 1973).

⁹ *Id.* at 289.

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

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

CS by Governmental Oversight and Accountability on January 26, 2012:

The CS adds a definition of “officers-elect” as applied to Section 119.035, F.S.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate

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House

The Committee on Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations (Gaetz) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 119.035, Florida Statutes, is created to
read:

119.035 Officers-elect.—

(1) It is the policy of this state that the provisions of
this chapter apply to officers-elect upon their election to
public office. Such officers-elect shall adopt and implement
reasonable measures to ensure compliance with the public records



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obligations set forth in this chapter.

(2) Public records of an officer-elect shall be maintained in accordance with the policies and procedures of the public office to which the officer has been elected.

(3) If an officer-elect, individually or as part of a transition process, creates or uses an online or electronic communication or recordkeeping system, all public records maintained on such system shall be preserved so as not to impair the ability of the public to inspect or copy such public records.

(4) Upon taking the oath of office, the officer-elect shall, as soon as practicable, deliver to the person or persons responsible for records and information management in such office all public records kept or received in the transaction of official business during the period following election to public office.

(5) For the purpose of this section, the term "officers-elect" means the Governor, the Lieutenant Governor, the Attorney General, the Chief Financial Officer, and the Commissioner of Agriculture.

Section 2. Subsection (1) of section 286.011, Florida Statutes, is amended to read:

286.011 Public meetings and records; public inspection; criminal and civil penalties.—

(1) All meetings of any board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision, except as otherwise provided in the Constitution, including meetings with or attended by any person elected to such board or commission,



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41 but who has not yet taken office, at which official acts are to
42 be taken are declared to be public meetings open to the public
43 at all times, and no resolution, rule, or formal action shall be
44 considered binding except as taken or made at such meeting. The
45 board or commission must provide reasonable notice of all such
46 meetings.

47 Section 3. For the purpose of incorporating the amendment
48 made by this act to section 286.011, Florida Statutes, in a
49 reference thereto, paragraph (b) of subsection (8) of section
50 112.3215, Florida Statutes, is reenacted to read:

51 112.3215 Lobbying before the executive branch or the
52 Constitution Revision Commission; registration and reporting;
53 investigation by commission.—

54 (8)

55 (b) All proceedings, the complaint, and other records
56 relating to the investigation are confidential and exempt from
57 the provisions of s. 119.07(1) and s. 24(a), Art. I of the State
58 Constitution, and any meetings held pursuant to an investigation
59 are exempt from the provisions of s. 286.011(1) and s. 24(b),
60 Art. I of the State Constitution either until the alleged
61 violator requests in writing that such investigation and
62 associated records and meetings be made public or until the
63 commission determines, based on the investigation, whether
64 probable cause exists to believe that a violation has occurred.

65 Section 4. This act shall take effect July 1, 2012.

66
67 ===== T I T L E A M E N D M E N T =====
68 And the title is amended as follows:
69



713512

70 Delete everything before the enacting clause
71 and insert:

72 A bill to be entitled
73 An act relating to public records; creating s.
74 119.035, F.S.; declaring that it is the policy of this
75 state that the provisions of ch. 119, F.S., apply to
76 certain constitutional officers upon their election to
77 public office; requiring that such officers adopt and
78 implement reasonable measures to ensure compliance
79 with the public records obligations set forth in ch.
80 119, F.S.; requiring that the public records of such
81 officers be maintained in accordance with the policies
82 and procedures of the public offices to which the
83 officers have been elected; requiring that online and
84 electronic communication and recordkeeping systems
85 preserve the records on such systems so as to not
86 impair the ability of the public to inspect or copy
87 such public records; requiring that such officers, as
88 soon as practicable upon taking the oath of office,
89 deliver to the person or persons responsible for
90 records and information management, all public records
91 kept or received in the transaction of official
92 business during the period following election to
93 public office; defining the term "officers-elect" as
94 used in s. 119.035, F.S.; amending s. 286.011, F.S.;
95 revising public meeting requirements to apply the
96 requirements to meetings with or attended by newly
97 elected members of boards and commissions of any state
98 agency or authority or of any agency of authority of



713512

99 any county, municipal corporation, or political
100 subdivision; reenacting s. 112.3215(8)(b), F.S.,
101 relating to lobbying before the executive branch or
102 the Constitution Revision Commission, to incorporate
103 the amendment made to s. 286.011, F.S., in a reference
104 thereto; providing an effective date.

By the Committee on Governmental Oversight and Accountability;
and Senator Gaetz

585-02458-12

20121464c1

1 A bill to be entitled
2 An act relating to public records; creating s.
3 119.035, F.S.; declaring that it is the policy of this
4 state that the provisions of ch. 119, F.S., apply to
5 officers-elect upon their election to public office;
6 requiring that such officers-elect adopt and implement
7 reasonable measures to ensure compliance with the
8 public records obligations set forth in ch. 119, F.S.;
9 requiring that the public records of an officer-elect
10 be maintained in accordance with the policies and
11 procedures of the public office to which the officer
12 has been elected; requiring that online and electronic
13 communication and recordkeeping systems preserve the
14 records on such systems so as to not impair the
15 ability of the public to inspect or copy such public
16 records; requiring that the officer-elect, as soon as
17 practicable upon taking the oath of office, deliver to
18 the person or persons responsible for records and
19 information management, all public records kept or
20 received in the transaction of official business
21 during the period following election to public office;
22 defining the term "officers-elect"; amending s.
23 286.011, F.S.; revising public meeting requirements to
24 apply the requirements to meetings with or attended by
25 officers-elect; reenacting s. 112.3215(8)(b), F.S.,
26 relating to lobbying before the executive branch or
27 the Constitution Revision Commission, to incorporate
28 the amendment made to s. 286.011, F.S., in a reference
29 thereto; providing an effective date.

Page 1 of 4

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

585-02458-12

20121464c1

30
31 Be It Enacted by the Legislature of the State of Florida:
32
33 Section 1. Section 119.035, Florida Statutes, is created to
34 read:
35 119.035 Officers-elect.—
36 (1) It is the policy of this state that the provisions of
37 this chapter apply to officers-elect upon their election to
38 public office. Such officers-elect shall adopt and implement
39 reasonable measures to ensure compliance with the public records
40 obligations set forth in this chapter.
41 (2) Public records of an officer-elect shall be maintained
42 in accordance with the policies and procedures of the public
43 office to which the officer has been elected.
44 (3) If an officer-elect, individually or as part of a
45 transition process, creates or uses an online or electronic
46 communication or recordkeeping system, all public records
47 maintained on such system shall be preserved so as not to impair
48 the ability of the public to inspect or copy such public
49 records.
50 (4) Upon taking the oath of office, the officer-elect
51 shall, as soon as practicable, deliver to the person or persons
52 responsible for records and information management in such
53 office all public records kept or received in the transaction of
54 official business during the period following election to public
55 office.
56 (5) For the purposes of this section, the term "officers-
57 elect" means the Governor, the Lieutenant Governor, the Attorney
58 General, the Chief Financial Officer, and the Commissioner of

Page 2 of 4

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

585-02458-12 20121464c1

59 Agriculture.

60 Section 2. Subsection (1) of section 286.011, Florida
61 Statutes, is amended to read:

62 286.011 Public meetings and records; public inspection;
63 criminal and civil penalties.—

64 (1) All meetings of any board or commission of any state
65 agency or authority or of any agency or authority of any county,
66 municipal corporation, or political subdivision, except as
67 otherwise provided in the Constitution, including meetings with
68 or attended by an officer-elect, at which official acts are to
69 be taken are declared to be public meetings open to the public
70 at all times, and no resolution, rule, or formal action shall be
71 considered binding except as taken or made at such meeting. The
72 board or commission must provide reasonable notice of all such
73 meetings.

74 Section 3. For the purpose of incorporating the amendment
75 made by this act to section 286.011, Florida Statutes, in a
76 reference thereto, paragraph (b) of subsection (8) of section
77 112.3215, Florida Statutes, is reenacted to read:

78 112.3215 Lobbying before the executive branch or the
79 Constitution Revision Commission; registration and reporting;
80 investigation by commission.—

81 (8)

82 (b) All proceedings, the complaint, and other records
83 relating to the investigation are confidential and exempt from
84 the provisions of s. 119.07(1) and s. 24(a), Art. I of the State
85 Constitution, and any meetings held pursuant to an investigation
86 are exempt from the provisions of s. 286.011(1) and s. 24(b),
87 Art. I of the State Constitution either until the alleged

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88 violator requests in writing that such investigation and
89 associated records and meetings be made public or until the
90 commission determines, based on the investigation, whether
91 probable cause exists to believe that a violation has occurred.

92 Section 4. This act shall take effect July 1, 2012.

S1464

GENERAL BILL/CS by GO, Gaetz; (Similar CS/H 1305)

Public Records/Public Meetings/Application to Officers-elect. EFFECTIVE DATE: 07/01/2012.

01/31/12 S Subreferred to Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations -SJ 303 ; Now in Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations

02/06/12 S On Committee agenda-- Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations, 02/09/12, 10:15 am, 110 Senate Office Building --Not Considered

Senate Budget Subcommittee on Transportation, Tourism and Economic Development Appropriations

Fiscal Year 2012-2013

			AGENCY LEGISLATIVE BUDGET REQUEST					GOVERNOR'S BUDGET RECOMMENDATIONS					SENATE Proposal				
A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
LINE #	D3A Issue	D3A Issue Title	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS
						BEGINNING LINE #											
		ECONOMIC OPPORTUNITY, DEPT. OF					4										
		EMERGENCY MANAGEMENT, EXECUTIVE OFFICE OF THE GOVERNOR					50										
		HIGHWAY SAFETY AND MOTOR VEHICLES, DEPT. OF					77										
		MILITARY AFFAIRS, DEPT. OF					141										
		STATE, DEPT. OF					173										
		TRANSPORTATION, DEPT. OF					219										

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LINE #	D3A Issue	D3A Issue Title	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS
1		FISCAL YEAR 2012-13 BASE BUDGET (Operating Costs from Prior Year) FOR ALL TED AGENCIES															
2		BASE BUDGET (OPERATING COSTS FROM PRIOR YEAR)	14,036.50	63,455,927		1,995,598,830	2,059,054,757	14,036.50	63,455,927		1,995,598,830	2,059,054,757	14,036.50	63,455,927		1,995,598,830	2,059,054,757
3																	
4		ECONOMIC OPPORTUNITY, DEPT. OF															
5		BASE BUDGET (OPERATING COSTS FROM PRIOR YEAR)	1,617.00	25,549,164		539,612,513	565,161,677	1,617.00	25,549,164		539,612,513	565,161,677	1,617.00	25,549,164		539,612,513	565,161,677
5A	160E410 160E450	ALIGNMENT OF AGENCY SPENDING AUTHORITY FOR SOUTHWOOD SHARED RESOURCE CENTER AND NORTHWOOD REGIONAL DATA CENTER - DEDUCT														(906,064)	(906,064)
5B	160E420 160E460	ALIGNMENT OF AGENCY SPENDING AUTHORITY FOR SOUTHWOOD SHARED RESOURCE CENTER AND NORTHWOOD REGIONAL DATA CENTER - ADD														906,064	906,064
6	17C10C0	STATEWIDE EMAIL CONSOLIDATION - DEDUCT This issue transfers funds from the appropriation categories currently used to operate, manage, and maintain the agency's email system or service to the Data Processing Services Southwood Shared Resource Center - Electronic Mail Services category. This issue nets to zero with issue 17C11C0.			-				-		(165,925)	(165,925)					-
7	17C11C0	STATEWIDE EMAIL CONSOLIDATION - ADD This issue transfers funds from the appropriation categories currently used to operate, manage, and maintain the agency's email system or service to the Data Processing Services Southwood Shared Resource Center - Electronic Mail Services category. This issue nets to zero with issue 17C10C0.			-				-		165,925	165,925					-
8	2503080	DIRECT BILLING FOR ADMINISTRATIVE HEARINGS			-				8,745			8,745	GGB sheet	(72,487)			(72,487)
9	3200200	REDUCE BUDGET AUTHORITY TO REFLECT LOSS OF TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) SUPPLEMENTAL GRANT AWARD In the 2011-12 Fiscal Year, this Workforce Services budget authority was placed in reserve with its release contingent upon Florida's receipt of a Supplemental Temporary Assistance for Needy Families (TANF) Grant Award. At this time, the department does not anticipate that TANF Supplemental Grant Awards will be allocated to states. This issue merely reduces the recurring budget authority to the level of anticipated federal receipts for FY 2012-13.			-				-		(9,997,271)	(9,997,271)				(9,997,271)	(9,997,271)
10	33G0400	ADMINISTRATIVE REDUCTIONS Of the 4 FTE proposed for elimination in the Executive Direction and Support budget entity, 1 position was vacant at the time the Governor submitted his budget recommendations.			-				(4.00)	-	(312,787)	(312,787)	(4.00)	-		(312,787)	(312,787)
11	33V0010	ELIMINATE DISPLACED HOMEMAKERS PROGRAM The department believes the functions of this program, first established in law in 1976, can be supported with existing federal funding. This issue requires conforming legislation to eliminate the authority for the program in s. 446.50, Florida Statutes. As stated in the annual report for FY 2010-11, 3,315 individuals were served by 18 service providers (including 13 community colleges) covering 46 of the 67 counties, and 42% (1,392) of those served completed the program. Of those 1,392 that completed the program, 59.8% (833) were placed into jobs.			-				-		(1,816,434)	(1,816,434)					-

Senate Budget Subcommittee on Transportation, Tourism and Economic Development Appropriations

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			AGENCY LEGISLATIVE BUDGET REQUEST					GOVERNOR'S BUDGET RECOMMENDATIONS					SENATE Proposal					
A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	
LINE #	D3A Issue	D3A Issue Title	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS	
12	33V0020	REDUCE TARGETED PROGRAM EXPENSES The department anticipates that the federal government will not extend the Emergency Unemployment Compensation and Extended Benefits Programs beyond December of 2011, which would allow for the proposed workload reduction. All 10 positions are <u>vacant</u> . <u>UPDATE: the programs have been extended by the federal government.</u>						(10.00)	-		(6,066,576)	(6,066,576)					-	
13	3300100	REDUCE FUNDS TO REFLECT CURRENT MATCH REQUIREMENTS FOR THE FOOD STAMP EMPLOYMENT AND TRAINING (FSET) PROGRAM This issue reduces budget authority to reflect current federal match requirements. According to the department, based upon recent program expenditures, this reduction could be taken without impacting the state's ability to draw down federal dollars. These Contracted Services funds are from the Special Employment Security Administration Trust Fund, and can be used flexibly within the department for other purposes.							-		(889,401)	(889,401)				(889,401)	(889,401)	
14	3300200	REDUCE TARGETED ADMINISTRATIVE EXPENSES Four full-time <u>vacant</u> positions were identified for reduction through the implementation of the DEO reorganization. The Salaries and Benefits related to the reduction of these <u>vacant</u> positions is eliminated in the Community Planning budget entity.						(4.00)	(189,776)		(108,787)	(298,563)	(4.00)	(189,776)			(108,787)	(298,563)
15	3300250	REDUCE BUDGET AUTHORITY TO REFLECT AVAILABLE REVENUE Reduction of budget authority in Grants and Donations Trust Fund to reflect available revenues. The reductions are taken in two Grants and Aids categories in the Community Planning program: Coastal Management Requirements, and Technical and Planning Assistance.							-		(617,494)	(617,494)				(617,494)	(617,494)	
15A	3401000	FUND SHIFT VISIT FLORIDA FROM GENERAL REVENUE FUND TO SEED TRUST FUND - DEDUCT												(8,200,000)			(8,200,000)	
15B	3401100	FUND SHIFT VISIT FLORIDA FROM GENERAL REVENUE FUND TO SEED TRUST FUND - ADD											recurring SEED TF			8,200,000	8,200,000	
15C	3402000	FUND SHIFT UNEMPLOYMENT COMPENSATION SKILLS ASSESSMENT FROM GENERAL REVENUE FUNDING TO TRUST FUNDING - DEDUCT The required statutory assessments will be funded using the unemployment compensation federal funds.												(2,300,000)			(2,300,000)	
15D	3402100	FUND SHIFT UNEMPLOYMENT COMPENSATION SKILLS ASSESSMENT FROM GENERAL REVENUE FUNDING TO TRUST FUNDING - ADD The required statutory assessments will be funded using the unemployment compensation federal funds.											federal UC Trust Fund			2,000,000	2,000,000	
16	36101C0	IMPLEMENT FLORIDA BUSINESS PERMIT DASHBOARD The Governor's narrative states that this issue is to implement a Florida Business Permit Dashboard that will allow the state to track the amount of time it takes a business to get started in Florida, and to help the state utilize metrics in order to identify unnecessary regulations, industries that do not require regulation, and industries or businesses that would qualify for a provisional business permit.							-	250,000		250,000				-		

Senate Budget Subcommittee on Transportation, Tourism and Economic Development Appropriations
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17	36318C0	UNEMPLOYMENT COMPENSATION BENEFITS SYSTEM REPLACEMENT Federal funds will be used to complete development, conduct user acceptance testing, provide training and fully implement the Unemployment Compensation (UC) Claims and Benefits Information System, which is scheduled to "go-live" in December of 2012. This system has been in development since 2009 and will reduce or eliminate operational costs of current practices that are labor intensive, cumbersome and inefficient in the following areas: Claims and Adjudication; Customer Information Requests; Benefit Operations (Wage Determinations, Special Payments, Employer Charges, and Special Programs); Benefit Payment Control; Appeals; Quality Improvement; and Federal Reporting.		-		15,357,047	15,357,047		-		15,357,047	15,357,047				15,357,047	15,357,047
18	4100100 Senate: 4700070 098019	CONSOLIDATE FUNDING FOR ECONOMIC DEVELOPMENT PROGRAMS This consolidated funding will be used for various programs, incentives, and economic development activities that include, but are not limited to: Innovation Incentive Fund; Quick Action Closing Fund; Qualified Target Industry Tax Refund; Qualified Defense Contractor and Space Flight Business Tax Refund; Brownfield Redevelopment Bonus Tax Refunds; Military Base Retention Grants; Regional Rural Development Grants; Rural Community Development Revolving Loan Fund; Rural Infrastructure Fund; Black Business Loan; and, International Development.		-		129,910,000	129,910,000		-		129,910,000	129,910,000				77,032,464	77,032,464
18A	4700070 proviso	MANUFACTURING EXTENSION PARTNERSHIP											recurring SEED TF			500,000	500,000
19	4100200	RESERVE STATE FUNDS FOR ECONOMIC DEVELOPMENT OPPORTUNITIES These funds would be appropriated in a Qualified Expenditure Category to allow the state to react to potential economic development opportunities. In order for these funds to be expended, upon the Governor's recommendation, the Legislative Budget Commission must approve the release of funds appropriated in this category.		-	100,000,000		100,000,000		-	100,000,000		100,000,000			50,000,000		50,000,000
19A	4700030	Economic Gardening Technical Assistance Pgm											recurring SEED TF			2,000,000	2,000,000
19B	4700210	Grants And Aids - Military Base Protection The funds in this issue will be used for retaining and expanding Department of Defense facilities by evaluating current facilities and their community interfaces for safety and effectiveness and providing resources to strengthen mission capabilities of the facilities.														-	-
19C	proviso	Military Base Protection											nonrecur SEED TF			150,000	150,000
19D	proviso	Defense Reinvestment											nonrecur SEED TF			850,000	850,000
19E	6300040 100237	Grants And Aids - Black Business Loan Program Serves to assist in the development and expansion of black business enterprises by creating partnerships, leveraging state, local, and private funds. (The Black Business Investment <u>Board</u> was eliminated in the DEO reorganization bill, ch. 2011-142, L.O.F.)											nonrecur SEED TF			2,225,000	2,225,000

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19F	proviso	Black Business Loan Program - Urban League											nonrecur SEED TF			250,000	250,000
19G	4700240	Rural Community Development Provides loans to rural communities for projects that maintain or develop their economic base and increase employment opportunities for community residents. Grants provide assistance to regional economic development and tourism development organizations that serve rural communities.											nonrecur. \$360,000 SEED TF				
													\$810,000 EDTF			1,170,000	1,170,000
19H	4700300	Grants And Aids - International Advocacy. Programs that facilitate and promote international relations in an effort to provide for a stronger and more diversified state economy:															-
19I	proviso	FL Association of Volunteer Action in the Caribbean and the Americas (FAVACA) Recruits Florida-based technical volunteers for professional exchange placements in Latin America and the Caribbean that build economic linkages and provide risk mitigation to Florida through technical assistance in economic growth, healthcare, environmental management, agricultural production and education.											recurring SEED TF			750,000	750,000
19J	proviso	CAMACOL FLORIDA TRADE This is a program of direct business assistance which responds to the needs of the small and minority business community, throughout the State of Florida. This program links these small businesses to their counterparts in the international market through CAMACOL's Hemispheric Congress of Latin Chambers of Commerce and Industry, a program having a 30-year track record with a unique and global infrastructure.											recurring SEED TF			300,000	300,000
19K	proviso	CAMACOL FILM In 2009 the State of Florida funded CAMACOL FILM to promote Florida as the hub and gateway for the Latin/Minority Independent Film and Entertainment Industry promoting the Latin Entertainment Industry Cluster (the industry's multiplier effect which enables the development of off-shoot businesses) and development of an economic cluster to generate jobs and revenues in the State of Florida. Unlike a film festival, a film market is where production and distribution deals are negotiated and closed. CAMACOL FILM promotes Latin/minority film and entertainment production as well as post production activities, develops mechanisms that will further opportunities for Latin, minority independent projects and talent to promote Latin/Minority film production in the State of Florida.											recurring SEED TF			150,000	150,000
19L	proviso	SOUTHEAST US / JAPAN & FLOR KOR SouthEast/ U.S. Japan Association (SEUS/Japan) and Florida/Korea Economic Cooperation Committee (FLOR/KOR) bring together senior representatives from both sides at annual meetings held alternately in the U.S. promoting economic development of trade, investment, tourism, education and culture at a statewide level. The organizations also provide access to top decision makers of commerce, industry, finance and government in Japan & Korea not available from any other government agency.											recurring SEED TF			200,000	200,000
19M	4700320	Grants And Aids - Hispanic Business Initiative Strengthens the local/regional economy by providing technical assistance and training to small businesses in the Hispanic community.											recurring SEED TF			300,000	300,000

**Senate Budget Subcommittee on Transportation, Tourism and Economic Development Appropriations
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19N	990G000	Grants And Aids - Fixed Capital Outlay:														-	-
19O	143150	SPACE, DEFENSE, RURAL INFRASTRUCTURE This infrastructure fund provides grants to defense facilities and rural governments in need of financial assistance to complete infrastructure projects generating essential economic growth and expansion.														-	-
19P	proviso	Defense Infrastructure											nonrecur SEED TF			1,581,245	1,581,245
19Q	proviso	Rural Infrastructure											nonrecur SEED TF			1,581,245	1,581,245
20	4200100	CONSOLIDATE AND INCREASE FUNDING FOR ENTERPRISE FLORIDA EFI is the public-private partnership that serves as the state's principal economic development organization. This requested amount represents an increase of \$2 million over the current fiscal year for all activities under EFI pursuant to the DEO reorganization. The additional \$2 million is requested for the following: \$1 million for international programs; \$500,000 for EFI operations; and \$500,000 for minority business support. This issue also transfers recurring funding for the Florida Sports Foundation to EFI in accordance with the reorganization.		-	8,600,000		8,600,000		-	8,600,000		8,600,000	recurring SEED TF			6,200,000	6,200,000
21	4200500	FORWARD MARCH PROGRAM This program provides job matching services for returning National Guard soldiers and job readiness services to Work and Gain Economic Self-Sufficiency (WAGES) recipients. The Governor recommends transferring this program to DEO from the Department of Military Affairs.		-					-	1,250,000		1,250,000			-		-
22	4300100	VISIT FLORIDA - MAINTAIN CURRENT FUNDING LEVEL VISIT Florida is the direct support organization that executes the state's domestic and international tourism marketing plan. In accordance with the DEO reorganization, Enterprise Florida, Inc., will contract with VISIT Florida to implement tourism marketing services, functions and programs.		-	8,400,000		8,400,000		-	8,400,000		8,400,000	recurring SEED TF			13,400,000	13,400,000
23	4400100	SPACE FLORIDA - MAINTAIN CURRENT FUNDING LEVEL Space Florida (SF) is an independent, special district that fosters aerospace business development in the state. SF is the single point of contact for state aerospace-related activities with federal agencies, the military, state agencies, business, and the private sector. SF develops and implements strategies to accelerate space-related economic growth and development. SF also assists aerospace and aviation companies to receive the necessary financing to grow and prosper within the State. SF works with the Department of Education to promote educational programs for future growth of the space industry in Florida. \$10,039,943 was funded in FY 2011-12 for: \$3,839,943 for operations, \$3,000,000 for targeted-business-development support services and business recruitment and \$3,200,000 to retrain workers as the result of the retirement of the Space Shuttle Program.		-	10,039,943		10,039,943		-	10,039,943		10,039,943	recurring SEED TF			10,039,943	10,039,943

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24	4500100	CONTINUE FUNDING TO SUPPORT THE INSTITUTE FOR THE COMMERCIALIZATION OF PUBLIC RESEARCH The Institute's mission is economic development through the commercialization of new discoveries generated from publicly funded research. The Institute was formed by the Florida Legislature in 2007 as a non-profit organization that works collaboratively with the technology licensing and commercialization offices of Florida's eleven state universities as well as private research institutions that receive public funding (H. Lee Moffitt Cancer Center, Mann Research Center, LLC, The Scripps Research Institute, Torrey Pines Institute for Molecular Studies, and The Florida Institute for Human and Machine Cognition). The Institute supports entrepreneurship and commercialization of publicly-funded research across the state, and provides a programmatic approach to new company creation and entrepreneurial excellence statewide.		-	1,000,000		1,000,000		-	1,000,000		1,000,000			nonrecur SEED TF	1,000,000	1,000,000
25	4800010	CONTINUE FUNDING TO SUPPORT THE FLORIDA DEFENSE SUPPORT TASK FORCE The Task Force was created in the 2011 Legislative Session to help prepare the state to compete in any federal base realignment and closure action, support military research and development in the state, and improve the state's position as a military-friendly environment.		-	500,000		500,000		-	500,000		500,000			Also, BOB reappro of 2011-12 remaining \$	2,000,000	2,000,000
26	4900010	TRANSFER MARKETING ACTIVITIES OF OFFICE OF FILM AND ENTERTAINMENT TO ENTERPRISE FLORIDA - <u>DEDUCT</u> This issue proposes the transfer of funds for the Office of Film And Entertainment from the DEO traditional appropriation categories (Salaries and Benefits, Expenses, and Operating Capital Outlay) to the EFI appropriation category (Special Categories - Enterprise Florida Program). The Governor proposes statutory changes in substantive legislation to authorize this transfer and give EFI the responsibility for the film marketing and grant functions.	(3.00)	(300,000)			(300,000)	(3.00)	(300,000)			(300,000)					-
27	4900020	TRANSFER MARKETING ACTIVITIES OF OFFICE OF FILM AND ENTERTAINMENT TO ENTERPRISE FLORIDA - <u>ADD</u> This issue proposes the transfer of funds for the marketing functions of the Office of Film And Entertainment from the DEO traditional appropriation categories (Salaries and Benefits, Expenses, and Operating Capital Outlay) to the EFI appropriation category (Special Categories - Enterprise Florida Program). (The Governor also proposes statutory changes in substantive legislation to transfer all of the Office of Film and Entertainment from DEO to EFI, giving the Secretary of Commerce the authority to hire the Film Commissioner.)		300,000			300,000		300,000			300,000					-

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28	5000100	MAINTAIN CURRENT FUNDING LEVEL FOR THE DIVISION'S OPERATIONS In Fiscal Year 2011-12, \$1,003,296 of nonrecurring General Revenue funds was provided to the former Office of Tourism, Trade, and Economic Development to support recurring expenditures. Of that amount, \$453,296 was related to the on-going operations of the Office of Film and Entertainment and \$550,000 was for program accountability monitoring related to economic development incentives. This issue requests \$1,003,296 of recurring General Revenue funds in the Division of Strategic Business Development to support on-going expenditures, but \$42,533 of this amount is included in the transfer of the marketing activities of the Office of Film and Entertainment to Enterprise Florida, Inc. (See issue #4900010).		1,003,296			1,003,296		1,003,296			1,003,296	recurring SEED TF			1,003,296	1,003,296
29	55C01C0	ADDITIONAL RESOURCES REQUIRED TO SUPPORT CONSOLIDATION OF TECHNOLOGY SERVICES The Governor recommends \$843,408 (funded from Special Employment Security Administration Trust Fund) to provide the agency with sufficient budget authority needed to meet the projected data center billing for Fiscal Year 2012-13. For agencies undergoing data center consolidation in Fiscal Year 2012-13, this adjustment, when added to the budget authority provided in issue 17C02C0, provides the Data Processing Services budget authority necessary to meet projected data center billing.		-					-		843,408	843,408					-
30	55C04C0	ADDITIONAL RESOURCES REQUIRED TO SUPPORT CONSOLIDATION OF EMAIL SERVICES The Governor recommends \$159,511 (funded from Special Employment Security Administration Trust Fund) for the purchase of email services that exceeds the amount currently used by the agency to maintain the agency's email system or service. This increase, combined with the amount contained in issue 17C11C0, represents the total estimated billing from the Southwood Shared Resource Center for email services in Fiscal Year 2012-13.		-					-		159,511	159,511					-
31	6100100	COMMUNITY RESILIENCY PROGRAM - INCREASE AND REALIGN BUDGET AUTHORITY TO MATCH FEDERAL GRANT AWARD This is a five year grant provided from the National Oceanic and Atmospheric Administration (through Florida's Department of Environmental Protection). This program provides technical assistance to local governments to more effectively integrate community resiliency issues into land use, hazard mitigation and waterfront revitalization planning activities.		-		118,000	118,000		-		118,000	118,000				118,000	118,000
32	6100200	COMMUNITY PLANNING LITIGATION - PROVIDE FUNDING TO CONTRACT WITH THE ATTORNEY GENERAL'S OFFICE This provides for the contract with the Florida Office of the Attorney General for legal assistance, primarily to litigate property taken cases and constitutional issues in Monroe County. The Attorney General's Office currently serves as the lead counsel in several open cases. (Funded from Special Employment Security Administration Trust Fund)		-		200,000	200,000		-		200,000	200,000				200,000	200,000
32A	6200100 100408	COMMUNITY INITIATIVES:															-
32B	proviso	Pine Hills Neighborhood Redevelopment Project - Orange County													2,000,000		2,000,000

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32C	proviso	Renaissance of the Parramore Neighborhood in Downtown Orlando													900,000		900,000
32D	proviso	Dr. J.B. Callahan Neighborhood Center in Parramore - renovation and expansion													1,000,000		1,000,000
32E	6200000	REGIONAL PLANNING COUNCILS													2,500,000		2,500,000
33	6300030	STATE SMALL BUSINESS CREDIT INITIATIVE (SSBCI) The federal Small Business Jobs Act of 2010 created the SSBCI to be used by states to implement programs that increase access to credit for small businesses. Florida received a \$97.6 million allocation that will be used to leverage private lending for small businesses that are credit worthy, but not getting the loans they need to expand or create jobs. Florida has been authorized to administer three programs under the SSBCI: the Venture Capital Program, the Florida Small Business Loan Support Program (administered by Enterprise Florida, Inc.), and the Florida Capital Access Program (administered by the department). The Legislative Budget Commission approved budget authority for \$64,437,150 in September of 2011. This issue provides budget authority for the remaining federal funds expected to be received during FY 2012-13.		-		33,225,199	33,225,199		-		33,225,199	33,225,199				33,225,199	33,225,199
33A	6400010	COMMUNITY SERVICES BLOCK GRANT - INCREASE AUTHORITY TO MATCH FEDERAL GRANT AWARD				3,999,899	3,999,899									3,999,899	3,999,899
33B	6400020	LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP) - INCREASE AUTHORITY TO MATCH FEDERAL GRANT AWARD				52,236,000	52,236,000									52,236,000	52,236,000
34	6507400	AFFORDABLE HOUSING PROGRAMS The Governor recommends \$29,650,000 from the State Housing Trust Fund for the Homeowner Downpayment Assistance Program. This request amount represents all the funds projected to be available in the State Housing Trust Fund during FY 2012-13.		-		29,650,000	29,650,000		-		29,650,000	29,650,000				-	-
35	6507600	STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM Florida Housing Finance Corporation requests \$70,720,000 from the Local Government Housing Trust Fund for the SHIP Program. This request amount represents all the funds projected to be available in the Local Government Housing Trust Fund during FY 2012-13. The SHIP Program provides funds to local governments on a population-based formula as an incentive to produce and preserve affordable housing for very low, low and moderate income families. SHIP funds are distributed on an entitlement basis to all 67 counties and 53 Community Development Block Grant entitlement cities in Florida. The minimum allocation per county is \$350,000. SHIP funds may be used to fund emergency repairs, new construction, rehabilitation, down payment and closing cost assistance, impact fees, construction and gap financing, mortgage buy-downs, acquisitions of property for affordable housing, matching dollars for federal housing grants and programs, and homeownership counseling. The Governor recommends sweeping these funds to General Revenue Fund.		-		70,720,000	70,720,000		-								-

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35A	4200600 090150	FLORIDA HOUSING FINANCE CORPORATION (FHFC) OPERATIONS Requires substantive conforming legislation to bring the FHFC online in the General Appropriations Act (GAA). Except for the state and local housing trust funds, all other expenditures made by the FHFC are not currently reflected in the GAA.														15,632,000	15,632,000
35B	6507400	STATE HOUSING TRUST FUND - SPECIAL NEEDS AND EXTREMELY LOW INCOME HOUSING Funds are provided to the Florida Housing Finance Corporation for a Request for Proposal to be conducted outside the regular cycle to develop affordable, sustainable, and permanent housing for special needs and extremely low income households, as defined in Florida Statutes 420.0004. Funding awards shall be limited to nonprofit housing developers specializing in housing for individuals with special needs and extremely low incomes. This appropriation is contingent upon documentary stamp tax revenue received into the State Housing Trust Fund during FY 2012-13 in excess of the \$35,310,000 estimate adopted by the Revenue Estimating Conference on January 12, 2012. Only those funds exceeding the estimate, up to \$10 million, may be used to fund this appropriation.														10,000,000	10,000,000
35C	69B0000 100562	ECONOMIC DEVELOPMENT PROJECTS:															-
35D	proviso	Hialeah Chamber of Commerce and Industries													100,000		100,000
35E	proviso	Florida Holocaust Museum - St. Petersburg													150,000		150,000
35F	8000100	WORKFORCE PROJECTS:															-
35G	proviso	Goodwill Industries of South Florida													250,000		250,000
36	8100100	QUICK RESPONSE TRAINING (QRT) PROGRAM - MAINTAIN CURRENT FUNDING LEVEL The Quick Response Training Program provides grant funding for customized training for both new and expanding industries in the state. The QRT program was created to provide specialized training to new workers or retraining for current employees to meet changing skill requirements caused by new technology or new product lines and to prevent potential layoffs.		2,600,000			2,600,000		2,600,000			2,600,000	Recurring SEED TF	763,193		1,836,807	2,600,000
37	8100200	SKILLS ASSESSMENT AND TRAINING SERVICES - MAINTAIN CURRENT FUNDING LEVEL The Ready to Work program offers targeted instruction for specific job skills, resulting in a career readiness certificate used to help pair job candidates with employers. The funds will also be used to administer the statutorily required Initial Skills Assessment for individuals seeking unemployment compensation benefits. This issue continues the total funding level of \$5 million appropriated in Fiscal Year 2011-12, since \$2.3 million from recurring General Revenue Fund is currently included in the base budget for this program.			-	2,700,000	2,700,000		-	2,700,000		2,700,000					-
37A	8100400	WORKFORCE DEVELOPMENT PROGRAMS ADDITIONAL STATE-LEVEL POSITIONS TO ENHANCE FINANCIAL MONITORING AND OVERSIGHT OF REGIONAL WORKFORCE BOARDS Nonrecurring funding provided with proviso requiring a report from DEO on February 1, 2013.	4.00			372,628	372,628						4.00			372,628	372,628

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38	9500010	REALIGN BUDGET AUTHORITY TO IMPLEMENT PROVISIONS OF SB 2156 - CHAPTER 2011-142, LAWS OF FLORIDA - DEDUCT This issue, when combined with Issue #9500020, realigns budget authority in the base budget to reflect changes included in Chapter 2011-142, Laws of Florida. Specifically, \$331,820 in the base budget provided in the "Lump Sum - EOG-OTTED" appropriation is eliminated and transferred to the Other Personal Services, Expenses, Operating Capital Outlay, and Contracted Services appropriation categories based on the current year's distribution of that lump sum. In addition, \$26,499,209 in the base budget in the "G/A - Florida Commission on Tourism" appropriation category is transferred to a new category titled "G/A - VISIT Florida". Issues #9500010 and #9500020 net to zero.		(8,465,645)		(18,597,884)	(27,063,529)		(8,465,645)		(18,365,384)	(26,831,029)		(8,465,645)		(18,597,884)	(27,063,529)
39	9500020	REALIGN BUDGET AUTHORITY TO IMPLEMENT PROVISIONS OF SB 2156 - CHAPTER 2011-142, LAWS OF FLORIDA - ADD This issue, when combined with Issue #9500010, realigns budget authority in the base budget to reflect changes included in Chapter 2011-142, Laws of Florida. Specifically, \$331,820 in the base budget provided in the "Lump Sum - EOG-OTTED" appropriation is eliminated and transferred to the Other Personal Services, Expenses, Operating Capital Outlay, and Contracted Services appropriation categories based on the current year's distribution of that lump sum. In addition, \$26,499,209 in the base budget in the "G/A - Florida Commission on Tourism" appropriation category is transferred to a new category titled "G/A - VISIT Florida". Issues #9500010 and #9500020 net to zero.		8,465,645		18,597,884	27,063,529		8,465,645		18,365,384	26,831,029		8,465,645		18,597,884	27,063,529
39A	proviso 100780	HOME BUILDERS INSTITUTE Career training, vocational training, and job placement services in the home building industry for veterans.											RWB funds - proviso for \$750,000				-
40	990G000	GRANTS AND AIDS - FIXED CAPITAL OUTLAY (Subtotal)	-	-	-	58,000,000	58,000,000	-	-	-	58,000,000	58,000,000	-	-	-	43,000,000	43,000,000
41	140125	GRANTS AND AIDS - WEATHERIZATION GRANTS The Weatherization Assistance Program (WAP) enables low-income families to permanently reduce their energy bills by making their homes more energy efficient. The U.S. Departments of Energy (USDOE) and Health and Human Services (USHHS) annually allocate nonrecurring funds to the states for weatherization activities. No state matching funds are required. The department awards the funds to local governments and non-profit organizations that provide weatherization services. The current FY 2011-12 funding for weatherization activities, including the WAP (\$3 million) and Low-Income Home Energy Assistance Program (LIHEAP) funding (\$10 million), serves approximately 4,228 low-income households at an average of \$9,100 per household.		-		3,000,000	3,000,000		-		3,000,000	3,000,000				3,000,000	3,000,000

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42	140138	GRANTS AND AIDS - WEATHERIZATION/LOW INCOME HOME ENERGY ASSISTANCE PROGRAM GRANTS The Weatherization Assistance Program /Low-Income Home Energy Assistance Program (LIHEAP) enables low-income families to permanently reduce their energy bills by making their homes more energy efficient. The U.S. Departments of Energy (USDOE) and Health and Human Services (USHHS) annually allocate nonrecurring funds to the states for weatherization activities. No state matching funds are required. The department awards the funds to local governments and non-profit organizations that provide weatherization services. The current FY 2011-12 funding for weatherization activities, including the WAP (\$3 million) and Low-Income Home Energy Assistance Program (LIHEAP) funding (\$10 million), serves approximately 4,228 low-income households at an average of \$9,100 per household.				10,000,000	10,000,000		-		10,000,000	10,000,000				10,000,000	10,000,000
43	141141	GRANTS AND AIDS - SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANTS (CDBG) Funded by the U. S. Department of Housing and Urban Development (HUD), the Small Cities CDBG Program targets Florida's rural cities and counties that do not qualify for CDBG grant assistance directly from the federal government. The program awards grants to eligible jurisdictions to provide assistance in four project categories: Economic Development, Neighborhood Revitalization, Housing Rehabilitation, and Commercial Revitalization. These projects benefit low and moderate-income persons by promoting job creation, improving housing and supporting infrastructure improvements.				30,000,000	30,000,000		-		30,000,000	30,000,000				30,000,000	30,000,000
44	144701	ECONOMIC DEVELOPMENT TRANSPORTATION PROJECTS This issue provides funds to local governments for fixed capital outlay transportation projects that have a direct economic development impact. These funds are available to local governments that need financial assistance for specific transportation projects that are tied a business's decision to locate, remain, or expand in Florida.				15,000,000	15,000,000		-		15,000,000	15,000,000	Fund only in DOT				-
45	990M000	MAINTENANCE AND REPAIR							-								
46	080903	REED ACT BUILDINGS PROJECTS - STATEWIDE The Department owns and operates 17 buildings, in 11 Florida cities, which were constructed years ago with federal Reed Act funds. To maintain these buildings, several repair and replacement projects need to be performed during Fiscal Year 2012-13, including roof replacement, fire sprinkler system installation, parking lot and drainage redesign, and replacement of heating, venting, and air conditioning (HVAC) systems. Funds for these repairs are derived from building rent payments received from the various building tenants (including several Regional Workforce Boards, the DEO, the Dept. of Education, and the Dept. of Juvenile Justice).							-								
47						598,200	598,200		-		598,200	598,200				598,200	598,200
48		ECONOMIC OPPORTUNITY, DEPT. OF Total	1,618.00	29,152,460	131,239,943	933,999,486	1,094,391,889	1,596.00	28,971,429	132,739,943	787,865,128	949,576,500	1,613.00	15,550,094	58,900,000	835,145,746	909,595,840
49																	

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50		EMERGENCY MANAGEMENT, EXECUTIVE OFFICE OF THE GOVERNOR															
51		BASE BUDGET (OPERATING COSTS FROM PRIOR YEAR)	150.00			34,591,559	34,591,559	150.00			34,591,559	34,591,559	150.00			34,591,559	34,591,559
52	160E410	REALIGNMENT OF AGENCY SPENDING AUTHORITY FOR SOUTHWOOD SHARED RESOURCE CENTER - DEDUCT This issue transfers funds from the appropriation categories currently used to operate, manage, and maintain the agency's service to the Data Processing Services Southwood Shared Resource Center appropriation category. This issue nets to zero with issue 160E420.			-					-	(145,062)	(145,062)				(99,291)	(99,291)
53	160E420	REALIGNMENT OF AGENCY SPENDING AUTHORITY FOR SOUTHWOOD SHARED RESOURCE CENTER - ADD This issue transfers funds from the appropriation categories currently used to operate, manage, and maintain the agency's service to the Data Processing Services Southwood Shared Resource Center appropriation category. This issue nets to zero with issue 160E410.			-					-	145,062	145,062				99,291	99,291
54	17C10C0	STATEWIDE EMAIL CONSOLIDATION - DEDUCT This issue transfers funds from the appropriation categories currently used to operate, manage, and maintain the agency's email system or service to the Data Processing Services Southwood Shared Resource Center - Electronic Mail Services category. This issue nets to zero with issue 17C11C0.			-					-	(39,806)	(39,806)					-
55	17C11C0	STATEWIDE EMAIL CONSOLIDATION - ADD This issue transfers funds from the appropriation categories currently used to operate, manage, and maintain the agency's email system or service to the Data Processing Services Southwood Shared Resource Center - Electronic Mail Services category. This issue nets to zero with issue 17C10C0.			-					-	39,806	39,806					-
56	3003120	PETROLEUM USAGE AND EMERGENCY ENERGY RESPONSIBILITIES - DIVISION OF EMERGENCY MANAGEMENT Chapter 2011-142, Laws of Florida, transferred the Florida Energy Office from the Executive Office of the Governor to the Department of Agriculture and Consumer Services. In addition, the legislation transferred three responsibilities that are currently being performed by the Florida Energy Office to the Division of Emergency Management (DEM). The responsibilities are: (1) maintaining/updating the State of Florida s Energy Assurance Plan; (2) projecting available supplies of petroleum, including obtaining reports and conducting long range studies on petroleum usage; and (3) assuming the Emergency Coordinating Officer responsibilities for Emergency Support Function 12-Energy. DEM indicates it does not have positions, funding or the in house expertise to fulfill these new statutory responsibilities.	3.00	151,833	10,944		162,777						3.00	Fund with EMPA TF		162,777	162,777
57	3004000	BASE BUDGET ADJUSTMENT - DIVISION OF EMERGENCY MANAGEMENT This budget issue requests an adjustment to the Division's base budget in order to provide for an appropriate alignment of the Division's recurring budget across multiple appropriation categories, including Other Personal Services, Expenses, Operating Capital Outlay, Contracted Services, SSRC Data Processing Services, Risk Management, etc.			-	42,315	42,315			-				Category transfers Nets to zero; Senate adopts			

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58	33G0010	OPERATING EFFICIENCIES This issue includes reductions in the Other Personal Services, Expenses and Operating Capital Outlay categories to implement operating efficiencies.		-					-		(200,000)	(200,000)	agency updated issue			(383,500)	(383,500)
59	33015C0	REDUCTIONS FROM EMAIL SERVICES CONSOLIDATIONS This issue represents the agency's savings realized through the purchase of enterprise email services from the Southwood Shared Resource Center.		-					-		(54,850)	(54,850)					-
60	40S0060	ENERGY ASSURANCE GRANT PROGRAM - DIVISION OF EMERGENCY MANAGEMENT The US Department of Energy disbursed funding to states as part of the American Recovery and Reinvestment Act of 2009 in order to facilitate the recovery from disruptions to the energy supply by enhancing the reliability and speed of outage repairs and by encouraging well-developed and standardized energy assurance and resiliency plans. This issue requests budget authority for conducting energy assurance training and exercises.		-		8,352	8,352		-		8,352	8,352				8,352	8,352
61	55C01C0	ADDITIONAL RESOURCES REQUIRED TO SUPPORT CONSOLIDATION OF TECHNOLOGY SERVICES This adjustment provides the Data Processing Services budget authority necessary to meet projected data center billing.		-					-		30,354	30,354					-
62	550B020	COMMUNITY ASSISTANCE PROGRAM - DIVISION OF EMERGENCY MANAGEMENT Provided by the Federal Emergency Management Agency (FEMA), this funding is to provide technical assistance to National Flood Insurance Program (NFIP) communities, to evaluate community performance in implementing NFIP flood plain management activities, and to build state and community flood plain management expertise and capability. The purpose of the Community Assistance Program grants is to ensure that communities participating in the NFIP are achieving flood loss reduction goals.		-		60,000	60,000		-		60,000	60,000				60,000	60,000
63	5504050	FLOOD MITIGATION ASSISTANCE PROGRAM - DIVISION OF EMERGENCY MANAGEMENT This federal program funds flood mitigation activities that reduce or eliminate the long term risk of flood damage to buildings, manufactured homes and other structures insured under the National Flood Insurance Program (NFIP). The cost share for these three year grants is 75 percent federal and 25 percent non-federal. Eligible project activities under this grant program include Acquisitions/Relocation, Elevations, Dry Flood-proofing of non residential structures, Minor Localized Flood Control Projects, Beach Nourishment Activities and Demolition of NFIP-insured structures on acquired or restricted property. Planning activities that develop state and local flood mitigation activities that meet the planning criteria are also eligible under the grant.		-		3,678,926	3,678,926		-		3,678,926	3,678,926				3,678,926	3,678,926

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64	5900200	SEVERE REPETITIVE LOSS PROGRAM - DIVISION OF EMERGENCY MANAGEMENT This federal program was created to reduce or eliminate claims under the National Flood Insurance Program through project activities that will result in the greatest savings by mitigating those structures with the highest flood insurance claims history. The Division of Emergency Management works with local governments and their Community Rating System Coordinators to conduct outreach with owners of severe repetitive loss properties to educate them on the benefits of mitigation/flood retrofitting so that they may accept reasonable mitigation offers from FEMA. The grant has a match requirement of 10% non-federal, which will be provided on all pass through projects by the local government sub-applicant. The state will provide the 10% match requirement from the Emergency Management and Preparedness Trust Fund for any state management costs over the three year performance period.		-		1,267,982	1,267,982		-		1,267,982	1,267,982				1,267,982	1,267,982
64A	5900400	ADMINISTRATIVE TRUST FUND INCREASE Technical adjustment to provide budget authority to spend the administrative component of grant funds.														600,000	600,000
65	5901540	EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE GRANT LOCAL FUNDING INCREASE - DIVISION OF EMERGENCY MANAGEMENT Pursuant to Section 252.373, Florida Statutes, the Division of Emergency Management allocates funding from the Emergency Management Preparedness and Assistance Trust Fund (EMPA) to local emergency management agencies and programs to maintain operational readiness of local emergency management personnel. Each county receives \$105,806 base grant each year which has not been increased since the inception of the trust fund in 1994. DEM requests additional recurring funding of \$670,000 (\$10,000 per county) to increase base grants to local governments from the EMPA Trust Fund.		-		670,000	670,000		-								-
66	5901640	RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM - DIVISION OF EMERGENCY MANAGEMENT DEM coordinates the response to a nuclear power plant emergency and updates/coordinating the plans with response organizations. There are five nuclear reactors located at three sites within Florida plus two reactors located in Alabama near the state line. The nuclear power companies provide funds annually for DEM to coordinate/oversee activities such as continuing education, conducting staff training, supporting nuclear power plant exercises, and updating/enhancing radiological emergency plans. The funding received from the nuclear power companies is also used as match for DEM's federal grant funds.		-		130,000	130,000		-		130,000	130,000				130,000	130,000

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67	5901680	FEDERAL EMERGENCY MANAGEMENT PERFORMANCE GRANT - INCREASED FUNDING - DIVISION OF EMERGENCY MANAGEMENT This funding is provided by the Federal Emergency Management Agency (FEMA), Department of Homeland Security. The state priorities for this funding include: planning/catastrophic planning, implementation of the National Incident Management System/National Response Framework, All-Hazards public education, implementation of the Americans with Disabilities Act into all phases of emergency management, professional development for emergency managers, and support for county emergency management programs (regional collaboration).		-		7,845,338	7,845,338		-		7,845,338	7,845,338				7,845,338	7,845,338
68	5901750	FEDERALLY DECLARED DISASTER FUNDING - DIVISION OF EMERGENCY MANAGEMENT This issue provides budget authority to expend federal funds awarded to the State of Florida for open federally declared disaster events through June 30, 2011 and for various federal programs including components of Public Assistance (PA), Hazard Mitigation Grants (HMGP), housing and other victim assistance. Funds will be disbursed for current contractually obligated payments to qualifying state and local governments and private non-profit organizations for disaster response and recovery related activities.		-		133,125,241	133,125,241		-	6,319,771	126,805,470	133,125,241		Updated estimate; and GR match funded in Admin. Funds		162,607,904	162,607,904
69	5901860	PRE-DISASTER MITIGATION - DIVISION OF EMERGENCY MANAGEMENT The Pre-Disaster Mitigation Grant Program (PDM) is a federal program providing assistance to states and communities for activities that reduce the state's overall vulnerability to disasters and disaster-related loss of life and property. The program is a cost-share program (75 percent federal/25 percent local) through which states and communities may receive grants for mitigation planning and projects such as property acquisition, structure elevation, relocation or demolition, dry floodproofing of historic residential structures or non-residential structures, building retrofitting, soil stabilization, safe room construction, and wildfire mitigation. The local PDM award recipients are responsible for the non-federal share of the project. Grant recipients have up to three years to complete the work.		-		3,254,290	3,254,290		-		3,254,290	3,254,290				3,254,290	3,254,290
70	5901870	REPETITIVE FLOOD CLAIMS PROGRAM - DIVISION OF EMERGENCY MANAGEMENT This federal FEMA program assists all classes of flood damaged structures from a single loss to several losses, of which there are approximately 16,500 in Florida. These grant funds may be used for projects such as property acquisition, structure elevation, relocation or demolition, dry floodproofing of historic residential structures or non-residential structures, and minor localized flood reduction projects. There is no state or local match requirement for this grant program. Grants received for this program have a performance period of three years.		-		3,175,434	3,175,434		-		3,175,434	3,175,434				3,175,434	3,175,434
70A	5903000	STATE LOGISTICS RESPONSE CENTER INCREASED FUNDING Increase in federal grant award for FY 2012-13.		-					-							11,614	11,614

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70B	5903010	DEEPWATER HORIZON BLOCK GRANT FUNDING Increased budget authority for pass-through of federal funds to local governments.														933,145	933,145
71	5903030	KEY STAFF FOR LONG TERM RECOVERY OFFICE - DIVISION OF EMERGENCY MANAGEMENT In order to accommodate the long-term workload and technical assistance required for several major disasters dating back to the 2004 hurricanes, six time-limited positions were established to fill key roles in the Florida Recovery Office operating in Orlando with a branch in Pensacola and field offices in South Florida. These offices are expected to remain operational through 2013. This issue proposes the budget authority to extend the six time limited full time equivalent positions through 6/30/13. The funding for these positions is already included in the federally approved staffing plans for these past events. The federal portion for these positions is provided in the U.S. Contributions Trust Fund. The state portion for these positions is provided by the Grants and Donations Trust Fund.		-		397,085	397,085		-		397,085	397,085				397,085	397,085
71A	5903500	U.S.DEPARTMENT OF TRANSPORTATION FUNDING INCREASE Increased federal grant for hazardous materials emergency planning.														74,291	74,291
72	990G000	GRANTS AND AIDS - FIXED CAPITAL OUTLAY		-					-								-
73	140527	EMERGENCY MANAGEMENT CRITICAL FACILITY NEEDS Pursuant to Section 215.559, Florida Statutes, DEM receives an annual distribution of \$3 million from the Florida Hurricane Catastrophe Fund to fund shelter retrofit projects as identified in the most current version of the Shelter Retrofit Report prepared in accordance with Section 252.385(3), Florida Statutes. The latest Report indicates that, since 1999, 451,230 spaces have been created with funding from this program. By August 2012, there is projected to be 1,174,330 total shelter spaces, compared to the estimated demand of 1,499,223 spaces, leaving a shelter deficit of 324,893 spaces. This issue requests budget authority to continue to fund the shelter deficit reduction initiative as well as designation of this issue as recurring for budget purposes. DEM reviews projects submitted by county emergency management agencies in collaboration with other partner organizations (local American Red Cross chapters and school boards) that participate in hurricane shelter planning and operations. By statute, DEM must prioritize the use of funds for projects included in the annual report. The division must give funding priority to projects in regional planning council regions that have shelter deficits and to projects that maximize the use of state funds.		-		3,000,000	3,000,000		-		3,000,000	3,000,000				3,000,000	3,000,000
74																	-
75		EMERGENCY MANAGEMENT, EXECUTIVE OFFICE OF THE GOVER	153.00	151,833	10,944	191,246,522	191,409,299	150.00	-	6,319,771	183,989,940	190,309,711	153.00	-	-	221,415,197	221,415,197
76																	
77		HIGHWAY SAFETY and MOTOR VEHICLES, DEPT. OF															
78		BASE BUDGET (OPERATING COSTS FROM PRIOR YEAR)	4,541.50			373,619,465	373,619,465	4,541.50			373,619,465	373,619,465	4,541.50			373,619,465	373,619,465

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79	160E430	REALIGNMENT OF AGENCY SPENDING AUTHORITY FOR NORTHWOOD SHARED RESOURCE CENTER - DEDUCT Transfer from the appropriation categories, currently used to operate, manage, and maintain the agency's data processing service to the Data Processing Services NSRC appropriation category.		-					-		(896,038)	(896,038)		-		(896,038)	(896,038)
80	160E440	REALIGNMENT OF AGENCY SPENDING AUTHORITY FOR NORTHWOOD SHARED RESOURCE CENTER - ADD Transfer from the appropriation categories, currently used to operate, manage, and maintain the agency's data processing service to the Data Processing Services NSRC appropriation category.		-					-		896,038	896,038		-		896,038	896,038
80A	160E450	REALIGNMENT OF AGENCY SPENDING AUTHORITY FOR NORTHWEST REGIONAL DATA CENTER - DEDUCT Transfer from the appropriation categories, currently used to operate, manage, and maintain the agency's data processing service to the Data Processing Services NSRC appropriation category.														(1,143)	(1,143)
80B		REALIGNMENT OF AGENCY SPENDING AUTHORITY FOR NORTHWEST REGIONAL DATA CENTER - ADD Transfer from the appropriation categories, currently used to operate, manage, and maintain the agency's data processing service to the Data Processing Services NSRC appropriation category.														1,143	1,143
81	160M100	BACK OUT OF LEASE OR LEASE-PURCHASE OF EQUIPMENT This issue requests realignment of funds identified for the lease/lease purchase of equipment, fixtures, and other tangible personal property from the appropriation category currently used to a new appropriation category as defined in Section 216.011(1)(vv), Florida Statutes, in accordance with the requirements of Ch. 2011-45, Laws of Florida. (Agency Amended Issue)		-		(263,687)	(263,687)		-		(240,667)	(240,667)		-		(263,687)	(263,687)
82	160M120	ADD BACK OF LEASE OR LEASE-PURCHASE OF EQUIPMENT This issue requests realignment of funds identified for the lease/lease purchase of equipment, fixtures, and other tangible personal property from the appropriation category currently used to a new appropriation category as defined in Section 216.011(1)(vv), Florida Statutes, in accordance with the requirements of Ch. 2011-45, Laws of Florida. (Agency Amended Issue)		-		263,687	263,687		-		240,667	240,667		-		263,687	263,687
82A	160M1C0	REALIGN EXPENDITURES FOR DATA PROCESSING SERVICES PAYMENTS TO NSRC - DEDUCT														(562,417)	(562,417)
82B	160M2C0	REALIGN EXPENDITURES FOR DATA PROCESSING SERVICES PAYMENTS TO NSRC - ADD														562,417	562,417
83	160S050	ADJUST FUNDING SOURCE IDENTIFIER - DEDUCT Technical correction related to the transfer of Motor Carrier Compliance Program. The deduct and add-back issues will correctly identify the fund source as a State Match of Federal Funds.		-		(2,368,015)	(2,368,015)		-		(2,368,015)	(2,368,015)		-		(2,368,015)	(2,368,015)
84	160S060	ADJUST FUNDING SOURCE IDENTIFIER - ADD Technical correction related to the transfer of Motor Carrier Compliance Program. The deduct and add-back issues will correctly identify the fund source as a State Match of Federal Funds.		-		2,368,015	2,368,015		-		2,368,015	2,368,015		-		2,368,015	2,368,015
85	17C10C0	STATEWIDE EMAIL CONSOLIDATION - DEDUCT Transfer from appropriation categories currently used to operate, manage, and maintain the agency's email system or service to the Data Processing Services SSRC-Electronic Mail Services category.	(1.00)	-		(54,243)	(54,243)		-		(325,456)	(325,456)				-	-

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86	17C11C0	STATEWIDE EMAIL CONSOLIDATION - ADD Transfer from appropriation categories currently used to operate, manage, and maintain the agency's email system or service to the Data Processing Services SSRC-Electronic Mail Services category.		-		111,853	111,853		-		325,456	325,456				-	-
87	1801410	TRANSFER POSITIONS FROM MOTOR CARRIER COMPLIANCE TO THE ADMINISTRATIVE SERVICES PROGRAM - DEDUCT Transfers 10 FTE along with their designated rate and salary funding from the FHP Program/Motor Carrier Compliance budget entity to the Administrative Services Program. The transfer of these administrative and support positions will correctly align job functions with the appropriate budget entity.	(10.00)	-		(563,491)	(563,491)	(10.00)	-		(532,759)	(532,759)	(10.00)	-		(563,491)	(563,491)
88	1801420	TRANSFER POSITIONS TO THE ADMINISTRATIVE SERVICES PROGRAM FROM MOTOR CARRIER COMPLIANCE -ADD Transfers 10 FTE along with their designated rate and salary funding from the FHP Program/Motor Carrier Compliance budget entity to the Administrative Services Program. The transfer of these administrative and support positions will correctly align job functions with the appropriate budget entity.	10.00	-		563,491	563,491	10.00	-		532,759	532,759	10.00	-		563,491	563,491
89	2000010	TRANSFER POSITIONS FROM MOTORIST SERVICES TO THE FLORIDA HIGHWAY PATROL - DEDUCT Transfers the salary rate and benefits for 5 positions (4 vacant/1 filled) from Motorists Services to the FHP. This issue proposes reclassifying the 4 vacant positions to Research and Strategy Consultants who will provide crime analysis patterns and trends that will assist operational and administrative personnel in planning the deployment of FHP resources. (Agency Amended Request)	(5.00)			(300,435)	(300,435)									-	-
90	2000020	TRANSFER POSITIONS TO THE FLORIDA HIGHWAY PATROL FROM MOTORIST SERVICES - ADD Transfers the salary rate and benefits for 5 positions (4 vacant/1 filled) from Motorists Services to the FHP. This issue proposes reclassifying the 4 vacant positions to Research and Strategy Consultants who will provide crime analysis patterns and trends that will assist operational and administrative personnel in planning the deployment of FHP resources.	5.00			300,435	300,435									-	-
91	2000030	REALIGNMENT OF HUMAN RESOURCES SERVICES - DEDUCT Currently the departments human resource services fees are paid from the Executive Direction/Administrative Support budget entity. This issue proposes to realign the expenditures to reflect the actual charges per budget entity. (Agency Amended Request)				(1,525,774)	(1,525,774)									(1,525,774)	(1,525,774)
92	2000040	REALIGNMENT OF HUMAN RESOURCES SERVICES - ADD Currently the departments human resource services fees are paid from the Executive Direction/Administrative Support budget entity. This issue proposes to realign the expenditures to reflect the actual charges per budget entity. (Agency Amended Request)				1,525,774	1,525,774									1,525,774	1,525,774

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93	2000050	ADMINISTRATIVE AND SUPPORT STAFF REALIGNMENT - DEDUCT Realigns positions and funding to more accurately reflect expenditures associated with the administrative and support functions. (Agency Amended Issue)	(27.00)			(1,545,547)	(1,545,547)						(27.00)			(1,545,547)	(1,545,547)
94	2000060	ADMINISTRATIVE AND SUPPORT STAFF REALIGNMENT - ADD Realigns positions and funding to more accurately reflect expenditures associated with the administrative and support functions. (Agency Amended Issue)	27.00			1,545,547	1,545,547						27.00			1,545,547	1,545,547
95	2000100	TRANSFER FROM EXPENSE TO IMPLEMENT THE CDL PROGRAM IMPROVEMENT AND THE COMMERCIAL MOTOR VEHICLE CRASH REPORTING IMPROVEMENT GRANTS - DEDUCT This issue requests a transfer of funding within the Motorist Services budget entity, Federal Grants Trust Fund, Expenses category to the Operating Capital Outlay and the Contracted Services categories in order to implement two federal grants that are pending approval for Fiscal Year 2012-2013. The grants include the Commercial Driver Licenses Program Improvement Grant (CDLPI) and the Florida Commercial Motor Vehicle Crash Record Reporting Improvement Project Grant (SaDIP), to be awarded by the United States Department of Transportation, Federal Motor Carrier Safety Administration (FMCSA). (Agency Amended Issue)				(952,750)	(952,750)									(952,750)	(952,750)
96	2000200	TRANSFER TO OPERATING CAPITAL OUTLAY AND CONTRACTED SERVICES TO IMPLEMENT CDL PROGRAM IMPROVEMENT AND CMV CRASH REPORTING IMPROVEMENT GRANTS - ADD This issue requests a transfer of funding within the Motorist Services budget entity, Federal Grants Trust Fund, Expenses category to the Operating Capital Outlay and the Contracted Services categories in order to implement two federal grants that are pending approval for Fiscal Year 2012-2013. The grants include the Commercial Driver Licenses Program Improvement Grant (CDLPI) and the Florida Commercial Motor Vehicle Crash Record Reporting Improvement Project Grant (SaDIP), to be awarded by the United States Department of Transportation, Federal Motor Carrier Safety Administration (FMCSA). (Agency Amended Issue)				952,750	952,750									952,750	952,750
97	2000620	TRANSFER FROM OTHER PERSONAL SERVICES TO OPERATION OF MOTOR VEHICLES - FLORIDA HIGHWAY PATROL PROGRAM Transfer from the FHP - OPS appropriation category to the Operation of Motor Vehicles Category. The additional budget authority is needed to support the increased costs due to the increased fuel and maintenance costs.		-		(655,398)	(655,398)		-		(655,398)	(655,398)				(655,398)	(655,398)
98	2000630	TRANSFER TO OPERATION OF MOTOR VEHICLES FROM OTHER PERSONAL SERVICES - FLORIDA HIGHWAY PATROL PROGRAM		-		655,398	655,398		-		655,398	655,398				655,398	655,398

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99	2004C10	TRANSFER TO TAX COLLECTOR NETWORK FROM DEFERRED-PAYMENT COMMODITY TO FUND REFRESH OF THE FLORIDA REAL TIME INFORMATION SYSTEM (FRVIS) - ADD The FRVIS system was approved by the Legislature in the late 1970's and is funded based on a transaction fee. This system provides computer hardware, software, services, and data circuits to each of the offices maintained by the Florida Tax Collectors. This request is to replace all existing state-owned equipment, which was purchased in FY 05/06 and 06/07 through a 5 year installment purchase option.	-			2,311,034	2,311,034		-		2,311,034	2,311,034		-		2,311,034	2,311,034
100	2004C20	TRANSFER FROM DEFERRED-PAYMENT COMMODITY TO TAX COLLECTOR NETWORK TO FUND REFRESH FLORIDA REAL TIME VEHICLE INFORMATION SYSTEM (FRVIS) - DEDUCT This issue transfers budget authority from the Deferred-Payment Commodity to the Tax Collector Network Category. This budget transfer will provide the budget authority needed for the FRVIS refresh. Installment services can no longer be financed in the Deferred-Pay Commodity Category thus requiring the need for the transfer.		-		(2,311,034)	(2,311,034)		-		(2,311,034)	(2,311,034)		-		(2,311,034)	(2,311,034)
100 A	2005060	REALIGN AGENCY SPENDING AUTHORITY FOR STATE OVERTIME ACTION RESPONSE - DEDUCT This issue realigns agency spending authority by transferring budget authority for Florida Highway Patrol State Overtime Action Response (SOAR) from the Salary and Benefits Appropriation Category to an Overtime Category.														(5,125,000)	(5,125,000)
100 B	2005070	REALIGN AGENCY SPENDING AUTHORITY FOR STATE OVERTIME ACTION RESPONSE - ADD This issue realigns agency spending authority by transferring budget authority for Florida Highway Patrol State Overtime Action Response (SOAR) activities from the Salary and Benefits Appropriation Category to an Overtime Category.														5,125,000	5,125,000
100 C	2006060	TRANSFER FROM MOTORIST SERVICES SALARY AND BENEFITS TO HIGHWAY SAFETY PROGRAM - ACQUISITION OF MOTOR VEHICLES - DEDUCT Transfer of budget authority from Motorist Services to the Highway Safety Program - Florida Highway Patrol for the purchase of motor vehicles.														(740,000)	(740,000)
100 D	2006070	TRANSFER FROM MOTORISTS SERVICES SALARY AND BENEFITS TO HIGHWAY SAFETY PROGRAM - ACQUISITION OF MOTOR VEHICLES - ADD Transfer of budget authority from Motorist Services to the Highway Safety Program - Florida Highway Patrol for the purchase of motor vehicles. This issue will provide \$740,000 recurring budget authority for the purchase of motor vehicles.														740,000	740,000

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A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
LINE #	D3A Issue	D3A Issue Title	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS
101	2401500	REPLACEMENT OF MOTOR VEHICLES Replacement of high mileage pursuit vehicles in FHP. The department has base funding of \$2.8 million for the Acquisition of Motor Vehicles. Base funding provides for the purchase of 103 vehicles. The department has requested additional funds (\$13.9M) in order to replace a to replace an additional 497 vehicles for a total of 600.		-	13,896,921		13,896,921		-	13,896,921		13,896,921			6,750,000	1,000,000	7,750,000
102	2503080	DIRECT BILLING FOR ADMINISTRATIVE HEARINGS		-					-		(5,990)	(5,990)				(3,292)	(3,292)
103	26001C0	ANNUALIZE EMAIL CONSOLIDATION - DEDUCT		-		(271,212)	(271,212)		-					-		-	-
104	26002C0	ANNUALIZE EMAIL CONSOLIDATION - ADD		-		566,777	566,777		-					-		-	-
105	26005C0	ANNUALIZE DATA CENTER CONSOLIDATION - DEDUCT		-		(896,038)	(896,038)		-					-			-
106	26006C0	ANNUALIZE DATA CENTER CONSOLIDATION - ADD		-		1,506,660	1,506,660		-					-		609,545	609,545
107	3000A10	MEMBER PERFORMANCE BONUS - PILOT PROGRAM Requests authorization to implement a Bonus Pilot Program in the Motorist Services Program, Customer Service Center. The Bonus Pilot Program will be limited to Senior Consumer Service Analysts within the Customer Service Center. Of this job classification, the pilot will be limited to only those who spend the majority of their time actually answering customer telephone calls (50 FTE). This requirement distinguishes these members from other members of the same job classification who respond to written correspondence. The performance award will be in two tiers. Tier 1 recipients will receive a net bonus of \$150 and Tier 2 recipients a net bonus of \$75 based on specified award criteria.				1	1									-	-
108	3000190	GRANTS AND AIDS - PROVIDE FUNDING FOR PRESIDENTIAL NOMINATING CONVENTION The RNC has been designated as a National Special Security Event. This designation facilitates federal funding for federal, state and local agencies to coordinate operational security and planning for the event. The Florida Highway Patrol has been requested to commit approximately 400 personnel for a seven day period. Federal funds will be provided through the host agency, the City of Tampa. Budget authority is requested to enable the department the ability to receive and process reimbursements from the City of Tampa for department expenditures..				1,764,663	1,764,663									1,764,663	1,764,663
109	3000430	PRICE INCREASE FOR OPERATION OF MOTOR VEHICLES The Department submitted an initial budget request for Fiscal Year 2012-13 which transfers \$655,398 from the Other Personal Services category to the Operation of Motor Vehicles category to partially fund projected costs for next year. (See issues 2000620 and 2000630). Based on current spending trends, an additional \$1,277,634 is necessary to fully fund this category for 2012-13. The increased need is attributed to three major areas which includes replacement of vehicles tires, of which the cost has increased by approximately 12%; increased price of fuel over Fiscal Year 2010-11, and additional repair and maintenance costs due to the increasing age and mileage of the Department's fleet.				1,277,634	1,277,634									1,277,634	1,277,634

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LINE #	D3A Issue	D3A Issue Title	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS	
110	3001A20	FLORIDA HIGHWAY PATROL LEADERSHIP DEVELOPMENT PLAN The Leadership Development initiative provides graduated compensation for sworn members of FHP by creating tiers within the Trooper, Corporal, Sergeant, Lieutenant and Captain ranks. Advancement through the tiers would include a minimum number of years of service, an established minimum overall rating on performance evaluations, and higher education training requirements. Subsequent to the LBR submission, the department has revised the Leadership Plan to limit the tier progression to one tier per year for members hired before July 1, 2010 and one tier every two years after that date. The FY 2012-13 annualized costs of the Leadership Development Plan is \$2.9M.			-	991,349	991,349			-					-		-	-
111	3003A70	TRANSFER RATE AND SALARY BUDGET TO MOTOR CARRIER COMPLIANCE FROM HIGHWAY SAFETY SERVICE FOR COMMERCIAL VEHICLE PAY ADJUST - DEDUCT Transfers of \$661,252 in salaries and benefits appropriation to the Motor Carrier Compliance budget entity from the Highway Safety budget entity (76100100), within the Florida Highway Patrol (FHP), Highway Safety Operating Trust Fund, to implement the Motor Carrier Compliance (MCC) Pay Adjustment.			-	(661,252)	(661,252)			-					-		-	-
112	3003A80	TRANSFER RATE AND SALARY BUDGET TO MOTOR CARRIER COMPLIANCE FROM HIGHWAY SAFETY SERVICE FOR COMMERCIAL VEHICLE PAY ADJUST -ADD Transfers of \$661,252 in salaries and benefits appropriation to the Motor Carrier Compliance budget entity from the Highway Safety budget entity (76100100), within the Florida Highway Patrol (FHP), Highway Safety Operating Trust Fund, to implement the Motor Carrier Compliance (MCC) Pay Adjustment.			-	661,252	661,252			-					-		-	-
113	3003020	CONTINUE FEDERAL GRANT FUNDING FOR FLORIDA DRIVER LICENSE BIOMETRIC IDENTIFICATION FACIAL RECOGNITION SOFTWARE GRANTS The Florida Driver License Biometric Identification Facial Recognition Software will allow law enforcement and investigators the ability to compare photographs or videos to the Florida Driver Licenses System (FDLS) of licensed drivers and to assist with intelligence gathering related to criminal acts or acts of terrorism. The funds will be used to purchase facial recognition software and equipment. The Florida Driver License Biometric Identification Facial Recognition System grants were appropriated in Fiscal Year 2010-11 and 2011-12 as part of the domestic security administered funds allocation. This issue requests budget authority FY 12-13 to complete these projects.				767,097	767,097										767,097	767,097

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A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
LINE #	D3A Issue	D3A Issue Title	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS
114	3003030	CONTINUE FEDERAL GRANT FUNDING FOR PREVENTATIVE RADIOLOGICAL NUCLEAR DETECTION ENHANCEMENT PROJECT This issue requests \$290,000 to continue implementation of the Preventative Radiological Nuclear Detection Enhancement grant awarded by the Division of Emergency Management (DEM) within the Federal Grants Trust Fund, Florida Highway Patrol Program. This funding is requested in the Motor Carrier Compliance budget entity Federal Grants Trust Fund, Domestic Security category. The Preventative Radiological Nuclear Detection Enhancement grant provides funding to prevent, respond, and recover from terrorist attacks, major disasters, and other emergencies.				290,000	290,000									290,000	290,000
115	3007570	CONTINUE THE 2010 REAL IDENTIFICATION DRIVER LICENSE SECURITY GRANT PROGRAM The 2011-2012 General Appropriations Act (GAA) provided nonrecurring funding to implement the 2010 Real ID Driver License Security Grant Program funded by the United States Department of Homeland Security. The three year grant, with an end term date of June 30, 2013, has been used to supplement Real ID implementation projects to enhance office efficiencies, expand public information efforts, incorporate digital image technologies and improve external communications and data management processes. On January 4, 2010, Florida became one of the first states to begin issuing materially compliant licenses and ID cards that meet Federal Real ID Act standards. The federal government, recognizing the wide ranging impact of meeting REAL ID standards, subsequently awarded several annual grants with three year terms aimed at improving driver license security. One of the projects is the 2010 Real ID Grant which involves the development of a secure web portal, wherein local law enforcement agencies can access the Department's enrolled digital images. Creation of the portal provides the Department with a vehicle to highlight the benefits of the facial recognition program.				850,000	850,000									850,000	850,000
116	3007600	PROVIDE FUNDING FOR THE 2011 DEPARTMENT OF HOMELAND SECURITY REAL IDENTIFICATION DRIVER LICENSE SECURITY GRANT This grant was awarded in FY 11-12 for \$1.6 million by U.S. Department of Homeland Security. Current year expenditures are expected to reach \$753,750 and this issue would allow for the remainder to be expended in FY 12-13.			-	950,000	950,000			-	887,561	887,561				950,000	950,000
117	3205000	REDUCE FEDERAL GRANTS TRUST FUND - FLORIDA HIGHWAY PATROL This issue reduces existing budget authority within the Federal Grants Trust Fund, Florida Highway Patrol Program, due to a reduction in transportation and safety related grant awards.				(975,616)	(975,616)									(975,616)	(975,616)
118	33V0200	ANNUALIZE FISCAL YEAR 2011-2012 DRIVER LICENSE OFFICE CLOSURES Reduction of leased spaced relating to FY 11-12 Driver License Office closures. This reflects current year savings related to office closures that came earlier than expected. (Agency Schedule VIII-B Issue)			-					-	(440,430)	(440,430)			-	(440,430)	(440,430)

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A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
LINE #	D3A Issue	D3A Issue Title	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS
119	33V0210	CLOSE STATE OPERATED DRIVER LICENSE OFFICES Section 322.135, F.S., requires all driver license issuance functions to be assumed by the 64 constitutionally elected tax collectors by June 30, 2015. The closures are in Escambia, Pinellas, Orange and St. Lucie Counties. (Agency Schedule VIII-B Issue)		-				(30.00)	-		(1,010,735)	(1,010,735)	(30.00)	-		(1,010,735)	(1,010,735)
120	33V0220	REALIGN BUREAUS OF FIELD OPERATIONS AND FINANCIAL RESPONSIBILITY PROGRAMS Continues the realignment of services within the Division of Motorist services by eliminating 6 FTE. 3 positions will be eliminated in the Bureau of Motorist Compliance through the automation of current manual processes; and 3 positions will be eliminated from the Bureau of Driver License Field Operations, and Motor Vehicles Field Operations by merging the two Bureaus creating a Bureau of Field Operations. (Agency Schedule VIII-B Issue)		-				(6.00)	-		(410,529)	(410,529)	(6.00)	-		(410,529)	(410,529)
121	33V0530	REDUCE FLORIDA HIGHWAY PATROL SPAN OF CONTROL The FHP has developed a 5 year plan to change the supervisor to employee ratio from 1/5.7 to 1/8.2 through attrition of supervisory ranks. This issue represents Year 2 and will downgrade 23 supervisor positions to Law Enforcement Officers (Troopers). (Agency Schedule VIII-B)		-					-		(1,000,000)	(1,000,000)		-		(1,000,000)	(1,000,000)
122	33V0710	REDUCE THE KIRKMAN BUILDING SECURITY STAFF Non-sworn security guards provide security services at the Neil Kirkman Building 24/7. The elimination of 3 security guard positions will reduce security services to hours of operation only. (Agency Schedule VIII-B)		-				(3.00)	-		(124,463)	(124,463)				-	-
123	33V0720	ELIMINATE NON SWORN POSITIONS IN THE OFFICE OF MOTOR CARRIER COMPLIANCE, FLORIDA HIGHWAY PATROL PROGRAM (Agency Schedule VIII-B) Eliminates 10 non sworn Staff Assistant positions in the Motor Carrier Compliance budget entity. These are filled positions.		-				(10.00)	-		(358,676)	(358,676)	(10.00)	-		(358,676)	(358,676)
124	33V0730	ELIMINATE NON-TECHNOLOGY POSITIONS Eliminates 10 vacant positions in the Information Systems Administration budget entity which are being held vacant in order to fill other critical technology positions. The department does not have sufficient salary and rate to fill the positions.		-				(10.00)	-		(50,000)	(50,000)	(10.00)	-		(50,000)	(50,000)
125	33V5270	REDUCE EXPENSES FUNDING IN THE OFFICE OF MOTOR CARRIER COMPLIANCE, FLORIDA HIGHWAY PATROL PROGRAM Lease savings from combining Motor Carrier Compliance field offices with FHP field offices.		-					-		(178,625)	(178,625)				(178,625)	(178,625)
125 A	33V0670	REDUCE BUDGET AUTHORITY FOR COMMERCIAL VEHICLE ENFORCEMENT OVERTIME This issue will reduce excess budget authority in the overtime category for commercial vehicle enforcement.														(75,270)	(75,270)
125 B	6007060	FUNDING FOR INCIDENTAL OVERTIME - HIGHWAY SAFETY PROGRAM This issue will provide funding for FHP incidental overtime in an Overtime appropriations category. The department has no funding for incidental overtime and currently utilizes rate associated with vacant positions for this expenditure.														3,500,000	3,500,000

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125 C	6002500	LAW ENFORCEMENT RADIO SYSTEM REPLACEMENT EQUIPMENT														96,418	96,418
125 D	3007500	Motor Cycle Safety Education Program - American Bikers Aiming Toward Education of Florida (proviso)														250,000	250,000
126	33001C0	REDUCTIONS FROM TECHNOLOGY SERVICE CONSOLIDATIONS The reduction is the difference between what the agency is currently spending to provide data center services and the amount needed to support the projected data center billing.															
				-					-		(82,486)	(82,486)				(193,978)	(193,978)
127	36162C0	DRIVER AND VEHICLE INFORMATION SYSTEM MODERNIZATION (DAVID) DAVID is a set of mission critical secure web-based applications that provides real-time access of driver and vehicle records to law enforcement and related entities. Law enforcement officers use DAVID at roadside to obtain information about a driver's driving privilege and vehicle registration. Officers can immediately determine if a driver's license is suspended, revoked, or canceled, and can use the photograph and signature to confirm the identity of the driver and passengers. DAVID is a tool used extensively by law enforcement to investigate auto theft, identity theft, fraudulent documentation of legal presence, driver license fraud, and other illegal activities.			-	846,206	846,206			-	846,206	846,206				846,206	846,206
128	36238C0	REPLACE OUTDATED MAINFRAME MOTORIST SERVICES SYSTEMS			-	1,550,000	1,550,000			-						-	-
129	36322C0	EXPAND ONLINE APPOINTMENT SERVICE APPLICATIONS FOR STATE (OASIS) AND TAX COLLECTORS OASIS is an internet application that allows the public to schedule an appointment at any state maintained drivers license office in Florida. This issue request funding to redesign and rewrite OASIS and expand the appointment system to all motorists services, and allow tax collectors the ability to use the application.			-	465,000	465,000			-						-	-
130	36323C0	IMPLEMENT ADDRESS VERIFICATION SOFTWARE Funding for the purchase and implementation of a software verification program. Department anticipates savings of \$200,00 from postage and supplies related to duplicating returned mail.			-	382,080	382,080			-	382,080	382,080				382,080	382,080
131	55C01C0	ADDITIONAL RESOURCES REQUIRED TO SUPPORT CONSOLIDATION OF TECHNOLOGY SERVICES Additional budget authority needed to meet the projected data center services billing for FY 12-13. (Agency Amended Request)			-					-	739,268	739,268				-	-
131 A	55C01C0	ADDITIONAL NETWORK COSTS TO SUPPORT DATA CENTER CONSOLIDATION Requests budget authority need to make payments to the Department of Management Services for the data lines connections between the department facilities and Northwood Shared Resource Center.				239,040	239,040									239,040	239,040
132	55C04C0	ADDITIONAL RESOURCES REQUIRED TO SUPPORT CONSOLIDATION OF EMAIL SERVICES Additional budget authority for the purchase of email services that exceeds the amount currently used by the agency to maintain the agency's email system or service.			-					-	265,519	265,519				-	-

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133	6009A90	MOTOR CARRIER SAFETY ASSISTANCE PROGRAM The Federal Motor Carrier Safety Assistance Administration has awarded the Motor Carrier Safety Assistance Program Grant (MCSAP) annually in varying amounts since 1995. The MCSAP grants seeks to reduce the number and severity of commercial motor vehicles involved in crashes and to protect the state's highways and bridge systems from accelerated damage.		-		12,412,163	12,412,163		-		12,412,163	12,412,163		-		11,182,952	11,182,952
134	990M000	MAINTENANCE AND REPAIR (Subtotal)	-	-	-	4,619,055	4,619,055	-	-	-	3,698,555	3,698,555	-	-	-	3,698,555	3,698,555
135	080002	MINOR RENOVATIONS, REPAIRS, AND IMPROVEMENTS - STATEWIDE Electrical lighting, ceiling tile and grid replacement. Mold/mildew and asbestos remediation. Other maintenance and repairs such as painting, flooring, paving, and ADA improvements. Other items include roof replacement and HVAC repair and replacement.		-		883,500	883,500		-		596,000	596,000				596,000	596,000
136	080016	SPECIAL PROJECTS AND IMPROVEMENTS - ADMINISTRATIVE SERVICES General repairs, upgrades, and improvements to the Neil Kirkman Building.		-		3,455,555	3,455,555		-		2,822,555	2,822,555				2,822,555	2,822,555
137	088495	MAJOR RENOVATIONS - FLORIDA HIGHWAY PATROL STATION (PINELLAS PARK) - AGENCY MANAGED Funds are requested to address environmental concerns including asbestos materials and mold/mildew. Other renovations will include ADA compliance and interior and exterior renovations.		-		280,000	280,000		-		280,000	280,000				280,000	280,000
138																	-
139		HIGHWAY SAFETY and MOTOR VEHICLES, DEPT. OF Total	4,540.50	-	13,896,921	401,011,934	414,908,855	4,482.50	-	13,896,921	389,188,883	403,085,804	4,485.50	-	6,750,000	396,626,504	403,376,504
140																	
141		MILITARY AFFAIRS, DEPT. OF															
142		BASE BUDGET (OPERATING COSTS FROM PRIOR YEAR)	373.00	15,488,898		39,673,224	55,162,122	373.00	15,488,898		39,673,224	55,162,122	373.00	15,488,898		39,673,224	55,162,122
143	160E410	REALIGNMENT OF AGENCY SPENDING AUTHORITY FOR SOUTHWOOD SHARED RESOURCE CENTER - DEDUCT Transfer from the appropriation categories, currently used to operate, manage, and maintain the agency's service to the Data Processing Services SSRC appropriation category.		-					(1,051)			(1,051)		(985)			(985)
144	160E420	REALIGNMENT OF AGENCY SPENDING AUTHORITY FOR SOUTHWOOD SHARED RESOURCE CENTER - ADD		-					1,051			1,051		985			985
145	160M100	REALIGN BETWEEN CATEGORIES OF LEASE EQUIPMENT - DEDUCT Reflects the realignment of funds identified for the lease/lease purchase of equipment, fixtures, and other tangible personal property from the appropriation category currently used to a new appropriation category defined in s. 216.011(1)(vv), F.S.		-					(10,000)		(30,000)	(40,000)		(10,000)		(30,000)	(40,000)
146	160M200	REALIGN BETWEEN CATEGORIES OF LEASE EQUIPMENT - ADD		-					10,000		30,000	40,000		10,000		30,000	40,000
147	1800210	REALIGN OPERATING FUNDING - DEDUCT Realigns 24 FTEs among program components--2 to Fed/State Cooperative Agreements and 22 to Military Readiness and Response	(24.00)	(1,093,925)		(150,194)	(1,244,119)		-				(24.00)	(1,093,925)		(150,194)	(1,244,119)
148	1800220	REALIGN OPERATING FUNDING - ADD	24.00	1,093,925		150,194	1,244,119		-				24.00	1,093,925		150,194	1,244,119
148 A	2000100	REALIGN EXPENDITURES--DEDUCT				(2,000,000)	(2,000,000)									(2,000,000)	(2,000,000)

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148 B	2000200	REALIGN EXPENDITURES--ADD				2,000,000	2,000,000									2,000,000	2,000,000
149	24010C0	INFORMATION TECHNOLOGY INFRASTRUCTURE REPLACEMENT Replaces Information Technology software applications and hardware necessary to interface with federal, state, and local agencies (including Sheriffs' offices and the State Fire Marshal).			-	185,000	90,000			-	130,030	90,000			-	130,030	90,000
150	2402000	ADDITIONAL EQUIPMENT Federal funds for equipment to support the Youth Challenge Program (\$195,963) and the Camp Blanding Joint Training Center (\$135,575).			-		331,538			-		331,538			-		331,538
151	2402010	ADDITIONAL EQUIPMENT - CAMP BLANDING Federal funds for equipment to support the training mission at Camp Blanding.			-		746,000			-		746,000			-		746,000
152	3000310	FEDERAL/STATE COOPERATIVE AGREEMENT SUPPORT The federally funded FTEs will perform maintenance and repairs at Camp Blanding.	24.00	-			1,126,979	9.00	-			407,727	9.00	-			407,727
153	33G1000	ADMINISTRATIVE EXPENDITURE REDUCTION Associated with the 2 positions in issues 1800210 and 1800220.		-		(158,403)	(158,403)		-					-		(158,403)	(158,403)
154	33V0010	REDUCE UNFUNDED TRUST FUND BUDGET AUTHORITY Based upon historical reversions from trust funds.		-					-		(70,000)	(70,000)				-	-
155	33V1620	VACANT POSITION REDUCTIONS Based upon positions vacant for over 120 days as of September 2011.		-				(4.00)	(109,844)		(27,183)	(137,027)				-	-
156	36210C0	INTEGRATED EMERGENCY OPERATIONS MANAGEMENT INFORMATION SYSTEM Supports the annual maintenance and improvements to the Integrated Emergency Operations Management Information Systems which is used to convert federal data to be used by the state payroll, purchasing, and accounting systems.		-	25,000		25,000		-	25,000		25,000		-	25,000	-	25,000
157	4200500	FORWARD MARCH PROGRAM		-	1,250,000		1,250,000		-					1,250,000			1,250,000
158	4200600	ABOUT FACE PROGRAM		-	750,000		750,000		-					750,000			750,000
159	4200800	OPERATION KICKSTART		-	1,000,000		1,000,000		-								-
160	4300000	ARMORY SUPPORT Covers projected utility costs for armories.		-	370,000		370,000		-	370,000		370,000		370,000			370,000
161	4500000	WORKER COMPENSATION FOR STATE ACTIVE DUTY Reimburses DFS for workers' compensation payments made to members of the Florida National Guard.		-	262,000		262,000		-	238,576		238,576		-	296,404		296,404
162	4600200	TRANSFER CONTRACTED SERVICES TO FULL-TIME POSITIONS - ADD The 15 federally funded FTE will serve the Youth Challenge Program.		-				15.00	-		664,748	664,748	15.00	-		664,748	664,748
163	4600300	TRANSFER CONTRACTED SERVICES TO FULL-TIME POSITIONS - DEDUCT		-					-		(664,748)	(664,748)		-		(664,748)	(664,748)
164	990M000	MAINTENANCE AND REPAIR (Subtotal)	-	-	15,000,000	-	15,000,000	-	-	6,000,000	-	6,000,000	-	-	8,600,000	-	8,600,000
165	086937	FLORIDA READINESS CENTERS REVITALIZATION PLAN - STATEWIDE Part of long-term plan which began in FY 2003-04 to repair and renovate DMA's 60 armories (19 remaining). This funding will renovate the Plant City Armory and the Sarasota Armory.		-	13,500,000		13,500,000		-	4,500,000		4,500,000		-	7,100,000		7,100,000
166	087024	DESIGN/BUILD - EXPLOSIVE ORDNANCE DISPOSAL FACILITY Funds to design and construct a new Explosive Ordnance Disposal facility at Camp Blanding.		-	1,500,000		1,500,000		-	1,500,000		1,500,000		-	1,500,000		1,500,000
167	990S000	SPECIAL PURPOSE (Subtotal)	-	-	-	21,211,000	21,211,000	-	-	-	-	-	-	-	-	347,000	347,000

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LINE #	D3A Issue	D3A Issue Title	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS
168	086987	CONSTRUCT ARMED FORCES RESERVE CENTER - DAYTONA BEACH Federal funds to replace the Daytona Beach facility with a Flagler County facility (long-term lease of 55 acres) which will house all elements of the Florida Army National Guard Headquarters.		-		20,864,000	20,864,000		-					-		-	-
169	087015	DESIGN - ARMY NATIONAL GUARD UNMANNED AIRCRAFT SYSTEM (UAS) PLATOON FACILITY Federal funds to design storage and training space at Camp Blanding for the UAS unit and vehicle.		-		347,000	347,000		-					-		347,000	347,000
170																	
171		MILITARY AFFAIRS, DEPT. OF Total	397.00	15,488,898	18,842,000	63,020,338	97,351,236	393.00	15,379,054	6,763,606	41,151,306	63,293,966	397.00	17,858,898	9,051,434	41,437,086	68,347,418
172																	
173		STATE, DEPT. OF															
174		BASE BUDGET (OPERATING COSTS FROM PRIOR YEAR)	416.00	22,417,865		29,397,408	51,815,273	416.00	22,417,865		29,397,408	51,815,273	416.00	22,417,865		29,397,408	51,815,273
175	160E410 160E430	REALIGNMENT OF AGENCY SPENDING AUTHORITY FOR SOUTHWOOD AND NORTHWOOD SHARED RESOURCE CENTERS - DEDUCT This issue transfers funds from the appropriation categories currently used to operate, manage, and maintain the agency's service to the Data Processing Services Southwood Shared Resource Center appropriation category. This issue nets to zero.		-					(54,569)			(54,569)		(291,983)		(12,913)	(304,896)
176	160E420 160E440	REALIGNMENT OF AGENCY SPENDING AUTHORITY FOR SOUTHWOOD AND NORTHWOOD SHARED RESOURCE CENTERS - ADD This issue transfers funds from the appropriation categories currently used to operate, manage, and maintain the agency's service to the Data Processing Services Southwood Shared Resource Center appropriation category. This issue nets to zero.		-					54,569			54,569		291,983		12,913	304,896
177	160M100	REALIGNMENT OF LEASE OR LEASE-PURCHASE EQUIPMENT - ADD This issue requests realignment of funds identified for the lease/lease purchase of equipment, fixtures, and other tangible personal property from the appropriation category currently used to a new appropriation category as defined in Section 216.011(1)(vv), Florida Statutes, in accordance with the requirements of Ch. 2011-45, Laws of Florida.		93,361		32,312	125,673		93,361		32,312	125,673		93,361		32,312	125,673
178	160M120	REALIGNMENT OF LEASE OR LEASE-PURCHASE EQUIPMENT - DEDUCT This issue requests realignment of funds identified for the lease/lease purchase of equipment, fixtures, and other tangible personal property from the appropriation category currently used to a new appropriation category as defined in Section 216.011(1)(vv), Florida Statutes, in accordance with the requirements of Ch. 2011-45, Laws of Florida.		(93,361)		(32,312)	(125,673)		(93,361)		(32,312)	(125,673)		(93,361)		(32,312)	(125,673)
179	17C10C0	STATEWIDE EMAIL CONSOLIDATION - DEDUCT This issue transfers funds from the appropriation categories currently used to operate, manage, and maintain the agency's email system or service to the Data Processing Services Southwood Shared Resource Center - Electronic Mail Services category. This issue nets to zero with issue 17C11C0.		-					(65,417)			(65,417)					-

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180	17C11C0	STATEWIDE EMAIL CONSOLIDATION - ADD This issue transfers funds from the appropriation categories currently used to operate, manage, and maintain the agency's email system or service to the Data Processing Services Southwood Shared Resource Center - Electronic Mail Services category. This issue nets to zero with issue 17C10C0.		-					50,797	14,620		65,417					-
181	17C20C0	TRANSFER TO SUPPORT ONE STOP BUSINESS REGISTRATION PORTAL - DEDUCT This issue transfers funds to the Department of Revenue to offset the costs associated with the development of the "one-stop business registration portal", which is estimated to cost \$3 million dollars in Fiscal Year 2012-13. In the portal, businesses will be guided through registration requirements based on responses in order to satisfy state agency requirements and speed time to market entry.							(3,000)			(3,000)		(3,000)			(3,000)
182	1708300	TRANSFER A PORTION OF NOTARY COMMISSION FUNCTIONS FROM THE EXECUTIVE OFFICE OF THE GOVERNOR TO THE DEPARTMENT OF STATE - ADD This issue transfers funds and one Full Time Position from the Executive Office of the Governor (EOG) to the Department of State (DOS) to administer the education portion of the Notary Commission functions. All administrative, clerical and initial investigation functions of the Notary Commission will be conducted by DOS. Suspensions and revocations will remain with EOG. This issue requires the passage of pending legislation as proposed by the Governor.						1.00	-		99,156	99,156					-
182 A	1802060	REALIGN SUPPORT SERVICES AND INFORMATION TECHNOLOGY SERVICES FROM VARIOUS DIVISIONS - ADD Agency amended request.	10.00	421,565		223,921	645,486						10.00	421,565		223,921	645,486
182 B	1802070	REALIGN SUPPORT SERVICES AND INFORMATION TECHNOLOGY SERVICES FROM VARIOUS DIVISIONS - DEDUCT Agency amended request.	(10.00)	(421,565)		(223,921)	(645,486)						(10.00)	(421,565)		(223,921)	(645,486)
183	2503080	DIRECT BILLING FOR ADMINISTRATIVE HEARINGS		-					409			409		GGB sheet	350		350
184	33G0060	MANAGEMENT EFFICIENCIES This reduction of one <u>vacant</u> position in the Division of Library and Information Services, is necessary as a result of declining revenues in the Records Management Trust Fund. The services provided by the Records Management program are not being utilized (by other state agencies) at the same level as they have been in the past. This reduction will help bring the budget authority in line with projected revenue for FY 2012-13. (See also issue 33V0160 below.)	(1.00)	-		(62,027)	(62,027)	(1.00)	-		(62,027)	(62,027)	(1.00)	-		(62,027)	(62,027)
185	33G0700	DIVISION OF HISTORICAL RESOURCES - ELIMINATE EXCESS BUDGET The current year \$1,018,622 federal grant award from the National Park Service will be less for Fiscal Year 2012-13. The budget reduction is necessary in order to align the budget authority with the anticipated revenue. These federal funds are used for several statewide historic preservation activities, including listing properties on the National Register of Historic Places, Section 106 Compliance Review of federal and state undertakings, assisting property owners with Preservation Tax Incentives, and maintaining a state inventory of historic properties.		-		(124,000)	(124,000)		-		(124,000)	(124,000)				(124,000)	(124,000)

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186	33G0720	DIVISION OF CULTURAL AFFAIRS - ELIMINATE EXCESS BUDGET The federal grant award from the National Endowment for the Arts for Fiscal Year 2012-13 will be less than the amount received in the current year. The budget reduction is necessary in order to align the budget authority with the anticipated revenue.		-		(188,335)	(188,335)		-		(188,335)	(188,335)				(188,335)	(188,335)
187	33V0090	OPERATIONAL REDUCTIONS IN ELECTIONS This issue reduces funds in: Other Personal Services - \$8,715 Expenses - \$110,032 Operating Capital Outlay - \$39,950 Contracted Services - \$28,975 Election Fraud Prevention - \$134,600 The Governor's budget narrative states that this reduces funding to minimal costs to administer the program.		-					(322,272)			(322,272)		(187,672)			(187,672)
188	33V0100	BUILDING RENT SAVINGS This rent savings is based on relocating the Division of Corporations from the Clifton Building (Koger Center) to the offices currently under lease at the Northwood Centre. This is a many tiered proposal that results in a reduction of space occupied by Corporations by using properties that the Department owns. This move also relocates the Division of Cultural Affairs and the Directors Office of the Division of Historical Resources from the R.A. Gray Building to several historic properties managed by the Department. The Bureau of Information Services at the Northwood Centre will relocate to the Gray Building. This proposal is in conjunction with current tenant/broker negotiations that are ongoing through the Department of Management Services.		-					(740,988)		(419,824)	(1,160,812)					-
189	33V0110	MANAGEMENT EFFICIENCIES WITHIN THE CORPORATIONS PROGRAM This issue includes a reduction in Expenses (\$40,000), anticipating a decrease in the amount of postage that will be needed as a result of increased electronic notifications, and a reduction in Contracted Services (\$125,827), anticipating that legal fees will not be as extensive as originally expected.		-					(165,827)			(165,827)		(165,827)			(165,827)
190	33V0120	CONSOLIDATE LEGISLATIVE LIBRARY WITH STATE LIBRARY This issue would require the consolidation and relocation of the Legislative Library from The Capitol (7th floor) to the State Library and Archives that is housed within the R.A. Gray Building. The Legislative Library would need to close on April 27, 2012 to enable the dismantling and the move by June 30, 2012.		-					(384,070)			(384,070)					-
191	33V0160	REDUCE RECORDS MANAGEMENT TECHNICAL SERVICES This reduction in the Division of Library and Information Services eliminates five vacant Full Time Positions and related Expenses in the Technical Services area of the Records Management Program. The reduction is necessary due to declining revenues in the Records Management Trust Fund. The services provided by the Records Management program are not being utilized (by other state agencies) at the same level as they have been in the past. This reduction will help bring the budget authority in line with projected revenue for FY 2012-13. (See also issue 33G0060 above.)		-				(5.00)	-		(169,350)	(169,350)	(5.00)	-		(169,350)	(169,350)

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192	33V0190	MANAGEMENT STAFFING REDUCTIONS This issue eliminates 5 FTE from the Executive Leadership and Support Services component of the Executive Direction and Support budget entity, and 3 FTE from the Information Technology component of the same budget entity. Four of the positions are vacant, and one will be retiring on July 1, 2012. Currently 86 FTE are authorized in that budget entity.		-				(8.00)	(516,105)			(516,105)	(8.00)	(516,105)			(516,105)
193	33001C0	REDUCTIONS FROM TECHNOLOGY SERVICE CONSOLIDATIONS This reduction is in appropriation categories currently used to operate, manage, maintain, and upgrade hardware and software associated with equipment owned by the agency that is being consolidated into a primary data center. This budget reduction is the difference between what the agency is currently spending to provide data center services and the amount needed to support projected data center billing.		-					(2,407)			(2,407)					-
194	33015C0	REDUCTIONS FROM EMAIL SERVICES CONSOLIDATIONS This reduction represents the agency's savings realized through the purchase of enterprise email services. This reduction is the difference between the total cost to provide the agency's e-mail system or service and the estimated payment to the Southwood Shared Resource Center.		-					(91,624)			(91,624)					-
195	3400730	GENERAL REVENUE TO THE OPERATING TRUST FUND - NOTARY COMMISSION FUNCTIONS - <u>DEDUCT</u> This issue requires the passage of pending legislation.		-					(374,514)			(374,514)					-
196	3400740	GENERAL REVENUE TO THE OPERATING TRUST FUND - NOTARY COMMISSION FUNCTIONS - <u>ADD</u> This issue requires the passage of pending legislation.		-						-	374,514	374,514					-
197	4100100	FLORIDA MAIN STREET PROGRAM The National Historic Preservation Act of 1966 mandates that every State Historic Preservation Office provide technical assistance to local governments, organizations and individuals. The requested funds will facilitate the expansion of the program to traditional downtown districts of older and medium-sized Florida cities. Expenditures for the Florida Main Street Program for FY 2010-11 totaled \$154,420.		165,000			165,000		-					165,000			165,000
198	4100200 Senate: 090019	HISTORIC PROPERTIES-MAINTENANCE The Division of Historical Resources is requesting funding for Historic Properties Maintenance. Chapter 267, Florida Statutes requires the Division to protect or preserve historic properties leased by the division from the Board of Trustees of the Internal Improvement Trust Fund. There are 18 properties, including the Brokaw-McDougal House, the Governor John W. Martin House in Tallahassee, and other historic structures and archaeological sites located throughout the state. The requested funds would provide a recurring source of funding for repairs and maintenance needs statewide.		200,000			200,000		-				Put funds in a Lump Sum category: requires budget amendment action to spend.	200,000			200,000

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199	4609000	SUPPORT FOR FEDERAL ELECTION ACTIVITIES (HAVA) These federal grant funds would provide supervisors of elections with additional funds for the 2012 primary election and the 2012 general election for mailing sample ballots, voter information cards, advertising or publications outlining voting procedures, voting rights or voting technology, voting systems demonstrations, poll worker training stipends, training materials for poll workers, voter guides, and other approved activities. The Division of Elections currently has a recurring base of \$2 million in the Federal Election Activities (HAVA) appropriation category.		-		1,000,000	1,000,000		-		1,000,000	1,000,000				1,000,000	1,000,000
200	4800100	DEPARTMENT WIDE LITIGATION EXPENSES This issue provides for litigation expenses in order to acquire legal representation for lawsuits related to elections and other departmental litigation processes. The department has limited staff to handle on-going lawsuits and some cases require specialized counsel. The Attorney General's Office represents the department in these cases unless their workload prevents taking the additional cases or in the event of a conflict. The amount requested is the same as was appropriated from nonrecurring funds in FY 2011-12.		500,000			500,000		-	500,000		500,000		500,000			500,000
201	4802000	NOTARY COMMISSION FUNCTIONS The Governor recommends an increase in the Operating Trust Fund for costs associated with the Notary Commission functions.		-					-		54,002	54,002					-
202	4900100	CULTURAL AND MUSEUM GRANTS The Division of Cultural Affairs is requesting funding to provide general program support grants of up to \$150,000 for non-profit, tax-exempt Florida corporations including, but not limited to, history museums, science museums, youth and children's museums, art museums, state service organizations, performing art centers, orchestras, dance companies, and theater groups, local or state government entities, school districts, and community colleges and universities that have cultural program activities. The approved list of 236 projects totals \$19 million. If funds appropriated are less the total amount of the list, the funds appropriated are prorated to all projects on the list using a formula. The grants support the general program activities of creating, producing, presenting, staging, or sponsoring multiple cultural exhibits, performances, events, or providing cultural services. Grantees match awards dollar for dollar with cash and in-kind contributions. Eligible applications are reviewed in an open competitive process by peer review panels comprised of professionals knowledgeable in the various disciplines. Panel recommendations are then reviewed by the Florida Council on Arts and Culture and forwarded to the Secretary of State for approval.															
202 A	4900100 100123	LAKE WALES ARTS COUNCIL			-	2,500,000	2,500,000			-					5,000,000		5,000,000
															50,000		50,000

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203	4900200	CULTURE BUILDS FLORIDA The Division of Cultural Affairs, is requesting funds for specific cultural project grants of up to \$25,000 for nonprofit, tax-exempt Florida corporations, local or state governmental entities such as school districts, community colleges, colleges, universities, and local arts agencies for activities in arts in education, Culture Builds Florida, museums, or for activities in any of the arts and cultural disciplines and under-served cultural communities. The approved list of 66 projects totals \$1.3 million. Pursuant to s. 265.286(4) F.S. project grants shall be funded at full request by score until all appropriated funds are depleted. Grantees must match grant awards dollar for dollar and 25% of total project costs may be in-kind contributions. Eligible applications for all specific project categories are reviewed in an open competitive process by peer review panels comprised of professionals knowledgeable in the various disciplines. Panel recommendations are then reviewed by the Florida Council on Arts and Culture and forwarded to the Secretary of State for approval.		-	500,000		500,000		-								-
204	4900400	FLORIDA HUMANITIES COUNCIL The Florida Humanities Council (FHC) will create, conduct, and coordinate activities throughout the State of Florida to commemorate Florida's 500th Anniversary, including teacher's workshops, a website entitled "Teaching Florida" developed to provide K-12 teachers with background information, primary documents, film and audio material, photos and illustrations, and classroom projects tied to various aspects of Florida history and heritage. Other activities include "Florida History Moments" which are one-minute audio clips aired on public radio and a public speakers program.		-	350,000		350,000		-	350,000		350,000			350,000		350,000
204 A	4900600	FLORIDA AFRICAN-AMERICAN HERITAGE PRESERVATION NETWORK													250,000		250,000
205	55C01C0	ADDITIONAL RESOURCES REQUIRED TO SUPPORT CONSOLIDATION OF TECHNOLOGY SERVICES This issue provides the agency with sufficient funds needed to meet the projected data center billing for Fiscal Year 2012-13.		-					310,680			310,680					-
206	5600000	LIBRARY COOPERATIVE GRANT PROGRAM The Division of Library and Information Services requests funding for the multitype library cooperatives. Grant funds will be used to provide training for library staff and to support sharing of resources among libraries. \$1 million in non-recurring funds were appropriated for the Library Cooperative Grant Program for fiscal year 2011-2012. Grants will be matched by 10 percent in local resources and are based on applications submitted by each library cooperative organization. Funding for Library Cooperative Grants is authorized in Section 257.40-257.42, Florida Statutes.		-	1,000,000		1,000,000		-						1,500,000		1,500,000

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207	5703000	<p>INCREASED FUNDING FOR STATE AID TO LIBRARIES</p> <p>This request assumes that all 67 counties and at least 21 municipalities will continue to receive State Aid as provided in Section 257.17-19, Florida Statutes. The State Aid program is designed to assure that all Florida residents have access to free public library service. The state must guarantee through its Maintenance of Effort \$21,250,751 in order to continue to receive its full allotment of federal Library Services and Technology Act grant funds.</p> <p>The State Aid to Libraries program supports three types of grants:</p> <p>Operating Grants. All qualified counties are eligible to receive up to \$0.25 on every \$1.00 of local funds spent for the operation and maintenance of a library. Grants are prorated if the program is not fully funded.</p> <p>Equalization Grants. These grants are made available to those counties that qualify for an Operating Grant and that have limited local tax resources. Grants are prorated if the program is not funded at or above \$31,999,233 or if libraries qualify for more than 15 percent of the appropriation.</p> <p>Multicounty Library Grants. These grants are made available to provide support to libraries that qualify for Operating Grants and that choose to join together to offer library service to their residents in a more cost-effective manner. These grants are not prorated.</p>															
				21,300,000			21,300,000		-	21,300,000		21,300,000		10,580,397	10,719,603		21,300,000
208	7400000	<p>HISTORIC PRESERVATION GRANTS</p> <p>The Division of Historical Resources, is requesting funding for Historic Preservation Small Matching Grants. These grants of up to \$50,000 (with a 1:1 local match) preserve Florida's historical and archaeological resources through restoration and rehabilitation of historic buildings and structures, as well as through survey and evaluation of historic and archaeological resources.</p>		-	1,000,000		1,000,000		-						1,023,905		1,023,905
208 A	7400000 proviso	Government House Interpretive Film and Exhibit - St. Augustine													1,500,000		1,500,000
208 B	7400000 proviso	Government House Museum Phase I Renovations - St. Augustine													1,000,000		1,000,000
208 C	7400000 proviso	Apollo School Building - Hobe Sound													150,000		150,000
208 D	7400000 proviso	Historic Hampton House - Miami													100,000		100,000
209	9400100	<p>REIMBURSEMENTS TO COUNTIES FOR SPECIAL ELECTIONS</p> <p>Reimbursement to counties for the costs of special elections to fill vacancies in legislative offices is required by section 100.102, F.S.</p>		-	2,500,600		2,500,600		-	2,500,600		2,500,600			2,500,600		2,500,600

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210	9700100	ADVERTISING PROPOSED CONSTITUTIONAL AMENDMENTS There are currently seven constitutional amendments scheduled for the 2012 ballot. Pursuant to Article XI, Section 5 (d) of the Constitution of the State of Florida, the Division of Elections publishes the full text of proposed constitutional amendments twice in a newspaper of general circulation in each county at an average cost of approximately \$174,267 per amendment.		-	1,219,868		1,219,868		-	1,219,868		1,219,868			1,219,868		1,219,868
210 A	990G000	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY															-
210 B	140090	HISTORIC PROJECT - HOLOCAUST DOCUMENTATION AND EDUCATION CENTER RAIL CAR RENOVATION													500,000		500,000
210 C	140015	CULTURAL FACILITIES PROGRAM: <i>(subtotal)</i>													2,880,822		2,880,822
210 D	proviso	Straz Center Renovations Project, Tampa Bay Performing Arts Center, Inc. (Hillsborough County)													500,000		500,000
210 E	proviso	Dunedin Fine Art Center Multi Phase Contruction Project, Phase 2 (Pinellas County)													500,000		500,000
210 F	proviso	Accessibility Enhancement and Facility Improvements, Hippodrome State Theater, Inc (Alachua County)													99,822		99,822
210 G	proviso	Sidney and Berne Davis Art Center Restoration, Florida Arts, Inc. (Lee County)													500,000		500,000
210 H	proviso	Children's Museum Boardwalk, The Children's Museum, Inc.,(Palm Beach County)													36,000		36,000
210 I	proviso	Mound House: History from the Ground Up, Town of Fort Myers Beach (Lee County)													445,000		445,000
210 J	proviso	Atrium for All Seasons, Philharmonic Center for the Arts, Inc. (Collier County)													300,000		300,000
210 K	proviso	Mattie Kelly Cultural Arts Village Amphitheater and Village Green, Mattie Kelly Arts Foundation, Inc. (Okaloosa County)													500,000		500,000
211	990M000	MAINTENANCE AND REPAIR <i>(Subtotal)</i>	-	-	3,868,133	-	3,868,133	-	-	1,645,047	-	1,645,047	-	-	3,868,133	-	3,868,133
212	080902	THE GROVE - REPAIR/MAINTENANCE/ADA COMPLIANCE - DMS MGD The Division of Historical Resources requests Phase II funding for the continued development of the Grove as a publicly visited and accessible museum in order to fulfill the requirements of section 267.075, Florida Statutes. The requested funds will complete the rehabilitation of this historical structure and grounds. Following the completion of this phase, the building will be ready for the installation of the museum exhibits. Funding for Phase I in the amount of \$1,579,358 was appropriated in FY 10-11.		-	3,593,133		3,593,133		-	1,370,047		1,370,047			3,593,133		3,593,133

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A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
LINE #	D3A Issue	D3A Issue Title	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS
213	085017	REPAIRS AND RENOVATIONS, ROOF REPAIRS - DMS MGD This issue funds replacement of roofing on the historic reconstructions at Mission San Luis. The reconstructions utilize historically accurate organic thatch material that decomposes over time. The Council House roof has significantly decomposed and is in need of replacement.			- 275,000		275,000		-	275,000		275,000			275,000		275,000
214	990S000	SPECIAL PURPOSE			-				-								-
215	083853	MUSEUM OF FLORIDA HISTORY PERMANENT EXHIBIT Funding for the Museum of Florida History Permanent Exhibit. is for year two funding as part of a private/public partnership for the exhibit, "Forever Changed: La Florida, 1513-1821," which will play a pivotal role in the Viva Florida 500 commemoration. The first section of the exhibit is scheduled for a February 2012 opening. This additional funding is needed to complete the remaining three sections of the exhibit.			- 1,000,000		1,000,000		-	1,000,000		1,000,000			1,000,000		1,000,000
216																	-
217	STATE, DEPT. OF Total		415.00	44,582,865	13,938,601	30,023,046	88,544,512	403.00	20,113,527	28,530,135	29,961,544	78,605,206	402.00	32,991,008	33,612,931	29,853,696	96,457,635
218																	
219	TRANSPORTATION, DEPT. OF																
220		BASE BUDGET (OPERATING COSTS FROM PRIOR YEAR)	6,939.00			826,374,235	826,374,235	6,939.00			826,374,235	826,374,235	6,939.00			826,374,235	826,374,235
221		BASE BUDGET (DEBT SERVICE)				152,330,426	152,330,426				152,330,426	152,330,426				152,330,426	152,330,426
222	160F010	REAPPROVE FIVE PERCENT TRANSFER - DEDUCT This issue requests reapproval of permanent budget adjustments approved in FY 11/12. The transfer moved budget from OPS category to the Contracted Services category to cover contractual obligations for janitorial services, air-conditioning, security system, fire alarm testing, HVAC inspections, pest control, and other related services. (Agency Amended Request)				(72,915)	(72,915)									(72,915)	(72,915)
223	160F020	REAPPROVE FIVE PERCENT TRANSFER - ADD This issue requests reapproval of permanent budget adjustments approved in FY 11/12. The transfer moved budget from OPS category to the Contracted Services category to cover contractual obligations for janitorial services, air-conditioning, security system, fire alarm testing, HVAC inspections, pest control, and other related services. (Agency Amended Request)				72,915	72,915									72,915	72,915
224	160F1C0	REAPPROVE FIVER PERCENT TRANSFER - DEDUCT This issue requests reapproval of permanent budget adjustments approved in FY 11/12. This transfer moved budget in the Expense and Contracted Services categories from the Transportation Systems Development budget entity to the Information Technology budget entity for maintenance of video teleconference equipment, software licenses for personal computers and data line charges for the Martin Weigh in Motion Station on I-95 Expressway				(40,000)	(40,000)									(40,000)	(40,000)

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A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
LINE #	D3A Issue	D3A Issue Title	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS
225	160F2C0	REAPPROVE FIVE PERCENT TRANSFER - ADD This issue requests reapproval of permanent budget adjustments approved in FY 11/12. This transfer moved budget in the Expense and Contracted Services categories from the Transportation Systems Development budget entity to the Information Technology budget entity for maintenance of video teleconference equipment, software licenses for personal computers and data line charges for the Martin Weigh in Motion Station on I-95 Expressway.				40,000	40,000									40,000	40,000
226	160M010	BACK OUT OF LEASE OR LEASE-PURCHASE OF EQUIPMENT This issue requests realignment of funds identified for the lease/lease purchase of equipment, fixtures, and other tangible personal property from the appropriation category currently used to a new appropriation category as defined in Section 216.011(1)(vv), Florida Statutes, in accordance with the requirements of Ch. 2011-45, Laws of Florida. (Agency Amended Request)		-		(551,643)	(551,643)		-		(551,643)	(551,643)				(551,643)	(551,643)
227	160M020	REALIGN LEASE OR LEASE PURCHASE EQUIPMENT - ADD This issue requests realignment of funds identified for the lease/lease purchase of equipment, fixtures, and other tangible personal property from the appropriation category currently used to a new appropriation category as defined in Section 216.011(1)(vv), Florida Statutes, in accordance with the requirements of Ch. 2011-45, Laws of Florida. (Agency Amended Request)		-		551,643	551,643		-		551,643	551,643				551,643	551,643
228	1604010	REAPPROVE POSITION REDUCTION REALLOCATION - DEDUCT This issue requests reapproval of permanent budget adjustments approved in FY 11/12. The FY 11/12 GAA included a reduction of 169 positions. In order to absorb this reduction, the department requested the realignment of the position reductions between budget entities. The realignment nets to zero at the department level.	(33.00)			-	-						(33.00)			-	-
229	1604020	REAPPROVE POSITION REDUCTION REALLOCATION - ADD This issue requests reapproval of permanent budget adjustments approved in FY 11/12. The FY 11/12 GAA included a reduction of 169 positions. In order to absorb this reduction, the department requested the realignment of the position reductions between budget entities. The realignment nets to zero at the department level.	33.00			-	-						33.00			-	-
230	17C10C0	STATEWIDE EMAIL CONSOLIDATION - DEDUCT Transfer from appropriation categories currently used to operate, manage, and maintain the agency's email system or service to the Data Processing Services SSRC-Electronic Mail Services category.	(4.00)	-		(705,942)	(705,942)	(4.00)	-		(1,027,075)	(1,027,075)					-
231	17C11C0	STATEWIDE EMAIL CONSOLIDATION - ADD Transfer from appropriation categories currently used to operate, manage, and maintain the agency's email system or service to the Data Processing Services SSRC-Electronic Mail Services category.		-		705,942	705,942		-		1,027,075	1,027,075					-
231 A	1800100	INTRA-AGENCY REORGANIZATIONS - REORGANIZE ADMINISTRATIVE FUNCTION - ADD This issue request the realignment of existing positions and associated budget between budget entities and program components to align the positions within the program area they support in the organization.. (Agency Amended Issue)	94.00			6,590,906	6,590,906						94.00			6,590,906	6,590,906

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A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
LINE #	D3A Issue	D3A Issue Title	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS
231 B	1800110	INTRA-AGENCY REORGANIZATIONS - REORGANIZE ADMINISTRATIVE FUNCTION - DEDUCT This issue request the realignment of existing positions and associated budget between budget entities and program components to align the positions within the program area they support in the organization.. (Agency Amended Issue)	(94.00)			(6,590,906)	(6,590,906)						(94.00)			(6,590,906)	(6,590,906)
231 C	1800100	INTRA-AGENCY REORGANIZATIONS - REALIGN EXISTING POSITIONS - DEDUCT - DEDUCT This issue request the realignment of existing positions and associated budget between budget entities and program components to align the positions within the program area they support in the organization.. (Agency Amended Issue)	(5.00)			(529,958)	(529,958)						(5.00)			(529,958)	(529,958)
231 D	1800110	INTRA-AGENCY REORGANIZATIONS - REORGANIZE ADMINISTRATIVE FUNCTION - ADD This issue request the realignment of existing positions and associated budget between budget entities and program components to align the positions within the program area they support in the organization.. (Agency Amended Issue)	5.00			529,958	529,958						5.00			529,958	529,958
232	2001100	REALIGN BASE WITHIN ENTITY - DEDUCT Realignment of \$5,000,000 to support toll operations within Turnpike Enterprise. With the implementation of all-electronic open road tolling on the Homestead Extension of Florida's Turnpike, traditional toll booths have been removed and tolls are paid electronically, through either SunPass transponders on the new Toll-by-Plate Program. This has resulted in a shift of costs from manual toll collections to back-office costs which include credit card fees and mailing/delivery of invoices.		-		(5,000,000)	(5,000,000)		-		(5,000,000)	(5,000,000)				(5,000,000)	(5,000,000)
233	2001200	REALIGN BASE WITHIN ENTITY - ADD Realignment of \$5,000,000 to support toll operations within Turnpike Enterprise. With the implementation of all-electronic open road tolling on the Homestead Extension of Florida's Turnpike, traditional toll booths have been removed and tolls are paid electronically, through either SunPass transponders on the new Toll-by-Plate Program. This has resulted in a shift of costs from manual toll collections to back-office costs which include credit card fees and mailing/delivery of invoices.		-		5,000,000	5,000,000		-		5,000,000	5,000,000				5,000,000	5,000,000

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A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
LINE #	D3A Issue	D3A Issue Title	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS
234	2401170	REPLACEMENT EQUIPMENT FOR MATERIALS AND TESTING LABORATORIES Funding to purchase replacement testing equipment and host vehicles used in the State Materials Laboratory in Gainesville, District 4 and District 6 that is outdated, obsolete or no longer functional. This is specialized equipment used to ensure that roads meet contract specifications, are safe for travel, and test the durability and cost effectiveness of materials used in highway and bridge construction. Inductively Coupled Plasma Machine - \$227,500 Multi-Purpose Survey Vehicle - \$300,000 Laser Profiling System - \$162,000 Super Pave Gyratory Compactor - \$35,000		-		922,500	922,500		-		922,500	922,500				922,500	922,500
235	2403100	ADDITIONAL EQUIPMENT FOR THE MATERIALS AND TESTING LABORATORIES Funding for the purchase of specialized equipment for the State Materials Laboratory in Gainesville, District 4 and District 6. The concrete testing equipment and software is needed to ensure that concrete roads are constructed in a manner that meets specifications and is safe for travel. The equipment is also used to anticipate or prevent roadway damage by predicting the performance of mass concrete structures. Concrete Polisher System - \$30,000 Indirect Tension of Concrete System - \$208,000 Finite Element Analysis Software - \$55,000 Dynamic Shear Rheometer - \$40,000		-		333,000	333,000		-		333,000	333,000				333,000	333,000
236	2503080	DIRECT BILLING FOR ADMINISTRATIVE HEARINGS		-					-		(30,804)	(30,804)				(5,144)	(5,144)
237	26002C0	ANNUALIZE - DEDUCT AGENCY DATA CENTER SERVICES FUNDING		-		(1,983,872)	(1,983,872)		-							(1,983,872)	(1,983,872)
238	26006C0	ANNUALIZE - ADDITIONAL SERVICES PROVIDED BY PRIMARY DATA CENTER		-		1,983,873	1,983,873		-							1,983,873	1,983,873
239	26007C0	ANNUALIZE - DEDUCTIONS FROM TECHNOLOGY SERVICES CONSOLIDATIONS		-		(254,820)	(254,820)		-							(254,820)	(254,820)
240	3001080	ENHANCED TRAFFIC LAW ENFORCEMENT FOR STATE ROAD 93 - ALLIGATOR ALLEY Requests additional budget authority for FHP - Law Enforcement Services on Alligator Alley in accordance with DHSMV LBR. This issue will increase the transfer to DHSMV for Florida Highway Patrol Services.		-		359,350	359,350		-							-	-
241	3007000	INTELLIGENT TRANSPORTATION SYSTEMS SUPPORT Requests additional budget for District 6 Regional Transportation Center to cover operating costs. Currently, Florida Highway Patrol and Miami-Dade Expressway Authority share space in District 6 facilities owned by FDOT. Under current contracts with the agencies, FDOT is reimbursed the agencies' share of the operation expenses. The Department of Financial Services guidelines require that FDOT include these entire operating costs in LBR in order to restore budget authority for these reimbursements.		-		11,439	11,439		-		11,439	11,439				11,439	11,439
242	33G0100	VACANT POSITION REDUCTIONS Eliminates 150 vacant positions.		-				(38.00)	-		(1,965,353)	(1,965,353)	(150.00)			(3,930,706)	(3,930,706)

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A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
LINE #	D3A Issue	D3A Issue Title	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS
242 A	2001700	REALIGN TOLL OPERATION CONTRACTS AND INSURANCE FROM OPERATING TO WORK PROGRAM - DEDUCT This issue transfers existing budget authority for Toll Operation Contracts and Toll Facility Insurance from the Operating Budget Expense Category to the Work Program Category Toll Operation Contracts. (Agency Amended Issue)				(67,992,683)	(67,992,683)									(62,274,257)	(62,274,257)
242 B	2001800	TRANSFER UTILITY COSTS ASSOCIATED WITH WORK PROGRAM - DEDUCT This issue transfers existing budget authority for utility costs associated with expenditures related highway and bridge utilities, intelligent transportation system field equipment, and weigh in motion stations to the Work Program Category Highway Maintenance Contracts (Agency Amended Issue)				(14,755,255)	(14,755,255)									-	-
243	33015C0	REDUCTIONS FROM EMAIL SERVICES CONSOLIDATIONS Reductions represents the agency's savings realized through the purchase of enterprise email services.		-					-		(400,398)	(400,398)				-	-
243 A	33001C0	REDUCTIONS FROM TECHNOLOGY SERVICES CONSOLIDATIONS The reduction is the difference between what the agency is currently spending to provide data center services and the amount needed to support the projected data center billing.														(693,409)	(693,409)
244	36102C0	FLORIDA PERMANENT REFERENCE NETWORK (FPRN) Request budget for the upgrade of the FPRN which is the department's Global Position Base Station (GPS) network, operated statewide through 59 various locations. The department and other agencies use this system for GPS surveying and mapping activities, structural monitoring, and scientific measurements for design and construction.		-		1,343,500	1,343,500		-		1,343,500	1,343,500				1,343,500	1,343,500
245	36220C0	STORAGE AREA NETWORK REPLACEMENT Request budget for SANS replacement in district headquarters for all 7 districts and Florida's Turnpike. These servers are scheduled for data center consolidation in FY 14-15. Since the units will be over 8 years old at that time, replacement is requested to maintain the current level of service through FY 14-15.		-		966,400	966,400		-							966,400	966,400
246	36250C0	CONSTRUCTION MATERIAL ACCEPTANCE CERTIFICATION Request budget for the Laboratory Information Management System (LIMS) for Year 1 of a four year program of technology replacement. LIMS is the business application used by FDOT to ensure the quality of workmanship and materials for all construction projects through materials sampling, testing and acceptance. The department is dependent on LIMS to manage all the processes related to materials quality compliance and project acceptance. The current vendor can no longer provide changes to LIMS and will not provide support after 2015.		-		722,400	722,400		-		722,400	722,400				722,400	722,400
247	55C01C0	ADDITIONAL RESOURCES REQUIRED TO SUPPORT CONSOLIDATION OF TECHNOLOGY SERVICES		-					-		332,240	332,240					-
248	55C04C0	ADDITIONAL RESOURCES REQUIRED TO SUPPORT CONSOLIDATION OF EMAIL SERVICES		-		285,374	285,374		-								-

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A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
LINE #	D3A Issue	D3A Issue Title	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS
249	5503100	BUDGET RESTORATION - EXPENDITURE REFUNDS Request additional budget to cover the costs of fuel utilized by other state agencies at the department's fuel stations. Currently the department bills other agencies for these costs. The Department of Financial Services guidelines direct that these costs be included in the annual LBR to restore budget for these reimbursements.		-		2,127,186	2,127,186		-		2,127,186	2,127,186				2,127,186	2,127,186
250	6001040	TOLLS VIOLATION ENFORCEMENT PROGRAM Requests budget to continue toll enforcement utilizing FHP troopers at unmanned toll facilities statewide.		-		149,850	149,850		-							-	-
251	6001160	TRANSFER TO DEPT OF HIGHWAY SAFETY AND MOTOR VEHICLES - REIMBURSE FOR TROOP K SERVICES ON THE FL TURNPIKE Requests budget for the reimbursement of FHP Services - Troop K. The additional budget is requested based on the DHSMV budget request for Troop K.		-		2,171,214	2,171,214		-							-	-
252	6001180	TRANSFER TO THE DEPARTMENT OF HIGHWAY SAFETY - MOTOR CARRIER COMPLIANCE PROGRAM Transfers remaining cash balance in the Federal Law Enforcement Trust Fund to the DHSMV Federal Law Enforcement Trust Fund to support Motor Carrier Compliance Program.		-		540,000	540,000		-		540,000	540,000				-	-
253	6001190	TRANSFER TO SOUTH FLORIDA WATER MANAGEMENT DISTRICT Request for additional budget authority to transfer of anticipated excess Alligator Alley toll revenues from the STTF to SFWMD Everglades Fund. (s. 338.26, F.S.)		-		2,400,000	2,400,000		-		2,400,000	2,400,000				2,400,000	2,400,000
254	6005040	FAIRBANKS HAZARDOUS WASTE PIT Requests additional budget for the recurring operation and maintenance of the Fairbanks Site in Alachua County to maintain compliance with the departments Resource Conservation and Recovery Act permit requirements set forth in guidelines provided by Florida Department of Environmental Regulation. Currently, the department maintains compliance through a cost cap insurance policy purchased in 2002. This contract will expire in September of 2012.		-		220,365	220,365		-		220,365	220,365				220,365	220,365
255	6009910	PAYMENTS TO EXPRESSWAY AUTHORITIES Requests budget to reimburse Orlando-Orange County Expressway Authority and Tampa-Hillsborough Expressway Authority for certain operating and maintenance costs.		-		12,322,862	12,322,862		-							12,322,862	12,322,862
255 A	33S4250	REDUCE BASE FUNDING - ELIMINATE TRANSFER TO DEPARTMENT OF HIGHWAY SAFETY & MOTOR VEHICLE FOR COMMERCIAL VEHICLE ENFORCEMENT Eliminates the transfer of funds to support the Motor Carrier Compliance Program. The base budget includes \$21.9M for the transfer of cash from the State Transportation Trust Fund to the Department of Highway Safety and Motor Vehicles to provide funding for the program.														(21,844,317)	(21,844,317)
255 B	6002400	PROVIDE ADDITIONAL FUNDING FOR TRANSPORTATION DISADVANTAGED COMMISSION														5,000,000	5,000,000
256	990C000	CODE CORRECTIONS		-					-								-

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A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
LINE #	D3A Issue	D3A Issue Title	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS
257	080002	MINOR RENOVATIONS, REPAIRS, AND IMPROVEMENTS - STATEWIDE Requests budget for safety an code correction projects necessary to meet fire marshal, environmental, health code/safety requirements, and handicapped access projects necessary to meet state and federal compliance with the provisions of the American with Disabilities Act.				626,500	626,500				626,500	626,500				626,500	626,500
258	990E000	ENVIRONMENTAL PROJECTS (Subtotal)	-	-		1,270,000	1,270,000	-	-	-	1,270,000	1,270,000	-	-	-	1,270,000	1,270,000
259	088542	UNDERGROUND STORAGE TANK PROGRAM - STATEWIDE Requests budget to fund the removal of underground fuel storage tanks, installation of new above ground tanks, and associated minor remedial actions for District 4-Stuart Maintenance Yard. (s. 376.303, F.S.)				350,000	350,000				350,000	350,000				350,000	350,000
260	088763	ENVIRONMENTAL SITE RESTORATION Request budget to continue funding environmental site restoration work to clean up contaminated soil and groundwater at various department facilities in accordance with the Federal Resource Conservation and Recovery Act.				920,000	920,000				920,000	920,000				920,000	920,000
261	990M000	MAINTENANCE AND REPAIR (Subtotal)	-	-	-	7,573,775	7,573,775	-	-	-	4,707,321	4,707,321	-	-	-	4,707,321	4,707,321
262	080002	MINOR RENOVATIONS, REPAIRS, AND IMPROVEMENTS - STATEWIDE The capital depreciation budget will fund projects such as correction of building deficiencies (electrical; roofing; plumbing; mechanical Heating, Ventilation and Air Conditioning (HVAC); exterior repairs; interior repairs; parking lot repairs; site drainage repairs; elevator repairs; structural repairs; data/ phone/ communication repairs; installation of fuel tank canopies; installation of security systems; flooring replacement, etc.), renovations, improvements and/or additions to sustain Department facilities at an operational and habitable level and to materially extend the useful life of the facilities. The Department also uses the capital depreciation budget for emergency repairs.				5,986,400	5,986,400				3,119,946	3,119,946				3,119,946	3,119,946
263	082342	REPLACE - HEATING, VENTILATION AND AIR CONDITIONING - BARTOW DISTRICT OFFICE				1,587,375	1,587,375				1,587,375	1,587,375				1,587,375	1,587,375
264	990T000	TRANSPORTATION WORK PROGRAM (Subtotal)	-	-	-	7,070,446,202	7,070,446,202	-	-	-	5,713,321,551	5,713,321,551	-	-	-	7,853,472,521	7,853,472,521
265	080047	STATE INFRASTRUCTURE BANK LOAN REPAYMENTS				18,482,084	18,482,084				18,242,486	18,242,486				18,482,084	18,482,084
266	085575	SMALL COUNTY RESURFACE ASSISTANCE PROGRAM (SCRAP)				25,685,535	25,685,535				25,141,950	25,141,950				25,685,535	25,685,535
267	085576	SMALL COUNTY OUTREACH PROGRAM (SCOP)				26,381,305	26,381,305				29,671,522	29,671,522				36,381,305	36,381,305
268	088572	COUNTY TRANSPORTATION PROGRAMS				50,761,552	50,761,552				42,125,655	42,125,655				50,761,552	50,761,552
269	088703	BOND GUARANTEE				500,000	500,000				500,000	500,000				500,000	500,000
270	088704	TRANSPORTATION PLANNING CONSULTANTS				68,764,216	68,764,216				47,623,871	47,623,871				68,764,216	68,764,216
271	088712	TRANSPORTATION HIGHWAY MAINTENANCE CONTRACTS				395,769,143	395,769,143				438,891,165	438,891,165				381,013,888	381,013,888
272	088716	INTRASTATE HIGHWAY CONSTRUCTION				2,042,162,589	2,042,162,589				1,286,352,792	1,286,352,792				2,571,578,589	2,571,578,589
273	088717	ARTERIAL HIGHWAY CONSTRUCTION				470,624,694	470,624,694				392,293,405	392,293,405				489,874,694	489,874,694
274	088718	CONSTRUCTION INSPECTION CONSULTANTS				424,179,252	424,179,252				260,722,714	260,722,714				501,846,252	501,846,252
275	088719	AVIATION DEVELOPMENT/GRANTS				176,928,822	176,928,822				152,284,154	152,284,154				184,428,822	184,428,822
276	088774	PUBLIC TRANSIT DEVELOPMENT/GRANTS				381,615,493	381,615,493				416,766,987	416,766,987				389,115,493	389,115,493
277	088777	RIGHT-OF-WAY LAND ACQUISITION				455,561,588	455,561,588				377,764,234	377,764,234				484,361,588	484,361,588
278	088790	SEAPORT - ECONOMIC DEVELOPMENT				15,000,000	15,000,000				15,000,000	15,000,000				15,000,000	15,000,000

Senate Budget Subcommittee on Transportation, Tourism and Economic Development Appropriations

Fiscal Year 2012-2013

			AGENCY LEGISLATIVE BUDGET REQUEST					GOVERNOR'S BUDGET RECOMMENDATIONS					SENATE Proposal				
A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
LINE #	D3A Issue	D3A Issue Title	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS	FTE	RECURRING GENERAL REVENUE	NON-RECURRING GENERAL REVENUE	TOTAL TRUST FUNDS	TOTAL ALL FUNDS
279	088791	SEAPORTS ACCESS PROGRAM		-		10,000,000	10,000,000		-		10,000,000	10,000,000				10,000,000	10,000,000
280	088794	SEAPORT GRANTS		-		115,446,664	115,446,664		-		83,711,239	83,711,239				115,446,664	115,446,664
280A	088807	SEAPORT INVESTMENT PROGRAM														15,000,000	15,000,000
281	088796	HIGHWAY SAFETY CONSTRUCTION/GRANTS		-		107,263,812	107,263,812		-		113,678,043	113,678,043				107,263,812	107,263,812
282	088797	RESURFACING		-		674,544,808	674,544,808		-		862,405,699	862,405,699				674,544,808	674,544,808
283	088799	BRIDGE CONSTRUCTION		-		347,375,266	347,375,266		-		208,119,698	208,119,698				347,375,266	347,375,266
284	088808	RAIL DEVELOPMENT/GRANTS		-		111,516,508	111,516,508		-		169,253,515	169,253,515				119,016,508	119,016,508
285	088809	INTERMODAL DEVELOPMENT/GRANTS		-		95,424,830	95,424,830		-		62,387,006	62,387,006				95,424,830	95,424,830
286	088810	CONTRACT MAINTENANCE WITH THE DEPARTMENT OF CORRECTIONS		-		19,146,000	19,146,000		-		19,721,000	19,721,000				19,146,000	19,146,000
287	088849	PRELIMINARY ENGINEERING CONSULTANTS		-		667,726,578	667,726,578		-		416,314,179	416,314,179				745,393,578	745,393,578
288	088850	HIGHWAY BEAUTIFICATION GRANTS		-		1,000,000	1,000,000		-		1,000,000	1,000,000				1,000,000	1,000,000
289	088853	RIGHT-OF-WAY SUPPORT		-		45,692,389	45,692,389		-		39,175,497	39,175,497				52,892,389	52,892,389
290	088854	TRANSPORTATION PLANNING GRANTS		-		27,626,104	27,626,104		-		25,840,953	25,840,953				27,626,104	27,626,104
291	088856	GRANTS AND AIDS - TRANSPORTATION EXPRESSWAY AUTHORITIES		-		4,000,000	4,000,000		-		4,000,000	4,000,000					-
292	088857	MATERIALS AND RESEARCH		-		12,788,180	12,788,180		-		12,763,644	12,763,644				12,788,180	12,788,180
293	088859	TRANSFER TO EXEC OFFICE OF THE GOVERNOR, OFFICE OF TOURISM, TRADE & ECONOMIC DEVELOPMENT FOR TRANSPORTATION PROJECTS		-		10,000,000	10,000,000		-							-	-
294	088861	TRANSFER TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY FOR TRANSPORTATION PROJECTS		-		-	-		-		15,000,000	15,000,000				-	-
294A	088862	ECONOMIC DEVELOPMENT TRANSPORTATION PROJECTS (ROAD FUND)				-	-									30,000,000	30,000,000
295	088864	BRIDGE INSPECTION		-		13,443,265	13,443,265		-		13,043,265	13,043,265				13,443,265	13,443,265
296	088866	TRAFFIC ENGINEERING CONSULTANTS		-		68,002,847	68,002,847		-		67,557,730	67,557,730				68,002,847	68,002,847
297	088867	LOCAL GOVERNMENT REIMBURSEMENT		-		38,503,210	38,503,210		-		49,039,957	49,039,957				38,503,210	38,503,210
297A	088766	TOLL OPERATION CONTRACTS				67,992,683	67,992,683									62,274,257	62,274,257
298	088920	TURNPIKE SYSTEM EQUIPMENT AND DEVELOPMENT		-		45,681,908	45,681,908		-		9,974,314	9,974,314				45,681,908	45,681,908
299	088922	TOLLS SYSTEM EQUIPMENT AND DEVELOPMENT		-		31,193,000	31,193,000		-		23,293,000	23,293,000				31,193,000	31,193,000
300	089070	DEBT SERVICE		-		3,661,877	3,661,877		-		3,661,877	3,661,877				3,661,877	3,661,877
301																	
302	TRANSPORTATION, DEPT. OF Total		6,935.00	-	-	8,000,493,821	8,000,493,821	6,897.00	-	-	6,705,186,108	6,705,186,108	6,789.00	-	-	8,776,148,003	8,776,148,003
303																	
304	TOTALS FOR ALL TED AGENCIES		14,058.50	89,376,056	177,928,409	9,619,795,147	9,887,099,612	13,921.50	64,464,010	188,250,376	8,137,342,909	8,390,057,295	13,839.50	66,400,000	108,314,365	10,300,626,232	10,475,340,597
305	Over/(under) the Base Budget Totals		22.00	25,920,129	177,928,409	7,624,196,317	7,828,044,855	(115.00)	1,008,083	188,250,376	6,141,744,079	6,331,002,538	(197.00)	2,944,073	108,314,365	8,305,027,402	8,416,285,840

DEPARTMENT	PAGE
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TRANSPORTATION, DEPARTMENT OF	1
SECTION 6 - GENERAL GOVERNMENT	
ECONOMIC OPPORTUNITY, DEPARTMENT OF	5
GOVERNOR, EXECUTIVE OFFICE OF THE	11
HIGHWAY SAFETY AND MOTOR VEHICLES, DEPARTMENT OF	12
MILITARY AFFAIRS, DEPARTMENT OF	14
STATE, DEPARTMENT OF	14

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

TRANSPORTATION, DEPARTMENT OF

Funds in Specific Appropriations 1916 through 1928, 1934A through 1934E, 1950, 1951, 1953 through 1958, 1960 through 1970, and 2014 through 2023 are provided from the named funds to the department to fund the five year Work Program developed pursuant to provisions of section 339.135, Florida Statutes. Those appropriations used by the department for grants and aids may be advanced in part or in total.

TRANSPORTATION SYSTEMS DEVELOPMENT

PROGRAM: TRANSPORTATION SYSTEMS DEVELOPMENT

1917 FIXED CAPITAL OUTLAY AVIATION DEVELOPMENT/GRANTS

The funds provided in Specific Appropriation 1917, exceeding the amount programmed in the Department of Transportation's Final Tentative Five-Year Work Program for Fiscal Years 2012-13 through 2016-17 are contingent upon the passage of Senate Proposed Committee Bill XXX, or similar legislation becoming law.

1918 FIXED CAPITAL OUTLAY PUBLIC TRANSIT DEVELOPMENT/GRANTS

The funds provided in Specific Appropriation 1918, exceeding the amount programmed in the Department of Transportation's Final Tentative Five-Year Work Program for Fiscal Years 2012-13 through 2016-17 are contingent upon the passage of Senate Proposed Committee Bill XXX, or similar legislation becoming law.

1919 FIXED CAPITAL OUTLAY RIGHT-OF-WAY LAND ACQUISITION

From the funds in Specific Appropriation 1919, no funds are provided for right-of-way land acquisition in support of the Department of Transportation's obligation to construct the Wekiwa Parkway. The term "Wekiwa Parkway" means a limited access highway or expressway constructed between State Road 429 and Interstate 4 specifically incorporating the corridor alignment recommended by Recommendation 2 of the Wekiwa River Basin Area Task Force final report dated January 15, 2003, and the recommendations of the SR 429 Working Group which were adopted January 16, 2004, and related transportation facilities.

05	00000000	000000	0000	S01
05	00000000	000000	0000	S01
05	00000000	000000	0000	S01
05	00000000	000000	0000	S01
05	00000000	000000	0000	S01
05	00000000	000000	0000	S01
05	55000000	000000	0000	
05	55000000	000000	5000	S01
05	55000000	000000	5000	S01
05	55000000	000000	5000	S01
05	55000000	000000	5000	S01
05	55000000	000000	5000	S01
05	55100000	000000	0000	
05	55100100	000000	0000	
05	55100100	080000	0000	
05	55100100	088719	0000	
05	55100100	088719	5000	S01
05	55100100	088719	5000	S01
05	55100100	088719	5000	S01
05	55100100	088719	5000	S01
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05	55100100	088774	5000	S01
05	55100100	088774	5000	S01
05	55100100	088774	5000	S01
05	55100100	080000	0000	
05	55100100	088777	0000	
05	55100100	088777	5000	S01
05	55100100	088777	5000	S01
05	55100100	088777	5000	S01
05	55100100	088777	5000	S01
05	55100100	088777	5000	S01
05	55100100	088777	5000	S01
05	55100100	088777	5000	S01
05	55100100	088777	5000	S01
05	55100100	088777	5000	S01

The funds provided in Specific Appropriation 1919, exceeding the amount programmed in the Department of Transportation's Final Tentative Five-Year Work Program for Fiscal Years 2012-13 through 2016-17 are contingent upon the passage of Senate Proposed Committee Bill XXX, or similar legislation becoming law.

05	55100100	088777	5000	S01
05	55100100	088777	5000	S01
05	55100100	088777	5000	S01
05	55100100	088777	5000	S01
05	55100100	088777	5000	S01
05	55100100	088777	5000	S01

1922A FIXED CAPITAL OUTLAY
SEAPORT INVESTMENT PROGRAM

The funds provided in Specific Appropriation 1922A, are contingent upon the passage of Senate Proposed Committee Bill XXX, or similar legislation becoming law.

05	55100100	080000	0000	
05	55100100	088807	0000	
05	55100100	088807	5000	S01
05	55100100	088807	5000	S01
05	55100100	088807	5000	S01

1923 FIXED CAPITAL OUTLAY
RAIL DEVELOPMENT/GRANTS

The funds provided in Specific Appropriation 1923, exceeding the amount programmed in the Department of Transportation's Final Tentative Five-Year Work Program for Fiscal Years 2012-13 through 2016-17 are contingent upon the passage of Senate Proposed Committee Bill XXX, or similar legislation becoming law.

05	55100100	080000	0000	
05	55100100	088808	0000	
05	55100100	088808	5000	S01
05	55100100	088808	5000	S01
05	55100100	088808	5000	S01
05	55100100	088808	5000	S01
05	55100100	088808	5000	S01

1925 FIXED CAPITAL OUTLAY
PRELIMINARY ENGINEERING CONSULTANTS

From the funds in Specific Appropriation 1925, no funds are provided for preliminary engineering and consultant services in support of the Department of Transportation's obligation to construct the Wekiva Parkway. The term "Wekiva Parkway" means a limited access highway or expressway constructed between State Road 429 and Interstate 4 specifically incorporating the corridor alignment recommended by Recommendation 2 of the Wekiva River Basin Area Task Force final report dated January 15, 2003, and the recommendations of the SR 429 Working Group which were adopted January 16, 2004, and related transportation facilities.

The funds provided in Specific Appropriation 1925, exceeding the amount programmed in the Department of Transportation's Final Tentative Five-Year Work Program for Fiscal Year 2012-13 through 2016-17 are contingent upon the passage of Senate Proposed Committee Bill XXX, or similar legislation becoming law.

05	55100100	080000	0000	
05	55100100	088849	0000	
05	55100100	088849	5000	S01
05	55100100	088849	5000	S01
05	55100100	088849	5000	S01
05	55100100	088849	5000	S01
05	55100100	088849	5000	S01
05	55100100	088849	5000	S01
05	55100100	088849	5000	S01
05	55100100	088849	5000	S01
05	55100100	088849	5000	S01
05	55100100	088849	5000	S01
05	55100100	088849	5000	S01
05	55100100	088849	5000	S01
05	55100100	088849	5000	S01

1926 FIXED CAPITAL OUTLAY
RIGHT-OF-WAY SUPPORT

The funds provided in Specific Appropriation 1926, exceeding the amount programmed in the Department of Transportation's Final Tentative Five-Year Work Program for Fiscal Years 2012-13 through 2016-17 are contingent upon the passage of Senate Proposed Committee Bill XXX, or similar legislation becoming law.

05	55100100	080000	0000	
05	55100100	088853	0000	
05	55100100	088853	5000	S01
05	55100100	088853	5000	S01
05	55100100	088853	5000	S01
05	55100100	088853	5000	S01
05	55100100	088853	5000	S01

TRANSPORTATION SYSTEMS OPERATIONS

PROGRAM: HIGHWAY OPERATIONS

1951 FIXED CAPITAL OUTLAY
SMALL COUNTY OUTREACH PROGRAM (SCOP)

The funds provided in Specific Appropriation 1951, exceeding the amount programmed in the Department of Transportation's Final Tentative Five-Year Work Program for Fiscal Years 2012-13 through 2016-17 are contingent upon the passage of Senate Proposed Committee Bill XXX, or similar legislation becoming law.

1956 FIXED CAPITAL OUTLAY
INTRASTATE HIGHWAY CONSTRUCTION

From the funds in Specific Appropriation 1956, no funds are provided in support of the Department's obligation's for the construction of the Wekiwa Parkway. The term "Wekiwa Parkway" means a limited access highway or expressway constructed between State Road 429 and Interstate 4 specifically incorporating the corridor alignment recommended by Recommendation 2 of the Wekiwa River Basin Area Task Force final report dated January 15, 2003, and the recommendations of the SR 429 Working Group which were adopted January 16, 2004, and related transportation facilities.

The funds provided in Specific Appropriation 1956, exceeding the amount programmed in the Department of Transportation's Final Tentative Five-Year Work Program for Fiscal Years 2012-13 through 2016-17 are contingent upon the passage of Senate Proposed Committee Bill XXX, or similar legislation becoming law.

1957 FIXED CAPITAL OUTLAY
ARTERIAL HIGHWAY CONSTRUCTION

From the funds in Specific Appropriation 1957, no funds are provided for the construction of the Wekiwa Parkway. The term "Wekiwa Parkway" means a limited access highway or expressway constructed between State Road 429 and Interstate 4 specifically incorporating the corridor alignment recommended by Recommendation 2 of the Wekiwa River Basin Area Task Force final report dated January 15, 2003, and the recommendations of the SR 429 Working Group which were adopted January 16, 2004, and related transportation facilities.

The funds provided in Specific Appropriation 1957, exceeding the amount programmed in the Department of Transportation's Final Tentative Five-Year Work Program for Fiscal Years 2012-13 through 2016-17 are contingent upon the passage of Senate Proposed Committee Bill XXX, or similar legislation becoming law.

05	55150000	000000	0000	
05	55150200	000000	0000	
05	55150200	080000	0000	
05	55150200	085576	0000	
05	55150200	085576	5000	S01
05	55150200	085576	5000	S01
05	55150200	085576	5000	S01
05	55150200	085576	5000	S01
05	55150200	085576	5000	S01
05	55150200	080000	0000	
05	55150200	088716	0000	
05	55150200	088716	5000	S01
05	55150200	088716	5000	S01
05	55150200	088716	5000	S01
05	55150200	088716	5000	S01
05	55150200	088716	5000	S01
05	55150200	088716	5000	S01
05	55150200	088716	5000	S01
05	55150200	088716	5000	S01
05	55150200	088716	5000	S01
05	55150200	088716	5000	S01
05	55150200	088716	5000	S01
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05	55150200	088717	0000	
05	55150200	088717	5000	S01
05	55150200	088717	5000	S01
05	55150200	088717	5000	S01
05	55150200	088717	5000	S01
05	55150200	088717	5000	S01
05	55150200	088717	5000	S01
05	55150200	088717	5000	S01
05	55150200	088717	5000	S01
05	55150200	088717	5000	S01
05	55150200	088717	5000	S01
05	55150200	088717	5000	S01
05	55150200	088717	5000	S01

1958 FIXED CAPITAL OUTLAY
CONSTRUCTION INSPECTION CONSULTANTS

From the funds in Specific Appropriation 1958, no funds are provided for construction inspection consultant services in support of the Department of Transportation's obligation to construct the Wekiva Parkway. The term "Wekiva Parkway" means a limited access highway or expressway constructed between State Road 429 and Interstate 4 specifically incorporating the corridor alignment recommended by Recommendation 2 of the Wekiva River Basin Area Task Force final report dated January 15, 2003, and the recommendations of the SR 429 Working Group which were adopted January 16, 2004, and related transportation facilities.

The funds provided in Specific Appropriation 1958, exceeding the amount programmed in the Department of Transportation's Final Tentative Five-Year Work Program for Fiscal Years 2012-13 through 2016-17 are contingent upon the passage of Senate Proposed Committee Bill XXX, or similar legislation becoming law.

FLORIDA'S TURNPIKE SYSTEMS

FLORIDA'S TURNPIKE ENTERPRISE

2015 FIXED CAPITAL OUTLAY
INTRASTATE HIGHWAY CONSTRUCTION

The funds provided in Specific Appropriation 2015, exceeding the amount programmed in the Department of Transportation's Final Tentative Five-Year Work Program for Fiscal Years 2012-13 through 2016-17 are contingent upon the passage of Senate Proposed Committee Bill XXX, or similar legislation becoming law.

2016 FIXED CAPITAL OUTLAY
CONSTRUCTION INSPECTION CONSULTANTS

The funds provided in Specific Appropriation 2016, exceeding the amount programmed in the Department of Transportation's Final Tentative Five-Year Work Program for Fiscal Years 2012-13 through 2016-17 are contingent upon the passage of Senate Proposed Committee Bill XXX, or similar legislation becoming law.

2020 FIXED CAPITAL OUTLAY
PRELIMINARY ENGINEERING CONSULTANTS

The funds provided in Specific Appropriation 2020, exceeding the amount programmed in the Department of Transportation's Final Tentative Five-Year Work Program for Fiscal Years 2012-13 through 2016-17 are contingent upon the passage of Senate Proposed Committee Bill XXX, or similar legislation becoming law.

05	55150200	080000	0000	
05	55150200	088718	0000	
05	55150200	088718	5000	S01
05	55150200	088718	5000	S01
05	55150200	088718	5000	S01
05	55150200	088718	5000	S01
05	55150200	088718	5000	S01
05	55150200	088718	5000	S01
05	55150200	088718	5000	S01
05	55150200	088718	5000	S01
05	55150200	088718	5000	S01
05	55150200	088718	5000	S01
05	55150200	088718	5000	S01
05	55150200	088718	5000	S01
05	55150200	088718	5000	S01
05	55180000	000000	0000	
05	55180100	000000	0000	
05	55180100	080000	0000	
05	55180100	088716	0000	
05	55180100	088716	5000	S01
05	55180100	088716	5000	S01
05	55180100	088716	5000	S01
05	55180100	088716	5000	S01
05	55180100	088716	5000	S01
05	55180100	080000	0000	
05	55180100	088718	0000	
05	55180100	088718	5000	S01
05	55180100	088718	5000	S01
05	55180100	088718	5000	S01
05	55180100	088718	5000	S01
05	55180100	088718	5000	S01
05	55180100	080000	0000	
05	55180100	088849	0000	
05	55180100	088849	5000	S01
05	55180100	088849	5000	S01
05	55180100	088849	5000	S01
05	55180100	088849	5000	S01
05	55180100	088849	5000	S01

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.

[illegible]

ECONOMIC OPPORTUNITY, DEPARTMENT OF

06 40000000 000000 0000

PROGRAM: EXECUTIVE DIRECTION AND SUPPORT SERVICES

06 40100000 000000 0000

FINANCE AND ADMINISTRATION

06 40100200 000000 0000

2226 SALARIES AND BENEFITS

06 40100200 010000 0000

Four positions and \$330,392 from the Administrative Trust Fund in Specific Appropriation 2226 are provided to enhance financial monitoring and oversight of Regional Workforce Boards. The Department of Economic Opportunity shall provide a report on February 1, 2013 to the chair of the Senate Budget Committee and the chair of the House Appropriations Committee describing the specific work activities assigned to these positions and the outcomes of the enhanced oversight.

[illegible]

PROGRAM: WORKFORCE SERVICES

06 40200000 000000 0000

WORKFORCE DEVELOPMENT

06 40200100 000000 0000

From the funds in Specific Appropriations 2246 through 2257, 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 Family Services, 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.

[illegible]

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.

From the funds in Specific Appropriations 2246 through 2257, no federal or state funds shall be used to pay for space being leased by a Regional Workforce Board, Workforce Florida, Inc., 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.

2249A SPECIAL CATEGORIES
GRANTS AND AIDS - WORKFORCE PROJECTS

Funds in Specific Appropriation 2249A shall be allocated to Goodwill Industries of South Florida.

2250 SPECIAL CATEGORIES
NON CUSTODIAL PARENT PROGRAM

From the funds provided in Specific Appropriation 2250, \$750,000 from the Welfare Transition Trust Fund is provided for the Non Custodial Parent Program in Pinellas, Pasco, and Hillsborough counties. The Pinellas Workforce Board (WorkNet) shall administer the funds, which shall be maintained as a single project for the three counties.

From the funds in Specific Appropriation 2250, \$666,000 from the Welfare Transition Trust Fund is provided to continue Gulf Coast Community Care's current Non Custodial Parent Program in Miami-Dade County, which shall be administered by the South Florida Workforce Board.

2252 SPECIAL CATEGORIES
GRANTS AND AIDS - REGIONAL WORKFORCE
BOARDS

Funds provided in Specific Appropriation 2252 from the Welfare Transition Trust Fund shall be allocated for workforce services based on a plan approved by Workforce Florida, Inc. The plan shall identify funds provided for state-level and discretionary initiatives, and shall maximize funds distributed directly to the Regional Workforce Boards. The plan shall provide for equitable distribution of funds to the boards based on anticipated client caseload and the achievement of performance standards. Copies of the proposed allocation shall be provided to the Governor's Office of Policy and Budget, the chair of the Senate

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06	40200100	000000	5000	S01
06	40200100	000000	5000	S01
06	40200100	000000	5000	S01

06	40200100	100000	0000	
06	40200100	100274	0000	

06	40200100	100274	5000	S01
06	40200100	100274	5000	S01
06	40200100	100274	5000	S01

06	40200100	100000	0000	
06	40200100	100564	0000	

06	40200100	100564	5000	S01
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06	40200100	100000	0000	
06	40200100	100780	0000	
06	40200100	100780	0000	

06	40200100	100780	5000	S01
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Committee on Budget and the chair of the House Appropriations Committee.

From the funds provided in Specific Appropriation 2252, any expenditures by regional workforce boards for "outreach," "advertising," or "public relations" must have a direct program benefit and shall be spent in strict accordance with all applicable federal regulations and guidance. Costs of promotional items, including but not limited to capes, blankets, clothing, and memorabilia, including models, gifts, and souvenirs, which exceed \$5,000 for outreach purposes must be approved prior to purchase by the Department of Economic Opportunity.

No funds in Specific Appropriation 2252 may be used directly or indirectly to pay for meals, food, or beverages for board members, staff, or employees of regional workforce boards, Workforce Florida, Inc., or the Department of Economic Opportunity except as expressly authorized by state law. Preapproved, reasonable, and necessary per diem allowances and travel expenses may be reimbursed. Such reimbursement shall be at the standard travel reimbursement rates established in section 112.061, Florida Statutes, and shall be in compliance with all applicable federal and state requirements. No funds in Specific Appropriation 2252 may be used for entertainment costs and recreational activities for board members and employees as these terms are defined in 2 C.F.R. part 230.

No funds in Specific Appropriation 2252 may 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 Workforce Florida, Inc.

Of the funds from Employment Security Administration Trust Funds in Specific Appropriation 2252, \$750,000 shall be allocated to the Home Builders Institute's Pre-Apprenticeship Certificate Training (PACT) program. Funds shall be used to provide veterans with career training, vocational training and job placement services in the home building industry.

WORKFORCE FLORIDA, INC.

From the funds in Specific Appropriations 2267 through 2272, 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 Family Services, 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.

[illegible]

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.

From the funds in Specific Appropriations 2267 through 2272, no federal or state funds shall be used to pay for space being leased by a Regional Workforce Board, Workforce Florida, Inc., 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: COMMUNITY DEVELOPMENT

COMMUNITY PLANNING

2280A SPECIAL CATEGORIES

GRANTS AND AIDS - BLACK BUSINESS LOAN PROGRAM

From the funds in Specific Appropriation 2280A, \$250,000 shall be allocated to the Urban League.

2284 SPECIAL CATEGORIES

GRANTS AND AIDS - ECONOMIC DEVELOPMENT
PROGRAMS

Pursuant to the provisions of section 498 of chapter 2011-142, Laws of Florida, the Department of Economic Opportunity shall use the funds provided in Specific Appropriation 2284 to execute a contract with the Office of Economic Development and Engagement within the University of West Florida for the charitable purpose of developing and implementing an innovative economic development program for promoting research and development, commercialization of research, economic diversification, and job creation in a Disproportionally Affected County.

HOUSING AND COMMUNITY DEVELOPMENT

2292A SPECIAL CATEGORIES

GRANTS AND AIDS TO COMMUNITY SERVICES

[illegible]

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06 40300100 000000 0000

06 40300100 100000 0000

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06 40300100 100237 0000

06 40300100 100237 5000 S01

06 40300100 100237 5000 S01

06 40300100 100000 0000

06 40300100 102241 0000

06 40300100 102241 0000

06 40300100 102241 5000 S01

06	40300100	102241	5000	S01
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06 40300100 102241 5000 S01

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06 40300200 000000 0000

06 40300200 100000 0000

06 40300200 100408 0000

Funds in Specific Appropriation 2292A shall be allocated as follows:

Pine Hills Neighborhood Redevelopment Project -
 Orange County..... 2,000,000
 Renaissance of the Parramore Neighborhood in
 Downtown Orlando..... 900,000
 Dr. J.B. Callahan Neighborhood Center in Parramore -
 renovation and expansion..... 1,000,000

06 40300200 100408 5000 S01
 06 40300200 100408 5000 S01
 06 40300200 100408 5000 S01
 06 40300200 100408 5000 S01
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 06 40300200 100408 5000 S01

FLORIDA HOUSING FINANCE CORPORATION

2299A LUMP SUM
 FLORIDA HOUSING FINANCE CORPORATION
 OPERATIONS AND PROGRAMS FUNDING

06 40300600 000000 0000
 06 40300600 090000 0000
 06 40300600 090150 0000
 06 40300600 090150 0000

Funds in Specific Appropriation 2299A are for the operational costs of the Florida Housing Finance Corporation. Specific Appropriation 2299A is contingent upon legislation becoming law which provides for the funds expended by the Florida Housing Finance Corporation for operations to be appropriated by the Legislature.

06 40300600 090150 5000 S01
 06 40300600 090150 5000 S01
 06 40300600 090150 5000 S01
 06 40300600 090150 5000 S01
 06 40300600 090150 5000 S01

2300 SPECIAL CATEGORIES
 GRANTS AND AIDS - HOUSING FINANCE
 CORPORATION (HFC) - AFFORDABLE HOUSING
 PROGRAMS

06 40300600 100000 0000
 06 40300600 105035 0000
 06 40300600 105035 0000
 06 40300600 105035 0000

Funds in Specific Appropriation 2300 must be used by the Florida Housing Finance Corporation for a Request for Proposal to be conducted outside the regular cycle to develop affordable, sustainable, and permanent housing for special needs and extremely low income households, as defined in Florida Statutes 420.0004. Funding awards shall be limited to nonprofit housing developers specializing in housing for individuals with special needs and extremely low incomes. This appropriation is contingent upon documentary stamp tax revenue received into the State Housing Trust Fund during FY 2012-13 in excess of the \$35,310,000 estimate adopted by the Revenue Estimating Conference on January 12, 2012. Only those funds exceeding the estimate, up to \$10 million, may be used to fund this appropriation.

06 40300600 105035 5000 S01
 06 40300600 105035 5000 S01
 06 40300600 105035 5000 S01
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 06 40300600 105035 5000 S01
 06 40300600 105035 5000 S01

PROGRAM: STRATEGIC BUSINESS DEVELOPMENT

STRATEGIC BUSINESS DEVELOPMENT

2304A LUMP SUM
 ECONOMIC DEVELOPMENT TOOLS

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 06 40400100 000000 0000
 06 40400100 090000 0000
 06 40400100 098019 0000

Funds provided in Specific Appropriation 2304A shall be used for the following programs: Qualified Targeted Industries, Qualified Defense Contractors, High Impact Performance Incentive, Quick Action Closing Fund, Brownfields Redevelopment Projects, and Innovation Incentive Fund.

06 40400100 098019 5000 S01
 06 40400100 098019 5000 S01
 06 40400100 098019 5000 S01
 06 40400100 098019 5000 S01

These funds shall not be released for any other purpose and shall only be disbursed when projects meet the contracted performance requirements.

Funds from the Economic Development Trust Fund in Specific Appropriation 2304A represent local match funds.

From the funds provided in Specific Appropriation 2304A from recurring State Economic Enhancement and Development Trust Fund, \$500,000 shall be provided to the Florida Manufacturing Extension Partnership for the purpose of leveraging federal and private resources for the support and delivery of services to the manufacturing community, which will provide economic stimulus through job creation and retention and assist Florida manufacturers to become more efficient and globally competitive.

2305A SPECIAL CATEGORIES
GRANTS AND AIDS - ECONOMIC GARDENING -
UNIVERSITY OF CENTRAL FLORIDA

The recurring funds provided in Specific Appropriation 2305A are for the Economic Gardening Technical Assistance Program.

2306A SPECIAL CATEGORIES
GRANTS AND AIDS - ADVOCATING INTERNATIONAL
RELATIONSHIPS

Funds provided in Specific Appropriation 2306A shall be allocated as follows:

Florida Association of Volunteer Action/Caribbean & Americas (FAVACA) - International Volunteer Corp.....	750,000
CAMACOL FLORIDA TRADE.....	300,000
CAMACOL FILM.....	150,000
Southeast U.S. / Japan & FLOR KOR.....	200,000

2306B SPECIAL CATEGORIES
ECONOMIC DEVELOPMENT PROJECTS

Funds in Specific Appropriation 2306B shall be allocated as follows:

Hialeah Chamber of Commerce and Industries.....	100,000
Florida Holocaust Museum - St. Petersburg.....	150,000

2308 SPECIAL CATEGORIES
GRANTS AND AIDS - ENTERPRISE FLORIDA
PROGRAM

From the funds in Specific Appropriation 2308, \$4,900,000 from the International Trade and Promotion Trust Fund shall be used for International programs.

06	40400100	098019	5000	S01
06	40400100	098019	5000	S01
06	40400100	098019	5000	S01
06	40400100	098019	5000	S01
06	40400100	098019	5000	S01
06	40400100	098019	5000	S01
06	40400100	098019	5000	S01
06	40400100	098019	5000	S01
06	40400100	098019	5000	S01
06	40400100	098019	5000	S01
06	40400100	098019	5000	S01
06	40400100	098019	5000	S01
06	40400100	100000	0000	
06	40400100	100268	0000	
06	40400100	100268	0000	
06	40400100	100268	5000	S01
06	40400100	100268	5000	S01
06	40400100	100000	0000	
06	40400100	100454	0000	
06	40400100	100454	0000	
06	40400100	100454	5000	S01
06	40400100	100454	5000	S01
06	40400100	100454	5000	S01
06	40400100	100454	5000	S01
06	40400100	100454	5000	S01
06	40400100	100454	5000	S01
06	40400100	100454	5000	S01
06	40400100	100454	5000	S01
06	40400100	100000	0000	
06	40400100	100562	0000	
06	40400100	100562	5000	S01
06	40400100	100562	5000	S01
06	40400100	100562	5000	S01
06	40400100	100562	5000	S01
06	40400100	100000	0000	
06	40400100	102003	0000	
06	40400100	102003	0000	
06	40400100	102003	5000	S01
06	40400100	102003	5000	S01
06	40400100	102003	5000	S01

2308A SPECIAL CATEGORIES
GRANTS AND AIDS - MILITARY BASE PROTECTION

Funds in Specific Appropriation 2308A shall be allocated as follows:

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

06	40400100	100000	0000	
06	40400100	102026	0000	
06	40400100	102026	5000	S01
06	40400100	102026	5000	S01
06	40400100	102026	5000	S01
06	40400100	102026	5000	S01

2314A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
SPACE, DEFENSE, AND RURAL INFRASTRUCTURE

Funds provided in Specific Appropriation 2314A shall be allocated as follows:

Defense Infrastructure.....	1,581,245
Rural Infrastructure.....	1,581,245

06	40400100	140000	0000	
06	40400100	140000	0000	
06	40400100	143150	0000	
06	40400100	143150	5000	S01
06	40400100	143150	5000	S01
06	40400100	143150	5000	S01
06	40400100	143150	5000	S01

GOVERNOR, EXECUTIVE OFFICE OF THE

PROGRAM: EMERGENCY MANAGEMENT

EMERGENCY PREVENTION, PREPAREDNESS AND RESPONSE

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

06	31000000	000000	0000	
06	31700000	000000	0000	
06	31700100	000000	0000	
06	31700100	000000	5000	S01
06	31700100	000000	5000	S01
06	31700100	000000	5000	S01
06	31700100	000000	5000	S01
06	31700100	000000	5000	S01

2602 SPECIAL CATEGORIES
GRANTS AND AIDS - PREDISASTER MITIGATION

Funds in Specific Appropriation 2602 are provided for the pre-disaster mitigation program. The 25 percent match requirement for the federal funds shall be provided by local governments.

06	31700100	100000	0000	
06	31700100	105264	0000	
06	31700100	105264	5000	S01
06	31700100	105264	5000	S01
06	31700100	105264	5000	S01

2603 SPECIAL CATEGORIES
GRANTS AND AIDS - HURRICANE LOSS
MITIGATION

Grants and Donations Trust Funds in the following Specific Appropriations reflect the transfer of \$7,000,000 of mitigation funds from the Florida Hurricane Catastrophe Fund pursuant to section 215.555(7), Florida Statutes: Specific Appropriation 2576 (Salaries and Benefits) in the amount of \$61,882; Specific Appropriation 2577 (Other Personal Services) in the amount of \$233; Specific Appropriation 2578 (Expenses) in the amount of \$26,025; Specific Appropriation 2580 (Operating Capital Outlay) in the amount of \$1,000; Specific Appropriation 2583 (Contracted Services) in the amount of \$760; Specific

06	31700100	100000	0000	
06	31700100	105860	0000	
06	31700100	105860	0000	
06	31700100	105860	5000	S01
06	31700100	105860	5000	S01
06	31700100	105860	5000	S01
06	31700100	105860	5000	S01
06	31700100	105860	5000	S01
06	31700100	105860	5000	S01
06	31700100	105860	5000	S01

Appropriation 2598 (Risk Management Insurance) in the amount of \$525; Specific Appropriation 2605 (Transfer to Department of Management Services - Human Resources Services) in the amount of \$356; Specific Appropriation 2622 (Data Processing Services - Transfer to Southwood Shared Resource Center) in the amount of \$527; and Specific Appropriation 2603 in the amount of \$6,892,389, which includes indirect costs of \$17,053. These funds shall be utilized for Hurricane Loss Mitigation programs as specified in section 215.559(2)(a), Florida Statutes; and after the provisions of section 215.559(2)(a) and (4), Florida Statutes, \$925,000 shall fund the Building Code Compliance and Mitigation Program pursuant to section 553.841, Florida Statutes. The moneys allocated in section 215.559(2)(a), Florida Statutes, shall be distributed directly to Tallahassee Community College for the uses set forth in section 215.559(2)(a), Florida Statutes.

2624 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
EMERGENCY MANAGEMENT CRITICAL FACILITY
NEEDS

Funds in Specific Appropriation 2624 from the Grants and Donations Trust Fund reflect the transfer of \$3,000,000 of mitigation funds from the Hurricane Catastrophe Fund pursuant to section 215.555(7)(c), Florida Statutes.

HIGHWAY SAFETY AND MOTOR VEHICLES, DEPARTMENT OF
PROGRAM: FLORIDA HIGHWAY PATROL
HIGHWAY SAFETY

2646 SALARIES AND BENEFITS

No funds are provided in Specific Appropriation 2646 for the payment of overtime expenditures related to the duties of the Florida Highway Patrol. However, in the event of a declared state of emergency, the department may utilize available funds to deploy law enforcement officers for the payment of overtime as needed.

2647 OTHER PERSONAL SERVICES

From the funds in Specific Appropriation 2647, \$8,746,675 is provided for the Florida Highway Patrol Hireback Services for off-duty employment administered by the State. It is the intent of the legislature that the department make a reasonable effort to equalize the distribution of overtime within the Law Enforcement Officer Class.

06	31700100	105860	5000	S01
06	31700100	105860	5000	S01
06	31700100	105860	5000	S01
06	31700100	105860	5000	S01
06	31700100	105860	5000	S01
06	31700100	105860	5000	S01
06	31700100	105860	5000	S01
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06	31700100	105860	5000	S01
06	31700100	105860	5000	S01
06	31700100	105860	5000	S01
06	31700100	105860	5000	S01
06	31700100	105860	5000	S01
06	31700100	140000	0000	
06	31700100	140000	0000	
06	31700100	140527	0000	
06	31700100	140527	0000	
06	31700100	140527	5000	S01
06	31700100	140527	5000	S01
06	31700100	140527	5000	S01
06	31700100	140527	5000	S01
06	31700100	140527	5000	S01
06	76000000	000000	0000	
06	76100000	000000	0000	
06	76100100	000000	0000	
06	76100100	010000	0000	
06	76100100	010000	5000	S01
06	76100100	010000	5000	S01
06	76100100	010000	5000	S01
06	76100100	010000	5000	S01
06	76100100	010000	5000	S01
06	76100100	030000	0000	
06	76100100	030000	5000	S01
06	76100100	030000	5000	S01
06	76100100	030000	5000	S01
06	76100100	030000	5000	S01
06	76100100	030000	5000	S01

2654A SPECIAL CATEGORIES
OVERTIME

From the funds in Specific Appropriation 2654A, \$5,125,000 is provided for the State Overtime Action Response (SOAR) Program and \$3,500,000 is provided for payment of incidental overtime within for the Highway Patrol.

Funds for SOAR overtime activities is provided for Florida Highway Patrol included class members (Sergeants, Corporals, and Troopers) who may be authorized to work up to 8 hours per week until the appropriation is consumed. The SOAR program shall focus on traffic safety enforcement, including but not limited to violation enforcement, rendering assistance, crash investigation and DUI enforcement activities. Florida Highway Patrol Officers with a rank of Lieutenant or above are excluded from participation in the SOAR overtime program. The SOAR overtime limitations set forth herein do not apply during a declared state of emergency.

PROGRAM: MOTORIST SERVICES

MOTORIST SERVICES

No funds are provided in Specific Appropriations +++++ through +++++ for Fiscal Year 2012-2013 with regard to any existing contracts, leases or other contractual obligations with the exception of those contracts required to maintain state property until disposal of such property held by the state or any of its agencies and entities associated with the following Driver License Offices is complete: Pensacola-Stumpfield (A02), Pinellas Park (J03), and Fort Pierce (P09).

No funds are provided in Specific Appropriations +++++ through +++++ for Fiscal Year 2012-2013 to make payments for the use of the property after October 31, 2012 on any existing contracts, lease or other contractual obligations held by the state or any of its agencies and entities associated with the Orlando-North (G01) Driver License Office.

2695A SPECIAL CATEGORIES
MOTORCYCLE SAFETY EDUCATION PROGRAM

From the funds in Specific Appropriation 2695A, \$250,000 in nonrecurring funds from the Highway Safety Operating Trust Fund are for the purpose of promoting motor safety awareness through public information and education campaigns. These funds are provided to the American Bikers Aiming Toward Education of Florida, Inc. The American Bikers Aiming Toward Education of Florida, Inc., is required to provide an independent program audit to the Department of Highway Safety and Motor Vehicles to ensure that these funds were utilized to enhance motorcycle safety education. The expense of this required independent program audit may be funded from a portion of the funds provided.

06	76100100	100000	0000	
06	76100100	102331	0000	
06	76100100	102331	5000	S01
06	76100100	102331	5000	S01
06	76100100	102331	5000	S01
06	76100100	102331	5000	S01
06	76100100	102331	5000	S01
06	76100100	102331	5000	S01
06	76100100	102331	5000	S01
06	76100100	102331	5000	S01
06	76100100	102331	5000	S01
06	76100100	102331	5000	S01
06	76100100	102331	5000	S01
06	76100100	102331	5000	S01
06	76210000	000000	0000	
06	76210100	000000	0000	
06	76210100	000000	5000	S01
06	76210100	000000	5000	S01
06	76210100	000000	5000	S01
06	76210100	000000	5000	S01
06	76210100	000000	5000	S01
06	76210100	000000	5000	S01
06	76210100	000000	5000	S01
06	76210100	000000	5000	S01
06	76210100	000000	5000	S01
06	76210100	000000	5000	S01
06	76210100	000000	5000	S01
06	76210100	100000	0000	
06	76210100	105585	0000	
06	76210100	105585	5000	S01
06	76210100	105585	5000	S01
06	76210100	105585	5000	S01
06	76210100	105585	5000	S01
06	76210100	105585	5000	S01
06	76210100	105585	5000	S01
06	76210100	105585	5000	S01
06	76210100	105585	5000	S01
06	76210100	105585	5000	S01

GRANTS AND AIDS - HISTORIC PRESERVATION		06	45200700	101548	0000	
GRANTS		06	45200700	101548	0000	
Funds from General Revenue Fund in Specific Appropriation 3143 shall be allocated as follows:		06	45200700	101548	5000	S01
Government House Interpretive Film and Exhibit -		06	45200700	101548	5000	S01
St. Augustine.....	1,500,000	06	45200700	101548	5000	S01
Government House Museum Phase I Renovations -		06	45200700	101548	5000	S01
St. Augustine.....	1,000,000	06	45200700	101548	5000	S01
Apollo School Building - Hobe Sound.....	150,000	06	45200700	101548	5000	S01
Historic Hampton House - Miami.....	100,000	06	45200700	101548	5000	S01
Historic Preservation Small Matching Grants (statewide).....	1,000,000	06	45200700	101548	5000	S01
PROGRAM: CULTURAL AFFAIRS		06	45500000	000000	0000	
CULTURAL AFFAIRS		06	45500300	000000	0000	
3174A SPECIAL CATEGORIES		06	45500300	100000	0000	
GRANTS AND AIDS - CULTURAL AND MUSEUM		06	45500300	100123	0000	
GRANTS		06	45500300	100123	0000	
From the funds in Specific Appropriation 3174A, \$50,000 shall be allocated to the Lake Wales Arts Council.		06	45500300	100123	5000	S01
		06	45500300	100123	5000	S01
3180A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND		06	45500300	140000	0000	
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY		06	45500300	140000	0000	
GRANTS AND AIDS - SPECIAL CATEGORIES -		06	45500300	140015	0000	
CULTURAL FACILITIES PROGRAM		06	45500300	140015	0000	
Funds in Specific Appropriation 3180A shall be allocated as follows:		06	45500300	140015	5000	S01
Straz Center Renovations Project, Tampa Bay Performing		06	45500300	140015	5000	S01
Arts Center, Inc. (Hillsborough County).....	500,000	06	45500300	140015	5000	S01
Dunedin Fine Art Center Multi Phase Construction		06	45500300	140015	5000	S01
Project, Phase 2 (Pinellas County).....	500,000	06	45500300	140015	5000	S01
Accessibility Enhancement and Facility Improvements,		06	45500300	140015	5000	S01
Hippodrome State Theater, Inc. (Alachua County).....	99,822	06	45500300	140015	5000	S01
Sidney and Berne Davis Art Center Restoration, Florida		06	45500300	140015	5000	S01
Arts, Inc. (Lee County).....	500,000	06	45500300	140015	5000	S01
Children's Museum Boardwalk, The Children's Museum, Inc.		06	45500300	140015	5000	S01
(Palm Beach County).....	36,000	06	45500300	140015	5000	S01
Mound House: History from the Ground Up, Town of		06	45500300	140015	5000	S01
Fort Myers Beach (Lee County).....	445,000	06	45500300	140015	5000	S01
Atrium for All Seasons, Philharmonic Center for the		06	45500300	140015	5000	S01
Arts, Inc. (Collier County).....	300,000	06	45500300	140015	5000	S01
Mattie Kelly Cultural Arts Village Amphitheater and Village		06	45500300	140015	5000	S01
Green, Mattie Kelly Arts Foundation, Inc. (Okaloosa Co.)..	500,000	06	45500300	140015	5000	S01

SECTION 8. The sum of \$500,000 is appropriated from General Revenue Fund to the Department of Environmental Protection for the 2011-12 fiscal year for the Commission on Oil Spill Response Coordination, created by Section 496 of Chapter 2011-142, Laws of Florida. This section shall become effective upon this act becoming law.

SECTION 9. The unexpended balance of funds provided to the Executive Office of the Governor, Office of Tourism, Trade, and Economic Development, for the Florida Defense Support Task Force in section 39 of chapter 2011-76, Laws of Florida, shall revert immediately and is appropriated for the 2012-13 fiscal year to the Department of Economic Opportunity for the same purpose.

SECTION 10. The unexpended balance of funds provided to the Agency for Workforce Innovation in section 62 of Chapter 2011-69, Laws of Florida, previously provided in Specific Appropriation 2226 of Chapter 2010-152, Laws of Florida, and subsequently allocated by budget amendments EOG #B2011-0025, EOG #B2011-0154, EOG #B2011-0345, and EOG #B2011-0610, and funds remaining unallocated in that specific appropriation, for the Unemployment Compensation Claims and Benefits Replacement Project shall revert and are appropriated for Fiscal Year 2012-13 to the Department of Economic Opportunity for the same purpose.

SECTION 11. The unexpended balance of funds provided to the Agency for Workforce Innovation for a National Emergency Grant for on-the-job training and other employment-related assistance in section 59 of Chapter 2011-69, Laws of Florida, shall revert and is appropriated for Fiscal Year 2012-13 to the Department of Economic Opportunity for the same purpose.

SECTION 12. The unexpended balance of funds provided to the Agency for Workforce Innovation for an American Recovery and Reinvestment Act (ARRA) of 2009 grant award to conduct a Health Care Pilot project on improving the health care awareness of farmworkers through training and outreach in section 60 of Chapter 2011-69, Laws of Florida, shall revert and is appropriated for Fiscal Year 2012-13 to the Department of Economic Opportunity for the same purpose.

SECTION 13. The unexpended balance of funds provided to the Department of Community Affairs, Division of Emergency Management, for domestic security projects in Specific Appropriation 1978C of Chapter 2011-69, Laws of Florida, subsequently distributed through budget amendment EOG #B2012-0014, and pursuant to budget amendment EOG #B2011-0014 and the unexpended balance of funds provided to the Department of Community Affairs, Division of Emergency Management, pursuant to section 65 of Chapter 2011-69, Laws of Florida shall revert and are appropriated for Fiscal Year 2012-13 to the Executive Office of the Governor, Division of Emergency Management, for the same purpose.

[illegible]

SECTION 14. The unexpended balance of funds provided to the Department of Community Affairs, Division of Emergency Management, for a federal Emergency Management Performance Grant in Specific Appropriation 1503A of Chapter 2011-69, Laws of Florida, and subsequently distributed to the Department of Community Affairs, Division of Emergency Management, pursuant to budget amendment EOG #B2012-0077, and the unexpended balance of funds provided to the Department of Community Affairs, Division of Emergency Management, pursuant to section 66 of Chapter 2011-69, Laws of Florida, shall revert and are appropriated for Fiscal Year 2012-13 to the Executive Office of the Governor, Division of Emergency Management, for the same purpose.

40	31700000	000000	0000	S01
40	31700000	000000	0000	S01
40	31700000	000000	0000	S01
40	31700000	000000	0000	S01
40	31700000	000000	0000	S01
40	31700000	000000	0000	S01
40	31700000	000000	0000	S01
40	31700000	000000	0000	S01
40	31700000	000000	0000	S01
40	31700000	000000	0000	S01
40	31700000	000000	0000	S01
40	31700000	000000	0000	S01
40	31700000	000000	0000	S01

SECTION 15. The sum of \$580,863 in nonrecurring funds is appropriated from the Highway Safety Operating Trust Fund to the Department of Highway Safety and Motor Vehicles in the Information Technology budget entity and Expense appropriation category to transfer funds to the Northwood Shared Resource Center for obligations resulting from the department's delayed consolidation of data center operations as required in section 282.201(4), Florida Statutes.

40	76000000	000000	5000	S01
40	76000000	000000	5000	S01
40	76000000	000000	5000	S01
40	76000000	000000	5000	S01
40	76000000	000000	5000	S01
40	76000000	000000	5000	S01
40	76000000	000000	5000	S01
40	76000000	000000	5000	S01

SECTION 16. The sum of \$85,635 is appropriated from General Revenue Fund to the Department of State for the 2011-12 fiscal year for a library grant to the Okaloosa County Library. This section shall be effective upon this act becoming law.

40	45000000	000000	0000	S01
40	45000000	000000	0000	S01
40	45000000	000000	0000	S01
40	45000000	000000	0000	S01
40	45000000	000000	0000	S01
40	45000000	000000	0000	S01
40	45000000	000000	0000	S01
40	45000000	000000	0000	S01
40	45000000	000000	0000	S01

SECTION 17. The sum of \$500,000 is appropriated from General Revenue Fund to the Department of State for the 2011-12 fiscal year for construction of a Frank Lloyd Wright House at Florida Southern College. This section shall be effective upon this act becoming law.

40	45000000	000000	0000	S01
40	45000000	000000	0000	S01
40	45000000	000000	0000	S01
40	45000000	000000	0000	S01
40	45000000	000000	0000	S01
40	45000000	000000	0000	S01
40	45000000	000000	0000	S01
40	45000000	000000	0000	S01
40	45000000	000000	0000	S01

SECTION 18. The unexpended balance of funds provided pursuant to chapter 2011-69, section 78, Laws of Florida, and approved budget amendment: EOG #2009-0082, dated April 15, 2009, for the Transportation Infrastructure - American Recovery and Reinvestment Act of 2009 (088825) appropriation category in the Department of Transportation, shall revert immediately and is appropriated for Fiscal Year 2012-13 to the department for the same purpose.

40	55000000	000000	5000	S01
40	55000000	000000	5000	S01
40	55000000	000000	5000	S01
40	55000000	000000	5000	S01
40	55000000	000000	5000	S01
40	55000000	000000	5000	S01
40	55000000	000000	5000	S01
40	55000000	000000	5000	S01
40	55000000	000000	5000	S01

Department of Economic Opportunity

2012 Conforming Bill

- **FLORIDA HOUSING FINANCE CORPORATION.**
 - Requires all funds expended by the Florida Housing Finance Corporation to be first deposited into the state treasury and then appropriated in the General Appropriations Act, except for the federal Hardest Hit Fund receipts and the Florida Affordable Housing Guarantee Program earnings and recoveries.
 - Allows amounts received by the FHFC as program repayments from loan programs funded by state moneys to be used to support the Florida Affordable Housing Guarantee Program.
 - Provides that the FHFC shall be a state agency and instrumentality, effective July 1, 2013, rather than a public corporation.
 - Provides that no further loan guarantees may be issued by the FHFC beginning July 1, 2012.
- **WORKFORCE SERVICES ONE-STOP CENTER PROGRAMS.** Permanently amends s. 445.009, F.S. to provide that a participant in an adult or youth work experience activity administered pursuant to chapter 445 shall be deemed an employee of the state for purposes of workers' compensation coverage. (This was temporarily amended through the Implementing Bill for the past three years.)
- **CENTURY COMMISSION / TRAVEL AND PER DIEM.** Permanently amends s. 163.3247, F.S. to remove authorization for members of the commission to receive per diem and travel expenses while in performance of duties. (This was temporarily amended through the Implementing Bill for the past two years.)
- **CENTURY COMMISSION / DISTRIBUTION OF TAXES.** Reenacts s. 201.15, F.S. to carry forward amendment made during 2010 session which removed language distributing certain taxes to Century Commission. (This was temporarily amended through the Implementing Bill for the past two years.)
- **READY TO WORK.** Eliminates the Ready to Work program in statute and removes references to the program from the skills assessment requirements of the Unemployment Compensation Program, and from the requirements for a designation on high school diplomas.

Section 1 repeals s. 49 of chapter 2011-47, Laws of Florida, thereby abrogating the future expiration of an amendment to s. 163.3247(3), F.S., which amendment eliminated the travel and per diem reimbursement for members of the Century Commission.

Section 2 repeals s. 51 of chapter 2011-47, Laws of Florida, thereby abrogating the future expiration of an amendment to s. 201.15(1)(c)2., F.S., which amendment eliminated the distribution of documentary stamp tax revenues to the Century Commission.

Section 3 amends s. 420.0005, F.S., to require certain monies to be deposited into the State Housing Trust Fund within the State Treasury and subjecting the expenditures of such funds to appropriation by the Legislature. This section also requires amounts held by the FHFC in the State Housing Fund in excess of amounts appropriated for the current fiscal year which are not contractually obligated to be deposited with the State Treasury to the credit of the State Housing Trust Fund. An exception is provided for the federal Hardest Hit Fund receipts.

Section 4 amends s. 420.504, F.S., to create the FHFC as a state entity and instrumentality within the DEO, rather than as a public corporation.

Section 5 amends s. 420.507, F.S., to require certain federal monies to be deposited into the Federal Grants Trust Fund and subjecting the expenditures of such funds to appropriation by the Legislature. This section also deletes provisions that exempt the FHFC from certain state budget request requirements and that allow it to retain unused operational expenditures.

Section 6 amends s. 420.508, F.S., to require certain monies to be deposited into the State Housing Trust Fund or the Federal Grants Trust Fund, as appropriate, within the State Treasury and subjecting the expenditures of such funds to appropriation by the Legislature.

Section 7 amends s. 420.5087, F.S., relating to the State Apartment Incentive Loan Program, to require loan repayments, proceeds and certain funds to be accounted for by the FHFC and deposited into the State Housing Trust Fund. This section also requires expenditures from the SAIL fund to be subject to appropriation by the Legislature and authorizes the FHFC to seek budget amendments in order to use certain funds subject to approval by the Legislative Budget Commission. This section deletes provisions that authorize the FHFC to retain unused operational expenditures.

Section 8 amends s. 420.5088, F.S., relating to the Florida Homeownership Assistance Program, to require the FHFC to account for certain monies to be deposited into the State Housing Trust Fund. This section also requires expenditures from the Florida Homeownership Assistance Program to be subject to appropriation by the Legislature. This section also deletes provisions that exempt the FHFC from certain state budgetary requirements and that allow them to retain unused operational expenditures.

Section 9 amends s. 420.5089, F.S., relating to the HOME Investment Partnership Program, to require the FHFC to account for certain monies and to be deposited into the State Housing Trust Fund. This section also deletes provisions that exempt the FHFC from certain state budgetary requirements and that allow it to retain unused operational expenditures. This section directs budget amendment requests to be approved by the Legislative Budget Commission.

Section 10 amends s. 420.5091, F.S., relating to the HOPE Program, to provide for the deposit of certain funds into the State Housing Trust Fund in the State Treasury.

Section 11 amends s. 420.5092, F.S., relating to the Florida Affordable Housing Guarantee Program, to authorize certain funds to be used in order support the Guarantee Program. It also provides that,

beginning July 1, 2012, the FHFC may not issue new loan guarantees. A new provision is added that, notwithstanding s. 420.0005 or any other law to the contrary, all guarantee fund earnings, recoveries, and other funds received in conjunction with the guarantee fund pursuant to this section shall be deposited into the guarantee fund and are not subject to appropriation by the Legislature.

Section 12 amends s. 420.525, F.S., to relating to the Housing Predevelopment Fund, to require the FHFC to account for certain monies to be deposited into the State Housing Trust Fund. This section also deletes provisions that exempt the FHFC from certain state budgetary requirements and that allow them to retain unused operational expenditures. This section directs budget amendment requests to be approved by the Legislative Budget Commission.

Section 13 amends s. 420.526, F.S., relating to the Predevelopment Loan Program, to require the FHFC to account for certain monies that shall be repaid to the State Housing Trust Fund in the State Treasury for expenditure as appropriated by the Legislature.

Section 14 amends s. 420.529, F.S., to require the FHFC to account for certain monies that shall be repaid to the State Housing Trust Fund in the State Treasury for expenditure as appropriated by the Legislature.

Section 15 amends s. 420.9079, F.S., to require all monies deposited into the Local Government Housing Trust Fund with the State Treasury to be appropriated by the Legislature and to require any interest received on any investments therein to be credited to the General Revenue Fund.

Section 16 amends s. 443.036, F.S., to remove from the Unemployment Compensation Program definition of “Initial Skills Review” the phrase “such as that established under s. 1004.99,” which is a reference to the Ready To Work Certificate Program. Also within that definition, the reference to the Agency for Workforce Innovation is replaced with the DEO to conform to the governmental reorganization effected by chapter 2011-142, Laws of Florida.

Section 17 amends s. 445.009, F.S., to remove the expiration date from a subsection which provides that a participant in a Workforce Services One-stop delivery system work experience program shall be deemed an employee of the state for purposes of worker’s compensation coverage.

Section 18 repeals s. 445.06, F.S., the Ready to Work Certificate Program.

Section 19 amends s. 1003.4285, F.S., to eliminate the requirement that a standard high school diploma include, as applicable, a designation reflecting a Florida Ready to Work Credential.

Section 20 directs the DEO to prepare draft legislation to conform the Florida Statutes to the provisions of this act, and to submit such draft legislation to the Governor, the President of the Senate, and the Speaker of the House of Representatives on or before October 1, 2012.

Section 21 provides that, except as otherwise expressly provided in this act, this act shall take effect on July 1, 2012.

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1 A bill to be entitled
2 An act relating to the Department of Economic
3 Opportunity; repealing s. 49 of ch. 2011-47, Laws of
4 Florida; abrogating the future expiration of an
5 amendment to s. 163.3247(3)(d), F.S., to nullify the
6 reversion of the text of that paragraph to that in
7 existence on June 30, 2010; repealing s. 51 of ch.
8 2011-47, Laws of Florida; abrogating the future
9 expiration of an amendment to s. 201.15(1)(c)2., F.S.,
10 to nullify the reversion of the text of that
11 subparagraph to that in existence on June 30, 2010;
12 amending s. 420.0005, F.S.; providing for the deposit
13 of loan repayments, penalties, and other fees and
14 charges into the State Housing Trust Fund in the State
15 Treasury; providing that expenditures from the State
16 Housing Fund for administrative and personnel costs
17 are subject to appropriation by the Legislature;
18 requiring that the interest received on investments of
19 moneys in the State Housing Fund in excess of the
20 amounts appropriated for the current fiscal year be
21 credited to the State Housing Trust Fund; prohibiting
22 funds received by the Florida Housing Finance
23 Corporation from the United States Treasury or any
24 other source for the Hardest-Hit Fund program from
25 being deposited into the State Treasury; providing
26 that such funds are not subject to appropriation by
27 the Legislature; amending s. 420.504, F.S.; creating
28 the Florida Housing Finance Agency within the
29 Department of Economic Opportunity as a state agency

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

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30 and instrumentality; revising provisions to conform to
31 changes made by the act; amending s. 420.507, F.S.;
32 revising the powers of the Florida Housing Finance
33 Corporation; providing for certain moneys to be
34 deposited into the State Housing Trust Fund or the
35 Federal Grants Trust Fund, as appropriate; requiring
36 that the corporation expend funds from the Federal
37 Grants Trust Fund as appropriated by the Legislature;
38 deleting provisions that exempt the corporation from
39 certain state budgetary requirements; deleting a
40 provision that authorizes the corporation to retain
41 unused operational expenditures; amending s. 420.508,
42 F.S.; providing for the deposit of certain moneys into
43 the State Housing Trust Fund or the Federal Grants
44 Trust Fund, as appropriate; requiring that
45 expenditures from the Florida Housing Finance
46 Corporation Fund be included in the corporation's
47 budget request and be subject to appropriation by the
48 Legislature; amending s. 420.5087, F.S.; revising
49 provisions relating to the State Apartment Incentive
50 Loan Program; conforming a cross-reference; deleting
51 an obsolete provision; requiring that loan repayments
52 and certain proceeds be accounted for by the
53 corporation and be deposited into the State Housing
54 Trust Fund; deleting a provision that prohibits loan
55 repayments and certain proceeds from reverting to the
56 General Revenue Fund; requiring that expenditures from
57 the State Apartment Incentive Loan Fund be included in
58 the corporation's budget request and be subject to

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59 appropriation by the Legislature; authorizing the use
60 of certain funds for construction in fiscal years
61 subsequent to the fiscal years for which the funds
62 were appropriated, upon approval by the Legislative
63 Budget Commission; requiring that the corporation
64 account for certain funds and deposit them into the
65 State Housing Trust Fund; prohibiting the corporation
66 from transferring funds for its loan loss insurance
67 reserve except upon approval of a budget amendment by
68 the Legislative Budget Commission; amending s.
69 420.5088, F.S.; revising provisions relating to the
70 Florida Homeownership Assistance Program; deleting an
71 obsolete provision; requiring that the corporation
72 account for certain moneys deposited into the State
73 Housing Trust Fund; requiring that expenditures from
74 the Florida Homeownership Assistance Fund be included
75 in the corporation's budget request and be subject to
76 appropriation by the Legislature; amending s.
77 420.5089, F.S.; revising provisions relating to the
78 HOME Investment Partnership Program; deleting an
79 obsolete provision; requiring that the corporation
80 account for certain moneys deposited into the State
81 Housing Trust Fund; authorizing the corporation to use
82 certain funds for construction in fiscal years
83 subsequent to the fiscal years for which the funds
84 were appropriated, upon the approval of a budget
85 amendment by the Legislative Budget Commission;
86 providing for certain funds to be deposited into the
87 State Housing Trust Fund; amending s. 420.5091, F.S.;

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88 revising provisions relating to the HOPE Program;
89 providing for the deposit of certain funds into the
90 State Housing Trust Fund; amending s. 420.5092, F.S.;
91 revising provisions relating to the Florida Affordable
92 Housing Guarantee Program; authorizing the use of
93 certain funds to support the Florida Affordable
94 Housing Guarantee Program; prohibiting the corporation
95 from issuing new guarantees for the payment of any
96 affordable housing project, beginning July 1, 2012;
97 requiring that all guarantee fund earnings,
98 recoveries, and other funds received in conjunction
99 with the guarantee fund be deposited into the
100 guarantee fund; providing that such funds are not
101 subject to appropriation by the Legislature; amending
102 s. 420.525, F.S.; revising provisions relating to the
103 Housing Predevelopment Fund; deleting an obsolete
104 provision; requiring that expenditures from the
105 Housing Predevelopment Fund be included in the
106 corporation's budget request and be subject to
107 appropriation by the Legislature; authorizing the use
108 certain funds for predevelopment activities in fiscal
109 years subsequent to the fiscal years for which the
110 funds were appropriated, upon approval of a budget
111 amendment by the Legislative Budget Commission;
112 requiring that the corporation account for certain
113 moneys to be deposited into the State Housing Trust
114 Fund; deleting a provision that prohibits certain
115 funds, loan repayments, proceeds from reverting to the
116 General Revenue Fund; amending ss. 420.526 and

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117 420.529, F.S.; requiring that the corporation account
 118 for certain moneys to be repaid to or deposited into
 119 the State Housing Trust Fund; amending s. 420.9079,
 120 F.S.; providing for the deposit of certain moneys into
 121 the Local Government Housing Trust Fund; requiring
 122 that the interest on invested funds be credited to the
 123 Local Government Housing Trust Fund; amending s.
 124 443.036, F.S.; revising the definition of the term
 125 "initial skills review" to correct a reference to the
 126 agency that approves online education or training
 127 programs as the Department of Economic Opportunity
 128 rather than the Agency for Workforce Innovation;
 129 amending s. 445.009, F.S.; deleting the future
 130 expiration of provisions authorizing worker's
 131 compensation coverage for a participant in an adult or
 132 youth work experience activity; repealing s. 445.06,
 133 F.S., relating to the Florida Ready to Work
 134 Certification Program; amending s. 1003.4285, F.S.;
 135 deleting a provision that requires a standard high
 136 school diploma to include a designation reflecting a
 137 Florida Ready to Work Credential, to conform to
 138 changes made by the act; directing the Department of
 139 Economic Opportunity to prepare draft legislation to
 140 conform the Florida Statutes to the provisions of the
 141 act; requiring that the department submit the draft
 142 legislation to the Governor and the Legislature by a
 143 specified date; providing effective dates.
 144
 145 Be It Enacted by the Legislature of the State of Florida:

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146
 147 Section 1. Section 49 of chapter 2011-47, Laws of Florida,
 148 is repealed.
 149 Section 2. Section 51 of chapter 2011-47, Laws of Florida,
 150 is repealed.
 151 Section 3. Section 420.0005, Florida Statutes, is amended
 152 to read:
 153 420.0005 State Housing Trust Fund; State Housing Fund.-
 154 (1) There is hereby established in the State Treasury a
 155 separate trust fund to be named the "State Housing Trust Fund."
 156 There shall be deposited in the fund all moneys appropriated by
 157 the Legislature, or moneys received from any other source, for
 158 the purpose of this chapter, including all loan repayments,
 159 penalties, and other fees and charges accruing to the fund under
 160 this chapter, and all proceeds derived from the use of such
 161 moneys. The fund shall be administered by the Florida Housing
 162 Finance Corporation on behalf of the department, as specified in
 163 this chapter. Money deposited to the fund and appropriated by
 164 the Legislature must, notwithstanding the provisions of chapter
 165 216 ~~or s. 420.504(3),~~ be transferred quarterly in advance, to
 166 the extent available, or, if not so available, as soon as
 167 received into the State Housing Trust Fund, and subject to the
 168 provisions of s. 420.5092(6)(a) and (b) by the Chief Financial
 169 Officer to the corporation upon certification by the executive
 170 director of the Department of Economic Opportunity that the
 171 corporation is in compliance with the requirements of s.
 172 420.0006. The certification made by the executive director
 173 ~~secretary~~ shall also include the split of funds among programs
 174 administered by the corporation and the department as specified

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175 in chapter 92-317, Laws of Florida, as amended. Moneys advanced
176 by the Chief Financial Officer must be deposited by the
177 corporation into a separate fund established with a qualified
178 public depository meeting the requirements of chapter 280 to be
179 named the "State Housing Fund," or into the appropriate fund
180 established with a qualified public depository meeting the
181 requirements of chapter 280 as specified in the General
182 Appropriations Act, and used for the purposes of this chapter.
183 Administrative and personnel costs incurred in implementing this
184 chapter may be paid from the State Housing Fund, as appropriated
185 by the Legislature but such costs may not exceed 5 percent of
186 the moneys deposited into such fund. To the State Housing Fund
187 shall be credited all loan repayments, penalties, and other fees
188 and charges accruing to such fund under this chapter. It is the
189 intent of this chapter that all loan repayments, penalties, and
190 other fees and charges collected be credited in full to the
191 program account from which the loan originated. Moneys in the
192 State Housing Fund, or other funds specified in the General
193 Appropriations Act, which are in excess of the amounts
194 appropriated for the current fiscal year and are not
195 contractually obligated which are not currently needed for the
196 purposes of this chapter shall be deposited with the State
197 Treasury to the credit of the State Housing Trust Fund and may
198 be invested in such manner as is provided for by statute. The
199 interest received on any such investment shall be credited to
200 the State Housing Trust Fund.

201 (2) Notwithstanding subsection (1), all funds received by
202 the Florida Housing Finance Corporation from the United States
203 Treasury or from any other source for the Hardest-Hit Fund

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204 program, established pursuant to the Emergency Economic
205 Stabilization Act of 2008, may not be deposited into the State
206 Treasury and are not subject to appropriation by the
207 Legislature.

208 Section 4. Effective July 1, 2013, section 420.504, Florida
209 Statutes, is amended to read:

210 420.504 Agency Public corporation; creation, membership,
211 terms, expenses.—

212 (1) There is created within the Department of Economic
213 Opportunity a state agency and instrumentality that shall be
214 ~~public corporation~~ and a public body corporate and politic, to
215 be known as the "Florida Housing Finance Agency Corporation." It
216 ~~is declared to be the intent of and constitutional construction~~
217 ~~by the Legislature that the Florida Housing Finance Corporation~~
218 ~~constitutes an entrepreneurial public corporation organized to~~
219 ~~provide and promote the public welfare by administering the~~
220 ~~governmental function of financing or refinancing housing and~~
221 ~~related facilities in Florida and that the corporation is not a~~
222 ~~department of the executive branch of state government within~~
223 ~~the scope and meaning of s. 6, Art. IV of the State~~
224 ~~Constitution, but is functionally related to the Department of~~
225 ~~Economic Opportunity in which it is placed. The executive~~
226 ~~function of state government to be performed by the executive~~
227 ~~director of the Department of Economic Opportunity in the~~
228 ~~conduct of the business of the Florida Housing Finance~~
229 ~~Corporation must be performed pursuant to a contract to monitor~~
230 ~~and set performance standards for the implementation of the~~
231 ~~business plan for the provision of housing approved for the~~
232 ~~corporation as provided in s. 420.0006. This contract shall~~

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233 ~~include the performance standards for the provision of~~
 234 ~~affordable housing in Florida established in the business plan~~
 235 ~~described in s. 420.511.~~
 236 ~~(2) The corporation is constituted as a public~~
 237 ~~instrumentality, and the exercise by the corporation of the~~
 238 ~~power conferred by this act is considered to be the performance~~
 239 ~~of an essential public function. The corporation is an agency~~
 240 ~~for the purposes of s. 120.52 and is a state agency for purposes~~
 241 ~~of s. 159.807(4). The corporation is subject to chapter 119,~~
 242 ~~subject to exceptions applicable to the corporation, and to the~~
 243 ~~provisions of chapter 286; however, the corporation shall be~~
 244 ~~entitled to provide notice of internal review committee meetings~~
 245 ~~for competitive proposals or procurement to applicants by mail,~~
 246 ~~facsimile, or publication on an Internet website, rather than by~~
 247 ~~means of publication. The corporation is not governed by chapter~~
 248 ~~607 or chapter 617, but by the provisions of this part. If for~~
 249 ~~any reason the establishment of the corporation is deemed in~~
 250 ~~violation of law, such provision is severable and the remainder~~
 251 ~~of this act remains in full force and effect.~~
 252 ~~(2)(3) The corporation is a separate budget entity and is~~
 253 ~~not subject to control, supervision, or direction by the~~
 254 ~~Department of Economic Opportunity in any manner, including, but~~
 255 ~~not limited to, personnel, purchasing, transactions involving~~
 256 ~~real or personal property, and budgetary matters. The agency~~
 257 ~~corporation shall consist of a board of directors composed of~~
 258 ~~the executive director of the Department of Economic Opportunity~~
 259 ~~as an ex officio and voting member, or a senior-level agency~~
 260 ~~employee designated by the director, and eight members appointed~~
 261 ~~by the Governor subject to confirmation by the Senate from the~~

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262 following:
 263 (a) One citizen actively engaged in the residential home
 264 building industry.
 265 (b) One citizen actively engaged in the banking or mortgage
 266 banking industry.
 267 (c) One citizen who is a representative of those areas of
 268 labor engaged in home building.
 269 (d) One citizen with experience in housing development who
 270 is an advocate for low-income persons.
 271 (e) One citizen actively engaged in the commercial building
 272 industry.
 273 (f) One citizen who is a former local government elected
 274 official.
 275 (g) Two citizens of the state who are not principally
 276 employed as members or representatives of any of the groups
 277 specified in paragraphs (a)-(f).
 278 ~~(3)(4)~~(a) Members of the agency's board ~~corporation~~ shall
 279 be appointed for terms of 4 years, except that any vacancy shall
 280 be filled for the unexpired term.
 281 (b) Subject to removal or reinstatement of the member by
 282 the Senate, the Governor may suspend a member for cause,
 283 including, but not limited to, failure to attend at least 3
 284 meetings of the board during any 12-month period.
 285 ~~(4)(5)~~ The chair and a vice chair shall be elected annually
 286 by the members thereof. Any additional officers, who need not be
 287 members, as may be deemed necessary by the members of the agency
 288 ~~corporation~~ may be designated and elected by the members
 289 thereof.
 290 ~~(5)(6)~~ A member of the agency's board ~~may not of directors~~

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291 ~~of the corporation shall~~ receive no compensation for his or her
 292 services but ~~is shall be~~ entitled to the necessary expenses,
 293 including per diem and travel expenses, incurred in the
 294 discharge of his or her duties, as provided by law.
 295 (6)(7) Each member of the agency's board of directors of
 296 ~~the corporation~~ shall file full and public disclosure of
 297 financial interests at the times and places and in the same
 298 manner required of elected constitutional officers under s. 8,
 299 Art. II of the State Constitution and any law implementing s. 8,
 300 Art. II of the State Constitution.
 301 (7)(8) The agency corporation is an agency a corporation
 302 primarily acting as an instrumentality of the state, within the
 303 meaning of s. 768.28.
 304 Section 5. Present subsections (32) through (47) of section
 305 420.507, Florida Statutes, are redesignated as subsections (31)
 306 through (46), respectively, subsections (10), (28), and (30) of
 307 that section are amended, and present subsections (31) and (33)
 308 of that section are amended, to read:
 309 420.507 Powers of the corporation.—The corporation shall
 310 have all the powers necessary or convenient to carry out and
 311 effectuate the purposes and provisions of this part, including
 312 the following powers which are in addition to all other powers
 313 granted by other provisions of this part:
 314 (10) To contract for and to accept gifts, grants, loans, or
 315 other aid from the United States Government or any person or
 316 corporation which, except as otherwise expressly provided by
 317 law, shall be deposited into the State Housing Trust Fund or the
 318 Federal Grants Trust Fund, as appropriate, for expenditure as
 319 appropriated by the Legislature.

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320 (28) To expend amounts appropriated by the Legislature
 321 ~~advanced~~ from the State Housing Trust Fund for the purposes of
 322 this part.
 323 (30) To prepare and submit to the executive director
 324 ~~secretary~~ of the department a budget request for purposes of the
 325 corporation, which request shall, ~~notwithstanding the provisions~~
 326 ~~of chapter 216 and in accordance with s. 216.351,~~ contain a
 327 request for operational expenditures and separate requests for
 328 other authorized corporation programs. ~~The request shall not be~~
 329 ~~required to contain information on the number of employees,~~
 330 ~~salaries, or any classification thereof, and the approved~~
 331 ~~operating budget therefor need not comply with s. 216.181(8)-~~
 332 ~~(10).~~ The executive director secretary is authorized to include
 333 within the department's budget request the corporation's budget
 334 request in the form as authorized by this section.
 335 ~~(31) Notwithstanding the provisions of s. 216.301, to~~
 336 ~~retain any unused operational expenditure appropriation for~~
 337 ~~other lawful purposes of the corporation.~~
 338 (32)(33) To receive federal funding in connection with the
 339 corporation's programs ~~directly~~ from the Federal Government,
 340 which, except as otherwise expressly provided by law, shall be
 341 deposited into the Federal Grants Trust Fund for expenditure as
 342 appropriated by the Legislature, and to receive federal funds
 343 for which ~~a~~ no corresponding program has not been created in
 344 statute and establish selection criteria for such funds by
 345 request for proposals or other competitive solicitation.
 346 Section 6. Subsection (5) of section 420.508, Florida
 347 Statutes, is amended to read:
 348 420.508 Special powers; multifamily and single-family

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349 projects.-The corporation shall have the special power to:
 350 (5) Establish with a qualified depository meeting the
 351 requirements of chapter 280, a separate fund to be known as the
 352 "Florida Housing Finance Corporation Fund," to be administered
 353 by the corporation in accordance with the purposes of this
 354 chapter. All fees collected by the corporation ~~directly~~ from the
 355 Federal Government for administration of the United States
 356 Department of Housing and Urban Development Section 8 housing
 357 program, all annual administrative fees collected by trustees
 358 for bond programs and remitted to the corporation, all expense
 359 fees related to costs of bond issuance collected by trustees and
 360 remitted to the corporation, and all tax credit program fees
 361 must be deposited into the State Housing Trust Fund or the
 362 Federal Grants Trust Fund, as appropriate, in the State Treasury
 363 fund. The Florida Housing Finance Corporation Fund shall be used
 364 ~~utilized~~ for the purposes of the corporation, including payment
 365 of administrative expenses. Expenditures from the Florida
 366 Housing Finance Corporation Fund shall ~~not be required to be~~
 367 included in the corporation's budget request and are ~~or be~~
 368 subject to appropriation by the Legislature.
 369 Section 7. Paragraph (c) of subsection (6) and subsections
 370 (7) and (8) of section 420.5087, Florida Statutes, are amended
 371 to read:
 372 420.5087 State Apartment Incentive Loan Program.-There is
 373 hereby created the State Apartment Incentive Loan Program for
 374 the purpose of providing first, second, or other subordinated
 375 mortgage loans or loan guarantees to sponsors, including for-
 376 profit, nonprofit, and public entities, to provide housing
 377 affordable to very-low-income persons.

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378 (6) On all state apartment incentive loans, except loans
 379 made to housing communities for the elderly to provide for
 380 lifesafety, building preservation, health, sanitation, or
 381 security-related repairs or improvements, the following
 382 provisions shall apply:
 383 (c) The corporation shall provide by rule for the
 384 establishment of a review committee composed of the department
 385 and corporation staff and shall establish by rule a scoring
 386 system for evaluation and competitive ranking of applications
 387 submitted in this program, including, but not limited to, the
 388 following criteria:
 389 1. Tenant income and demographic targeting objectives of
 390 the corporation.
 391 2. Targeting objectives of the corporation which will
 392 ensure an equitable distribution of loans between rural and
 393 urban areas.
 394 3. Sponsor's agreement to reserve the units for persons or
 395 families who have incomes below 50 percent of the state or local
 396 median income, whichever is higher, for a time period to exceed
 397 the minimum required by federal law or the provisions of this
 398 part.
 399 4. Sponsor's agreement to reserve more than:
 400 a. Twenty percent of the units in the project for persons
 401 or families who have incomes that do not exceed 50 percent of
 402 the state or local median income, whichever is higher; or
 403 b. Forty percent of the units in the project for persons or
 404 families who have incomes that do not exceed 60 percent of the
 405 state or local median income, whichever is higher, without
 406 requiring a greater amount of the loans as provided in this

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section.

5. Provision for tenant counseling.

6. Sponsor's agreement to accept rental assistance certificates or vouchers as payment for rent.

7. Projects requiring the least amount of a state apartment incentive loan compared to overall project cost except that the share of the loan attributable to units serving extremely-low-income persons shall be excluded from this requirement.

8. Local government contributions and local government comprehensive planning and activities that promote affordable housing.

9. Project feasibility.

10. Economic viability of the project.

11. Commitment of first mortgage financing.

12. Sponsor's prior experience.

13. Sponsor's ability to proceed with construction.

14. Projects that directly implement or assist welfare-to-work transitioning.

15. Projects that reserve units for extremely-low-income persons.

16. Projects that include green building principles, storm-resistant construction, or other elements that reduce long-term costs relating to maintenance, utilities, or insurance.

17. Job-creation rate of the developer and general contractor, as provided in s. 420.507(46) ~~s. 420.507(47)~~.

(7) There is authorized to be established by the corporation with a qualified public depository meeting the requirements of chapter 280 a separate fund to be named the "State Apartment Incentive Loan Fund," which shall be

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administered by the corporation according to the provisions of this program. ~~Any amounts held in the State Apartment Incentive Loan Trust Fund for such purpose as of January 1, 1998, must be transferred to the corporation for deposit in the State Apartment Incentive Loan Fund and the State Apartment Incentive Loan Trust Fund must be closed.~~ There shall be deposited into the fund moneys from the State Housing Trust Fund as created by s. 420.0005, or moneys received from any other source, for the purpose of this program ~~and all proceeds derived from the use of such moneys.~~ However ~~In addition,~~ all loan repayments, proceeds from the sale of any property, and any other proceeds that would otherwise accrue pursuant to the activities conducted under the provisions of the State Apartment Incentive Loan Program shall be accounted for by the corporation and deposited into in the State Housing Trust Fund in the State Treasury fund and shall not revert to the General Revenue Fund. Expenditures from the State Apartment Incentive Loan Fund shall ~~not be required to be~~ included in the corporation's budget request and are or be subject to appropriation by the Legislature. If the construction period extends beyond a loan commitment for program funds is entered into during the state fiscal year for which the program funds are were appropriated, or the fiscal year in which the loan commitment is entered, the funds may shall continue to be used in a subsequent fiscal year upon the approval of a budget amendment for such funds by the Legislative Budget Commission made available for use during the entire construction period, even if it extends beyond the state fiscal year in which the loan commitment was entered.

(8) If a default on a loan occurs, the corporation may

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465 foreclose on any mortgage or security interest or commence any
 466 legal action to protect the interest of the corporation or the
 467 fund and recover the amount of the unpaid principal, accrued
 468 interest, and fees on behalf of the fund. The corporation may
 469 acquire real and personal property or any interest therein when
 470 that acquisition is necessary or appropriate to protect any
 471 loan; to sell, transfer, and convey any such property to a buyer
 472 without regard to the provisions of chapters 253 and 270; and,
 473 if that sale, transfer, or conveyance cannot be effected within
 474 a reasonable time, to lease such property for occupancy by
 475 eligible persons. All sums recovered from the sale, transfer,
 476 conveyance, or lease of such property shall be accounted for by
 477 the corporation and deposited into the State Housing Trust
 478 Apartment Incentive Loan Fund in the State Treasury. The
 479 corporation may not transfer funds for its loan loss insurance
 480 reserve except upon approval of a budget amendment for such
 481 funds by the Legislative Budget Commission.

482 Section 8. Subsection (4) of section 420.5088, Florida
 483 Statutes, is amended to read:

484 420.5088 Florida Homeownership Assistance Program.—There is
 485 created the Florida Homeownership Assistance Program for the
 486 purpose of assisting low-income and moderate-income persons in
 487 purchasing a home as their primary residence by reducing the
 488 cost of the home with below-market construction financing, by
 489 reducing the amount of down payment and closing costs paid by
 490 the borrower to a maximum of 5 percent of the purchase price, or
 491 by reducing the monthly payment to an affordable amount for the
 492 purchaser. Loans shall be made available at an interest rate
 493 that does not exceed 3 percent. The balance of any loan is due

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494 at closing if the property is sold, refinanced, rented, or
 495 transferred, unless otherwise approved by the corporation.
 496 (4) There is authorized to be established by the
 497 corporation with a qualified public depository meeting the
 498 requirements of chapter 280 the Florida Homeownership Assistance
 499 Fund to be administered by the corporation according to the
 500 provisions of this program. ~~Any amounts held in the Florida~~
 501 ~~Homeownership Assistance Trust Fund for such purposes as of~~
 502 ~~January 1, 1998, must be transferred to the corporation for~~
 503 ~~deposit in the Florida Homeownership Assistance Fund, whereupon~~
 504 ~~the Florida Homeownership Assistance Trust Fund must be closed.~~
 505 There shall be deposited in the fund moneys from the State
 506 Housing Trust Fund created by s. 420.0005, or moneys received
 507 from any other source, for the purpose of this program ~~and all~~
 508 ~~proceeds derived from the use of such moneys. However In~~
 509 ~~addition,~~ all unencumbered funds, loan repayments, proceeds from
 510 the sale of any property, and any other proceeds that would
 511 otherwise accrue pursuant to the activities of the programs
 512 described in this section shall be accounted for by the
 513 corporation and deposited into the State Housing Trust Fund in
 514 the State Treasury ~~transferred to this fund.~~ In addition, all
 515 loan repayments, proceeds from the sale of any property, and any
 516 other proceeds that would otherwise accrue pursuant to the
 517 activities conducted under the provisions of the Florida
 518 Homeownership Assistance Program shall be accounted for by the
 519 corporation and deposited into in the State Housing Trust Fund
 520 in the State Treasury fund and shall not revert to the General
 521 ~~Revenue Fund.~~ Expenditures from the Florida Homeownership
 522 Assistance Fund shall ~~not be required to~~ be included in the

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523 corporation's budget request and are or be subject to
524 appropriation by the Legislature.

525 Section 9. Subsections (1) and (10) of section 420.5089,
526 Florida Statutes, are amended to read:

527 420.5089 HOME Investment Partnership Program; HOME
528 Investment Partnership Fund.—

529 (1) There is authorized to be established by the
530 corporation with a qualified public depository meeting the
531 requirements of chapter 280 the HOME Investment Partnership
532 Fund, which shall be administered by the corporation according
533 to the provisions of the HOME Investment Partnership Program
534 which is hereby created. ~~Any amounts held in the HOME~~
535 ~~Partnership Trust Fund for such purposes as of January 1, 1998,~~
536 ~~must be transferred to the corporation for deposit in the HOME~~
537 ~~Investment Partnership Fund, whereupon the HOME Partnership~~
538 ~~Trust Fund must be closed.~~ There shall be deposited into the
539 fund moneys appropriated from the State Housing Trust Fund.
540 ~~However or moneys received from any other source for the purpose~~
541 ~~of this program, and all proceeds derived from the use of such~~
542 ~~moneys. In addition, all loan repayments, proceeds from the sale~~
543 ~~of any property, and any other proceeds that would otherwise~~
544 ~~accrue pursuant to the activities conducted under the provisions~~
545 ~~of the HOME Investment Partnership Program shall be accounted~~
546 ~~for by the corporation and deposited into the State Housing~~
547 ~~Trust Fund in the State Treasury fund and shall not revert to~~
548 ~~the General Revenue Fund.~~ Expenditures from the HOME Investment
549 Partnership Fund shall ~~not be required to~~ be included in the
550 corporation's budget request and are or be subject to
551 appropriation by the Legislature. If the construction period

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552 extends beyond the state fiscal year in which the funds are
553 appropriated, the funds may be used in a subsequent fiscal year
554 upon the approval of a budget amendment for such funds by the
555 Legislative Budget Commission.

556 (10) All sums recovered from the sale, transfer,
557 conveyance, or lease of such property shall be deposited into
558 the State Housing Trust ~~HOME Investment Partnership~~ Fund for
559 expenditure as appropriated by the Legislature.

560 Section 10. Subsection (1) of section 420.5091, Florida
561 Statutes, is amended to read:

562 420.5091 HOPE Program.—

563 (1) The corporation may adopt rules to implement the HOPE
564 Program, created by the 1990 National Affordable Housing Act, to
565 make loans and grants, foreclose on any mortgage or security
566 interest, or commence any legal action to protect the interest
567 of the corporation and recover the amount of the unpaid
568 principal, accrued interest, and fees. The corporation may
569 acquire real and personal property or any interest in the
570 property if that acquisition is necessary to protect any loan;
571 sell, transfer, and convey any such property to a buyer without
572 regard to the provisions of chapters 253 and 270; and, if that
573 sale, transfer, or conveyance cannot be effected within a
574 reasonable time, lease such property for occupancy by eligible
575 persons. All sums recovered from the sale, transfer, conveyance,
576 or lease of such property shall be deposited into the State
577 Housing Trust ~~HOME Investment Partnership~~ Fund in the State
578 Treasury.

579 Section 11. Subsection (3) of section 420.5092, Florida
580 Statutes, is amended, and subsections (12) and (13) are added to

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581 that section, to read:

582 420.5092 Florida Affordable Housing Guarantee Program.--

583 (3) Amounts on deposit in the State Housing Trust Fund or
584 amounts received by the Florida Housing Finance Corporation as
585 program funds from loan programs funded by state moneys may also
586 be used to support the Florida Affordable Housing Guarantee
587 Program. Such use, if any, is in addition to those purposes for
588 which the State Housing Trust Fund was created, and such moneys
589 shall be obligated and committed in accordance with the
590 corporation certification provided for in subsection (6).

591 (12) Beginning July 1, 2012, the corporation may not issue
592 new guarantees for the payment of any obligation made to finance
593 or refinance the purchase, construction, or rehabilitation of
594 any affordable housing project.

595 (13) Notwithstanding s. 420.0005 or any other law to the
596 contrary, all guarantee fund earnings, recoveries, and other
597 funds received in conjunction with the guarantee fund pursuant
598 to this section shall be deposited into the guarantee fund and
599 are not subject to appropriation by the Legislature.

600 Section 12. Section 420.525, Florida Statutes, is amended
601 to read:

602 420.525 Housing Predevelopment Fund.--

603 (1) There is authorized to be established by the
604 corporation with a qualified public depository meeting the
605 requirements of chapter 280 a separate fund to be named the
606 "Housing Predevelopment Fund" which shall be administered by the
607 corporation according to the provisions of ss. 420.521-420.529.
608 ~~Any amounts held in the Housing Predevelopment Trust Fund for~~
609 ~~such purposes as of January 1, 1998, must be transferred to the~~

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610 ~~corporation for deposit in the Housing Predevelopment Fund,~~
611 ~~whereupon the Housing Predevelopment Trust Fund must be closed.~~
612 There shall be deposited into the fund moneys appropriated from
613 the State Housing Trust Fund as created by s. 420.0005 or moneys
614 received from any other source, for the purpose of this program
615 ~~and all proceeds derived from the use of such moneys.~~
616 Administrative and personnel costs incurred in implementing the
617 provisions of ss. 420.521-420.529 may be paid from the fund.
618 Expenditures from the Housing Predevelopment Fund shall ~~not be~~
619 ~~required to~~ be included in the corporation's budget request and
620 are or be subject to appropriation by the Legislature. If the
621 predevelopment period extends beyond the state fiscal year in
622 which the funds are appropriated, the funds may be used in a
623 subsequent fiscal year upon the approval of a budget amendment
624 for such funds by the Legislative Budget Commission.

625 (2) All unencumbered funds, loan repayments, proceeds from
626 the sale of any property, existing funds remaining in the
627 following programs, and any other proceeds that would otherwise
628 accrue pursuant to the activities conducted under this program
629 and the provisions of the following programs shall be accounted
630 for by the corporation and deposited into in the State Housing
631 Trust Fund in the State Treasury fund and shall not revert to
632 ~~the General Revenue Fund:~~

- 633 (a) The Rural Housing Land Acquisition and Site Development
634 Act;
635 (b) The Farmworker Housing Assistance Act; and
636 (c) The Community-Based Organization Loan Program created
637 by the Affordable Housing Planning and Community Assistance Act.
638 Section 13. Subsection (5) of section 420.526, Florida

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639 Statutes, is amended to read:

640 420.526 Predevelopment Loan Program; loans and grants
641 authorized; activities eligible for support.-

642 (5) Any funds paid out of the Housing Predevelopment Fund
643 for activities under ss. 420.521-420.529 which are reimbursed to
644 the sponsor from another source shall be accounted for by the
645 corporation and repaid to the State Housing Trust Fund in the
646 State Treasury for expenditure as appropriated by the
647 Legislature fund.

648 Section 14. Section 420.529, Florida Statutes, is amended
649 to read:

650 420.529 Default by sponsor.-If a default on a loan occurs,
651 the corporation may foreclose on any mortgage or security
652 interest or commence any legal action to protect the interest of
653 the corporation or the fund and recover the amount of the unpaid
654 principal, accrued interest, and fees on behalf of the fund. The
655 corporation may also acquire real and personal property or any
656 interest in the property if such acquisition is necessary or
657 appropriate to protect any loan; to sell, transfer, and convey
658 any such property to a buyer without regard to the provisions of
659 chapters 253 and 270; and, if such sale, transfer, or conveyance
660 cannot be effected within a reasonable time, to lease such
661 property for occupancy by eligible persons. All sums recovered
662 from the sale, transfer, conveyance, or lease of such property
663 shall be accounted for by the corporation and deposited into the
664 State Housing Trust Predevelopment Fund in the State Treasury
665 for expenditure as appropriated by the Legislature.

666 Section 15. Subsection (1) of section 420.9079, Florida
667 Statutes, is amended to read:

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668 420.9079 Local Government Housing Trust Fund.-

669 (1) There is created in the State Treasury the Local
670 Government Housing Trust Fund, which shall be administered by
671 the corporation on behalf of the department according to the
672 provisions of ss. 420.907-420.9076 and this section. There shall
673 be deposited into the fund all moneys appropriated by the
674 Legislature, a portion of the documentary stamp tax revenues as
675 provided in s. 201.15, moneys received from any other source for
676 the purposes of ss. 420.907-420.9076 and this section, and all
677 proceeds derived from the investment of such moneys. Moneys in
678 the fund that are not currently needed for the purposes of the
679 programs administered pursuant to ss. 420.907-420.9076 and this
680 section shall be deposited in the State Treasury to the credit
681 of the fund and may be invested as provided by law. The interest
682 received on any such investment shall be credited to the Local
683 Government Housing Trust Fund.

684 Section 16. Subsection (26) of section 443.036, Florida
685 Statutes, is amended to read:

686 443.036 Definitions.-As used in this chapter, the term:

687 (26) "Initial skills review" means an online education or
688 training program, ~~such as that established under s. 1004.99,~~
689 that is approved by the Department of Economic Opportunity
690 ~~Agency for Workforce Innovation~~ and designed to measure an
691 individual's mastery level of workplace skills.

692 Section 17. Subsection (11) of section 445.009, Florida
693 Statutes, is amended to read:

694 445.009 One-stop delivery system.-

695 (11) A participant in an adult or youth work experience
696 activity administered under this chapter shall be deemed an

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697 employee of the state for purposes of workers' compensation
698 coverage. In determining the average weekly wage, all
699 remuneration received from the employer shall be considered a
700 gratuity, and the participant is ~~shall~~ not be entitled to any
701 benefits otherwise payable under s. 440.15, regardless of
702 whether the participant may be receiving wages and remuneration
703 from other employment with another employer and regardless of
704 his or her future wage-earning capacity. ~~This subsection expires~~
705 ~~July 1, 2012.~~

706 Section 18. Section 445.06, Florida Statutes, is repealed.

707 Section 19. Subsection (4) of section 1003.4285, Florida
708 Statutes, is amended to read:

709 1003.4285 Standard high school diploma designations.—Each
710 standard high school diploma shall include, as applicable;

711 ~~(4) A designation reflecting a Florida Ready to Work~~
712 ~~Credential in accordance with s. 445.06.~~

713 Section 20. The Legislature recognizes that there is a need
714 to conform the Florida Statutes to the policy decisions
715 reflected in this act. Therefore, the Department of Economic
716 Opportunity is directed to prepare draft legislation to conform
717 the Florida Statutes to the provisions of this act. The
718 department shall submit the draft legislation to the Governor,
719 the President of the Senate, and the Speaker of the House of
720 Representatives on or before October 1, 2012.

721 Section 21. Except as otherwise expressly provided in this
722 act, this act shall take effect July 1, 2012.

DRAFT TRANSPORTATION CONFORMING LANGUAGE	
Section 1	<p>Creates and redesignates section of law authorizing the transfer of the governance and control of the Mid-Bay Bridge Authority system to Florida's Turnpike Enterprise and requires that turnpike enterprise operate and maintain the bridge system in accordance with the terms covenants contained in the bond resolutions and lease-purchase agreement securing the bonds. Toll revenues from the bridge system that were pledged by the authority to the payment of bonds remain subject to the pledge for the benefit of the bondholders.</p> <p>This section requires turnpike enterprise to make annual payments to the FDOT State Transportation Trust fund for the repayment of the authority's long-term debt of \$16.1 million from excess toll revenues, not to exceed \$1 million per year. Excess toll revenues, after meeting all obligations, shall be used for construction, maintenance, or improvement of any toll facility of the Florida's Turnpike Enterprise within the county or counties in which the revenue was collected.</p>
Section 2	Repeals s. 288.063, F.S. authorizing the Economic Development Transportation Fund (Road Fund) in the Department of Economic Opportunity. This incentive is funded by a transfer from the State Transportation Trust Fund. The Road Fund is used to assist local governments in paying for highway or other transportation infrastructure improvements that will benefit a relocating or expanding company.
Section 3	Amends s. 288.0656, F.S., conforming to changes made in section 2 of the bill repealing s. 288.063, F.S., and section 20 creating s. 339.2821, F.S.
Sections 4 and 5	Amends ss. 316.3025 and 316.545, F.S., authorizing revenues collected for civil penalties fines on citations for overweight vehicles issued by Motor Carrier Officers with DHSMV or weight inspectors with FDOT be deposited into the Highway Safety Operating Trust for the general operations of DHSMV.
Section 6	Amends s. 319.32, F.S., increasing the revenue distribution on an original or duplicate issuance of a certificate of title from \$21 to \$42 for deposit in the State Transportation Trust Fund. Those revenues being redirected are currently deposited in the General Revenue Fund.
Section 7	Amends s. 320.072, F.S., authorizing the revenue collections resulting from the \$225 initial application fee for registration of a motor vehicle classified in s. 320.08(2), (3), and (9)(c) and (d), be deposited in the State Transportation Trust Fund; this will eliminate the current distribution of 55% to the General Revenue Fund.
Section 8	Amends s. 320.08, F.S., deleting provisions authorizing certain portions of the revenues collected on the annual license tax for the operation of motor vehicles, mopeds, motorized bicycles and tri-vehicles, be deposited in the General Revenue Fund. Revenues collected pursuant to s. 320.08, F.S. are distributed pursuant to s. 320.20, F.S.
Section 9	Amends s. 320.0801, F.S., authorizing the surcharge of \$10 imposed on each commercial motor vehicle with gross vehicle weight (GVW) of 10,000 pounds or more to be deposited in the State Transportation Trust Fund, rather than the current 50/50 distribution between the State Transportation Trust Fund and the General Revenue Fund.
Section 10	Amends s. 320.804, F.S., authorizing the \$4 surcharge imposed on each annual license

	tax for the operation of motor vehicles, issued pursuant to s. 320.08, and excluding mobile homes as defined in 320.08(11), be deposited in the State Transportation Trust Fund, rather than the current 50/50 distribution between the State Transportation Trust Fund and the General Revenue Fund.
Section 11	<p>Creates an undesignated section of statute allocating and providing for the use of revenues derived from the redistribution of funds in sections 6 through 10 of the bill as follows:</p> <ul style="list-style-type: none"> • Beginning in FY 2012-13, and annually thereafter for 30 years - \$15 million for the Seaport Investment Program pledged to the payment of debt service for bonds issued pursuant to s. 320.20, F.S. These revenues shall be used for funding any seaport project identified in the FY 2011-12 FDOT adopted work program; • Beginning in FY 2012-13, and annually thereafter for 30 years, \$50 million shall be transferred to the Florida's Turnpike Enterprise to be used in accordance with Florida Turnpike Enterprise Law; • Beginning in FY 2012-13, \$5 million shall be transferred to the Transportation Disadvantaged Trust Fund for the purposes of the Transportation Disadvantaged Commission as provided in ch. 427, F.S., and beginning in FY 2013-14, \$10 million shall be transferred annually to the Transportation Disadvantaged Trust Fund. <p>After the distributions described above, the remaining funds must be distributed as follows:</p> <ul style="list-style-type: none"> • Beginning in FY 2012-13, \$10 million is for the purposes of the Small County Outreach Program as specified in s. 339.2818, F.S., and beginning in FY 13-14, \$25 million annually is for the Small County Outreach Program. These funds are in addition to funds provided in s. 201.15(1)(c)1.b., F.S.; • Beginning in FY 2013-14, \$25 million annually for the purposes of Transportation Regional Incentive Program as specified in s. 339.28919, F.S. These funds are in addition to the funds provided in s. 201.15(1)(c)1.d., F.S.; • In FY 2012-13, \$287,320,240 shall be transferred to the General Revenue Fund; and • The remaining funds must be used annually for strategic corridor transportation projects which include existing or planned strategic corridors connecting major markets with Florida, or between Florida and other states with a focus on job creation and Florida's viability in national and global markets.
Section 12	Repeals s. 320.204, F.S., providing for a \$5 million transfer from the Highway Safety Operating Trust Fund in DHSMV to the Transportation Disadvantaged Trust Fund in FDOT beginning July 1, 2012. Repealing the transfer eliminates the DHSMV obligation and will allow those funds to be used for expenditures of DHSMV.
Section 13	Repeals subsection (7) of s. 334.30, F.S., authorizing FDOT to lend funds from the Toll Facilities Revolving Trust Fund to private entities constructing projects on the State Highway System containing toll facilities. Section xx of this bill repeals the Toll Facilities Revolving Trust Fund and transfers the revenue and future revenues to the State Transportation Trust Fund.
Section 14	Amends s. 338.165, F.S., allowing the transfer of FDOT's Beachline-East Expressway to the turnpike system under Florida Turnpike Enterprise Law; and specifies any funds

	paid by Turnpike for the acquisition of Beachline-East Expressway be deposited into the State Transportation Trust Fund and allocated to fund the department's obligation to construct the Wekiva Parkway.
Section 15	Creates a new subsection (4) in s. 338.2275, F.S., specifying that no bonds may be issued by the department to fund the department's obligation to construct the Wekiva Parkway and provides the definition of Wekiva Parkway.
Section 16	Amends s. 338.250, F.S., exempting the Wekiva Parkway and related transportation facilities from the requirements of this section which provides funds for environmental mitigation relating to transportation construction projects on the Central Florida Beltway. This section also provides the definition of Wekiva Parkway.
Section 17	Repeals s. 338.251, F.S., creating the Toll Facilities Revolving Trust Fund and authorizes FDOT to advance funds to expressway authorities, the turnpike enterprise, counties, and local government entities to undertake revenue-producing road projects. Section 38 of this bill repeals the Toll Facilities Revolving Trust Fund, and section 58 transfers the revenue and future revenues to the State Transportation Trust Fund.
Section 18	Amends s. 339.08, F.S., conforming to changes made in section 2 of the bill repealing s. 288.063, F.S., and section 20 creating s. 339.2821, F.S.
Section 19	<p>Creates s. 339.139, F.S., requiring FDOT to establish a transportation debt assessment report. This section directs FDOT to submit, in conjunction with the tentative work program, a debt assessment report which includes all debt and debt-like contractual obligations. The debt assessment report shall include current and planned commitments which are payable from the State Transportation Trust Fund, as follows:</p> <ul style="list-style-type: none"> • Debt service payments on the issuance of bonds secured by a lien on federal highway aid reimbursements or motor fuel and diesel fuel taxes; • Funding for Seaports pledged to the payment of debt service for bonds issued pursuant to s. 320.20, F.S.; • Commitments to pay the costs of operations and maintenance and renewal and replacement costs of expressway and bridge systems under lease-purchase agreements which are enforceable by the bondholders; • Availability, milestone and final acceptance payments required by public-private partnerships agreements in accordance with s. 334.30, F.S., excluding the cost of operations and maintenance of the facility; • Scheduled payments to a contractor for work that is occurring in the current fiscal year for which the payment is deferred to a later fiscal year in accordance with s. 334.30, F.S. • Reimbursements to local governments for work performed on a project for which payment is deferred to a later fiscal year in accordance with s. 339.12, F.S.; and • Loan repayments on state infrastructure bank loans issued in accordance with s. 339.55, F.S. <p>A separate report on debt obligations secured solely from pledged revenues is also required to be submitted in conjunction with the tentative work program.</p> <p>Beginning in FY 2017-18, FDOT is required to manage all levels of debt to ensure that no more than 20 percent of the total projected state and federal revenues, and local funds committed to department projects are committed to the obligations</p>

	identified in the debt assessment report. Further, FDOT is required to provide notification to the Executive Office of the Governor, the Speaker of the House of Representatives, the President of the Senate and the chairs of the legislative appropriations committees, when a critical project is identified that would exceed the debt limitations established in this section. A 14-day legislative review process is provided, and the Governor may approve the project provided that no objection is filed.
Section 20	Creates s. 339.2821, F.S., authorizing the Economic Development Transportation Road Fund in FDOT. This economic development incentive was previously authorized in s. 288.063, F.S. The Road Fund is used to assist local governments in paying for highway or other transportation infrastructure improvements that will benefit a relocating or expanding company. The General Appropriations Act, as proposed by the Senate, provides \$30 million for this program in FDOT.
Section 21	<p>Creates s. 339.2825, F.S., requiring FDOT to notify the Executive Office of the Governor, the Speaker of the House of Representatives, the President of the Senate and the chairs of the legislative appropriations committees, prior to soliciting proposals, or when receiving an unsolicited proposals, to advance a project or projects programmed in adopted 5 year work program, or in the 10-year Strategic Intermodal Plan, using funds provided by a public-private partnership or private entity to be reimbursed by FDOT in the fiscal year in which the project is programmed in the work program, pursuant to s. 334.30, F.S. As part of the notification, FDOT is required to provide a summary of the proposed project or projects including:</p> <ul style="list-style-type: none"> • A description of any anticipated commitment by the department for the years outside of the adopted work program; • A description of anticipated impacts on the department's overall debt load; • Sufficient information to demonstrate that the project(s) will not cause FDOT to exceed the overall debt limitation provided in s. 339.139. <p>The Governor may approve the advancement of the project or projects provided that no objection is filed within the 14 day legislative review period.</p> <p>This section does not apply to a public-private partnership agreement in which FDOT leases an existing toll facility pursuant to s. 334.30(2)(a), F.S., which requires approval of the Legislative Budget Commission.</p>
Section 22	Amends s. 348.0004, F.S., removing a provision which allows an authority to pledge gross revenues as security when issuing bonds pursuant to a lease-purchase agreement with the FDOT.
Section 23	Amends s. 348.0005, F.S., allowing for bond issuance on behalf of an authority as provided by the State Bond Act, and requiring the bond resolutions set aside sufficient amounts for the costs of operations and maintenance of the facility before applying revenues to the payment of debt service on the bonds.
Section 24	Amends s. 348.0013, F.S., assigning FDOT as the agent of authorities formed on or after July 1, 2012, for all phases of a project and requires for proceeds from the issuance of bonds to be transferred to an account in the State Treasury prior to FDOT proceeding with the construction. This section also allows an authority to utilize a local agency, certified by the department, to manage federal aid projects in accordance

	<p>with federal law, with the consent of the department.</p> <p>An authority wishing to construct an expressway system is required to:</p> <ul style="list-style-type: none"> • Identify the expressway project in a work plan and submit a work plan budget to FDOT, including, a finance plan demonstrating the financial feasibility. Financial feasibility includes the authority's ability to reimburse FDOT for all costs of operation and maintenance from revenues of the system; and • Obtain legislative approval prior to the issuance of bonds.
Section 25	Amends s. 348.52, F.S., authorizing the Tampa Hillsborough County Expressway Authority (THCEA/authority) to employ certain employees; and prohibits any employee of the expressway authority to be compensated at a rate exceeding the salary rate of the Executive Director of Florida's Turnpike Enterprise..
Section 26	<p>Amends s. 348.54, F.S., prohibiting the THCEA from entering into a new or amended lease-purchase agreement, unless FDOT determines that the agreement or amendment is necessary to permit the refunding of bonds issued prior to July 1, 2012.</p> <p>This section also provides for the termination of FDOT's obligations under the lease-purchase agreement with THCEA upon the earlier of:</p> <ul style="list-style-type: none"> • the date on which bonds are paid in full; • a date agreed to by the bondholders; or the termination date under the terms of the Memorandum of Agreement dated October 26, 2010 between THCEA and FDOT.
Section 27	Amends s. 348.545, F.S., clarifying THCEA's approval for bond finance is pursuant to the provisions of s. 348.56, F.S.
Section 28	<p>Amends s. 348.56, F.S., notwithstanding other provisions of law, and sets forth certain restrictions relating to bond issuance by or on behalf of the THCEA beginning July 1, 2012:</p> <ul style="list-style-type: none"> • Requires FDOT's approval prior to the issuance of bonds; • Prohibits the issuance of bonds pledging revenues of the THCEA which are senior to or in parity with the authority's obligation to fully reimburse FDOT for the costs of operation, maintenance, repair and rehabilitation of the expressway system; paid by the department: <ul style="list-style-type: none"> ○ An exception is allowed for the issuance of bonds issued for the purpose of refunding authority bonds issued prior to July 1, 2012, provided the bonds do not extend the maturity date and the debt service is not higher than what is currently being paid on existing bonds; • Prohibits the issuance of bonds pledging the gross revenues of the system, and requires bond resolutions pledging revenues of the system include requirements for sufficient amounts be reserved in accounts to pay for the costs of operation and maintenance of the system prior to being applied to the payment of debt service. • Requires the THCEA to issue bonds through the Division of Bond Finance until the FDOT's obligations under the lease-purchase agreement have been terminated, and FDOT has been fully reimbursed for prior year expenditures for costs incurred for operation, maintenance, repair and rehabilitation of the expressway system. • Provides for the termination of FDOT's obligations under any lease-purchase agreement, upon the earlier of: <ul style="list-style-type: none"> ○ the payment in full of authority bonds issued prior to July 1, 2012, and

	<p>bonds issued to refund such bonds;</p> <ul style="list-style-type: none"> ○ a date which the bondholders of the authority have agreed; or ○ the date FDOT's obligations terminate under the terms of the memorandum of agreement dated October 26, 2010, between the authority and the department.
Section 29	Amends s. 348.565, F.S., allowing THCEA to issue bonds either through the Division of Bond Finance or on it's on behalf; and removes the Connector Highway Linking the Lee Roy Selmon Crosstown Expressway to Interstate 4 from the list of projects approved for financing through the issuance or refinancing of revenue bonds.
Section 30	Amends s. 348.57, F.S., authorizing THCEA to issue bonds pursuant to s. 348.56, F.S., without utilizing the services of the Division of Bond Finance.
Section 31	<p>Amends s. 348.60, F.S., prohibiting the authority from entering into a new or amended lease-purchase agreement with FDOT, unless the department determines the amendment is necessary to permit the refunding of bonds issued prior to July 1, 2012. This section provides for the termination of FDOT's obligations under the lease-agreement, upon the earlier of:</p> <ul style="list-style-type: none"> • the date which all bonds issued prior to July 1, 2012, are paid in full; or • a date to which the bondholders have consented. <p>This section consolidates toll collections for THCEA into Florida's Turnpike Enterprise, by authorizing FDOT to collect tolls for the use of the expressway system.</p>
Section 32	Creates s. 348.615, F.S., providing for toll collection consolidation, by authorizing FDOT as the agent of THCEA, to collect tolls for the use of the expressway system, and requires that the department be fully reimbursed for costs of collecting the tolls from revenues of the system. This section also allows the department to adopt or modify its rules for toll collection procedures and to impose administrative charges related to the toll facility.
Section 33	Amends s. 348.753, F.S., authorizing the Orlando-Orange County Expressway Authority (OOCEA/authority) to employ certain employees; and prohibits any employee of the expressway authority to be compensated at a rate exceeding the salary rate of the Executive Director of Florida's Turnpike Enterprise.
Section 34	Amends s. 348.754, F.S.; prohibiting OOCEA from entering into a new or amended lease-purchase agreement, unless FDOT determines that the agreement or amendment is necessary to permit the refunding of bonds issued prior to July 1, 2012.
Section 35	Amends s. 348.7543, F.S., clarifying the terms and conditions for OOCEA's bond financing is pursuant to the provisions of s. 348.755, F.S.
Section 36	Amends s. 348.7545, F.S., conforming a cross reference to section 39 clarifying the terms and conditions for OOCEA's bond financing is pursuant to the provisions of s. 348.755, F.S.
Section 37	<p>Amends s. 348.7546, authorizing OOCEA to construction, finance, operate, and own portions of the Wekiva Parkway identified by agreement between the authority and FDOT and which are included in OOCEA's long-range capital improvement plan.</p> <p>This section provides for the repayment of FDOT expenditures relating to the costs of operation and maintenance of the Orlando-Orange County Expressway System through an annual transfer to the State Treasury from toll revenues of the system, or</p>

	<p>other funds available to the authority, after the payment of debt service on bonds issued prior to July 1, 2012, as follows:</p> <ul style="list-style-type: none"> • \$10 million on July 1, 2012, and annual payments of \$20 million on July 1 thereafter, until all costs are reimbursed, with a final payment of the remaining balance. • If OOCEA fails to make a payment, the authority shall raise tolls, defer projects, or reduce administrative and other expenditures until it becomes current in payments; and • The funds paid to FDOT by OOCEA shall be allocated by the department for the construction of the Wekiva Parkway. <p>The section specifies the departments obligation to construct its portions of the Wekiva Parkway is contingent upon the timely annual payments required of OOCEA and the pending receipt of required environmental permits and approvals by the Federal Government.</p> <p>This section notwithstanding other provisions of law, and sets forth certain restrictions relating to bond issuance by or on behalf of OOCEA beginning July 1, 2012:</p> <ul style="list-style-type: none"> • Requires FDOT's approval prior to the issuance of bonds; • Prohibits the issuance of bonds pledging revenues of the OOCEA which are senior to or in parity with the authority's obligation to fully reimburse FDOT for the costs of operation, maintenance, repair and rehabilitation of the expressway system paid by the department: <ul style="list-style-type: none"> ○ An exception is allowed for the issuance of bonds for the purpose of refunding authority bonds issued prior to July 1, 2012, provided the bonds do not extend the maturity date and the debt service is not higher than what is currently being paid on existing bonds.
Section 38	Conforms cross reference to section 39 clarifying the terms and conditions for OOCEA's bond financing is pursuant to the provisions of s. 348.755, F.S.
Section 39	<p>Amends s. 348.755, F.S., notwithstanding other provisions of law, and sets forth restrictions relating to bond issuance by OOCEA on or after July 1, 2012, and provides for the termination of FDOT obligations under any lease-purchase agreement:</p> <ul style="list-style-type: none"> • Prohibits the issuance of bonds which provide any rights against FDOT which are enforceable by bondholders; <ul style="list-style-type: none"> ○ An exception is provided for the issuance of bonds to refund bonds issued prior to July 1, 2012 providing the issuance does not extend the maturity date or have a higher debt service than what is currently being paid on existing bonds; • Prohibits the issuance of bonds pledging revenues of the OOCEA which are senior to or in parity with the authority's obligation to fully reimburse FDOT for the costs of operation, maintenance, repair and rehabilitation of the expressway system paid by the department; <ul style="list-style-type: none"> ○ An exception is allowed for the issuance of bonds for the purpose of refunding authority bonds issued prior to July 1, 2012, provided the bonds do not extend the maturity date and the debt service is not higher than what

	<p>is currently being paid on existing bonds;</p> <ul style="list-style-type: none"> Prohibits the issuance of bonds pledging the gross revenues of the system, and requires bond resolutions pledging revenues of the system include requirements sufficient amounts be reserved in accounts to pay for the costs of operation and maintenance of the system prior to being applied to the payment of debt service. Provides for the termination of FDOT obligations under any lease-purchase agreement upon earlier of: <ul style="list-style-type: none"> The payment in full of outstanding bonds issued prior to July 1, 2012, and the payment of authority bonds issued to refund those bond; or The date to which the bondholders have agreed. Requires the OOCEA to issue bonds through the Division of Bond Finance until FDOT's obligations under the lease-purchase agreement have been terminated, and FDOT has been fully reimbursed for prior year expenditures for costs incurred for operation, maintenance, repair and rehabilitation of the expressway system.
Section 40	Amend s. 348.757, F.S., prohibiting the OOCEA from entering into a new or amended lease-purchase agreement, unless FDOT determines that the agreement or amendment is necessary to permit the refunding of bonds issued prior to July 1, 2012, and provides for the termination of the lease-purchase agreement upon the earlier of: (a) the payment in full of OOCEA's bonds issued prior to July 1, 2012, or bonds refund those bonds, or an earlier date which the bondholders have agreed.
Section 41	Creates s. 348.7585, F.S., authorizing FDOT, as the agent of OOCEA to collect tolls for the use of the expressway system, and requires that the department be fully reimbursed for costs of collecting the tolls from revenues of the system. This section allows the department to adopt or modify its rules for toll collection procedures and to impose administrative charges related to the toll facility.
Section 42	Amends s. 348.9952, F.S., authorizing the Osceola County Expressway Authority (OOCEA/authority) to employ certain employees and assigning OOCEA to the Office of the Secretary of FDOT for administrative and fiscal accountability purposes and specifies the authority shall otherwise function independently of the control, supervision and direction of the department.
Section 43	Repeals s. 348.9956, which authorizes FDOT as the agent of the authority for construction.
Section 44	<p>Creates s. 348.99565, assigning FDOT as the agent of the authority for all phases of a project. Authorizes the proceeds from the issuance of bonds to be transferred to an account in the State Treasury prior to FDOT proceeding with the construction. This section also allows an authority to utilize a local agency, certified by the department, to manage federal aid projects in accordance with federal law, with the consent of the department.</p> <p>If the authority wishes to construct an expressway system, they are required to:</p> <ul style="list-style-type: none"> Identify the expressway project in a work plan and submit a work plan budget to FDOT, including, a finance plan demonstrating the financial feasibility. Financial feasibility includes the authority's ability to reimburse FDOT for all costs of operation and maintenance from revenues of the system; and Obtain legislative approval prior to the issuance of bonds.
Section 45	Amends s. 369.317, F.S., specifying the Department of Environmental Regulation as

	the exclusive permitting authority for activities associated with the Wekiva Parkway and related transportation facilities which require authorization pursuant to part IV of ch. 373, F.S. This section authorizes FDOT to locate the precise corridor and interchanges for the Wekiva Parkway in Seminole County.
Section 46	Amends s. 377.809, F.S., conforming a cross reference to s. 339.2821, F.S.
Section 47	Creates an undesignated section of law specifying funds in the Toll Facilities Revolving Trust Fund and all future payments of obligated funds be deposited into the State Transportation Trust fund for the purposes specified in s. 339.08, F.S.
Section 48	Creates an undesignated section of law directing the Florida Transportation Commission to conduct a study of the potential cost savings and increased efficiencies that may be realized through sharing resources for the accomplishment of design, construction, and maintenance activities by or on behalf of expressway authorities and the state, and submit a written report of its findings and conclusions to the Governor, Speaker of the House of Representatives, President of the Senate, and chairs of the appropriations committees by December 31, 2012.
Section 49	Provides an effective date of July 1, 2012

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1 A bill to be entitled
2 An act relating to transportation; transferring
3 control of the Mid-Bay Bridge Authority system to the
4 Florida Turnpike Enterprise; transferring all assets,
5 rights, powers, duties, and bond liabilities of the
6 authority to the turnpike enterprise; transferring all
7 provisions that protect the rights of certain
8 bondholders from the authority to the turnpike
9 enterprise; providing for the turnpike enterprise to
10 annually transfer funds from the activities of the
11 transferred authority to the State Transportation
12 Trust Fund to repay certain long-term debt; requiring
13 that specific toll revenue be used for the
14 construction, maintenance, or improvement of certain
15 toll facilities of the turnpike enterprise; repealing
16 s. 288.063, F.S., relating to contract requirements
17 for transportation projects; amending s. 288.0656,
18 F.S.; conforming a cross-reference; amending ss.
19 316.3025 and 316.545, F.S.; providing for the proceeds
20 of certain penalties to be deposited into the Highway
21 Safety Operating Trust Fund rather than the State
22 Transportation Trust Fund and for such funds to be
23 used for the general operations of the Department of
24 Highway Safety and Motor Vehicles rather than for
25 repairing and maintaining roads in the state; amending
26 s. 319.32, F.S.; increasing the amount of the fees
27 deposited into the State Transportation Trust Fund
28 from original and duplicate certificates of title
29 issued for motor vehicles; amending s. 320.072, F.S.;

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30 requiring that all fees collected from certain motor
31 vehicle registrations, rather than a portion of such
32 fees, be deposited into the General Revenue Fund;
33 amending s. 320.08, F.S.; deleting provisions
34 requiring that certain amounts collected from annual
35 license taxes for the operation of motor vehicles,
36 mopeds, motorized bicycles, tri-vehicles, and mobile
37 homes, which are paid to and collected by the
38 Department of Highway Safety and Motor Vehicles, be
39 deposited into the General Revenue Fund; amending ss.
40 320.0801 and 320.0804, F.S.; requiring that all
41 revenues collected from the surcharge on certain
42 commercial motor vehicles and the surcharge on certain
43 license taxes be deposited into the State
44 Transportation Trust Fund and eliminating the
45 requirement that a portion of such revenues be
46 deposited into the General Revenue Fund; specifying
47 the allocation and purposes of funds that result from
48 increased moneys deposited into the State
49 Transportation Trust Fund; repealing s. 320.204, F.S.,
50 relating to the transfer of funds from the Highway
51 Safety Operating Trust Fund to the Transportation
52 Disadvantaged Trust Fund; amending s. 334.30, F.S.,
53 relating to public-private transportation facilities;
54 deleting obsolete provisions relating to the Toll
55 Facilities Revolving Trust Fund; amending s. 338.165,
56 F.S.; authorizing the Department of Transportation to
57 transfer the Beachline-East Expressway to the turnpike
58 system; providing for the deposit of any funds

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59 expended by the Florida Turnpike Enterprise for the
60 acquisition of the Beachline-East Expressway into the
61 State Transportation Trust Fund for allocation to
62 construct the Wekiva Parkway; defining the term
63 "Wekiva Parkway"; amending s. 338.2275, F.S.;
64 prohibiting the Department of Transportation from
65 issuing bonds to fund its obligation to construct
66 Wekiva Parkway; defining the term "Wekiva Parkway";
67 amending s. 338.250, F.S.; exempting the Wekiva
68 Parkway and related transportation facilities from the
69 mitigation requirements for the Central Florida
70 Beltway; defining the term "Wekiva Parkway"; repealing
71 s. 338.251, F.S., relating to the Toll Facilities
72 Revolving Trust Fund; amending s. 339.08, F.S.;
73 conforming a cross-reference; creating s. 339.139,
74 F.S.; declaring that management of transportation
75 infrastructure financing to ensure the fiscal
76 integrity of the State Transportation Trust Fund is
77 state policy; requiring that the department provide a
78 debt and debtlike contractual obligations load report
79 to the Executive Office of the Governor, the President
80 of the Senate, the Speaker of the House of
81 Representatives, and the legislative appropriations
82 committees; requiring that the load report provide
83 certain data; requiring that the department manage
84 levels of debt to ensure that no more than a certain
85 percentage of revenues is committed; providing
86 exceptions that allow the limitation to be exceeded;
87 requiring that the department prepare a report on debt

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88 obligations that are secured by and payable from
89 pledged revenues; requiring that the department
90 provide the report to the Executive Office of the
91 Governor, the President of the Senate, the Speaker of
92 the House of Representatives, and the legislative
93 appropriations committees; creating s. 339.2821, F.S.;
94 authorizing the Department of Transportation, in
95 consultation with the Department of Economic
96 Opportunity, to make and approve expenditures and
97 enter into contracts with an appropriate governmental
98 body for the direct costs of transportation projects;
99 providing definitions; authorizing the Department of
100 Economic Opportunity and the Department of
101 Environmental Protection to review and comment on
102 recommended transportation projects; providing
103 criteria that the Department of Transportation must
104 follow when reviewing a contract for approval;
105 providing criteria for the transportation contract
106 with a governmental body; providing that Space Florida
107 may serve as a governmental body or as a contracting
108 agency for transportation projects within spaceport
109 territory; requiring each governmental body to submit
110 a financial audit by an independent certified public
111 accountant to the department; requiring that the
112 department monitor each construction site receiving
113 funding; creating s. 339.2825, F.S.; requiring the
114 Department of Transportation to submit a summary of
115 proposed public-private transportation projects to the
116 Executive Office of the Governor, each legislative

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117 appropriations committee, the President of the Senate,
 118 and the Speaker of the House of Representatives;
 119 providing criteria for the summary; providing for the
 120 department to proceed with a project upon approved by
 121 the Governor; prohibiting the Governor from approving
 122 a transportation project if a legislative
 123 appropriations committee, the President of the Senate,
 124 or the Speaker of the House of Representatives objects
 125 within a certain period after receipt of the summary;
 126 providing for receipt by the department of an
 127 unsolicited proposal for certain transportation
 128 projects; exempting a public-private partnership
 129 agreement involving the lease of a toll facility from
 130 the requirements of the approval process; amending s.
 131 348.0004, F.S.; removing provisions qualifying funding
 132 received by an authority from a portion of the county
 133 gasoline tax funds; amending s. 348.0005, F.S.;
 134 providing criteria under which bonds may be issued;
 135 providing an exception to the application of certain
 136 bond requirements; creating s. 348.0013, F.S.,
 137 relating to expressway authorities created on or after
 138 a specified date; providing that the department is the
 139 agent for the purpose of performing all phases of
 140 constructing improvements to and extensions of an
 141 expressway system; requiring that the Division of Bond
 142 Finance and the authority provide certain construction
 143 documents to the department; providing for payment and
 144 the use of funds for the construction; authorizing the
 145 authority to appoint an agent under certain conditions

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146 to perform all phases of the project; requiring that
 147 an authority identify an expressway project in the
 148 authority's work plan and submit the work plan along
 149 with its budget; requiring that the work plan include
 150 certain information; requiring legislative approval of
 151 the authority's budget and work plan; requiring that
 152 the department operate and maintain the expressway
 153 system; requiring that the costs incurred be
 154 reimbursed from revenues of the expressway system;
 155 providing that an expressway system is part of the
 156 State Highway System; authorizing the authority to
 157 fix, alter, charge, and establish tolls, rates, fees,
 158 rentals, and other charges; amending s. 348.52, F.S.;
 159 authorizing the Tampa-Hillsborough County Expressway
 160 Authority to employ certain personnel; amending s.
 161 348.54, F.S.; providing for the powers of the
 162 authority with respect to certain lease-purchase
 163 agreements; amending s. 348.545, F.S.; conforming
 164 cross-references; amending s. 348.56, F.S.; providing
 165 criteria for bonds issued on or after a certain date;
 166 amending s. 348.565, F.S.; conforming provisions;
 167 removing from the list of approved projects for the
 168 Tampa-Hillsborough County Expressway System the
 169 connector highway linking Lee Roy Selmon Crosstown
 170 Expressway to Interstate 4; amending s. 348.57, F.S.,
 171 relating to refunding bonds; conforming references and
 172 provisions; amending s. 348.60, F.S.; providing that
 173 the Tampa-Hillsborough County Expressway Authority is
 174 a party to lease-purchase agreements between the

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175 department and the authority which are dated on
176 specified dates; prohibiting the authority from
177 entering into other lease-purchase agreements or
178 amending the lease-purchase agreement unless the
179 department determines an agreement or amendment is
180 necessary to permit refunding of certain bonds;
181 providing that the expressway system remains the
182 property of the authority if the lease-purchase
183 agreement terminates; providing that the authority
184 remains obligated to reimburse the department if the
185 agreement terminates; requiring that the department
186 operate and maintain the system as the agent of the
187 authority; creating s. 348.615, F.S.; providing that
188 the department is the agent for purposes of collecting
189 tolls for the use of the authority's expressway
190 system; authorizing the authority to fix, alter,
191 charge, and establish tolls, rates, fees, rentals, and
192 other charges; amending s. 348.753, F.S.; authorizing
193 the Orlando-Orange County Expressway Authority to
194 contract with the Division of Bond Finance for certain
195 financial services; amending s. 348.754, F.S.;
196 providing that the transportation authority is a party
197 to specified lease-purchase agreements between the
198 department and the authority; prohibiting the
199 authority from entering into other lease-purchase
200 agreements or amending a specified lease-purchase
201 agreement; amending s. 348.7543, F.S.; conforming a
202 cross-reference and revising provisions governing the
203 issuance of bonds; amending s. 348.7545, F.S.;

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204 conforming a cross-reference; amending s. 348.7546,
205 F.S.; authorizing the Orlando-Orange County Expressway
206 Authority to exercise certain powers with respect to
207 certain portions of the Wekiva Parkway; clarifying
208 that the condemnation powers or the acquisition of
209 certain property before a certain date is not
210 invalidated; requiring that the authority repay
211 certain expenditures made by the department for the
212 operation and maintenance of the Orlando-Orange County
213 Expressway System; requiring that the authority pay
214 the department certain payments by specified dates;
215 requiring that all funds paid to the department be
216 used for construction of the Wekiva Parkway;
217 prohibiting the authority from requesting the issuance
218 of certain bonds without approval from the department;
219 providing restrictions on refunding bonds;
220 conditioning the department's obligation of
221 constructing portions of the Wekiva Parkway upon
222 certain timely payments by the authority; amending s.
223 348.7547, F.S.; conforming a cross-reference;
224 providing that a specified project may be financed
225 with revenue bonds issued on behalf of the authority;
226 amending s. 348.755, F.S.; prohibiting the authority
227 from requesting the issuance of any bonds, except
228 bonds issued to refund specified bonds; prohibiting
229 refunding bonds from being issued if the bonds have a
230 final maturity later than the final maturity of the
231 bonds refunded or if the refunding bonds provide for a
232 certain higher debt service; prohibiting the authority

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233 from requesting, without the department's consent, the
 234 issuance of any bonds secured by a pledge of any
 235 revenues of the authority which is senior to the
 236 authority's obligation to reimburse the department;
 237 restricting the authority's ability to request the
 238 issuance of bonds unless the resolution authorizing
 239 the bonds pledges the revenues for certain purposes;
 240 providing for the termination of the department's
 241 obligations under lease-purchase agreements to pay
 242 certain costs of the Orlando-Orange County Expressway
 243 System; prohibiting the authority from requesting the
 244 issuance of refunding bonds under certain
 245 circumstances; amending s. 348.757, F.S.; limiting
 246 certain authorized lease-purchase agreements;
 247 prohibiting the authority from entering into or
 248 amending certain lease-purchase agreements; providing
 249 for the termination of the department's obligations
 250 under certain lease-purchase agreements; creating s.
 251 348.7585, F.S.; providing that the department is the
 252 agent for purposes of collecting tolls for the
 253 Orlando-Orange County Expressway System; authorizing
 254 the authority to fix, alter, charge, and establish
 255 tolls, rates, fees, rentals, and other charges;
 256 amending s. 348.9952, F.S.; removing provisions
 257 authorizing the Osceola County Expressway Authority to
 258 employ a fiscal agent; repealing s. 348.9956, F.S.,
 259 relating to the appointment of the department as the
 260 agent of the authority for construction; creating s.
 261 348.99565, F.S.; providing that the department is the

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262 agent for purposes of performing all phases of
 263 constructing improvements and extensions to the
 264 Orlando-Orange County Expressway System; requiring
 265 that the Division of Bond Finance and the expressway
 266 authority provide construction documents to the
 267 department; providing for payment and use of funds for
 268 the construction; authorizing the authority to appoint
 269 an agent under certain conditions to perform all
 270 phases of a project; providing guidelines that the
 271 authority must follow if it proposes construction of
 272 an expressway; requiring legislative approval for the
 273 issuance of bonds; requiring the department to operate
 274 and maintain the expressway system and authorizing
 275 that the department be reimbursed from revenues of the
 276 expressway system for costs incurred; authorizing the
 277 authority to collect tolls, fees, and other charges;
 278 amending s. 369.317, F.S.; providing for the
 279 Department of Environmental Protection to have
 280 exclusive permitting authority for certain activities
 281 associated with the Wekiva Parkway and related
 282 transportation facilities; requiring the department to
 283 locate the precise corridor and interchanges for the
 284 Wekiva Parkway to be located in Seminole County;
 285 amending s. 377.809, F.S.; conforming a cross-
 286 reference; transferring funds and all future payments
 287 of obligated funds in the Toll Facilities Revolving
 288 Trust Fund to the State Transportation Trust Fund;
 289 requiring that the Florida Transportation Commission
 290 conduct a study of the potential for cost savings

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291 through certain activities by or on behalf of
 292 expressway authorities; authorizing the commission to
 293 retain experts as necessary to complete the study;
 294 requiring that the department pay the expenses of the
 295 experts; requiring that the commission provide a
 296 report to the Governor and Legislature; providing an
 297 effective date.

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

301 Section 1. Transfer to the Florida Turnpike Enterprise.-The
 302 governance and control of the Mid-Bay Bridge Authority system,
 303 created pursuant to chapter 200-411, Laws of Florida, is
 304 transferred to the Florida Turnpike Enterprise.

305 (1) The assets, facilities, tangible and intangible
 306 property and any rights in such property, and any other legal
 307 rights of the authority, including the bridge system operated by
 308 the authority, are transferred to the turnpike enterprise. All
 309 powers of the authority shall succeed to the turnpike
 310 enterprise, and the operations and maintenance of the bridge
 311 system shall be under the control of the turnpike enterprise,
 312 pursuant to this section. Revenues collected on the bridge
 313 system may be considered turnpike revenues and the Mid-Bay
 314 Bridge may be considered part of the turnpike system, if bonds
 315 of the authority are not outstanding. The turnpike enterprise
 316 also assumes all liability for bonds of the bridge authority
 317 pursuant to the provisions of subsection (2). The turnpike
 318 enterprise may review other contracts, financial obligations,
 319 and contractual obligations and liabilities of the authority and

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320 may assume legal liability for such obligations that are
 321 determined to be necessary for the continued operation of the
 322 bridge system.

323 (2) The transfer pursuant to this section is subject to the
 324 terms and covenants provided for the protection of the holders
 325 of the Mid-Bay Bridge Authority bonds in the lease-purchase
 326 agreement and the resolutions adopted in connection with the
 327 issuance of the bonds. Further, the transfer does not impair the
 328 terms of the contract between the authority and the bondholders,
 329 does not act to the detriment of the bondholders, and does not
 330 diminish the security for the bonds. After the transfer, the
 331 turnpike enterprise shall operate and maintain the bridge system
 332 and any other facilities of the authority in accordance with the
 333 terms, conditions, and covenants contained in the bond
 334 resolutions and lease-purchase agreement securing the bonds of
 335 the authority. The turnpike enterprise shall collect toll
 336 revenues and apply them to the payment of debt service as
 337 provided in the bond resolution securing the bonds and shall
 338 expressly assume all obligations relating to the bonds to ensure
 339 that the transfer will have no adverse impact on the security
 340 for the bonds of the authority. The transfer does not make the
 341 obligation to pay the principal and interest on the bonds a
 342 general liability of the turnpike or pledge the turnpike system
 343 revenues to payment of the bonds. Revenues that are generated by
 344 the bridge system and other facilities of the authority and that
 345 were pledged by the authority to the payment of the bonds remain
 346 subject to the pledge for the benefit of the bondholders. The
 347 transfer does not modify or eliminate any prior obligation of
 348 the Department of Transportation to pay certain costs of the

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bridge system from sources other than revenues of the bridge system. With regard to the authority's current long-term debt of \$16.1 million due to the department as of June 30, 2011, and to the extent permitted by the bond resolutions and lease-purchase agreement securing the bonds, the turnpike enterprise shall make payment annually to the State Transportation Trust Fund, for the purpose of repaying the authority's long-term debt due to the department, from any bridge system revenues obtained under this section which remain after the payment of the costs of operations, maintenance, renewal, and replacement of the bridge system; the payment of current debt service; and other payments required in relation to the bonds. The turnpike enterprise shall make such annual payments, not to exceed \$1 million per year, to the State Transportation Trust Fund until all remaining authority long-term debt due to the department has been repaid.

(3) Any remaining toll revenue from the facilities of the Mid-Bay Bridge Authority collected by the Florida Turnpike Enterprise after meeting the requirements of subsections (1) and (2) shall be used for the construction, maintenance, or improvement of any toll facility of the Florida Turnpike Enterprise within the county or counties in which the revenue was collected.

Section 2. Section 288.063, Florida Statutes, is repealed.

Section 3. Paragraph (a) of subsection (7) of section 288.0656, Florida Statutes, is amended to read:

288.0656 Rural Economic Development Initiative.—

(7) (a) REDI may recommend to the Governor up to three rural areas of critical economic concern. The Governor may by executive order designate up to three rural areas of critical

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economic concern which will establish these areas as priority assignments for REDI as well as to allow the Governor, acting through REDI, to waive criteria, requirements, or similar provisions of any economic development incentive. Such incentives shall include, but not be limited to: the Qualified Target Industry Tax Refund Program under s. 288.106, the Quick Response Training Program under s. 288.047, the Quick Response Training Program for participants in the welfare transition program under s. 288.047(8), transportation projects under s. 339.2821 ~~288.063~~, the brownfield redevelopment bonus refund under s. 288.107, and the rural job tax credit program under ss. 212.098 and 220.1895.

Section 4. Paragraph (b) of subsection (6) of section 316.3025, Florida Statutes, is amended to read:

316.3025 Penalties.—

(6)

(b) All penalties imposed and collected under this section shall be paid to the Chief Financial Officer, who shall credit the total amount collected to the Highway Safety Operating State Transportation Trust Fund for use in ~~repairing and maintaining the general operations of the department roads of this state.~~

Section 5. Subsection (6) 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.—

(6) Any officer or agent collecting the penalties herein imposed by this section shall cooperate with the owners or drivers of motor vehicles so as not to delay unduly the vehicles. All penalties imposed and collected under this section

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by any state agency having jurisdiction shall be paid to the Chief Financial Officer, who shall credit the total amount thereof to the Highway Safety Operating State Transportation Trust Fund for use in the general operations of the department, ~~which shall be used to repair and maintain the roads of this state~~ and to enforce this section.

Section 6. Section 319.32, Florida Statutes, is amended to read:

319.32 Fees; service charges; disposition.-

(1) The department shall charge a fee of \$70 for each original certificate of title, except for a certificate of title for a motor vehicle for hire registered under s. 320.08(6) for which the title fee shall be \$49; \$70 for each duplicate copy of a certificate of title, except for a certificate of title for a motor vehicle for hire registered under s. 320.08(6) for which the title fee shall be \$49; \$2 for each salvage certificate of title; and \$3 for each assignment by a lienholder. The department shall also charge a fee of \$2 for noting a lien on a title certificate, which fee includes the services for the subsequent issuance of a corrected certificate or cancellation of lien when that lien is satisfied. If an application for a certificate of title is for a vehicle that is required by s. 319.14(1)(b) to have a physical examination, the department shall charge an additional fee of \$40 for the initial examination and \$20 for each subsequent examination. The initial examination fee shall be deposited into the General Revenue Fund, and each subsequent examination fee shall be deposited into the Highway Safety Operating Trust Fund. The physical examination of the vehicle includes, but is not limited to,

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verification of the vehicle identification number and verification of the bill of sale or title for major components. In addition to all other fees charged, a sum of \$1 shall be paid for the issuance of an original or duplicate certificate of title to cover the cost of materials used for security purposes. A service fee of \$2.50, to be deposited into the Highway Safety Operating Trust Fund, shall be charged for shipping and handling for each paper title mailed by the department.

(2)(a) There shall be a service charge of \$4.25 for each application that ~~which~~ is handled in connection with the issuance, duplication, or transfer of any certificate of title. There shall be a service charge of \$1.25 for each application that ~~which~~ is handled in connection with the recordation or notation of a lien on a motor vehicle or mobile home which is not in connection with the purchase of such vehicle.

(b) The service charges specified in paragraph (a) shall be collected by the department on any application handled directly from its office. Otherwise, these service charges shall be collected and retained by the tax collector who handles the application.

(3) The department shall charge a fee of \$10 in addition to that charged in subsection (1) for each original certificate of title issued for a vehicle previously registered outside this state.

(4) The department shall charge a fee of \$7 for each lien placed on a motor vehicle by the state child support enforcement program pursuant to s. 319.24.

(5) All fees collected pursuant to subsection (3) shall be paid into the Nongame Wildlife Trust Fund. Forty-two ~~Twenty-one~~

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dollars of each fee for each applicable original certificate of title and each applicable duplicate copy of a certificate of title, after deducting the service charges imposed by s. 215.20, shall be deposited into the State Transportation Trust Fund. All other fees collected by the department under this chapter shall be paid into the General Revenue Fund.

(6) Notwithstanding chapter 116, every county officer within this state authorized to collect funds provided for in this chapter shall pay all sums officially received by the officer into the State Treasury no later than 5 working days after the close of the business day in which the officer received the funds. Payment by county officers to the state shall be made by means of electronic funds transfer.

Section 7. Subsection (4) of section 320.072, Florida Statutes, is amended to read:

320.072 Additional fee imposed on certain motor vehicle registration transactions.—

(4) A tax collector or other authorized agent of the department shall promptly remit ~~44.5 percent~~ of all moneys collected pursuant to this section, less any refunds granted pursuant to subsection (3), to the department to be deposited into the State Transportation Trust Fund. ~~The remaining 55.5 percent shall be deposited into the General Revenue Fund.~~

Section 8. Section 320.08, Florida Statutes, is amended to read:

320.08 License taxes.—Except as otherwise provided in this section herein, there are hereby levied and imposed annual license taxes for the operation of motor vehicles, mopeds, motorized bicycles as defined in s. 316.003(2), tri-vehicles as

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defined in s. 316.003, and mobile homes, as defined in s. 320.01, which shall be paid to and collected by the department or its agent upon the registration or renewal of registration of the following:

(1) MOTORCYCLES AND MOPEDS.—

(a) Any motorcycle: \$13.50 flat, ~~of which \$3.50 shall be deposited into the General Revenue Fund.~~

(b) Any moped: \$6.75 flat, ~~of which \$1.75 shall be deposited into the General Revenue Fund.~~

(c) Upon registration of any motorcycle, motor-driven cycle, or moped there shall be paid in addition to the license taxes specified in this subsection a nonrefundable motorcycle safety education fee in the amount of \$2.50. The proceeds of such additional fee shall be deposited in the Highway Safety Operating Trust Fund to fund a motorcycle driver improvement program implemented pursuant to s. 322.025, the Florida Motorcycle Safety Education Program established in s. 322.0255, or the general operations of the department.

(d) An ancient or antique motorcycle: \$8.50 flat, ~~of which \$3.50 shall be deposited into the General Revenue Fund.~~

(2) AUTOMOBILES OR TRI-VEHICLES FOR PRIVATE USE.—

(a) An ancient or antique automobile, as defined in s. 320.086, or a street rod, as defined in s. 320.0863: \$10.25 flat, ~~of which \$2.75 shall be deposited into the General Revenue Fund.~~

(b) Net weight of less than 2,500 pounds: \$19.50 flat, ~~of which \$5 shall be deposited into the General Revenue Fund.~~

(c) Net weight of 2,500 pounds or more, but less than 3,500 pounds: \$30.50 flat, ~~of which \$8 shall be deposited into the~~

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523 General Revenue Fund.
 524 (d) Net weight of 3,500 pounds or more: \$44 flat, ~~of which~~
 525 ~~\$11.50 shall be deposited into the General Revenue Fund.~~
 526 (3) TRUCKS.--
 527 (a) Net weight of less than 2,000 pounds: \$19.50 flat, ~~of~~
 528 ~~which \$5 shall be deposited into the General Revenue Fund.~~
 529 (b) Net weight of 2,000 pounds or more, but not more than
 530 3,000 pounds: \$30.50 flat, ~~of which \$8 shall be deposited into~~
 531 ~~the General Revenue Fund.~~
 532 (c) Net weight more than 3,000 pounds, but not more than
 533 5,000 pounds: \$44 flat, ~~of which \$11.50 shall be deposited into~~
 534 ~~the General Revenue Fund.~~
 535 (d) A truck defined as a "goat," or any other vehicle if
 536 used in the field by a farmer or in the woods for the purpose of
 537 harvesting a crop, including naval stores, during such
 538 harvesting operations, and which is not principally operated
 539 upon the roads of the state: \$10.25 flat, ~~of which \$2.75 shall~~
 540 ~~be deposited into the General Revenue Fund.~~ A "goat" is a motor
 541 vehicle designed, constructed, and used principally for the
 542 transportation of citrus fruit within citrus groves or for the
 543 transportation of crops on farms, and which can also be used for
 544 the hauling of associated equipment or supplies, including
 545 required sanitary equipment, and the towing of farm trailers.
 546 (e) An ancient or antique truck, as defined in s. 320.086:
 547 \$10.25 flat, ~~of which \$2.75 shall be deposited into the General~~
 548 ~~Revenue Fund.~~
 549 (4) HEAVY TRUCKS, TRUCK TRACTORS, FEES ACCORDING TO GROSS
 550 VEHICLE WEIGHT.--
 551 (a) Gross vehicle weight of 5,001 pounds or more, but less

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552 than 6,000 pounds: \$60.75 flat, ~~of which \$15.75 shall be~~
 553 ~~deposited into the General Revenue Fund.~~
 554 (b) Gross vehicle weight of 6,000 pounds or more, but less
 555 than 8,000 pounds: \$87.75 flat, ~~of which \$22.75 shall be~~
 556 ~~deposited into the General Revenue Fund.~~
 557 (c) Gross vehicle weight of 8,000 pounds or more, but less
 558 than 10,000 pounds: \$103 flat, ~~of which \$27 shall be deposited~~
 559 ~~into the General Revenue Fund.~~
 560 (d) Gross vehicle weight of 10,000 pounds or more, but less
 561 than 15,000 pounds: \$118 flat, ~~of which \$31 shall be deposited~~
 562 ~~into the General Revenue Fund.~~
 563 (e) Gross vehicle weight of 15,000 pounds or more, but less
 564 than 20,000 pounds: \$177 flat, ~~of which \$46 shall be deposited~~
 565 ~~into the General Revenue Fund.~~
 566 (f) Gross vehicle weight of 20,000 pounds or more, but less
 567 than 26,001 pounds: \$251 flat, ~~of which \$65 shall be deposited~~
 568 ~~into the General Revenue Fund.~~
 569 (g) Gross vehicle weight of 26,001 pounds or more, but less
 570 than 35,000: \$324 flat, ~~of which \$84 shall be deposited into the~~
 571 ~~General Revenue Fund.~~
 572 (h) Gross vehicle weight of 35,000 pounds or more, but less
 573 than 44,000 pounds: \$405 flat, ~~of which \$105 shall be deposited~~
 574 ~~into the General Revenue Fund.~~
 575 (i) Gross vehicle weight of 44,000 pounds or more, but less
 576 than 55,000 pounds: \$773 flat, ~~of which \$201 shall be deposited~~
 577 ~~into the General Revenue Fund.~~
 578 (j) Gross vehicle weight of 55,000 pounds or more, but less
 579 than 62,000 pounds: \$916 flat, ~~of which \$238 shall be deposited~~
 580 ~~into the General Revenue Fund.~~

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581 (k) Gross vehicle weight of 62,000 pounds or more, but less
582 than 72,000 pounds: \$1,080 flat, ~~of which \$280 shall be~~
583 ~~deposited into the General Revenue Fund.~~

584 (l) Gross vehicle weight of 72,000 pounds or more: \$1,322
585 flat, ~~of which \$343 shall be deposited into the General Revenue~~
586 ~~Fund.~~

587 (m) Notwithstanding the declared gross vehicle weight, a
588 truck tractor used within a 150-mile radius of its home address
589 is eligible for a license plate for a fee of \$324 flat if:

590 1. The truck tractor is used exclusively for hauling
591 forestry products; or

592 2. The truck tractor is used primarily for the hauling of
593 forestry products, and is also used for the hauling of
594 associated forestry harvesting equipment used by the owner of
595 the truck tractor.

596
597 ~~Of the fee imposed by this paragraph, \$84 shall be deposited~~
598 ~~into the General Revenue Fund.~~

599 (n) A truck tractor or heavy truck, not operated as a for-
600 hire vehicle, which is engaged exclusively in transporting raw,
601 unprocessed, and nonmanufactured agricultural or horticultural
602 products within a 150-mile radius of its home address, is
603 eligible for a restricted license plate for a fee of:

604 1. If such vehicle's declared gross vehicle weight is less
605 than 44,000 pounds, \$87.75 flat, ~~of which \$22.75 shall be~~
606 ~~deposited into the General Revenue Fund.~~

607 2. If such vehicle's declared gross vehicle weight is
608 44,000 pounds or more and such vehicle only transports from the
609 point of production to the point of primary manufacture; to the

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610 point of assembling the same; or to a shipping point of a rail,
611 water, or motor transportation company, \$324 flat, ~~of which \$84~~
612 ~~shall be deposited into the General Revenue Fund.~~

613
614 Such not-for-hire truck tractors and heavy trucks used
615 exclusively in transporting raw, unprocessed, and
616 nonmanufactured agricultural or horticultural products may be
617 incidentally used to haul farm implements and fertilizers
618 delivered direct to the growers. The department may require any
619 documentation deemed necessary to determine eligibility prior to
620 issuance of this license plate. For the purpose of this
621 paragraph, "not-for-hire" means the owner of the motor vehicle
622 must also be the owner of the raw, unprocessed, and
623 nonmanufactured agricultural or horticultural product, or the
624 user of the farm implements and fertilizer being delivered.

625 (5) SEMITRAILERS, FEES ACCORDING TO GROSS VEHICLE WEIGHT;
626 SCHOOL BUSES; SPECIAL PURPOSE VEHICLES.—

627 (a)1. A semitrailer drawn by a GVW truck tractor by means
628 of a fifth-wheel arrangement: \$13.50 flat per registration year
629 or any part thereof, ~~of which \$3.50 shall be deposited into the~~
630 ~~General Revenue Fund.~~

631 2. A semitrailer drawn by a GVW truck tractor by means of a
632 fifth-wheel arrangement: \$68 flat per permanent registration, ~~of~~
633 ~~which \$18 shall be deposited into the General Revenue Fund.~~

634 (b) A motor vehicle equipped with machinery and designed
635 for the exclusive purpose of well drilling, excavation,
636 construction, spraying, or similar activity, and which is not
637 designed or used to transport loads other than the machinery
638 described above over public roads: \$44 flat, ~~of which \$11.50~~

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~~shall be deposited into the General Revenue Fund.~~

(c) A school bus used exclusively to transport pupils to and from school or school or church activities or functions within their own county: \$41 flat, ~~of which \$11 shall be deposited into the General Revenue Fund.~~

(d) A wrecker, as defined in s. 320.01(40), which is used to tow a vessel as defined in s. 327.02(39), a disabled, abandoned, stolen-recovered, or impounded motor vehicle as defined in s. 320.01(38), or a replacement motor vehicle as defined in s. 320.01(39): \$41 flat, ~~of which \$11 shall be deposited into the General Revenue Fund.~~

(e) A wrecker that is used to tow any nondisabled motor vehicle, a vessel, or any other cargo unless used as defined in paragraph (d), as follows:

1. Gross vehicle weight of 10,000 pounds or more, but less than 15,000 pounds: \$118 flat, ~~of which \$31 shall be deposited into the General Revenue Fund.~~

2. Gross vehicle weight of 15,000 pounds or more, but less than 20,000 pounds: \$177 flat, ~~of which \$46 shall be deposited into the General Revenue Fund.~~

3. Gross vehicle weight of 20,000 pounds or more, but less than 26,000 pounds: \$251 flat, ~~of which \$65 shall be deposited into the General Revenue Fund.~~

4. Gross vehicle weight of 26,000 pounds or more, but less than 35,000 pounds: \$324 flat, ~~of which \$84 shall be deposited into the General Revenue Fund.~~

5. Gross vehicle weight of 35,000 pounds or more, but less than 44,000 pounds: \$405 flat, ~~of which \$105 shall be deposited into the General Revenue Fund.~~

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6. Gross vehicle weight of 44,000 pounds or more, but less than 55,000 pounds: \$772 flat, ~~of which \$200 shall be deposited into the General Revenue Fund.~~

7. Gross vehicle weight of 55,000 pounds or more, but less than 62,000 pounds: \$915 flat, ~~of which \$237 shall be deposited into the General Revenue Fund.~~

8. Gross vehicle weight of 62,000 pounds or more, but less than 72,000 pounds: \$1,080 flat, ~~of which \$280 shall be deposited into the General Revenue Fund.~~

9. Gross vehicle weight of 72,000 pounds or more: \$1,322 flat, ~~of which \$343 shall be deposited into the General Revenue Fund.~~

(f) A hearse or ambulance: \$40.50 flat, ~~of which \$10.50 shall be deposited into the General Revenue Fund.~~

(6) MOTOR VEHICLES FOR HIRE.—

(a) Under nine passengers: \$17 flat, ~~of which \$4.50 shall be deposited into the General Revenue Fund; plus \$1.50 per cwt, of which 50 cents shall be deposited into the General Revenue Fund.~~

(b) Nine passengers and over: \$17 flat, ~~of which \$4.50 shall be deposited into the General Revenue Fund; plus \$2 per cwt, of which 50 cents shall be deposited into the General Revenue Fund.~~

(7) TRAILERS FOR PRIVATE USE.—

(a) Any trailer weighing 500 pounds or less: \$6.75 flat per year or any part thereof, ~~of which \$1.75 shall be deposited into the General Revenue Fund.~~

(b) Net weight over 500 pounds: \$3.50 flat, ~~of which \$1 shall be deposited into the General Revenue Fund; plus \$1 per~~

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697 ~~cwt, of which 25 cents shall be deposited into the General~~
698 ~~Revenue Fund.~~

699 (8) TRAILERS FOR HIRE.—

700 (a) Net weight under 2,000 pounds: \$3.50 flat, ~~of which \$1~~
701 ~~shall be deposited into the General Revenue Fund; plus \$1.50 per~~
702 ~~cwt, of which 50 cents shall be deposited into the General~~
703 ~~Revenue Fund.~~

704 (b) Net weight 2,000 pounds or more: \$13.50 flat, ~~of which~~
705 ~~\$3.50 shall be deposited into the General Revenue Fund; plus~~
706 ~~\$1.50 per cwt, of which 50 cents shall be deposited into the~~
707 ~~General Revenue Fund.~~

708 (9) RECREATIONAL VEHICLE-TYPE UNITS.—

709 (a) A travel trailer or fifth-wheel trailer, as defined by
710 s. 320.01(1)(b), that does not exceed 35 feet in length: \$27
711 flat, ~~of which \$7 shall be deposited into the General Revenue~~
712 ~~Fund.~~

713 (b) A camping trailer, as defined by s. 320.01(1)(b)2.:
714 \$13.50 flat, ~~of which \$3.50 shall be deposited into the General~~
715 ~~Revenue Fund.~~

716 (c) A motor home, as defined by s. 320.01(1)(b)4.:

717 1. Net weight of less than 4,500 pounds: \$27 flat, ~~of which~~
718 ~~\$7 shall be deposited into the General Revenue Fund.~~

719 2. Net weight of 4,500 pounds or more: \$47.25 flat, ~~of~~
720 ~~which \$12.25 shall be deposited into the General Revenue Fund.~~

721 (d) A truck camper as defined by s. 320.01(1)(b)3.:

722 1. Net weight of less than 4,500 pounds: \$27 flat, ~~of which~~
723 ~~\$7 shall be deposited into the General Revenue Fund.~~

724 2. Net weight of 4,500 pounds or more: \$47.25 flat, ~~of~~
725 ~~which \$12.25 shall be deposited into the General Revenue Fund.~~

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726 (e) A private motor coach as defined by s. 320.01(1)(b)5.:
727 1. Net weight of less than 4,500 pounds: \$27 flat, ~~of which~~
728 ~~\$7 shall be deposited into the General Revenue Fund.~~

729 2. Net weight of 4,500 pounds or more: \$47.25 flat, ~~of~~
730 ~~which \$12.25 shall be deposited into the General Revenue Fund.~~

731 (10) PARK TRAILERS; TRAVEL TRAILERS; FIFTH-WHEEL TRAILERS;
732 35 FEET TO 40 FEET.—

733 (a) Park trailers.—Any park trailer, as defined in s.
734 320.01(1)(b)7.: \$25 flat.

735 (b) A travel trailer or fifth-wheel trailer, as defined in
736 s. 320.01(1)(b), that exceeds 35 feet: \$25 flat.

737 (11) MOBILE HOMES.—

738 (a) A mobile home not exceeding 35 feet in length: \$20
739 flat.

740 (b) A mobile home over 35 feet in length, but not exceeding
741 40 feet: \$25 flat.

742 (c) A mobile home over 40 feet in length, but not exceeding
743 45 feet: \$30 flat.

744 (d) A mobile home over 45 feet in length, but not exceeding
745 50 feet: \$35 flat.

746 (e) A mobile home over 50 feet in length, but not exceeding
747 55 feet: \$40 flat.

748 (f) A mobile home over 55 feet in length, but not exceeding
749 60 feet: \$45 flat.

750 (g) A mobile home over 60 feet in length, but not exceeding
751 65 feet: \$50 flat.

752 (h) A mobile home over 65 feet in length: \$80 flat.

753 (12) DEALER AND MANUFACTURER LICENSE PLATES.—A franchised
754 motor vehicle dealer, independent motor vehicle dealer, marine

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boat trailer dealer, or mobile home dealer and manufacturer license plate: \$17 flat, ~~of which \$4.50 shall be deposited into the General Revenue Fund.~~

(13) EXEMPT OR OFFICIAL LICENSE PLATES.—Any exempt or official license plate: \$4 flat, ~~of which \$1 shall be deposited into the General Revenue Fund.~~

(14) LOCALLY OPERATED MOTOR VEHICLES FOR HIRE.—A motor vehicle for hire operated wholly within a city or within 25 miles thereof: \$17 flat, ~~of which \$4.50 shall be deposited into the General Revenue Fund; plus \$2 per cwt, of which 50 cents shall be deposited into the General Revenue Fund.~~

(15) TRANSPORTER.—Any transporter license plate issued to a transporter pursuant to s. 320.133: \$101.25 flat, ~~of which \$26.25 shall be deposited into the General Revenue Fund.~~

Section 9. Section 320.0801, Florida Statutes, is amended to read:

320.0801 Additional license tax on certain vehicles.—

(1) In addition to the license taxes specified in s. 320.08 and in subsection (2), there is hereby levied and imposed an annual license tax of 10 cents for the operation of a motor vehicle, as defined in s. 320.01, and moped, as defined in s. 316.003(77). ~~This, which~~ tax shall be paid to the department or its agent upon the registration or renewal of registration of the vehicle. Notwithstanding the provisions of s. 320.20, revenues collected from the tax imposed in this subsection shall be deposited in the Emergency Medical Services Trust Fund and used solely for the purpose of carrying out the provisions of ss. 395.401, 395.4015, 395.404, and 395.4045 and s. 11, chapter 87-399, Laws of Florida.

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(2) In addition to the license taxes imposed by s. 320.08 and by subsection (1), there is imposed an additional surcharge of \$10 on each commercial motor vehicle having a gross vehicle weight of 10,000 pounds or more. ~~This, which~~ surcharge must be paid to the department or its agent upon the registration or renewal of registration of the commercial motor vehicle. Notwithstanding ~~the provisions of~~ s. 320.20, ~~50 percent of the~~ revenues collected from the surcharge imposed in this subsection shall be deposited into the State Transportation Trust Fund, ~~and 50 percent shall be deposited in the General Revenue Fund.~~

Section 10. Section 320.0804, Florida Statutes, is amended to read:

320.0804 Surcharge on license tax; transportation trust fund.—There is hereby levied and imposed on each license tax imposed under s. 320.08, except those set forth in s. 320.08(11), a surcharge in the amount of \$4, which shall be collected in the same manner as the license tax ~~and, of this amount, \$2 shall be deposited into the State Transportation Trust Fund, and \$2 shall be deposited into the General Revenue Fund.~~

Section 11. Funds that result from increased revenues to the State Transportation Trust Fund derived from sections 6 through 10 of this act must be used as follows:

(1) Beginning in the 2012-2013 fiscal year and annually for 30 years thereafter, \$15 million for the purpose of funding any seaport project identified in the 2011-2012 adopted work program of the Department of Transportation, to be known as the Seaport Investment Program. The revenues may be assigned, pledged, or set aside as a trust for the payment of principal or interest on

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bonds, tax anticipation certificates, or other forms of indebtedness issued by an individual port or appropriate local government having jurisdiction thereof, or collectively by interlocal agreement among any of the ports, or used to purchase credit support to permit such borrowings. However, the debt is not a general obligation of the state. The state covenants with holders of the revenue bonds or other instruments of indebtedness issued pursuant to this subsection that it will not repeal or impair or amend this subsection in any manner that will materially or adversely affect the rights of holders so long as bonds authorized by this subsection are outstanding. Any revenues that are not pledged to the repayment of bonds as authorized by this section may be used for purposes authorized under the Florida Seaport Transportation and Economic Development Program. This revenue source is in addition to any amounts provided for and appropriated in accordance with ss. 311.07 and 320.20(3) and (4), Florida Statutes. Revenue bonds shall be issued by the Division of Bond Finance at the request of the Department of Transportation pursuant to the State Bond Act.

(2) Beginning in the 2012-2013 fiscal year and annually for 30 years thereafter, \$50 million shall be transferred to Florida's Turnpike Enterprise, to be used in accordance with Florida Turnpike Enterprise Law.

(3) In the 2012-2013 fiscal year, \$5 million shall be transferred to the Transportation Disadvantaged Trust Fund for purposes of the Commission for the Transportation Disadvantaged as provided in chapter 427, Florida Statutes. Beginning in the 2013-2014 fiscal year and annually thereafter, \$10 million shall

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be transferred to the Transportation Disadvantaged Trust Fund, to be used as specified in this subsection.

(4) Notwithstanding any other law to the contrary:

(a) After the distributions required pursuant to subsections (1), (2), and (3), the remaining funds must be used for the following specified purposes:

1. In the 2012-2013 fiscal year, \$10 million for purposes of the Small County Outreach Program specified in s. 339.2818, Florida Statutes. These funds are in addition to the funds provided in s. 201.15(1)(c)1.b., Florida Statutes. Beginning in the 2013-2014 fiscal year and annually thereafter, \$25 million shall be allocated to the Small County Outreach Program, to be used as specified in this subsection.

2. Beginning in the 2013-2014 fiscal year, \$25 million annually for purposes of the Transportation Regional Incentive Program as specified in s. 339.2819, Florida Statutes. These funds are in addition to the funds provided in s. 201.15(1)(c)1.d., Florida Statutes.

3. In the 2012-2013 fiscal year, \$287,320,240 shall be transferred to the General Revenue Fund.

(b) The remaining funds must be used annually for transportation projects within this state for existing or planned strategic transportation corridors which connect major markets within this state or between this state and other states, which focus on job creation, and which increase this state's viability in the national and global markets.

(5) Pursuant to s. 339.135(7), Florida Statutes, the department may amend the work program to add the projects necessary to implement this section.

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871 Section 12. Section 320.204, Florida Statutes, is repealed.

872 Section 13. Present subsections (8) through (13) of section
873 334.30, Florida Statutes, are redesignated as subsections (7)
874 through (12), respectively, and present subsection (7) of that
875 section is amended, to read:

876 334.30 Public-private transportation facilities.—The
877 Legislature finds and declares that there is a public need for
878 the rapid construction of safe and efficient transportation
879 facilities for the purpose of traveling within the state, and
880 that it is in the public's interest to provide for the
881 construction of additional safe, convenient, and economical
882 transportation facilities.

883 ~~(7) The department may lend funds from the Toll Facilities~~
884 ~~Revolving Trust Fund, as outlined in s. 338.251, to private~~
885 ~~entities that construct projects on the State Highway System~~
886 ~~containing toll facilities that are approved under this section.~~
887 ~~To be eligible, a private entity must comply with s. 338.251 and~~
888 ~~must provide an indication from a nationally recognized rating~~
889 ~~agency that the senior bonds for the project will be investment~~
890 ~~grade, or must provide credit support such as a letter of credit~~
891 ~~or other means acceptable to the department, to ensure that the~~
892 ~~loans will be fully repaid. The state's liability for the~~
893 ~~funding of a facility is limited to the amount approved for that~~
894 ~~specific facility in the department's 5-year work program~~
895 ~~adopted pursuant to s. 339.135.~~

896 Section 14. Subsection (10) is added to section 338.165,
897 Florida Statutes, to read:

898 338.165 Continuation of tolls.—

899 (10) The department's Beachline-East Expressway may be

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900 transferred by the department and become part of the turnpike
901 system under the Florida Turnpike Enterprise Law. Any funds
902 expended by the Florida Turnpike Enterprise for the acquisition
903 of the Beachline-East Expressway shall be deposited into the
904 State Transportation Trust Fund, and, notwithstanding any other
905 law to the contrary, such funds shall first be allocated by the
906 department to fund the department's obligation to construct
907 Wekiva Parkway. The term "Wekiva Parkway" means a limited access
908 highway or expressway constructed between State Road 429 and
909 Interstate 4 specifically incorporating the corridor alignment
910 recommended by Recommendation 2 of the Wekiva River Basin Area
911 Task Force final report dated January 15, 2003, and the
912 recommendations of the SR 429 Working Group which were adopted
913 January 16, 2004, and related transportation facilities.

914 Section 15. Subsection (4) is added to section 338.2275,
915 Florida Statutes, to read:

916 338.2275 Approved turnpike projects.—

917 (4) Notwithstanding subsection (1), the department may not
918 issue any bonds to fund the department's obligation to construct
919 Wekiva Parkway. The term "Wekiva Parkway" means a limited access
920 highway or expressway constructed between State Road 429 and
921 Interstate 4 specifically incorporating the corridor alignment
922 recommended by Recommendation 2 of the Wekiva River Basin Area
923 Task Force final report dated January 15, 2003, and the
924 recommendations of the SR 429 Working Group which were adopted
925 January 16, 2004, and related transportation facilities.

926 Section 16. Subsection (3) is added to section 338.250,
927 Florida Statutes, to read:

928 338.250 Central Florida Beltway Mitigation.—

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929 (3) This section does not apply to the Wekiva Parkway or
930 related transportation facilities. The term "Wekiva Parkway"
931 means a limited access highway or expressway constructed between
932 State Road 429 and Interstate 4 specifically incorporating the
933 corridor alignment recommended by Recommendation 2 of the Wekiva
934 River Basin Area Task Force final report dated January 15, 2003,
935 and the recommendations of the SR 429 Working Group which were
936 adopted January 16, 2004.

937 Section 17. Section 338.251, Florida Statutes, is repealed.

938 Section 18. Paragraph (f) of subsection (1) of section
939 339.08, Florida Statutes, is amended to read:

940 339.08 Use of moneys in State Transportation Trust Fund.—

941 (1) The department shall expend moneys in the State
942 Transportation Trust Fund accruing to the department, in
943 accordance with its annual budget. The use of such moneys shall
944 be restricted to the following purposes:

945 (f) To pay the cost of economic development transportation
946 projects in accordance with s. 339.2821 ~~288.063~~.

947 Section 19. Section 339.139, Florida Statutes, is created
948 to read:

949 339.139 Transportation debt assessment.—

950 (1) It is the policy of the state to manage the financing
951 of transportation infrastructure in a manner that ensures the
952 fiscal integrity of the State Transportation Trust Fund.

953 (2) The department shall provide a debt and debtlike
954 contractual obligations load report to the Executive Office of
955 the Governor, the President of the Senate, the Speaker of the
956 House of Representatives, and the legislative appropriations
957 committees in conjunction with the tentative work program

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958 required under s. 339.135. The debt and debtlike contractual
959 obligations load report must include the following data on
960 current and planned department commitments that are payable from
961 the State Transportation Trust Fund:

962 (a) Debt service payments that are required to be made
963 under any resolution for the issuance of bonds secured by a lien
964 on federal highway aid reimbursements or motor fuel and diesel
965 fuel taxes.

966 (b) Funding for seaports which has been pledged to the
967 payment of principal and interest on bonds issued by the Florida
968 Ports Financing Commission pursuant to s. 320.20.

969 (c) Commitments of the department to pay the costs of
970 operating, maintaining, repairing, and rehabilitating expressway
971 and bridge systems under the terms of lease-purchase agreements
972 which are enforceable by the holders of bonds issued by
973 expressway and bridge authorities pursuant to chapter 348.

974 (d) Availability, milestone, and final acceptance payments
975 that are required by public-private partnerships pursuant to s.
976 334.30 and that are not payments for the cost of operation or
977 maintenance of a facility.

978 (e) Agreed-on payments to a department contractor for work
979 performed in the current fiscal year for which payment is
980 deferred to a later fiscal year under the provisions of s.
981 334.30.

982 (f) Reimbursements to local governments for work performed
983 on a project if the reimbursement is deferred to a later fiscal
984 year under the provisions of s. 339.12.

985 (g) Loan repayments on state infrastructure bank loans
986 extended to a department district pursuant to s. 339.55.

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987 (3) The department shall manage all levels of debt to
 988 ensure that by the beginning of the 2017-2018 fiscal year, not
 989 more than 20 percent of total projected available state and
 990 federal revenues from the State Transportation Trust Fund,
 991 together with any local funds committed to department projects,
 992 are committed to the obligations identified in subsection (2) in
 993 any year.

994 (4) If the department believes that a critical project
 995 would justify exceeding the limitation established in this
 996 section, the department shall notify the Governor, the President
 997 of the Senate, the Speaker of the House of Representatives, and
 998 the chairs of the legislative appropriations committees. The
 999 notification must identify the critical project and the
 1000 projected impact on the department's total debt load. The
 1001 department may proceed with the project upon approval of the
 1002 Governor. If either chair of the legislative appropriations
 1003 committees, the President of the Senate, or the Speaker of the
 1004 House of Representatives objects in writing to a proposed
 1005 project within 14 days after submittal of a department request
 1006 to exceed debt limits and specifies the reasons for such
 1007 objection, the Governor may not approve the project.

1008 (5) The department shall prepare a separate report on debt
 1009 obligations that are secured by and payable solely from pledged
 1010 revenues. The department shall provide the report on pledged
 1011 revenue debt to the Executive Office of the Governor, the
 1012 President of the Senate, the Speaker of the House of
 1013 Representatives, and the legislative appropriations committees
 1014 in conjunction with the tentative work program required under s.
 1015 339.135.

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1016 Section 20. Section 339.2821, Florida Statutes, is created
 1017 to read:

1018 339.2821 Economic development transportation projects.—
 1019 (1)(a) The department, in consultation with the Department
 1020 of Economic Opportunity, may make and approve expenditures and
 1021 contract with the appropriate governmental body for the direct
 1022 costs of transportation projects. The Department of Economic
 1023 Opportunity and the Department of Environmental Protection may
 1024 formally review and comment on recommended transportation
 1025 projects, although the department has final approval authority
 1026 for any project authorized under this section.

1027 (b) As used in this section, the term:

1028 1. "Governmental body" means an instrumentality of the
 1029 state or a county, municipality, district, authority, board, or
 1030 commission, or an agency thereof, within which jurisdiction the
 1031 transportation project is located and which is responsible to
 1032 the department for the transportation project.

1033 2. "Transportation project" means a transportation
 1034 facility, as defined in s. 334.03, which the department, in
 1035 consultation with the Department of Economic Opportunity, deems
 1036 necessary to facilitate the economic development and growth of
 1037 the state.

1038 (2) The department, in consultation with the Department of
 1039 Economic Opportunity, shall review each transportation project
 1040 for approval and funding. In the review, the department must
 1041 consider:

1042 (a) The cost per job created or retained considering the
 1043 amount of transportation funds requested;

1044 (b) The average hourly rate of wages for jobs created;

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1045 (c) The reliance on any program as an inducement for
 1046 determining the transportation project's location;
 1047 (d) The amount of capital investment to be made by a
 1048 business;
 1049 (e) The demonstrated local commitment;
 1050 (f) The location of the transportation project in an
 1051 enterprise zone as designated in s. 290.0055;
 1052 (g) The location of the transportation project in a
 1053 spaceport territory as defined in s. 331.304;
 1054 (h) The unemployment rate of the surrounding area; and
 1055 (i) The poverty rate of the community.
 1056
 1057 The department may contact any agency it deems appropriate for
 1058 additional information regarding the approval of a
 1059 transportation project. A transportation project must be
 1060 approved by the department to be eligible for funding.
 1061 (3) (a) The department must approve a transportation project
 1062 if it determines that the transportation project will:
 1063 1. Attract new employment opportunities to the state or
 1064 expand or retain employment in existing companies operating
 1065 within the state.
 1066 2. Allow for the construction or expansion of a state or
 1067 federal correctional facility in a county having a population of
 1068 75,000 or fewer which creates new employment opportunities or
 1069 expands or retains employment in the county.
 1070 (b) The department must ensure that small and minority
 1071 businesses have equal access to participate in transportation
 1072 projects funded pursuant to this section.
 1073 (c) In addition to administrative costs and equipment

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1074 purchases specified in the contract, funds for approved
 1075 transportation projects may be used for expenses that are
 1076 necessary for building new, or improving existing,
 1077 transportation facilities. Funds made available pursuant to this
 1078 section may not be expended for the relocation of a business
 1079 from one community to another community in this state unless the
 1080 department determines that, without the relocation, the business
 1081 will move outside the state or determines that the business has
 1082 a compelling economic reason for the relocation, such as
 1083 creating additional jobs.
 1084 (4) A contract between the department and a governmental
 1085 body for a transportation project must:
 1086 (a) Specify that the transportation project is for the
 1087 construction of a new or expanding business and specify the
 1088 number of full-time permanent jobs that will result from the
 1089 project.
 1090 (b) Identify the governmental body and require that the
 1091 governmental body award the construction of the particular
 1092 transportation project to the lowest and best bidder in
 1093 accordance with applicable state and federal statutes or rules
 1094 unless the transportation project can be constructed using
 1095 existing local governmental employees within the contract period
 1096 specified by the department.
 1097 (c) Require that the governmental body provide the
 1098 department with quarterly progress reports. Each quarterly
 1099 progress report must contain:
 1100 1. A narrative description of the work completed and
 1101 whether the work is proceeding according to the transportation
 1102 project schedule;

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1103 2. A description of each change order executed by the
 1104 governmental body;
 1105 3. A budget summary detailing planned expenditures compared
 1106 to actual expenditures; and
 1107 4. The identity of each small or minority business used as
 1108 a contractor or subcontractor.
 1109 (d) Require that the governmental body make and maintain
 1110 records in accordance with accepted governmental accounting
 1111 principles and practices for each progress payment made for work
 1112 performed in connection with the transportation project, each
 1113 change order executed by the governmental body, and each payment
 1114 made pursuant to a change order. The records are subject to
 1115 financial audit as required by law.
 1116 (e) Require that the governmental body, upon completion and
 1117 acceptance of the transportation project, certify to the
 1118 department that the transportation project has been completed in
 1119 compliance with the terms and conditions of the contract between
 1120 the department and the governmental body and meets the minimum
 1121 construction standards established in accordance with s.
 1122 336.045.
 1123 (f) Specify that the department transfer funds to the
 1124 governmental body not more often than quarterly, upon receipt of
 1125 a request for funds from the governmental body and consistent
 1126 with the needs of the transportation project. The governmental
 1127 body shall expend funds received from the department in a timely
 1128 manner. The department may not transfer funds unless
 1129 construction has begun on the facility of a business on whose
 1130 behalf the award was made. A contract totaling less than
 1131 \$200,000 is exempt from the transfer requirement.

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1132 (g) Require that funds be used only on a transportation
 1133 project that has been properly reviewed and approved in
 1134 accordance with the criteria set forth in this section.
 1135 (h) Require that the governing board of the governmental
 1136 body adopt a resolution accepting future maintenance and other
 1137 attendant costs occurring after completion of the transportation
 1138 project if the transportation project is constructed on a county
 1139 or municipal system.
 1140 (5) For purposes of this section, Space Florida may serve
 1141 as the governmental body or as the contracting agency for a
 1142 transportation project within spaceport territory as defined by
 1143 s. 331.304.
 1144 (6) Each governmental body receiving funds under this
 1145 section shall submit to the department a financial audit of the
 1146 governmental body conducted by an independent certified public
 1147 accountant. The department, in consultation with the Department
 1148 of Economic Opportunity, shall develop procedures to ensure that
 1149 audits are received and reviewed in a timely manner and that
 1150 deficiencies or questioned costs noted in the audit are
 1151 resolved.
 1152 (7) The department shall monitor the construction or
 1153 building site for each transportation project that receives
 1154 funding under this section, including, but not limited to, the
 1155 construction of the business facility, to ensure compliance with
 1156 contractual requirements.
 1157 Section 21. Section 339.2825, Florida Statutes, is created
 1158 to read:
 1159 339.2825 Approval of contractor-financed projects.-
 1160 (1) Before the department solicits proposals pursuant to s.

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1161 334.30 to advance a project programmed in the adopted 5-year
 1162 work program or in the 10-year Strategic Intermodal Plan using
 1163 funds provided by a public-private partnership or a private
 1164 entity to be reimbursed from department funds for the project as
 1165 programmed in the adopted work program, the department must
 1166 provide a summary of the proposed project to the Executive
 1167 Office of the Governor, the chair of each legislative
 1168 appropriations committee, the President of the Senate, and the
 1169 Speaker of the House of Representatives. The summary must
 1170 include a description of any anticipated commitment by the
 1171 department for the years outside the adopted work program, a
 1172 description of the anticipated impacts on the department's
 1173 overall debt load, and sufficient information to demonstrate
 1174 that the project will not cause the department to exceed the
 1175 overall debt limitation provided in s. 339.139. The department
 1176 may proceed with the project upon approval of the Governor. If
 1177 the chair of either legislative appropriations committee, the
 1178 President of the Senate, or the Speaker of the House of
 1179 Representatives objects to the proposed project in writing
 1180 within 14 days after receipt of the summary, the Governor may
 1181 not approve the project.

1182 (2) If the department receives an unsolicited proposal
 1183 pursuant to s. 334.30 to advance a project programmed in the
 1184 adopted 5-year work program or in the 10-year Strategic
 1185 Intermodal Plan using funds provided by public-private
 1186 partnerships or private entities to be reimbursed from
 1187 department funds for the project as programmed in the adopted
 1188 work program, the department must provide a summary of the
 1189 proposed project to the Executive Office of the Governor, the

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1190 chair of each legislative appropriations committee, the
 1191 President of the Senate, and the Speaker of the House of
 1192 Representatives before the department advertises receipt of the
 1193 proposal as provided in s. 334.30. The summary must include a
 1194 description of any anticipated commitments by the department for
 1195 the years outside the adopted work program, a description of any
 1196 anticipated impacts on the department's overall debt load, and
 1197 sufficient information to demonstrate that the project will not
 1198 cause the department to exceed the overall debt limitation
 1199 provided in s. 339.14. The department may not accept the
 1200 unsolicited proposal, advertise receipt of the unsolicited
 1201 proposal, or solicit other proposals for the same project
 1202 purpose without the approval of the Executive Office of the
 1203 Governor. If the chair of either legislative appropriations
 1204 committee, the President of the Senate, or the Speaker of the
 1205 House of Representatives objects to the proposed project in
 1206 writing within 14 days after receipt of the summary, the
 1207 Executive Office of the Governor may not approve the proposed
 1208 project.

1209 (3) This section does not apply to a public-private
 1210 partnership agreement authorized in s. 334.30(2)(a).

1211 Section 22. Paragraph (j) of subsection (2) of section
 1212 348.0004, Florida Statutes, is amended to read:

1213 348.0004 Purposes and powers.—

1214 (2) Each authority may exercise all powers necessary,
 1215 appurtenant, convenient, or incidental to the carrying out of
 1216 its purposes, including, but not limited to, the following
 1217 rights and powers:

1218 (j) To pledge, hypothecate, or otherwise encumber all or

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1219 any part of the revenues, tolls, rates, fees, rentals, or other
1220 charges or receipts of the authority, including all or any
1221 portion of county gasoline tax funds received by the authority
1222 ~~pursuant to the terms of any lease-purchase agreement between~~
1223 ~~the authority and the department~~, as security for all or any of
1224 the obligations of the authority.

1225 Section 23. Subsection (1) of section 348.0005, Florida
1226 Statutes, is amended, and subsection (3) is added to that
1227 section, to read:

1228 348.0005 Bonds.—

1229 (1) Bonds may be issued on behalf of an authority as
1230 provided by the State Bond Act. Bonds may not be issued under
1231 this section unless the resolution authorizing the bonds and
1232 pledging the revenues of a facility requires that the revenues
1233 of the facility be deposited into appropriate accounts in such
1234 sums as are sufficient to pay the costs of operation and
1235 maintenance of any facility for the current fiscal year as set
1236 forth in the annual budget of the authority before any revenues
1237 of the facility are applied to the payment of interest or
1238 principal owing or that may become owing on such bonds.

1239 (3) The provisions of subsection (2) do not apply to any
1240 authority formed on or after July 1, 2012.

1241 Section 24. Section 348.0013, Florida Statutes, is created
1242 to read:

1243 348.0013 Department to construct, operate, and maintain
1244 facilities.—

1245 (1) Notwithstanding any other provision of law to the
1246 contrary, this section applies to any authority formed on or
1247 after July 1, 2012.

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1248 (2) The department is the agent of each authority for the
1249 purpose of performing all phases of a project, including, but
1250 not limited to, constructing improvements and extensions to an
1251 expressway system and for the completion of the construction.
1252 The division and the authority shall provide to the department
1253 complete copies of the documents, agreements, resolutions,
1254 contracts, and instruments relating to the construction and
1255 shall request that the department perform the construction work,
1256 including the planning, surveying, design, and actual
1257 construction of the completion, extensions, and improvements to
1258 the expressway system. After the issuance of bonds to finance
1259 the construction of an expressway system or improvements to an
1260 expressway system, the division shall transfer to the credit of
1261 an account of the department in the State Treasury the necessary
1262 funds for construction. The department shall proceed with
1263 construction and use the funds for the purpose authorized and as
1264 otherwise provided by law for the construction of roads and
1265 bridges. The authority may alternatively, with the consent and
1266 approval of the department, appoint as its agent a local agency
1267 certified by the department to administer federal aid projects
1268 in accordance with federal law for the purpose of performing all
1269 phases of a project.

1270 (3) An authority that desires to construct an expressway
1271 shall identify the expressway project in a work plan and submit
1272 the work plan along with its budget. The work plan must include
1273 a finance plan that demonstrates the financial feasibility of
1274 the expressway project, including the authority's ability to
1275 reimburse the department for all costs of operation and
1276 maintenance of the project from the revenues of the authority's

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1277 expressway system. Legislative approval of the authority's
 1278 budget and work plan is required before bonds may be issued on
 1279 behalf of the authority to finance the construction of the
 1280 expressway project. The department shall operate and maintain
 1281 the expressway system, and the costs incurred by the department
 1282 for operation and maintenance shall be reimbursed from revenues
 1283 of the expressway system. Each expressway system constructed
 1284 under the provisions of this section is a part of the State
 1285 Highway System as defined in s. 334.03.

1286 (4) An authority subject to this section may fix, alter,
 1287 charge, and establish tolls, rates, fees, rentals, and other
 1288 charges for the authority's facilities, as otherwise provided in
 1289 this part.

1290 Section 25. Subsection (4) of section 348.52, Florida
 1291 Statutes, is amended, and subsection (7) is added to that
 1292 section, to read:

1293 348.52 Tampa-Hillsborough County Expressway Authority.—

1294 (4) The authority may employ an executive a secretary, an
 1295 and executive director, its own counsel and legal staff, and
 1296 such legal, financial, and other professional consultants,
 1297 technical experts, engineers, and employees, permanent or
 1298 temporary, as it may require and may determine the
 1299 qualifications and fix the compensation of such persons, firms,
 1300 or corporations. The authority may contract with the Division of
 1301 Bond Finance of the State Board of Administration for any
 1302 financial services authorized herein.

1303 (6) Notwithstanding the provisions of subsection (4), no
 1304 employee of the Tampa-Hillsborough County Expressway Authority
 1305 shall be compensated at a rate exceeding the salary rate of the

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1306 Executive Director of Florida's Turnpike Enterprise.

1307 Section 26. Subsection (5) of section 348.54, Florida
 1308 Statutes, is amended to read:

1309 348.54 Powers of the authority.—Except as otherwise limited
 1310 herein, the authority shall have the power:

1311 (5) To enter into and make lease-purchase agreements as
 1312 provided in s. 348.60 for terms not exceeding 40 years, or until
 1313 all bonds secured by a pledge thereunder, and all refundings
 1314 thereof, are fully paid as to both principal and interest,
 1315 whichever is longer. The authority is a party to a lease-
 1316 purchase agreement between the department and the authority
 1317 dated November 18, 1997, as supplemented by a supplemental
 1318 lease-purchase agreement dated February 7, 2002, and a second
 1319 supplemental lease-purchase agreement dated June 23, 2005. The
 1320 authority may not enter into other lease-purchase agreements
 1321 with the department and may not amend the existing agreement in
 1322 a manner that expands or increases the department's obligations,
 1323 unless the department determines that the agreement or amendment
 1324 is necessary to permit the refunding of bonds issued before July
 1325 1, 2012. The department's obligations under the lease-purchase
 1326 agreement, as supplemented, terminate upon the earlier of:

1327 (a) The defeasance, redemption, or payment in full of the
 1328 authority's bonds issued and outstanding as of July 1, 2012;

1329 (b) The date to which the purchasers of the authority bonds
 1330 have consented; or

1331 (c) The date on which termination of the department's
 1332 obligations will occur under the terms of the memorandum of
 1333 agreement dated October 26, 2010, between the department and the
 1334 authority.

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1335 Section 27. Section 348.545, Florida Statutes, is amended
1336 to read:

1337 348.545 Facility improvement; bond financing authority.-
1338 Pursuant to s. 11(f), Art. VII of the State Constitution, the
1339 Legislature hereby approves for bond financing by the Tampa-
1340 Hillsborough County Expressway Authority improvements to toll
1341 collection facilities, interchanges to the legislatively
1342 approved expressway system, and any other facility appurtenant,
1343 necessary, or incidental to the approved system. Subject to
1344 terms and conditions of applicable revenue bond resolutions and
1345 covenants, such costs may be financed in whole or in part by
1346 revenue bonds issued pursuant to s. 348.56 ~~348.56(1)(a) or (b),~~
1347 whether currently issued or issued in the future, ~~or by a~~
1348 ~~combination of such bonds.~~

1349 Section 28. Subsections (9), (10), (11), and (12) are added
1350 to section 348.56, Florida Statutes, to read:

1351 348.56 Bonds of the authority.-

1352 (9) Notwithstanding any other provision of law to the
1353 contrary, on and after July 1, 2012, the authority may not,
1354 without the department's consent, request the issuance of any
1355 bonds secured by a pledge of any revenues of the authority which
1356 is senior to, or on a parity with, the authority's obligation to
1357 fully reimburse the department for the costs of operation,
1358 maintenance, repair, and rehabilitation of the expressway system
1359 paid by the department, except that the authority may request
1360 the issuance of bonds secured by a senior pledge for the purpose
1361 of refunding any authority bonds issued and outstanding as of
1362 July 1, 2012. Refunding bonds authorized by this subsection may
1363 not be issued if such bonds have a final maturity later than the

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1364 final maturity of the bonds refunded or if the refunding bonds
1365 provide for higher debt service in any year than the debt
1366 service that is currently paid on such bonds.

1367 (10) Notwithstanding any other provision of law to the
1368 contrary, on and after July 1, 2012, the authority may not
1369 request the issuance of any bonds, except bonds issued to refund
1370 bonds issued before July 1, 2012, which provide any rights
1371 against the department which may be enforced by the holders of
1372 such bonds or debt. Refunding bonds authorized by this
1373 subsection may not be issued if the bonds have a final maturity
1374 later than the final maturity of the bonds refunded or if the
1375 refunding bonds provide for higher debt service in any year than
1376 the debt service that is currently paid on such bonds. The
1377 obligations of the department under any lease-purchase agreement
1378 with the authority, including any obligation to pay any cost of
1379 operation, maintenance, repair, or rehabilitation of the
1380 expressway system, terminate upon the earlier of:

1381 (a) The defeasance or payment of all authority bonds issued
1382 before July 1, 2012, and authority bonds issued to refund such
1383 bonds;

1384 (b) The earlier date to which the purchasers of the
1385 authority bonds have consented; or

1386 (c) The date on which termination of the department's
1387 obligations will occur under the terms of the memorandum of
1388 agreement dated October 26, 2010, between the department and the
1389 authority.

1390 (11) Beginning July 1, 2012, except for bonds issued to
1391 refund bonds issued before that date, bonds may not be issued
1392 under this section unless the resolution authorizing the bonds

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1393 and pledging the revenues of the expressway system requires that
1394 the revenues of the expressway system be deposited into
1395 appropriate accounts in such sums as are sufficient to pay the
1396 costs of operation and maintenance of the expressway system for
1397 the current fiscal year as set forth in the annual budget of the
1398 authority before any revenues of the expressway system are
1399 applied to the payment of interest or principal owing or that
1400 may become owing on such bonds.

1401 (12) Paragraph (1)(b) does not apply in any fiscal year in
1402 which the department's obligations under the lease-purchase
1403 agreement between the department and authority have not been
1404 terminated as provided in s. 348.60 or in which the authority
1405 has not fully reimbursed the department for the amounts
1406 expended, advanced, or paid to the authority in prior fiscal
1407 years for the costs of operation, maintenance, repair, and
1408 rehabilitation of the expressway system. During any such fiscal
1409 year, bonds may be issued only on behalf of the authority
1410 pursuant to the State Bond Act.

1411 Section 29. Section 348.565, Florida Statutes, is amended
1412 to read:

1413 348.565 Revenue bonds for specified projects.—The existing
1414 facilities that constitute the Tampa-Hillsborough County
1415 Expressway System are hereby approved to be refinanced by
1416 revenue bonds issued by the Division of Bond Finance of the
1417 State Board of Administration pursuant to s. 11(d) ~~11(f)~~, Art.
1418 VII of the State Constitution and s. 348.56 ~~the State Bond Act~~
1419 ~~or by revenue bonds issued by the authority pursuant to s.~~
1420 ~~348.56(1)(b).~~ In addition, the following projects of the Tampa-
1421 Hillsborough County Expressway Authority are approved to be

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1422 financed or refinanced by the issuance of revenue bonds in
1423 accordance with this part and s. 11(f), Art. VII of the State
1424 Constitution:

1425 (1) Brandon area feeder roads.

1426 (2) Capital improvements to the expressway system,
1427 including safety and operational improvements and toll
1428 collection equipment.

1429 (3) Lee Roy Selmon Crosstown Expressway System widening.

1430 ~~(4) The connector highway linking the Lee Roy Selmon~~
1431 ~~Crosstown Expressway to Interstate 4.~~

1432 Section 30. Subsection (1) of section 348.57, Florida
1433 Statutes, is amended to read:

1434 348.57 Refunding bonds.—

1435 (1) Subject to public notice as provided in s. 348.54, the
1436 authority ~~may request or provide is authorized to provide~~ by
1437 resolution for the issuance from time to time of bonds pursuant
1438 to s. 348.56 ~~348.56(1)(b)~~ for the purpose of refunding any bonds
1439 then outstanding ~~regardless of whether the bonds being refunded~~
1440 ~~were issued by the authority pursuant to this chapter or on~~
1441 ~~behalf of the authority pursuant to the State Bond Act.~~ The
1442 authority ~~may further request or provide is further authorized~~
1443 ~~to provide~~ by resolution for the issuance of bonds pursuant to
1444 s. 348.56 for the combined purpose of:

1445 (a) Paying the cost of constructing, reconstructing,
1446 improving, extending, repairing, maintaining and operating the
1447 expressway system.

1448 (b) Refunding bonds then outstanding. The authorization,
1449 sale and issuance of such obligations, the maturities and other
1450 details thereof, the rights and remedies of the holders thereof,

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1451 and the rights, powers, privileges, duties, and obligations of
1452 the authority with respect to the same are shall be governed by
1453 the foregoing provisions of this part insofar as the same may be
1454 applicable.

1455 Section 31. Subsections (7) and (8) are added to section
1456 348.60, Florida Statutes, to read:

1457 348.60 Lease-purchase agreements.—

1458 (7) The authority is a party to a lease-purchase agreement
1459 between the department and the authority dated November 18,
1460 1997, as supplemented by a supplemental lease-purchase agreement
1461 dated February 7, 2002, and a second supplemental lease-purchase
1462 agreement dated June 23, 2005. The authority may not enter into
1463 any other lease-purchase agreement, or amend the lease-purchase
1464 agreement, unless the department determines that such an
1465 agreement or amendment is necessary to permit the refunding of
1466 bonds issued before July 1, 2012.

1467 (8) Upon the earlier of the defeasance or payment of the
1468 authority bonds issued before July 1, 2012, and any bonds issued
1469 to refund the bonds, or the earlier date to which the purchasers
1470 of the authority bonds have consented:

1471 (a) The obligations of the department under the lease-
1472 purchase agreement with the authority, including any obligation
1473 to pay any cost of operation, maintenance, repair, or
1474 rehabilitation of the expressway system, terminates;

1475 (b) The lease-purchase agreement terminates;

1476 (c) The expressway system remains the property of the
1477 authority and may not be transferred to the department;

1478 (d) The authority remains obligated to reimburse the
1479 department for the amounts paid by the department from a source

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1480 other than revenues of the expressway system for any cost of
1481 operation, maintenance, repair, or rehabilitation of the
1482 expressway system; and

1483 (e) The department shall collect tolls for the use of the
1484 system as the agent of the authority as provided in this part.

1485 Section 32. Section 348.615, Florida Statutes, is created
1486 to read:

1487 348.615 Department to collect tolls.—

1488 (1) The department is the agent of the authority for the
1489 purpose of collecting tolls for the use of the authority's
1490 expressway system. The department must be reimbursed for the
1491 costs of collecting such charges from the revenues of the
1492 expressway system. The department may modify its rules regarding
1493 toll collection procedures and the imposition of administrative
1494 charges applicable to the authority's toll facilities. This
1495 section does not limit the authority of the department under any
1496 other provision of law or under any agreement entered into
1497 before July 1, 2012.

1498 (2) The authority may fix, alter, charge, and establish
1499 tolls, rates, fees, rentals, and other charges for the
1500 authority's facilities, as otherwise provided in this part.

1501 Section 33. Paragraph (a) of subsection (4) of section
1502 348.753, Florida Statutes, is amended and subsection (5) is
1503 added to this section read:

1504 348.753 Orlando-Orange County Expressway Authority.—

1505 (4)(a) The authority may employ an executive secretary, an
1506 executive director, its own counsel and legal staff, technical
1507 experts, ~~such~~ engineers, and ~~such~~ employees, permanent or
1508 temporary, as it may require and may determine the

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qualifications and fix the compensation of such persons, firms, or corporations and may employ a fiscal agent or agents, provided, however, that the authority shall solicit sealed proposals from at least three persons, firms, or corporations for the performance of any services as fiscal agents. The authority may contract with the Division of Bond Finance of the State Board of Administration for any financial services authorized in this section. The authority may delegate to one or more of its agents or employees such of its power as it deems shall deem necessary to carry out the purposes of this part, subject always to the supervision and control of the authority. Members of the authority may be removed from their office by the Governor for misconduct, malfeasance, misfeasance, or nonfeasance in office.

(5) Notwithstanding the provisions of subsection (4), no employee of the Orlando-Orange County Expressway Authority shall be compensated at a rate exceeding the salary rate of the Executive Director of Florida's Turnpike Enterprise.

Section 34. Paragraph (e) of subsection (2) of section 348.754, Florida Statutes, is amended to read:

348.754 Purposes and powers.—

(2) The authority is hereby granted, and shall have and may exercise all powers necessary, appurtenant, convenient or incidental to the carrying out of the aforesaid purposes, including, but without being limited to, the following rights and powers:

(e) To enter into and make lease-purchase agreements with the department for terms not exceeding 40 years, or until any bonds secured by a pledge of rentals thereunder, and any

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refundings thereof, are fully paid as to both principal and interest, whichever is longer. The authority is a party to a lease-purchase agreement between the department and the authority dated December 23, 1985, as supplemented by a first supplement to the lease-purchase agreement dated November 25, 1986, and a second supplement to the lease-purchase agreement dated October 27, 1988. The authority may not enter into other lease-purchase agreements with the department and may not amend the existing agreement in a manner that expands or increases the department's obligations, unless the department determines that the agreement or amendment is necessary to permit the refunding of bonds issued before July 1, 2012.

Section 35. Section 348.7543, Florida Statutes, is amended to read:

348.7543 Improvements, bond financing authority for.— Pursuant to s. 11(f), Art. VII of the State Constitution, the Legislature hereby approves for bond financing by the Orlando-Orange County Expressway Authority improvements to toll collection facilities, interchanges to the legislatively approved expressway system, and any other facility appurtenant, necessary, or incidental to the approved system. Subject to terms and conditions of applicable revenue bond resolutions and covenants, such costs may be financed in whole or in part by revenue bonds issued pursuant to s. 348.755 348.755(1)(a) or (b) whether currently issued or issued in the future, or by a combination of such bonds.

Section 36. Section 348.7545, Florida Statutes, is amended to read:

348.7545 Western Beltway Part C, construction authorized;

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1567 financing.—Notwithstanding s. 338.2275, the Orlando-Orange
 1568 County Expressway Authority is authorized to exercise its
 1569 condemnation powers, construct, finance, operate, own, and
 1570 maintain that portion of the Western Beltway known as the
 1571 Western Beltway Part C, extending from Florida's Turnpike near
 1572 Ocoee in Orange County southerly through Orange and Osceola
 1573 Counties to an interchange with I-4 near the Osceola-Polk County
 1574 line, as part of the authority's 20-year capital projects plan.
 1575 This project may be financed with any funds available to the
 1576 authority for such purpose or revenue bonds issued by the
 1577 Division of Bond Finance of the State Board of Administration on
 1578 behalf of the authority pursuant to s. 11, Art. VII of the State
 1579 Constitution and the State Bond Act, ss. 215.57-215.83. This
 1580 project may be refinanced with bonds issued by the authority
 1581 pursuant to s. 348.755 ~~348.755(1)(d)~~.

1582 Section 37. Section 348.7546, Florida Statutes, is amended
 1583 to read:

1584 348.7546 Wekiva Parkway, construction authorized;
 1585 financing.—~~Notwithstanding s. 338.2275,~~

1586 (1) The Orlando-Orange County Expressway Authority is
 1587 ~~hereby~~ authorized to exercise its condemnation powers and to
 1588 construct, finance, operate, own, and maintain those portions of
 1589 the Wekiva Parkway which are identified by agreement between the
 1590 authority and the department and which are included as part of
 1591 the authority's long-range capital improvement plan. The "Wekiva
 1592 Parkway" means any limited access highway or expressway
 1593 constructed between State Road 429 and Interstate 4 specifically
 1594 incorporating the corridor alignment recommended by
 1595 Recommendation 2 of the Wekiva River Basin Area Task Force final

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1596 report dated January 15, 2003, and the recommendations of the SR
 1597 429 Working Group which ~~that~~ were adopted January 16, 2004. This
 1598 project may be financed with any funds available to the
 1599 authority for such purpose or revenue bonds issued on behalf of
 1600 by the authority under s. 11, Art. VII of the State Constitution
 1601 and s. 348.755 ~~348.755(1)(b)~~. This section does not invalidate
 1602 the exercise by the authority of its condemnation powers or the
 1603 acquisition of any property for the Wekiva Parkway before July
 1604 1, 2012.

1605 (2) Notwithstanding any other provision of law to the
 1606 contrary, in order to ensure that funds are available to the
 1607 department for its portion of the Wekiva Parkway, beginning July
 1608 1, 2012, the authority shall repay the expenditures by the
 1609 department for costs of operation and maintenance of the
 1610 Orlando-Orange County Expressway System by annual transfer to
 1611 the credit of an account of the department in the State Treasury
 1612 from toll revenues of the Orlando-Orange County Expressway
 1613 System, or other funds available to the authority, after payment
 1614 of the debt service on all bonds issued by or on behalf of the
 1615 authority pursuant to this part on or before July 1, 2012, or
 1616 bonds issued to refund the bonds, and such other costs as are
 1617 required to be paid under the terms of the bond resolutions
 1618 under which such bonds were issued. The authority shall pay the
 1619 department \$10 million on July 1, 2012, and shall make annual
 1620 payments of \$20 million on each successive July 1 until the
 1621 department has been fully reimbursed for all costs of the
 1622 Orlando-Orange County Expressway System which were paid,
 1623 advanced, or reimbursed to the authority by the department, with
 1624 a final payment in the amount of the balance remaining. If the

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1625 authority fails to make a payment to the department as required
 1626 in this subsection, the authority shall raise tolls, defer
 1627 projects, or reduce its administrative and other expenses until
 1628 it is current in such payments. Notwithstanding any other law to
 1629 the contrary, the funds paid to the department pursuant to this
 1630 subsection shall be allocated by the department for construction
 1631 of the Wekiva Parkway.

1632 (3) Notwithstanding any other provision of law to the
 1633 contrary, on and after July 1, 2012, the authority may not,
 1634 without the department's consent, request the issuance of any
 1635 bonds secured by a pledge of any authority revenues which is
 1636 senior to, or on a parity with, the authority's obligation to
 1637 make the annual payments to the department required under this
 1638 section, except that the authority may request the issuance of
 1639 bonds secured by a senior pledge for the purpose of refunding
 1640 any authority bonds issued and outstanding as of July 1, 2012.
 1641 Refunding bonds authorized by this subsection may not be issued
 1642 if such bonds have a final maturity later than the final
 1643 maturity of the bonds refunded or if the refunding bonds provide
 1644 for higher debt service in any year than the debt service that
 1645 is currently paid on such bonds.

1646 (4) The department's obligation to construct its portions
 1647 of the Wekiva Parkway is contingent upon the timely payment by
 1648 the authority of the annual payments required of the authority
 1649 under this section and receipt of all required environmental
 1650 permits and approvals by the Federal Government.

1651 Section 38. Section 348.7547, Florida Statutes, is amended
 1652 to read:

1653 348.7547 Maitland Boulevard Extension and Northwest Beltway

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1654 Part A Realignment construction authorized; financing.-
 1655 Notwithstanding s. 338.2275, the Orlando-Orange County
 1656 Expressway Authority is hereby authorized to exercise its
 1657 condemnation powers, construct, finance, operate, own, and
 1658 maintain the portion of State Road 414 known as the Maitland
 1659 Boulevard Extension and the realigned portion of the Northwest
 1660 Beltway Part A as part of the authority's long-range capital
 1661 improvement plan. The Maitland Boulevard Extension will extend
 1662 from the current terminus of State Road 414 at U.S. 441 west to
 1663 State Road 429 in west Orange County. The realigned portion of
 1664 the Northwest Beltway Part A will run from the point at or near
 1665 where the Maitland Boulevard Extension will connect with State
 1666 Road 429 and will proceed to the west and then north resulting
 1667 in the northern terminus of State Road 429 moving farther west
 1668 before reconnecting with U.S. 441. However, under no
 1669 circumstances shall the realignment of the Northwest Beltway
 1670 Part A conflict or contradict with the alignment of the Wekiva
 1671 Parkway as defined in s. 348.7546. This project may be financed
 1672 with any funds available to the authority for such purpose or
 1673 revenue bonds issued by or on behalf of the authority under s.
 1674 11, Art. VII of the State Constitution and s. 348.755
 1675 ~~348.755(1)(b).~~

1676 Section 39. Subsections (6), (7), (8), and (9) are added to
 1677 section 348.755, Florida Statutes, to read:

1678 348.755 Bonds of the authority.-

1679 (6) Notwithstanding any other provision of law to the
 1680 contrary, on and after July 1, 2012, the authority may not
 1681 request the issuance of any bonds, except bonds issued to refund
 1682 bonds issued before July 1, 2012, which provide any rights

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1683 against the department which may be enforced by the holders of
 1684 such bonds or debt. Refunding bonds authorized by this
 1685 subsection may not be issued if the bonds have a final maturity
 1686 later than the final maturity of the bonds refunded or if the
 1687 refunding bonds provide for higher debt service in any year than
 1688 the debt service that is currently paid on such bonds. Upon the
 1689 earlier of the defeasance or payment of all authority bonds
 1690 issued before July 1, 2012, or the defeasance or payment of the
 1691 authority bonds issued to refund such bonds, or such earlier
 1692 date to which the purchasers of the authority bonds have
 1693 consented, the obligations of the department under any lease-
 1694 purchase agreement with the authority, including any obligation
 1695 to pay any cost of operation, maintenance, repair, or
 1696 rehabilitation of the Orlando-Orange County Expressway System,
 1697 terminate.

1698 (7) Notwithstanding any other provision of law to the
 1699 contrary, on and after July 1, 2012, the authority may not,
 1700 without the department's consent, request the issuance of any
 1701 bonds secured by a pledge of any revenues of the authority which
 1702 is senior to, or on a parity with, the authority's obligation to
 1703 fully reimburse the department for the costs of operation,
 1704 maintenance, repair, and rehabilitation of the Orlando-Orange
 1705 County Expressway System paid by the department, except that the
 1706 authority may request the issuance of bonds secured by a senior
 1707 pledge for the purpose of refunding any authority bonds issued
 1708 and outstanding as of July 1, 2012. Refunding bonds authorized
 1709 by this subsection may not be issued if the bonds have a final
 1710 maturity later than the final maturity of the bonds refunded or
 1711 if the refunding bonds provide for higher debt service in any

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1712 year than the debt service that is currently paid on the bonds.
 1713 (8) Beginning July 1, 2012, the authority may not issue
 1714 bonds, except bonds issued to refund bonds issued before such
 1715 date, unless the resolution authorizing the bonds and pledging
 1716 the revenues of the Orlando-Orange County Expressway System
 1717 requires that the revenues of the expressway system be deposited
 1718 into appropriate accounts in such sums as are sufficient to pay
 1719 the costs of operation and maintenance of the Orlando-Orange
 1720 County Expressway System for the current fiscal year as set
 1721 forth in the annual budget of the authority before any revenues
 1722 of the Orlando-Orange County Expressway System are applied to
 1723 the payment of interest or principal owing or that may become
 1724 owing on such bonds.

1725 (9) Paragraphs (1)(b) and (d) do not apply in any fiscal
 1726 year in which the department's obligations under the lease-
 1727 purchase agreement between the department and authority have not
 1728 been terminated as provided in s. 348.757 or in which the
 1729 authority has not fully reimbursed the department for all
 1730 amounts expended, advanced, or paid to the authority in prior
 1731 fiscal years for the costs of operation, maintenance, repair,
 1732 and rehabilitation of the expressway system. During any such
 1733 fiscal year, bonds may be issued only on behalf of the authority
 1734 pursuant to the State Bond Act.

1735 Section 40. Subsections (8) and (9) are added to section
 1736 348.757, Florida Statutes, to read:

1737 348.757 Lease-purchase agreement.--

1738 (8) The only lease-purchase agreement authorized by this
 1739 section is the lease-purchase agreement between the department
 1740 and the authority dated December 23, 1985, as supplemented by a

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1741 first supplement to the lease-purchase agreement dated November
 1742 25, 1986, and a second supplement to the lease-purchase
 1743 agreement dated October 27, 1988. The authority may not enter
 1744 into any other lease-purchase agreements with the department and
 1745 may not amend the existing agreement in a manner that expands
 1746 the scope of the department's obligations, unless the department
 1747 determines the agreement or amendment is necessary to permit the
 1748 refunding of bonds issued before July 1, 2012.

1749 (9) The department's obligations under the lease-purchase
 1750 agreement between the department and the authority dated
 1751 December 23, 1985, as supplemented by a first supplement to the
 1752 lease-purchase agreement dated November 25, 1986, and a second
 1753 supplement to the lease-purchase agreement dated October 27,
 1754 1988, terminate upon the earlier of the defeasance, redemption,
 1755 or payment in full of the authority's bonds issued and
 1756 outstanding as of July 1, 2012, or bonds to refund such bonds,
 1757 or such earlier date to which the purchasers of the authority
 1758 bonds have consented.

1759 Section 41. Section 348.7585, Florida Statutes, is created
 1760 to read:

1761 348.7585 Department to collect tolls.-

1762 (1) The department is the agent of the authority for the
 1763 purpose of collecting tolls for the use of the authority's
 1764 expressway system. The department shall be reimbursed from the
 1765 revenues of the expressway system for the costs of collecting
 1766 the tolls. The department may modify its rules regarding toll
 1767 collection procedures and the imposition of administrative
 1768 charges to be applicable to the authority's toll facilities.
 1769 This section does not limit the authority of the department

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1770 under any other provision of law or under any agreement entered
 1771 into before July 1, 2012.

1772 (2) The authority may fix, alter, charge, and establish
 1773 tolls, rates, fees, rentals, and other charges for the
 1774 authority's facilities, as otherwise provided in this section.

1775 Section 42. Paragraph (a) of subsection (4) of section
 1776 348.9952, Florida Statutes, is amended to read:

1777 348.9952 Osceola County Expressway Authority.-

1778 (4)(a) The authority may employ an executive secretary, an
 1779 executive director, its own counsel and legal staff, technical
 1780 experts, engineers, and other employees, permanent or temporary,
 1781 as it may require, and may determine the qualifications and fix
 1782 the compensation of such persons, firms, or corporations.

1783 ~~Additionally, the authority may employ a fiscal agent or agents.~~

1784 ~~However, the authority shall solicit sealed proposals from at~~
 1785 ~~least three persons, firms, or corporations for the performance~~
 1786 ~~of any services as fiscal agents.~~ The authority may delegate to
 1787 one or more of its agents or employees such of its power as it
 1788 deems necessary to carry out the purposes of this part, subject
 1789 always to the supervision and control of the authority.

1790 Section 43. Section 348.9956, Florida Statutes, is
 1791 repealed.

1792 Section 44. Section 348.99565, Florida Statutes, is created
 1793 to read:

1794 348.99565 Department to construct, operate, and maintain
 1795 facilities.-

1796 (1) The department is the agent of the authority for the
 1797 purpose of performing all phases of a project, including, but
 1798 not limited to, constructing improvements and extensions to the

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1799 expressway system. The division and the authority shall provide
 1800 to the department complete copies of all documents, agreements,
 1801 resolutions, contracts, and instruments relating to the project
 1802 and shall request that the department perform the construction
 1803 work, including the planning, surveying, design, and actual
 1804 construction of the completion, extensions, and improvements to
 1805 the expressway system. After the issuance of bonds to finance
 1806 construction of any improvements or additions to the expressway
 1807 system, the division shall transfer to the credit of an account
 1808 of the department in the State Treasury the necessary funds for
 1809 construction. The department shall proceed with construction and
 1810 use the funds for the purpose authorized and as provided by law
 1811 for the construction of roads and bridges. The authority may
 1812 alternatively, with the consent and approval of the department,
 1813 appoint as its agent a local agency certified by the department
 1814 to administer federal aid projects in accordance with federal
 1815 law for the purpose of performing all phases of a project.
 1816 (2) If the authority desires to construct improvements or
 1817 extensions to the expressway system, it shall identify the
 1818 expressway improvement project in a work plan and submit the
 1819 work plan with its budget. The work plan must include a finance
 1820 plan that demonstrates the financial feasibility of the
 1821 expressway project, including the authority's ability to
 1822 reimburse the department for all costs of operation and
 1823 maintenance of the improvements or extensions from the revenues
 1824 of the expressway system. Legislative approval of the
 1825 authority's budget and work plan is required before bonds may be
 1826 issued on behalf of the authority to finance the construction of
 1827 the improvements or extensions. The department shall operate and

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1828 maintain the expressway system, and the costs incurred by the
 1829 department for operation and maintenance shall be reimbursed
 1830 from revenues of the expressway system. The expressway system
 1831 shall be part of the State Highway System as defined in s.
 1832 334.03.

1833 (3) The authority may fix, alter, charge, and establish
 1834 tolls, rates, fees, rentals, and other charges for the
 1835 authority's facilities, as otherwise provided in this part.

1836 Section 45. Subsection (2) of section 369.317, Florida
 1837 Statutes, is amended, and subsection (9) is added to that
 1838 section, to read:

1839 369.317 Wekiva Parkway.—

1840 (2) The Wekiva Parkway and related transportation
 1841 facilities shall follow the design criteria contained in the
 1842 recommendations of the Wekiva River Basin Area Task Force
 1843 adopted by reference by the Wekiva River Basin Coordinating
 1844 Committee in its final report of March 16, 2004, and the
 1845 recommendations of the Wekiva Coordinating Committee contained
 1846 in its final report of March 16, 2004, subject to reasonable
 1847 environmental, economic, and engineering considerations. For
 1848 those activities associated with the Wekiva Parkway and related
 1849 transportation facilities which require authorization pursuant
 1850 to part IV of chapter 373, the Department of Environmental
 1851 Protection is the exclusive permitting authority.

1852 (9) In Seminole County, the Department of Transportation
 1853 shall locate the precise corridor and interchanges for the
 1854 Wekiva Parkway consistent with the legislative intent expressed
 1855 in other provisions of this act.

1856 Section 46. Paragraph (a) of subsection (4) of section

606-01306I-12

1857 377.809, Florida Statutes, is amended to read:
 1858 377.809 Energy Economic Zone Pilot Program.—
 1859 (4)(a) Beginning July 1, 2012, all the incentives and
 1860 benefits provided for enterprise zones pursuant to state law
 1861 shall be available to the energy economic zones designated
 1862 pursuant to this section on or before July 1, 2010. In order to
 1863 provide incentives, by March 1, 2012, each local governing body
 1864 that has jurisdiction over an energy economic zone must, by
 1865 local ordinance, establish the boundary of the energy economic
 1866 zone, specify applicable energy-efficiency standards, and
 1867 determine eligibility criteria for the application of state and
 1868 local incentives and benefits in the energy economic zone.
 1869 However, in order to receive benefits provided under s. 288.106,
 1870 a business must be a qualified target industry business under s.
 1871 288.106 for state purposes. An energy economic zone's boundary
 1872 may be revised by local ordinance. Such incentives and benefits
 1873 include those in ss. 212.08, 212.096, 220.181, 220.182, 220.183,
 1874 288.106, and 624.5105 and the public utility discounts provided
 1875 in s. 290.007(8). The exemption provided in s. 212.08(5)(c)
 1876 shall be for renewable energy as defined in s. 377.803. For
 1877 purposes of this section, any applicable requirements for
 1878 employee residency for higher refund or credit thresholds must
 1879 be based on employee residency in the energy economic zone or an
 1880 enterprise zone. A business in an energy economic zone may also
 1881 be eligible for funding under ss. 288.047 and 445.003, and a
 1882 transportation project in an energy economic zone shall be
 1883 provided priority in funding under s. 339.2821 ~~288.063~~. Other
 1884 projects shall be given priority ranking to the extent
 1885 practicable for grants administered under state energy programs.

606-01306I-12

1886 Section 47. The funds in the Toll Facilities Revolving
 1887 Trust Fund and all future payments of obligated funds shall be
 1888 deposited into the State Transportation Trust Fund to be
 1889 expended for the purposes specified in s. 339.08, Florida
 1890 Statutes.
 1891 Section 48. The Florida Transportation Commission shall
 1892 conduct a study of the potential for cost savings that might be
 1893 realized through increased efficiencies through the sharing of
 1894 resources for the accomplishment of design, construction, and
 1895 maintenance activities by or on behalf of expressway authorities
 1896 in the state. The commission may retain such experts as are
 1897 reasonably necessary to complete the study, and the Department
 1898 of Transportation shall pay the expenses of such experts. The
 1899 commission shall complete the study and provide a written report
 1900 of its findings and conclusions to the Governor, the President
 1901 of the Senate, the Speaker of the House of Representatives, and
 1902 the chairs of each of the appropriations committees by December
 1903 31, 2012.
 1904 Section 49. This act shall take effect July 1, 2012.

CIP-3: Short-Term Project Explanation

Purpose, Need, Scope, Relationship of Project to Agency Objectives:

BARTOW DISTRICT OFFICE HVAC REPLACEMENT (CHILLER SYSTEM)

Option 1 - Replacement of the existing roof top units with comparable units: Option 1 would require the initial purchase of the system totaling \$540,000 with an initial estimated electric operating cost of \$300,000 in 2012 based on an analysis of actual utility bills. The purchase of a second comparable system is assumed to be needed 16 years later due to the limited life expectancy of 15 years for this type of unit. Total projected costs for Option 1 would be approximately \$16M over a 25-year period for equipment purchases, annual electric operating costs and estimated annual maintenance / repair costs.

Option 2 - Replacement of the existing roof top units with a 350-ton chiller water cooled system: Option 2 would require the initial purchase of the chiller system totaling \$1,587,375 with an initial estimated electric operating cost of \$260,000 in 2012 based on actual utility bills. With the chiller system, there will be no need to purchase another system within 25 years due to its reliable performance and longer life expectancy. Total projected costs for Option 2 would be approximately \$14.4M over a 25-year period for the equipment purchase, annual electric operating costs and estimated annual maintenance / repair costs.

Including estimated maintenance and repair costs, Option 2 is the more cost effective option. Over 25 years it is estimated that the Department will spend \$1.6M (10.2%) less with Option 2 compared with Option 1. Further, Option 2 is better for the environment than Option 1. The chiller system is expected to reduce Green House Gas Emissions (10 percent reduction by 2012).

Comparison of Option 1 to Option 2 over 25 years	
Estimated Operating Costs / Maintenance & Repair	
Option 1 - replace roof top units:	\$16,058,130
Option 2 - chiller system:	\$14,423,012
Option 2 - cost reduction:	(\$1,635,118)
	-10.2%

PROJECT FUNDING SUMMARY:

Option 2: Change to Chiller System

FY 2012/2013 - Budget is requested for the construction and other related costs \$1,587,375

FDOT WORK PROGRAM FY 12-13 through FY 16-17	Sum of Amt 2013	Sum of Amt 2014	Sum of Amt 2015	Sum of Amt 2016	Sum of Amt 2017	Sum of Total
SEAPORT GRANTS	\$ 115,446,664	\$ 68,566,184	\$ 34,346,622	\$ 15,320,088	\$ 60,994,453	\$ 294,674,011
ACQUISITION OF SEAPORT TRADE DATA INFORMATION	\$ 370,000	\$ 370,000	\$ 370,000	\$ 370,000	\$ 370,000	\$ 1,850,000
BREVARD-CANAVERAL PORT AUTHORITY WEST TURN BASIN CHANNEL WIDENING	\$ -	\$ -	\$ -	\$ -	\$ 9,000,000	\$ 9,000,000
D/W SEAPORTS BOX	\$ -	\$ 9,613,346	\$ -	\$ -	\$ -	\$ 9,613,346
JAXPORT-ICTF INTERMODAL CONTAINER TRANSFER FACILITY	\$ 10,000,000	\$ -	\$ -	\$ -	\$ -	\$ 10,000,000
JAXPORT-TALLEYRAND RECONSTRUCTION OF WHARF/ BULKHEADS-PH2/CONCRETE	\$ -	\$ -	\$ -	\$ -	\$ 9,000,000	\$ 9,000,000
PORT CANAVERAL ACCESS INTERSECTION IMPROVEMENTS @ SR 401	\$ 1,000,000	\$ -	\$ -	\$ -	\$ -	\$ 1,000,000
PORT CANAVERAL CONTAINER N. CARGO 5 & 6 AND TERMINAL	\$ 2,415,000	\$ -	\$ -	\$ -	\$ -	\$ 2,415,000
PORT CANAVERAL NORTH SIDE DEVELOPMENT CONTAINER YARD EXPANSION	\$ -	\$ -	\$ 9,750,000	\$ -	\$ -	\$ 9,750,000
PORT EVERGLADES NEW BULKHEAD AT BERTHS 9 AND 10	\$ -	\$ 3,000,000	\$ -	\$ -	\$ -	\$ 3,000,000
PORT EVERGLADES ON-PORT RAIL AND ICTF	\$ 12,000,000	\$ -	\$ -	\$ -	\$ -	\$ 12,000,000
PORT EVERGLADES SOUTHPORT TURNING NOTCH EXPANSION	\$ 13,314,668	\$ -	\$ 4,718,000	\$ -	\$ 9,000,000	\$ 27,032,668
PORT EVERGLADES SPANGLER BLVD BYPASS ROAD TO US-1/SR-5	\$ -	\$ -	\$ 1,262,809	\$ -	\$ -	\$ 1,262,809
PORT MANATEE CAPITAL IMPROVEMENTS COLD STORAGE WAREHOUSE	\$ 425,000	\$ -	\$ -	\$ -	\$ -	\$ 425,000
PORT OF FERNANDINA PIER EXTENSION	\$ 1,425,000	\$ -	\$ -	\$ -	\$ -	\$ 1,425,000
PORT OF FT. PIERCE TAYLOR CREEK DREDGING PHASE II	\$ 1,300,000	\$ -	\$ -	\$ -	\$ -	\$ 1,300,000
PORT OF MIAMI FROM PORT OF MIAMI (POM) TO POST PANAMAX CRANES	\$ 1,055,000	\$ -	\$ -	\$ -	\$ -	\$ 1,055,000
PORT OF MIAMI SOUTH FISHERMAN'S CHANNEL	\$ 25,846,756	\$ 17,500,000	\$ -	\$ -	\$ -	\$ 43,346,756
PORT OF PALM BEACH PORT-WIDE SLIP REDEVELOPMENT	\$ 6,018,020	\$ 4,692,500	\$ 3,301,000	\$ -	\$ -	\$ 14,011,520
PORT OF PANAMA CITY	\$ 500,000	\$ -	\$ -	\$ -	\$ -	\$ 500,000
PORT OF PANAMA CITY CONTAINER YARD EXPANSION PHASE II	\$ 525,000	\$ -	\$ -	\$ -	\$ -	\$ 525,000
PORT OF PANAMA CITY DISTRIBUTION WAREHOUSE	\$ 1,000,000	\$ -	\$ -	\$ -	\$ -	\$ 1,000,000
PORT OF PANAMA CITY DREDGING	\$ -	\$ -	\$ -	\$ -	\$ 1,500,000	\$ 1,500,000
PORT OF PENSACOLA BERTH 6 REHAB	\$ 1,950,000	\$ -	\$ -	\$ -	\$ -	\$ 1,950,000
PORT OF TAMPA	\$ -	\$ -	\$ -	\$ -	\$ 5,000,000	\$ 5,000,000
PORT OF TAMPA CONTAINER YARD IMPROVEMENTS	\$ -	\$ -	\$ -	\$ -	\$ 10,400,000	\$ 10,400,000
PORT OF TAMPA PORT INFRASTRUCTURE IMPROVEMENTS	\$ 3,367,400	\$ -	\$ -	\$ -	\$ -	\$ 3,367,400
SEAPORT (FSTED) DISTRICTWIDE BOX	\$ -	\$ 15,090,338	\$ -	\$ -	\$ -	\$ 15,090,338
SEAPORT (FSTED) STATEWIDE TARGET	\$ -	\$ -	\$ 14,644,813	\$ 14,650,088	\$ 14,630,000	\$ 43,924,901
SEAPORT RESERVE FOR PORTS	\$ 1,761,165	\$ 18,000,000	\$ -	\$ -	\$ -	\$ 19,761,165
SEAPORT SYSTEM PLAN IMPLEMENTATION	\$ 324,655	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 1,524,655
ST PETERSBURG PORT REHABILITATION - WHARF STRUCTURAL REPAIRS	\$ 300,000	\$ -	\$ -	\$ -	\$ -	\$ 300,000
STRATEGIC INTERMODAL SYSTEM (SEAPORT)	\$ 28,000,000	\$ -	\$ -	\$ -	\$ 1,794,453	\$ 29,794,453
TALLEYRAND MARINE TERMINAL WHARF/BULKHEAD RECONSTRUCTION IMPROVEMENTS	\$ 2,549,000	\$ -	\$ -	\$ -	\$ -	\$ 2,549,000

CourtSmart Tag Report

Room: EL 110
Caption: Budget Sub Transportation, Tourism and Econ Dev. Approp

Type:
Judge:

Started: 2/9/2012 10:18:41 AM
Ends: 2/9/2012 11:45:19 AM **Length:** 01:26:39

10:19:49 AM Meeting called to order and roll called.
10:20:00 AM Opening remarks and comments by Chairman Benacquisto
10:20:30 AM TED Spreadsheet Revisions
10:21:02 AM Skip Martin, Professional Staff
10:21:45 AM Line 18
10:22:00 AM Line 18 a
10:22:19 AM Line 19 f
10:22:30 AM Lines c,d,e,f,g
10:24:23 AM Line 36
10:25:00 AM Senator Latvala
10:25:43 AM Senator Bullard
10:26:10 AM Senator Margolis
10:27:00 AM Spreadsheet: Department of State
10:27:10 AM Line 207, page 35
10:27:57 AM Line 208
10:28:12 AM Senator Gaetz speaking on line 191
10:30:19 AM Senator Bullard
10:30:30 AM Chair Benacquisto
10:31:27 AM Senator Gaetz
10:32:02 AM Senator Fasano
10:32:09 AM Senator Norman
10:32:49 AM Senator Latvala
10:33:15 AM Senator Bullard
10:34:24 AM Chair Benacquisto
10:35:03 AM Mr. Demian Poogavorella representing FAVACA
10:41:01 AM Senator Fasano on Economy
10:42:29 AM Senator Margolis
10:43:27 AM Senator Bennett
10:44:14 AM Chair Benacquisto
10:44:30 AM Suzie Carey, Professional Staff. Spreadsheet on Highway Safety & Motor Vehicles.
10:44:31 AM Line 125 d
10:45:32 AM Senator Sachs
10:47:35 AM Suzie Carey, Professional Staff
10:48:19 AM Mr. Stephen Fielder, DHSMV
10:49:28 AM Spread sheet: Department of Military Affairs
10:50:27 AM Reynold Meyer, Profession Staff on conforming bills
10:51:45 AM Florida Housing Finance Corporation
11:02:49 AM Mr. Steve Auger, Executive Director of Florida Housing Finance
11:40:28 AM Proviso Language
11:41:18 AM Public Speakers
11:42:12 AM Jammie Ross, President - Florida Housing Coalition (Sadowski Coalition)
11:45:18 AM Chair Benacquisto
11:45:19 AM Meeting Adjourned.

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/9/12

Meeting Date

Topic TED Budget Bill Number Confirming Bill
(if applicable)

Name Steve Auger Amendment Barcode _____
(if applicable)

Job Title Executive Director, Florida Housing

Address 227 N. Bronough St., Ste 5000 Phone 850-488-4197
Street

Tallahassee FL 32301 E-mail steve.auger@floridahousing.org
City State Zip

Speaking: ☐ For ☐ Against ☐ Information

Representing Florida Housing Finance Corporation

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 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

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

Feb 8, 2012

Meeting Date

Topic Affordable Housing

Bill Number _____
(if applicable)

Name Dorene Barker

Amendment Barcode _____
(if applicable)

Job Title Legislative Director

Address 2425 Torrey Dr

Phone 850-509-3631

Street

Jal Fz 32312

City

Zip

E-mail dorene@floridalegal.org

Speaking: ☒ For ☐ Against ☐ Information

Affordable Housing (Sadowski Coalition)

Representing Florida Legal Services, Inc.

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

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

2-9-12

Meeting Date

Topic Affordable Housing Bill Number _____
Name Adam Corey (if applicable)
Job Title Lobbyist Amendment Barcode _____
Address 215 S Monroe Street #601 Phone _____
Street Tallahassee FL 32301 E-mail ACOREY@GUNSTER.COM
City *State* *Zip*

Speaking: ☐ For ☐ Against ☒ Information

Representing Coalition for Affordable Housing Developers

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/9/2012
Meeting Date

Topic AFFORDABLE HOUSING Bill Number _____
Name DANA FARMER Amendment Barcode _____
Job Title DIR. LEGISLATIVE & PUBLIC AFFAIRS (if applicable)

Address 2728 Centerview DR, STE 102 Phone 850.488.9071
Street
City TAUOHACHEE State FL Zip 32301 E-mail _____

Speaking: ☒ For ☐ Against ☐ Information

Representing DISABILITY RIGHTS FLORIDA (SADOWSKI TRUST FUND)
danaf@disabilityrightsflorida.org

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 (10/20/11)

THE FLORIDA SENATE
COMMITTEE APPEARANCE RECORD

(Submit to Committee Chair or Administrative Assistant)

2/9/12

Date

Bill Number

Name Steven Fielder

Phone 617-3195

Address 2900 Apalachee Pkwy

E-mail

Street

Tall

City

FL

State

32399

Zip

Job Title

Speaking: ☐ For ☐ Against ☒ Information

Appearing at request of Chair ☐

Subject

Representing DHSMV

Lobbyist registered with Legislature: ☒ Yes ☐ No

Pursuant to s. 11.061, *Florida Statutes*, state, state university, or community college employees are required to file the first copy of this form with the Committee, unless appearance has been requested by the Chair as a witness or for informational purposes.

If designated employee: Time: from _____ .m. to _____ .m.

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/9/2012

Meeting Date

Topic SADOWSKI TRUST FUND

Bill Number _____

(if applicable)

Name JOSE L. GONZALEZ

Amendment Barcode _____

(if applicable)

Job Title VP OF GOVT. AFFAIRS

Address 576 N. ADAMS ST

Street

Phone 224-7173

TALLAHASSEE, FL 32301

City

State

Zip

E-mail jgonzalez@aif.com

Speaking: ☒ For ☐ Against ☒ Information

Representing AIF

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

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

9
2-8-12

Meeting Date

Topic Affordable Housing Funding / Sustainable Transport Bill Number _____
(if applicable)

Name MARK HENDRICKSON Amendment Barcode _____
(if applicable)

Job Title _____

Address 1404 Alban Phone 850.671.5601
Street
TLH FL E-mail 2DOG416@AOL.COM
City State Zip

Speaking: ☒ For ☐ Against ☐ Information

Representing Florida Association of Local Housing Finance Authorities

Appearing at request of Chair: ☐ Yes ☒ No Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

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

Meeting Date _____

Topic Affordable Housing Bill Number _____
(if applicable)
Name Sheila Hopkins Amendment Barcode _____
(if applicable)
Job Title Associate Director
Address 201 W. Park Ave Phone 205-6826
Street
Tallahassee, FL City State Zip
E-mail shoptkins@flacath
conf.org
Speaking: ☐ For ☐ Against ☐ Information

Representing Florida Catholic Conference

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/9/12
Meeting Date

Topic Housing Funding

Bill Number _____
(if applicable)

Name Tracy Price

Amendment Barcode _____
(if applicable)

Job Title Public Policy Representative

Address 200 S. Monroe St

Phone (850) 224-1400

Tallahassee FL 32301
City State Zip

E-mail Tracy@floridarealtors.org

Speaking: ☐ For ☐ Against ☐ Information

Representing Florida Realtors

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/8/12

Meeting Date

Topic FABACA

Bill Number _____
(if applicable)

Name Danica Friedman

Amendment Barcode _____
(if applicable)

Job Title Executive Director

Address 1020 E Lafayette St

Street

City

State

Zip

Tallahassee FL 32301

Phone 353 718-3603

E-mail danica@fabaca.org

Speaking: ☒ For ☐ Against ☐ Information

Representing FABACA

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/20/11)

THE FLORIDA SENATE

APPEARANCE RECORD

Meeting Date

Topic

Bill Number

(if applicable)

Name

Amendment Barcode

(if applicable)

Job Title

Address

Phone

Street

State

Zip

E-mail

Speaking:

☐ For

☐ Against

 Information

Representing

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

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S-001 (10/20/11)

THE FLORIDA SENATE

APPEARANCE RECORD

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

9
Feb 8 2012

Meeting Date

Topic Affordable Housing / Sadowski Trust funds

Bill Number _____
(if applicable)

Name Jaimie Ross

Amendment Barcode _____
(if applicable)

Job Title president

Address 1104 Mor Zihan Street
Street

Phone 850-212-0587

Jallahassee FL 32301
City State Zip

E-mail jaimicross@aol.com

Speaking: ☐ For ☐ Against ☒ Information

Representing Florida Housing Coalition (Sadowski Coalition)

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/9
Meeting Date

Topic Florida Nursing Finance Corp.

Bill Number budget
(if applicable)

Name Gerry R. Hodge

Amendment Barcode _____
(if applicable)

Job Title Lobbyist

Address _____
Street

Phone 681-6788

City _____ State _____ Zip _____

E-mail Gerry@reuphlan.com

Speaking: ☐ For ☒ Against ☐ Information

Representing Pinnacle Nursing

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/9/12
Meeting Date

Topic AFFORDABLE HOUSING

Bill Number _____
(if applicable)

Name LARRY WILLIAMS

Amendment Barcode _____
(if applicable)

Job Title ATTORNEY

Address 215 S. MUNN SUITE 601
Street

Phone (850) 521-1980

TALLAHASSEE
City State Zip

E-mail _____

Speaking: ☐ For ☐ Against ☒ Information

Representing COALITION OF AFFORDABLE HOUSING

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

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

02/09/2012
Meeting Date

Topic Regional Work-force Boards

Bill Number SB 1398
(if applicable)

Name Cynthia Lorenzo

Amendment Barcode _____
(if applicable)

Job Title Interim Executive Director

Address 107 East Madison Street
Street

Phone (850) 245-7298

Tallahassee FL 32399
City State Zip

E-mail _____

Speaking: ☒ For ☐ Against ☐ Information

Representing Department of Economic Opportunity

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

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

Meeting Date

Topic Workforce Boards

Bill Number 1398
(if applicable)

Name ERIC POOLE

Amendment Barcode
(if applicable)

Job Title Asst. Leg. Dir.

Address 100 S Monroe
Street

Phone 922 9300

T-11 FL
City State Zip

E-mail

Speaking: ☒ For ☐ Against ☐ Information

Representing Florida Assoc. of Counties

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

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

2-9-12

Meeting Date

Topic Regional Workforce Boards

Bill Number 1398
(if applicable)

Name Chris Hart

Amendment Barcode _____
(if applicable)

Job Title President / CEO

Address 1580 Waldo Palmer

Phone 921-3645

Street

Tallahassee

FL

32308

City

State

Zip

E-mail charta@workforceflorida.com

Speaking: ☒ For ☐ Against ☐ Information

Representing Workforce Florida

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

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

2 / 9 / 2012

Meeting Date

Topic _____

Bill Number 1416
(if applicable)

Name BRIAN PITTS

Amendment Barcode _____
(if applicable)

Job Title TRUSTEE

Address 1119 NEWTON AVNUE SOUTH
Street

Phone 727-897-9291

SAINT PETERSBURG FLORIDA 33705
City State Zip

E-mail JUSTICE2JESUS@YAHOO.COM

Speaking: ☐ For ☐ Against ☒ Information

Representing JUSTICE-2-JESUS

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

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

02/09/12

Meeting Date

Topic Unemployment

Bill Number 1416
(if applicable)

Name Rick Templin

Amendment Barcode _____
(if applicable)

Job Title _____

Address 135 S. Monroe
Street

Phone 850-224-6926

Tallahassee FL 32301
City State Zip

E-mail _____

Speaking: ☒ For ☐ Against ☐ Information

Representing Florida AFL-CIO

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

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2/9/12

Meeting Date

Topic Unemployment Compensation Bill Number 1416
Name Darin DANIEL (if applicable)
Amendment Barcode _____ (if applicable)

Job Title _____

Address 311 EAST PARK AVENUE Phone 224-5081
Street
City TLH State FL Zip 32301
City State Zip

Speaking: ☒ For ☐ Against ☐ Information

Representing FL Assoc. of Professional Employer Organizations

Appearing at request of Chair: ☐ Yes ☐ No Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/9/2012

Meeting Date

Topic _____

Bill Number 1416
(if applicable)

Name BRIAN PITTS

Amendment Barcode _____
(if applicable)

Job Title TRUSTEE

Address 1119 NEWTON AVNUE SOUTH

Phone 727-897-9291

Street

SAINT PETERSBURG FLORIDA 33705
City State Zip

E-mail JUSTICE2JESUS@YAHOO.COM

Speaking: ☐ For ☐ Against ☒ Information

Representing JUSTICE-2-JESUS

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

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02/09/2012
Meeting Date

Topic Unemployment Compensation

Bill Number SB 1416
(if applicable)

Name Cynthia Lorenzo

Amendment Barcode _____
(if applicable)

Job Title Interim Executive Director

Address 107 East Madison Street
Street

Phone (850) 245-7298

Tallahassee FL 32399
City State Zip

E-mail _____

Speaking: ☒ For ☐ Against ☐ Information

Representing Department of Economic Opportunity

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/9/2012
Meeting Date

Topic _____

Bill Number 1464
(if applicable)

Name BRIAN PITTS

Amendment Barcode _____
(if applicable)

Job Title TRUSTEE

Address 1119 NEWTON AVNUE SOUTH
Street

Phone 727-897-9291

SAINT PETERSBURG FLORIDA 33705
City State Zip

E-mail JUSTICE2JESUS@YAHOO.COM

Speaking: ☒ For ☐ Against ☒ Information

Representing JUSTICE-2-JESUS

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/20/11)