

By the Committees on Commerce and Tourism; and Commerce and Tourism

577-02573-11

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1 A bill to be entitled
2 An act relating to obsolete references and programs;
3 amending s. 14.2015, F.S.; removing an obsolete
4 reference to the Department of Commerce; amending s.
5 20.18, F.S.; updating a reference to the Department of
6 Commerce to refer instead to the Office of Tourism,
7 Trade, and Economic Development; amending s. 45.031,
8 F.S.; removing an obsolete reference to the Department
9 of Labor and Employment Security; amending s. 69.041,
10 F.S.; removing an obsolete reference to the Department
11 of Labor and Employment Security; amending s. 112.044,
12 F.S.; removing obsolete references to the Department
13 of Labor and Employment Security; amending s. 252.85,
14 F.S.; updating a reference to the Department of Labor
15 and Employment Security; amending s. 252.87, F.S.;
16 removing a reference to the Department of Labor and
17 Employment Security; amending s. 252.937, F.S.;
18 removing a reference to the Department of Labor and
19 Employment Security; amending s. 287.09431, F.S.;
20 updating references to the Department of Labor and
21 Employment Security; amending s. 287.09451, F.S.;
22 removing references to the Department of Labor and
23 Employment Security; amending s. 287.0947, F.S.;
24 removing a reference to the Department of Labor and
25 Employment Security; correcting a cross-reference;
26 amending s. 288.021, F.S.; updating a reference to the
27 Department of Labor and Employment Security; amending
28 s. 288.035, F.S.; removing a reference to the
29 Department of Commerce; repealing s. 288.038, F.S.,

577-02573-11

20111346c1

relating to agreements of the Department of Labor and
Employment Security with county tax collectors;
amending s. 288.1168, F.S.; updating obsolete
references to the Department of Commerce; amending s.
288.1229, F.S.; removing a reference to the Department
of Commerce; amending s. 288.1169, F.S.; updating
references to the Department of Commerce; amending s.
331.369, F.S.; updating references to the Workforce
Development Board of Enterprise Florida, Inc.;
amending s. 377.711, F.S.; removing a reference to the
Department of Commerce; providing for standard compact
provisions regarding recommendations by the Southern
States Energy Board; amending s. 377.712, F.S.;
clarifying provisions governing participation in the
compact by the state and its agencies; amending s.
409.2576, F.S.; removing references to the Department
of Labor and Employment Security; amending s. 414.24,
F.S.; updating references to the Department of Labor
and Employment Security; amending s. 414.40, F.S.;
updating provisions governing the Stop Inmate Fraud
Program; updating a reference to the Department of
Labor and Employment Security; amending s. 440.385,
F.S.; updating a reference to the Department of Labor
and Employment Security; removing obsolete provisions;
amending s. 440.49, F.S.; removing a reference to the
Department of Labor and Employment Security; removing
obsolete provisions; repealing s. 446.60, F.S.,
relating to assistance for displaced local exchange
telecommunications company workers; amending s.

577-02573-11

20111346c1

450.161, F.S.; updating a reference to the Division of
Jobs and Benefits; amending s. 464.203, F.S.; updating
a reference to the Enterprise Florida Jobs and
Education Partnership Grant; amending s. 489.1455,
F.S.; updating a reference to the Department of Labor
and Employment Security; amending s. 489.5335, F.S.;
updating a reference to the Department of Labor and
Employment Security; amending s. 553.62, F.S.;
removing a reference to the Department of Labor and
Employment Security; amending s. 597.006, F.S.;
removing a reference to the Department of Labor and
Employment Security; amending s. 944.012, F.S.;
updating a reference to the Florida State Employment
Service; amending s. 944.708, F.S.; removing a
reference to the Agency for Workforce Innovation;
repealing ss. 255.551-255.563, F.S., relating to the
asbestos management program; amending s. 469.002,
F.S.: conforming a cross-reference to changes made by
the act; repealing s. 469.003(2)(b), F.S., relating to
obsolete provisions governing the licensure of
asbestos surveyors; providing an effective date.

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

Section 1. Subsection (8) of section 14.2015, Florida
Statutes, is amended to read:

14.2015 Office of Tourism, Trade, and Economic Development;
creation; powers and duties.—

(8) The Office of Tourism, Trade, and Economic Development

577-02573-11

20111346c1

88 shall ensure that the contract between the Florida Commission on
89 Tourism and the commission's direct-support organization
90 contains a provision to provide the data on the visitor counts
91 and visitor profiles used in revenue estimating, ~~employing the~~
92 ~~same methodology used in fiscal year 1995-1996 by the Department~~
93 ~~of Commerce~~. The Office of Tourism, Trade, and Economic
94 Development and the Florida Commission on Tourism must advise
95 and consult with the Consensus Estimating Conference principals
96 before making any changes in methodology used or information
97 gathered.

98 Section 2. Subsection (4) of section 20.18, Florida
99 Statutes, is amended to read:

100 20.18 Department of Community Affairs.—There is created a
101 Department of Community Affairs.

102 (4) In addition to its other powers, duties, and functions,
103 the department shall, under the general supervision of the
104 secretary and the Interdepartmental Coordinating Council on
105 Community Services, assist and encourage the development of
106 state programs by the various departments for the productive use
107 of human resources, and the department shall work with other
108 state agencies in order that together they might:

109 (a) Effect the coordination, by the responsible agencies of
110 the state, of the career and adult educational programs of the
111 state in order to provide the maximum use and meaningful
112 employment of persons completing courses of study from such
113 programs;

114 (b) Assist the Office of Tourism, Trade, and Economic
115 Development ~~Department of Commerce~~ in the development of
116 employment opportunities; and

577-02573-11

20111346c1

117 (c) Improve the enforcement of special district reporting
118 requirements and the communication among state agencies that
119 receive mandatory reports from special districts.

120 Section 3. Paragraph (a) of subsection (7) of section
121 45.031, Florida Statutes, is amended to read:

122 45.031 Judicial sales procedure.—In any sale of real or
123 personal property under an order or judgment, the procedures
124 provided in this section and ss. 45.0315-45.035 may be followed
125 as an alternative to any other sale procedure if so ordered by
126 the court.

127 (7) DISBURSEMENTS OF PROCEEDS.—

128 (a) On filing a certificate of title, the clerk shall
129 disburse the proceeds of the sale in accordance with the order
130 or final judgment and shall file a report of such disbursements
131 and serve a copy of it on each party, and on the Department of
132 Revenue if the department was named as a defendant in the action
133 or if the Agency for Workforce Innovation ~~or the former~~
134 ~~Department of Labor and Employment Security~~ was named as a
135 defendant while the Department of Revenue was providing
136 unemployment tax collection services under contract with the
137 Agency for Workforce Innovation through an interagency agreement
138 pursuant to s. 443.1316.

139 Section 4. Paragraph (a) of subsection (4) of section
140 69.041, Florida Statutes, is amended to read:

141 69.041 State named party; lien foreclosure, suit to quiet
142 title.—

143 (4) (a) The Department of Revenue has the right to
144 participate in the disbursement of funds remaining in the
145 registry of the court after distribution pursuant to s.

577-02573-11

20111346c1

146 45.031(7). The department shall participate in accordance with
147 applicable procedures in any mortgage foreclosure action in
148 which the department has a duly filed tax warrant, or interests
149 under a lien arising from a judgment, order, or decree for
150 support, as defined in s. 409.2554, or interest in an
151 unemployment compensation tax lien under contract with the
152 Agency for Workforce Innovation through an interagency agreement
153 pursuant to s. 443.1316, against the subject property and with
154 the same priority, regardless of whether a default against the
155 department or, the Agency for Workforce Innovation, ~~or the~~
156 ~~former Department of Labor and Employment Security~~ has been
157 entered for failure to file an answer or other responsive
158 pleading.

159 Section 5. Paragraph (d) of subsection (2) and subsection
160 (5) of section 112.044, Florida Statutes, are amended to read:

161 112.044 Public employers, employment agencies, labor
162 organizations; discrimination based on age prohibited;
163 exceptions; remedy.—

164 (2) DEFINITIONS.—For the purpose of this act:

165 ~~(d) "Department" means the Department of Labor and~~
166 ~~Employment Security.~~

167 (5) NOTICE TO BE POSTED.—Each employer, employment agency,
168 and labor organization shall post and keep posted in conspicuous
169 places upon its premises notices required by the United States
170 Department of Labor and the Equal Employment Opportunity
171 Commission ~~a notice to be prepared or approved by the department~~
172 ~~setting forth such information as the department deems~~
173 ~~appropriate to effectuate the purposes of this act.~~

174 Section 6. Subsection (1) of section 252.85, Florida

577-02573-11

20111346c1

Statutes, is amended to read:

252.85 Fees.—

(1) Any owner or operator of a facility required under s. 302 or s. 312 of EPCRA, or by s. 252.87, to submit a notification or an annual inventory form to the commission shall be required to pay an annual registration fee. The fee for any company, including all facilities under common ownership or control, shall not be less than \$25 nor more than \$2,000. The department shall establish a reduced fee, of not less than \$25 nor more than \$500, applicable to any owner or operator regulated under part I of chapter 368, chapter 527, or s. 376.303, which does not have present any extremely hazardous substance, as defined by EPCRA, in excess of a threshold planning quantity, as established by EPCRA. The department shall establish a reduced fee of not less than \$25 nor more than \$1,000, applicable to any owner or operator of a facility with a Standard Industrial Classification Code of 01, 02, or 07, which is eligible for the "routine agricultural use" exemption provided in ss. 311 and 312 of EPCRA. The fee under this subsection shall be based on the number of employees employed within the state at facilities under the common ownership or control of such owner or operator, which number shall be determined, to the extent possible, in accordance with data supplied by the Agency for Workforce Innovation or its tax collection service provider ~~Department of Labor and Employment Security~~. In order to avoid the duplicative reporting of seasonal and temporary agricultural employees, fees applicable to owners or operators of agricultural facilities, which are eligible for the "routine agricultural use" reporting exemption

577-02573-11

20111346c1

provided in ss. 311 and 312 of EPCRA, shall be based on employee data which most closely reflects such owner or operator's permanent nonseasonal workforce. The department shall establish by rule the date by which the fee is to be paid, as well as a formula or method of determining the applicable fee under this subsection without regard to the number of facilities under common ownership or control. The department may require owners or operators of multiple facilities to demonstrate common ownership or control for purposes of this subsection.

Section 7. Subsection (7) of section 252.87, Florida Statutes, is amended to read:

252.87 Supplemental state reporting requirements.—

(7) The department shall avoid duplicative reporting requirements by utilizing the reporting requirements of other state agencies that regulate hazardous materials to the extent feasible and shall request the information authorized under EPCRA. With the advice and consent of the State Emergency Response Commission for Hazardous Materials, the department may require by rule that the maximum daily amount entry on the chemical inventory report required under s. 312 of EPCRA provide for reporting in estimated actual amounts. The department may also require by rule an entry for the Federal Employer Identification Number on this report. To the extent feasible, the department shall encourage and accept required information in a form initiated through electronic data interchange and shall describe by rule the format, manner of execution, and method of electronic transmission necessary for using such form. To the extent feasible, the Department of Financial Services, the Department of Agriculture and Consumer Services, the

577-02573-11

20111346c1

233 Department of Environmental Protection, the Public Service
234 Commission, the Department of Revenue, ~~the Department of Labor~~
235 ~~and Employment Security~~, and other state agencies which regulate
236 hazardous materials shall coordinate with the department in
237 order to avoid duplicative requirements contained in each
238 agency's respective reporting or registration forms. The other
239 state agencies that inspect facilities storing hazardous
240 materials and suppliers and distributors of covered substances
241 shall assist the department in informing the facility owner or
242 operator of the requirements of this part. The department shall
243 provide the other state agencies with the necessary information
244 and materials to inform the owners and operators of the
245 requirements of this part to ensure that the budgets of these
246 agencies are not adversely affected.

247 Section 8. Subsection (2) of section 252.937, Florida
248 Statutes, is amended to read:

249 252.937 Department powers and duties.—

250 (2) To ensure that this program is self-supporting, the
251 department shall provide administrative support, including
252 staff, facilities, materials, and services to implement this
253 part for specified stationary sources subject to s. 252.939 and
254 shall provide necessary funding to local emergency planning
255 committees and county emergency management agencies for work
256 performed to implement this part. Each state agency with
257 regulatory, inspection, or technical assistance programs for
258 specified stationary sources subject to this part shall enter
259 into a memorandum of understanding with the department which
260 specifically outlines how each agency's staff, facilities,
261 materials, and services will be utilized to support

577-02573-11

20111346c1

implementation. At a minimum, these agencies and programs include: the Department of Environmental Protection's Division of Air Resources Management and Division of Water Resource Management, ~~and the Department of Labor and Employment Security's Division of Safety~~. It is the Legislature's intent to implement this part as efficiently and economically as possible, using existing expertise and resources, if available and appropriate.

Section 9. Section 287.09431, Florida Statutes, is amended to read:

287.09431 Statewide and interlocal agreement on certification of business concerns for the status of minority business enterprise.—The statewide and interlocal agreement on certification of business concerns for the status of minority business enterprise is hereby enacted and entered into with all jurisdictions or organizations legally joining therein. If, within 2 years from the date that the certification core criteria are approved by the Department of Management Services ~~Department of Labor and Employment Security~~, the agreement included herein is not executed by a majority of county and municipal governing bodies that administer a minority business assistance program on the effective date of this act, then the Legislature shall review this agreement. It is the intent of the Legislature that if the agreement is not executed by a majority of the requisite governing bodies, then a statewide uniform certification process should be adopted, and that said agreement should be repealed and replaced by a mandatory state government certification process.

577-02573-11

20111346c1

ARTICLE I

PURPOSE, FINDINGS, AND POLICY.—

(1) The parties to this agreement, desiring by common action to establish a uniform certification process in order to reduce the multiplicity of applications by business concerns to state and local governmental programs for minority business assistance, declare that it is the policy of each of them, on the basis of cooperation with one another, to remedy social and economic disadvantage suffered by certain groups, resulting in their being historically underutilized in ownership and control of commercial enterprises. Thus, the parties seek to address this history by increasing the participation of the identified groups in opportunities afforded by government procurement.

(2) The parties find that the State of Florida presently certifies firms for participation in the minority business assistance programs of the state. The parties find further that some counties, municipalities, school boards, special districts, and other divisions of local government require a separate, yet similar, and in most cases redundant certification in order for businesses to participate in the programs sponsored by each government entity.

(3) The parties find further that this redundant certification has proven to be unduly burdensome to the minority-owned firms intended to benefit from the underlying purchasing incentives.

(4) The parties agree that:

(a) They will facilitate integrity, stability, and cooperation in the statewide and interlocal certification

577-02573-11

20111346c1

process, and in other elements of programs established to assist minority-owned businesses.

(b) They shall cooperate with agencies, organizations, and associations interested in certification and other elements of minority business assistance.

(c) It is the purpose of this agreement to provide for a uniform process whereby the status of a business concern may be determined in a singular review of the business information for these purposes, in order to eliminate any undue expense, delay, or confusion to the minority-owned businesses in seeking to participate in the minority business assistance programs of state and local jurisdictions.

ARTICLE II

DEFINITIONS.—As used in this agreement and contracts made pursuant to it, unless the context clearly requires otherwise:

(1) "Awarding organization" means any political subdivision or organization authorized by law, ordinance, or agreement to enter into contracts and for which the governing body has entered into this agreement.

(2) "Department" means the Department of Management Services ~~Department of Labor and Employment Security~~.

(3) "Minority" means a person who is a lawful, permanent resident of the state, having origins in one of the minority groups as described and adopted by the Department of Management Services ~~Department of Labor and Employment Security~~, hereby incorporated by reference.

(4) "Minority business enterprise" means any small business

577-02573-11

20111346c1

concern as defined in subsection (6) that meets all of the criteria described and adopted by the Department of Management Services ~~Department of Labor and Employment Security~~, hereby incorporated by reference.

(5) "Participating state or local organization" means any political subdivision of the state or organization designated by such that elects to participate in the certification process pursuant to this agreement, which has been approved according to s. 287.0943(3) and has legally entered into this agreement.

(6) "Small business concern" means an independently owned and operated business concern which is of a size and type as described and adopted by vote related to this agreement of the commission, hereby incorporated by reference.

ARTICLE III

STATEWIDE AND INTERLOCAL CERTIFICATIONS.—

(1) All awarding organizations shall accept a certification granted by any participating organization which has been approved according to s. 287.0943(3) and has entered into this agreement, as valid status of minority business enterprise.

(2) A participating organization shall certify a business concern that meets the definition of minority business enterprise in this agreement, in accordance with the duly adopted eligibility criteria.

(3) All participating organizations shall issue notice of certification decisions granting or denying certification to all other participating organizations within 14 days of the decision. Such notice may be made through electronic media.

577-02573-11

20111346c1

378 (4) No certification will be granted without an onsite
379 visit to verify ownership and control of the prospective
380 minority business enterprise, unless verification can be
381 accomplished by other methods of adequate verification or
382 assessment of ownership and control.

383 (5) The certification of a minority business enterprise
384 pursuant to the terms of this agreement shall not be suspended,
385 revoked, or otherwise impaired except on any grounds which would
386 be sufficient for revocation or suspension of a certification in
387 the jurisdiction of the participating organization.

388 (6) The certification determination of a party may be
389 challenged by any other participating organization by the
390 issuance of a timely written notice by the challenging
391 organization to the certifying organization's determination
392 within 10 days of receiving notice of the certification
393 decision, stating the grounds therefor.

394 (7) The sole accepted grounds for challenge shall be the
395 failure of the certifying organization to adhere to the adopted
396 criteria or the certifying organization's rules or procedures,
397 or the perpetuation of a misrepresentation or fraud by the firm.

398 (8) The certifying organization shall reexamine its
399 certification determination and submit written notice to the
400 applicant and the challenging organization of its findings
401 within 30 days after the receipt of the notice of challenge.

402 (9) If the certification determination is affirmed, the
403 challenging agency may subsequently submit timely written notice
404 to the firm of its intent to revoke certification of the firm.

405
406 ARTICLE IV

577-02573-11

20111346c1

407
408 APPROVED AND ACCEPTED PROGRAMS.—Nothing in this agreement
409 shall be construed to repeal or otherwise modify any ordinance,
410 law, or regulation of a party relating to the existing minority
411 business assistance provisions and procedures by which minority
412 business enterprises participate therein.

413
414 ARTICLE V

415
416 TERM.—The term of the agreement shall be 5 years, after
417 which it may be reexecuted by the parties.

418
419 ARTICLE VI

420
421 AGREEMENT EVALUATION.—The designated state and local
422 officials may meet from time to time as a group to evaluate
423 progress under the agreement, to formulate recommendations for
424 changes, or to propose a new agreement.

425
426 ARTICLE VII

427
428 OTHER ARRANGEMENTS.—Nothing in this agreement shall be
429 construed to prevent or inhibit other arrangements or practices
430 of any party in order to comply with federal law.

431
432 ARTICLE VIII

433
434 EFFECT AND WITHDRAWAL.—

435 (1) This agreement shall become effective when properly

577-02573-11

20111346c1

436 executed by a legal representative of the participating
437 organization, when enacted into the law of the state and after
438 an ordinance or other legislation is enacted into law by the
439 governing body of each participating organization. Thereafter it
440 shall become effective as to any participating organization upon
441 the enactment of this agreement by the governing body of that
442 organization.

443 (2) Any party may withdraw from this agreement by enacting
444 legislation repealing the same, but no such withdrawal shall
445 take effect until one year after the governing body of the
446 withdrawing party has given notice in writing of the withdrawal
447 to the other parties.

448 (3) No withdrawal shall relieve the withdrawing party of
449 any obligations imposed upon it by law.

451 ARTICLE IX

453 FINANCIAL RESPONSIBILITY.—

454 (1) A participating organization shall not be financially
455 responsible or liable for the obligations of any other
456 participating organization related to this agreement.

457 (2) The provisions of this agreement shall constitute
458 neither a waiver of any governmental immunity under Florida law
459 nor a waiver of any defenses of the parties under Florida law.
460 The provisions of this agreement are solely for the benefit of
461 its executors and not intended to create or grant any rights,
462 contractual or otherwise, to any person or entity.

464 ARTICLE X

577-02573-11

20111346c1

VENUE AND GOVERNING LAW.—The obligations of the parties to this agreement are performable only within the county where the participating organization is located, and statewide for the Office of Supplier Diversity, and venue for any legal action in connection with this agreement shall lie, for any participating organization except the Office of Supplier Diversity, exclusively in the county where the participating organization is located. This agreement shall be governed by and construed in accordance with the laws and court decisions of the state.

ARTICLE XI

CONSTRUCTION AND SEVERABILITY.—This agreement shall be liberally construed so as to effectuate the purposes thereof. The provisions of this agreement shall be severable and if any phrase, clause, sentence, or provision of this agreement is declared to be contrary to the State Constitution or the United States Constitution, or the application thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this agreement and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this agreement shall be held contrary to the State Constitution, the agreement shall remain in full force and effect as to all severable matters.

Section 10. Paragraphs (h) and (o) of subsection (4) of section 287.09451, Florida Statutes, are amended to read:

287.09451 Office of Supplier Diversity; powers, duties, and

577-02573-11

20111346c1

494 functions.—

495 (4) The Office of Supplier Diversity shall have the
496 following powers, duties, and functions:

497 (h) To develop procedures to investigate complaints against
498 minority business enterprises or contractors alleged to violate
499 any provision related to this section or s. 287.0943, that may
500 include visits to worksites or business premises, and to refer
501 all information on businesses suspected of misrepresenting
502 minority status to the Department of Management Services for
503 investigation. When an investigation is completed and there is
504 reason to believe that a violation has occurred, ~~the Department~~
505 ~~of Labor and Employment Security shall refer~~ the matter shall be
506 referred to the office of the Attorney General, Department of
507 Legal Affairs, for prosecution.

508 (o)1. To establish a system to record and measure the use
509 of certified minority business enterprises in state contracting.
510 This system shall maintain information and statistics on
511 certified minority business enterprise participation, awards,
512 dollar volume of expenditures and agency goals, and other
513 appropriate types of information to analyze progress in the
514 access of certified minority business enterprises to state
515 contracts and to monitor agency compliance with this section.
516 Such reporting must include, but is not limited to, the
517 identification of all subcontracts in state contracting by
518 dollar amount and by number of subcontracts and the
519 identification of the utilization of certified minority business
520 enterprises as prime contractors and subcontractors by dollar
521 amounts of contracts and subcontracts, number of contracts and
522 subcontracts, minority status, industry, and any conditions or

577-02573-11

20111346c1

523 circumstances that significantly affected the performance of
524 subcontractors. Agencies shall report their compliance with the
525 requirements of this reporting system at least annually and at
526 the request of the office. All agencies shall cooperate with the
527 office in establishing this reporting system. Except in
528 construction contracting, all agencies shall review contracts
529 costing in excess of CATEGORY FOUR as defined in s. 287.017 to
530 determine if such contracts could be divided into smaller
531 contracts to be separately solicited and awarded, and shall,
532 when economical, offer such smaller contracts to encourage
533 minority participation.

534 2. To report agency compliance with the provisions of
535 subparagraph 1. for the preceding fiscal year to the Governor
536 and Cabinet, the President of the Senate, and the Speaker of the
537 House of Representatives, ~~and the secretary of the Department of~~
538 ~~Labor and Employment Security~~ on or before February 1 of each
539 year. The report must contain, at a minimum, the following:

540 a. Total expenditures of each agency by industry.

541 b. The dollar amount and percentage of contracts awarded to
542 certified minority business enterprises by each state agency.

543 c. The dollar amount and percentage of contracts awarded
544 indirectly to certified minority business enterprises as
545 subcontractors by each state agency.

546 d. The total dollar amount and percentage of contracts
547 awarded to certified minority business enterprises, whether
548 directly or indirectly, as subcontractors.

549 e. A statement and assessment of good faith efforts taken
550 by each state agency.

551 f. A status report of agency compliance with subsection

577-02573-11

20111346c1

(6), as determined by the Minority Business Enterprise Office.

Section 11. Subsections (1) and (5) of section 287.0947, Florida Statutes, are amended to read:

287.0947 Florida Advisory Council on Small and Minority Business Development; creation; membership; duties.—

(1) ~~On or after October 1, 1996,~~ The Secretary of ~~Management Services the Department of Labor and Employment Security~~ may create the Florida Advisory Council on Small and Minority Business Development with the purpose of advising and assisting the secretary in carrying out the secretary's duties with respect to minority businesses and economic and business development. It is the intent of the Legislature that the membership of such council include practitioners, laypersons, financiers, and others with business development experience who can provide invaluable insight and expertise for this state in the diversification of its markets and networking of business opportunities. The council shall initially consist of 19 persons, each of whom is or has been actively engaged in small and minority business development, either in private industry, in governmental service, or as a scholar of recognized achievement in the study of such matters. Initially, the council shall consist of members representing all regions of the state and shall include at least one member from each group identified within the definition of "minority person" in s. 288.703(3), considering also gender and nationality subgroups, and shall consist of the following:

(a) Four members consisting of representatives of local and federal small and minority business assistance programs or community development programs.

577-02573-11

20111346c1

(b) Eight members composed of representatives of the minority private business sector, including certified minority business enterprises and minority supplier development councils, among whom at least two shall be women and at least four shall be minority persons.

(c) Two representatives of local government, one of whom shall be a representative of a large local government, and one of whom shall be a representative of a small local government.

(d) Two representatives from the banking and insurance industry.

(e) Two members from the private business sector, representing the construction and commodities industries.

(f) The chairperson of the Florida Black Business Investment Board or the chairperson's designee.

A candidate for appointment may be considered if eligible to be certified as an owner of a minority business enterprise, or if otherwise qualified under the criteria above. Vacancies may be filled by appointment of the secretary, in the manner of the original appointment.

(5) The powers and duties of the council include, but are not limited to: researching and reviewing the role of small and minority businesses in the state's economy; reviewing issues and emerging topics relating to small and minority business economic development; studying the ability of financial markets and institutions to meet small business credit needs and determining the impact of government demands on credit for small businesses; assessing the implementation of s. 187.201(21) ~~187.201(22)~~, requiring a state economic development comprehensive plan, as it

577-02573-11

20111346c1

610 relates to small and minority businesses; assessing the
611 reasonableness and effectiveness of efforts by any state agency
612 or by all state agencies collectively to assist minority
613 business enterprises; and advising the Governor, the secretary,
614 and the Legislature on matters relating to small and minority
615 business development which are of importance to the
616 international strategic planning and activities of this state.

617 Section 12. Subsection (1) of section 288.021, Florida
618 Statutes, is amended to read:

619 288.021 Economic development liaison.—

620 (1) The heads of the Department of Transportation, the
621 Department of Environmental Protection and an additional member
622 appointed by the secretary of the department, the Agency for
623 Workforce Innovation ~~the Department of Labor and Employment~~
624 ~~Security~~, the Department of Education, the Department of
625 Community Affairs, the Department of Management Services, the
626 Department of Revenue, the Fish and Wildlife Conservation
627 Commission, each water management district, and each Department
628 of Transportation District office shall designate a high-level
629 staff member from within such agency to serve as the economic
630 development liaison for the agency. This person shall report to
631 the agency head and have general knowledge both of the state's
632 permitting and other regulatory functions and of the state's
633 economic goals, policies, and programs. This person shall also
634 be the primary point of contact for the agency with the Office
635 of Tourism, Trade, and Economic Development on issues and
636 projects important to the economic development of Florida,
637 including its rural areas, to expedite project review, to ensure
638 a prompt, effective response to problems arising with regard to

577-02573-11

20111346c1

639 permitting and regulatory functions, and to work closely with
640 the other economic development liaisons to resolve interagency
641 conflicts.

642 Section 13. Subsection (1) of section 288.035, Florida
643 Statutes, is amended to read:

644 288.035 Economic development activities.—

645 (1) The Florida Public Service Commission may authorize
646 public utilities to recover reasonable economic development
647 expenses. For purposes of this section, recoverable "economic
648 development expenses" are those expenses described in subsection
649 (2) which are consistent with criteria to be established by
650 rules adopted by ~~the Department of Commerce as of June 30, 1996,~~
651 ~~or as those criteria are later modified by~~ the Office of
652 Tourism, Trade, and Economic Development.

653 Section 14. Section 288.038, Florida Statutes, is repealed.

654 Section 15. Subsections (1), (2), and (4) of section
655 288.1168, Florida Statutes, are amended to read:

656 288.1168 Professional golf hall of fame facility.—

657 (1) The Office of Tourism, Trade, and Economic Development
658 ~~Department of Commerce~~ shall serve as the state agency for
659 screening applicants for state funding pursuant to s. 212.20 and
660 for certifying one applicant as the professional golf hall of
661 fame facility in the state.

662 (2) Prior to certifying the professional golf hall of fame
663 facility, the Office of Tourism, Trade, and Economic Development
664 ~~Department of Commerce~~ must determine that:

665 (a) The professional golf hall of fame facility is the only
666 professional golf hall of fame in the United States recognized
667 by the PGA Tour, Inc.

577-02573-11

20111346c1

(b) The applicant is a unit of local government as defined in s. 218.369 or a private sector group that has contracted to construct or operate the professional golf hall of fame facility on land owned by a unit of local government.

(c) The municipality in which the professional golf hall of fame facility is located, or the county if the facility is located in an unincorporated area, has certified by resolution after a public hearing that the application serves a public purpose.

(d) There are existing projections that the professional golf hall of fame facility will attract a paid attendance of more than 300,000 annually.

(e) There is an independent analysis or study, using methodology approved by the office ~~department~~, which demonstrates that the amount of the revenues generated by the taxes imposed under chapter 212 with respect to the use and operation of the professional golf hall of fame facility will equal or exceed \$2 million annually.

(f) The applicant has submitted an agreement to provide \$2 million annually in national and international media promotion of the professional golf hall of fame facility, Florida, and Florida tourism, through the PGA Tour, Inc., or its affiliates, at the then-current commercial rate, during the period of time that the facility receives funds pursuant to s. 212.20. The Office of Tourism, Trade, and Economic Development and the PGA Tour, Inc., or its affiliates, must agree annually on a reasonable percentage of advertising specifically allocated for generic Florida advertising. The Office of Tourism, Trade, and Economic Development shall have final approval of all generic

577-02573-11

20111346c1

697 advertising. Failure on the part of the PGA Tour, Inc., or its
698 affiliates to annually provide the advertising as provided in
699 this paragraph or subsection (6) shall result in the termination
700 of funding as provided in s. 212.20.

701 (g) Documentation exists that demonstrates that the
702 applicant has provided, is capable of providing, or has
703 financial or other commitments to provide more than one-half of
704 the costs incurred or related to the improvement and development
705 of the facility.

706 (h) The application is signed by an official senior
707 executive of the applicant and is notarized according to Florida
708 law providing for penalties for falsification.

709 (4) Upon determining that an applicant is or is not
710 certifiable, the director of the Office of Tourism, Trade, and
711 Economic Development ~~Secretary of Commerce~~ shall notify the
712 applicant of his or her status by means of an official letter.
713 If certifiable, the director ~~secretary~~ shall notify the
714 executive director of the Department of Revenue and the
715 applicant of such certification by means of an official letter
716 granting certification. From the date of such certification, the
717 applicant shall have 5 years to open the professional golf hall
718 of fame facility to the public and notify the Office of Tourism,
719 Trade, and Economic Development of such opening. The Department
720 of Revenue shall not begin distributing funds until 30 days
721 following notice by the Office of Tourism, Trade, and Economic
722 Development that the professional golf hall of fame facility is
723 open to the public.

724 Section 16. Subsection (7) of section 288.1229, Florida
725 Statutes, is amended to read:

577-02573-11

20111346c1

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

(7) In exercising the power provided in this section, the Office of Tourism, Trade, and Economic Development may authorize and contract with the direct-support organization existing on June 30, 1996, ~~and authorized by the former Florida Department of Commerce to promote sports-related industries. An appointed member of the board of directors of such direct-support organization as of June 30, 1996, may serve the remainder of his or her unexpired term.~~

Section 17. Section 288.1169, Florida Statutes, is amended to read:

288.1169 International Game Fish Association World Center facility.—

(1) The Office of Tourism, Trade, and Economic Development ~~Department of Commerce~~ shall serve as the state agency approving applicants for funding pursuant to s. 212.20 and for certifying the applicant as the International Game Fish Association World Center facility. For purposes of this section, “facility” means the International Game Fish Association World Center, and “project” means the International Game Fish Association World Center and new colocated improvements by private sector concerns who have made cash or in-kind contributions to the facility of \$1 million or more.

(2) Prior to certifying this facility, the office ~~department~~ must determine that:

(a) The International Game Fish Association World Center is the only fishing museum, Hall of Fame, and international

577-02573-11

20111346c1

administrative headquarters in the United States recognized by the International Game Fish Association, and that one or more private sector concerns have committed to donate to the International Game Fish Association land upon which the International Game Fish Association World Center will operate.

(b) International Game Fish Association is a not-for-profit Florida corporation that has contracted to construct and operate the facility.

(c) The municipality in which the facility is located, or the county if the facility is located in an unincorporated area, has certified by resolution after a public hearing that the facility serves a public purpose.

(d) There are existing projections that the International Game Fish Association World Center facility and the colocated facilities of private sector concerns will attract an attendance of more than 1.8 million annually.

(e) There is an independent analysis or study, using methodology approved by the office ~~department~~, which demonstrates that the amount of the revenues generated by the taxes imposed under chapter 212 with respect to the use and operation of the project will exceed \$1 million annually.

(f) There are existing projections that the project will attract more than 300,000 persons annually who are not residents of the state.

(g) The applicant has submitted an agreement to provide \$500,000 annually in national and international media promotion of the facility, at the then-current commercial rates, during the period of time that the facility receives funds pursuant to s. 212.20. Failure on the part of the applicant to annually

577-02573-11

20111346c1

784 provide the advertising as provided in this paragraph shall
785 result in the termination of the funding as provided in s.
786 212.20. The applicant can discharge its obligation under this
787 paragraph by contracting with other persons, including private
788 sector concerns who participate in the project.

789 (h) Documentation exists that demonstrates that the
790 applicant has provided, and is capable of providing, or has
791 financial or other commitments to provide, more than one-half of
792 the cost incurred or related to the improvements and the
793 development of the facility.

794 (i) The application is signed by senior officials of the
795 International Game Fish Association and is notarized according
796 to Florida law providing for penalties for falsification.

797 (3) The applicant may use funds provided pursuant to s.
798 212.20 for the purpose of paying for the construction,
799 reconstruction, renovation, promotion, or operation of the
800 facility, or to pay or pledge for payment of debt service on, or
801 to fund debt service reserve funds, arbitrage rebate
802 obligations, or other amounts payable with respect to, bonds
803 issued for the construction, reconstruction, or renovation of
804 the facility or for the reimbursement of such costs or by
805 refinancing of bonds issued for such purposes.

806 (4) Upon determining that an applicant is or is not
807 certifiable, the Office of Tourism, Trade, and Economic
808 Development ~~Department of Commerce~~ shall notify the applicant of
809 its status by means of an official letter. If certifiable, the
810 Office of Tourism, Trade, and Economic Development ~~Department of~~
811 ~~Commerce~~ shall notify the executive director of the Department
812 of Revenue and the applicant of such certification by means of

577-02573-11

20111346c1

an official letter granting certification. From the date of such certification, the applicant shall have 5 years to open the facility to the public and notify the Office of Tourism, Trade, and Economic Development ~~Department of Commerce~~ of such opening. The Department of Revenue shall not begin distributing funds until 30 days following notice by the Office of Tourism, Trade, and Economic Development ~~Department of Commerce~~ that the facility is open to the public.

(5) The Department of Revenue may audit as provided in s. 213.34 to verify that the contributions pursuant to this section have been expended as required by this section.

(6) The Office of Tourism, Trade, and Economic Development ~~Department of Commerce~~ must recertify every 10 years that the facility is open, that the International Game Fish Association World Center continues to be the only international administrative headquarters, fishing museum, and Hall of Fame in the United States recognized by the International Game Fish Association, and that the project is meeting the minimum projections for attendance or sales tax revenues as required at the time of original certification. If the facility is not recertified during this 10-year review as meeting the minimum projections, then funding shall be abated until certification criteria are met. If the project fails to generate \$1 million of annual revenues pursuant to paragraph (2)(e), the distribution of revenues pursuant to s. 212.20(6)(d)6.d. shall be reduced to an amount equal to \$83,333 multiplied by a fraction, the numerator of which is the actual revenues generated and the denominator of which is \$1 million. Such reduction remains in effect until revenues generated by the project in a 12-month

577-02573-11

20111346c1

period equal or exceed \$1 million.

Section 18. Subsections (2), (4), and (5) of section 331.369, Florida Statutes, are amended to read:

331.369 Space Industry Workforce Initiative.—

(2) Workforce Florida, Inc., ~~The Workforce Development Board of Enterprise Florida, Inc., or its successor entity,~~ shall coordinate development of a Space Industry Workforce Initiative in partnership with Space Florida, public and private universities, community colleges, and other training providers approved by the board. The purpose of the initiative is to use or revise existing programs and to develop innovative new programs to address the workforce needs of the aerospace industry.

(4) Workforce Florida, Inc., ~~The Workforce Development Board of Enterprise Florida, Inc., or its successor entity,~~ with the assistance of Space Florida, shall convene representatives from the aerospace industry to identify the priority training and education needs of the industry and to appoint a team to design programs to meet the priority needs.

(5) Workforce Florida, Inc., ~~The Workforce Development Board of Enterprise Florida, Inc., or its successor entity,~~ as part of its statutorily prescribed annual report to the Legislature, shall provide recommendations for policies, programs, and funding to enhance the workforce needs of the aerospace industry.

Section 19. Paragraph (h) of subsection (5) of section 377.711, Florida Statutes, is amended to read:

377.711 Florida party to Southern States Energy Compact.—
The Southern States Energy Compact is enacted into law and

577-02573-11

20111346c1

entered into by the state as a party, and is of full force and effect between the state and any other states joining therein in accordance with the terms of the compact, which compact is substantially as follows:

(5) POWERS.—The board shall have the power to:

(h) Recommend such changes in, or amendments or additions to, the laws, codes, rules, regulations, administrative procedures and practices, or ordinances of the party states in any of the fields of its interest and competence as in its judgment may be appropriate. Any such recommendation shall be made through the appropriate state agency with due consideration of the desirability of uniformity but shall also give appropriate weight to any special circumstances that may justify variations to meet local conditions. ~~Any such recommendation shall be made, in the case of Florida, through the Department of Commerce.~~

Section 20. Subsection (3) of section 377.712, Florida Statutes, is amended to read:

377.712 Florida participation.—

(3) Departments ~~The department~~, agencies, and officers of this state, and its subdivisions are authorized to cooperate with the board in the furtherance of any of its activities pursuant to the compact, provided such proposed activities have been made known to, and have the approval of, either the Governor or the Department of Health.

Section 21. Subsection (1), paragraph (b) of subsection (3), and subsection (8) of section 409.2576, Florida Statutes, are amended to read:

409.2576 State Directory of New Hires.—

577-02573-11

20111346c1

(1) DIRECTORY CREATED.—The State Directory of New Hires is hereby created and shall be administered by the Department of Revenue or its agent. ~~The Department of Labor and Employment Security will act as the agent until a date not later than October 1, 1998.~~ All employers in the state shall furnish a report consistent with subsection (3) for each newly hired or rehired employee unless the employee is employed by a federal or state agency performing intelligence or counterintelligence functions and the head of such agency has determined that reporting pursuant to this section could endanger the safety of the employee or compromise an ongoing investigation or intelligence mission.

(3) EMPLOYERS TO FURNISH REPORTS.—

(b) ~~Upon termination of the contract with the Department of Labor and Employment Security, but not later than October 1, 1998,~~ All employers shall furnish a report to the State Directory of New Hires of the state in which the newly hired or rehired employee works. The report required in this section shall be made on a W-4 form or, at the option of the employer, an equivalent form, and can be transmitted magnetically, electronically, by first-class mail, or other methods which may be prescribed by the State Directory. Each report shall include the name, address, date of hire, and social security number of every new and rehired employee and the name, address, and federal employer identification number of the reporting employer. If available, the employer may also include the employee's date of birth in the report. Multistate employers that report new hire information electronically or magnetically may designate a single state to which it will transmit the above

577-02573-11

20111346c1

noted report, provided the employer has employees in that state and the employer notifies the Secretary of Health and Human Services in writing to which state the information will be provided. Agencies of the United States Government shall report directly to the National Directory of New Hires.

(8) PROVIDING INFORMATION TO NATIONAL DIRECTORY. ~~Not later than October 1, 1997,~~ The State Directory of New Hires must furnish information regarding newly hired or rehired employees to the National Directory of New Hires for matching with the records of other state case registries within 3 business days of entering such information from the employer into the State Directory of New Hires. The State Directory of New Hires shall enter into an agreement with the Agency for Workforce Innovation or its tax collection service provider ~~Florida Department of Labor and Employment Security~~ for the quarterly reporting to the National Directory of New Hires information on wages and unemployment compensation taken from the quarterly report to the Secretary of Labor, now required by Title III of the Social Security Act, except that no report shall be filed with respect to an employee of a state or local agency performing intelligence or counterintelligence functions, if the head of such agency has determined that filing such a report could endanger the safety of the employee or compromise an ongoing investigation or intelligence mission.

Section 22. Section 414.24, Florida Statutes, is amended to read:

414.24 Integrated welfare reform and child welfare services.—The department shall develop integrated service delivery strategies to better meet the needs of families subject

577-02573-11

20111346c1

to work activity requirements who are involved in the child welfare system or are at high risk of involvement in the child welfare system. To the extent that resources are available, the department and the Agency for Workforce Innovation ~~Department of Labor and Employment Security~~ shall provide funds to one or more service districts to promote development of integrated, nonduplicative case management within the department, the Agency for Workforce Innovation ~~Department of Labor and Employment Security~~, other participating government agencies, and community partners. Alternative delivery systems shall be encouraged which include well-defined, pertinent outcome measures. Other factors to be considered shall include innovation regarding training, enhancement of existing resources, and increased private sector and business sector participation.

Section 23. Section 414.40, Florida Statutes, is amended to read:

414.40 Stop Inmate Fraud Program established; guidelines.—

(1) There is created within the Department of Financial Services ~~Department of Law Enforcement~~ a Stop Inmate Fraud Program.

(2) The Department of Financial Services ~~Department of Law Enforcement~~ is directed to implement the Stop Inmate Fraud Program in accordance with the following guidelines:

(a) The program shall establish procedures for sharing public records not exempt from the public records law among social services agencies regarding the identities of persons incarcerated in state correctional institutions, as defined in s. 944.02, or in county, municipal, or regional jails or other detention facilities of local governments under chapter 950 or

577-02573-11

20111346c1

chapter 951 who are wrongfully receiving public assistance benefits or entitlement benefits.

(b) Pursuant to these procedures, the program shall have access to records containing correctional information not exempt from the public records law on incarcerated persons which have been generated as criminal justice information. As used in this paragraph, the term "record" is defined as provided in s. 943.045(7), and the term "criminal justice information" is defined as provided in s. 943.045(3).

(c) Database searches shall be conducted of the inmate population at each correctional institution or other detention facility. A correctional institution or a detention facility shall provide the Stop Inmate Fraud Program with the information necessary to identify persons wrongfully receiving benefits in the medium requested by the Stop Inmate Fraud Program if the correctional institution or detention facility maintains the information in that medium.

(d) Data obtained from correctional institutions or other detention facilities shall be compared with the client files of the Department of Children and Family Services, the Agency for Workforce Innovation ~~Department of Labor and Employment Security~~, and other state or local agencies as needed to identify persons wrongfully obtaining benefits. Data comparisons shall be accomplished during periods of low information demand by agency personnel to minimize inconvenience to the agency.

(e) Results of data comparisons shall be furnished to the appropriate office for use in the county in which the data originated. The program may provide reports of the data it obtains to appropriate state, federal, and local government

577-02573-11

20111346c1

agencies or governmental entities, including, but not limited to:

1. The Child Support Enforcement Program of the Department of Revenue, so that the data may be used as locator information on persons being sought for purposes of child support.

2. The Social Security Administration, so that the data may be used to reduce federal entitlement fraud within the state.

(f) Reports by the program to another agency or entity shall be generated bimonthly, or as otherwise directed, and shall be designed to accommodate that agency's or entity's particular needs for data.

(g) Only those persons with active cases, or with cases that were active during the incarceration period, shall be reported, in order that the funding agency or entity, upon verification of the data, may take whatever action is deemed appropriate.

(h) For purposes of program review and analysis, each agency or entity receiving data from the program shall submit reports to the program which indicate the results of how the data was used.

Section 24. Subsection (5) of section 440.385, Florida Statutes, is amended to read:

440.385 Florida Self-Insurers Guaranty Association, Incorporated.—

(5) PLAN OF OPERATION.—The association shall operate pursuant to a plan of operation approved by the board of directors. The plan of operation must be in effect on January 1, 2002, and approved by the Department of Financial Services and ~~Department of Labor and Employment Security shall remain in~~

577-02573-11

20111346c1

1045 ~~effect. However,~~ any amendments to the plan shall not become
1046 effective until approved by the department ~~of Financial~~
1047 ~~Services.~~

1048 (a) The purpose of the plan of operation shall be to
1049 provide the association and the board of directors with the
1050 authority and responsibility to establish the necessary programs
1051 and to take the necessary actions to protect against the
1052 insolvency of a member of the association. In addition, the plan
1053 shall provide that the members of the association shall be
1054 responsible for maintaining an adequate Insolvency Fund to meet
1055 the obligations of insolvent members provided for under this act
1056 and shall authorize the board of directors to contract and
1057 employ those persons with the necessary expertise to carry out
1058 this stated purpose. ~~By January 1, 2003,~~ The board of directors
1059 shall submit to the department a proposed plan of operation for
1060 the administration of the association. The department shall
1061 approve the plan by order, consistent with this section. The
1062 department shall approve any amendments to the plan, consistent
1063 with this section, which are determined appropriate to carry out
1064 the duties and responsibilities of the association.

1065 (b) All member employers shall comply with the plan of
1066 operation.

1067 (c) The plan of operation shall:

1068 1. Establish the procedures whereby all the powers and
1069 duties of the association under subsection (3) will be
1070 performed.

1071 2. Establish procedures for handling assets of the
1072 association.

1073 3. Establish the amount and method of reimbursing members

577-02573-11

20111346c1

of the board of directors under subsection (2).

4. Establish procedures by which claims may be filed with the association and establish acceptable forms of proof of covered claims. Notice of claims to the receiver or liquidator of the insolvent employer shall be deemed notice to the association or its agent, and a list of such claims shall be submitted periodically to the association or similar organization in another state by the receiver or liquidator.

5. Establish regular places and times for meetings of the board of directors.

6. Establish procedures for records to be kept of all financial transactions of the association and its agents and the board of directors.

7. Provide that any member employer aggrieved by any final action or decision of the association may appeal to the department within 30 days after the action or decision.

8. Establish the procedures whereby recommendations of candidates for the board of directors shall be submitted to the department.

9. Contain additional provisions necessary or proper for the execution of the powers and duties of the association.

(d) The plan of operation may provide that any or all of the powers and duties of the association, except those specified under subparagraphs (c)1. and 2., be delegated to a corporation, association, or other organization which performs or will perform functions similar to those of this association or its equivalent in two or more states. Such a corporation, association, or organization shall be reimbursed as a servicing facility would be reimbursed and shall be paid for its

577-02573-11

20111346c1

1103 performance of any other functions of the association. A
1104 delegation of powers or duties under this subsection shall take
1105 effect only with the approval of both the board of directors and
1106 the department and may be made only to a corporation,
1107 association, or organization which extends protection which is
1108 not substantially less favorable and effective than the
1109 protection provided by this section.

1110 Section 25. Paragraph (b) of subsection (9) of section
1111 440.49, Florida Statutes, is amended to read:

1112 440.49 Limitation of liability for subsequent injury
1113 through Special Disability Trust Fund.—

1114 (9) SPECIAL DISABILITY TRUST FUND.—

1115 (b)1. The Special Disability Trust Fund shall be maintained
1116 by annual assessments upon the insurance companies writing
1117 compensation insurance in the state, the commercial self-
1118 insurers under ss. 624.462 and 624.4621, the assessable mutuals
1119 as defined in s. 628.6011, and the self-insurers under this
1120 chapter, which assessments shall become due and be paid
1121 quarterly at the same time and in addition to the assessments
1122 provided in s. 440.51. The department shall estimate annually in
1123 advance the amount necessary for the administration of this
1124 subsection and the maintenance of this fund and shall make such
1125 assessment in the manner hereinafter provided.

1126 2. The annual assessment shall be calculated to produce
1127 during the ensuing fiscal year an amount which, when combined
1128 with that part of the balance in the fund on June 30 of the
1129 current fiscal year which is in excess of \$100,000, is equal to
1130 the average of:

1131 a. The sum of disbursements from the fund during the

577-02573-11

20111346c1

1132 immediate past 3 calendar years, and

1133 b. Two times the disbursements of the most recent calendar
1134 year.

1135
1136 Such amount shall be prorated among the insurance companies
1137 writing compensation insurance in the state and the self-
1138 insurers. ~~Provided however, for those carriers that have~~
1139 ~~excluded ceded reinsurance premiums from their assessments on or~~
1140 ~~before January 1, 2000, no assessments on ceded reinsurance~~
1141 ~~premiums shall be paid by those carriers until such time as the~~
1142 ~~former Division of Workers' Compensation of the Department of~~
1143 ~~Labor and Employment Security or the department advises each of~~
1144 ~~those carriers of the impact that the inclusion of ceded~~
1145 ~~reinsurance premiums has on their assessment. The department may~~
1146 ~~not recover any past underpayments of assessments levied against~~
1147 ~~any carrier that on or before January 1, 2000, excluded ceded~~
1148 ~~reinsurance premiums from their assessment prior to the point~~
1149 ~~that the former Division of Workers' Compensation of the~~
1150 ~~Department of Labor and Employment Security or the department~~
1151 ~~advises of the appropriate assessment that should have been~~
1152 ~~paid.~~

1153 3. The net premiums written by the companies for workers'
1154 compensation in this state and the net premium written
1155 applicable to the self-insurers in this state are the basis for
1156 computing the amount to be assessed as a percentage of net
1157 premiums. Such payments shall be made by each carrier and self-
1158 insurer to the department for the Special Disability Trust Fund
1159 in accordance with such regulations as the department
1160 prescribes.

577-02573-11

20111346c1

1161 4. The Chief Financial Officer is authorized to receive and
1162 credit to such Special Disability Trust Fund any sum or sums
1163 that may at any time be contributed to the state by the United
1164 States under any Act of Congress, or otherwise, to which the
1165 state may be or become entitled by reason of any payments made
1166 out of such fund.

1167 Section 26. Section 446.60, Florida Statutes, is repealed.

1168 Section 27. Section 450.161, Florida Statutes, is amended
1169 to read:

1170 450.161 Chapter not to affect career education of children;
1171 other exceptions.—Nothing in this chapter shall prevent minors
1172 of any age from receiving career education furnished by the
1173 United States, this state, or any county or other political
1174 subdivision of this state and duly approved by the Department of
1175 Education or other duly constituted authority, nor any
1176 apprentice indentured under a plan approved by the Department of
1177 Education ~~Division of Jobs and Benefits~~, or prevent the
1178 employment of any minor 14 years of age or older when such
1179 employment is authorized as an integral part of, or supplement
1180 to, such a course in career education and is authorized by
1181 regulations of the district school board of the district in
1182 which such minor is employed, provided the employment is in
1183 compliance with the provisions of ss. 450.021(4) and 450.061.
1184 Exemptions for the employment of student learners 16 to 18 years
1185 of age are provided in s. 450.061. Such an exemption shall apply
1186 when:

1187 (1) The student learner is enrolled in a youth vocational
1188 training program under a recognized state or local educational
1189 authority.

577-02573-11

20111346c1

(2) Such student learner is employed under a written agreement which provides:

(a) That the work of the student learner in the occupation declared particularly hazardous shall be incidental to the training.

(b) That such work shall be intermittent and for short periods of time and under the direct and close supervision of a qualified and experienced person.

(c) That safety instructions shall be given by the school and correlated by the employer with on-the-job training.

(d) That a schedule of organized and progressive work processes to be performed on the job shall have been prepared.

Each such written agreement shall contain the name of the student learner and shall be signed by the employer, the school coordinator and principal, and the parent or legal guardian. Copies of each agreement shall be kept on file by both the school and the employer. This exemption for the employment of student learners may be revoked in any individual situation when it is found that reasonable precautions have not been observed for the safety of minors employed thereunder. A high school graduate may be employed in an occupation in which he or she has completed training as a student learner, as provided in this section, even though he or she is not yet 18 years of age.

Section 28. Paragraph (d) of subsection (1) of section 464.203, Florida Statutes, is amended to read:

464.203 Certified nursing assistants; certification requirement.—

(1) The board shall issue a certificate to practice as a

577-02573-11

20111346c1

certified nursing assistant to any person who demonstrates a minimum competency to read and write and successfully passes the required background screening pursuant to s. 400.215 and meets one of the following requirements:

(d) Has completed the curriculum developed by the Department of Education ~~under the Enterprise Florida Jobs and Education Partnership Grant~~ and achieved a minimum score, established by rule of the board, on the nursing assistant competency examination, which consists of a written portion and skills-demonstration portion, approved by the board and administered at a site and by personnel approved by the department.

Section 29. Subsection (1) of section 489.1455, Florida Statutes, is amended to read:

489.1455 Journeyman; reciprocity; standards.—

(1) An individual who holds a valid, active journeyman license in the plumbing/pipe fitting, mechanical, or HVAC trades issued by any county or municipality in this state may work as a journeyman in the trade in which he or she is licensed in any county or municipality of this state without taking an additional examination or paying an additional license fee, if he or she:

(a) Has scored at least 70 percent, or after October 1, 1997, at least 75 percent, on a proctored journeyman Block and Associates examination or other proctored examination approved by the board for the trade in which he or she is licensed;

(b) Has completed an apprenticeship program registered with a registration agency defined in 29 C.F.R. 29.2 ~~the Department of Labor and Employment Security~~ and demonstrates 4 years'

577-02573-11

20111346c1

verifiable practical experience in the trade for which he or she is licensed, or demonstrates 6 years' verifiable practical experience in the trade for which he or she is licensed;

(c) Has satisfactorily completed specialized and advanced module coursework approved by the Florida Building Commission, as part of the building code training program established in s. 553.841, specific to the discipline or, pursuant to authorization by the certifying authority, provides proof of completion of such coursework within 6 months after such certification; and

(d) Has not had a license suspended or revoked within the last 5 years.

Section 30. Subsection (1) of section 489.5335, Florida Statutes, is amended to read:

489.5335 Journeyman; reciprocity; standards.—

(1) An individual who holds a valid, active journeyman license in the electrical trade issued by any county or municipality in this state may work as a journeyman in any other county or municipality of this state without taking an additional examination or paying an additional license fee, if he or she:

(a) Has scored at least 70 percent, or after October 1, 1997, at least 75 percent, on a proctored journeyman Block and Associates examination or other proctored examination approved by the board for the electrical trade;

(b) Has completed an apprenticeship program registered with a registration agency defined in 29 C.F.R. 29.2 ~~the Department of Labor and Employment Security~~ and demonstrates 4 years' verifiable practical experience in the electrical trade, or

577-02573-11

20111346c1

demonstrates 6 years' verifiable practical experience in the electrical trade;

(c) Has satisfactorily completed specialized and advanced module coursework approved by the Florida Building Commission, as part of the building code training program established in s. 553.841, specific to the discipline, or, pursuant to authorization by the certifying authority, provides proof of completion of such curriculum or coursework within 6 months after such certification; and

(d) Has not had a license suspended or revoked within the last 5 years.

Section 31. Section 553.62, Florida Statutes, is amended to read:

553.62 State standard.—The Occupational Safety and Health Administration's excavation safety standards, 29 C.F.R. s. 1926.650 Subpart P, are hereby incorporated as the state standard. ~~The Department of Labor and Employment Security may, by rule, adopt updated or revised versions of those standards, provided that the updated or revised versions are consistent with the intent expressed in this act and s. 553.72, and are not otherwise inconsistent with state law. Any rule adopted as provided in this section shall be complied with upon its effective date.~~

Section 32. Subsection (1) of section 597.006, Florida Statutes, is amended to read:

597.006 Aquaculture Interagency Coordinating Council.—

(1) CREATION.—The Legislature finds and declares that there is a need for interagency coordination with regard to aquaculture by the following agencies: the Department of

577-02573-11

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1306 Agriculture and Consumer Services; the Office of Tourism, Trade,
1307 and Economic Development; the Department of Community Affairs;
1308 the Department of Environmental Protection; ~~the Department of~~
1309 ~~Labor and Employment Security~~; the Fish and Wildlife
1310 Conservation Commission; the statewide consortium of
1311 universities under the Florida Institute of Oceanography;
1312 Florida Agricultural and Mechanical University; the Institute of
1313 Food and Agricultural Sciences at the University of Florida; and
1314 the Florida Sea Grant Program. It is therefore the intent of the
1315 Legislature to hereby create an Aquaculture Interagency
1316 Coordinating Council to act as an advisory body as defined in s.
1317 20.03(9).

1318 Section 33. Subsection (5) of section 944.012, Florida
1319 Statutes, is amended to read:

1320 944.012 Legislative intent.—The Legislature hereby finds
1321 and declares that:

1322 (5) In order to make the correctional system an efficient
1323 and effective mechanism, the various agencies involved in the
1324 correctional process must coordinate their efforts. Where
1325 possible, interagency offices should be physically located
1326 within major institutions and should include representatives of
1327 the public employment service ~~the Florida State Employment~~
1328 ~~Service~~, the vocational rehabilitation programs of the
1329 Department of Education, and the Parole Commission. Duplicative
1330 and unnecessary methods of evaluating offenders must be
1331 eliminated and areas of responsibility consolidated in order to
1332 more economically utilize present scarce resources.

1333 Section 34. Section 944.708, Florida Statutes, is amended
1334 to read:

577-02573-11

20111346c1

1335 944.708 Rules.—The Department of Corrections ~~and the Agency~~
1336 ~~for Workforce Innovation~~ shall adopt rules to implement the
1337 provisions of ss. 944.701-944.707.

1338 Section 35. Sections 255.551, 255.552, 255.553, 255.5535,
1339 255.555, 255.556, 255.557, 255.5576, 255.558, 255.559, 255.56,
1340 255.561, 255.562, and 255.563, Florida Statutes, are repealed.

1341 Section 36. Paragraph (e) of subsection (1) of section
1342 469.002, Florida Statutes, is amended to read:

1343 469.002 Exemptions.—

1344 (1) This chapter does not apply to:

1345 (e) An authorized employee of the United States, this
1346 state, or any municipality, county, or other political
1347 subdivision who has completed all training required by NESHA
1348 and OSHA or by ASHARA for the activities described in this
1349 paragraph, while engaged in ~~asbestos-related activities set~~
1350 ~~forth in s. 255.5535 and~~ asbestos-related activities involving
1351 the demolition of a building owned by that governmental unit,
1352 where such activities are within the scope of that employment
1353 and the employee does not hold out for hire or otherwise engage
1354 in asbestos abatement, contracting, or consulting.

1355 Section 37. Paragraph (b) of subsection (2) of section
1356 469.003, Florida Statutes, is repealed.

1357 Section 38. This act shall take effect July 1, 2011.