

CHAPTER 2010-102

Committee Substitute for Committee Substitute for Senate Bill No. 1412

An act relating to obsolete or outdated agency plans, reports, and programs; repealing s. 13.01, F.S., which establishes the Florida Commission on Interstate Cooperation; repealing s. 13.02, F.S., which establishes the Senate Committee on Interstate Cooperation; repealing s. 13.03, F.S., which establishes the House of Representatives Committee on Interstate Cooperation; repealing s. 13.04, F.S., which provides terms and functions of both House and Senate standing committees; repealing s. 13.05, F.S., which establishes the Governor's Committee on Interstate Cooperation; repealing s. 13.06, F.S., which designates informal names of the committees and the Commission; repealing s. 13.07, F.S., which provides the functions of the commission; repealing s. 13.08, F.S., which establishes the powers and duties of the commission; repealing s. 13.09, F.S., which declares the Council of State Government to be a joint governmental agency of Florida and other states; transferring and renumbering s. 13.10, F.S., relating to the appointment of Commissioners to the National Conference of Commissioners on Uniform State Laws; repealing s. 13.90, F.S., which establishes the Florida Legislative Law Revision Council; repealing s. 13.91, F.S., which establishes the membership of the council; repealing s. 13.92, F.S., which establishes the term limits for members appointed to the council; repealing s. 13.93, F.S., which declares all serving members of the council eligible for reappointment; repealing s. 13.94, F.S., which designates the chair and vice chair of the council; repealing s. 13.95, F.S., which declares that the members of the council shall serve without compensation; repealing s. 13.96, F.S., which provides the functions of the council; repealing s. 13.97, F.S., which provides that the council shall be the recipient of proposed changes and may make recommendations on such proposals; repealing s. 13.98, F.S., which provides that the council submit a report of all actions taken at each regular session of the Legislature; repealing s. 13.99, F.S., regarding personnel of the council; repealing s. 13.992, F.S., which defines the powers of the council; repealing s. 13.993, F.S., which authorizes the council to procure information from state, municipal corporations, or governmental department agencies; repealing s. 13.994, F.S., which authorizes the council to create rules and regulations for the conduct of business; repealing s. 13.995, F.S., which requires appropriations to carry out the purposes of the council; repealing s. 13.996, F.S., which provides that the first duty of the council shall be to complete revision of the criminal laws of the state of Florida; repealing s. 14.25, F.S., relating to the Florida State Commission on Hispanic Affairs; amending s. 14.26, F.S.; revising reporting requirements of the Citizen's Assistance Office; repealing s. 14.27, F.S., relating to the Florida Commission on African-American Affairs; repealing s. 16.58, F.S., relating to the Florida Legal Resource Center; amending s. 17.32, F.S.; revising the recipients of the annual

report of trust funds by the Chief Financial Officer; amending s. 17.325, F.S.; deleting a reporting requirement relating to the governmental efficiency hotline; amending s. 20.057, F.S.; deleting a reporting requirement of the Governor relating to interagency agreements to delete duplication of inspections; repealing s. 20.316(4)(e), (f), and (g), F.S., relating to information systems of the Department of Juvenile Justice; amending s. 39.4086, F.S.; deleting provisions relating to a report by the State Courts Administrator on a guardian ad litem program for dependent children; amending s. 98.255, F.S.; deleting provisions relating to a report on the effectiveness of voter education programs; amending s. 110.1227, F.S.; revising provisions relating to a report by the board of directors of the Florida Long-Term-Care Plan; amending s. 120.542, F.S.; deleting provisions relating to reports of petitions filed for variances to agency rules; repealing s. 153.952, F.S., relating to legislative findings and intent concerning privately owned wastewater systems and facilities; amending s. 161.053, F.S.; deleting a provision relating to a report on the coastal construction control line; amending s. 161.161, F.S.; deleting a provision requiring a report on funding for beach erosion control; repealing s. 163.2526, F.S., relating to the review and evaluation of urban infill; amending s. 163.3167, F.S.; deleting provisions relating to local government comprehensive plans; amending s. 163.3177, F.S.; revising requirements for comprehensive plans; amending s. 163.3178, F.S.; deleting a duty of the Coastal Resources Interagency Management Committee to submit certain recommendations; repealing s. 163.519(12), F.S., relating to the requirement for a report on neighborhood improvement districts by the Department of Legal Affairs; repealing s. 186.007(9), F.S.; deleting provisions relating to a committee to recommend to the Governor changes in the state comprehensive plan; amending ss. 189.4035 and 189.412, F.S.; revising requirements relating to dissemination of the official list of special districts; amending s. 206.606, F.S.; revising provisions relating to a report on the Florida Boating Improvement Program; amending s. 212.054, F.S.; deleting the requirement for a report on costs of administering the discretionary sales surtax; amending s. 212.08, F.S.; deleting a requirement for a report on the sales tax exemption for machinery and equipment used in semiconductor, defense, or space technology production and research and development; repealing s. 213.0452, F.S., relating to a report on the structure of the Department of Revenue; repealing s. 213.054, F.S., relating to monitoring and reporting regarding persons claiming tax exemptions; amending s. 215.70, F.S.; requiring the State Board of Administration to report to the Governor when funds need to be appropriated to honor the full faith and credit of the state; amending s. 216.011, F.S.; redefining the term “long-range program plan”; repealing s. 216.181(10)(c), F.S., relating to reports of filled and vacant positions and salaries; amending s. 252.55, F.S.; revising certain reporting requirements relating to the Civil Air Patrol; amending s. 253.7825, F.S.; deleting provisions relating to the plan for the Cross Florida Greenways State Recreation and Conservation Area; repealing s. 253.7826, F.S., relating to structures of the Cross Florida Barge Canal; repealing s. 253.7829, F.S., relating to a management plan for retention or disposition of lands of the

Cross Florida Barge Canal; amending s. 259.037, F.S.; revising provisions relating to a report of the Land Management Uniform Accounting Council; repealing s. 267.074(4), F.S., relating to a plan for the State Historical Marker Program; repealing s. 284.50(3), F.S., relating to a requirement for a report by the Interagency Advisory Council on Loss Prevention and certain department heads; repealing s. 287.045(11), F.S., relating to a requirement for reports on use of recycled products; repealing s. 288.1185, F.S., relating to the Recycling Markets Advisory Committee; amending s. 288.1229, F.S.; revising duties of the direct-support organization to support sports-related industries and amateur athletics; repealing s. 288.7015(4), F.S., relating to a requirement for a report by the rules ombudsman in the Executive Office of the Governor; amending s. 288.7771, F.S.; revising a reporting requirement of the Florida Export Finance Corporation; repealing s. 288.8175(8), (10), and (11), F.S., relating to certain responsibilities of the Department of Education with respect to linkage institutes between postsecondary institutions in this state and foreign countries; repealing s. 288.853(5), F.S., relating to the requirement for a report on assistance to and commerce with Cuba; amending s. 288.904, F.S.; deleting an obsolete provision requiring the creation of advisory committees on international and small business issues; amending s. 288.95155, F.S.; revising requirements for a report by Enterprise Florida, Inc., on the Florida Small Business Technology Growth Program; amending s. 288.9604, F.S.; deleting a requirement for a report by the Florida Development Finance Corporation; amending s. 288.9610, F.S.; revising provisions relating to annual reporting by the corporation; amending s. 292.05, F.S.; revising requirements relating to a report by the Department of Veterans' Affairs; repealing ss. 296.16 and 296.39, F.S., relating to reports by the executive director of the Department of Veterans' Affairs; repealing s. 315.03(12)(c), F.S., relating to legislative review of a loan program of the Florida Seaport Transportation and Economic Development Council; amending s. 319.324, F.S.; deleting provisions relating to funding a report on odometer fraud prevention and detection; repealing s. 322.181, F.S., relating to a study by the Department of Highway Safety and Motor Vehicles on driving by the elderly; repealing s. 322.251(7)(c), F.S., relating to a plan to indemnify persons wanted for passing worthless bank checks; amending s. 373.0391, F.S.; deleting provisions relating to provision of certain information by water management districts; amending s. 373.046, F.S.; deleting an obsolete provision requiring a report by the Secretary of Environmental Protection; repealing s. 376.121(14), F.S., relating to a report by the Department of Environmental Protection on damage to natural resources; repealing s. 376.17, F.S., relating to reports of the department to the Legislature; repealing s. 376.30713(5), F.S., relating to a report on preapproved advanced cleanup; amending s. 379.2211, F.S.; revising provisions relating to a report by the Fish and Wildlife Conservation Commission on waterfowl permit revenues; amending s. 379.2212, F.S.; revising provisions relating to a report by the commission on wild turkey permit revenues; repealing s. 379.2523(8), F.S., relating to duties of the Fish and Wildlife Conservation Commission concerning an aquaculture plan; amending s. 380.06, F.S.; deleting

provisions on transmission of revisions relating to statewide guidelines and standards for developments of regional impact; repealing s. 380.0677(3), F.S., relating to powers of the Green Swamp Land Authority; repealing s. 381.0011(3), F.S., relating to an inclusion in the Department of Health's strategic plan; repealing s. 381.0036, F.S., relating to planning for implementation of educational requirements concerning HIV and AIDS; repealing s. 381.731, F.S., relating to strategic planning of the Department of Health; amending s. 381.795, F.S.; deleting provisions relating to studies by the Department of Health on long-term, community-based supports; amending s. 381.931, F.S.; deleting provisions relating to the duty of the Department of Health to develop a report on Medicaid expenditures; amending s. 383.19, F.S.; revising provisions relating to reports by hospitals contracting to provide perinatal intensive care services; repealing s. 383.21, F.S., relating to reviews of perinatal intensive care service programs; amending s. 383.2161, F.S.; revising requirements relating to a report by the Department of Health on maternal and child health; repealing s. 394.4573(4), F.S., relating to the requirement for a report by the Department of Children and Family Services on staffing state mental health facilities; amending s. 394.4985, F.S.; deleting provisions relating to plans by department districts; repealing s. 394.82, F.S., relating to the funding of expanded community mental health services; repealing s. 394.9083, F.S., relating to the Behavioral Health Services Integration Workgroup; repealing s. 395.807(2)(c), F.S., relating to requirements for a report on the retention of family practice residents; repealing s. 397.332(3), F.S., relating to the requirement for a report by the director of the Office of Drug Control; repealing s. 397.94(1), F.S., relating to children's substance abuse services plans by service districts of the Department of Children and Family Services; repealing s. 400.148(2), F.S., relating to a pilot program of the Agency for Health Care Administration for a quality-of-care contract management program; amending s. 400.967, F.S.; deleting provisions relating to a report by the Agency for Health Care Administration on intermediate care facilities for developmentally disabled persons; repealing s. 402.3016(3), F.S., relating to the requirement for a report by the agency on Early Head Start collaboration grants; repealing s. 402.40(9), F.S., relating to submission to the Legislature of certain information related to child welfare training; amending s. 403.4131, F.S.; deleting provisions relating to a report on the adopt-a-highway program; repealing s. 403.706(2)(d), F.S., relating to local government solid waste responsibilities; repealing s. 406.02(4)(a), F.S., relating to the requirement for a report by the Medical Examiners Commission; amending s. 408.033, F.S.; revising provisions relating to reports by local health councils; repealing s. 408.914(4), F.S., relating to the requirement of the Agency for Health Care Administration to submit to the Governor a plan on the comprehensive health and human services eligibility access system; repealing s. 408.915(3)(i), F.S., relating to the requirement for periodic reports on the pilot program for such access; repealing s. 408.917, F.S., relating to an evaluation of the pilot project; amending s. 409.1451, F.S.; revising requirements relating to reports on independent living transition services; repealing s. 409.152, F.S., relating to service integration and family

preservation; repealing s. 409.1679(1) and (2), F.S., relating to reports concerning residential group care services; amending s. 409.1685, F.S.; revising provisions relating to reports by the Department of Children and Family Services on children in foster care; repealing s. 409.221(4)(k), F.S., relating to reports on consumer-directed care; amending s. 409.25575, F.S.; deleting provisions relating to a report by the Department of Revenue regarding a quality assurance program for privatization of services; amending s. 409.2558, F.S.; deleting provisions relating to the Department of Revenue's solicitation of recommendations related to a rule on undistributable collections; repealing s. 409.441(3), F.S., relating to the state plan for the handling of runaway youths; amending s. 409.906, F.S.; deleting a requirement for reports of child-welfare-targeted case management projects; amending s. 409.912, F.S.; revising provisions relating to duties of the agency with respect to cost-effective purchasing of health care; repealing s. 410.0245, F.S., relating to a study of service needs of the disabled adult population; repealing s. 410.604(10), F.S., relating to a requirement for the Department of Children and Family Services to evaluate the community care for disabled adults program; amending s. 411.0102, F.S.; deleting provisions relating to use of child care purchasing pool funds; repealing s. 411.221, F.S., relating to prevention and early assistance; repealing s. 411.242, F.S., relating to the Florida Education Now and Babies Later program; amending s. 414.14, F.S.; deleting a provision relating to a report by the Secretary of Children and Family Services on public assistance policy simplification; repealing s. 414.36(1), F.S., relating to a plan for privatization of recovery of public assistance overpayment claims; repealing s. 414.391(3), F.S., relating to a plan for automated fingerprint imaging; amending s. 415.1045, F.S.; deleting a requirement for a study by the Office of Program Policy Analysis and Government Accountability on documentation of exploitation, abuse, or neglect; amending s. 420.622, F.S.; revising requirements relating to a report by the State Council on Homelessness; repealing s. 420.623(4), F.S., relating to the requirement of a report by the Department of Community Affairs on homelessness; amending s. 427.704, F.S.; revising requirements relating to a report by the Public Service Commission on a telecommunications access system; amending s. 427.706, F.S.; revising requirements relating to a report by the advisory committee on telecommunications access; amending s. 429.07, F.S.; deleting provisions relating to a report by the Department of Elderly Affairs on extended congregate care facilities; amending s. 429.41, F.S.; deleting provisions relating to a report concerning standards for assisted living facilities; amending s. 430.04, F.S.; revising duties of the Department of Elderly Affairs with respect to certain reports and recommendations; amending s. 430.502, F.S.; revising requirements with respect to reports by the Alzheimer's Disease Advisory Committee; amending s. 445.006, F.S.; deleting provisions relating to a strategic plan for workforce development; repealing s. 455.2226(8), F.S., relating to the requirement of a report by the Board of Funeral Directors and Embalmers; repealing s. 455.2228(6), F.S., relating to the requirement of reports by the Barbers' Board and the Board of Cosmetology; amending s. 456.005, F.S.; revising requirements relating to long-range planning by

professional boards; amending s. 456.025, F.S.; revising requirements relating to a report to professional boards by the Department of Health; repealing s. 456.034(6), F.S., relating to reports by professional boards about HIV and AIDS; amending s. 517.302, F.S.; deleting a requirement for a report by the Office of Financial Regulation on deposits into the Anti-Fraud Trust Fund; repealing s. 531.415(3), F.S., relating to the requirement of a report by the Department of Agriculture and Consumer Services on fees; repealing s. 570.0705(3), F.S., relating to the requirement of a report by the Commissioner of Agriculture concerning advisory committees; amending s. 570.0725, F.S.; requiring that the Department of Agriculture and Consumer Services submit an electronic report to the Legislature concerning support for food recovery programs; repealing s. 570.543(3), F.S., relating to legislative recommendations of the Florida Consumers' Council; amending s. 590.33, F.S.; deleting a reference to the Florida Commission on Interstate Cooperation to conform to changes made by the act; amending s. 603.204, F.S.; revising requirements relating to the South Florida Tropical Fruit Plan; amending s. 627.64872, F.S.; deleting provisions relating to an interim report by the board of directors of the Florida Health Insurance Plan; prohibiting the board from acting to implement the plan until certain funds are appropriated; amending s. 744.708, F.S.; revising provisions relating to audits of public guardian offices and to reports concerning those offices; amending s. 790.22, F.S.; deleting provisions relating to reports by the Department of Juvenile Justice concerning certain juvenile offenses that involve weapons; amending s. 943.125, F.S.; deleting provisions relating to reports by the Florida Sheriffs Association and the Florida Police Chiefs Association concerning law enforcement agency accreditation; amending s. 943.68, F.S.; revising requirements relating to reports by the Department of Law Enforcement concerning transportation and protective services; amending s. 944.801, F.S.; deleting a requirement to deliver to specified officials copies of certain reports concerning education of state prisoners; repealing s. 945.35(10), F.S., relating to the requirement of a report by the Department of Corrections concerning HIV and AIDS education; repealing s. 958.045(9), F.S., relating to a report by the department concerning youthful offenders; amending s. 960.045, F.S.; revising requirements relating to reports by the Department of Legal Affairs with respect to victims of crimes; repealing s. 985.02(8)(c), F.S., relating to the requirement of a study by the Office of Program Policy Analysis and Government Accountability on programs for young females within the Department of Juvenile Justice; amending s. 985.047, F.S.; deleting provisions relating to a plan by a multiagency task force on information systems related to delinquency; amending s. 985.47, F.S.; deleting provisions relating to a report on serious or habitual juvenile offenders; amending s. 985.483, F.S.; deleting provisions relating to a report on intensive residential treatment for offenders younger than 13 years of age; repealing s. 985.61(5), F.S., relating to a report by the Department of Juvenile Justice on early delinquency intervention; amending s. 985.622, F.S.; deleting provisions relating to submission of the multiagency plan for vocational education; repealing s. 985.632(7), F.S., relating to a report by the Department of

Juvenile Justice on funding incentives and disincentives; repealing s. 1003.61(4), F.S., relating to evaluation of a pilot attendance project in Manatee County; repealing s. 1004.50(6), F.S., relating to the requirement of a report by the Governor concerning unmet needs in urban communities; repealing s. 1006.0605, F.S., relating to students’ summer nutrition; repealing s. 1006.67, F.S., relating to a report of campus crime statistics; amending s. 1009.70, F.S.; deleting provisions relating to a report on a minority law school scholarship program; amending s. 1011.32, F.S.; requiring the Governor to be given a copy of a report related to the Community College Facility Enhancement Challenge Grant Program; amending s. 1011.62, F.S.; deleting provisions relating to recommendations for implementing the extended-school-year program; repealing s. 1012.05(2)(l), F.S., relating to a plan concerning teacher recruitment and retention; amending s. 1012.42, F.S.; deleting provisions relating to a plan of assistance for teachers teaching out-of-field; amending s. 1013.11, F.S.; deleting provisions relating to transmittal of a report on physical plant safety; amending ss. 161.142, 163.065, 163.2511, 163.2514, 163.3202, 259.041, 259.101, 369.305, 379.2431, 381.732, 381.733, 411.01, 411.232, and 445.006, F.S., conforming cross-references to changes made by the act; amending s. 1001.42, F.S.; deleting provisions that require each district school board to reduce paperwork and data collection and report its findings and potential solutions on reducing burdens associated with such collection; amending s. 1008.31, F.S.; requiring that the Commissioner of Education monitor and review the collection of paperwork, data, and reports by school districts; requiring that the commissioner complete an annual review of such collection by a specified date each year; requiring that the commissioner prepare a report, by a specified date each year, assisting the school districts with eliminating or consolidating paperwork, data, and reports by providing suggestions, technical assistance, and guidance; providing an effective date.

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

- Section 1. Section 13.01, Florida Statutes, is repealed.
- Section 2. Section 13.02, Florida Statutes, is repealed.
- Section 3. Section 13.03, Florida Statutes, is repealed.
- Section 4. Section 13.04, Florida Statutes, is repealed.
- Section 5. Section 13.05, Florida Statutes, is repealed.
- Section 6. Section 13.06, Florida Statutes, is repealed.
- Section 7. Section 13.07, Florida Statutes, is repealed.
- Section 8. Section 13.08, Florida Statutes, is repealed.
- Section 9. Section 13.09, Florida Statutes, is repealed.

Section 10. Section 13.10, Florida Statutes, is transferred and renumbered as section 11.249, Florida Statutes.

Section 11. Section 13.90, Florida Statutes, is repealed.

Section 12. Section 13.91, Florida Statutes, is repealed.

Section 13. Section 13.92, Florida Statutes, is repealed.

Section 14. Section 13.93, Florida Statutes, is repealed.

Section 15. Section 13.94, Florida Statutes, is repealed.

Section 16. Section 13.95, Florida Statutes, is repealed.

Section 17. Section 13.96, Florida Statutes, is repealed.

Section 18. Section 13.97, Florida Statutes, is repealed.

Section 19. Section 13.98, Florida Statutes, is repealed.

Section 20. Section 13.99, Florida Statutes, is repealed.

Section 21. Section 13.992, Florida Statutes, is repealed.

Section 22. Section 13.993, Florida Statutes, is repealed.

Section 23. Section 13.994, Florida Statutes, is repealed.

Section 24. Section 13.995, Florida Statutes, is repealed.

Section 25. Section 13.996, Florida Statutes, is repealed.

Section 26. Section 14.25, Florida Statutes, is repealed.

Section 27. Subsection (3) of section 14.26, Florida Statutes, is amended to read:

14.26 Citizen’s Assistance Office.—

(3) The Citizen’s Assistance Office shall report ~~make quarterly reports to the Governor on, which shall include:~~

(a) The number of complaints and investigations ~~and complaints made during the preceding quarter~~ and the disposition of such investigations.

(b) ~~Recommendations in the form of suggested legislation or suggested procedures for the alleviation of problems disclosed by investigations.~~

(b)(e) ~~A report including statistics which reflect~~ The types of complaints made and an assessment as to the cause of the complaints.

(c) Recommendations for the alleviation of the cause of complaints disclosed by investigations.

(d) ~~Such~~ Other information as the Executive Office of the Governor shall require.

Section 28. Section 14.27, Florida Statutes, is repealed.

Section 29. Section 16.58, Florida Statutes, is repealed.

Section 30. Subsection (1) of section 17.32, Florida Statutes, is amended to read:

17.32 Annual report of trust funds; duties of Chief Financial Officer.—

(1) On February 1 of each year, the Chief Financial Officer shall present to the Governor and the Legislature ~~President of the Senate and the Speaker of the House of Representatives~~ a report listing all trust funds as defined in s. 215.32. The report ~~must shall~~ contain the following data elements for each fund for the preceding fiscal year:

- (a) The fund code.
- (b) The title.
- (c) The fund type according to generally accepted accounting principles.
- (d) The statutory authority.
- (e) The beginning cash balance.
- (f) Direct revenues.
- (g) Nonoperating revenues.
- (h) Operating disbursements.
- (i) Nonoperating disbursements.
- (j) The ending cash balance.
- (k) The department and budget entity in which the fund is located.

Section 31. Subsection (1) of section 17.325, Florida Statutes, is amended to read:

17.325 Governmental efficiency hotline; duties of Chief Financial Officer.

(1) The Chief Financial Officer shall establish and operate a statewide toll-free telephone hotline to receive information or suggestions from the residents ~~citizens~~ of this state on how to improve the operation of government, increase governmental efficiency, and eliminate waste in government. ~~The Chief Financial Officer shall report each month to the~~

~~appropriations committee of the House of Representatives and of the Senate the information or suggestions received through the hotline and the evaluations and determinations made by the affected agency, as provided in subsection (3), with respect to such information or suggestions.~~

Section 32. Section 20.057, Florida Statutes, is amended to read:

20.057 Interagency agreements to delete duplication of inspections.—

(1) The Governor shall direct any department, the head of which is an officer or board appointed by and serving at the pleasure of the Governor, to enter into an interagency agreement ~~to that will~~ eliminate duplication of inspections among the departments that inspect the same type of facility or structure. Parties to the agreement may include departments ~~which are~~ headed by a Cabinet officer, the Governor and Cabinet, or a collegial body. The agreement shall:

(a) Authorize agents of one department to conduct inspections required to be performed by another department.

(b) Specify that agents of the department conducting the inspection have all powers relative to the inspection as the agents of the department on whose behalf the inspection is being conducted.

(c) Require that agents of the department conducting the inspection have sufficient knowledge of statutory and administrative inspection requirements to conduct a proper inspection.

(d) Specify that the departments ~~entering which have entered~~ into the agreement may ~~not~~ neither charge ~~or~~ nor accept any funds with respect to duties performed under the agreement which are in excess of the direct costs of conducting ~~the~~ such inspections.

(2) Before taking effect, an agreement entered into under this section must be approved by the Governor. Inspections conducted under an agreement ~~are~~ shall be deemed sufficient for enforcement purposes pursuant to the agreement or as otherwise provided by law.

~~(2) No later than 60 days prior to the beginning of the regular session, the Governor shall make an annual report to the President of the Senate and the Speaker of the House of Representatives regarding interagency agreements. The report shall identify each interagency agreement entered into under this section, and, for each agreement, shall describe the duplication eliminated, provide data that measures the effectiveness of inspections conducted under the interagency agreement, and estimate the cost savings that have resulted from the agreement. The report shall also describe obstacles encountered by any department in attempting to develop an interagency agreement and in performing duties resulting from an interagency agreement and shall recommend appropriate remedial legislative action.~~

Section 33. Paragraphs (e), (f), and (g) of subsection (4) of section 20.316, Florida Statutes, are repealed.

Section 34. Paragraph (h) of subsection (2) of section 39.4086, Florida Statutes, is amended to read:

39.4086 Pilot program for attorneys ad litem for dependent children.—

(2) RESPONSIBILITIES.—

(h) The Office of the State Courts Administrator shall conduct research and gather statistical information to evaluate the establishment, operation, and impact of the pilot program in meeting the legal needs of dependent children. In assessing the effects of the pilot program, including achievement of outcomes identified under paragraph (b), the evaluation must include a comparison of children within the Ninth Judicial Circuit who are appointed an attorney ad litem with those who are not. ~~The office shall submit a report to the Legislature and the Governor by October 1, 2001, and by October 1, 2002, regarding its findings. The office shall submit a final report by October 1, 2003, which must include an evaluation of the pilot program; findings on the feasibility of a statewide program; and recommendations, if any, for locating, establishing, and operating a statewide program.~~

Section 35. Subsections (1) and (3) of section 98.255, Florida Statutes, are amended to read:

98.255 Voter education programs.—

(1) ~~By March 1, 2002, The Department of State shall adopt rules prescribing minimum standards for nonpartisan voter education. In developing the rules, the department shall review current voter education programs within each county of the state. The standards shall, at a minimum, address, but are not limited to, the following subjects:~~

- (a) Voter registration;
- (b) Balloting procedures, absentee and polling place;
- (c) Voter rights and responsibilities;
- (d) Distribution of sample ballots; and
- (e) Public service announcements.

(3)(a) By December 15 of each general election year, each supervisor of elections shall report to the Department of State a detailed description of the voter education programs implemented and any other information that may be useful in evaluating the effectiveness of voter education efforts.

~~(b) The Department of State, upon receipt of such information, shall prepare a public report on the effectiveness of voter education programs and shall submit the report to the Governor, the President of the Senate, and the~~

Speaker of the House of Representatives by January 31 of each year following a general election.

(e) The department of State shall reexamine the rules adopted pursuant to subsection (1) and ~~use~~ consider the findings in ~~these reports~~ the report as a basis for ~~modifying the adopting modified rules to that~~ incorporate successful voter education programs and techniques, as necessary.

Section 36. Paragraph (a) of subsection (7) of section 110.1227, Florida Statutes, is amended to read:

110.1227 Florida Employee Long-Term-Care Plan Act.—

(7) The board of directors of the Florida Long-Term-Care Plan shall:

(a) Upon implementation, prepare an annual report of the plan, with the assistance of an actuarial consultant, to be submitted to the ~~Speaker of the House of Representatives, the President of the Senate, the Governor, and the Legislature~~ the Minority Leaders of the Senate and the House of Representatives.

Section 37. Subsection (9) of section 120.542, Florida Statutes, is amended to read:

120.542 Variances and waivers.—

(9) Each agency shall maintain a record of the type and disposition of each petition, including temporary or emergency variances and waivers, filed pursuant to this section. ~~On October 1 of each year, each agency shall file a report with the Governor, the President of the Senate, and the Speaker of the House of Representatives listing the number of petitions filed requesting variances to each agency rule, the number of petitions filed requesting waivers to each agency rule, and the disposition of all petitions. Temporary or emergency variances and waivers, and the reasons for granting or denying temporary or emergency variances and waivers, shall be identified separately from other waivers and variances.~~

Section 38. Section 153.952, Florida Statutes, is repealed.

Section 39. Subsections (3) through (22) of section 161.053, Florida Statutes, are amended to read:

161.053 Coastal construction and excavation; regulation on county basis.

(3) ~~It is the intent of the Legislature that any coastal construction control line that has not been updated since June 30, 1980, shall be considered a critical priority for reestablishment by the department. In keeping with this intent, the department shall notify the Legislature if all such lines cannot be reestablished by December 31, 1997, so that the Legislature may subsequently consider interim lines of jurisdiction for the remaining counties.~~

(3)(4) ~~A~~ Any coastal county or coastal municipality may establish coastal construction zoning and building codes in lieu of the provisions of this section ~~if, provided~~ such zones and codes are approved by the department as being adequate to preserve and protect the beaches and coastal barrier dunes adjacent to such beaches, which are under the jurisdiction of the department, from imprudent construction that will jeopardize the stability of the beach-dune system, accelerate erosion, provide inadequate protection to upland structures, endanger adjacent properties, or interfere with public beach access. Exceptions to locally established coastal construction zoning and building codes ~~may shall~~ not be granted unless previously approved by the department. ~~It is~~ The intent of this subsection ~~is~~ to provide for ~~the~~ local administration of established coastal construction control lines through approved zoning and building codes ~~if where~~ desired by local interests and where such local interests have, in the judgment of the department, sufficient funds and personnel to adequately administer the program. Should the department determine at any time that the program is inadequately administered, the department ~~may shall have authority to~~ revoke the authority granted to the county or municipality.

(4)(5) Except in those areas where local zoning and building codes have been established pursuant to subsection (3) (4), a permit to alter, excavate, or construct on property seaward of established coastal construction control lines may be granted by the department as follows:

(a) The department may authorize an excavation or erection of a structure at any coastal location as described in subsection (1) upon receipt of an application from a property ~~or and/or~~ riparian owner and upon the consideration of facts and circumstances, including:

1. Adequate engineering data concerning shoreline stability and storm tides related to shoreline topography;
2. Design features of the proposed structures or activities; and
3. Potential ~~effects~~ impacts of the location of ~~the such~~ structures or activities, including potential cumulative effects of ~~any~~ proposed structures or activities upon ~~the such~~ beach-dune system, which, in the opinion of the department, clearly justify ~~such~~ a permit.

(b) If in the immediate contiguous or adjacent area a number of existing structures have established a reasonably continuous and uniform construction line closer to the line of mean high water than the foregoing, and if the existing structures have not been unduly affected by erosion, a proposed structure may, ~~at the discretion of the department,~~ be permitted along such line on written authorization from the department ~~if the such~~ structure is also approved by the department. However, the department ~~may shall~~ not contravene setback requirements or zoning or building codes established by a county or municipality which are equal to, or more strict than, ~~the these~~ requirements provided in this subsection herein. This paragraph does not

prohibit the department from requiring structures to meet design and siting criteria established in paragraph (a) or in subsection (1) or subsection (2).

(c) The department may condition the nature, timing, and sequence of construction of permitted activities to provide protection to nesting sea turtles and hatchlings and their habitat, pursuant to s. 379.2431, and to native salt-resistant vegetation and endangered plant communities.

(d) The department may require ~~such~~ engineer certifications as necessary to ensure ~~assure~~ the adequacy of the design and construction of permitted projects.

(e) The department shall limit the construction of structures ~~that which~~ interfere with public access along the beach. However, the department may require, as a condition of ~~to~~ granting permits, the provision of alternative access ~~if when~~ interference with public access along the beach is unavoidable. The width of the ~~such~~ alternate access may not be required to exceed the width of the access that will be obstructed ~~as a result of the permit being granted~~.

(f) The department may, as a condition of ~~to~~ the granting of a permit ~~under this section~~, require mitigation, financial, or other assurances acceptable to the department ~~as may be necessary~~ to ensure ~~assure~~ performance of conditions of a permit or enter into contractual agreements to best assure compliance with any permit conditions. The department may also require notice of the permit conditions required and the contractual agreements entered into ~~pursuant to the provisions of this subsection~~ to be filed in the public records of the county in which the permitted activity is located.

~~(5)(6)~~(a) As used in this subsection, the term:

1. “Frontal dune” means the first natural or manmade mound or bluff of sand which is located landward of the beach and which has sufficient vegetation, height, continuity, and configuration to offer protective value.

2. “Seasonal high-water line” means the line formed by the intersection of the rising shore and the elevation of 150 percent of the local mean tidal range above local mean high water.

(b) After October 1, 1985, and notwithstanding any other provision of this part, the department, or a local government to which the department has delegated permitting authority pursuant to subsections ~~(3)~~ ~~(4)~~ and ~~(15)~~ ~~(16)~~, may ~~shall~~ not issue a ~~any~~ permit for any structure, other than a coastal or shore protection structure, minor structure, or pier, meeting the requirements of this part, or other than intake and discharge structures for a facility sited pursuant to part II of chapter 403, which is proposed for a location ~~that which~~, based on the department’s projections of erosion in the area, will be seaward of the seasonal high-water line within 30 years after the date of application for the ~~such~~ permit. The procedures for determining such erosion

shall be established by rule. In determining the area that ~~which~~ will be seaward of the seasonal high-water line in 30 years, the department may ~~shall~~ not include any areas landward of a coastal construction control line.

(c) ~~If~~ ~~Where~~ the application of paragraph (b) would preclude the construction of a structure, the department may issue a permit for a single-family dwelling for the parcel if ~~so long as~~:

- 1. The parcel ~~for which the single-family dwelling is proposed~~ was platted or subdivided by metes and bounds before the effective date of this section;
- 2. The owner of the parcel ~~for which the single-family dwelling is proposed~~ does not own another parcel immediately adjacent to and landward of the parcel for which the dwelling is proposed;
- 3. The proposed single-family dwelling is located landward of the frontal dune structure; and
- 4. The proposed single-family dwelling will be as far landward on its parcel as is practicable without being located seaward of or on the frontal dune.

(d) In determining the land areas that ~~which~~ will be below the seasonal high-water line within 30 years after the permit application date, the department shall consider the effect ~~impact~~ on the erosion rates of an existing beach nourishment or restoration project or of a beach nourishment or restoration project for which all funding arrangements have been made and all permits have been issued at the time the application is submitted. The department shall consider each year there is sand seaward of the erosion control line whether ~~that no~~ erosion took place that year. However, the seaward extent of the beach nourishment or restoration project beyond the erosion control line may ~~shall~~ not be considered in determining the applicable erosion rates. ~~Nothing in~~ This subsection does not ~~shall~~ prohibit the department from requiring structures to meet the ~~the~~ criteria established in subsection (1), subsection (2), or subsection (4) ~~(5)~~ or to be further landward than required by this subsection based on the criteria established in subsection (1), subsection (2), or subsection (4) ~~(5)~~.

(e) The department shall annually report to the Legislature the status of this program, including any changes to the previously adopted procedures for determining erosion projections.

~~(6)(7)~~ Any coastal structure erected, or excavation created, in violation of ~~the provisions of this section~~ is hereby declared to be a public nuisance; and such structure shall be ~~forthwith~~ removed or such excavation shall be ~~forthwith~~ refilled after written notice by the department directing such removal or filling. ~~If~~ ~~In the event~~ the structure is not removed or the excavation refilled within a reasonable time as directed, the department may remove such structure or fill such excavation at its own expense; and the

costs thereof shall become a lien ~~on~~ upon the property of the upland owner upon which ~~the~~ such unauthorized structure or excavation is located.

~~(7)~~(8) Any person, firm, corporation, or agent thereof who violates this section ~~commits is guilty of~~ a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, except that a person driving ~~a~~ any vehicle on, over, or across ~~a~~ any sand dune and damaging or causing to be damaged such sand dune or the vegetation growing thereon in violation of this section ~~commits is guilty of~~ a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. A person, firm, corporation, or agent thereof ~~commits shall be deemed guilty of~~ a separate offense for each day during any portion of which ~~a~~ any violation of this section is committed or continued.

~~(8)~~(9) ~~The provisions of~~ This section ~~does~~ do not apply to structures intended for shore protection purposes which are regulated by s. 161.041 or to structures existing or under construction ~~before~~ prior to the establishment of the coastal construction control line ~~if the as provided herein, provided such structures are~~ may not be materially altered except as provided in subsection (4) ~~(5)~~. Except for structures that have been materially altered, structures ~~determined to be~~ under construction at the time of the establishment or reestablishment of the coastal construction control line ~~are~~ shall be exempt from the provisions of this section. However, unless such an exemption has been judicially confirmed to exist ~~before~~ prior to April 10, 1992, the exemption shall last only for a period of 3 years from either the date of the determination of the exemption or April 10, 1992, whichever occurs later. The department may extend the exemption period for structures that require longer periods for completion ~~if of their construction, provided that construction during the initial exemption period is~~ has been continuous. For purposes of this subsection, ~~the term~~ "continuous" means following a reasonable sequence of construction without significant or unreasonable periods of work stoppage.

~~(9)~~(10) The department may ~~by regulation~~ exempt specifically described portions of the coastline from the provisions of this section ~~if, when in its judgment, such portions of coastline because of their nature are not subject to erosion of a substantially damaging effect to the public.~~

~~(10)~~(11) Pending the establishment of coastal construction control lines as provided herein, the provisions of s. 161.052 shall remain in force. However, upon the establishment of coastal construction control lines, or the establishment of coastal construction zoning and building codes as provided in subsection (3) ~~(4)~~, ~~the provisions of~~ s. 161.052 shall be superseded by the provisions of this section.

~~(11)~~(12)(a) The coastal construction control requirements defined in subsection (1) and the requirements of the erosion projections ~~in pursuant to~~ subsection (5) ~~(6)~~ do not apply to any modification, maintenance, or repair ~~of to~~ any existing structure within the limits of the existing foundation which does not require, involve, or include any additions to, or repair or

modification of, the existing foundation of that structure. Specifically excluded from this exemption are seawalls or other rigid coastal or shore protection structures and any additions or enclosures added, constructed, or installed below the first dwelling floor or lowest deck of the existing structure.

(b) Activities seaward of the coastal construction control line which are determined by the department not to cause a measurable interference with the natural functioning of the coastal system are exempt from the requirements of ~~in~~ subsection (4) (5).

(c) The department may establish exemptions from the requirements of this section for minor activities determined by the department not to have an adverse ~~effect~~ impacts on the coastal system. Examples of such activities include, but are not limited to:

1. Boat moorings;
2. Maintenance of existing beach-dune ~~beach/dune~~ vegetation;
3. The burial of seaweed, dead fish, whales, or other marine animals on the unvegetated beach;
4. The removal of piers or other derelict structures from the unvegetated beach or seaward of mean high water;
5. Temporary emergency vehicular access, if the affected ~~provided any impacted~~ area is immediately restored;
6. The removal of any existing structures or debris from the upland, if provided there is no excavation or disturbance to the existing topography or to beach-dune ~~beach/dune~~ vegetation;
7. Construction of ~~a any~~ new roof overhang extending no more than 4 feet beyond the confines of the existing foundation during modification, renovation, or reconstruction of a habitable structure within the confines of the existing foundation of that structure which does not include any additions to or modification of the existing foundation of that structure;
8. Minor and temporary excavation for the purpose of repairs to existing subgrade residential service utilities (e.g., water and sewer lines, septic tanks and drainfields, electrical and telephone cables, and gas lines), if provided ~~that~~ there is minimal disturbance and the ~~that~~ grade is restored with fill compatible in both coloration and grain size to the onsite material and any damaged or destroyed vegetation is restored using similar vegetation; and
9. Any other minor construction that has an effect ~~with impacts~~ similar to the above activities.

~~(12)(13)~~(a) Notwithstanding the coastal construction control requirements defined in subsection (1) or the erosion projection determined pursuant to subsection ~~(5)~~ (6), the department may, ~~at its discretion,~~ issue a permit for the repair or rebuilding within the confines of the original foundation of a major structure pursuant to ~~the provisions of subsection (4)~~ (5). Alternatively, the department may also, ~~at its discretion,~~ issue a permit for a more landward relocation or rebuilding of a damaged or existing structure if such relocation or rebuilding would not cause further harm to the beach-dune system, and if, in the case of rebuilding, ~~the such~~ rebuilding complies with ~~the provisions of subsection (4)~~ (5), and otherwise complies with ~~the provisions of this subsection.~~

(b) ~~Under no circumstances shall~~ The department may not permit such repairs or rebuilding that expands ~~expand~~ the capacity of the original structure seaward of the 30-year erosion projection established pursuant to subsection ~~(5)~~ (6).

(c) In reviewing applications for relocation or rebuilding, the department shall specifically consider changes in shoreline conditions, the availability of other relocation or rebuilding options, and the design adequacy of the project sought to be rebuilt.

(d) Permits issued under this subsection are ~~shall~~ not be considered precedential as to the issuance of subsequent permits.

~~(13)(14)~~ Concurrent with the establishment of a coastal construction control line and the ongoing administration of this chapter, the secretary of the department shall make recommendations to the Board of Trustees of the Internal Improvement Trust Fund concerning the purchase of the fee or any lesser interest in any lands seaward of the control line pursuant to the state's Save Our Coast, Conservation and Recreation Lands, or Outdoor Recreation Land acquisition programs; and, with respect to those control lines established pursuant to this section before ~~prior to~~ June 14, 1978, the secretary may make such recommendations.

~~(14)(15)~~ A coastal county or municipality fronting on the Gulf of Mexico, the Atlantic Ocean, or the Straits of Florida shall advise the department within 5 days after receipt of any permit application for construction or other activities proposed to be located seaward of the line established by the department pursuant to ~~the provisions of this section.~~ Within 5 days after receipt of such application, the county or municipality shall notify the applicant of the requirements for state permits.

~~(15)(16)~~ In keeping with the intent of subsection ~~(3)~~ (4), ~~and at the discretion of the department,~~ authority for permitting certain types of activities ~~that which~~ have been defined by the department may be delegated by the department to a coastal county or coastal municipality. Such partial delegation shall be narrowly construed to those particular activities specifically named in the delegation and agreed to by the affected county or municipality, ~~and~~ The delegation may be revoked by the department at

any time if it is determined that the delegation is improperly or inadequately administered.

~~(16)~~(17) The department may, at the request of a property owner, contract with ~~the~~ such property owner for an agreement, or modify an existing contractual agreement regulating development activities landward of a coastal construction control line, ~~if provided that nothing within the contractual agreement is consistent shall be inconsistent~~ with the design and siting provisions of this section. ~~In no case shall~~ The contractual agreement may not bind either party for a period longer than 5 years ~~following from~~ its date of execution. ~~Before~~ ~~Prior to~~ beginning ~~a~~ any construction activity covered by the agreement, the property owner must ~~shall~~ obtain the necessary authorization required by the agreement. The agreement may ~~shall~~ not authorize construction for:

(a) Major habitable structures ~~that which would~~ require construction beyond the expiration of the agreement, unless such construction is above the completed foundation; or

(b) Nonhabitable major structures or minor structures, unless such construction is ~~was~~ authorized at the same time as the habitable major structure.

~~(17)~~(18) The department may ~~is authorized to~~ grant areawide permits to local governments, other governmental agencies, and utility companies for special classes of activities in areas under their general jurisdiction or responsibility ~~if, so long as~~ these activities, due to the type, size, or temporary nature of the activity, will not cause measurable interference with the natural functioning of the ~~beach-dune~~ beach-dune system or with marine turtles or their nesting sites. Such activities ~~shall~~ include, but are ~~be~~ not be limited to: road repairs, not including new construction; utility repairs and replacements, or other minor activities necessary to provide utility services; beach cleaning; and emergency response. The department may adopt rules to establish criteria and guidelines for ~~use by~~ permit applicants. The department must ~~shall~~ require notice provisions appropriate to the type and nature of the activities for which the areawide permits are sought.

~~(18)~~(19) The department may ~~is authorized to~~ grant general permits for projects, including dune walkovers, decks, fences, landscaping, sidewalks, driveways, pool resurfacing, minor pool repairs, and other nonhabitable structures, ~~if the so long as these~~ projects, due to the type, size, or temporary nature of ~~the project~~, will not cause a measurable interference with the natural functioning of the beach-dune ~~beach-dune~~ system or with marine turtles or their nesting sites. ~~In no event shall~~ Multifamily habitable structures do not qualify for general permits. However, single-family habitable structures ~~that which~~ do not advance the line of existing construction and satisfy all siting and design requirements of this section may be eligible for a general permit ~~pursuant to this subsection~~. The department may adopt rules to establish criteria and guidelines for ~~use by~~ permit applicants.

(a) Persons wishing to use the general permits ~~must set forth in this subsection shall~~, at least 30 days before beginning any work, notify the department in writing on forms adopted by the department. The notice ~~must shall~~ include a description of the proposed project and supporting documents depicting the proposed project, its location, and other pertinent information as required by rule, to demonstrate that the proposed project qualifies for the requested general permit. Persons who undertake projects without proof of notice to the department, but whose projects would otherwise qualify for general permits, shall be considered ~~to have as being undertaken a project~~ without a permit and ~~are shall be~~ subject to enforcement pursuant to s. 161.121.

(b) Persons wishing to use a general permit must provide notice as required by the applicable local building code where the project will be located. If a building code requires no notice, any person wishing to use a general permit must, at a minimum, post a ~~sign describing the project~~ on the property at least 5 days ~~before commencing prior to the commencement of construction. The~~ a sign ~~must be at least no smaller than~~ 88 square inches, with letters no smaller than one-quarter inch, ~~describing the project.~~

~~(19)(20)~~(a) The department may suspend or revoke the use of a general or areawide permit for good cause, including: submission of false or inaccurate information in the notification for use of a general or areawide permit; violation of law, department orders, or rules relating to permit conditions; deviation from the specified activity or project indicated or the conditions for undertaking the activity or project; refusal of lawful inspection; or any other act ~~by on the permittee permittee's part in using the general or areawide permit~~ which results or may result in harm or injury to human health or welfare, or which causes harm or injury to animal, plant, or aquatic life or to property.

(b) The department shall have access to the permitted activity or project at reasonable times to inspect and determine compliance with the permit and department rules.

~~(20)(21)~~ The department ~~may is authorized to~~ adopt rules related to the ~~following provisions of this section:~~ establishment of coastal construction control lines; activities seaward of the coastal construction control line; exemptions; property owner agreements; delegation of the program; permitting programs; and violations and penalties.

~~(21)(22)~~ In accordance with ss. 553.73 and 553.79, and upon the effective date of the Florida Building Code, the provisions of this section which pertain to and govern the design, construction, erection, alteration, modification, repair, and demolition of public and private buildings, structures, and facilities shall be incorporated into the Florida Building Code. The Florida Building Commission ~~may shall have the authority to~~ adopt rules pursuant to ss. 120.536 and 120.54 ~~in order to administer implement~~ those provisions. This subsection does not limit or abrogate the right and authority of the department to require permits or to adopt and enforce environmental

standards, including, but not limited to, standards for ensuring the protection of the beach-dune system, proposed or existing structures, adjacent properties, marine turtles, native salt-resistant vegetation, endangered plant communities, and the preservation of public beach access.

Section 40. Subsection (2) of section 161.161, Florida Statutes, is amended to read:

161.161 Procedure for approval of projects.—

(2) ~~Annually Upon approval of the beach management plan, the secretary shall present to the Legislature President of the Senate, the Speaker of the House of Representatives, and the chairs of the legislative appropriations committees recommendations for funding of beach erosion control projects prioritized according to the. Such recommendations shall be presented to such members of the Legislature in the priority order specified in the plan and established pursuant to criteria established contained in s. 161.101(14).~~

Section 41. ~~Section 163.2526, Florida Statutes, is repealed.~~

Section 42. Subsection (2) of section 163.3167, Florida Statutes, is amended to read:

163.3167 Scope of act.—

(2) ~~Each local government shall prepare a comprehensive plan of the type and in the manner set out in this part aet or shall prepare amendments to its existing comprehensive plan to conform it to the requirements of this part and in the manner set out in this part. Each local government, In accordance with the procedures in s. 163.3184, each local government shall submit to the state land planning agency its complete proposed comprehensive plan or its complete comprehensive plan as proposed to be amended to the state land planning agency by the date specified in the rule adopted by the state land planning agency pursuant to this subsection. The state land planning agency shall, prior to October 1, 1987, adopt a schedule of local governments required to submit complete proposed comprehensive plans or comprehensive plans as proposed to be amended. Such schedule shall specify the exact date of submission for each local government, shall establish equal, staggered submission dates, and shall be consistent with the following time periods:~~

~~(a) Beginning on July 1, 1988, and on or before July 1, 1990, each county that is required to include a coastal management element in its comprehensive plan and each municipality in such a county; and~~

~~(b) Beginning on July 1, 1989, and on or before July 1, 1991, all other counties or municipalities.~~

~~Nothing herein shall preclude the state land planning agency from permitting by rule a county together with each municipality in the county from submitting a proposed comprehensive plan earlier than the dates~~

~~established in paragraphs (a) and (b). Any county or municipality that fails to meet the schedule set for submission of its proposed comprehensive plan by more than 90 days shall be subject to the sanctions described in s. 163.3184(11)(a) imposed by the Administration Commission. Notwithstanding the time periods established in this subsection, the state land planning agency may establish later deadlines for the submission of proposed comprehensive plans or comprehensive plans as proposed to be amended for a county or municipality which has all or a part of a designated area of critical state concern within its boundaries; however, such deadlines shall not be extended to a date later than July 1, 1991, or the time of designation, whichever is earlier.~~

Section 43. Paragraph (h) of subsection (6) and paragraph (k) of subsection (10) of section 163.3177, Florida Statutes, are amended to read:

163.3177 Required and optional elements of comprehensive plan; studies and surveys.—

(6) In addition to the requirements of subsections (1)-(5) and (12), the comprehensive plan shall include the following elements:

(h)1. An intergovernmental coordination element showing relationships and stating principles and guidelines to be used in coordinating the accomplishment of coordination of the adopted comprehensive plan with the plans of school boards, regional water supply authorities, and other units of local government providing services but not having regulatory authority over the use of land, with the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region, with the state comprehensive plan and with the applicable regional water supply plan approved pursuant to s. 373.0361, as the case may require and as such adopted plans or plans in preparation may exist. This element of the local comprehensive plan must shall demonstrate consideration of the particular effects of the local plan, when adopted, upon the development of adjacent municipalities, the county, adjacent counties, or the region, or upon the state comprehensive plan, as the case may require.

a. The intergovernmental coordination element must shall provide procedures for identifying and implementing to identify and implement joint planning areas, especially for the purpose of annexation, municipal incorporation, and joint infrastructure service areas.

b. The intergovernmental coordination element must shall provide for recognition of campus master plans prepared pursuant to s. 1013.30 and airport master plans under paragraph (k).

c. The intergovernmental coordination element shall provide for a dispute resolution process, as established pursuant to s. 186.509, for bringing ~~to closure in a timely manner~~ intergovernmental disputes to closure in a timely manner.

d. The intergovernmental coordination element shall provide for inter-local agreements as established pursuant to s. 333.03(1)(b).

2. The intergovernmental coordination element shall also further state principles and guidelines to be used in coordinating the accomplishment of coordination of the adopted comprehensive plan with the plans of school boards and other units of local government providing facilities and services but not having regulatory authority over the use of land. In addition, the intergovernmental coordination element must ~~shall~~ describe joint processes for collaborative planning and decisionmaking on population projections and public school siting, the location and extension of public facilities subject to concurrency, and siting facilities with countywide significance, including locally unwanted land uses whose nature and identity are established in an agreement. Within 1 year after ~~of~~ adopting their intergovernmental coordination elements, each county, all the municipalities within that county, the district school board, and any unit of local government service providers in that county shall establish by interlocal or other formal agreement executed by all affected entities, the joint processes described in this subparagraph consistent with their adopted intergovernmental coordination elements.

3. To foster coordination between special districts and local general-purpose governments as local general-purpose governments implement local comprehensive plans, each independent special district must submit a public facilities report to the appropriate local government as required by s. 189.415.

4.a. Local governments shall execute an interlocal agreement with the district school board, the county, and nonexempt municipalities pursuant to s. 163.31777. The local government shall amend the intergovernmental coordination element to ensure ~~provide~~ that coordination between the local government and school board is pursuant to the agreement and shall state the obligations of the local government under the agreement.

b. Plan amendments that comply with this subparagraph are exempt from the provisions of s. 163.3187(1).

5. ~~The state land planning agency shall establish a schedule for phased completion and transmittal of plan amendments to implement subparagraphs 1., 2., and 3. from all jurisdictions so as to accomplish their adoption by December 31, 1999. A local government may complete and transmit its plan amendments to carry out these provisions prior to the scheduled date established by the state land planning agency. The plan amendments are exempt from the provisions of s. 163.3187(1).~~

5.6. By January 1, 2004, any county having a population greater than 100,000, and the municipalities and special districts within that county, shall submit a report to the Department of Community Affairs which identifies:

a. ~~Identifies~~ All existing or proposed interlocal service delivery agreements ~~relating to regarding the following~~: education; sanitary sewer; public safety; solid waste; drainage; potable water; parks and recreation; and transportation facilities.

b. ~~Identifies~~ Any deficits or duplication in the provision of services within its jurisdiction, whether capital or operational. Upon request, the Department of Community Affairs shall provide technical assistance to the local governments in identifying deficits or duplication.

~~6.7.~~ Within 6 months after submission of the report, the Department of Community Affairs shall, through the appropriate regional planning council, coordinate a meeting of all local governments within the regional planning area to discuss the reports and potential strategies to remedy any identified deficiencies or duplications.

~~7.8.~~ Each local government shall update its intergovernmental coordination element based upon the findings in the report submitted pursuant to subparagraph ~~5. 6.~~ The report may be used as supporting data and analysis for the intergovernmental coordination element.

(10) The Legislature recognizes the importance and significance of chapter 9J-5, Florida Administrative Code, the Minimum Criteria for Review of Local Government Comprehensive Plans and Determination of Compliance of the Department of Community Affairs that will be used to determine compliance of local comprehensive plans. The Legislature reserved unto itself the right to review chapter 9J-5, Florida Administrative Code, and to reject, modify, or take no action relative to this rule. Therefore, pursuant to subsection (9), the Legislature hereby has reviewed chapter 9J-5, Florida Administrative Code, and expresses the following legislative intent:

(k) ~~In order for So that~~ local governments are able to prepare and adopt comprehensive plans with knowledge of the rules that ~~are will be~~ applied to determine consistency of the plans with provisions of this part, it is the intent of the Legislature that there should be no doubt as to the legal standing of chapter 9J-5, Florida Administrative Code, at the close of the 1986 legislative session. Therefore, the Legislature declares that changes made to chapter 9J-5 ~~before, Florida Administrative Code, prior to~~ October 1, 1986, ~~are shall not~~ be subject to rule challenges under s. 120.56(2), or to drawout proceedings under s. 120.54(3)(c)2. The entire chapter 9J-5, Florida Administrative Code, as amended, ~~is shall be~~ subject to rule challenges under s. 120.56(3), as nothing herein ~~indicates shall be construed to indicate~~ approval or disapproval of any portion of chapter 9J-5, Florida Administrative Code, not specifically addressed herein. ~~No challenge pursuant to s. 120.56(3) may be filed from July 1, 1987, through April 1, 1993.~~ Any amendments to chapter 9J-5, Florida Administrative Code, exclusive of the amendments adopted prior to October 1, 1986, pursuant to this act, shall be subject to the full chapter 120 process. All amendments shall have effective dates as provided in chapter 120 and submission to the President of the Senate and Speaker of the House of Representatives shall not be required.

Section 44. Subsection (6) of section 163.3178, Florida Statutes, is amended to read:

163.3178 Coastal management.—

(6) Local governments are encouraged to adopt countywide marina siting plans to designate sites for existing and future marinas. The Coastal Resources Interagency Management Committee, at the direction of the Legislature, shall identify incentives to encourage local governments to adopt such siting plans and uniform criteria and standards to be used by local governments to implement state goals, objectives, and policies relating to marina siting. These criteria must ensure that priority is given to water-dependent land uses. ~~The Coastal Resources Interagency Management Committee shall submit its recommendations regarding local government incentives to the Legislature by December 1, 1993.~~ Countywide marina siting plans must be consistent with state and regional environmental planning policies and standards. Each local government in the coastal area which participates in the adoption of a countywide marina siting plan shall incorporate the plan into the coastal management element of its local comprehensive plan.

Section 45. Subsection (12) of section 163.519, Florida Statutes, is repealed.

Section 46. Subsection (9) of section 186.007, Florida Statutes, is repealed.

Section 47. Subsection (5) of section 189.4035, Florida Statutes, is amended to read:

189.4035 Preparation of official list of special districts.—

(5) The official list of special districts shall be available on the department's website ~~distributed by the department on October 1 of each year to the President of the Senate, the Speaker of the House of Representatives, the Auditor General, the Department of Revenue, the Department of Financial Services, the Department of Management Services, the State Board of Administration, counties, municipalities, county property appraisers, tax collectors, and supervisors of elections and to all interested parties who request the list.~~

Section 48. Subsection (2) of section 189.412, Florida Statutes, is amended to read:

189.412 Special District Information Program; duties and responsibilities.—The Special District Information Program of the Department of Community Affairs is created and has the following special duties:

(2) The maintenance of a master list of independent and dependent special districts which shall be available on the department's website

~~annually updated and distributed to the appropriate officials in state and local governments.~~

Section 49. Paragraph (b) of subsection (1) of section 206.606, Florida Statutes, is amended to read:

206.606 Distribution of certain proceeds.—

(1) Moneys collected pursuant to ss. 206.41(1)(g) and 206.87(1)(e) shall be deposited in the Fuel Tax Collection Trust Fund. Such moneys, after deducting the service charges imposed by s. 215.20, the refunds granted pursuant to s. 206.41, and the administrative costs incurred by the department in collecting, administering, enforcing, and distributing the tax, which administrative costs may not exceed 2 percent of collections, shall be distributed monthly to the State Transportation Trust Fund, except that:

(b) ~~Annually~~, \$2.5 million shall be transferred to the State Game Trust Fund in the Fish and Wildlife Conservation Commission ~~in each fiscal year~~ and used for recreational boating activities, and freshwater fisheries management and research. The transfers must be made in equal monthly amounts beginning on July 1 of each fiscal year. The commission shall annually determine where unmet needs exist for boating-related activities, and may fund such activities in counties where, due to the number of vessel registrations, sufficient financial resources are unavailable.

1. A minimum of \$1.25 million shall be used to fund local projects to provide recreational channel marking and other uniform waterway markers, public boat ramps, lifts, and hoists, marine railways, and other public launching facilities, derelict vessel removal, and other local boating-related activities. In funding the projects, the commission shall give priority consideration ~~to as follows~~:

a. Unmet needs in counties ~~having~~ with populations of 100,000 or ~~fewer~~ less.

b. Unmet needs in coastal counties ~~having~~ with a high level of boating-related activities from individuals residing in other counties.

2. The remaining \$1.25 million may be used for recreational boating activities and freshwater fisheries management and research.

3. The commission ~~may is authorized to~~ adopt rules pursuant to ~~ss. 120.536(1) and 120.54~~ to ~~administer~~ implement a Florida Boating Improvement Program.

~~On February 1 of each year, The commission shall prepare and make available on its Internet website file an annual report with the President of the Senate and the Speaker of the House of Representatives outlining the status of its Florida Boating Improvement Program, including the projects funded, and a list of counties whose needs are unmet due to insufficient financial resources from vessel registration fees.~~

Section 50. Paragraph (b) of subsection (4) of section 212.054, Florida Statutes, is amended to read:

212.054 Discretionary sales surtax; limitations, administration, and collection.—

(4)

(b) The proceeds of a discretionary sales surtax collected by the selling dealer located in a county ~~imposing which imposes~~ the surtax shall be returned, less the cost of administration, to the county where the selling dealer is located. The proceeds shall be transferred to the Discretionary Sales Surtax Clearing Trust Fund. A separate account shall be established in the ~~such~~ trust fund for each county imposing a discretionary surtax. The amount deducted for the costs of administration ~~may shall~~ not exceed 3 percent of the total revenue generated for all counties levying a surtax authorized in s. 212.055. The amount deducted for the costs of administration ~~may shall~~ be used only for ~~those costs that which~~ are solely and directly attributable to the surtax. The total cost of administration shall be prorated among those counties levying the surtax on the basis of the amount collected for a particular county to the total amount collected for all counties. ~~No later than March 1 of each year, the department shall submit a written report which details the expenses and amounts deducted for the costs of administration to the President of the Senate, the Speaker of the House of Representatives, and the governing authority of each county levying a surtax. The department shall distribute the moneys in the trust fund each month to the appropriate counties each month,~~ unless otherwise provided in s. 212.055.

Section 51. Paragraph (j) of subsection (5) of section 212.08, Florida Statutes, is amended to read:

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

(5) EXEMPTIONS; ACCOUNT OF USE.—

(j) *Machinery and equipment used in semiconductor, defense, or space technology production.*—

1.a. Industrial machinery and equipment used in semiconductor technology facilities certified under subparagraph 5. to manufacture, process, compound, or produce semiconductor technology products for sale or for use by these facilities are exempt from the tax imposed by this chapter. For purposes of this paragraph, industrial machinery and equipment includes molds, dies, machine tooling, other appurtenances or accessories to machinery and equipment, testing equipment, test beds, computers, and software,

whether purchased or self-fabricated, and, if self-fabricated, includes materials and labor for design, fabrication, and assembly.

b. Industrial machinery and equipment used in defense or space technology facilities certified under subparagraph 5. to design, manufacture, assemble, process, compound, or produce defense technology products or space technology products for sale or for use by these facilities are exempt from the tax imposed by this chapter.

2. Building materials purchased for use in manufacturing or expanding clean rooms in semiconductor-manufacturing facilities are exempt from the tax imposed by this chapter.

3. In addition to meeting the criteria mandated by subparagraph 1. or subparagraph 2., a business must be certified by the Office of Tourism, Trade, and Economic Development as ~~authorized in this paragraph~~ in order to qualify for exemption under this paragraph.

4. For items purchased tax-exempt pursuant to this paragraph, possession of a written certification from the purchaser, certifying the purchaser's entitlement to the exemption ~~pursuant to this paragraph~~, relieves the seller of the responsibility of collecting the tax on the sale of such items, and the department shall look solely to the purchaser for recovery of the tax if it determines that the purchaser was not entitled to the exemption.

5.a. To be eligible to receive the exemption provided by subparagraph 1. or subparagraph 2., a qualifying business entity shall ~~apply~~ initially apply to Enterprise Florida, Inc. The original certification ~~is~~ shall be valid for a period of 2 years. In lieu of submitting a new application, the original certification may be renewed biennially by submitting to the Office of Tourism, Trade, and Economic Development a statement, certified under oath, that there has been no material change in the conditions or circumstances entitling the business entity to the original certification. The initial application and the certification renewal statement shall be developed by the Office of Tourism, Trade, and Economic Development in consultation with Enterprise Florida, Inc.

b. Enterprise Florida, Inc., shall review each submitted initial application ~~and information~~ and determine whether or not the application is complete within 5 working days. Once an ~~application~~ is complete, Enterprise Florida, Inc., shall, within 10 working days, evaluate the application and recommend approval or disapproval ~~of the application~~ to the Office of Tourism, Trade, and Economic Development.

c. Upon receipt of the initial application and recommendation from Enterprise Florida, Inc., or upon receipt of a certification renewal statement, the Office of Tourism, Trade, and Economic Development shall certify within 5 working days those applicants who are found to meet the requirements of this section and notify the applicant, Enterprise Florida, Inc., and the department of the original certification or certification renewal. If the Office

of Tourism, Trade, and Economic Development finds that the applicant does not meet the requirements of this section, it shall notify the applicant and Enterprise Florida, Inc., within 10 working days that the application for certification has been denied and the reasons for denial. The Office of Tourism, Trade, and Economic Development has final approval authority for certification under this section.

d. The initial application and certification renewal statement must indicate, for program evaluation purposes only, the average number of full-time equivalent employees at the facility over the preceding calendar year, the average wage and benefits paid to those employees over the preceding calendar year, the total investment made in real and tangible personal property over the preceding calendar year, and the total value of tax-exempt purchases and taxes exempted during the previous year. The department shall assist the Office of Tourism, Trade, and Economic Development in evaluating and verifying information provided in the application for exemption.

e. The Office of Tourism, Trade, and Economic Development may use the information reported on the initial application and certification renewal statement for evaluation purposes only and shall prepare an annual report on the exemption program and its cost and impact. The annual report for the preceding fiscal year shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by September 30 of each fiscal year.

6. A business certified to receive this exemption may elect to designate one or more state universities or community colleges as recipients of up to 100 percent of the amount of the exemption for which they may qualify. To receive these funds, the institution must agree to match the funds so earned with equivalent cash, programs, services, or other in-kind support on a one-to-one basis for in the pursuit of research and development projects as requested by the certified business. The rights to any patents, royalties, or real or intellectual property must be vested in the business unless otherwise agreed to by the business and the university or community college.

7. As used in this paragraph, the term:

a. "Semiconductor technology products" means raw semiconductor wafers or semiconductor thin films that are transformed into semiconductor memory or logic wafers, including wafers containing mixed memory and logic circuits; related assembly and test operations; active-matrix flat panel displays; semiconductor chips; semiconductor lasers; optoelectronic elements; and related semiconductor technology products as determined by the Office of Tourism, Trade, and Economic Development.

b. "Clean rooms" means manufacturing facilities enclosed in a manner that meets the clean manufacturing requirements necessary for high-technology semiconductor-manufacturing environments.

c. “Defense technology products” means products that have a military application, including, but not limited to, weapons, weapons systems, guidance systems, surveillance systems, communications or information systems, munitions, aircraft, vessels, or boats, or components thereof, which are intended for military use and manufactured in performance of a contract with the United States Department of Defense or the military branch of a recognized foreign government or a subcontract thereunder which relates to matters of national defense.

d. “Space technology products” means products that are specifically designed or manufactured for application in space activities, including, but not limited to, space launch vehicles, space flight vehicles, missiles, satellites or research payloads, avionics, and associated control systems and processing systems and components of any of the foregoing. The term does not include products that are designed or manufactured for general commercial aviation or other uses even though those products may also serve an incidental use in space applications.

Section 52. Section 213.0452, Florida Statutes, is repealed.

Section 53. Section 213.054, Florida Statutes, is repealed.

Section 54. Subsection (3) of section 215.70, Florida Statutes, is amended to read:

215.70 State Board of Administration to act in case of defaults.—

(3) ~~It shall be the duty of~~ The State Board of Administration shall to monitor the debt service accounts for bonds issued pursuant to this act. The board shall advise the ~~Governor and~~ Legislature of any projected need to appropriate funds to honor the pledge of full faith and credit of the state. The report must ~~shall~~ include the estimated amount of appropriations needed, the estimated maximum amount of appropriations needed, and a contingency appropriation request for each bond issue.

Section 55. Paragraph (z) of subsection (1) of section 216.011, Florida Statutes, is amended to read:

216.011 Definitions.—

(1) For the purpose of fiscal affairs of the state, appropriations acts, legislative budgets, and approved budgets, each of the following terms has the meaning indicated:

(z) “Long-range program plan” means a plan developed pursuant to s. 216.013 on an annual basis by each state agency that is policy based, priority driven, accountable, and developed through careful examination and justification of all programs and their associated costs. Each plan is developed by examining the needs of agency customers and clients and proposing programs and associated costs to address those needs based on state priorities as established by law, the agency mission, and legislative

~~authorization. The plan provides the framework and context for preparing the legislative budget request and includes performance indicators for evaluating the impact of programs and agency performance.~~

Section 56. Paragraph (c) of subsection (10) of section 216.181, Florida Statutes, is repealed.

Section 57. Subsection (5) of section 252.55, Florida Statutes, is amended to read:

252.55 Civil Air Patrol, Florida Wing.—

~~(5) The wing commander of the Florida Wing of the Civil Air Patrol shall biennially furnish the Bureau of Emergency Management a 2-year annual projection of the goals and objectives of the Civil Air Patrol which shall for the following year. These will be reported to the Governor in the division's biennial annual report submitted pursuant to s. 252.35 of the division on February 1 of each year.~~

Section 58. Subsection (1) of section 253.7825, Florida Statutes, is amended to read:

253.7825 Recreational uses.—

~~(1) The Cross Florida Greenways State Recreation and Conservation Area must be managed as a multiple-use area pursuant to s. 253.034(2)(a), and as further provided in this section herein. The University of Florida Management Plan provides a conceptual recreational plan that may ultimately be developed at various locations throughout the greenways corridor. The plan proposes to locate a number of the larger, more comprehensive and complex recreational facilities in sensitive, natural resource areas. Future site-specific studies and investigations must be conducted by the department to determine compatibility with, and potential for adverse impact to, existing natural resources, need for the facility, the availability of other alternative locations with reduced adverse impacts to existing natural resources, and the proper specific sites and locations for the more comprehensive and complex facilities. Furthermore, it is appropriate, with the approval of the department, to allow more fishing docks, boat launches, and other user-oriented facilities to be developed and maintained by local governments.~~

Section 59. Section 253.7826, Florida Statutes, is repealed.

Section 60. Section 253.7829, Florida Statutes, is repealed.

Section 61. Subsection (4) of section 259.037, Florida Statutes, is amended to read:

259.037 Land Management Uniform Accounting Council.—

(4) The council shall provide a report of the agencies' expenditures pursuant to the adopted categories to the President of the Senate and the Speaker of the House of Representatives annually, beginning July 1, 2001. The council shall also provide this report to the Acquisition and Restoration Council and the division for inclusion in its annual report required pursuant to s. 259.036.

Section 62. Subsection (4) of section 267.074, Florida Statutes, is repealed.

Section 63. Subsection (3) of section 284.50, Florida Statutes, is repealed.

Section 64. Subsection (11) of section 287.045, Florida Statutes, is repealed.

Section 65. Section 288.1185, Florida Statutes, is repealed.

Section 66. Paragraph (e) of subsection (8) of section 288.1229, Florida Statutes, is amended to read:

288.1229 Promotion and development of sports-related industries and amateur athletics; direct-support organization; powers and duties.—

(8) To promote amateur sports and physical fitness, the direct-support organization shall:

(e) Promote Florida as a host for national and international amateur athletic competitions. ~~As part of this effort, the direct-support organization shall:~~

~~1.—Assist and support Florida cities or communities bidding or seeking to host the Summer Olympics or Pan American Games.~~

~~2.—Annually report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the status of the efforts of cities or communities bidding to host the Summer Olympics or Pan American Games, including, but not limited to, current financial and infrastructure status, projected financial and infrastructure needs, and recommendations for satisfying the unmet needs and fulfilling the requirements for a successful bid in any year that the Summer Olympics or Pan American Games are held in this state.~~

Section 67. Subsection (4) of section 288.7015, Florida Statutes, is repealed.

Section 68. Section 288.7771, Florida Statutes, is amended to read:

288.7771 Annual report of Florida Export Finance Corporation.—By March 31 of each year, The corporation shall annually prepare and submit to Enterprise Florida, Inc., for inclusion in its annual report required by s. 288.095 the Governor, the President of the Senate, the Speaker of the House

of Representatives, the Senate Minority Leader, and the House Minority Leader a complete and detailed report setting forth:

- (1) The report required in s. 288.776(3).
- (2) Its assets and liabilities at the end of its most recent fiscal year.

Section 69. Subsections (8), (10), and (11) of section 288.8175, Florida Statutes, are repealed.

Section 70. Subsection (5) of section 288.853, Florida Statutes, is repealed.

Section 71. Paragraph (1) of subsection (1) of section 288.904, Florida Statutes, is amended to read:

288.904 Powers of the board of directors of Enterprise Florida, Inc.—

(1) The board of directors of Enterprise Florida, Inc., shall have the power to:

(1) ~~Create and dissolve advisory committees, working groups, task forces, or similar organizations, as necessary to carry out the mission of Enterprise Florida, Inc. By August 1, 1999, Enterprise Florida, Inc., shall establish an advisory committee on international business issues, and an advisory committee on small business issues. These committees shall be comprised of individuals representing the private sector and the public sector with expertise in the respective subject areas. The purpose of the committees shall be to guide and advise Enterprise Florida, Inc., on the development and implementation of policies, strategies, programs, and activities affecting international business and small business. The advisory committee on international business and the advisory committee on small business shall meet at the call of the chairperson or vice chairperson of the board of directors of Enterprise Florida, Inc., but shall meet at least quarterly. Meetings of the advisory committee on international business and the advisory committee on small business may be held telephonically; however, meetings of the committees that are held in person shall be rotated at different locations around the state to ensure participation of local and regional economic development practitioners and other members of the public. Members of advisory committees, working groups, task forces, or similar organizations created by Enterprise Florida, Inc., shall serve without compensation, but may be reimbursed for reasonable, necessary, and actual expenses, as determined by the board of directors of Enterprise Florida, Inc.~~

Section 72. Subsection (5) of section 288.95155, Florida Statutes, is amended to read:

288.95155 Florida Small Business Technology Growth Program.—

(5) ~~By January 1 of each year, Enterprise Florida, Inc., shall prepare and include in its annual report required by s. 288.095 a report on the financial~~

status of the program and the account and shall submit a copy of the report to the board of directors of Enterprise Florida, Inc., the appropriate legislative committees responsible for economic development oversight, and the appropriate legislative appropriations subcommittees. The report must shall specify the assets and liabilities of the program account within the current fiscal year and must shall include a portfolio update that lists all of the businesses assisted, the private dollars leveraged by each business assisted, and the growth in sales and in employment of each business assisted.

Section 73. Paragraph (c) of subsection (4) of section 288.9604, Florida Statutes, is amended to read:

288.9604 Creation of the authority.—

(4)

(c) The directors of the corporation shall annually elect one of their members as chair and one as vice chair. The corporation may employ a president, technical experts, and such other agents and employees, permanent and temporary, as it requires and determine their qualifications, duties, and compensation. For such legal services as it requires, the corporation may employ or retain its own counsel and legal staff. ~~The corporation shall file with the governing body of each public agency with which it has entered into an interlocal agreement and with the Governor, the Speaker of the House of Representatives, the President of the Senate, the Minority Leaders of the Senate and House of Representatives, and the Auditor General, on or before 90 days after the close of the fiscal year of the corporation, a report of its activities for the preceding fiscal year, which report shall include a complete financial statement setting forth its assets, liabilities, income, and operating expenses as of the end of such fiscal year.~~

Section 74. Section 288.9610, Florida Statutes, is amended to read:

288.9610 Annual reports of Florida Development Finance Corporation. ~~On or before 90 days after the close of By December 1 of each year, the Florida Development Finance Corporation's fiscal year, the corporation shall submit to the Governor, the Legislature President of the Senate, the Speaker of the House of Representatives, the Senate Minority Leader, the House Minority Leader, the Auditor General, and the governing body of each public entity with which it has entered into an interlocal agreement city or county activating the Florida Development Finance Corporation a complete and detailed report setting forth:~~

(1) The results of any audit conducted pursuant to s. 11.45 ~~evaluation required in s. 11.45(3)(j).~~

(2) The activities, operations, and accomplishments of the Florida Development Finance Corporation, including the number of businesses assisted by the corporation.

(3) Its assets, and liabilities, income, and operating expenses at the end of its most recent fiscal year, including a description of all of its outstanding revenue bonds.

Section 75. Subsection (6) of section 292.05, Florida Statutes, is amended to read:

292.05 Duties of Department of Veterans' Affairs.—

(6) The department shall, ~~by~~ on December 31 of each year, submit ~~make~~ an annual written report to the Governor, ~~the Cabinet, and the Legislature which describes:~~ of the state, the Speaker of the House of Representatives, and the President of the Senate, which report shall show

(a) The expenses incurred in veteran service work in the state; the number, nature, and kind of cases handled by the department and by county and city veteran service officers of the state; the amounts of benefits obtained for veterans; the names and addresses of all certified veteran service officers, including county and city veteran service officers. The report ~~must~~ shall also describe the actions taken by the department in implementing subsections (4), (5), and (7) and ~~include shall contain such~~ other information and recommendations as ~~may appear to the department~~ requires to be right and proper.

(b) The current status of the department's domiciliary and nursing homes established pursuant to chapter 296, including all receipts and expenditures, the condition of the homes, the number of residents received and discharged during the preceding year, occupancy rates, staffing, and any other information necessary to provide an understanding of the management, conduct, and operation of the homes.

Section 76. Section 296.16, Florida Statutes, is repealed.

Section 77. Section 296.39, Florida Statutes, is repealed.

Section 78. Paragraph (c) of subsection (12) of section 315.03, Florida Statutes, is repealed.

Section 79. Subsection (2) of section 319.324, Florida Statutes, is amended to read:

319.324 Odometer fraud prevention and detection; funding.—

(2) Moneys deposited into the Highway Safety Operating Trust Fund under this section shall be used to implement and maintain efforts by the department to prevent and detect odometer fraud, including the prompt investigation of alleged instances of odometer mileage discrepancies reported by licensed motor vehicle dealers, auctions, or purchasers of motor vehicles. ~~Such moneys shall also be used to fund an annual report to the Legislature by the Department of Highway Safety and Motor Vehicles, summarizing the~~

department's investigations and findings. In addition, moneys deposited into the fund may be used by the department for general operations.

Section 80. Section 322.181, Florida Statutes, is repealed.

Section 81. Paragraph (c) of subsection (7) of section 322.251, Florida Statutes, is repealed.

Section 82. Section 373.0391, Florida Statutes, is amended to read:

373.0391 Technical assistance to local governments.—

(1) The water management districts shall assist local governments in the development and future revision of local government comprehensive plan elements or public facilities report as required by s. 189.415, related to water resource issues.

(2) ~~By July 1, 1991, each water management district shall prepare and provide information and data to assist local governments in the preparation and implementation of their local government comprehensive plans or public facilities report as required by s. 189.415, whichever is applicable. Such information and data shall include, but not be limited to:~~

~~(a) All information and data required in a public facilities report pursuant to s. 189.415.~~

~~(b) A description of regulations, programs, and schedules implemented by the district.~~

~~(c) Identification of regulations, programs, and schedules undertaken or proposed by the district to further the State Comprehensive Plan.~~

~~(d) A description of surface water basins, including regulatory jurisdictions, flood-prone areas, existing and projected water quality in water management district operated facilities, as well as surface water runoff characteristics and topography regarding flood plains, wetlands, and recharge areas.~~

~~(e) A description of groundwater characteristics, including existing and planned wellfield sites, existing and anticipated cones of influence, highly productive groundwater areas, aquifer recharge areas, deep well injection zones, contaminated areas, an assessment of regional water resource needs and sources for the next 20 years, and water quality.~~

~~(f) The identification of existing and potential water management district land acquisitions.~~

~~(g) Information reflecting the minimum flows for surface water courses to avoid harm to water resources or the ecosystem and information reflecting the minimum water levels for aquifers to avoid harm to water resources or the ecosystem.~~

Section 83. Subsection (4) of section 373.046, Florida Statutes, is amended to read:

373.046 Interagency agreements.—

(4) The Legislature recognizes and affirms the division of responsibilities between the department and the water management districts as set forth in ss. III. and X. of each of the operating agreements codified as rules 17-101.040(12)(a)3., 4., and 5., Florida Administrative Code. Section IV.A.2.a. of each operating agreement regarding individual permit oversight is rescinded. The department ~~is~~ shall be responsible for permitting those activities under part IV of this chapter which, because of their complexity and magnitude, need to be economically and efficiently evaluated at the state level, including, but not limited to, mining, hazardous waste management facilities, and solid waste management facilities that do not qualify for a general permit under chapter 403. With regard to postcertification information submittals for activities authorized under chapters 341 and 403 siting act certifications, the department, after consultation with the appropriate water management district and other agencies having applicable regulatory jurisdiction, shall determine be responsible for determining the permittee's compliance with conditions of certification which are were based upon the nonprocedural requirements of part IV of this chapter. ~~The Legislature authorizes~~ The water management districts and the department may to modify the division of responsibilities referenced in this section and enter into further interagency agreements by rulemaking, including incorporation by reference, pursuant to chapter 120, to provide for greater efficiency and to avoid duplication in the administration of part IV of this chapter by designating ~~certain~~ activities that which will be regulated by either the water management districts or the department. In developing such interagency agreements, the water management districts and the department shall consider should take into consideration the technical and fiscal ability of each water management district to implement all or some of the provisions of part IV of this chapter. ~~This subsection does not rescind or restrict~~ Nothing herein ~~rescinds or restricts~~ the authority of the districts to regulate silviculture and agriculture pursuant to part IV of this chapter or s. 403.927. ~~By December 10, 1993, the secretary of the department shall submit a report to the President of the Senate and the Speaker of the House of Representatives regarding the efficiency of the procedures and the division of responsibilities contemplated by this subsection and regarding progress toward the execution of further interagency agreements and the integration of permitting with sovereignty lands approval. The report also will consider the feasibility of improving the protection of the environment through comprehensive criteria for protection of natural systems.~~

Section 84. Subsection (14) of section 376.121, Florida Statutes, is repealed.

Section 85. Section 376.17, Florida Statutes, is repealed.

Section 86. Subsection (5) of section 376.30713, Florida Statutes, is repealed.

Section 87. Subsection (2) of section 379.2211, Florida Statutes, is amended to read:

379.2211 Florida waterfowl permit revenues.—

(2) The intent of this section is to expand waterfowl research and management and increase waterfowl populations in the state without detracting from other programs. The commission shall prepare and make available on its Internet website an annual report documenting the use of funds generated under the provisions of this section, ~~to be submitted to the Governor, the Speaker of the House of Representatives, and the President of the Senate on or before September 1 of each year.~~

Section 88. Subsection (2) of section 379.2212, Florida Statutes, is amended to read:

379.2212 Florida wild turkey permit revenues.—

(2) The intent of this section is to expand wild turkey research and management and to increase wild turkey populations in the state without detracting from other programs. The commission shall prepare and make available on its Internet website an annual report documenting the use of funds generated under the provisions of this section, ~~to be submitted to the Governor, the Speaker of the House of Representatives, and the President of the Senate on or before September 1 of each year.~~

Section 89. Subsection (8) of section 379.2523, Florida Statutes, is repealed.

Section 90. Paragraph (a) of subsection (2) of section 380.06, Florida Statutes, is amended to read:

380.06 Developments of regional impact.—

(2) STATEWIDE GUIDELINES AND STANDARDS.—

(a) The state land planning agency shall recommend to the Administration Commission specific statewide guidelines and standards for adoption pursuant to this subsection. The Administration Commission shall by rule adopt statewide guidelines and standards to be used in determining whether particular developments shall undergo development-of-regional-impact review. The statewide guidelines and standards previously adopted by the Administration Commission and approved by the Legislature shall remain in effect unless revised pursuant to this section or superseded by other provisions of law. ~~Revisions to the present statewide guidelines and standards, after adoption by the Administration Commission, shall be transmitted on or before March 1 to the President of the Senate and the Speaker of the House of Representatives for presentation at the next regular~~

session of the Legislature. Unless approved by law by the Legislature, the revisions to the present guidelines and standards shall not become effective.

Section 91. Subsection (3) of section 380.0677, Florida Statutes, is repealed.

Section 92. Subsection (3) of section 381.0011, Florida Statutes, is repealed.

Section 93. Section 381.0036, Florida Statutes, is repealed.

Section 94. Section 381.731, Florida Statutes, is repealed.

Section 95. Section 381.795, Florida Statutes, is amended to read:

381.795 Long-term community-based supports.—The department shall, contingent upon specific appropriations for these purposes, establish:

~~(1) Study the long-term needs for community-based supports and services for individuals who have sustained traumatic brain or spinal cord injuries. The purpose of this study is to prevent inappropriate residential and institutional placement of these individuals, and promote placement in the most cost effective and least restrictive environment. Any placement recommendations for these individuals shall ensure full utilization of and collaboration with other state agencies, programs, and community partners. This study shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives not later than December 31, 2000.~~

~~(2) Based upon the results of this study, establish a plan for the implementation of a program of long-term community-based supports and services for individuals who have sustained traumatic brain or spinal cord injuries and who may be subject to inappropriate residential and institutional placement as a direct result of such injuries.~~

~~(1)(a) The program shall be payor of last resort for program services, and expenditures for such services shall be considered funded services for purposes of s. 381.785; however, notwithstanding s. 381.79(5), proceeds resulting from this subsection shall be used solely for this program.~~

~~(2)(b) The department shall adopt create, by rule, procedures to ensure, that if in the event the program is unable to directly or indirectly provide such services to all eligible individuals due to lack of funds, those individuals most at risk of suffering to suffer the greatest harm from an imminent inappropriate residential or institutional placement are served first.~~

~~(3)(c) Every applicant or recipient of the long-term community-based supports and services program must shall have been a resident of the state for 1 year immediately preceding application and be a resident of the state at the time of application.~~

~~(4)(d) The department shall adopt rules pursuant to ss. 120.536(1) and 120.54 to administer implement the provision of this section subsection.~~

Section 96. Section 381.931, Florida Statutes, is amended to read:

~~381.931 Annual report on Medicaid expenditures.—The Department of Health and the Agency for Health Care Administration shall monitor the total Medicaid expenditures for services made under this act. If Medicaid expenditures are projected to exceed the amount appropriated by the Legislature, the Department of Health shall limit the number of screenings to ensure Medicaid expenditures do not exceed the amount appropriated. The Department of Health, in cooperation with the Agency for Health Care Administration, shall prepare an annual report that must include the number of women screened; the percentage of positive and negative outcomes; the number of referrals to Medicaid and other providers for treatment services; the estimated number of women who are not screened or not served by Medicaid due to funding limitations, if any; the cost of Medicaid treatment services; and the estimated cost of treatment services for women who were not screened or referred for treatment due to funding limitations. The report shall be submitted to the President of the Senate, the Speaker of the House of Representatives, and the Executive Office of the Governor by March 1 of each year.~~

Section 97. Subsection (6) of section 383.19, Florida Statutes, is amended to read:

383.19 Standards; funding; ineligibility.—

~~(6) Each hospital that ~~which~~ contracts with the department to provide services under the terms of ss. 383.15-383.21 shall prepare and submit to the department an annual report that includes, but is not limited to, the number of clients served and the costs of services in the center. The department shall annually conduct a programmatic and financial evaluation of each center.~~

Section 98. ~~Section 383.21, Florida Statutes, is repealed.~~

Section 99. Section 383.2161, Florida Statutes, is amended to read:

~~383.2161 Maternal and child health report.—The Department of Health annually shall annually compile and analyze the risk information collected by the Office of Vital Statistics and the district prenatal and infant care coalitions and shall maintain county and statewide data on ~~prepare and submit to the Legislature by January 2 a report that includes, but is not limited to:~~~~

- ~~(1) The number of families identified as families at potential risk;~~
- ~~(2) The number of families receiving that receive family outreach services;~~
- ~~(3) The increase in demand for services; and~~

(4) The unmet need for services for identified target groups.

Section 100. Subsection (4) of section 394.4573, Florida Statutes, is repealed.

Section 101. Subsection (1) of section 394.4985, Florida Statutes, is amended to read:

394.4985 Districtwide information and referral network; implementation.—

(1) Each service district of the Department of Children and Family Services shall develop a detailed implementation plan for a districtwide comprehensive child and adolescent mental health information and referral network to be operational by July 1, 1999. The plan must include an operating budget that demonstrates cost efficiencies and identifies funding sources for the district information and referral network. ~~The plan must be submitted by the department to the Legislature by October 1, 1998.~~ The district shall use existing district information and referral providers if, in the development of the plan, it is concluded that these providers would deliver information and referral services in a more efficient and effective manner when compared to other alternatives. The district information and referral network must include:

(a) A resource file that contains information about the child and adolescent mental health services as described in s. 394.495, including, but not limited to:

1. Type of program;
2. Hours of service;
3. Ages of persons served;
4. Program description;
5. Eligibility requirements; and
6. Fees.

(b) Information about private providers and professionals in the community who ~~which~~ serve children and adolescents with an emotional disturbance.

(c) A system to document requests for services which ~~that~~ are received through the network referral process, including, but not limited to:

1. Number of calls by type of service requested;
2. Ages of the children and adolescents for whom services are requested; and

3. Type of referral made by the network.

(d) The ability to share client information with the appropriate community agencies.

~~(e) The submission of an annual report to the department, the Agency for Health Care Administration, and appropriate local government entities, which contains information about the sources and frequency of requests for information, types and frequency of services requested, and types and frequency of referrals made.~~

Section 102. Section 394.82, Florida Statutes, is repealed.

Section 103. Section 394.9083, Florida Statutes, is repealed.

Section 104. Paragraph (c) of subsection (2) of section 395.807, Florida Statutes, is repealed.

Section 105. Subsection (3) of section 397.332, Florida Statutes, is repealed.

Section 106. Subsection (1) of section 397.94, Florida Statutes, is repealed.

Section 107. Subsection (2) of section 400.148, Florida Statutes, is repealed.

Section 108. Paragraph (a) of subsection (2) of section 400.967, Florida Statutes, is amended to read:

400.967 Rules and classification of deficiencies.—

(2) Pursuant to the intention of the Legislature, the agency, in consultation with the Agency for Persons with Disabilities and the Department of Elderly Affairs, shall adopt and enforce rules to administer this part and part II of chapter 408, which shall include reasonable and fair criteria governing:

(a) The location and construction of the facility; including fire and life safety, plumbing, heating, cooling, lighting, ventilation, and other housing conditions that will ensure the health, safety, and comfort of residents. The agency shall establish standards for facilities and equipment to increase the extent to which new facilities and a new wing or floor added to an existing facility after July 1, 2000, are structurally capable of serving as shelters only for residents, staff, and families of residents and staff, and equipped to be self-supporting during and immediately following disasters. ~~The Agency for Health Care Administration shall work with facilities licensed under this part and report to the Governor and the Legislature by April 1, 2000, its recommendations for cost-effective renovation standards to be applied to existing facilities. In making such rules, the agency shall be guided by criteria recommended by nationally recognized, reputable professional groups and associations having knowledge concerning such subject matters.~~

The agency shall update or revise the ~~such~~ criteria as the need arises. All facilities must comply with those lifesafety code requirements and building code standards applicable at the time of approval of their construction plans. The agency may require alterations to a building if it determines that an existing condition constitutes a distinct hazard to life, health, or safety. The agency shall adopt fair and reasonable rules setting forth conditions under which existing facilities undergoing additions, alterations, conversions, renovations, or repairs are required to comply with the most recent updated or revised standards.

Section 109. Subsection (3) of section 402.3016, Florida Statutes, is repealed.

Section 110. Subsection (9) of section 402.40, Florida Statutes, is repealed.

Section 111. Subsection (1) of section 403.4131, Florida Statutes, is amended to read:

403.4131 Litter control.—

(1) The Department of Transportation shall establish an “adopt-a-highway” program to allow local organizations to be identified with specific highway cleanup and highway beautification projects authorized under s. 339.2405. ~~The department shall report to the Governor and the Legislature on the progress achieved and the savings incurred by the “adopt-a-highway” program.~~ The department shall also monitor ~~and report on~~ compliance with the provisions of the adopt-a-highway program to ensure that organizations participating ~~that participate~~ in the program comply with the goals identified by the department.

Section 112. Paragraph (d) of subsection (2) of section 403.706, Florida Statutes, is repealed.

Section 113. Paragraph (a) of subsection (4) of section 406.02, Florida Statutes, is repealed.

Section 114. Paragraph (g) of subsection (1) of section 408.033, Florida Statutes, is amended to read:

408.033 Local and state health planning.—

(1) LOCAL HEALTH COUNCILS.—

(g) Each local health council may ~~is authorized to~~ accept and receive, in furtherance of its health planning functions, funds, grants, and services from governmental agencies and from private or civic sources and to perform studies related to local health planning in exchange for such funds, grants, or services. Each ~~local health~~ council shall, no later than January 30 of each year, render an accounting of the receipt and disbursement of such funds received by it to the Department of Health. ~~The department shall consolidate~~

~~all such reports and submit such consolidated report to the Legislature no later than March 1 of each year.~~

Section 115. Subsection (4) of section 408.914, Florida Statutes, is repealed.

Section 116. Paragraph (i) of subsection (3) of section 408.915, Florida Statutes, is repealed.

Section 117. Section 408.917, Florida Statutes, is repealed.

Section 118. Paragraph (b) of subsection (7) of section 409.1451, Florida Statutes, is amended to read:

409.1451 Independent living transition services.—

(7) INDEPENDENT LIVING SERVICES ADVISORY COUNCIL.—The Secretary of Children and Family Services shall establish the Independent Living Services Advisory Council for the purpose of reviewing and making recommendations concerning the implementation and operation of the independent living transition services. This advisory council shall continue to function as specified in this subsection until the Legislature determines that the advisory council can no longer provide a valuable contribution to the department's efforts to achieve the goals of the independent living transition services.

(b) ~~The advisory council shall report to the secretary appropriate substantive committees of the Senate and the House of Representatives on the status of the implementation of the system of independent living transition services; efforts to publicize the availability of aftercare support services, the Road-to-Independence Program, and transitional support services; the success of the services; problems identified; recommendations for department or legislative action; and the department's implementation of the recommendations contained in the Independent Living Services Integration Workgroup Report submitted to the appropriate Senate and the House substantive committees of the Legislature by December 31, 2002. The department shall submit a report by December 31 of each year to the Governor and the Legislature This advisory council report shall be submitted by December 31 of each year that the council is in existence and shall be accompanied by a report from the department which includes a summary of the factors reported on by the council and identifies the recommendations of the advisory council and either describes the department's actions to implement the these recommendations or provides the department's rationale for not implementing the recommendations.~~

Section 119. Section 409.152, Florida Statutes, is repealed.

Section 120. Subsections (1) and (2) of section 409.1679, Florida Statutes, are repealed.

Section 121. Section 409.1685, Florida Statutes, is amended to read:

409.1685 Children in foster care; annual report to Legislature.—The Department of Children and Family Services shall submit a written report to the Governor and substantive committees of the Legislature concerning the status of children in foster care and concerning the judicial review mandated by part X of chapter 39. ~~The~~ This report shall be submitted by May ~~March~~ 1 of each year and must ~~shall~~ include the following information for the prior calendar year:

(1) The number of 6-month and annual judicial reviews completed during that period.

(2) The number of children in foster care returned to a parent, guardian, or relative as a result of a 6-month or annual judicial review hearing during that period.

(3) The number of termination of parental rights proceedings instituted during that period, including which shall include:

(a) The number of termination of parental rights proceedings initiated pursuant to former s. 39.703; and

(b) The total number of terminations of parental rights ordered.

(4) The number of foster care children placed for adoption ~~during that period.~~

Section 122. Paragraph (k) of subsection (4) of section 409.221, Florida Statutes, is repealed.

Section 123. Paragraph (a) of subsection (3) of section 409.25575, Florida Statutes, is amended to read:

409.25575 Support enforcement; privatization.—

(3)(a) The department shall establish a quality assurance program for the privatization of services. ~~The quality assurance program must include standards for each specific component of these services. The department shall establish minimum thresholds for each component. Each program operated pursuant to contract must be evaluated annually by the department or by an objective competent entity designated by the department under the provisions of the quality assurance program. The evaluation must be financed from cost savings associated with the privatization of services. The department shall submit an annual report regarding quality performance, outcome measure attainment, and cost efficiency to the President of the Senate, the Speaker of the House of Representatives, the Minority leader of each house of the Legislature, and the Governor no later than January 31 of each year, beginning in 1999. The quality assurance program must be financed through administrative savings generated by this act.~~

Section 124. Subsection (9) of section 409.2558, Florida Statutes, is amended to read:

409.2558 Support distribution and disbursement.—

(9) RULEMAKING AUTHORITY.—The department may adopt rules to administer this section. ~~The department shall provide a draft of the proposed concepts for the rule for the undistributable collections to interested parties for review and recommendations prior to full development of the rule and initiating the formal rule development process. The department shall consider but is not required to implement the recommendations. The department shall provide a report to the President of the Senate and the Speaker of the House of Representatives containing the recommendations received from interested parties and the department's response regarding incorporating the recommendations into the rule.~~

Section 125. Subsection (3) of section 409.441, Florida Statutes, is repealed.

Section 126. Subsection (24) of section 409.906, Florida Statutes, is amended to read:

409.906 Optional Medicaid services.—Subject to specific appropriations, the agency may make payments for services which are optional to the state under Title XIX of the Social Security Act and are furnished by Medicaid providers to recipients who are determined to be eligible on the dates on which the services were provided. Any optional service that is provided shall be provided only when medically necessary and in accordance with state and federal law. Optional services rendered by providers in mobile units to Medicaid recipients may be restricted or prohibited by the agency. Nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216. If necessary to safeguard the state's systems of providing services to elderly and disabled persons and subject to the notice and review provisions of s. 216.177, the Governor may direct the Agency for Health Care Administration to amend the Medicaid state plan to delete the optional Medicaid service known as "Intermediate Care Facilities for the Developmentally Disabled." Optional services may include:

(24) CHILD-WELFARE-TARGETED CASE MANAGEMENT.—The Agency for Health Care Administration, in consultation with the Department of Children and Family Services, may establish a targeted case-management project in those counties identified by the Department of Children and Family Services and for all counties with a community-based child welfare project, as authorized under s. 409.1671, which have been specifically approved by the department. ~~Results of targeted case management projects shall be reported to the Social Services Estimating Conference established under s. 216.136.~~ The covered group of individuals who are eligible to receive targeted case management include children who are eligible for Medicaid; who are between the ages of birth through 21; and who

are under protective supervision or postplacement supervision, under foster-care supervision, or in shelter care or foster care. The number of individuals who are eligible to receive targeted case management is ~~shall be~~ limited to the number for whom the Department of Children and Family Services has available matching funds to cover the costs. The general revenue funds required to match the funds for services provided by the community-based child welfare projects are limited to funds available for services described under s. 409.1671. The Department of Children and Family Services may transfer the general revenue matching funds as billed by the Agency for Health Care Administration.

Section 127. Subsections (29) and (44), and paragraph (c) of subsection (49) of section 409.912, Florida Statutes, are amended to read:

409.912 Cost-effective purchasing of health care.—The agency shall purchase goods and services for Medicaid recipients in the most cost-effective manner consistent with the delivery of quality medical care. To ensure that medical services are effectively utilized, the agency may, in any case, require a confirmation or second physician's opinion of the correct diagnosis for purposes of authorizing future services under the Medicaid program. This section does not restrict access to emergency services or poststabilization care services as defined in 42 C.F.R. part 438.114. Such confirmation or second opinion shall be rendered in a manner approved by the agency. The agency shall maximize the use of prepaid per capita and prepaid aggregate fixed-sum basis services when appropriate and other alternative service delivery and reimbursement methodologies, including competitive bidding pursuant to s. 287.057, designed to facilitate the cost-effective purchase of a case-managed continuum of care. The agency shall also require providers to minimize the exposure of recipients to the need for acute inpatient, custodial, and other institutional care and the inappropriate or unnecessary use of high-cost services. The agency shall contract with a vendor to monitor and evaluate the clinical practice patterns of providers in order to identify trends that are outside the normal practice patterns of a provider's professional peers or the national guidelines of a provider's professional association. The vendor must be able to provide information and counseling to a provider whose practice patterns are outside the norms, in consultation with the agency, to improve patient care and reduce inappropriate utilization. The agency may mandate prior authorization, drug therapy management, or disease management participation for certain populations of Medicaid beneficiaries, certain drug classes, or particular drugs to prevent fraud, abuse, overuse, and possible dangerous drug interactions. The Pharmaceutical and Therapeutics Committee shall make recommendations to the agency on drugs for which prior authorization is required. The agency shall inform the Pharmaceutical and Therapeutics Committee of its decisions regarding drugs subject to prior authorization. The agency is authorized to limit the entities it contracts with or enrolls as Medicaid providers by developing a provider network through provider credentialing. The agency may competitively bid single-source-provider contracts if procurement of goods or services results in demonstrated cost savings to the state without

limiting access to care. The agency may limit its network based on the assessment of beneficiary access to care, provider availability, provider quality standards, time and distance standards for access to care, the cultural competence of the provider network, demographic characteristics of Medicaid beneficiaries, practice and provider-to-beneficiary standards, appointment wait times, beneficiary use of services, provider turnover, provider profiling, provider licensure history, previous program integrity investigations and findings, peer review, provider Medicaid policy and billing compliance records, clinical and medical record audits, and other factors. Providers shall not be entitled to enrollment in the Medicaid provider network. The agency shall determine instances in which allowing Medicaid beneficiaries to purchase durable medical equipment and other goods is less expensive to the Medicaid program than long-term rental of the equipment or goods. The agency may establish rules to facilitate purchases in lieu of long-term rentals in order to protect against fraud and abuse in the Medicaid program as defined in s. 409.913. The agency may seek federal waivers necessary to administer these policies.

(29) The agency shall perform enrollments and disenrollments for Medicaid recipients who are eligible for MediPass or managed care plans. Notwithstanding the prohibition contained in paragraph (21)(f), managed care plans may perform preenrollments of Medicaid recipients under the supervision of the agency or its agents. For the purposes of this section, the term “preenrollment” means the provision of marketing and educational materials to a Medicaid recipient and assistance in completing the application forms, but ~~does shall~~ not include actual enrollment into a managed care plan. An application for enrollment may shall not be deemed complete until the agency or its agent verifies that the recipient made an informed, voluntary choice. The agency, in cooperation with the Department of Children and Family Services, may test new marketing initiatives to inform Medicaid recipients about their managed care options at selected sites. ~~The agency shall report to the Legislature on the effectiveness of such initiatives.~~ The agency may contract with a third party to perform managed care plan and MediPass enrollment and disenrollment services for Medicaid recipients and may is authorized to adopt rules to administer implement such services. The agency may adjust the capitation rate only to cover the costs of a third-party enrollment and disenrollment contract, and for agency supervision and management of the managed care plan enrollment and disenrollment contract.

(44) The Agency for Health Care Administration shall ensure that any Medicaid managed care plan as defined in s. 409.9122(2)(f), whether paid on a capitated basis or a shared savings basis, is cost-effective. For purposes of this subsection, the term “cost-effective” means that a network’s per-member, per-month costs to the state, including, but not limited to, fee-for-service costs, administrative costs, and case-management fees, if any, must be no greater than the state’s costs associated with contracts for Medicaid services established under subsection (3), which may be adjusted for health status. The agency shall conduct actuarially sound adjustments for

health status in order to ensure such cost-effectiveness and shall annually publish the results on its Internet website ~~and submit the results annually to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than December 31 of each year.~~ Contracts established pursuant to this subsection which are not cost-effective may not be renewed.

(49) The agency shall contract with established minority physician networks that provide services to historically underserved minority patients. The networks must provide cost-effective Medicaid services, comply with the requirements to be a MediPass provider, and provide their primary care physicians with access to data and other management tools necessary to assist them in ensuring the appropriate use of services, including inpatient hospital services and pharmaceuticals.

(c) For purposes of this subsection, the term “cost-effective” means that a network’s per-member, per-month costs to the state, including, but not limited to, fee-for-service costs, administrative costs, and case-management fees, if any, must be no greater than the state’s costs associated with contracts for Medicaid services established under subsection (3), which shall be actuarially adjusted for case mix, model, and service area. The agency shall conduct actuarially sound audits adjusted for case mix and model in order to ensure such cost-effectiveness and shall annually publish the audit results on its Internet website ~~and submit the audit results annually to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than December 31.~~ Contracts established pursuant to this subsection which are not cost-effective may not be renewed.

Section 128. Section 410.0245, Florida Statutes, is repealed.

Section 129. Subsection (10) of section 410.604, Florida Statutes, is repealed.

Section 130. Paragraph (d) of subsection (5) of section 411.0102, Florida Statutes, is amended to read:

411.0102 Child Care Executive Partnership Act; findings and intent; grant; limitation; rules.—

(5)

(d) Each early learning coalition shall ~~be required to~~ establish a community child care task force for each child care purchasing pool. The task force must be composed of employers, parents, private child care providers, and one representative from the local children’s services council, if one exists in the area of the purchasing pool. The early learning coalition is expected to recruit the task force members from existing child care councils, commissions, or task forces already operating in the area of a purchasing pool. A majority of the task force shall consist of employers. ~~Each task force shall develop a plan for the use of child care purchasing pool funds. The plan~~

~~must show how many children will be served by the purchasing pool, how many will be new to receiving child care services, and how the early learning coalition intends to attract new employers and their employees to the program.~~

Section 131. Section 411.221, Florida Statutes, is repealed.

Section 132. Section 411.242, Florida Statutes, is repealed.

Section 133. Section 414.14, Florida Statutes, is amended to read:

414.14 Public assistance policy simplification.—To the extent possible, the department shall align the requirements for eligibility under this chapter with the food stamp program and medical assistance eligibility policies and procedures to simplify the budgeting process and reduce errors. If the department determines that s. 414.075, relating to resources, or s. 414.085, relating to income, is inconsistent with ~~related provisions of federal law governing which govern~~ the food stamp program or medical assistance, and that conformance to federal law would simplify administration of the WAGES Program or reduce errors without materially increasing the cost of the program to the state, the secretary of the department may propose a change in the resource or income requirements of the program by rule. ~~The secretary shall provide written notice to the President of the Senate, the Speaker of the House of Representatives, and the chairpersons of the relevant committees of both houses of the Legislature summarizing the proposed modifications to be made by rule and changes necessary to conform state law to federal law. The proposed rule shall take effect 14 days after written notice is given unless the President of the Senate or the Speaker of the House of Representatives advises the secretary that the proposed rule exceeds the delegated authority of the Legislature.~~

Section 134. Subsection (1) of section 414.36, Florida Statutes, is repealed.

Section 135. Subsection (3) of section 414.391, Florida Statutes, is repealed.

Section 136. Subsection (6) of section 415.1045, Florida Statutes, is amended to read:

415.1045 Photographs, videotapes, and medical examinations; abrogation of privileged communications; confidential records and documents.—

(6) WORKING AGREEMENTS.—~~By March 1, 2004,~~ The department shall enter into working agreements with the jurisdictionally responsible county ~~sheriff's~~ sheriffs' office or local police department that will be the lead agency for ~~when~~ conducting any criminal investigation arising from an allegation of abuse, neglect, or exploitation of a vulnerable adult. The working agreement must specify how the requirements of this chapter will be met. ~~The Office of Program Policy Analysis and Government Accountability shall conduct a review of the efficacy of the agreements and report its~~

~~findings to the Legislature by March 1, 2005.~~ For the purposes of such agreement, the jurisdictionally responsible law enforcement entity may is ~~authorized to~~ share Florida criminal history and local criminal history information that is not otherwise exempt from s. 119.07(1) with the district personnel. A law enforcement entity entering into such agreement must comply with s. 943.0525. Criminal justice information provided by ~~the such~~ law enforcement entity may shall be used only for the purposes specified in the agreement and shall be provided at no charge. Notwithstanding any other provision of law, the Department of Law Enforcement shall provide to the department electronic access to Florida criminal justice information that ~~which~~ is lawfully available and not exempt from s. 119.07(1), only for the purpose of protective investigations and emergency placement. As a condition of access to ~~the such~~ information, the department shall ~~be required to~~ execute an appropriate user agreement addressing the access, use, dissemination, and destruction of such information and ~~to~~ comply with all applicable laws and rules of the Department of Law Enforcement.

Section 137. Subsection (9) of section 420.622, Florida Statutes, is amended to read:

420.622 State Office on Homelessness; Council on Homelessness.—

(9) The council shall, by June 30 of each year, beginning in 2010, provide ~~issue to the Governor, the Legislature President of the Senate, the Speaker of the House of Representatives, and the Secretary of Children and Family Services an evaluation of the executive director's performance in fulfilling the statutory duties of the office, a report summarizing the extent of homelessness in the state and the council's recommendations to the office and the corresponding actions taken by the office, and any recommendations to the Legislature for reducing proposals to reduce homelessness in this state.~~

Section 138. Subsection (4) of section 420.623, Florida Statutes, is repealed.

Section 139. Subsection (9) of section 427.704, Florida Statutes, is amended to read:

427.704 Powers and duties of the commission.—

(9) The commission shall prepare ~~provide to the President of the Senate and to the Speaker of the House of Representatives~~ an annual report on the operation of the telecommunications access system which shall be available on the commission's Internet website. ~~The first report shall be provided no later than January 1, 1992, and successive reports shall be provided by January 1 of each year thereafter.~~ Reports ~~must~~ shall be prepared in consultation with the administrator and the advisory committee appointed pursuant to s. 427.706. The reports ~~must~~ shall, at a minimum, briefly outline the status of developments in of the telecommunications access system, the number of persons served, the call volume, revenues and expenditures, the

allocation of the revenues and expenditures between provision of specialized telecommunications devices to individuals and operation of statewide relay service, other major policy or operational issues, and proposals for improvements or changes to the telecommunications access system.

Section 140. Subsection (2) of section 427.706, Florida Statutes, is amended to read:

427.706 Advisory committee.—

(2) The advisory committee shall provide the expertise, experience, and perspective of persons who are hearing impaired or speech impaired to the commission and to the administrator during all phases of the development and operation of the telecommunications access system. The advisory committee shall advise the commission and the administrator on ~~any matter relating to~~ the quality and cost-effectiveness of the telecommunications relay service and the specialized telecommunications devices distribution system. The advisory committee may submit material for inclusion in the annual report ~~prepared pursuant to s. 427.704 to the President of the Senate and the Speaker of the House of Representatives.~~

Section 141. Paragraph (b) of subsection (3) of section 429.07, Florida Statutes, is amended to read:

429.07 License required; fee.—

(3) In addition to the requirements of s. 408.806, each license granted by the agency must state the type of care for which the license is granted. Licenses shall be issued for one or more of the following categories of care: standard, extended congregate care, limited nursing services, or limited mental health.

(b) An extended congregate care license shall be issued to facilities providing, directly or through contract, services beyond those authorized in paragraph (a), including services performed by persons licensed under acts performed pursuant to part I of chapter 464 by persons licensed thereunder, and supportive services, as defined by rule, to persons who would otherwise ~~would~~ be disqualified from continued residence in a facility licensed under this part.

1. In order for extended congregate care services to be provided ~~in a facility licensed under this part,~~ the agency must first determine that all requirements established in law and rule are met and must specifically designate, on the facility's license, that such services may be provided and whether the designation applies to all or part of the a facility. Such designation may be made at the time of initial licensure or relicensure, or upon request in writing by a licensee under this part and part II of chapter 408. The notification of approval or the denial of the such request shall be made in accordance with part II of chapter 408. Existing facilities qualifying to provide extended congregate care services must have maintained a

standard license and may not have been subject to administrative sanctions during the previous 2 years, or since initial licensure if the facility has been licensed for less than 2 years, for any of the following reasons:

- a. A class I or class II violation;
- b. Three or more repeat or recurring class III violations of identical or similar resident care standards ~~as specified in rule~~ from which a pattern of noncompliance is found by the agency;
- c. Three or more class III violations that were not corrected in accordance with the corrective action plan approved by the agency;
- d. Violation of resident care standards which results in requiring the facility ~~resulting in a requirement~~ to employ the services of a consultant pharmacist or consultant dietitian;
- e. Denial, suspension, or revocation of a license for another facility licensed under this part in which the applicant for an extended congregate care license has at least 25 percent ownership interest; or
- f. Imposition of a moratorium pursuant to this part or part II of chapter 408 or initiation of injunctive proceedings.

2. A facility that is ~~Facilities that are~~ licensed to provide extended congregate care services shall maintain a written progress report on each person who receives such services, which ~~report~~ describes the type, amount, duration, scope, and outcome of services that are rendered and the general status of the resident's health. A registered nurse, or appropriate designee, representing the agency shall visit the facility ~~such facilities~~ at least quarterly to monitor residents who are receiving extended congregate care services and to determine if the facility is in compliance with this part, part II of chapter 408, and ~~relevant rules that relate to extended congregate care.~~ One of ~~the~~ these visits may be in conjunction with the regular survey. The monitoring visits may be provided through contractual arrangements with appropriate community agencies. A registered nurse shall serve as part of the team that inspects the ~~such~~ facility. The agency may waive one of the required yearly monitoring visits for a facility that has been licensed for at least 24 months to provide extended congregate care services, if, during the inspection, the registered nurse determines that extended congregate care services are being provided appropriately, and if the facility has no class I or class II violations and no uncorrected class III violations. ~~Before such decision is made,~~ The agency must first ~~shall~~ consult with the long-term care ombudsman council for the area in which the facility is located to determine if any complaints have been made and substantiated about the quality of services or care. The agency may not waive one of the required yearly monitoring visits if complaints have been made and substantiated.

3. A facility ~~Facilities that is~~ are licensed to provide extended congregate care services must ~~shall~~:

a. Demonstrate the capability to meet unanticipated resident service needs.

b. Offer a physical environment that promotes a homelike setting, provides for resident privacy, promotes resident independence, and allows sufficient congregate space as defined by rule.

c. Have sufficient staff available, taking into account the physical plant and firesafety features of the building, to assist with the evacuation of residents in an emergency, as necessary.

d. Adopt and follow policies and procedures that maximize resident independence, dignity, choice, and decisionmaking to permit residents to age in place to the extent possible, so that moves due to changes in functional status are minimized or avoided.

e. Allow residents or, if applicable, a resident's representative, designee, surrogate, guardian, or attorney in fact to make a variety of personal choices, participate in developing service plans, and share responsibility in decision-making.

f. Implement the concept of managed risk.

g. Provide, either directly or through contract, the services of a person licensed under pursuant to part I of chapter 464.

h. In addition to the training mandated in s. 429.52, provide specialized training as defined by rule for facility staff.

4. A facility that is Facilities licensed to provide extended congregate care services is are exempt from the criteria for continued residency as set forth in rules adopted under s. 429.41. A licensed facility must Facilities so licensed shall adopt its their own requirements within guidelines for continued residency set forth by rule. However, the facility such facilities may not serve residents who require 24-hour nursing supervision. A licensed facility that provides Facilities licensed to provide extended congregate care services must also shall provide each resident with a written copy of facility policies governing admission and retention.

5. The primary purpose of extended congregate care services is to allow residents, as they become more impaired, the option of remaining in a familiar setting from which they would otherwise be disqualified for continued residency. A facility licensed to provide extended congregate care services may also admit an individual who exceeds the admission criteria for a facility with a standard license, if the individual is determined appropriate for admission to the extended congregate care facility.

6. Before the admission of an individual to a facility licensed to provide extended congregate care services, the individual must undergo a medical examination as provided in s. 429.26(4) and the facility must develop a preliminary service plan for the individual.

7. When a facility can no longer provide or arrange for services in accordance with the resident's service plan and needs and the facility's policy, the facility shall make arrangements for relocating the person in accordance with s. 429.28(1)(k).

8. Failure to provide extended congregate care services may result in denial of extended congregate care license renewal.

~~9. No later than January 1 of each year, the department, in consultation with the agency, shall prepare and submit to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairs of appropriate legislative committees, a report on the status of, and recommendations related to, extended congregate care services. The status report must include, but need not be limited to, the following information:~~

~~a. A description of the facilities licensed to provide such services, including total number of beds licensed under this part.~~

~~b. The number and characteristics of residents receiving such services.~~

~~c. The types of services rendered that could not be provided through a standard license.~~

~~d. An analysis of deficiencies cited during licensure inspections.~~

~~e. The number of residents who required extended congregate care services at admission and the source of admission.~~

~~f. Recommendations for statutory or regulatory changes.~~

~~g. The availability of extended congregate care to state clients residing in facilities licensed under this part and in need of additional services, and recommendations for appropriations to subsidize extended congregate care services for such persons.~~

~~h. Such other information as the department considers appropriate.~~

Section 142. Subsection (5) of section 429.41, Florida Statutes, is amended to read:

429.41 Rules establishing standards.—

(5) The agency may use an abbreviated biennial standard licensure inspection that consists of a review of key quality-of-care standards in lieu of a full inspection in a facility that has facilities which have a good record of past performance. However, a full inspection ~~must~~ shall be conducted in a facility that has facilities which have had a history of class I or class II violations, uncorrected class III violations, confirmed ombudsman council complaints, or confirmed licensure complaints, within the previous licensure period immediately preceding the inspection or if when a potentially serious problem is identified during the abbreviated inspection. The agency, in

~~consultation with the department, shall develop the key quality-of-care standards with input from the State Long-Term Care Ombudsman Council and representatives of provider groups for incorporation into its rules. The department, in consultation with the agency, shall report annually to the Legislature concerning its implementation of this subsection. The report shall include, at a minimum, the key quality-of-care standards which have been developed; the number of facilities identified as being eligible for the abbreviated inspection; the number of facilities which have received the abbreviated inspection and, of those, the number that were converted to full inspection; the number and type of subsequent complaints received by the agency or department on facilities which have had abbreviated inspections; any recommendations for modification to this subsection; any plans by the agency to modify its implementation of this subsection; and any other information which the department believes should be reported.~~

Section 143. Subsections (3) through (17) of section 430.04, Florida Statutes, are amended to read:

430.04 Duties and responsibilities of the Department of Elderly Affairs. The Department of Elderly Affairs shall:

~~(3) Prepare and submit to the Governor, each Cabinet member, the President of the Senate, the Speaker of the House of Representatives, the minority leaders of the House and Senate, and chairpersons of appropriate House and Senate committees a master plan for policies and programs in the state related to aging. The plan must identify and assess the needs of the elderly population in the areas of housing, employment, education and training, medical care, long term care, preventive care, protective services, social services, mental health, transportation, and long term care insurance, and other areas considered appropriate by the department. The plan must assess the needs of particular subgroups of the population and evaluate the capacity of existing programs, both public and private and in state and local agencies, to respond effectively to identified needs. If the plan recommends the transfer of any program or service from the Department of Children and Family Services to another state department, the plan must also include recommendations that provide for an independent third-party mechanism, as currently exists in the Florida advocacy councils established in ss. 402.165 and 402.166, for protecting the constitutional and human rights of recipients of departmental services. The plan must include policy goals and program strategies designed to respond efficiently to current and projected needs. The plan must also include policy goals and program strategies to promote intergenerational relationships and activities. Public hearings and other appropriate processes shall be utilized by the department to solicit input for the development and updating of the master plan from parties including, but not limited to, the following:~~

~~(a) Elderly citizens and their families and caregivers.~~

~~(b) Local level public and private service providers, advocacy organizations, and other organizations relating to the elderly.~~

~~(c) Local governments.~~

~~(d) All state agencies that provide services to the elderly.~~

~~(e) University centers on aging.~~

~~(f) Area agency on aging and community care for the elderly lead agencies.~~

(3)(4) Serve as an information clearinghouse at the state level, and assist local-level information and referral resources as a repository and means for the dissemination of information regarding all federal, state, and local resources for assistance to the elderly in the areas of, but not limited to, health, social welfare, long-term care, protective services, consumer protection, education and training, housing, employment, recreation, transportation, insurance, and retirement.

~~(4)(5) Recommend guidelines for the development of roles for state agencies that provide services for the aging, review plans of agencies that provide such services, and relay the these plans to the Governor and the Legislature, each Cabinet member, the President of the Senate, the Speaker of the House of Representatives, the minority leaders of the House and Senate, and chairpersons of appropriate House and Senate committees.~~

~~(5)(6) Recommend to the Governor and the Legislature, each Cabinet member, the President of the Senate, the Speaker of the House of Representatives, the minority leaders of the House and Senate, and chairpersons of appropriate House and Senate committees an organizational framework for the planning, coordination, implementation, and evaluation of programs related to aging, with the purpose of expanding and improving programs and opportunities available to the state's elderly population and enhancing a continuum of long-term care. This framework must ensure assure that:~~

~~(a) Performance objectives are established.~~

~~(b) Program reviews are conducted statewide.~~

~~(c) Each major program related to aging is reviewed every 3 years.~~

~~(d) Agency budget requests reflect the results and recommendations of such program reviews.~~

~~(d)(e) Program decisions reinforce lead to the distinctive roles established for state agencies that provide aging services.~~

(6)(7) Advise the Governor and the Legislature, each Cabinet member, the President of the Senate, the Speaker of the House of Representatives, the minority leaders of the House and Senate, and the chairpersons of appropriate House and Senate committees regarding the need for and location of programs related to aging.

~~(7)~~(8) Review and coordinate aging research plans of all state agencies to ensure that the conformance of research objectives address to issues and needs of the state's elderly population addressed in the master plan for policies and programs related to aging. The research activities that must be reviewed and coordinated by the department include, but are not limited to, contracts with academic institutions, development of educational and training curriculums, Alzheimer's disease and other medical research, studies of long-term care and other personal assistance needs, and design of adaptive or modified living environments.

~~(8)~~(9) Review budget requests for programs related to aging to ensure the most cost-effective use of state funding for the state's elderly population for compliance with the master plan for policies and programs related to aging before submission to the Governor and the Legislature.

~~(10)~~—Update the master plan for policies and programs related to aging every 3 years.

~~(11)~~—Review implementation of the master plan for programs and policies related to aging and annually report to the Governor, each Cabinet member, the President of the Senate, the Speaker of the House of Representatives, the minority leaders of the House and Senate, and the chairpersons of appropriate House and Senate committees the progress towards implementation of the plan.

~~(9)~~(12) Request other departments that administer programs affecting the state's elderly population to amend their plans, rules, policies, and research objectives as necessary to ensure that programs and other initiatives are coordinated and maximize the state's efforts to address the needs of the elderly conform with the master plan for policies and programs related to aging.

~~(10)~~(13) Hold public meetings regularly throughout the state to receive for purposes of receiving information and maximize maximizing the visibility of important issues relating to aging and the elderly.

~~(11)~~(14) Conduct policy analysis and program evaluation studies assigned by the Legislature.

~~(12)~~(15) Assist the Governor, each Cabinet member, and members of the Legislature the President of the Senate, the Speaker of the House of Representatives, the minority leaders of the House and Senate, and the chairpersons of appropriate House and Senate committees in conducting the conduct of their responsibilities in such capacities as they consider appropriate.

~~(13)~~(16) Call upon appropriate agencies of state government for such assistance as is needed in the discharge of its duties. All agencies shall cooperate in assisting the department in carrying out its responsibilities as

prescribed by this section. However, ~~the no provision of law regarding~~ with respect to confidentiality of information may not be violated.

~~(14)(17)~~ Be designated as a state agency that is eligible to receive federal funds for adults who are eligible for assistance through the portion of the federal Child and Adult Care Food Program for adults, which is referred to as the Adult Care Food Program, and that is responsible for establishing and administering the program. The purpose of the Adult Care Food Program is to provide nutritious and wholesome meals and snacks for adults in nonresidential day care centers or residential treatment facilities. To ensure the quality and integrity of the program, the department shall develop standards and procedures that govern sponsoring organizations and adult day care centers. The department shall follow federal requirements and may adopt any rules necessary to administer pursuant to ss. 120.536(1) and 120.54 for the implementation of the Adult Care Food program and. ~~With respect to the Adult Care Food Program, the department shall adopt rules pursuant to ss. 120.536(1) and 120.54 that implement relevant federal regulations, including 7 C.F.R. part 226. The rules may address, at a minimum, the program requirements and procedures identified in this subsection.~~

Section 144. Subsections (3) and (8) of section 430.502, Florida Statutes, are amended to read:

430.502 Alzheimer’s disease; memory disorder clinics and day care and respite care programs.—

(3) The Alzheimer’s Disease Advisory Committee shall ~~must~~ evaluate and make recommendations to the department and the Legislature concerning the need for additional memory disorder clinics in the state. ~~The first report will be due by December 31, 1995.~~

(8) The department shall ~~will~~ implement the waiver program specified in subsection (7). The agency and the department shall ensure that providers who are selected that have a history of successfully serving persons with Alzheimer’s disease are selected. The department and the agency shall develop specialized standards for providers and services tailored to persons in the early, middle, and late stages of Alzheimer’s disease and designate a level of care determination process and standard that is most appropriate to this population. The department and the agency shall include in the waiver services designed to assist the caregiver in continuing to provide in-home care. The department shall implement this waiver program subject to a specific appropriation or as provided in the General Appropriations Act. ~~The department and the agency shall submit their program design to the President of the Senate and the Speaker of the House of Representatives for consultation during the development process.~~

Section 145. Subsection (1) and paragraph (a) of subsection (6) of section 445.006, Florida Statutes, are amended to read:

445.006 Strategic and operational plans for workforce development.—

(1) Workforce Florida, Inc., in conjunction with state and local partners in the workforce system, shall develop a strategic plan ~~that produces for workforce, with the goal of producing skilled employees for employers in the state. The strategic plan shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by February 1, 2001.~~ The strategic plan shall be updated or modified by January 1 of each year thereafter. The plan must include, but need not be limited to, strategies for:

(a) Fulfilling the workforce system goals and strategies prescribed in s. 445.004;

(b) Aggregating, integrating, and leveraging workforce system resources;

(c) Coordinating the activities of federal, state, and local workforce system partners;

(d) Addressing the workforce needs of small businesses; and

(e) Fostering the participation of rural communities and distressed urban cores in the workforce system.

(6)(a) The operational plan must include strategies that are designed to prevent or reduce the need for a person to receive public assistance. The ~~These~~ strategies must include:

1. A teen pregnancy prevention component that includes, but is not limited to, a plan for implementing the ~~Florida Education Now and Babies Later (ENABL) program under s. 411.242 and the Teen Pregnancy Prevention Community Initiative within each county of the services area in which the teen birth rate is higher than the state average;~~

2. A component that encourages creation of community-based welfare prevention and reduction initiatives that increase support provided by noncustodial parents to their welfare-dependent children and are consistent with program and financial guidelines developed by Workforce Florida, Inc., and the Commission on Responsible Fatherhood. These initiatives may include, ~~but are not limited to,~~ improved paternity establishment, work activities for noncustodial parents, programs aimed at decreasing out-of-wedlock pregnancies, encouraging involvement of fathers with their children which includes including court-ordered supervised visitation, and increasing child support payments;

3. A component that encourages formation and maintenance of two-parent families through, among other things, court-ordered supervised visitation;

4. A component that fosters responsible fatherhood in families receiving assistance; and

5. A component that fosters the provision of services that reduce the incidence and effects of domestic violence on women and children in families receiving assistance.

Section 146. Subsection (8) of section 455.2226, Florida Statutes, is repealed.

Section 147. Subsection (6) of section 455.2228, Florida Statutes, is repealed.

Section 148. Section 456.005, Florida Statutes, is amended to read:

456.005 Long-range policy planning; ~~plans, reports, and recommendations.~~—To facilitate efficient and cost-effective regulation, the department and the board, if ~~where~~ appropriate, shall develop and implement a long-range policy planning and monitoring process that includes ~~to include~~ recommendations specific to each profession. ~~The~~ Such process shall include estimates of revenues, expenditures, cash balances, and performance statistics for each profession. The period covered may ~~shall~~ not be less than 5 years. The department, with input from the boards and licensees, shall develop and adopt the long-range plan ~~and must obtain the approval of the State Surgeon General~~. The department shall monitor compliance with the ~~approved long-range plan~~ and, with input from the boards and licensees, shall annually update the plans ~~for approval by the State Surgeon General~~. The department shall provide concise management reports to the boards quarterly. As part of the review process, the department shall evaluate:

- (1) Whether the department, including the boards and the various functions performed by the department, is operating efficiently and effectively and if there is a need for a board or council to assist in cost-effective regulation.
- (2) How and why the various professions are regulated.
- (3) Whether there is a need to continue regulation, and to what degree.
- (4) Whether or not consumer protection is adequate, and how it can be improved.
- (5) Whether there is consistency between the various practice acts.
- (6) Whether unlicensed activity is adequately enforced.

~~The~~ Such plans shall ~~should~~ include conclusions and recommendations on these and other issues as appropriate. ~~Such plans shall be provided to the Governor and the Legislature by November 1 of each year.~~

Section 149. Subsection (9) of section 456.025, Florida Statutes, is amended to read:

456.025 Fees; receipts; disposition.—

(9) The department shall provide a condensed management report of revenues and expenditures ~~budgets, finances,~~ performance measures ~~statistics,~~ and recommendations to each board at least once a quarter. The department shall identify and include in such presentations any changes, or projected changes, made to the board's budget since the last presentation.

Section 150. Subsection (6) of section 456.034, Florida Statutes, is repealed.

Section 151. Subsections (3) and (4) of section 517.302, Florida Statutes, are amended to read:

517.302 Criminal penalties; alternative fine; Anti-Fraud Trust Fund; time limitation for criminal prosecution.—

(3) In lieu of a fine otherwise authorized by law, a person who has been convicted of or who has pleaded guilty or no contest to having engaged in conduct in violation of ~~the provisions of~~ this chapter may be sentenced to pay a fine that does not exceed the greater of three times the gross value gained or three times the gross loss caused by such conduct, plus court costs and the costs of investigation and prosecution reasonably incurred.

~~(4)(a)~~ There is created within the office a trust fund to be known as the Anti-Fraud Trust Fund. Any amounts assessed as costs of investigation and prosecution under this subsection shall be deposited in the trust fund. Funds deposited in the such trust fund must ~~shall~~ be used, when authorized by appropriation, for investigation and prosecution of administrative, civil, and criminal actions arising under ~~the provisions of~~ this chapter. Funds may also be used to improve the public's awareness and understanding of prudent investing.

~~(b) The office shall report to the Executive Office of the Governor annually by November 15, the amounts deposited into the Anti-Fraud Trust Fund during the previous fiscal year. The Executive Office of the Governor shall distribute these reports to the President of the Senate and the Speaker of the House of Representatives.~~

~~(5)(4)~~ Criminal prosecution for offenses under this chapter is subject to the time limitations in of s. 775.15.

Section 152. Subsection (3) of section 531.415, Florida Statutes, is repealed.

Section 153. Subsection (3) of section 570.0705, Florida Statutes, is repealed.

Section 154. Subsection (5) of section 570.0725, Florida Statutes, is amended to read:

570.0725 Food recovery; legislative intent; department functions.—

(5) The department shall account for the direct and indirect costs associated with supporting food recovery programs throughout the state. It shall submit an electronic a report to the President of the Senate and the Speaker of the House of Representatives by November 1, for the previous fiscal year, when state funds are spent for this purpose. The report must include, but need not be limited to, the identity of organizations receiving funds, the amount of funds disbursed to these organizations, other uses of food recovery funds, and estimates of the amount of fresh produce recovered.

Section 155. Subsection (3) of section 570.543, Florida Statutes, is repealed.

Section 156. Section 590.33, Florida Statutes, is amended to read:

590.33 State compact administrator; compact advisory committee.—In pursuance of art. III of the compact, the director of the division shall act as compact administrator for Florida of the Southeastern Interstate Forest Fire Protection Compact during his or her term of office as director, and his or her successor as compact administrator shall be his or her successor as director of the division. As compact administrator he or she shall be an ex officio member of the advisory committee of the Southeastern Interstate Forest Fire Protection Compact, and chair ex officio of the Florida members of the advisory committee. There shall be four members of the Southeastern Interstate Forest Fire Protection Compact Advisory Committee from Florida. Two of the members from Florida shall be members of the Legislature of Florida, one from the Senate and one from the House of Representatives, ~~designated by the Florida Commission on Interstate Cooperation,~~ and the terms of any such members shall terminate at the time they cease to hold legislative office, and their successors as members shall be named in like manner. The Governor shall appoint the other two members from Florida, one of whom shall be associated with forestry or forest products industries. The terms of such members shall be 3 years and such members shall hold office until their respective successors shall be appointed and qualified. Vacancies occurring in the office of such members from any reason or cause shall be filled by appointment by the Governor for the unexpired term. The director of the division as compact administrator for Florida may delegate, from time to time, to any deputy or other subordinate in his or her department or office, the power to be present and participate, including voting as his or her representative or substitute at any meeting of or hearing by or other proceeding of the compact administrators or of the advisory committee. The terms of each of the initial four memberships, whether appointed at said time or not, shall begin upon the date upon which the compact shall become effective in accordance with art. II of said compact. Any member of the advisory committee may be removed from office by the Governor upon charges and after a hearing.

Section 157. Section 603.204, Florida Statutes, is amended to read:

603.204 South Florida Tropical Fruit Plan.—

~~(1) The Commissioner of Agriculture, in consultation with the Tropical Fruit Advisory Council, shall develop and update, at least 90 days prior to the 1991 legislative session, submit to the President of the Senate, the Speaker of the House of Representatives, and the chairs of appropriate Senate and House of Representatives committees, a South Florida Tropical Fruit Plan, which shall identify problems and constraints of the tropical fruit industry, propose possible solutions to such problems, and develop planning mechanisms for orderly growth of the industry, including:~~

~~(1)(a) Criteria for tropical fruit research, service, and management priorities.~~

~~(2)(b) Additional Proposed legislation that which may be required.~~

~~(3)(e) Plans relating to other tropical fruit programs and related disciplines in the State University System.~~

~~(4)(d) Potential tropical fruit products in terms of market and needs for development.~~

~~(5)(e) Evaluation of production and fresh fruit policy alternatives, including, but not limited to, setting minimum grades and standards, promotion and advertising, development of production and marketing strategies, and setting minimum standards on types and quality of nursery plants.~~

~~(6)(f) Evaluation of policy alternatives for processed tropical fruit products, including, but not limited to, setting minimum quality standards and development of production and marketing strategies.~~

~~(7)(g) Research and service priorities for further development of the tropical fruit industry.~~

~~(8)(h) Identification of state agencies and public and private institutions concerned with research, education, extension, services, planning, promotion, and marketing functions related to tropical fruit development, and delineation of contributions and responsibilities. The recommendations in the South Florida Tropical Fruit plan relating to education or research shall be submitted to the Institute of Food and Agricultural Sciences. The recommendations relating to regulation or marketing shall be submitted to the Department of Agriculture and Consumer Services.~~

~~(9)(i) Business planning, investment potential, financial risks, and economics of production and use utilization.~~

~~(2)—A revision and update of the South Florida Tropical Fruit Plan shall be submitted biennially, and a progress report and budget request shall be submitted annually, to the officials specified in subsection (1).~~

Section 158. Subsection (6) of section 627.64872, Florida Statutes, is amended to read:

627.64872 Florida Health Insurance Plan.—

(6) INTERIM REPORT; ANNUAL REPORT.—

~~(a) By no later than December 1, 2004, the board shall report to the Governor, the President of the Senate, and the Speaker of the House of Representatives the results of an actuarial study conducted by the board to determine, including, but not limited to:~~

~~1. The impact the creation of the plan will have on the small group insurance market and the individual market on premiums paid by insureds. This shall include an estimate of the total anticipated aggregate savings for all small employers in the state.~~

~~2. The number of individuals the pool could reasonably cover at various funding levels, specifically, the number of people the pool may cover at each of those funding levels.~~

~~3. A recommendation as to the best source of funding for the anticipated deficits of the pool.~~

~~4. The effect on the individual and small group market by including in the Florida Health Insurance Plan persons eligible for coverage under s. 627.6487, as well as the cost of including these individuals.~~

~~The board shall take no action to implement the Florida Health Insurance Plan, other than the completion of the actuarial study authorized in this paragraph, until funds are appropriated for startup cost and any projected deficits.~~

~~(b) No later than December 1, 2005, and annually thereafter, The board shall annually submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives, and the substantive legislative committees of the Legislature a report that which includes an independent actuarial study to determine, without limitation, the following including, but not be limited to:~~

~~(a)1. The effect impact the creation of the plan has on the small group and individual insurance market, specifically on the premiums paid by insureds, including. This shall include an estimate of the total anticipated aggregate savings for all small employers in the state.~~

~~(b)2. The actual number of individuals covered at the current funding and benefit level, the projected number of individuals that may seek coverage in the forthcoming fiscal year, and the projected funding needed to cover anticipated increase or decrease in plan participation.~~

~~(c)3. A recommendation as to the best source of funding for the anticipated deficits of the pool.~~

(d)4. A summary summarization of the activities of the plan in the preceding calendar year, including the net written and earned premiums, plan enrollment, the expense of administration, and the paid and incurred losses.

(e)5. A review of the operation of the plan as to whether the plan has met the intent of this section.

The board may not implement the Florida Health Insurance Plan until funds are appropriated for startup costs and any projected deficits; however, the board may complete the actuarial study authorized in this subsection.

Section 159. Subsections (5) and (7) of section 744.708, Florida Statutes, are amended to read:

744.708 Reports and standards.—

(5)(a) Each office of public guardian shall undergo an independent audit by a qualified certified public accountant at least once every 2 years. A copy of the audit report shall be submitted to the Statewide Public Guardianship Office.

(b) In addition to regular monitoring activities, the Statewide Public Guardianship Office shall conduct an investigation into the practices of each office of public guardian related to the managing of each ward’s personal affairs and property. ~~If When~~ feasible, the investigation ~~required under this paragraph~~ shall be conducted in conjunction with the financial audit of each office of public guardian under paragraph (a).

~~(c) In addition, each office of public guardian shall be subject to audits or examinations by the Auditor General and the Office of Program Policy Analysis and Government Accountability pursuant to law.~~

(7) The ratio for professional staff to wards shall be 1 professional to 40 wards. The Statewide Public Guardianship Office may increase or decrease the ratio after consultation with the local public guardian and the chief judge of the circuit court. The basis ~~for~~ of the decision to increase or decrease the prescribed ratio ~~must shall be included reported~~ in the annual report to the secretary of Elderly Affairs, the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Chief Justice of the Supreme Court.

Section 160. 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. 985.24 or s. 985.25(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, including 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. 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. 985.26(1)-(5), if the court finds that the minor meets the criteria specified in s. 985.255, 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 which ~~that~~ states the period of detention and the relevant demographic information, including, but not limited to, the gender 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 ~~for 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 of Economic and Demographic Research.~~

Section 161. Section 943.125, Florida Statutes, is amended to read:

943.125 Law enforcement agency accreditation; intent.—

~~(1) LEGISLATIVE INTENT.—~~

(1)(a) It is the intent of the Legislature that law enforcement agencies in the state be upgraded and strengthened through the adoption of meaningful standards of operation for those agencies.

(2)(b) It is the further intent of the Legislature that law enforcement agencies voluntarily adopt standards designed to promote equal and fair law enforcement, to maximize the capability of law enforcement agencies to prevent and control criminal activities, and to increase interagency cooperation throughout the state.

(3)(e) It is further the intent of the Legislature to encourage the Florida Sheriffs Association and the Florida Police Chiefs Association to develop, either jointly or separately, a law enforcement agency accreditation program. The ~~Such~~ program must ~~shall~~ be independent of any law enforcement agency, the Florida Sheriffs Association, or the Florida Police Chiefs Association. The ~~Any such law enforcement agency accreditation program must~~ should address, at a minimum, the following aspects of law enforcement:

- (a)1. Vehicle pursuits.
- (b)2. Seizure and forfeiture of contraband articles.
- (c)3. Recording and processing citizens' complaints.
- (d)4. Use of force.
- (e)5. Traffic stops.
- (f)6. Handling natural and manmade disasters.
- (g)7. Special operations.
- (h)8. Prisoner transfer.
- (i)9. Collection and preservation of evidence.
- (j)10. Recruitment and selection.
- (k)11. Officer training.
- (l)12. Performance evaluations.
- (m)13. Law enforcement disciplinary procedures and rights.
- (n)14. Use of criminal investigative funds.

~~(2) FEASIBILITY AND STATUS REPORT.—The Florida Sheriffs Association and the Florida Police Chiefs Association, either jointly or separately, shall report to the Speaker of the House of Representatives and the President of the Senate regarding the feasibility of a law enforcement agency accreditation program and the status of the efforts of the Florida Sheriffs Association and the Florida Police Chiefs Association to develop a law enforcement agency accreditation program as provided in this section.~~

Section 162. Subsection (9) of section 943.68, Florida Statutes, is amended to read:

943.68 Transportation and protective services.—

(9) The department shall submit a report each July 15 to the ~~President of the Senate, Speaker of the House of Representatives, Governor, the~~ Legislature, and members of the Cabinet, detailing all transportation and protective services provided under subsections (1), (5), and (6) within the preceding fiscal year. Each report shall include a detailed accounting of the cost of such transportation and protective services, including the names of persons provided such services and the nature of state business performed.

Section 163. Paragraph (f) of subsection (3) of section 944.801, Florida Statutes, is amended to read:

944.801 Education for state prisoners.—

(3) The responsibilities of the Correctional Education Program shall be to:

(f) Report annual activities to the Secretary of Corrections, ~~the Commissioner of Education, the Governor, and the Legislature.~~

Section 164. Subsection (10) of section 945.35, Florida Statutes, is repealed.

Section 165. Subsection (9) of section 958.045, Florida Statutes, is repealed.

Section 166. Paragraph (c) of subsection (1) of section 960.045, Florida Statutes, is amended to read:

960.045 Department of Legal Affairs; powers and duties.—It shall be the duty of the department to assist persons who are victims of crime.

(1) The department shall:

(c) Prepare an annual Report, prior to January 1 of each year, to the presiding officers of the Senate and House of Representatives a written report of the activities of the Crime Victims' Services Office, which shall be available on the department's Internet website.

Section 167. Paragraph (c) of subsection (8) of section 985.02, Florida Statutes, is repealed.

Section 168. Subsections (3), (4), and (5) of section 985.047, Florida Statutes, are amended to read:

985.047 Information systems.—

~~(3) In order to assist in the integration of the information to be shared, the sharing of information obtained, the joint planning on diversion and early intervention strategies for juveniles at risk of becoming serious habitual juvenile offenders, and the intervention strategies for serious habitual juvenile offenders, a multiagency task force should be organized and utilized by the law enforcement agency or county in conjunction with the initiation of the information system described in subsections (1) and (2). The multiagency task force shall be composed of representatives of those agencies and persons providing information for the central identification file and the multiagency information sheet.~~

~~(4) This multiagency task force shall develop a plan for the information system that includes measures which identify and address any disproportionate representation of ethnic or racial minorities in the information systems and shall develop strategies that address the protection of individual constitutional rights.~~

~~(3)(5)~~ A Any law enforcement agency, or county ~~that~~ which implements a juvenile offender information system and the multiagency task force which maintain the information system must annually provide any information gathered during the previous year to the delinquency and gang prevention council of the judicial circuit in which the county is located. This information ~~must~~ shall include the number, types, and patterns of delinquency tracked by the juvenile offender information system.

Section 169. Paragraph (a) of subsection (8) of section 985.47, Florida Statutes, is amended to read:

985.47 Serious or habitual juvenile offender.—

(8) ASSESSMENT AND TREATMENT SERVICES.—Pursuant to this chapter and the establishment of appropriate program guidelines and standards, contractual instruments, which shall include safeguards of all constitutional rights, shall be developed as follows:

(a) The department shall provide for:

1. The Oversight of the implementation of assessment and treatment approaches.

2. The Identification and prequalification of appropriate individuals or not-for-profit organizations, including minority individuals or organizations when possible, to provide assessment and treatment services to serious or habitual delinquent children.

3. The Monitoring and evaluation of assessment and treatment services for compliance with this chapter and all applicable rules and guidelines pursuant thereto.

~~4.—The development of an annual report on the performance of assessment and treatment to be presented to the Governor, the Attorney General, the President of the Senate, the Speaker of the House of Representatives, and the Auditor General no later than January 1 of each year.~~

Section 170. Paragraph (a) of subsection (8) of section 985.483, Florida Statutes, is amended to read:

985.483 Intensive residential treatment program for offenders less than 13 years of age.—

(8) ASSESSMENT AND TREATMENT SERVICES.—Pursuant to this chapter and the establishment of appropriate program guidelines and standards, contractual instruments, which shall include safeguards of all constitutional rights, shall be developed for intensive residential treatment programs for offenders less than 13 years of age as follows:

(a) The department shall provide for:

1. The Oversight of the implementation of assessment and treatment approaches.

2. The Identification and prequalification of appropriate individuals or not-for-profit organizations, including minority individuals or organizations when possible, to provide assessment and treatment services to intensive offenders less than 13 years of age.

3. The Monitoring and evaluation of assessment and treatment services for compliance with this chapter and all applicable rules and guidelines pursuant thereto.

~~4. The development of an annual report on the performance of assessment and treatment to be presented to the Governor, the Attorney General, the President of the Senate, the Speaker of the House of Representatives, the Auditor General, and the Office of Program Policy Analysis and Government Accountability no later than January 1 of each year.~~

Section 171. Subsection (5) of section 985.61, Florida Statutes, is repealed.

Section 172. Subsection (1) of section 985.622, Florida Statutes, is amended to read:

985.622 Multiagency plan for vocational education.—

(1) The Department of Juvenile Justice and the Department of Education shall, in consultation with the statewide Workforce Development Youth Council, school districts, providers, and others, jointly develop a multiagency plan for vocational education that establishes the curriculum, goals, and outcome measures for vocational programs in juvenile commitment facilities. The plan must include:

(a) Provisions for maximizing appropriate state and federal funding sources, including funds under the Workforce Investment Act and the Perkins Act;

(b) The responsibilities of both departments and all other appropriate entities; and

(c) A detailed implementation schedule.

~~The plan must be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by May 1, 2001.~~

Section 173. Subsection (7) of section 985.632, Florida Statutes, is repealed.

Section 174. Subsection (4) of section 1003.61, Florida Statutes, is repealed.

Section 175. Subsection (6) of section 1004.50, Florida Statutes, is repealed.

Section 176. Section 1006.0605, Florida Statutes, is repealed.

Section 177. Section 1006.67, Florida Statutes, is repealed.

Section 178. Subsection (8) of section 1009.70, Florida Statutes, is amended to read:

1009.70 Florida Education Fund.—

(8) There is created a legal education component of the Florida Education Fund to provide the opportunity for minorities to attain representation within the legal profession proportionate to their representation within the general population. The legal education component of the Florida Education Fund includes a law school program and a pre-law program.

(a) The law school scholarship program of the Florida Education Fund is to be administered by the Board of Directors of the Florida Education Fund for the purpose of increasing by ~~200~~ the number of minority students enrolled in law schools in this state by 200. Implementation of this program is to be phased in over a 3-year period.

1. The board of directors shall provide financial, academic, and other support to students selected for participation in this program from funds appropriated by the Legislature.

2. Student selection must be made in accordance with rules adopted by the board of directors for that purpose and must be based, at least in part, on an assessment of potential for success, merit, and financial need.

3. Support must be made available to students who enroll in private, as well as public, law schools in this state which are accredited by the American Bar Association.

4. Scholarships must be paid directly to the participating students.

5. Students who participate in this program must agree in writing to sit for The Florida Bar examination and, upon successful admission to The Florida Bar, to either practice law in the state for a period of time equal to the amount of time for which the student received aid, up to 3 years, or repay the amount of aid received.

~~6.—Annually, the board of directors shall compile a report that includes a description of the selection process, an analysis of the academic progress of all scholarship recipients, and an analysis of expenditures. This report must be submitted to the President of the Senate, the Speaker of the House of Representatives, and the Governor.~~

(b) The minority pre-law scholarship loan program of the Florida Education Fund is to be administered by the Board of Directors of the Florida Education Fund for the purpose of increasing the opportunity of minority students to prepare for law school.

1. From funds appropriated by the Legislature, the board of directors shall provide for student fees, room, board, books, supplies, and academic and other support to selected minority undergraduate students matriculating at eligible public and independent colleges and universities in Florida.

2. Student selection must be made in accordance with rules adopted by the board of directors for that purpose and must be based, at least in part, on an assessment of potential for success, merit, and financial need.

3. To be eligible, a student must make a written agreement to enter or be accepted to enter a law school in this state within 2 years after graduation or repay the scholarship loan amount plus interest at the prevailing rate.

4. Recipients who fail to gain admission to a law school within the specified period of time, may, upon admission to law school, be eligible to have their loans canceled.

5. Minority pre-law scholarship loans shall be provided to 34 minority students per year for up to 4 years each, for a total of 136 scholarship loans. To continue receiving receipt of scholarship loans, recipients must maintain a 2.75 grade point average for the freshman year and a 3.25 grade point average thereafter. Participants must also take specialized courses to enhance competencies in English and logic.

6. The board of directors shall maintain records on all scholarship loan recipients. Participating institutions shall submit academic progress reports to the board of directors following each academic term. ~~Annually, the board of directors shall compile a report that includes a description of the selection process, an analysis of the academic progress of all scholarship loan recipients, and an analysis of expenditures. This report must be submitted to the President of the Senate, the Speaker of the House of Representatives, and the Governor.~~

Section 179. Subsection (8) of section 1011.32, Florida Statutes, is amended to read:

1011.32 Community College Facility Enhancement Challenge Grant Program.—

(8) By September 1 of each year, the State Board of Education shall transmit to the Governor and the Legislature a list of projects ~~that~~ which meet all eligibility requirements to participate in the Community College Facility Enhancement Challenge Grant Program and a budget request ~~that~~ which includes the recommended schedule necessary to complete each project.

Section 180. Paragraph (s) of subsection (1) of section 1011.62, Florida Statutes, is amended to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR OPERATION.—The following procedure shall be followed in determining the annual allocation to each district for operation:

(s) *Extended-school-year program.*—It is the intent of the Legislature that students be provided additional instruction by extending the school year to 210 days or more. Districts may apply to the Commissioner of Education for funds to be used in planning and implementing an extended-school-year program. ~~The Department of Education shall recommend to the Legislature the policies necessary for full implementation of an extended school year.~~

Section 181. Paragraph (1) of subsection (2) of section 1012.05, Florida Statutes, is repealed.

Section 182. Subsection (1) of section 1012.42, Florida Statutes, is amended to read:

1012.42 Teacher teaching out-of-field.—

(1) ASSISTANCE.—Each district school board shall adopt and implement a plan to assist any teacher teaching out-of-field, and priority consideration in professional development activities shall be given to a teacher ~~teachers~~ who is ~~are~~ teaching out-of-field. The district school board shall require that the teacher ~~such teachers~~ participate in a certification or staff development program designed to provide the teacher with the competencies required for the assigned duties. The board-approved assistance plan must include duties of administrative personnel and other instructional personnel to provide students with instructional services. ~~Each district school board shall contact its regional workforce board, created pursuant to s. 445.007, to identify resources that may assist teachers who are teaching out-of-field and who are pursuing certification.~~

Section 183. Section 1013.11, Florida Statutes, is amended to read:

1013.11 Postsecondary institutions assessment of physical plant safety. The president of each postsecondary institution shall conduct or cause to be conducted an annual assessment of physical plant safety. An annual report shall incorporate the assessment findings ~~obtained through such assessment~~ and recommendations for the improvement of safety on each campus. The annual report shall be submitted to the respective governing or licensing board of jurisdiction no later than January 1 of each year. Each board shall compile the individual institutional reports and convey the aggregate

institutional reports to the Commissioner of Education or the Chancellor of the State University System, as appropriate. ~~The Commissioner of Education and the Chancellor of the State University System shall convey these reports and the reports required in s. 1006.67 to the President of the Senate and the Speaker of the House of Representatives no later than March 1 of each year.~~

Section 184. Subsection (3) of section 161.142, Florida Statutes, is amended to read:

161.142 Declaration of public policy relating to improved navigation inlets.—The Legislature recognizes the need for maintaining navigation inlets to promote commercial and recreational uses of our coastal waters and their resources. The Legislature further recognizes that inlets interrupt or alter the natural drift of beach-quality sand resources, which often results in these sand resources being deposited in nearshore areas or in the inlet channel, or in the inland waterway adjacent to the inlet, instead of providing natural nourishment to the adjacent eroding beaches. Accordingly, the Legislature finds it is in the public interest to replicate the natural drift of sand which is interrupted or altered by inlets to be replaced and for each level of government to undertake all reasonable efforts to maximize inlet sand bypassing to ensure that beach-quality sand is placed on adjacent eroding beaches. Such activities cannot make up for the historical sand deficits caused by inlets but shall be designed to balance the sediment budget of the inlet and adjacent beaches and extend the life of proximate beach-restoration projects so that periodic nourishment is needed less frequently. Therefore, in furtherance of this declaration of public policy and the Legislature’s intent to redirect and recommit the state’s comprehensive beach management efforts to address the beach erosion caused by inlets, the department shall ensure that:

(3) Construction waterward of the coastal construction control line on downdrift coastal areas, on islands substantially created by the deposit of spoil, located within 1 mile of the centerline of navigation channels or inlets, providing access to ports listed in s. 403.021(9)(b), which suffers or has suffered erosion caused by such navigation channel maintenance or construction shall be exempt from the permitting requirements and prohibitions of s. 161.053(4)(5) or (5) (6); however, such construction shall comply with the applicable Florida Building Code adopted pursuant to s. 553.73. The timing and sequence of any construction activities associated with inlet management projects shall provide protection to nesting sea turtles and their hatchlings and habitats, to nesting shorebirds, and to native salt-resistant vegetation and endangered plant communities. Beach-quality sand placed on the beach as part of an inlet management project must be suitable for marine turtle nesting.

Section 185. Paragraph (a) of subsection (4) of section 163.065, Florida Statutes, is amended to read:

163.065 Miami River Improvement Act.—

(4) PLAN.—The Miami River Commission, working with the City of Miami and Miami-Dade County, shall consider the merits of the following:

(a) Development and adoption of an urban infill and redevelopment plan, under ss. 163.2511-163.2523 ~~ss. 163.2511-163.2526~~, which and participating state and regional agencies shall review ~~the proposed plan~~ for the purposes of determining consistency with applicable law.

Section 186. Subsection (1) of section 163.2511, Florida Statutes, is amended to read:

163.2511 Urban infill and redevelopment.—

(1) Sections 163.2511-163.2523 ~~163.2511-163.2526~~ may be cited as the “Growth Policy Act.”

Section 187. Section 163.2514, Florida Statutes, is amended to read:

163.2514 Growth Policy Act; definitions.—As used in ss. 163.2511-163.2523, the term ~~ss. 163.2511-163.2526~~:

(1) “Local government” means any county or municipality.

(2) “Urban infill and redevelopment area” means an area or areas designated by a local government where:

(a) Public services such as water and wastewater, transportation, schools, and recreation are already available or are scheduled to be provided in an adopted 5-year schedule of capital improvements;

(b) The area, or one or more neighborhoods within the area, suffers from pervasive poverty, unemployment, and general distress as defined by s. 290.0058;

(c) The area exhibits a proportion of properties that are substandard, overcrowded, dilapidated, vacant or abandoned, or functionally obsolete which is higher than the average for the local government;

(d) More than 50 percent of the area is within ¼ mile of a transit stop, or a sufficient number of ~~such~~ transit stops will be made available concurrent with the designation; and

(e) The area includes or is adjacent to community redevelopment areas, brownfields, enterprise zones, or Main Street programs, or has been designated by the state or Federal Government as an urban redevelopment, revitalization, or infill area under empowerment zone, enterprise community, or brownfield showcase community programs or similar programs.

Section 188. Subsection (2) of section 163.3202, Florida Statutes, is amended to read:

163.3202 Land development regulations.—

(2) Local land development regulations shall contain specific and detailed provisions necessary or desirable to implement the adopted comprehensive plan and shall at as a minimum:

(a) Regulate the subdivision of land.

(b) Regulate the use of land and water for those land use categories included in the land use element and ensure the compatibility of adjacent uses and provide for open space.

(c) Provide for protection of potable water wellfields.

(d) Regulate areas subject to seasonal and periodic flooding and provide for drainage and stormwater management.

(e) Ensure the protection of environmentally sensitive lands designated in the comprehensive plan.

(f) Regulate signage.

(g) Provide that public facilities and services meet or exceed the standards established in the capital improvements element required by s. 163.3177 and are available when needed for the development, or that development orders and permits are conditioned on the availability of these public facilities and services necessary to serve the proposed development. ~~Not later than 1 year after its due date established by the state land planning agency's rule for submission of local comprehensive plans pursuant to s. 163.3167(2);~~ A local government may ~~shall~~ not issue a development order or permit ~~that which~~ results in a reduction in the level of services for the affected public facilities below the level of services provided in the local government's comprehensive plan of the ~~local government~~.

(h) Ensure safe and convenient onsite traffic flow, considering needed vehicle parking.

Section 189. Paragraph (b) of subsection (11) of section 259.041, Florida Statutes, is amended to read:

259.041 Acquisition of state-owned lands for preservation, conservation, and recreation purposes.—

(11)

(b) All project applications shall identify, within their acquisition plans, ~~those projects that which~~ require a full fee simple interest to achieve the public policy goals, together with the reasons full title is determined to be necessary. The state agencies and the water management districts may use alternatives to fee simple acquisition to bring the remaining projects in their acquisition plans under public protection. For the purposes of this subsection, the term “alternatives to fee simple acquisition” includes, but is not limited to: purchase of development rights; obtaining conservation

easements; obtaining flowage easements; purchase of timber rights, mineral rights, or hunting rights; purchase of agricultural interests or silvicultural interests; entering into land protection agreements as defined in s. 380.0677(3) ~~s. 380.0677(4)~~; fee simple acquisitions with reservations; creating life estates; or any other acquisition technique ~~that~~ ~~which~~ achieves the public policy goals listed in paragraph (a). It is presumed that a private landowner retains the full range of uses for all the rights or interests in the landowner's land which are not specifically acquired by the public agency. The lands upon which hunting rights are specifically acquired pursuant to this paragraph shall be available for hunting in accordance with the management plan or hunting regulations adopted by the Florida Fish and Wildlife Conservation Commission, unless the hunting rights are purchased specifically to protect activities on adjacent lands.

Section 190. Paragraph (c) of subsection (3) of section 259.101, Florida Statutes, is amended to read:

259.101 Florida Preservation 2000 Act.—

(3) LAND ACQUISITION PROGRAMS SUPPLEMENTED.—Less the costs of issuance, the costs of funding reserve accounts, and other costs with respect to the bonds, the proceeds of bonds issued pursuant to this act shall be deposited into the Florida Preservation 2000 Trust Fund created by s. 375.045. In fiscal year 2000-2001, for each Florida Preservation 2000 program described in paragraphs (a)-(g), that portion of each program's total remaining cash balance which, as of June 30, 2000, is in excess of that program's total remaining appropriation balances shall be redistributed by the department and deposited into the Save Our Everglades Trust Fund for land acquisition. For purposes of calculating the total remaining cash balances for this redistribution, the Florida Preservation 2000 Series 2000 bond proceeds, including interest thereon, and the fiscal year 1999-2000 General Appropriations Act amounts shall be deducted from the remaining cash and appropriation balances, respectively. The remaining proceeds shall be distributed by the Department of Environmental Protection in the following manner:

(c) Ten percent to the Department of Community Affairs to provide land acquisition grants and loans to local governments through the Florida Communities Trust pursuant to part III of chapter 380. From funds allocated to the trust, \$3 million annually shall be used by the Division of State Lands within the Department of Environmental Protection to implement the Green Swamp Land Protection Initiative specifically for the purchase of conservation easements, as defined in s. 380.0677(3) ~~s. 380.0677(4)~~, of lands, or severable interests or rights in lands, in the Green Swamp Area of Critical State Concern. From funds allocated to the trust, \$3 million annually shall be used by the Monroe County Comprehensive Plan Land Authority specifically for the purchase of a ~~any~~ real property interest in ~~either~~ those lands subject to the Rate of Growth Ordinances adopted by local governments in Monroe County or those lands within the boundary of an approved Conservation and Recreation Lands project located within the Florida Keys or Key West Areas

of Critical State Concern; however, title to lands acquired within the boundary of an approved Conservation and Recreation Lands project may, in accordance with an approved joint acquisition agreement, vest in the Board of Trustees of the Internal Improvement Trust Fund. Of the remaining funds allocated to the trust after the above transfers occur, one-half shall be matched by local governments on a dollar-for-dollar basis. To the extent allowed by federal requirements for the use of bond proceeds, the trust shall expend Preservation 2000 funds to carry out the purposes of part III of chapter 380.

Local governments may use federal grants or loans, private donations, or environmental mitigation funds, including environmental mitigation funds required pursuant to s. 338.250, for any part or all of any local match required for the purposes described in this subsection. Bond proceeds allocated pursuant to paragraph (c) may be used to purchase lands on the priority lists developed pursuant to s. 259.035. Title to lands purchased pursuant to paragraphs (a), (d), (e), (f), and (g) shall be vested in the Board of Trustees of the Internal Improvement Trust Fund. Title to lands purchased pursuant to paragraph (c) may be vested in the Board of Trustees of the Internal Improvement Trust Fund. The board of trustees shall hold title to land protection agreements and conservation easements that were or will be acquired pursuant to s. 380.0677, and the Southwest Florida Water Management District and the St. Johns River Water Management District shall monitor such agreements and easements within their respective districts until the state assumes this responsibility.

Section 191. Subsections (1) and (5) of section 369.305, Florida Statutes, are amended to read:

369.305 Review of local comprehensive plans, land development regulations, Wekiva River development permits, and amendments.—

(1) ~~It is the intent of the Legislature that comprehensive plans and land development regulations of Orange, Lake, and Seminole Counties be revised to protect the Wekiva River Protection Area prior to the due dates established in ss. 163.3167(2) and 163.3202 and chapter 9J-12, Florida Administrative Code. It is also the intent of the Legislature that Orange, Lake, and Seminole the Counties emphasize the Wekiva River Protection Area this important state resource in their planning and regulation efforts. Therefore, each county's county shall, by April 1, 1989, review and amend those portions of its local comprehensive plan and its land development regulations applicable to the Wekiva River Protection Area must, and, if necessary, adopt additional land development regulations which are applicable to the Wekiva River Protection Area to meet the following criteria:~~

(a) Each county's local comprehensive plan must shall contain goals, policies, and objectives that which result in the protection of the:

1. Water quantity, water quality, and hydrology of the Wekiva River System;

- 2. Wetlands associated with the Wekiva River System;
- 3. Aquatic and wetland-dependent wildlife species associated with the Wekiva River System;
- 4. Habitat within the Wekiva River Protection Area of species designated pursuant to rules 39-27.003, 39-27.004, and 39-27.005, Florida Administrative Code; and
- 5. Native vegetation within the Wekiva River Protection Area.

(b) The various land uses and densities and intensities of development permitted by the local comprehensive plan shall protect the resources enumerated in paragraph (a) and the rural character of the Wekiva River Protection Area. The plan must ~~shall~~ also include:

1. Provisions that ~~to~~ ensure the preservation of sufficient habitat for feeding, nesting, roosting, and resting so as to maintain viable populations of species designated pursuant to rules 39-27.003, 39-27.004, and 39-27.005, Florida Administrative Code, within the Wekiva River Protection Area.

2. Restrictions on the clearing of native vegetation within the 100-year flood plain.

3. Prohibition of development that is not low-density residential in nature, unless the ~~that~~ development has less effect ~~impacts~~ on natural resources than low-density residential development.

4. Provisions for setbacks along the Wekiva River for areas that do not fall within the protection zones established pursuant to s. 373.415.

5. Restrictions on intensity of development adjacent to publicly owned lands to prevent adverse impacts to such lands.

6. Restrictions on filling and alteration of wetlands in the Wekiva River Protection Area.

7. Provisions encouraging clustering of residential development if ~~when~~ it promotes protection of environmentally sensitive areas, and ensures ~~ensuring~~ that residential development in the aggregate are ~~shall be of~~ a rural in density and character.

(c) The local comprehensive plan must ~~shall~~ require that the density or intensity of development permitted on parcels of property adjacent to the Wekiva River System be concentrated on those portions of the parcels which are the farthest from the surface waters and wetlands of the Wekiva River System.

(d) The local comprehensive plan must ~~shall~~ require that parcels of land adjacent to the surface waters and watercourses of the Wekiva River System not be subdivided so as to interfere with the implementation of protection

zones as established pursuant to s. 373.415, any applicable setbacks from the surface waters in the Wekiva River System which are established by local governments, or the policy established in paragraph (c) of concentrating development in the Wekiva River Protection Area as far from the surface waters and wetlands of the Wekiva River System as practicable.

(e) The local land development regulations must shall implement the provisions of paragraphs (a), (b), (c), and (d) and must shall also include restrictions on the location of septic tanks and drainfields in the 100-year flood plain and discharges of stormwater to the Wekiva River System.

~~(5) During the period of time between the effective date of this act and the due date of a county's revised local government comprehensive plan as established by s. 163.3167(2) and chapter 9J-12, Florida Administrative Code, any local comprehensive plan amendment or amendment to a land development regulation, adopted or issued by a county, which applies to the Wekiva River Protection Area, or any Wekiva River development permit adopted by a county, solely within protection zones established pursuant to s. 373.415, shall be sent to the department within 10 days after its adoption or issuance by the local governing body but shall not become effective until certified by the department as being in compliance with purposes described in subsection (1). The department shall make its decision on certification within 60 days after receipt of the amendment or development permit solely within protection zones established pursuant to s. 373.415. The department's decision on certification shall be final agency action. This subsection shall not apply to any amendments or new land development regulations adopted pursuant to subsections (1)-(4) or to any development order approving, approving with conditions, or denying a development of regional impact.~~

Section 192. Paragraph (g) of subsection (1) of section 379.2431, Florida Statutes, is amended to read:

379.2431 Marine animals; regulation.—

(1) PROTECTION OF MARINE TURTLES.—

(g) The Department of Environmental Protection may condition the nature, timing, and sequence of construction of permitted activities to provide protection to nesting marine turtles and hatchlings and their habitat pursuant to ~~s. 161.053(4) the provisions of s. 161.053(5)~~. ~~If~~ When the department is considering a permit for a beach restoration, beach renourishment, or inlet sand transfer project and the applicant has had an active marine turtle nest relocation program or the applicant has agreed to and has the ability to administer a program, the department may ~~must~~ not restrict the timing of the project. ~~If~~ Where appropriate, the department, in accordance with the applicable rules of the Fish and Wildlife Conservation Commission, shall require as a condition of the permit that the applicant relocate and monitor all turtle nests that would be affected by the beach restoration, beach renourishment, or sand transfer activities. Such relocation and monitoring activities shall be conducted in a manner that ensures

successful hatching. This limitation on the department's authority applies only on the Atlantic coast of Florida.

Section 193. Section 381.732, Florida Statutes, is amended to read:

381.732 Short title; Healthy Communities, Healthy People Act.—Sections ~~381.732-381.734~~ ~~381.731-381.734~~ may be cited as the “Healthy Communities, Healthy People Act.”

Section 194. Section 381.733, Florida Statutes, is amended to read:

381.733 Definitions relating to Healthy Communities, Healthy People Act.—As used in ss. 381.732-381.734 ~~ss. 381.731-381.734~~, the term:

- (1) “Department” means the Department of Health.
- (2) “Primary prevention” means interventions directed toward healthy populations with a focus on avoiding disease before it occurs ~~prior to its occurrence~~.
- (3) “Secondary prevention” means interventions designed to promote the early detection and treatment of diseases and to reduce the risks experienced by at-risk populations.
- (4) “Tertiary prevention” means interventions directed at rehabilitating and minimizing the effects of disease in a chronically ill population.

Section 195. Paragraph (d) of subsection (5) of section 411.01, Florida Statutes, is amended to read:

411.01 School readiness programs; early learning coalitions.—

(5) CREATION OF EARLY LEARNING COALITIONS.—

(d) *Implementation*.—

1. An early learning coalition may not implement the school readiness program until ~~the coalition is authorized through approval of the coalition's school readiness plan~~ is approved by the Agency for Workforce Innovation.

2. Each early learning coalition shall develop a plan for implementing the school readiness program to meet the requirements of this section and the performance standards and outcome measures adopted by the Agency for Workforce Innovation. The plan must demonstrate how the program will ensure that each 3-year-old and 4-year-old child in a publicly funded school readiness program receives scheduled activities and instruction designed to enhance the age-appropriate progress of the children in attaining the performance standards adopted by the agency ~~for Workforce Innovation~~ under subparagraph (4)(d)8. Before implementing the school readiness program, the early learning coalition must submit the plan to the agency ~~for Workforce Innovation~~ for approval. The agency ~~for Workforce Innovation~~ may approve the plan, reject the plan, or approve the plan with conditions.

The agency for ~~Workforce Innovation~~ shall review school readiness plans at least annually.

3. If the Agency for Workforce Innovation determines during the annual review of school readiness plans, or through monitoring and performance evaluations conducted under paragraph (4)(1), that an early learning coalition has not substantially implemented its plan, has not substantially met the performance standards and outcome measures adopted by the agency, or has not effectively administered the school readiness program or Voluntary Prekindergarten Education Program, the agency for ~~Workforce Innovation~~ may dissolve the coalition and temporarily contract with a qualified entity to continue school readiness and prekindergarten services in the coalition's county or multicounty region until the coalition is reestablished through resubmission of a school readiness plan and approval by the agency.

4. The Agency for Workforce Innovation shall adopt criteria for the approval of school readiness plans. The criteria must be consistent with the performance standards and outcome measures adopted by the agency and must require each approved plan to include the following minimum standards and provisions:

a. A sliding fee scale establishing a copayment for parents based upon their ability to pay, which is the same for all program providers, to be implemented and reflected in each program's budget.

b. A choice of settings and locations in licensed, registered, religious-exempt, or school-based programs to be provided to parents.

c. Instructional staff who have completed the training course as required in s. 402.305(2)(d)1., as well as staff who have additional training or credentials as required by the Agency for Workforce Innovation. The plan must provide a method for assuring the qualifications of all personnel in all program settings.

d. Specific eligibility priorities for children within the early learning coalition's county or multicounty region in accordance with subsection (6).

e. Performance standards and outcome measures adopted by the agency for ~~Workforce Innovation~~.

f. Payment rates adopted by the early learning coalition and approved by the agency for ~~Workforce Innovation~~. Payment rates may not have the effect of limiting parental choice or creating standards or levels of services that have not been authorized by the Legislature.

g. Systems support services, including a central agency, child care resource and referral, eligibility determinations, training of providers, and parent support and involvement.

h. Direct enhancement services to families and children. System support and direct enhancement services shall be in addition to payments for the placement of children in school readiness programs.

i. The business organization of the early learning coalition, which must include the coalition's articles of incorporation and bylaws if the coalition is organized as a corporation. If the coalition is not organized as a corporation or other business entity, the plan must include the contract with a fiscal agent. An early learning coalition may contract with other coalitions to achieve efficiency in multicounty services, and these contracts may be part of the coalition's school readiness plan.

j. Strategies to meet the needs of unique populations, such as migrant workers.

As part of the school readiness plan, the early learning coalition may request the Governor to apply for a waiver to allow the coalition to administer the Head Start Program to accomplish the purposes of the school readiness program. If a school readiness plan demonstrates that specific statutory goals can be achieved more effectively by ~~require modification of~~ modifying using procedures that existing rules, policies, or procedures, a request for a waiver to the Agency for Workforce Innovation may be submitted as part of the plan. Upon review, the agency ~~for Workforce Innovation~~ may grant the proposed modification.

5. Persons with an early childhood teaching certificate may provide support and supervision to other staff in the school readiness program.

6. An early learning coalition may not implement its school readiness plan until it submits the plan to and receives approval from the Agency for Workforce Innovation. Once the plan is approved, the plan and the services provided under the plan shall be controlled by the early learning coalition. The plan shall be reviewed and revised as necessary, but at least biennially. An early learning coalition may not implement the revisions until the coalition submits the revised plan to and receives approval from the agency ~~for Workforce Innovation~~. If the agency ~~for Workforce Innovation~~ rejects a revised plan, the coalition must continue to operate under its prior approved plan.

7. Sections 125.901(2)(a)3, ~~411.221~~, and 411.232 do not apply to an early learning coalition with an approved school readiness plan. To facilitate innovative practices and to allow the regional establishment of school readiness programs, an early learning coalition may apply to the Governor and Cabinet for a waiver of, and the Governor and Cabinet may waive, any of the provisions of ss. 411.223, 411.232, and 1003.54, if the waiver is necessary for implementation of the coalition's school readiness plan.

8. Two or more counties may join for purposes of planning and implementing a school readiness program.

9. An early learning coalition may, subject to approval by the Agency for Workforce Innovation as part of the coalition’s school readiness plan, receive subsidized child care funds for all children eligible for any federal subsidized child care program.

10. An early learning coalition may enter into multiparty contracts with multicounty service providers in order to meet the needs of unique populations such as migrant workers.

Section 196. Paragraph (a) of subsection (3) of section 411.232, Florida Statutes, is amended to read:

411.232 Children’s Early Investment Program.—

(3) ESSENTIAL ELEMENTS.—

(a) Initially, the program shall be directed to geographic areas where at-risk young children and their families are in greatest need because of an unfavorable combination of economic, social, environmental, and health factors, including, without limitation, extensive poverty, high crime rate, great incidence of low birthweight babies, high incidence of alcohol and drug abuse, and high rates of teenage pregnancy. The selection of a geographic site must ~~shall~~ also consider the incidence of young children within these at-risk geographic areas who are cocaine babies, children of single mothers who receive temporary cash assistance, children of teenage parents, low birth-weight babies, and very young foster children. To receive funding under this section, an agency, board, council, or provider must demonstrate:

1. Its capacity to administer and coordinate the programs and services in a comprehensive manner and provide a flexible range of services;
2. Its capacity to identify and serve those children least able to access existing programs and case management services;
3. Its capacity to administer and coordinate the programs and services in an intensive and continuous manner;
4. The proximity of its facilities to young children, parents, and other family members to be served by the program, or its ability to provide offsite services;
5. Its ability to use existing federal, state, and local governmental programs and services in implementing the investment program;
6. Its ability to coordinate activities and services with existing public and private, state and local agencies and programs such as those responsible for health, education, social support, mental health, child care, respite care, housing, transportation, alcohol and drug abuse treatment and prevention, income assistance, employment training and placement, nutrition, and other relevant services, all the foregoing intended to assist children and families at risk;

7. How its plan will involve project participants and community representatives in the planning and operation of the investment program; and

8. Its ability to participate in the evaluation component required in this section;~~;~~ and

~~9. Its consistency with the strategic plan pursuant to s. 411.221.~~

Section 197. Paragraph (a) of subsection (6) of section 445.006, Florida Statutes, is amended to read:

445.006 Strategic and operational plans for workforce development.—

(6)(a) The operational plan must include strategies that are designed to prevent or reduce the need for a person to receive public assistance, including. ~~These strategies must include:~~

1. A teen pregnancy prevention component that includes, but is not limited to, a plan for implementing the Florida Education Now and Babies Later (ENABL) program under s. 411.242 and the Teen Pregnancy Prevention Community Initiative within each county of the services area in which the teen birth rate is higher than the state average;

2. A component that encourages creation of community-based welfare prevention and reduction initiatives that increase support provided by noncustodial parents to their welfare-dependent children and are consistent with program and financial guidelines developed by Workforce Florida, Inc., and the Commission on Responsible Fatherhood. These initiatives may include, but are not limited to, improved paternity establishment, work activities for noncustodial parents, programs aimed at decreasing out-of-wedlock pregnancies, encouraging involvement of fathers with their children including court-ordered supervised visitation, and increasing child support payments;

3. A component that encourages formation and maintenance of two-parent families through, among other things, court-ordered supervised visitation;

4. A component that fosters responsible fatherhood in families receiving assistance; and

5. A component that fosters provision of services that reduce the incidence and effects of domestic violence on women and children in families receiving assistance.

Section 198. Subsections (24), (25), and (26) of section 1001.42, Florida Statutes, are amended to read:

1001.42 Powers and duties of district school board.—The district school board, acting as a board, shall exercise all powers and perform all duties listed below:

~~(24) REDUCE PAPERWORK AND DATA COLLECTION AND REPORTING REQUIREMENTS.~~—Beginning with the 2006-2007 school year:

~~(a) Each district school board shall designate a classroom teacher to serve as the teacher representative to speak on behalf of the district’s teachers regarding paperwork and data collection reduction.~~

~~(b) Each district school board must provide the school community with an efficient method for the school community to communicate with the classroom teacher designee regarding possible paperwork and data collection burdens and potential solutions.~~

~~(c) The teacher designee shall annually report his or her findings and potential solutions to the school board.~~

~~(d) Each district school board must submit its findings and potential solutions to the State Board of Education by September 1 of each year.~~

~~(e) The State Board of Education shall prepare a report of the statewide paperwork and data collection findings and potential solutions and submit the report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by October 1 of each year.~~

~~(24)(25) EMPLOYMENT CONTRACTS.~~— A district school board may not enter into an employment contract that requires the district to pay from state funds an employee an amount in excess of 1 year of the employee’s annual salary for termination, buyout, or any other type of contract settlement. This subsection does not prohibit the payment of earned leave and benefits in accordance with the district’s leave and benefits policies which were accrued by the employee before the contract terminates.

~~(25)(26) ADOPT RULES.~~—Adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this section.

Section 199. Present paragraph (c) of subsection (3) of section 1008.31, Florida Statutes, is redesignated as paragraph (e), and new paragraphs (c) and (d) are added to that subsection, to read:

1008.31 Florida’s K-20 education performance accountability system; legislative intent; mission, goals, and systemwide measures; data quality improvements.—

(3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.—To provide data required to implement education performance accountability measures in state and federal law, the Commissioner of Education shall initiate and maintain strategies to improve data quality and timeliness. All data collected from state universities shall, as determined by the

commissioner, be integrated into the K-20 data warehouse. The commissioner shall have unlimited access to such data solely for the purposes of conducting studies, reporting annual and longitudinal student outcomes, and improving college readiness and articulation. All public educational institutions shall provide data to the K-20 data warehouse in a format specified by the commissioner.

(c) The commissioner shall continuously monitor and review the collection of paperwork, data, and reports by school districts and complete an annual review of such collection no later than June 1 of each year. The annual review must include recommendations for consolidating paperwork, data, and reports, wherever feasible, in order to reduce the burdens on school districts.

(d) By July 1 of each year, the commissioner shall prepare a report assisting the school districts in eliminating or consolidating paperwork, data, and reports by providing suggestions, technical assistance, and guidance.

Section 200. This act shall take effect upon becoming a law.

Approved by the Governor May 26, 2010.

Filed in Office Secretary of State May 26, 2010.