

CHAPTER 98-136

Committee Substitute for Senate Bill No. 1574

An act relating to personnel and agencies of the legislative branch; amending s. 11.045, F.S.; defining the term “division,” for purposes of lobbyist registration, as the Division of Legislative Information Services; transferring certain functions of the Joint Legislative Management Committee to the division or to the presiding officers; authorizing the presiding officers to waive fines imposed against lobbyists; amending s. 11.12, F.S.; providing for the presiding officers to determine subsistence rates; amending s. 11.13, F.S.; transferring certain functions of the Joint Legislative Management Committee relating to compensation of members to the Office of Legislative Services or to the presiding officers; amending s. 11.147, F.S.; abolishing the Joint Legislative Management Committee and replacing it with an Office of Legislative Services; repealing s. 11.39, F.S., relating to the Legislative Information Technology Resource Committee; amending s. 112.0455, F.S.; transferring certain functions of the Joint Legislative Management Committee with respect to rules relating to drug-free workplace requirements to the presiding officers; amending s. 112.3148, F.S.; transferring certain functions of the Joint Legislative Management Committee relating to reports of gifts to the Division of Legislative Information Services; amending s. 121.055, F.S.; transferring duties of the Joint Legislative Management Committee relating to designation of employees to participate in the Senior Management Service Optional Annuity Program to the presiding officers; amending s. 216.136, F.S.; conforming provisions to the amendments made by the act; amending s. 216.251, F.S.; clarifying authority with respect to approval of classification and pay plans for legislative employees; amending s. 985.401, F.S.; renaming the Juvenile Justice Advisory Board; amending ss. 11.241, 11.242, 11.243, 11.70, 13.01, 13.10, 15.155, 20.315, 27.709, 112.061, 112.321, 119.15, 218.60, 229.593, 282.3091, 282.310, 282.322, 350.031, 402.50, 790.22, F.S.; conforming provisions to the amendments made by the act; providing for the Office of Legislative Services to assume rights, duties, and obligations of the Joint Legislative Management Committee with respect to existing contracts; transferring unexpended balances of appropriated funds; providing an effective date.

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

Section 1. Section 11.045, Florida Statutes, is amended to read:

11.045 Lobbyists; registration and reporting; exemptions; penalties.—

(1) As used in this section, unless the context otherwise requires:

(a) “Committee” means the committee of each house charged by the presiding officer with responsibility for ethical conduct of lobbyists.

(b) “Division” means the Division of Legislative Information Services within the Office of Legislative Services.

(c)(b) “Expenditure” means a payment, distribution, loan, advance, reimbursement, deposit, or anything of value made by a lobbyist or principal for the purpose of lobbying.

(d)(c) “Legislative action” means introduction, sponsorship, testimony, debate, voting, or any other official action on any measure, resolution, amendment, nomination, appointment, or report of, or any matter which may be the subject of action by, either house of the Legislature or any committee thereof.

(e)(d) “Lobbying” means influencing or attempting to influence legislative action or nonaction through oral or written communication or an attempt to obtain the goodwill of a member or employee of the Legislature.

(f)(e) “Lobbyist” means a person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying, or a person who is principally employed for governmental affairs by another person or governmental entity to lobby on behalf of that other person or governmental entity.

(g)(f) “Principal” means the person, firm, corporation, or other entity which has employed or retained a lobbyist.

(2) Each house of the Legislature shall provide by rule, or may provide by a joint rule adopted by both houses, for the registration of lobbyists who lobby the Legislature. The rule may provide for the payment of a registration fee. The rule may provide for exemptions from registration or registration fees. The rule shall provide that:

(a) Registration is required for each principal represented.

(b) Registration shall include a statement signed by the principal or principal’s representative that the registrant is authorized to represent the principal.

(c) A registrant shall promptly send a written statement to the division ~~Joint Legislative Management Committee~~ canceling the registration for a principal upon termination of the lobbyist’s representation of that principal. Notwithstanding this requirement, the division ~~committee~~ may remove the name of a registrant from the list of registered lobbyists if the principal notifies the office that a person is no longer authorized to represent that principal.

(d) Every registrant shall be required to state the extent of any direct business association or partnership with any current member of the Legislature.

(e) Each lobbyist and each principal shall preserve for a period of 4 years all accounts, bills, receipts, computer records, books, papers, and other documents and records necessary to substantiate lobbying expenditures. Any

documents and records retained pursuant to this section may be inspected under reasonable circumstances by any authorized representative of the Legislature. The right of inspection may be enforced by appropriate writ issued by any court of competent jurisdiction.

(f) All registrations shall be open to the public.

(g) Any person who is exempt from registration under the rule shall not be considered a lobbyist for any purpose.

(3) Each house of the Legislature shall provide by rule the following reporting requirements:

(a) Statements shall be filed by all registered lobbyists two times per year and after each special session of the Legislature, which statements shall disclose all lobbying expenditures by the lobbyist and the principal and the source of funds for such expenditures. All expenditures made by the lobbyist and the principal for the purpose of lobbying must be reported. Reporting of expenditures shall be made on an accrual basis. The report of such expenditures must identify whether the expenditure was made directly by the lobbyist, directly by the principal, initiated or expended by the lobbyist and paid for by the principal, or initiated or expended by the principal and paid for by the lobbyist. The principal is responsible for the accuracy of the expenditures reported as lobbying expenditures made by the principal. The lobbyist is responsible for the accuracy of the expenditures reported as lobbying expenditures made by the lobbyist. Expenditures made must be reported by the category of the expenditure, including, but not limited to, the categories of food and beverages, entertainment, research, communication, media advertising, publications, travel, and lodging. Lobbying expenditures do not include a lobbyist's or principal's salary, office expenses, and personal expenses for lodging, meals, and travel.

(b) A principal who is represented by two or more lobbyists shall designate one lobbyist whose expenditure report shall include all lobbying expenditures made directly by the principal and those expenditures of the designated lobbyist on behalf of that principal as required by paragraph (a). All other lobbyists registered to represent that principal shall file a report pursuant to paragraph (a). The report of lobbying expenditures by the principal shall be made pursuant to the requirements of paragraph (a). The principal is responsible for the accuracy of figures reported by the designated lobbyist as lobbying expenditures made directly by the principal. The designated lobbyist is responsible for the accuracy of the figures reported as lobbying expenditures made by that lobbyist.

(c) For each reporting period the division ~~Joint Legislative Management Committee~~ shall aggregate the expenditures reported by all of the lobbyists for a principal represented by more than one lobbyist. Further, the division ~~committee~~ shall aggregate figures that provide a cumulative total of expenditures reported as spent by and on behalf of each principal for the calendar year.

(d) The reporting statements shall be filed no later than 45 days after the end of the reporting period. The first report shall include the expenditures

for the period from January 1 through the date of adjournment of the regular session of the Legislature, including an extension, if any. The second report shall disclose expenditures for the remainder of the calendar year. A supplemental report shall be filed no later than 45 days after each special session of the Legislature which shall disclose expenditures incurred during the period since the filing of the last previous report through adjournment of the special session. The statements shall be rendered in the identical form provided by the respective houses and shall be open to public inspection. Reporting statements may be filed by electronic means, when feasible.

(e) Reports shall be filed not later than 5 p.m. of the report due date. However, any report that is postmarked by the United States Postal Service no later than midnight of the due date shall be deemed to have been filed in a timely manner, and a certificate of mailing obtained from and dated by the United States Postal Service at the time of the mailing, or a receipt from an established courier company which bears a date on or before the due date, shall be proof of mailing in a timely manner.

(f) Each house of the Legislature shall provide by rule, or both houses may provide by joint rule, a procedure by which a lobbyist who fails to timely file a report shall be notified and assessed fines. The rule shall provide for the following:

1. Upon determining that the report is late, the person designated to review the timeliness of reports shall immediately notify the lobbyist as to the failure to timely file the report and that a fine is being assessed for each late day. The fine shall be \$50 per day per report for each late day.

2. Upon receipt of the report, the person designated to review the timeliness of reports shall determine the amount of the fine due based upon the earliest of the following:

a. When a report is actually received by the lobbyist registration and reporting office.

b. When the report is postmarked.

c. When the certificate of mailing is dated.

d. When the receipt from an established courier company is dated.

3. Such fine shall be paid within 20 days after receipt of the notice of payment due, unless appeal is made to the ~~division~~ Joint Legislative Management Committee of the Legislature. The moneys shall be deposited into the Legislative Lobbyist Registration Trust Fund.

4. A fine shall not be assessed against a lobbyist the first time any reports for which the lobbyist is responsible are not timely filed. However, to receive the one-time fine waiver, all reports for which the lobbyist is responsible must be filed within 20 days after receipt of notice that any reports have not been timely filed. A fine shall be assessed for any subsequent late-filed reports.

5. Any lobbyist may appeal or dispute a fine, based upon unusual circumstances surrounding the failure to file on the designated due date, and may request and shall be entitled to a hearing before the General Counsel of the Office of Legislative Services ~~Joint Legislative Management Committee~~, who which shall recommend to the President of the Senate and the Speaker of the House of Representatives, or their respective designees, that have the authority to waive the fine be waived in whole or in part for good cause shown. The President of the Senate and the Speaker of the House of Representatives, or their respective designees, may concur in the recommendation and waive the fine in whole or in part. Any such request shall be made within 20 days after receipt of the notice of payment due. In such case, the lobbyist shall, within the 20-day period, notify the person designated to review the timeliness of reports in writing of his or her intention to request a hearing ~~bring the matter before the committee.~~

6. The person designated to review the timeliness of reports shall notify the director of the division ~~Joint Legislative Management Committee~~ of the failure of a lobbyist to file a report after notice or of the failure of a lobbyist to pay the fine imposed.

(4) Each house of the Legislature shall provide by rule a procedure by which a person, when in doubt about the applicability and interpretation of this section in a particular context, may submit in writing the facts for an advisory opinion to the committee of either ~~the respective~~ house and may appear in person before the committee. The rule shall provide a procedure by which:

(a) The committee shall render advisory opinions to any person who seeks advice as to whether the facts in a particular case would constitute a violation of this section.

(b) The committee shall make sufficient deletions to prevent disclosing the identity of persons in the decisions or opinions.

(c) All advisory opinions of the committee shall be numbered, dated, and open to public inspection.

(5) Each house of the Legislature shall keep all advisory opinions of the committees relating to lobbyists and lobbying activities, as well as a current list of registered lobbyists and their respective reports required under this section, all of which shall be open for public inspection.

(6) The committee of either ~~the respective~~ house shall investigate any person engaged in legislative lobbying upon receipt of a sworn complaint alleging a violation of this section, s. 112.3148, or s. 112.3149 by such person. Such proceedings shall be conducted pursuant to the rules of the respective houses. If the committee finds that there has been a violation of this section, s. 112.3148, or s. 112.3149, it shall report its findings to the President of the Senate or the Speaker of the House of Representatives, as appropriate, together with a recommended penalty, to include a fine of not more than \$5,000, reprimand, censure, probation, or prohibition from lobbying for a period of time not to exceed 24 months. Upon the receipt of such report, the President of the Senate or the Speaker of the House of Representatives shall

cause the committee report and recommendations to be brought before the respective house and a final determination shall be made by a majority of said house.

(7) Any person required to be registered or to provide information pursuant to this section or pursuant to rules established in conformity with this section who knowingly fails to disclose any material fact required by this section or by rules established in conformity with this section, or who knowingly provides false information on any report required by this section or by rules established in conformity with this section, commits a noncriminal infraction, punishable by a fine not to exceed \$5,000. Such penalty shall be in addition to any other penalty assessed by a house of the Legislature pursuant to subsection (6).

(8) There is hereby created the Legislative Lobbyist Registration Trust Fund, to be used for the purpose of funding any office established for ~~the purpose of funding~~ the administration of the registration of lobbyist lobbying the Legislature, including the payment of salaries and other expenses. The trust fund is not subject to the service charge to general revenue provisions of chapter 215. Fees collected pursuant to rules established in accordance with subsection (2) shall be deposited into the Legislative Lobbyist Registration Trust Fund.

Section 2. Section 11.12, Florida Statutes, is amended to read:

11.12 Salary, subsistence, and mileage of members and employees; expenses authorized by resolution; appropriation; preaudit by Comptroller.—

(1) The Treasurer is authorized to pay the salary, subsistence, and mileage of the members of the Legislature, as the same shall be authorized from time to time by law, upon receipt of a warrant therefor of the Comptroller for the stated amount. The Treasurer is authorized to pay the compensation of employees of the Legislature, together with reimbursement for their authorized travel as provided in s. 112.061, and such expense of the Legislature as shall be authorized by law, a concurrent resolution, a resolution of either house, or rules adopted by the respective houses, provided the total amount appropriated to the legislative branch shall not be altered, upon receipt of such warrant therefor. The number, duties, and compensation of the employees of the respective houses and of their committees shall be determined as provided by the rules of the respective house or in this chapter. Each legislator may designate no more than two employees to attend sessions of the Legislature, and those employees who change their places of residence in order to attend the session shall be paid subsistence at a rate to be established by the President of the Senate for Senate employees and the Speaker of the House of Representatives for House employees ~~Joint Legislative Management Committee~~. Such employees, in addition to subsistence, shall be paid transportation expenses in accordance with s. 112.061(7) and (8) for actual transportation between their homes and the seat of government in order to attend the legislative session and return home, as well as for two round trips during the course of any regular session of the Legislature.

(2) All vouchers covering legislative expenses shall be preaudited by the Comptroller, and, if found to be correct, state warrants shall be issued therefor.

Section 3. Section 11.13, Florida Statutes, is amended to read:

11.13 Compensation of members.—

(1)(a) The annual salaries of members of the Senate and House of Representatives, payable in 12 equal monthly installments, shall be:

1. The President of the Senate and Speaker of the House of Representatives, \$25,000 each.

2. All other members of the Senate and House of Representatives, \$18,000 each.

(b) Effective July 1, 1986, and each July 1 thereafter, the annual salaries of members of the Senate and House of Representatives shall be adjusted by the average percentage increase in the salaries of state career service employees for the fiscal year just concluded. The Appropriations Committee of each house shall certify to the Office of Legislative Services ~~Joint Legislative Management Committee~~ the average percentage increase in the salaries of state career service employees ~~before prior to~~ July 1 of each year, ~~and~~ and The Office of Legislative Services ~~Joint Legislative Management Committee~~ shall, as of July 1, of each year, determine the adjusted annual salaries as provided herein.

(2) During the time the Legislature is in session, each legislator shall be paid subsistence at a rate to be established by the President of the Senate for members of the Senate and the Speaker of the House of Representatives for members of the House ~~Joint Legislative Management Committee~~. Each legislator, in addition to subsistence, shall be paid travel expenses in accordance with s. 112.061(7) and (8) for actual travel between the legislator's home and the seat of government for not more than one round trip per week or fraction of a week during any regular, special, or extraordinary session of the Legislature or for the convening of either the House or Senate for official business.

(3) Members of any standing or select committee or subcommittee thereof shall receive per diem and travel expenses as provided in s. 112.061 from the appropriation for legislative expenses.

(4) Each member of the Legislature shall be entitled to receive a monthly allowance for intradistrict expenses in an a-uniform amount set annually by the President of the Senate for members of the Senate and the Speaker of the House of Representatives for members of the House ~~Joint Legislative Management Committee~~ not later than November 1 for the next fiscal year. In setting the amount, the costs of maintaining a legislative district office that provides an appropriate level of constituent services shall be considered. The procedure for disbursement of the monthly intradistrict expense allowed shall be set from time to time by the Office of Legislative Services, with the approval of the President of the Senate and the Speaker of the

House of Representatives or their respective designees Joint Legislative Management Committee. Such expenses shall be a proper expense of the Legislature and shall be disbursed from the appropriation for legislative expense. The expenses provided under this subsection shall not include any travel and per diem reimbursed under subsections (2) and (3) or the rules of either house.

(5)(a) All expenditures of the Senate, House of Representatives, and offices, committees, and divisions of the Legislature shall be made pursuant to and, unless changed as provided below, within the limits of budgetary estimates of expenditure for each fiscal year prepared and submitted prior to June 15 by the administrative head of each such house, office, committee, or division and approved by the ~~Committee on Rules and Calendar of the Senate and the President of the Senate~~ as to Senate budgets, by the ~~Committee on Administration of the House of Representatives and the Speaker of the House of Representatives~~ as to House budgets, and by the ~~President of the Senate and the Speaker of the House of Representatives acting jointly~~ Joint Legislative Management Committee as to joint committees and other units ~~the divisions~~ of the Legislature ~~other than the Legislative Auditing Committee and the Auditor General's office.~~ Amounts in the approved estimates of expenditure may be transferred between budgetary units within the Senate, House of Representatives, and joint activities by the original approving authority. Funds may be transferred between items of appropriation to the Legislature when approved by the President of the Senate and, the Speaker of the House of Representatives ~~and the Joint Legislative Management Committee~~, provided the total amount appropriated to the legislative branch shall not be altered. The ~~Office of Legislative Services~~ Joint Legislative Management Committee shall formulate and present to each house and office thereof recommendations concerning the form and preparation of such budgets and procedures for their adoption and transmission.

(b) Thirty days prior to the date established by s. 216.023 for submission of legislative budgets by all state agencies to the Governor, all budgetary units required to submit estimates of expenditures as provided by paragraph (a) shall annually submit tentative estimates of their financial needs for the next fiscal year beginning July 1 to the authorities required by that paragraph so that the financial needs of the Legislature for the ensuing fiscal year may be reported to the Governor by a ~~committee composed of the President of the Senate and~~, the Speaker of the House of Representatives, ~~and the chair or co-chairs of the Joint Legislative Management Committee,~~ pursuant to ss. 11.148 and 11.40 and as required by s. 216.081.

(c) The ~~Office of Legislative Services~~ Joint Legislative Management Committee shall submit on forms prescribed by the Comptroller requested allotments of appropriations for the fiscal year. It shall be the duty of the Comptroller to release the funds and authorize the expenditures for the legislative branch to be made from the appropriations on the basis of the requested allotments. However, the aggregate of such allotments shall not exceed the total appropriations available for the fiscal year.

(6) The pay of members of the Senate and House of Representatives shall be only as set by law.

Section 4. Section 11.147, Florida Statutes, is amended to read:

11.147 Office of Legislative Services Joint Legislative Management Committee.—

(1) There is hereby created the Office of Legislative Services to provide support services that are determined by the President of the Senate and the Speaker of the House of Representatives to be necessary and that can be effectively and efficiently provided jointly to both houses ~~Joint Legislative Management Committee, which shall consist of three members of the House of Representatives appointed by the Speaker of the House of Representatives, one of whom shall be a member of the minority party, and three members of the Senate appointed by the President of the Senate, one of whom shall be a member of the minority party.~~

(2) The President of the Senate and the Speaker of the House of Representatives may select a coordinator for the Office of Legislative Services, who shall report directly to the President of the Senate and the Speaker of the House of Representatives or their respective designees.

~~(3)(2)~~ The joint committees and other units of the Legislature committee shall be governed by joint rules of the Senate and House of Representatives which shall remain in effect until repealed or amended by concurrent resolution.

~~(4)(3)~~ The Office of Legislative Services joint committee shall deliver such vouchers covering legislative expenses as required to the Comptroller and, if found to be correct, state warrants shall be issued therefor.

Section 5. Section 11.39, Florida Statutes, is repealed.

Section 6. Effective July 1, 1998, the legislative library is hereby transferred to the Department of State by a type two transfer, as defined in section 20.06, Florida Statutes.

Section 7. Paragraph (g) of subsection (13) of section 112.0455, Florida Statutes, is amended to read:

112.0455 Drug-Free Workplace Act.—

(13) RULES.—

(g) The President of the Senate and the Speaker of the House of Representatives ~~Joint Legislative Management Committee~~ may adopt rules, policies, or procedures for the employees and members of the legislative branch implementing this section.

This section shall not be construed to eliminate the bargainable rights as provided in the collective bargaining process where applicable.

Section 8. Subsection (5) of section 112.3148, Florida Statutes, is amended to read:

112.3148 Reporting and prohibited receipt of gifts by individuals filing full or limited public disclosure of financial interests and by procurement employees.—

(5)(a) A political committee or a committee of continuous existence, as defined in s. 106.011; a lobbyist who lobbies a reporting individual's or procurement employee's agency; the partner, firm, employer, or principal of a lobbyist; or another on behalf of the lobbyist or partner, firm, principal, or employer of the lobbyist is prohibited from giving, either directly or indirectly, a gift that has a value in excess of \$100 to the reporting individual or procurement employee or any other person on his or her behalf; however, such person may give a gift having a value in excess of \$100 to a reporting individual or procurement employee if the gift is intended to be transferred to a governmental entity or a charitable organization.

(b) However, a person who is regulated by this subsection, who is not regulated by subsection (6), and who makes, or directs another to make, an individual gift having a value in excess of \$25, but not in excess of \$100, other than a gift which the donor knows will be accepted on behalf of a governmental entity or charitable organization, must file a report on the last day of each calendar quarter, for the previous calendar quarter in which a reportable gift is made. The report shall be filed with the Secretary of State, except with respect to gifts to reporting individuals of the legislative branch, in which case the report shall be filed with the Division of Legislative Information Services in the Office of Legislative Services Joint Legislative Management Committee. The report must contain a description of each gift, the monetary value thereof, the name and address of the person making such gift, the name and address of the recipient of the gift, and the date such gift is given. In addition, when a gift is made which requires the filing of a report under this subsection, the donor must notify the intended recipient at the time the gift is made that the donor, or another on his or her behalf, will report the gift under this subsection. Under this paragraph, a gift need not be reported by more than one person or entity.

Section 9. Paragraph (c) of subsection (1) of section 121.055, Florida Statutes, is amended to read:

121.055 Senior Management Service Class.—There is hereby established a separate class of membership within the Florida Retirement System to be known as the "Senior Management Service Class," which shall become effective February 1, 1987.

(c)1. Effective January 1, 1990, participation in the Senior Management Service Class shall be compulsory for up to 75 nonelective positions at the level of committee staff director or higher or equivalent managerial or policymaking positions within the House of Representatives, as selected by the Speaker of the House of Representatives, up to 50 nonelective positions at the level of committee staff director or higher or equivalent managerial or policymaking positions within the Senate, as selected by the President of the Senate, all staff directors of joint committees and service offices of the Legislature, the Auditor General and up to 9 managerial or policymaking positions within his or her office as selected by the Auditor General, and the executive director of the Commission on Ethics.

2. Participation in this class shall be compulsory, except as provided in subparagraph 3., for any legislative employee who holds a position designated for coverage in the Senior Management Service Class, and such participation shall continue until the employee terminates employment in a covered position.

3. In lieu of participation in the Senior Management Service Class, at the discretion of the President of the Senate and the Speaker of the House of Representatives ~~Joint Legislative Management Committee~~, such members may participate in the Senior Management Service Optional Annuity Program as established in subsection (6).

Section 10. Section 216.136, Florida Statutes, is amended to read:

216.136 Consensus estimating conferences; duties and principals.—

(1) ECONOMIC ESTIMATING CONFERENCE.—

(a) Duties.—

1. The Economic Estimating Conference shall develop such official information with respect to the national and state economies as the conference determines is needed for the state planning and budgeting system. The basic, long-term forecasts which are a part of its official information shall be trend forecasts. However, the conference may include cycle forecasts as a part of its official information if the subject matter of the forecast warrants a cycle forecast and if such forecast is developed in a special impact session of the conference.

2. Prior to the submission of the Governor's budget recommendations to the Legislature pursuant to s. 216.162, and again prior to each Regular Session of the Legislature, the Economic Estimating Conference shall evaluate and project the financial condition of the employee group health self-insurance plan. This analysis shall also consider any financial impact of the state's use of health maintenance organizations on the funding of the self-insurance plan. The conference shall indicate whether the current plan premium rates are sufficient to fund projected plan claims and other expenses during the fiscal year.

(b) Principals.—The Executive Office of the Governor, the coordinator ~~director~~ of the Office Division ~~Office~~ of Economic and Demographic Research of the ~~Joint Legislative Management Committee~~, and professional staff of the Senate and House of Representatives who have forecasting expertise, or their designees, are the principals of the Economic Estimating Conference. The responsibility of presiding over sessions of the conference shall be rotated among the principals.

(2) DEMOGRAPHIC ESTIMATING CONFERENCE.—

(a) Duties.—The Demographic Estimating Conference shall develop such official information with respect to the population of the nation and state by age, race, and sex as the conference determines is needed for the state planning and budgeting system. The conference shall use the official popula-

tion estimates provided under s. 186.901 in developing its official information.

(b) Principals.—The Executive Office of the Governor, the coordinator ~~director~~ of the Office ~~Division~~ of Economic and Demographic Research of the Joint Legislative Management Committee, and professional staff of the Senate and House of Representatives who have forecasting expertise, or their designees, are the principals of the Demographic Estimating Conference. The responsibility of presiding over sessions of the conference shall be rotated among the principals.

(3) REVENUE ESTIMATING CONFERENCE.—

(a) Duties.—The Revenue Estimating Conference shall develop such official information with respect to anticipated state and local government revenues as the conference determines is needed for the state planning and budgeting system. Any principal may request the conference to review and estimate revenues for any trust fund.

(b) Principals.—The Executive Office of the Governor, the coordinator ~~director~~ of the Office ~~Division~~ of Economic and Demographic Research of the Joint Legislative Management Committee, and professional staff of the Senate and House of Representatives who have forecasting expertise, or their designees, are the principals of the Revenue Estimating Conference. The responsibility of presiding over sessions of the conference shall be rotated among the principals.

(4) EDUCATION ESTIMATING CONFERENCE.—

(a) Duties.—The Education Estimating Conference shall develop such official information relating to the state public educational system, including forecasts of student enrollments, students qualified for state financial aid programs, fixed capital outlay needs, and Florida Education Finance Program formula needs, as the conference determines is needed for the state planning and budgeting system. The conference's initial projections of enrollments in public schools shall be forwarded by the conference to each school district no later than 2 months prior to the start of the regular session of the Legislature. Each school district may, in writing, request adjustments to the initial projections. Any adjustment request shall be submitted to the conference no later than 1 month prior to the start of the regular session of the Legislature and shall be considered by the principals of the conference. A school district may amend its adjustment request, in writing, during the first 3 weeks of the legislative session, and such amended adjustment request shall be considered by the principals of the conference. For any adjustment so requested, the district shall indicate and explain, using definitions adopted by the conference, the components of anticipated enrollment changes that correspond to continuation of current programs with workload changes; program improvement; program reduction or elimination; initiation of new programs; and any other information that may be needed by the Legislature. For public schools, the conference shall submit its full-time equivalent student consensus estimate to the Legislature no later than 1 month after the start of the regular session of the Legislature. No conference estimate may be changed without the agreement of the full conference.

(b) Principals.—The Associate Deputy Commissioner for Educational Management, the Executive Office of the Governor, the ~~coordinator~~ director of the ~~Office~~ Division of Economic and Demographic Research of the ~~Joint Legislative Management Committee~~, and professional staff of the Senate and House of Representatives who have forecasting expertise, or their designees, are the principals of the Education Estimating Conference. The Associate Deputy Commissioner for Educational Management or his or her designee shall preside over sessions of the conference.

(5) CRIMINAL JUSTICE ESTIMATING CONFERENCE.—

(a) Duties.—The Criminal Justice Estimating Conference shall develop such official information relating to the criminal justice system, including forecasts of prison admissions by offense categories specified in Rule 3.701, Florida Rules of Criminal Procedure, as the conference determines is needed for the state planning and budgeting system.

(b) Principals.—The Executive Office of the Governor, the ~~coordinator~~ director of the ~~Office~~ Division of Economic and Demographic Research of the ~~Joint Legislative Management Committee~~, and professional staff, who have forecasting expertise, from the Senate, the House of Representatives, and the Supreme Court, or their designees, are the principals of the Criminal Justice Estimating Conference. The principal representing the Executive Office of the Governor shall preside over sessions of the conference.

(6) SOCIAL SERVICES ESTIMATING CONFERENCE.—

(a) Duties.—

1. The Social Services Estimating Conference shall develop such official information relating to the social services system of the state, including forecasts of social services caseloads, as the conference determines is needed for the state planning and budgeting system. Such official information shall include, but not be limited to, subsidized child care caseloads mandated by the Family Support Act of 1988.

2. In addition, the Social Services Estimating Conference shall develop estimates and forecasts of the unduplicated count of children eligible for subsidized child care as defined in s. 402.3015(1). These estimates and forecasts shall not include children enrolled in the prekindergarten early intervention program established in s. 230.2305.

3. The Department of Health and Rehabilitative Services and the Department of Education shall provide information on caseloads and waiting lists for the subsidized child care and prekindergarten early intervention programs requested by the Social Services Estimating Conference or individual conference principals, in a timely manner.

(b) Principals.—The Executive Office of the Governor, the ~~coordinator~~ director of the ~~Office~~ Division of Economic and Demographic Research of the ~~Joint Legislative Management Committee~~, and professional staff, who have forecasting expertise, from the Department of Health and Rehabilitative Services, the Senate, and the House of Representatives, or their designees,

are the principals of the Social Services Estimating Conference. The principal representing the Executive Office of the Governor shall preside over sessions of the conference.

(7) TRANSPORTATION ESTIMATING CONFERENCE.—

(a) Duties.—The Transportation Estimating Conference shall develop such official budget information relating to transportation planning and budgeting as is determined by the conference principals to be needed for the state planning and budgeting system. This information shall include estimates of transportation cost indices and other budget-related estimates. This conference shall not address estimates of transportation revenues.

(b) Principals.—The Executive Office of the Governor, the coordinator director of the Office Division of Economic and Demographic Research of the Joint Legislative Management Committee, and professional staff with budgeting expertise from the Department of Transportation, the Senate, and the House of Representatives are the principals of the Transportation Estimating Conference. The principal representing the Executive Office of the Governor shall preside over sessions of the conference.

(8) CHILD WELFARE SYSTEM ESTIMATING CONFERENCE.—

(a) Duties.—The Child Welfare System Estimating Conference shall develop the following information relating to the child welfare system:

1. Estimates and projections of the number of initial and additional reports of child abuse or neglect made to the central abuse registry and tracking system maintained by the Department of Health and Rehabilitative Services as established in s. 415.504(4)(a).

2. Estimates and projections of the number of children who are alleged to be victims of child abuse or neglect and are in need of placement in an emergency shelter.

In addition, the conference shall develop other official information relating to the child welfare system of the state which the conference determines is needed for the state planning and budgeting system. The Department of Health and Rehabilitative Services shall provide information on the child welfare system requested by the Child Welfare System Estimating Conference, or individual conference principals, in a timely manner.

(b) Principals.—The Executive Office of the Governor, the coordinator director of the Office Division of Economic and Demographic Research of the Joint Legislative Management Committee, and professional staff who have forecasting expertise from the Department of Health and Rehabilitative Services, the Senate, and the House of Representatives, or their designees, are the principals of the Child Welfare System Estimating Conference. The principal representing the Executive Office of the Governor shall preside over sessions of the conference.

(9) JUVENILE JUSTICE ESTIMATING CONFERENCE.—

(a) Duties.—The Juvenile Justice Estimating Conference shall develop such official information relating to the juvenile justice system of the state as is determined by the conference principals to be needed for the state planning and budgeting system. This information shall include, but is not limited to: estimates of juvenile delinquency caseloads and workloads; estimates for secure, nonsecure, and home juvenile detention placements; estimates of workloads in the juvenile sections in the offices of the state attorneys and public defenders; estimates of mental health and substance abuse treatment relating to juveniles; and such other information as is determined by the conference principals to be needed for the state planning and budgeting system.

(b) Principals.—The Executive Office of the Governor, the Office Division of Economic Economics and Demographic Research of the Joint Legislative Management Committee, and professional staff who have forecasting expertise from the Department of Juvenile Justice, the Department of Health and Rehabilitative Services Alcohol, Drug Abuse, and Mental Health Program Office, the Department of Law Enforcement, the Senate Appropriations Committee staff, the House of Representatives Appropriations Committee staff, or their designees, are the principals of the Juvenile Justice Estimating Conference. The responsibility of presiding over sessions of the conference shall be rotated among the principals. To facilitate policy and legislative recommendations, the conference may call upon professional staff of the Juvenile Justice Advisory Board and appropriate legislative staff.

(10) OCCUPATIONAL FORECASTING CONFERENCE.—

(a) Duties.—The Occupational Forecasting Conference shall develop such official information on the workforce development system planning process as it relates to the personnel needs of current, new, and emerging industries as the conference determines is needed by the state planning and budgeting system. Such information must include at least: short-term and long-term forecasts of employment demand for high-skills/high-wage jobs by occupation and industry; relative wage forecasts among those occupations; and estimates of the supply of trained and qualified individuals available for employment in those occupations.

(b) Principals.—The Commissioner of Education, the Executive Office of the Governor, the director of the Office of Tourism, Trade, and Economic Development, the Secretary of Labor, and the coordinator ~~director~~ of the Office Division of Economic and Demographic Research of the Joint Legislative Management Committee, or their designees, are the principals of the Occupational Forecasting Conference. The Commissioner of Education, or the commissioner's designee, shall preside over the sessions of the conference.

Section 11. Paragraph (a) of subsection (2) of section 216.251, Florida Statutes, is amended to read:

216.251 Salary appropriations; limitations.—

(2)(a) The salary for each position not specifically indicated in the appropriations acts shall be as provided in one of the following subparagraphs:

1. Within the classification and pay plans provided for in chapter 110.
2. Within the classification and pay plans established by the Board of Trustees for the Florida School for the Deaf and the Blind of the Department of Education and approved by the State Board of Education for academic and academic administrative personnel.
3. Within the classification and pay plan approved and administered by the Board of Regents for those positions in the State University System.
4. Within the classification and pay plan approved by the President of the Senate ~~and, the Speaker of the House of Representatives, the Joint Legislative Management Committee,~~ or by the Legislative Auditing Committee, as the case may be, for employees of the Legislature.
5. Within the approved classification and pay plan for the judicial branch.
6. The salary of all positions not specifically included in this subsection shall be set by the commission or by the Chief Justice for the judicial branch.

Section 12. Section 985.401, Florida Statutes, is amended to read:

985.401 Juvenile Justice Accountability ~~Advisory~~ Board.—

(1) The Juvenile Justice Accountability ~~Advisory~~ Board shall be composed of nine members. Members of the board shall have direct experience and a strong interest in juvenile justice issues. The authority to appoint the board is allocated as follows:

- (a) Three members appointed by the Governor.
- (b) Three members appointed by the President of the Senate.
- (c) Three members appointed by the Speaker of the House of Representatives.

(2)(a) A full term shall be 3 years, and the term for each seat on the board commences on October 1 and expires on September 30, without regard to the date of appointment. Each appointing authority shall appoint a member to fill one of the three vacancies that occurs with the expiration of terms on September 30 of each year. A member is not eligible for appointment to more than two full, consecutive terms. A vacancy on the board shall be filled within 60 days after the date on which the vacancy occurs. The appointing authority that made the original appointment shall make the appointment to fill a vacancy that occurs for any reason other than the expiration of a term, and the appointment shall be for the remainder of the unexpired term.

(b) The board shall annually select a chairperson from among its members.

(c) The board shall meet at least once each quarter. A member may not authorize a designee to attend a meeting of the board in place of the member. A member who fails to attend two consecutive regularly scheduled meetings

of the board, unless the member is excused by the chairperson, shall be deemed to have abandoned the position, and the position shall be declared vacant by the board.

(3)(a) The board members shall serve without compensation, but are entitled to reimbursement for per diem and travel expenses pursuant to s. 112.061.

(b) The board shall appoint an executive director and other personnel who are exempt from part II of chapter 110, relating to the Career Service System.

(c) The board is assigned, for the purpose of general oversight, to the Joint Legislative Auditing Committee. The board shall develop a budget pursuant to procedures established by the Joint Legislative Auditing Committee.

(d) The composition of the board shall be broadly reflective of the public and shall include minorities and women. The term "minorities" as used in this paragraph means a member of a socially or economically disadvantaged group that includes African Americans, Hispanics, and American Indians. Members of the board shall have direct experience and a strong interest in juvenile justice issues.

(4) The board shall:

(a) Review and recommend programmatic and fiscal policies governing the operation of programs, services, and facilities for which the Department of Juvenile Justice is responsible.

(b) Monitor the development and implementation of long-range juvenile justice policies, including prevention, early intervention, diversion, adjudication, and commitment.

(c) Monitor all activities of the executive and judicial branch and their effectiveness in implementing policies pursuant to this chapter.

(d) Establish and operate a comprehensive system to annually measure and report program outcome and effectiveness for each program operated by the Department of Juvenile Justice or operated by a provider under contract with the department. The board shall use its evaluation research to make advisory recommendations to the Legislature, the Governor, and the department concerning the effectiveness and future funding priorities of juvenile justice programs.

(e) Advise the President of the Senate, the Speaker of the House of Representatives, the Governor, and the department on matters relating to this chapter.

(f) Serve as a clearinghouse to provide information and assistance to the district juvenile justice boards and county juvenile justice councils.

(g) Hold public hearings and inform the public of activities of the board and of the Department of Juvenile Justice, as appropriate.

(h) Monitor the delivery and use of services, programs, or facilities operated, funded, regulated, or licensed by the Department of Juvenile Justice for juvenile offenders or alleged juvenile offenders, and for prevention, diversion, or early intervention of delinquency, and to develop programs to educate the citizenry about such services, programs, and facilities and about the need and procedure for siting new facilities.

(i) Contract for consultants as necessary and appropriate. The board may apply for and receive grants for the purposes of conducting research and evaluation activities.

(j) Conduct such other activities as the board may determine are necessary and appropriate to monitor the effectiveness of the delivery of juvenile justice programs and services under this chapter.

(k) The board shall submit an annual report to the President of the Senate, the Speaker of the House of Representatives, the Governor, and the secretary of the department not later than February 15 of each calendar year, summarizing the activities and reports of the board for the preceding year, and any recommendations of the board for the following year.

(5) Each state agency shall provide assistance when requested by the board. The board shall have access to all records, files, and reports that are material to its duties and that are in the custody of a school board, a law enforcement agency, a state attorney, a public defender, the court, the Department of Children and Family Services, and the department.

Section 13. Section 11.241, Florida Statutes, is amended to read:

11.241 Permanent statutory revision plan created.—There is created a permanent statutory revision plan to be implemented and maintained under the supervision of the Office of Legislative Services ~~joint committee~~.

Section 14. Section 11.242, Florida Statutes, is amended to read:

11.242 Powers, duties, and functions as to statutory revision.—The powers, duties, and functions of the Office of Legislative Services ~~joint committee~~ in the operation and maintenance of a statutory revision program shall be as follows:

(1) To conduct a systematic and continuing study of the statutes and laws of this state for the purpose of reducing their number and bulk, removing inconsistencies, redundancies, and unnecessary repetitions and otherwise improving their clarity and facilitating their correct and proper interpretation; and for the same purpose, to prepare and submit to the Legislature reviser's bills and bills for the amendment, consolidation, revision, repeal, or other alterations or changes in any general statute or laws or parts thereof of a general nature and application of the preceding session or sessions which may appear to be subject to revision. Any revision, either complete, partial, or topical, prepared for submission to the Legislature shall be accompanied by revision and history notes relating to the same, showing the changes made therein and the reason for such recommended change.

(2) To carry on the arrangements and identification of the general statutes and laws of the state, as adopted in the Florida Statutes, and the contents of the same, by adding thereto, in the future and in proper place, all new matter belonging therein; this new material to be compiled, revised, and republished periodically in continuation of the present systems, matters, tables, and other material as contained in the Florida Statutes.

(3) Reviser's bills shall not deal with nor carry forward into the Florida Statutes any statute of any of the following classes:

(a) Statutes relating to, for, or concerning only one or more counties or parts thereof, except in cases where the subject matter of the statute relates to the creation or jurisdiction of state or county courts;

(b) Statutes relating to, for, or concerning and operative in only a portion of the state, except in cases where the subject matter of the statute relates to the creation or jurisdiction of state or county courts;

(c) Statutes relating to, for, or concerning only a certain municipal corporation;

(d) Statutes relating to, for or concerning only one or more designated individuals or corporations;

(e) Statutes incorporating a designated individual corporation or making a grant thereto;

(f) Road designation laws.

(4) The published edition of the Florida Statutes, shall contain the following:

(a) The Florida Statutes, as adopted and enacted, together with the laws of a general nature enacted at any current session of the Legislature and directed to be embodied in said edition.

(b) The Florida Constitution.

(c) Complete indexes of all the material in the statutes.

(d) Such other matters, notes, data, and other material as may be deemed necessary or admissible by the Division of Statutory Revision of the Office of Legislative Services ~~joint committee~~ for reference, convenience, or interpretation.

(5) In carrying on the work of statutory revision and in preparing the Florida Statutes for publication:

(a) All amendments made to any section or chapter, or any part thereof, of the Florida Statutes or session laws of this state by any current session of the Legislature, whenever such amendments in express terms refer to sections or chapters of said statutes or session laws, shall be incorporated with the body of the text of the Florida Statutes.

(b) All sections, chapters, or titles of the Florida Statutes or session laws of this state which are expressly repealed by any current session of the Legislature shall be omitted.

(c) All laws of a general and permanent nature which are of general application throughout the state enacted by any current session of the Legislature shall be compiled and included, assigning thereto in all appropriate places such chapter and section identification, by the decimal system of numbering heretofore embodied in the Florida Statutes, as is appropriate and proper, but all chapters and sections so compiled shall be indicated with a history note, clearly showing that said section or chapter was not a part of the revision at the time of its adoption and giving the proper legislative session law chapter and section number. The matter included under the authority of this subsection shall be incorporated as enacted in any current session and shall be prima facie evidence of such law in all courts of the state.

(d) Any two or more sections, chapters, or laws, or parts thereof, may be consolidated.

(e) Any section, chapter, or law, or part thereof, may be transferred from one location to another.

(f) The form or arrangement of any section, chapter, or law, or part thereof, may be altered or changed by transferring, combining, or dividing the same.

(g) Subsections, sections, chapters, and titles may be renumbered and reference thereto may be changed to agree with such renumbering.

(h) Grammatical, typographical and like errors may be corrected and additions, alterations, and omissions, not affecting the construction or meaning of the statutes or laws, may be freely made.

(i) All statutes and laws, or parts thereof, which have expired, become obsolete, been held invalid by a court of last resort, have had their effect or have served their purpose, or which have been repealed or superseded, either expressly or by implication, shall be omitted through the process of reviser's bills duly enacted by the Legislature.

(j) All statutes and laws general in form but of such local or limited application as to make their inclusion in the Florida Statutes or any revision or supplement thereof impracticable, undesirable or unnecessary shall be omitted therefrom, without effecting a repeal thereof.

(k) All things relating to form, position, order, or arrangement of the revision, not inconsistent with the Florida Statutes system, which may be found desirable or necessary for the improvement, betterment, or perfection of same, may be done.

(6) To award contracts from time to time for editorial work in the preparation of copy and other necessary material, and for printing as defined in s. 283.60; ~~to pay expenses only of members of revision committees appointed~~

by the joint committee to assist in revision of whole titles or chapters; and to pay for such other things as are authorized to be done and performed as part of a statutory revision program under the laws of this state.

(7) To exchange Florida Statutes, and other available publications, with the officers, boards, and agencies of other states and of the United States, and with other governments.

(8) To exercise all other powers, duties, and functions necessary or convenient for properly carrying out the provisions of this law and all other laws relating to statutory revision.

Section 15. Section 11.243, Florida Statutes, is amended to read:

11.243 Publishing Florida Statutes; price, sale.—

(1) The Office of Legislative Services ~~joint committee~~ shall continue the statutory revision system heretofore adopted in this state and shall bring the general acts of the Legislature within the revision system, as promptly after the adjournment of the legislative session as possible.

(2) All copies of the Florida Statutes shall be delivered by the printer to the Office of Legislative Services ~~joint committee~~, which shall distribute copies to the public and governmental entities, including the judicial branch, at a price to be fixed by the Office of Legislative Services ~~joint committee~~.

(3) All moneys collected ~~by the joint committee~~ from the sale of the Florida Statutes or other publications shall be deposited in the State Treasury and credited to the appropriation for legislative expense.

Section 16. Paragraph (c) of subsection (6) of section 11.70, Florida Statutes, is amended to read:

11.70 Legislative Committee on Intergovernmental Relations.—

(6) STAFF.—

(c) Upon request of the committee, the Office of Legislative Services ~~Joint Legislative Management Committee~~ is directed to provide office space and equipment as the committee deems necessary.

Section 17. Subsection (2) of section 13.01, Florida Statutes, is amended to read:

13.01 Commission on Interstate Cooperation.—

(2) The Florida Commissioners for the National Conference of Commissioners on Uniform State Laws appointed pursuant to s. 13.10 shall be ex officio honorary nonvoting members of this commission. The commission shall elect a chair and a vice chair from among its members. The director of the office of planning and budgeting in the Executive Office of the Governor shall serve ex officio as secretary of the Governor's committee, and an employee of the Office of Legislative Services ~~Joint Legislative Management Committee~~ designated by the coordinator ~~executive director~~ of the Office of

Legislative Services ~~Joint Legislative Management Committee~~ shall serve as secretary of the Joint Legislative Committee on Interstate Cooperation.

Section 18. Subsection (4) of section 13.10, Florida Statutes, is amended to read:

13.10 Commissioners to the National Conference of Commissioners on Uniform State Laws.—

(4) The coordinator executive director ~~of the Office of Legislative Services~~ ~~Joint Legislative Management Committee~~ shall designate an appropriate legislative employee to serve as an associate member and secretary to the Florida commissioners to the National Conference of Commissioners on Uniform State Laws. He or she shall prepare and sign all vouchers authorized by law and keep such records as directed by the commissioners.

Section 19. Subsection (1) of section 15.155, Florida Statutes, is amended to read:

15.155 Legislative documents; Department of State to classify, number, and furnish copies of general laws, special acts, resolutions, and memorials.—

(1) Immediately after any act of the Legislature or any resolution or memorial is filed in the office of the Department of State, the department shall:

(a) Select, segregate, and classify all acts of the Legislature, including memorials and resolutions, by dividing them into the following two classifications: Volume I, General Acts, and Volume II, Special Acts;

(b) Include in such General Acts all acts passed as general laws and all memorials and resolutions, including proposed constitutional amendments, and include in such Special Acts only those acts passed as special laws and becoming law as such;

(c) Assign a chapter number to each such act; and

(d) Furnish true and accurate copies of such laws, resolutions, and memorials passed by the Legislature to the Office of Legislative Services ~~Joint Legislative Management Committee~~ for publication.

Section 20. Paragraph (b) of subsection (6) of section 20.315, Florida Statutes, is amended to read:

20.315 Department of Corrections.—There is created a Department of Corrections.

(6) FLORIDA CORRECTIONS COMMISSION.—

(b) The primary functions of the commission are to:

1. Recommend major correctional policies for the Governor's approval, and assure that approved policies and any revisions thereto are properly executed.

2. Periodically review the status of the state correctional system and recommend improvements therein to the Governor and the Legislature.

3. Perform an in-depth review of the recommendations of the Sentencing Guidelines Commission on the need for changes in the guidelines and of any alternative proposals submitted by the Office Division of Economic and Demographic Research of the ~~Joint Legislative Management Committee~~ to revise statewide sentencing guidelines.

4. Annually perform an in-depth review of community-based intermediate sanctions and recommend to the Governor and the Legislature intergovernmental approaches through the Community Corrections Partnership Act for planning and implementing such sanctions and programs.

5. Perform an in-depth evaluation of the annual budget request of the Department of Corrections, the comprehensive correctional master plan, and the tentative construction program for compliance with all applicable laws and established departmental policies. The commission may not consider individual construction projects, but shall consider methods of accomplishing the department's goals in the most effective, efficient, and business-like manner.

6. Routinely monitor the financial status of the Department of Corrections to assure that the department is managing revenue and any applicable bond proceeds responsibly and in accordance with law and established policy.

7. Evaluate, at least quarterly, the efficiency, productivity, and management of the Department of Corrections, using performance and production standards developed by the department under subsection (18).

8. Provide public education on corrections and criminal justice issues.

9. Report to the President of the Senate, the Speaker of the House of Representatives, and the Governor by November 1 of each year. The first annual report of the commission shall be made by November 1, 1995.

Section 21. Effective October 1, 1998, paragraph (b) of subsection (6) of section 20.315, Florida Statutes, as amended by section 9 of chapter 97-194, Laws of Florida, is reenacted to read:

20.315 Department of Corrections.—There is created a Department of Corrections.

(6) FLORIDA CORRECTIONS COMMISSION.—

(b) The primary functions of the commission are to:

1. Recommend major correctional policies for the Governor's approval, and assure that approved policies and any revisions thereto are properly executed.

2. Periodically review the status of the state correctional system and recommend improvements therein to the Governor and the Legislature.

3. Annually perform an in-depth review of community-based intermediate sanctions and recommend to the Governor and the Legislature intergovernmental approaches through the Community Corrections Partnership Act for planning and implementing such sanctions and programs.

4. Perform an in-depth evaluation of the annual budget request of the Department of Corrections, the comprehensive correctional master plan, and the tentative construction program for compliance with all applicable laws and established departmental policies. The commission may not consider individual construction projects, but shall consider methods of accomplishing the department's goals in the most effective, efficient, and business-like manner.

5. Routinely monitor the financial status of the Department of Corrections to assure that the department is managing revenue and any applicable bond proceeds responsibly and in accordance with law and established policy.

6. Evaluate, at least quarterly, the efficiency, productivity, and management of the Department of Corrections, using performance and production standards developed by the department under subsection (18).

7. Provide public education on corrections and criminal justice issues.

8. Report to the President of the Senate, the Speaker of the House of Representatives, and the Governor by November 1 of each year.

Section 22. Subsection (1) of section 27.709, Florida Statutes, is amended to read:

27.709 Commission on the Administration of Justice in Capital Cases.—

(1)(a) There is created the Commission on the Administration of Justice in Capital Cases, which shall consist of the six following members:

1. Two members appointed by the Governor.

2. Two members appointed by the President of the Senate from the membership of the Senate. One member shall be a member of the majority party, and one member shall be a member of the minority party.

3. Two members appointed by the Speaker of the House of Representatives from the membership of the House of Representatives. One member shall be a member of the majority party, and one member shall be a member of the minority party.

(b) The chair of the commission shall be selected by the members for a term of 1 year.

(c) The commission shall meet quarterly, and other meetings may be called by the chair upon giving at least 7 days' notice to all members and the public.

(d) Members of the commission are entitled to per diem and travel expenses to be paid by the appointing entity.

(e) The initial members of the commission must be appointed on or before October 1, 1997. Members of the commission shall be appointed to serve terms of 4 years each, except that a member's term shall expire upon leaving office as a member of the Senate or the House of Representatives. Two of the initial members, one from the Senate and one from the House of Representatives, shall be appointed for terms of 2 years each. Two of the initial members, one from the Senate and one from the House of Representatives, shall be appointed for terms of 3 years each.

(f) The Office of Legislative Services Joint Legislative Management Committee shall provide staff support for the commission.

Section 23. Subsection (13) of section 112.061, Florida Statutes, is amended to read:

112.061 Per diem and travel expenses of public officers, employees, and authorized persons.—

(13) DIRECT PAYMENT OF EXPENSES BY AGENCY.—Whenever an agency requires an employee to incur either Class A or Class B travel on emergency notice to the traveler, such traveler may request the agency to pay his or her expenses for meals and lodging directly to the vendor, and the agency may pay the vendor the actual expenses for meals and lodging during the travel period, limited to an amount not to exceed that authorized pursuant to this section. In emergency situations, the agency head may authorize an increase in the amount paid for a specific meal, provided that the total daily cost of meals does not exceed the total amount authorized for meals each day. The agency head or his or her designee may also grant prior approval for a state agency to make direct payments of travel expenses in other situations that result in cost savings to the state, and such cost savings shall be documented in the voucher submitted to the Comptroller for the direct payment of travel expenses. The provisions of this subsection shall not be deemed to apply to any legislator or to any employee of ~~either house of the Legislature or of the Joint Legislative Management Committee.~~

Section 24. Subsection (4) of section 112.321, Florida Statutes, is amended to read:

112.321 Membership, terms; travel expenses; staff.—

(4) In accordance with the uniform personnel, job classification, and pay plan adopted with the approval of the President of the Senate and the Speaker of the House of Representatives and administered by the Office of Legislative Services Joint Legislative Management Committee pursuant to s. 11.147(4)(c), the commission shall employ an executive director and shall provide the executive director with necessary office space, assistants, and secretaries. Within the above uniform plan, decisions relating to hiring, promotion, demotion, and termination of commission employees shall be made by the commission or, if so delegated by the commission, by its executive director.

Section 25. Paragraph (d) of subsection (3) of section 119.15, Florida Statutes, is amended to read:

119.15 Legislative review of exemptions from public meeting and public records requirements.—

(3)

(d) In the year before the repeal of an exemption under this section, the Division of Statutory Revision of the Office of Legislative Services ~~Joint Legislative Management Committee~~ shall certify to the President of the Senate and the Speaker of the House of Representatives, by June 1, the language and statutory citation of each exemption scheduled for repeal the following year which meets the criteria of an exemption as defined in this section. Any exemption that is not identified and certified to the President of the Senate and the Speaker of the House of Representatives is not subject to legislative review and repeal under this section. If the division fails to certify an exemption that it subsequently determines should have been certified, it shall include the exemption in the following year's certification after that determination.

Section 26. Subsection (3) of section 218.60, Florida Statutes, is amended to read:

218.60 Definitions.—

(3) All estimates of moneys provided pursuant to this part utilized by participating units of local government in the first year of participation shall be equal to 95 percent of those projections made by the revenue estimating conference and provided to local governments by the ~~Office~~ Division of Economic and Demographic Research of the ~~Joint Legislative Management Committee~~, in consultation with the Department of Revenue.

Section 27. Subsection (5) of section 229.593, Florida Statutes, is amended to read:

229.593 Florida Commission on Education Reform and Accountability.—

(5) Members of the commission shall serve without compensation but are entitled to reimbursement for per diem and travel expenses incurred in the performance of their duties as provided in s. 112.061. Legislators are entitled to receive travel and per diem expenses as provided by the Office of Legislative Services ~~Joint Legislative Management Committee~~ for meetings of legislative committees. When appropriate, commission members who are parents are to receive a stipend for child care costs incurred while attending commission meetings.

Section 28. Subsection (7) of section 282.3091, Florida Statutes, is amended to read:

282.3091 State Technology Council; creation.—

(7) The council shall have the following duties and responsibilities:

(a) To develop a statewide vision for information resources management which shall be reflected in the State Annual Report on Information Resources Management.

(b) To recommend statewide policies to the Executive Office of the Governor, ~~and to the President of the Senate, and to the Speaker of the House of Representatives~~ Joint Legislative Information Technology Resource Committee.

(c) To recommend innovation in the state's use of technology to the Executive Office of the Governor, ~~and the President of the Senate, and the Speaker of the House of Representatives~~ Joint Legislative Information Technology Resource Committee.

(d) To identify, develop, and recommend solutions to address statewide technology issues to the Executive Office of the Governor, ~~and the President of the Senate, and the Speaker of the House of Representatives~~ Joint Legislative Information Technology Resource Committee.

(e) To create ad hoc issue-oriented workgroups to make recommendations to the council and to the Executive Office of the Governor. Such workgroups may include private and public sector representatives.

~~(f) To review, evaluate, and comment on proposals by the Joint Legislative Information Technology Resource Committee.~~

(f)(g) To consult with the Chief Information Officers Council.

(g)(h) To approve the State Annual Report on Information Resources Management.

(h)(i) To recommend memoranda on guidelines and best practices to the Executive Office of the Governor.

Section 29. Subsection (3) of section 282.310, Florida Statutes, is amended to read:

282.310 State Annual Report on Information Resources Management.—

(3) The state annual report shall be made available in writing or through electronic means to the Executive Office of the Governor, the President of the Senate, the Speaker of the House of Representatives, ~~the Joint Legislative Information Technology Resource Committee,~~ and the Chief Justice of the Supreme Court.

Section 30. Section 282.322, Florida Statutes, is amended to read:

282.322 Special monitoring process for designated information resources management projects.—For each information resources management project which is designated for special monitoring in the General Appropriations Act, with a proviso requiring a contract with a project monitor, the Technology Review Workgroup established pursuant to s. 216.0446, in consultation with each affected agency, shall be responsible for contracting with the project monitor. Upon contract award, funds equal to the contract amount shall be transferred to the Technology Review Workgroup upon request and subsequent approval of a budget amendment pursuant to s. 216.292. With the concurrence of the Legislative Auditing Committee, the office of the Auditor General shall be the project monitor for other projects designated

for special monitoring. However, nothing in this section precludes the Auditor General from conducting such monitoring on any project designated for special monitoring. In addition to monitoring and reporting on significant communications between a contracting agency and the appropriate federal authorities, the project monitoring process shall consist of evaluating each major stage of the designated project to determine whether the deliverables have been satisfied and to assess the level of risks associated with proceeding to the next stage of the project. The major stages of each designated project shall be determined based on the agency's information systems development methodology. Within 20 days after an agency has completed a major stage of its designated project, the project monitor shall issue a written report, including the findings and recommendations for correcting deficiencies, to the agency head, for review and comment. Within 20 days after receipt of the project monitor's report, the agency head shall submit a written statement of explanation or rebuttal concerning the findings and recommendations of the project monitor, including any corrective action to be taken by the agency. The project monitor shall include the agency's statement in its final report which shall be forwarded, within 7 days after receipt of the agency's statement, to the agency head, the inspector general's office of the agency, the Executive Office of the Governor, the appropriations committees of the Legislature, the Joint Legislative Auditing Committee, and the Technology Review Workgroup, and the Legislative Information Technology Resource Committee. The Auditor General shall also receive a copy of the project monitor's report for those projects in which the Auditor General is not the project monitor.

Section 31. Subsection (3) of section 350.031, Florida Statutes, is amended to read:

350.031 Florida Public Service Commission Nominating Council.—

(3) A majority of the membership of the council may conduct any business before the council. All meetings and proceedings of the council shall be staffed by the Office of Legislative Services ~~Joint Legislative Management Committee~~ and shall be subject to the provisions of ss. 119.07 and 286.011. Members of the council are entitled to receive per diem and travel expenses as provided in s. 112.061, which shall be funded by the Florida Public Service Regulatory Trust Fund. Applicants invited for interviews before the council may, in the discretion of the council, receive per diem and travel expenses as provided in s. 112.06, which shall be funded by the Florida Public Service Regulatory Trust Fund. The council shall establish policies and procedures to govern the process by which applicants are nominated.

Section 32. Subsection (8) of section 790.22, Florida Statutes, is amended to read:

790.22 Use of BB guns, air or gas-operated guns, or electric weapons or devices by minor under 16; limitation; possession of firearms by minor under 18 prohibited; penalties.—

(8) Notwithstanding s. 39.042 or s. 39.044(1), if a minor under 18 years of age is charged with an offense that involves the use or possession of a firearm, as defined in s. 790.001, other than a violation of subsection (3), or

is charged for any offense during the commission of which the minor possessed a firearm, the minor shall be detained in secure detention, unless the state attorney authorizes the release of the minor, and shall be given a hearing within 24 hours after being taken into custody. Effective April 15, 1994, at the hearing, the court may order that the minor continue to be held in secure detention in accordance with the applicable time periods specified in s. 39.044(5), if the court finds that the minor meets the criteria specified in s. 39.044(2), or if the court finds by clear and convincing evidence that the minor is a clear and present danger to himself or herself or the community. The Department of Juvenile Justice shall prepare a form for all minors charged under this subsection that states the period of detention and the relevant demographic information, including, but not limited to, the sex, age, and race of the minor; whether or not the minor was represented by private counsel or a public defender; the current offense; and the minor's complete prior record, including any pending cases. The form shall be provided to the judge to be considered when determining whether the minor should be continued in secure detention under this subsection. An order placing a minor in secure detention because the minor is a clear and present danger to himself or herself or the community must be in writing, must specify the need for detention and the benefits derived by the minor or the community by placing the minor in secure detention, and must include a copy of the form provided by the department. The Department of Juvenile Justice must send the form, including a copy of any order, without client-identifying information, to the ~~Office~~ Division of Economic and Demographic Research ~~of the Joint Legislative Management Committee.~~

Section 33. The Office of Legislative Services shall assume all rights, duties, and obligations of the Joint Legislative Management Committee under contracts in effect on the effective date of this act to which the committee is a party.

Section 34. There is hereby transferred to the Office of Legislative Services the unexpended balances of Specific Appropriations 1854 through 1857 of section 6, chapter 97-152, Laws of Florida, from the Joint Legislative Management Committee for Fiscal Year 1997-1998 upon the date this bill becomes law.

Section 35. This act shall take effect upon becoming a law.

Became a law without the Governor's approval May 22, 1998.

Filed in Office Secretary of State May 21, 1998.