

**LEGISLATIVE  
BUDGET  
COMMISSION**

**David Rivera, Chair**

**Ken Pruitt, Vice-Chair**

**MEETING PACKET  
Wednesday, June 17, 2009  
11:00 A.M.  
412 Knott Building**

**(Please bring this packet to the committee meeting.  
Duplicate materials will not be available.)**



## LEGISLATIVE BUDGET COMMISSION AGENDA



Wednesday, June 17, 2009  
11:00 A.M.  
412 Knott Building

### Members

**Representative David Rivera**  
**Representative Kevin Ambler**  
**Representative Bill Galvano**  
**Representative Joseph Gibbons**  
**Representative Marcelo Llorente**  
**Representative Ron Saunders**  
**Representative Will Weatherford**

**Senator Ken Pruitt**  
**Senator JD Alexander**  
**Senator Lee Constantine**  
**Senator Mike Fasano**  
**Senator Rudy Garcia**  
**Senator Charlie Justice**  
**Senator Al Lawson**

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II. Other Business

Presentation by Dale Brill- Director, Office of Tourism, Trade & Economic Development, Executive Office of the Governor regarding implementation of section 68 of the Conference Report on SB 2600.



**Agency for Health Care Administration**

**EOG Number: B2009-0844**

<p><b>Problem Statement:</b> The February 16, 2009 Social Services Estimating Conference for KidCare projected an overall program surplus of \$84.4 million in total funds (\$24.8 million general revenue) for the 2008-2009 Fiscal Year. Although an overall surplus is expected, a \$6,325,402 deficit (\$1,902,870 in the General Revenue Fund, \$253,195 in the Grants and Donations Trust Fund, and \$4,169,337 in the Medical Care Trust Fund) is projected in the Children's Medical Services Network category due to increased enrollment. A realignment of budget authority is necessary to alleviate this deficit.</p>
<p><b>Agency Request:</b> The Agency for Health Care Administration requests a transfer of \$6,325,402 (\$1,902,870 in the General Revenue Fund, \$253,195 in the Grants and Donations Trust Fund, and \$4,169,337 in the Medical Care Trust Fund) from the Medikids category to the Children's Medical Services Network category within the Children's Special Health Care budget entity.</p>
<p><b>Governor's Recommendation:</b> Recommend approval to transfer \$6,325,402 (\$1,902,870 in the General Revenue Fund, \$4,169,337 in the Medical Care Trust Fund, and \$253,195 in the Grants and Donations Trust Fund) from the Medikids category to the Children's Medical Services Network category to alleviate a projected deficit as a result of increased caseload in the Children's Medical Services Network.</p>
<p><b>Commission Staff Comments:</b> Senate Professional Staff: Recommend approval as recommended by the Governor's Office. House Professional Staff: None.</p>

<p><b>Senate Committee:</b> Health and Human Services Appropriations <b>Senate Analyst:</b> Cindy Kynoch</p>	<p><b>House Committee:</b> Health Care Appropriations <b>House Analyst:</b> J. Eric Pridgeon</p>
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Line Item No.	Budget Entity / Fund / Appropriation Category Title		REQUESTED BY AGENCY	RECOMMENDED BY GOVERNOR	APPROVED BY THE LEGISLATIVE BUDGET COMMISSION
	LASPBS Account Number	CF	Appropriation	Appropriation	Appropriation
<b>AGENCY FOR HEALTH CARE ADMINISTRATION</b>					
	Program: Health Care Services <u>Children's Special Health Care</u>				
180	Special Categories				
	Medikids				
	From General Revenue Fund		(1,902,870)	(1,902,870)	
	From Grants And Donations Trust Fund		(253,195)	(253,195)	
	From Medical Care Trust Fund		(4,169,337)	(4,169,337)	
181	Special Categories				
	Children's Medical Services Network				
	From General Revenue Fund		1,902,870	1,902,870	
	From Grants And Donations Trust Fund		253,195	253,195	
	From Medical Care Trust Fund		4,169,337	4,169,337	



**Department of Children and Family Services**

**EOG Number: B2009-0789**

**Problem Statement:** The department has completed a spending plan analysis for the current fiscal year with actual year-to-date expenditures as of March 31, 2009, and estimated expenditures through June 30, 2009. The plan, with data from all regions and headquarters, shows there will not be sufficient budget in the Expenses and Contracted Services appropriation categories within the child protective investigations activity in the Child Protection and Permanency budget entity to cover all obligations this fiscal year. The projected deficit for the two appropriation categories combined is approximately \$2.3 million.

The department's spending plan also shows a surplus of \$3.4 million in the Salary and Benefits category for child protective investigations activity for the current fiscal year (about a 4 percent vacancy rate). This surplus comes from routine staff turnover.

The department needs to realign the Child Protection and Permanency budget entity by approximately \$2.3 million to cover the projected deficits in Expenses and Contracted Services categories.

**Agency Request:** The department requests a transfer of \$2,327,932 from the Salaries and Benefits category (\$663,063 in the General Revenue Fund, \$1,309,165 in the Welfare Transition Trust Fund and \$355,704 in the Social Services Block Grant Trust Fund) with \$2,228,962 transferring to the Expenses category (\$634,874 in the General Revenue Fund, \$1,253,506 in the Welfare Transition Trust Fund and \$340,582 in the Social Services Block Grant Trust Fund) and \$98,970 transferring to the Contracted Services category (\$28,189 in the General Revenue Fund, \$55,659 in the Welfare Transition Trust Fund and \$15,122 in the Social Services Block Grant Trust Fund).

**Governor's Recommendation:** Recommend approval to transfer \$2,327,932 (\$663,063 in General Revenue funds, \$1,309,165 in the Welfare Transition Trust Fund, and \$355,704 in the Social Services Block Grant Trust Fund) from the Salaries and Benefits to Expenses (\$2,228,962) and Contracted Services (\$98,970) to address operational deficits for Child Protective Investigations activities based on identified needs in the Department's spending plan analysis.

**Commission Staff Comments:** Senate Professional Staff: Recommend approval as recommended by the Governor's Office.  
House Professional Staff: None.

**Senate Committee:** Health and Human Services Appropriations  
**Senate Analyst:** Marta Hardy

**House Committee:** Human Services Appropriations  
**House Analyst:** Stephanie Massengale

Line Item No.	Budget Entity / Fund / Appropriation Category Title		REQUESTED BY AGENCY	RECOMMENDED BY GOVERNOR	APPROVED BY THE LEGISLATIVE BUDGET COMMISSION
	LASPBS Account Number	CF	Appropriation	Appropriation	Appropriation
<b>CHILDREN AND FAMILY SERVICES</b>					
	<u>Program: Family Safety Program Child Protection And Permanency</u>				
341	Salaries And Benefits				
	From General Revenue Fund		(663,063)	(663,063)	
	From Welfare Transition Trust Fund		(1,309,165)	(1,309,165)	
	From Social Services Block Grant Trust Fund		(355,704)	(355,704)	
343	Expenses				
	From General Revenue Fund		634,874	634,874	
	From Welfare Transition Trust Fund		1,253,506	1,253,506	
	From Social Services Block Grant Trust Fund		340,582	340,582	
345	Special Categories				
	Contracted Services				
	From General Revenue Fund		28,189	28,189	
	From Welfare Transition Trust Fund		55,659	55,659	
	From Social Services Block Grant Trust Fund		15,122	15,122	



**Department of Children and Family Services**

**EOG Number: B2009-0805**

**Problem Statement:** The 2008 Legislature appropriated \$6,870,915 for the Florida Safe Families Network System (FSFN) in a qualified expenditure category (QEC) in the Assistant Secretary for Administration (ASA) budget entity, and double budget in an equal amount in a separate QEC in the Information Technology (IT) budget entity. The Legislature also authorized the re-appropriation of and double budget of the \$12,251,939 unexpended balance from the 2007-2008 fiscal year appropriation for a total appropriation of \$19,122,854.

The department needs to allocate and release \$6,415,323 from the QEC in the IT budget entity and a corresponding amount of \$6,415,323 in the ASA budget entity to pay for Release 2B required improvements, system integrator costs, implementation services, quality assurance, project management services, partnership reimbursement, and training and travel.

In addition, the department needs to transfer \$131,306 from the QEC in the ASA budget entity to the Salaries and Benefit category in the Family Safety Program-Program Management and Compliance budget entity to support the cost of expert staff to work on the FSFN project.

**Agency Request:** The department requests the allocation and release of \$6,415,323 in Working Capital Trust Fund from the QEC-Florida SACWIS Solutions to the Computer Related Expenses category in the Information Technology budget entity, \$6,456,629 from the QEC in the ASA budget entity (\$1,571,622 in the General Revenue Fund, \$471,299 in the Administrative Trust Fund, and \$4,503,708 in the Federal Grants Trust Fund) to the Data Processing Services category in the ASA budget entity (\$6,415,323) and to the Salaries and Benefits category in the Family Safety Program-Program Management and Compliance budget entity (\$131,306).

Below is the breakdown of activities for which spending authority is requested:

- 1) \$1,497,084 for system integrator costs related to federal reporting;
- 2) \$2,194,247 for implementation services;
- 3) \$1,957,420 for Release 2B required improvements;
- 4) \$200,083 for quality assurance;
- 5) \$131,566 for project management services;

- 6) \$131,306 for partnership reimbursement; and  
7) \$434,529 for training and travel.

**Governor's Recommendation:** Recommend approval to allocate and release \$6,415,323 from the Working Capital Trust Fund in the Qualified Expenditure Category - Florida SACWIS Solutions appropriation category to the Computer Related Expenses category in the Information Technology budget entity. In addition, \$1,571,622 from the General Revenue Fund, \$471,299 from the Administrative Trust Fund, and \$4,503,708 from the Federal Grants Trust Fund is allocated from the Qualified Expenditure Category in the Assistant Secretary for Administration budget entity to the data center category to continue implementation activities of the Florida Safe Families Network System.

**Commission Staff Comments:** Senate Professional Staff: Recommend approval as recommended by the Governor's Office.  
House Professional Staff: None.

**Senate Committee:** Health and Human Services Appropriations  
**Senate Analyst:** Marta Hardy

**House Committee:** Human Services Appropriations  
**House Analyst:** Stephanie Massengale

*Budget Commission Meeting  
June 17, 2009*

Line Item No.	Budget Entity / Fund / Appropriation Category Title LASPBS Account Number	CF	REQUESTED BY AGENCY			RECOMMENDED BY GOVERNOR			APPROVED BY THE LEGISLATIVE BUDGET COMMISSION		
			Appropriation	Reserve	Release	Appropriation	Reserve	Release	Appropriation	Reserve	Release
<b>CHILDREN AND FAMILY SERVICES</b>											
	Program: Support Services <u>Information Technology</u>										
300	Special Categories Computer Related Expenses From Working Capital Trust Fund		6,415,323		6,415,323	6,415,323		6,415,323			
302	Qualified Expenditure Category Qualified Expenditure - Florida Sacwis Solutions From Working Capital Trust Fund		(6,415,323)	(6,415,323)		(6,415,323)	(6,415,323)				
	<u>Assistant Secretary For Administration</u>										
314	Qualified Expenditure Category Qualified Expenditure - Florida Sacwis Solutions From Administrative Trust Fund From Federal Grants Trust Fund		(471,299) (4,503,708)	(471,299) (4,503,708)		(471,299) (4,503,708)	(471,299) (4,503,708)				

*Budget Commission Meeting  
June 17, 2009*

Line Item No.	Budget Entity / Fund / Appropriation Category Title LASPBS Account Number	CF	REQUESTED BY AGENCY			RECOMMENDED BY GOVERNOR			APPROVED BY THE LEGISLATIVE BUDGET COMMISSION		
			Appropriation	Reserve	Release	Appropriation	Reserve	Release	Appropriation	Reserve	Release
315	Data Processing Services Children And Families Data Center										
	From General Revenue Fund		1,540,100		1,540,100	1,540,100		1,540,100			
	From Administrative Trust Fund		471,299		471,299	471,299		471,299			
	From Federal Grants Trust Fund		4,403,924		4,403,924	4,403,924		4,403,924			
N/A	Qualified Expenditure Category Qualified Expenditure - Florida Sacwis Solutions										
	From General Revenue Fund		(1,571,622)	(1,571,622)		(1,571,622)	(1,571,622)				
	Program: Family Safety Program <u>Program Management And Compliance</u>										
361	Salaries And Benefits										
	From General Revenue Fund		31,522		31,522	31,522		31,522			
	From Federal Grants Trust Fund		99,784		99,784	99,784		99,784			



**Department of Children and Family Services**

**EOG Number: B2010-0022**

**Problem Statement:** The 2009 Legislature appropriated \$1,178,617 for the Florida Safe Families Network (FSFN) System in a qualified expenditure category (QEC) in the Executive Direction and Support Services (EDSS) budget entity, and a double budget in an equal amount in a separate QEC in the Information Technology (IT) budget entity to complete the implementation of the project. The department needs to allocate and release \$1,059,900 from the QEC in the IT budget entity and a corresponding amount in the EDSS budget entity to pay for implementation services, quality assurance, project management services, and training.

In addition, the department needs to transfer \$118,717 from the QEC in the EDSS budget entity to the Salaries and Benefits category in the Family Safety and Preservation Services (FPSS) budget entity to support the cost of expert staff to continue implementation and testing on the FSFN System.

**Agency Request:** This amendment requests the allocation and release of \$1,059,900 in the Working Capital Trust Fund from the QEC-Florida SACWIS Solutions to the Computer Related Expenses category in the IT budget entity, \$1,178,617 in Federal Grants Trust Fund from the QEC in the EDSS budget entity to the Data Services Processing category (\$1,059,000) in the EDSS budget entity and to the Salaries and Benefits category (\$118,617) in the FSPS budget entity.

Below is the breakdown of activities for which spending authority is requested:

- 1) \$480,000 for implementation services;
- 2) \$128,435 for quality assurance;
- 3) \$151,465 for project management services;
- 4) \$300,000 for training; and
- 5) \$118,617 for partnership reimbursement.

**Governor's Recommendation:** Recommend approval to allocate and release \$1,059,900 in the Federal Grants Trust Fund from the Qualified Expenditure category to the Computer Related Expenses category in the Information Technology budget entity, as well as requesting release of \$1,178,617 from the Qualified Expenditure Category in the Executive Direction and Support Services budget entity with \$1,059,900 allocated to the DCF Data Processing category and \$118,717 allocated to the Family Safety and Preservation budget entity in the Salaries and Benefits category.

**Commission Staff Comments:** Senate Professional Staff: Recommend approval as recommended by the Governor's Office.  
House Professional Staff: None.

**Senate Committee:** Health and Human Services Appropriations  
**Senate Analyst:** Marta Hardy

**House Committee:** Human Services Appropriations  
**House Analyst:** Stephanie Massengale

Line Item No.	Budget Entity / Fund / Appropriation Category Title LASPBS Account Number	CF	REQUESTED BY AGENCY			RECOMMENDED BY GOVERNOR			APPROVED BY THE LEGISLATIVE BUDGET COMMISSION		
			Appropriation	Reserve	Release	Appropriation	Reserve	Release	Appropriation	Reserve	Release
<b>CHILDREN AND FAMILY SERVICES</b>											
	Program: Executive Leadership <u>Executive Direction And Support Services</u>										
278a	Qualified Expenditure Category Qualified Expenditure - Florida Sacwis Solutions From Federal Grants Trust Fund		(1,178,617)	(1,178,617)		(1,178,617)	(1,178,617)				
279	Data Processing Services Children And Families Data Center From Federal Grants Trust Fund		1,059,900		1,059,900	1,059,900		1,059,900			
	Program: Support Services <u>Information Technology</u>										
287	Special Categories Computer Related Expenses From Working Capital Trust Fund		1,059,900		1,059,900	1,059,900		1,059,900			
288a	Qualified Expenditure Category										

*Budget Commission Meeting  
June 17, 2009*

Line Item No.	Budget Entity / Fund / Appropriation Category Title LASPBS Account Number	CF	REQUESTED BY AGENCY			RECOMMENDED BY GOVERNOR			APPROVED BY THE LEGISLATIVE BUDGET COMMISSION		
			Appropriation	Reserve	Release	Appropriation	Reserve	Release	Appropriation	Reserve	Release
295	Qualified Expenditure - Florida Sacwis Solutions From Working Capital Trust Fund		(1,059,900)	(1,059,900)		(1,059,900)	(1,059,900)				
	Program: Family Safety Program <u>Family Safety And Preservation Services</u> Salaries And Benefits From Federal Grants Trust Fund		118,717		118,717	118,717		118,717			



**Department of Health**

**EOG Number: B2009-0838**

**Problem Statement:** On April 22, 2009, the Social Security Administration issued a letter of authorization to the Department of Health, Office of Disability Determinations (ODD) to fill 190 positions prior to September 30, 2009, in anticipation of an approximate 20 percent increase in disability claims under the provisions of Title II and Title XVI of the Social Security Act. Section 216.2625(2), Florida Statutes, currently exempts authorized positions funded by the United States Trust Fund from the requirement that they be provided in the General Appropriations Act. The 2009 Legislature repealed this exemption and appropriated the additional positions in the Fiscal Year 2009-2010 General Appropriations Act.

Because of a previous hiring freeze placed on the division by the Social Security Administration, there is sufficient budget authority available in the Salaries and Benefits category to support ODD's establishing and hiring 127 full-time equivalent (FTE) positions through the end of the fiscal year. However, additional budget authority is needed in the Other Personal Services, Expenses, Operating Capital Outlay, and Contracted Services categories to support the rapid growth in personnel and caseload through this fiscal year.

**Agency Request:** The department requests \$6,088,405 in United States Trust Fund budget authority to support an approximate 20 percent increase in disability claims: \$734,446 in the Other Personal Services category to hire additional Physicians and Psychological Consultant Services to process medical assessments, \$1,490,989 in the Expenses category for medical record requests and standard expense costs for the 127 FTE, \$443,336 in the Operating Capital Outlay category for the purchase of modular furniture and equipment, and \$3,419,634 in the Contracted Services category to support the projected increase in consultative examinations for claimants applying for disability.

**Governor's Recommendation:** Recommend approval to increase budget authority by \$6,088,405 in United States Trust Fund to address the increased workload and the related costs to hire additional staff in Disability Determinations Services to process timely and accurate disability claims for Florida's citizens under the provisions of Title II and Title XVI of the Social Security Act.

**Commission Staff Comments:** Senate Professional Staff: Recommend approval as recommended by the Governor's Office.  
House Professional Staff: None.

**Senate Committee:** Health and Human Services Appropriations  
**Senate Analyst:** Elaine Peters

**House Committee:** Human Services Appropriations  
**House Analyst:** Sharon Bradford

Line Item No.	Budget Entity / Fund / Appropriation Category Title	CF	REQUESTED BY AGENCY	RECOMMENDED BY GOVERNOR	APPROVED BY THE LEGISLATIVE BUDGET COMMISSION
	LASPBS Account Number		Appropriation	Appropriation	Appropriation
<b>HEALTH</b>					
	Program: Disability Determinations <u>Disability Benefits Determination</u>				
660	Other Personal Services From U.s. Trust Fund		734,446	734,446	
661	Expenses From U.s. Trust Fund		1,490,989	1,490,989	
662	Operating Capital Outlay From U.s. Trust Fund		443,336	443,336	
663	Special Categories Contracted Services From U.s. Trust Fund		3,419,634	3,419,634	



**Department of Health**

**EOG Number: B2009-0845**

<p><b>Problem Statement:</b> The Children's Medical Services Network category has insufficient Donations Trust Fund to cover the medical expenses for additional enrollees because of increased enrollment in the Kidcare program. However, the Agency for Health Care Administration has surplus appropriation in the Medikids component, and is submitting a corresponding budget amendment to accompany this request.</p>
<p><b>Agency Request:</b> The department requests an additional \$6,325,402 in Donations Trust Fund in the Grants and Aids-Children's Medical Services Network category to cover medical expenditures associated with increased enrollment in the Kidcare program.</p>
<p><b>Governor's Recommendation:</b> Recommend approval to increase budget authority by \$6,325,402 in the Donations Trust Fund to cover medical expenditures associated with increased enrollment in the Kidcare program.</p>
<p><b>Commission Staff Comments:</b> Senate Professional Staff: Recommend approval as recommended by the Governor's Office. House Professional Staff: None.</p>

<p><b>Senate Committee:</b> Health and Human Services Appropriations <b>Senate Analyst:</b> Elaine Peters</p>	<p><b>House Committee:</b> Human Services Appropriations <b>House Analyst:</b> Sharon Bradford</p>
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Line Item No.	Budget Entity / Fund / Appropriation Category Title		REQUESTED BY AGENCY	RECOMMENDED BY GOVERNOR	APPROVED BY THE LEGISLATIVE BUDGET COMMISSION
	LASPBS Account Number	CF	Appropriation	Appropriation	Appropriation
<b>HEALTH</b>	Program: Children's Medical Services <u>Children's Special Health Care</u>  Special Categories Grants And Aids - Children's Medical Services Network From Donations Trust Fund		6,325,402	6,325,402	



**Agency for Persons with Disabilities**

**EOG Number: B2009-0464**

**Problem Statement:** Approximately 4,000 persons with developmental disabilities live in homes of their own and approximately 1,700 receive in-home subsidies to assist them in living in their own home and avoiding unnecessary placement in a more congregate and costly residential placement. The In-Home Subsidy program, authorized in section 393.0695, Florida Statutes, is paid from the Grant and Aid-Individual and Family Supports (IFS) category. The appropriation for the IFS category is \$980,000 in general revenue funds and \$16.8 million from the Social Services Block Grant (SSBG) Trust Fund. The general revenue funds are insufficient to cover the In-Home Subsidy program and the Social Services Block Grant funds cannot be used to pay for subsidies.

However, SSBG funds are an eligible funding source for services provided to individuals at the Mentally Retarded Defendant Program (MRDP) center as this staff perform duties that are consistent with the SSBG funding regulations. Eligible services include case management, education and training services, and employment services. The amount of SSBG funds that could be used in lieu of general revenue funds, and thus, available for transfer are based on the salaries and benefits of the identified staff for each position in the eligible categories. The total amount available for transfer is \$1.6 million.

**Agency Request:** The agency requests a transfer of \$1,600,000 in Social Services Block Grant Trust Fund budget authority from the Grant and Aid-Individual and Family Supports category in the Home and Community Services budget entity to the Salaries and Benefits category in the Developmental Disabilities Public Facilities budget entity. The agency also requests the transfer of \$1,600,000 in general revenue funds from the Salaries and Benefits category in the Developmental Disabilities Public Facilities budget entity to the Grant and Aid-Individual and Family Supports category in the Home and Community Services budget entity.

**Governor's Recommendation:** Recommend approval to transfer budget authority in the amount of \$1,600,000 from the Social Services Block Grant Trust Fund between the Grant and Aid - Individual and Family Supports category in the Home and Community Services budget entity and the Salaries and Benefits category in the Developmental Disabilities Public Facilities budget entity. Also recommend approval to transfer \$1,600,000 from the General Revenue Fund budget between the Salaries and Benefits category in the Developmental Disabilities Public Facilities budget entity and the Grant and Aid Individual and Family Supports category in the Home and Community Services budget entity. This action is necessary to align funding with an appropriate category for use of Social Services Block Grant funds.

**Commission Staff Comments:** Senate Professional Staff: Recommend approval as recommended by the Governor's Office.  
House Professional Staff: None.

**Senate Committee:** Health and Human Services Appropriations  
**Senate Analyst:** Elaine Peters

**House Committee:** Human Services Appropriations  
**House Analyst:** Stephanie Massengale

Line Item No.	Budget Entity / Fund / Appropriation Category Title		REQUESTED BY AGENCY	RECOMMENDED BY GOVERNOR	APPROVED BY THE LEGISLATIVE BUDGET COMMISSION
	LASPBS Account Number	CF	Appropriation	Appropriation	Appropriation
<b>AGENCY FOR PERSONS WITH DISABILITIES</b>					
	<u>Program: Services To Persons With Disabilities Home And Community Services</u>				
259	Special Categories				
	Grant And Aid Individual And Family Supports				
	From General Revenue Fund		1,600,000	1,600,000	
	From Social Services Block Grant Trust Fund		(1,600,000)	(1,600,000)	
	<u>Developmental Disabilities Public Facilities</u>				
281	Salaries And Benefits				
	From General Revenue Fund		(1,600,000)	(1,600,000)	
	From Social Services Block Grant Trust Fund		1,600,000	1,600,000	



**Agency for Persons with Disabilities**

**EOG Number: B2009-0598**

<p><b>Problem Statement:</b> The Legislature appropriated nonrecurring budget authority of \$4,264,800 in Tobacco Settlement Trust Fund and \$5,310,413 in Operations and Maintenance Trust Fund to continue service provision for existing clients in the Home and Community Services Waiver category. Specific Appropriation 263 proviso language requires that the release of these funds be contingent upon the agency submitting a spending plan, which shows the need for the funds, to the Legislative Budget Commission for approval. The agency has submitted the attached spending plan showing a projected deficit.</p>
<p><b>Agency Request:</b> The agency requests the release of \$4,264,800 in Tobacco Settlement Trust Fund budget authority and \$5,310,413 in Operations and Maintenance Trust Fund budget authority in the Home and Community Based Services Waiver category in the Home and Community Services budget entity to cover a projected deficit.</p>
<p><b>Governor's Recommendation:</b> Recommend approval to release \$4,264,800 in the Tobacco Settlement Trust Fund and \$5,310,413 in the Operations and Maintenance Trust Fund from unbudgeted reserve upon approval of the spending plan submitted by the department as per Specific Appropriation 263 proviso in the Fiscal Year 2008-09 General Appropriations Act.</p>
<p><b>Commission Staff Comments:</b> Senate Professional Staff: Recommend approval as recommended by the Governor's Office. House Professional Staff: None.</p>

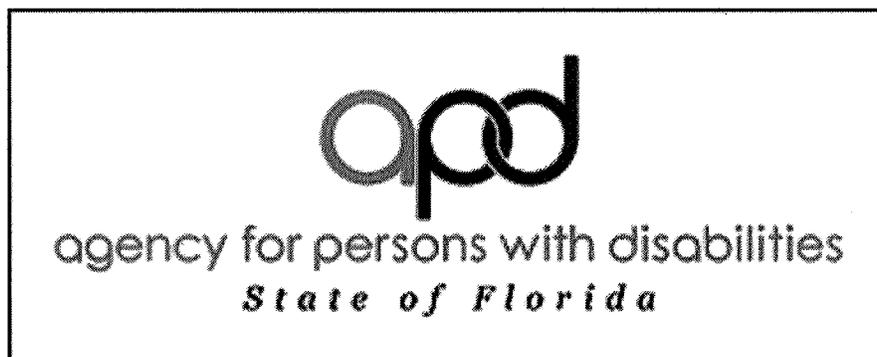
<p><b>Senate Committee:</b> Health and Human Services Appropriations <b>Senate Analyst:</b> Elaine Peters</p>	<p><b>House Committee:</b> Human Services Appropriations <b>House Analyst:</b> Stephanie Massengale</p>
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Line Item No.	Budget Entity / Fund / Appropriation Category Title	CF	REQUESTED BY AGENCY		RECOMMENDED BY GOVERNOR		APPROVED BY THE LEGISLATIVE BUDGET COMMISSION	
	LASPBS Account Number		Reserve	Release	Reserve	Release	Reserve	Release
<b>AGENCY FOR PERSONS WITH DISABILITIES</b>								
263	Program: Services To Persons With Disabilities <u>Home And Community Services</u>							
	Special Categories Home And Community Based Services Waiver From Tobacco Settlement Trust Fund From Operations And Maintenance Trust Fund		(4,264,800)	4,264,800	(4,264,800)	4,264,800		
			(5,310,413)	5,310,413	(5,310,413)	5,310,413		



**Medicaid Expenditure  
Social Services Estimating Conference**

Friday, February 13, 2009



Charlie Crist, Governor

Jim DeBeaugrine, Director

## ***Brief Description of the Program Including Eligibility and Services Provided***

### Eligibility

- Florida resident, age 3 or older
- Diagnosed with a qualifying developmental disability defined in Chapter 393, F.S., or at risk of developing such a disability before age 18.  
Autism, Mental Retardation, Cerebral Palsy, Spina Bifida, & Prader-Willi Syndrome
- Qualify financially for institutional care
- Qualify financially for Medicaid

*Note: See Appendix A for detailed eligibility requirements per Chapter 393.065 F.S.*

### Service Types

- Community-Based
- Residential (Developmental Disability Centers)
- Forensic (Mentally Retarded Defendant Program)

### Details of Services

- Must be medically necessary as defined in F.A.C. 59G-1.010
- Individuals who choose to reside in a developmental disability center (DDC) or are court-ordered to a secure facility receive 24-hour care by a team of medical and behavioral professionals on site
- Individuals who choose to reside and receive services in the community and are in Tier 4 may select from 13 services listed below.
  - Adult Day Training: provides up to six hours a day of meaningful day activities and skill-building training in congregate facilities and may include off-side or mobile work crews
  - Behavior Analysis Services: includes analysis, development, modification and monitoring behavioral issues

agency for persons with disabilities

***Brief Description of the Program  
Including Eligibility and Services Provided,  
continued***

- Behavior Assistance Services: consist of service provider training in one-on-one care and activities related to the delivery of an individual's behavioral services
- Consumable Medical Supplies: non-durable items that enable individuals to increase their ability to perform daily living activities, but are not available through Medicaid State Plan
- Durable Medical Equipment: include any prescriptive device, other than wheelchairs and their adaptation, that is prescribed by a physician and not covered by Medicaid State Plan
- Environmental Accessibility Adaptations: physical adaptations to a home that are of direct medical or remedial benefit, including those that give individuals access to their home
- In-Home Support Services: provide up to 24-hour a day personal care, daily living, and other activities necessary to maintain individuals in their own home
- Personal Emergency Response System: electronic communication devices and pre-arranged responders that enable individuals to call for help in the event of an emergency
- Respite Care: provides individuals short-term care or supervision when their primary caregivers are unable due to illness or a planned absence
- Support Coordination: involves advocating, identifying, developing, coordinating, and accessing supports and services on behalf of an individual, or assisting the individual or family to access them
- Supported Employment: services that provide individuals assistance necessary to obtain and maintain competitive employment
- Supported Living Coaching Services: involve training and assistance in a wide variety of activities to support

individuals who live in and maintain their home or apartment

- Transportation: provides mobility to individuals who need rides to and from home, or where they receive services

- In addition to the services listed above for individuals in Tier 4, individuals who choose to reside and receive services in the community and are in Tiers 1, 2, and 3 may select from the 15 additional services listed below.

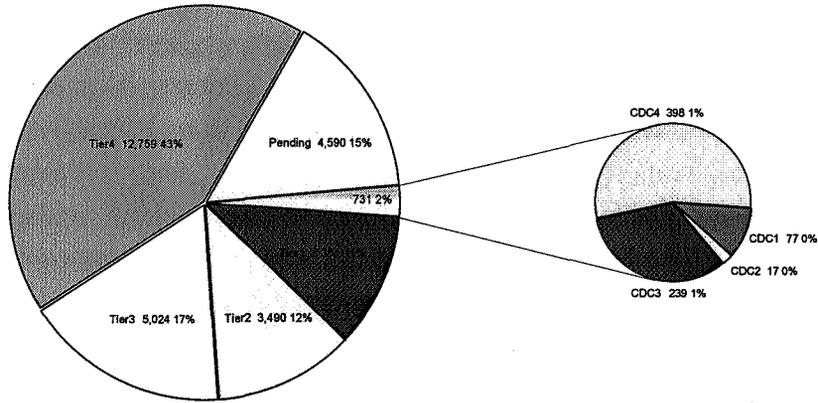
- Adult Dental Services: provide individuals a full range of dental treatments and procedures that are not otherwise covered by Medicaid State Plan
- Companion Services: consist of non-medical care, supervision, goal-oriented community and daytime activities for adults
- Dietician Services: provided to individuals by a licensed dietician who determines their proper dietary and nutritional needs
- Medication Review: provided by a pharmacist to certain individuals who are at risk of drug reactions or interactions
- Occupational Therapy: services that require a physician's prescription and assist individuals in attaining the skills to control or care for themselves, adapt and maneuver within their home or environment
- Personal Care Assistance: provides adults with non-medical assistance similar to In-Home Support Services, such as eating, bathing, dressing, personal hygiene, and other daily living activities
- Physical Therapy: services prescribed by a physician to allow individuals to perform specific movement, muscle control or function, develops posture, and prevents or reduces further physical disability
- Private-Duty Nursing: must be prescribed by a physician, provided by registered or licensed practical nurses, not already covered by Medicaid State Plan
- Respiratory Therapy: prescribed by a physician to individuals with impaired respiratory functions and other deficiencies of the cardiopulmonary system

agency for persons with disabilities

***Brief Description of the Program  
Including Eligibility and Services Provided,  
Continued***

- Residential Habilitation: involves supervision and specific training activities in a licensed facility to help individuals acquire, maintain, or improve daily living or some other skill
- Residential Nursing Services: prescribed by a physician and consist of continuous daily care from registered or licensed practical nurses to individuals in a residential facility
- Skilled Nursing Services: prescribed by a physician and similar to Residential Nursing Services, but are limited to temporary services not otherwise covered by the Medicaid State Plan
- Speech Therapy: prescribed by a physician to assist individuals with specific communication skills related to speech, hearing, or language disability.
- Special Medical Home Care Services: allow residents of licensed group homes that serve individuals with complex medical conditions up to 24-hours of daily nursing and medical supervision.
- Specialized Mental Health Services: focus on the treatment of psychiatric disorders and mental illness as a supplement to the Medicaid State Plan.

INDIVIDUALS W/ DEVELOPMENTAL DISABILITIES SERVED BY TIER



Source: ABC database ad hoc report, February 1, 2009

CDC: Consumer—Directed Care

Data does not include those with insufficient information and under review

**Estimate of Caseload and Expenditures for FY 2008-2009  
and FY 2009-2010 Compared to the Appropriation by Fund**

- Waiver caseload estimated is 30,715 for FYI 2008-2009 and FY 2009-2010, as APD only enrolls individuals through attrition
- Deficit for FY 08-09 is estimated at \$26 million due to delay of Tier implementation
- As of February 1, 2009, 18,537 people are on the wait list. As of February 1, 2009, more than 4,500 people are awaiting administrative review or hearing to determine their tier assignment
- APD continues to closely monitor these projections under changing and unpredictable state and federal budgetary conditions

**APD Waiver FY 08-09 Projection as of Jan 2009**

	<b>General Revenue/Other</b>	<b>Federal Match</b>	<b>Total</b>
<b>Appropriation</b>	\$ 371,254,160	\$ 462,275,610	\$ 833,529,770
Deficit Carried Over from FY 07-08	\$ (5,494,742)	\$ (6,841,903)	\$ (12,336,645)
<b>FY 08-09 Expenditures Projected</b>	\$ 437,803,932	\$ 545,141,583	\$ 982,945,515
Adjust for PCA Kids Under 21 (T/F to AHCA)	\$ 9,015,585	\$ 11,225,962	\$ 20,241,546
Adjust for PCA Kids Under 21 for CDC	\$ 3,563,200	\$ 4,436,800	\$ 8,000,000
Adjust for PCA Rate Reduction to \$15/hr	\$ 2,705,617	\$ 3,368,961	\$ 6,074,577
FY 08-09 Expenditures Prior to Policy	\$ 422,519,531	\$ 526,109,861	\$ 948,629,392
<b>Surplus/Deficit Prior to Policy Changes</b>	\$ (56,760,113)	\$ (70,676,154)	\$ (127,436,267)
<b>Projected Effect of Policy Changes</b>			
Tiers to be Fully Implemented on April 1, 2009	\$ (13,362,000)	\$ (16,638,000)	\$ (30,000,000)
Provider Rate Reductions on Jul 1, 2008	\$ (19,152,200)	\$ (23,847,800)	\$ (43,000,000)
Cost Plan Re-Basing on Mar 1, 2009	\$ (6,681,000)	\$ (8,319,000)	\$ (15,000,000)
Reshab Rate Reduction on Jul 1, 2008	\$ (5,996,993)	\$ (7,467,294)	\$ (13,464,287)
<b>Total Savings Due to Policy Changes</b>	\$ (45,192,193)	\$ (56,272,094)	\$ (101,464,287)
<b>Projected APD Waiver Surplus/Deficit</b>	\$ (11,567,920)	\$ (14,404,060)	\$ (25,971,980)

Source: EDS Medicaid database, January 2009  
 Assumes Tiers will be fully implemented on April 1, 2009  
 Assumes cost plan rebasing is fully implemented on March 1, 2009  
 Assumes growth utilization is 6% before policy changes  
 Provider rate reduction is adjusted on tier savings estimate

agency for persons with disabilities

**Estimate of Caseload and Expenditures for FY 2008-2009  
and FY 2009-2010 Compared to the Appropriation by Fund,  
continued**

**APD Waiver FY 09-10 Projection  
as of Jan 2009**

	General Revenue/Other	Federal Match	Total
<b>Appropriation</b>	366,989,360	\$ 456,965,197	\$ 823,954,557
Deficit Carried Over from FY 08-09	\$ (11,567,920)	\$ (14,404,060)	\$ (25,971,980)
FY 09-10 Expenditures Projected	446,282,145	\$ 555,698,423	\$ 1,001,980,567
Adjust for PCA Kids Under 21	8,835,273	\$ 11,001,442	\$ 19,836,715
Adjust for PCA kids Under 21 for CDC	\$ 3,741,360	\$ 4,658,640	\$ 8,400,000
Adjust for PCA Rate Reduction to \$15/hr	2,840,898	\$ 3,537,409	\$ 6,378,306
FY 09-10 Expenditures Prior to Policy Changes	430,864,614	\$ 536,500,932	\$ 967,365,546
<b>Surplus/Deficit Prior to Policy Changes</b>	\$ (75,443,174)	\$ (93,939,794)	\$ (169,382,969)
<b>Projected Effect of Policy Changes</b>			
Tiers Savings – Full Imp. on Jul 1, 2009	(40,857,041)	\$ (50,874,079)	\$ (91,731,120)
Cost Plan Re-Basing on Jul 1, 2009	\$ (18,706,800)	\$ (23,293,200)	\$ (42,000,000)
Res Hab Rate Reduction on Jul 1, 2009	(7,361,623)	\$ (9,166,494)	\$ (16,528,117)
Total Savings Due to Policy Changes	\$ (66,925,464)	\$ (83,333,773)	\$ (150,259,237)
<b>Projected APD Waiver Surplus/Deficit FY 09-10</b>	\$ (8,517,710)	\$ (10,606,022)	\$ (19,123,732)

Source: EDS Medicaid database, January 2009

Methodology:

Assumes tiers will be fully implemented on July 1, 2009

Assumes utilization growth is 5% before policy changes

Assumes cost-plan re-basing on July 1, 2009 effective date

Assumes provider rates remain at July 1, 2008 levels

agency for persons with disabilities

***Trust Fund Cash Analysis for Waivers That Use  
Non-General Revenue as State Matching Funds***

- For FY 2008-2009, \$4,264,800 in Tobacco Settlement Trust Funds. *Please note: proviso language makes release of these funds contingent upon the agency submitting a spending plan to the Legislative Budget Commission for approval*
- For FY 2009-2010, \$6,886,500 in Social Services Block Grant (SSBG) unrestricted cash will be utilized as a one-time only request to help offset the waiver deficit.
- At this point in time, it is unknown if an allocation for additional Tobacco Settlement Trust Funds will be received for FY 2009-2010

## ***Number of Individuals Still On the Waitlist***

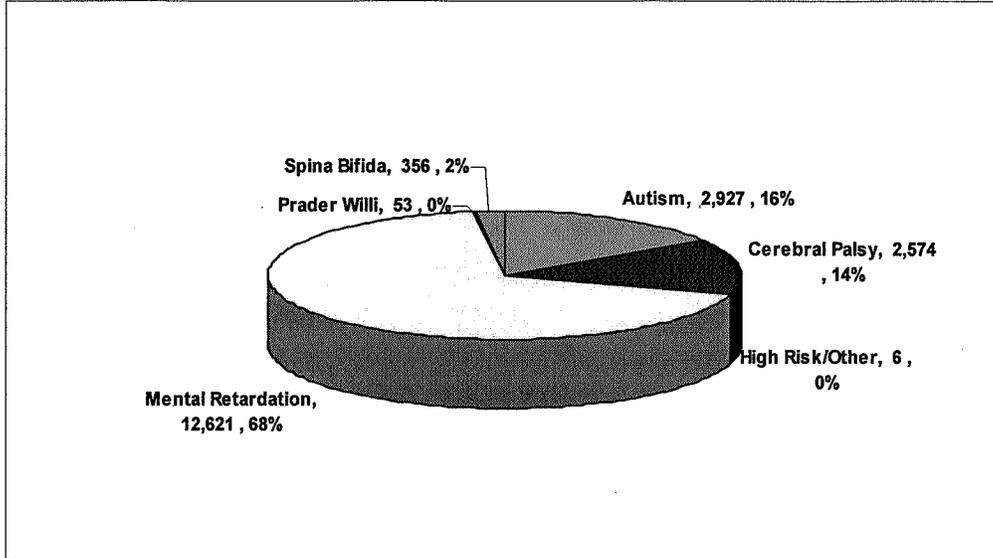
### Background

As a result of limited funding amounts available through Medicaid and general revenue dollars for waiver services, many eligible individuals are waiting to receive services. Currently, more than 18,000 individuals are on the waitlist for waiver services.

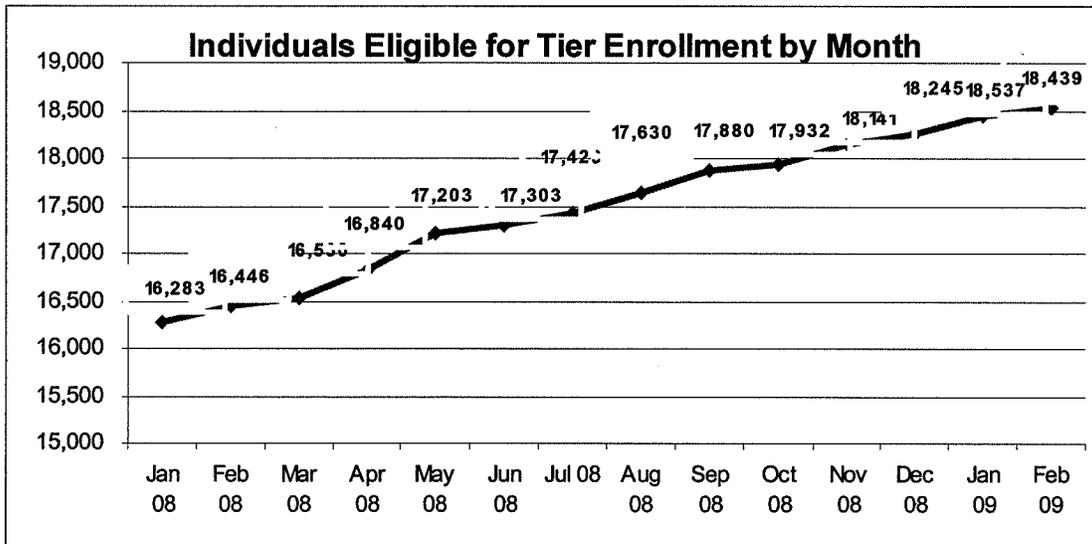
Prior to the tier waivers, the Agency was required to fund all services determined to be medically necessary through the Developmental Disabilities Waiver. Expenditures per person grew unpredictably and disproportionately to available budget funding, leading to challenges in the service delivery system. This led to an Agency budget deficit exceeding \$150 million going into the 2007 Legislative Session. Through a combination of increased funding and implementation of SB 1124, the Agency reduced the budget deficit to \$12 million for FY 2007-08.

The Agency is actively working to manage and reduce the waitlist. A prerequisite to addressing the waitlist and serving more Floridians is to stabilize the service delivery system. This is being accomplished through the implementation of the tier waiver system and the rebasing of service cost plans. The Agency continues to work toward addressing consumer concerns and improving service delivery.

- Currently, 18,537 (February 1, 2009)
  - Autism Spectrum Disorders: 2,927, or 15.8%
  - Cerebral Palsy: 2,574, or 13.9%
  - High Risk/Other: 6, or 0.03%
  - Mental Retardation: 12,621, or 68.1%
  - Prader-Willi Syndrome: 53, or 0.29%
  - Spina Bifida: 356, or 1.9%



ABC, February 1, 2009



ABC, February 1 2009

agency for persons with disabilities

## ***Other Issues***

### **Tier Waiver Implementation**

#### ***Estimated Tier Waiver Savings***

#### **Tier Impact**

FY 08-09 Savings Estimated Tier 2 Cap at \$55,000, Tier 3 Cap at \$35,000 and Tier 4 Cap at \$14,792

<b>FY 08-09</b>	<b>Tier 1</b>	<b>Tier 2</b>	<b>Tier 3</b>	<b>Tier 4</b>
Clients	3,426	4,643	7,053	14,460
Over Limit	NA	1,714	2,754	3,059
Savings Estimated	NA	\$ 5,618,226	\$ 11,330,010	\$ 13,433,506
Total Savings Projection	\$ 30,381,742			

Assume tiers fully implementation on Apr 1, 2009.

Source: EDS Medicaid database, January 2009; ABC

#### ***Fair Hearing Background***

Those individuals impacted by implementation of the tiers were entitled to an appeals process. As of December 9, 2008, there were a total of 5,400 requests for hearings challenging tier assignments. To be compliant with all federal regulations, the Agency must give a 10 day window when notifying clients of any attempt to reduce, modify, or terminate benefits. For those filing within 10 days of tier notice, the services are continued at the level provided prior to implementation of the tiers. Of those 5,400 hearing requests, 4,700 were filed within 10 days, and the remaining 700 were filed after 10 days. It is estimated that only 700 of the initial 5,400 hearing requests will proceed to hearing.

**Summary of the APD Clients Who Filed for Tier Hearings Within 10 days as of  
December 14, 2008**

- Initial petition and notice of assignments – September 2008
- Within 10 days, the Agency received 4,700 appeals, including some duplicates. Total number of hearings filed within ten days and hearings filed after ten days: 5,400
- APD created a tracking system, including PDF files and Excel sheets
- All cases were initially reviewed for completion. If file was found incomplete, client was notified and given time to complete. If no response, file is closed.
- Agency reviewed files for legal sufficiency. This was done in collaboration through the Governor's General Counsel, and all State agencies were called upon to bring together a team of attorneys.
- Files were separated as either granted hearing or denied.
  - Identified 800 for referral for hearings - 200 cases currently pending with the Division of Administrative Hearings (DOAH). This number may continue to increase as APD receives and processes more amended petitions. Attorney General's office files hearing at DOAH. Legal Discovery ensues, client is given AG office attorney
  - Denied hearings (Legal has issued 2,800 so far).
    - Client has 10 days to file an amended request for hearing. If they choose not to,
      - They have 30 days to appeal to a district court of appeal (s. 120.68, F.S.).
      - File is closed if neither option is chosen.

Tier Assigned	Number of Clients Who Filed for Hearings	Number of Clients Over the Tier Cap	FY 08-09 Tier Annualized Savings Projected	Loss of Savings Proj if No Tiers Implemented in FY 08-09	Loss of Savings Proj if Tiers Are Implemented for Only 1 Month in FY 08-09 (Jun 09)	Loss of Savings Proj if Tiers Are Implemented for Only 2 Months in FY 08-09 (May 09)	Loss of Savings Proj if Tiers Are Implemented for Only 3 Months in FY 08-09 (Apr 09)	Loss of Savings Proj if Tiers Are Implemented for Only 4 Months in FY 08-09 (Mar 09)
1	185	N/A	N/A	N/A	N/A	N/A	N/A	N/A
2	1,274	758	\$ 6,786,070	\$ 3,958,541	\$ 3,393,035	\$ 2,827,529.26	\$ 2,262,023	\$ 1,696,518
3	1,941	1,330	\$ 14,567,766	\$ 8,497,863	\$ 7,283,883	\$ 6,069,902.29	\$ 4,855,922	\$ 3,641,941
4	1,111	620	\$ 7,135,717	\$ 4,162,502	\$ 3,567,859	\$ 2,973,215.51	\$ 2,378,572	\$ 1,783,929
Total Impact	4,511	2,708	\$ 28,489,553	\$ 16,618,906	\$ 14,244,776	\$ 11,870,647	\$ 9,496,518	\$ 7,122,388

Source: EDS Medicaid database, January 2009; ABC

## **Cost Plan Rebasing**

### ***Background***

The 2008 Legislature passed legislation that requires adjustment of Medicaid waiver cost plans. This new law, Section 393.0661(6), F.S. (2008), requires the Agency to rebase cost plans for individuals receiving Medicaid waiver services to the amount of an individual's service expenditures for the period July 1, 2007 through June 30, 2008, plus 5%. To "rebase" means adjusting the individual's current cost plan to the total amount that he or she actually spent for services during the last fiscal year (FY 2007-08), plus 5% additional funding. For individuals who did not receive services the entire fiscal year (FY 2007-08), and under certain extraordinary circumstances, the statute may require estimating expenditures using a different time period or methodology.

Although all cost plans must be reviewed and adjusted for cost plan rebasing, most individuals are not expected to experience a reduction in current services.

agency for persons with disabilities

## ***Update***

In mid-January, 6,550 rebasing notices were sent to consumers. Many consumers filed hearing requests. For those filing within 10 days of rebasing notice, the services are continued at the level provided prior to implementation of the cost plan rebasing

- Hearing requests filed within 10 days: 2,659
- Hearing requests filed after 10 days (after 1/16): 163
- Total hearing requests: 2,833

Cost plan rebasing and tier implementation are moving in a notably positive direction. The total amount of approved cost plans and, therefore, projected expenditures for the Agency have decreased significantly in the last several months.

### Total amount of approved cost plans

- As of Jul 2008, \$1.08 billion
- As of Dec 2008, \$936 million
- As of Feb 2009, \$891 million

## **Developmental Disabilities Centers [Intermediate Care Facilities for the Developmentally Disabled (ICF/DD)]**

The Gulf Coast Center is currently projected to close June 30, 2010. As of June 30, 2009 the projected census will be 45 individuals. APD is reviewing the feasibility of retaining a limited portion of the land for a regional service center to provide dental care clinic capabilities and routine administrative processing supports.

agency for persons with disabilities

Appendix A: Chapter 393.065, Florida Statutes

**Eligibility for Services**

Eligibility for services from the Agency for Persons with Disabilities (APD) is explained in detail within Chapter 393.065 of the Florida Statutes. Very generally the requirements are:

1. **You must be a resident of the State of Florida.**
2. **You must either be:**
  - A. **over the age of 3 and have a diagnosis (before the age of 18) of autism, cerebral palsy, mental retardation, Prader Willi or spina bifida (as defined in Chapter 393 of the Florida Statutes)**  
**OR**
  - B. **between the ages of 3 and 5 years old and at high risk of developing a developmental disability (as defined in Chapter 393 of the Florida Statutes).**
3. **You must be eligible for Medicaid** which is administered through the Social Security Administration, **if you want to receive services through a waiver or reside in an ICF.** Most APD consumers receive either Social Security Disability Income (SSDI), Supplemental Security Income (SSI), or Social Security (SSA). An excellent resource to use for Medicaid is <http://best.ssa.gov>. BEST stands for Benefit Eligibility Screening Tool and can be used to find out if you could be eligible for benefits from any of the programs Social Security administers. The Department of Children and Families, Economic Self-Sufficiency coordinates with APD on eligibility determination for both Medicaid and Institutional Care Program (see #4 below).
4. **You must be financially eligible for the Institutional Care Program (ICP)** by the local Department of Children and Families Economic Self-Sufficiency program.
5. **You must satisfy ICF/DD level of need standards and one of the following disability conditions:**
  - A. Your primary disability is mental retardation with an intelligence quotient (IQ) of 59 or less  
**OR**
  - B. Your primary disability is mental retardation with an intelligence quotient (IQ) of 60-69 inclusive; and you have at least one of the following handicapping conditions: ambulation deficits, sensory deficits, chronic health problems, behavior problems, autism, cerebral palsy, epilepsy, spina bifida, or Prader-Willi  
**OR**
  - C. Your primary disability is mental retardation with an intelligence quotient (IQ) of 60-69 inclusive; and you have severe functional limitations in at least three of the following major life activities: self-care, understanding and use of language, learning, mobility, self-direction, or capacity for independent living

agency for persons with disabilities

**OR**

D. You are is eligible under the category of autism, cerebral palsy, spina bifida, or Prader-Willi; and you have severe functional limitations in at least three of the following major life activities: self-care, understanding and use of language, learning, mobility, self-direction, or capacity for independent living.



**Agency for Persons with Disabilities**

**EOG Number: B2009-0810**

**Problem Statement:** The Developmental Disabilities Centers have identified deficits for the Salaries and Benefits and Expenses categories and a surplus in the Contracted Services category in the amount of \$819,533 as a result of an analysis of Fiscal Year 2008-2009 projected expenditures.

**Agency Request:** The agency requests a transfer from the Contracted Services category (\$185,018 in the General Revenue Fund and \$634,515 in the Operations and Maintenance Trust Fund) to the Salaries and Benefits category (\$150,653 in Operations and Maintenance Trust Fund) and the Expenses category (\$185,018 in the General Revenue Fund and \$483,862 in the Operations Trust Fund).

**Governor's Recommendation:** Recommend approval to transfer budget authority in the amount of \$634,515 in the Operations and Maintenance Trust Fund, as well as transferring \$185,018 in General Revenue funds, from Contracted Services to Salaries and Benefits and Expenses in the Developmentally Disabled Public Facilities budget entity to cover projected deficits.

**Commission Staff Comments:** Senate Professional Staff: Recommend approval as recommended by the Governor's Office.  
House Professional Staff: None.

**Senate Committee:** Health and Human Services Appropriations  
**Senate Analyst:** Elaine Peters

**House Committee:** Human Services Appropriations  
**House Analyst:** Stephanie Massengale

Line Item No.	Budget Entity / Fund / Appropriation Category Title		REQUESTED BY AGENCY	RECOMMENDED BY GOVERNOR	APPROVED BY THE LEGISLATIVE BUDGET COMMISSION
	LASPBS Account Number	CF	Appropriation	Appropriation	Appropriation
<b>AGENCY FOR PERSONS WITH DISABILITIES</b>					
	<u>Program: Services To Persons With Disabilities Developmental Disabilities Public Facilities</u>				
281	Salaries And Benefits From Operations And Maintenance Trust Fund		150,653	150,653	
283	Expenses From General Revenue Fund From Operations And Maintenance Trust Fund		185,018 483,862	185,018 483,862	
286	Special Categories Contracted Services From General Revenue Fund From Operations And Maintenance Trust Fund		(185,018) (634,515)	(185,018) (634,515)	



**Department of Veterans Affairs**

**EOG Number: B2010-0028**

<p><b>Problem Statement:</b> The Department of Veterans' Affairs (FDVA), Division of Benefits and Assistance, was not appropriated Other Personnel Services (OPS) in the General Appropriations Act for Fiscal Year 2009-2010. The department requests authority to hire an OPS employee to search, retrieve and return U.S. Department of Veterans' Administration (VA) files used by the Division. This position will request veterans' VA claims folders from the VA's Regional Office data search system, retrieve them from the warehouse on the Bay Pines Regional Office campus and return the files once review is complete. If the claims folder is with a VA employee, this position will retrieve the claims folder from that employee to deliver to the requestor in the FDVA VA Regional Office for review. The files are used for review for eligibility determination and for the state Scholarships for Children and Spouses of Deceased or Disabled Veterans. This position will also be responsible for distributing mail to the VA Regional Office staff as well as all FDVA and county veteran service offices statewide.</p>
<p><b>Agency Request:</b> The Department of Veterans' Affairs, Benefits and Assistance Division, requests to transfer budget authority in the amount of \$12,000 in the General Revenue Fund from Expense to the Other Personnel Services Category.</p>
<p><b>Governor's Recommendation:</b> Recommend approval to transfer General Revenue funds in the amount of \$12,000 from Expenses to Other Personal Services (OPS) to hire an OPS position within the Division of Benefits and Assistance.</p>
<p><b>Commission Staff Comments:</b> Senate Professional Staff: Recommend approval as recommended by the Governor's Office. House Professional Staff: None.</p>

<p><b>Senate Committee:</b> Health and Human Services Appropriations <b>Senate Analyst:</b> Elaine Peters</p>	<p><b>House Committee:</b> Healthy Seniors Appropriations <b>House Analyst:</b> Eric Edwards</p>
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Line Item No.	Budget Entity / Fund / Appropriation Category Title		REQUESTED BY AGENCY	RECOMMENDED BY GOVERNOR	APPROVED BY THE LEGISLATIVE BUDGET COMMISSION
	LASPBS Account Number	CF	Appropriation	Appropriation	Appropriation
<b>VETERANS' AFFAIRS</b>					
	Program: Services To Veterans' Program <u>Veterans' Benefits And Assistance</u>				
577	Expenses From General Revenue Fund		(12,000)	(12,000)	
N/A	Other Personal Services From General Revenue Fund		12,000	12,000	

EOG #B2010-0037

**Department of Environmental Protection**

**EOG Number: B2010-0037**

***Problem Statement:*** Specific Appropriation 1733 of the FY 2009-10 General Appropriations Act directs the Department of Environmental Protection (Department) to contract with the Inland Protection Financing Corporation (IPFC) for the purpose of financing the rehabilitation of petroleum contamination sites pursuant to Sections 376.30 - 376.317, Florida Statutes. This appropriation, \$10,302,550, is to pay the debt service and any other amounts due with respect to up to \$104,000,000 of bonds and any administrative expenses of the IPFC.

The finance corporation anticipates selling bonds in the second quarter of Fiscal Year 2009-2010. In order to continue conducting the Petroleum Tanks Cleanup Program without any interruptions, the Department requests an increase of \$90,000,000 to Line Item 1737, which is the special category Underground Storage Tank Cleanup. This budget authority will allow the Department to maintain agreements as well as ensure that there is continuous funding for ongoing contamination cleanups. Pursuant to Section 215.18, Florida Statutes, this amendment will also allow funds to be temporarily transferred into the special category in order to address obligations of the program prior to the issuance of bonds.

The IPFC is a nonprofit public benefit corporation. Pursuant to Section 376.3075, Florida Statutes, the finance corporation can borrow money and issue notes, bonds and certificates of indebtedness. It also has the authority to use funds from the Inland Protection Trust Fund to pay debt service.

***Agency Request:*** The Department requests an increase of \$90,000,000 to special category Underground Storage Tank Cleanup in the Inland Protection Trust Fund. The budget authority will allow the Department to maintain agreements as well as ensure that there is continuous funding for ongoing contamination cleanups.

***Governor's Recommendation:*** Recommend approval to increase budget authority by \$90,000,000 in the Inland Protection Trust Fund in order to maintain agreements as well as ensure that there is continuous funding for ongoing contamination cleanups in the Petroleum Tanks Cleanup Program.

***Commission Staff Comments:*** Senate Professional Staff: Recommend approval as recommended by the Governor's Office.  
House Professional Staff: None.

**Senate Committee:** General Government Appropriations  
**Senate Analyst:** Dawn Pigott

**House Committee:** Natural Resources Appropriations  
**House Analyst:** Terri Smith

Line Item No.	Budget Entity / Fund / Appropriation Category Title		REQUESTED BY AGENCY	RECOMMENDED BY GOVERNOR	APPROVED BY THE LEGISLATIVE BUDGET COMMISSION
	LASPBS Account Number	CF	Appropriation	Appropriation	Appropriation
<b>ENVIRONMENTAL PROTECTION</b>					
1737	Program: Waste Management <u>Waste Cleanup</u>  Special Categories Underground Storage Tank Cleanup From Inland Protection Trust Fund		90,000,000	90,000,000	

EOG #B2009-0817

**Department of Agriculture and Consumer Services**

**EOG Number: B2009-0817**

**Problem Statement:** On September 5, 2008, the Governor declared a State of Emergency and issued Executive Order 08-187 for "Emergency Management-Hurricane Ike" due to the threat Hurricane Ike posed to the State of Florida and to ensure timely precautions were taken to protect communities and the general welfare of the state. On September 10th, the Federal Emergency Management Agency (FEMA) issued Emergency Declaration Number 3294 for the State of Texas and in response to a request pursuant to the Emergency Management Assistance Compact (EMAC), the Division of Forestry deployed emergency personnel to Texas to assist in the recovery efforts. The Division of Animal Pest and Disease Control also deployed personnel to perform damage assessments of animal and veterinary infrastructure in the impacted areas.

The Division of Forestry incurred additional total costs of \$245,697, including overtime of \$167,983 and other operating costs of \$77,714, including \$42,998 in the Expenses category for lodging, meals, per diem, and supplies, in addition to \$34,716 in the Contracted Services category. The Division of Animal Pest and Disease Control incurred \$4,322 in per diem, meals and lodging to perform their work. A reimbursement request including these costs is being prepared for submittal to the State of Texas, through the Florida Division of Emergency Management mutual aid agreement for 100% reimbursement.

**Agency Request:** The department is requesting an increase of \$245,697 in budget authority in the Incidental Trust Fund in the special category Grants & Aids-EMAC-Hurricane Ike-State Operations for the Division of Forestry, and an increase of \$4,322 in budget authority in the Agricultural Emergency Eradication Trust Fund in the special category Grants & Aids-EMAC-Hurricane Ike-State Operations for the Division of Animal Pest and Disease Control for costs associated with Hurricane Ike.

**Governor's Recommendation:** Recommend approval to increase budget authority by \$250,019 in the special category Grants & Aids-EMAC-Hurricane Ike - State Operations; \$4,322 for the Division of Animal Pest and Disease Control in the Agricultural Emergency Eradication Trust Fund; and \$245,697 for the Division of Forestry in the Incidental Trust Fund.

**Commission Staff Comments:** Senate Professional Staff: Recommend approval as recommended by the Governor's Office.  
House Professional Staff: None.

**Senate Committee:** General Government Appropriations  
**Senate Analyst:** Sandra Blizzard

**House Committee:** Natural Resources Appropriations  
**House Analyst:** Kate Bellflower

Line Item No.	Budget Entity / Fund / Appropriation Category Title		REQUESTED BY AGENCY	RECOMMENDED BY GOVERNOR	APPROVED BY THE LEGISLATIVE BUDGET COMMISSION
	LASPBS Account Number	CF	Appropriation	Appropriation	Appropriation
<b>AGRICULTURE AND CONSUMER SERVICES , AND COMMISSIONER OF AGRICULTURE</b>					
N/A	Program: Forest And Resource Protection <u>Wildfire Prevention And Management</u>  Special Categories Grants And Aids - Emergency Management Assistance Compact - Hurricane Ike - State Operations From Incidental Trust Fund		245,697	245,697	
N/A	Program: Agricultural Economic Development <u>Animal Pest And Disease Control</u>  Special Categories Grants And Aids - Emergency Management Assistance Compact - Hurricane Ike - State Operations From Agricultural Emergency Eradication Trust Fund		4,322	4,322	



**Department of Citrus**

**EOG Number: B2009-0784**

<p><b><i>Problem Statement:</i></b> The Department of Citrus is requesting the transfer of \$2,800,000 in the Citrus Advertising Trust Fund between budget entities and appropriation categories to enhance current year domestic marketing programs. In September of 2008, the Legislative Budget Commission approved budget amendment EOG Number B0131 to transfer funds from Agricultural Products Marketing to Citrus Research to support up to \$20 million in the Citrus Advertising Trust Fund for greening disease research for the 2008-09 fiscal year.</p> <p>In January 2009, it was determined that the entire appropriation would not be expended, nor committed, in the current fiscal year. The Florida Citrus Commission approved the use of a portion of the excess research appropriation for current year domestic marketing programs, with the intent of reducing Florida orange juice inventories to support current prices growers are receiving for their citrus products. The current fiscal year commitment for domestic marketing is \$34,495,526, with appropriations of \$31,695,526.</p>
<p><b><i>Agency Request:</i></b> The department requests the transfer of \$2,800,000 in the Citrus Advertising Trust Fund from the Contracted Services category in the Citrus Research budget entity to the Advertising/Promotion category in the Agricultural Products Marketing budget entity to support current year domestic marketing activities.</p>
<p><b><i>Governor's Recommendation:</i></b> Recommend approval to transfer budget authority from the Contracted Services category to the Advertising/Promotion category by \$2,800,000 in the Citrus Advertising Trust Fund to supplement current domestic marketing activities.</p>
<p><b><i>Commission Staff Comments:</i></b> Senate Professional Staff: Recommend approval as recommended by the Governor's Office. House Professional Staff: None.</p>

<p><b><i>Senate Committee:</i></b> General Government Appropriations <b><i>Senate Analyst:</i></b> Sandra Blizzard</p>	<p><b><i>House Committee:</i></b> Natural Resources Appropriations <b><i>House Analyst:</i></b> Kate Bellflower</p>
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Line Item No.	Budget Entity / Fund / Appropriation Category Title		REQUESTED BY AGENCY	RECOMMENDED BY GOVERNOR	APPROVED BY THE LEGISLATIVE BUDGET COMMISSION
	LASPBS Account Number	CF	Appropriation	Appropriation	Appropriation
<b>CITRUS</b>					
	Program: Citrus <u>Citrus Research</u>				
2385	Special Categories Contracted Services From Citrus Advertising Trust Fund		(2,800,000)	(2,800,000)	
	<u>Agricultural Products Marketing</u>				
2401	Special Categories Paid Advertising And Promotion From Citrus Advertising Trust Fund		2,800,000	2,800,000	



**Justice Administration**

**EOG Number: B2010-0032**

**Problem Statement:** Pretrial Intervention (PTI) is a type of supervision intended for first-time, non-violent offenders. Any first offender, or any person previously convicted of not more than one nonviolent misdemeanor, who is charged with any misdemeanor or felony of a third degree, is eligible for release to the pretrial intervention program. The offender signs a contract, agreeing to certain terms and conditions of supervision. If the offender completes the program successfully, the charges are dropped. If the offender does not comply with the terms of the contract, his/her case is referred back to the State Attorney for further prosecution.

The 10th Judicial Circuit currently handles misdemeanor cases with their in-house Deferred Prosecution Program. The circuit recognizes the merits and benefits of this program which has been very successful with first-time, non-violent offenders. The program reduces jail population and keeps the prosecution caseloads more manageable. The Department of Corrections (DOC) currently provides PTI services for felony cases in that circuit.

Due to recent procedural changes made by DOC to its PTI program, the 10th Judicial Circuit wants to handle felony PTI cases in-house. This amendment would allow the State Attorney's Office, 10th Judicial Circuit, to no longer refer felony cases to DOC, and authorize this Circuit to oversee PTI for felonies as well as misdemeanors in-house.

**Agency Request:** The State Attorney for the 10th Judicial Circuit requests \$228,900 in additional budget authority for the Grants and Donation Trust Fund for Cost of Prosecution collections, and 170,825 in rate to cover the salaries for four positions (one Clerk IV; two Administrator II's; and one Investigator II). The Administrators will determine which cases meet the criteria for the program and execute program plans with the offenders. The Investigator, a sworn law enforcement position, will verify the offender's place of residence and employment as well as conduct preliminary background checks. The Clerk will provide support by maintaining case files and tracking case progression.

During calendar year 2008, the State Attorney's Office referred 93 felony cases to the Department of Corrections. However, the office handled 1,017 misdemeanor cases in the in-house Deferred Prosecution Program.

It is estimated in 2009, 250 felony level cases are eligible for PTI. These 250 cases are inclusive of cases previously handled in the in-house Deferred Prosecution Program. The State Attorney's Office envisions blending these two programs into a formal structured pre-

trial intervention program for all eligible felony and misdemeanor cases. Some lesser offenses may be handled within six or nine month programs and more serious cases will continue to be handled within an 18-month program. This expanded program including misdemeanor cases will encompass the cases listed below.

Domestic Violence:	1,336
Driving with a Suspended or Revoked License:	3,272
Petit Theft:	2,261
Criminal Mischief:	1,289
Retail Theft:	437
Total:	8,845

**Governor's Recommendation:** Recommend approval to increase budget authority by \$228,900 in the Grants and Donations Trust Fund and increase salary rate by 170,825 in the State Attorney's Office, 10th Judicial Circuit, to allow for the expansion of the Deferred Prosecution Program to include felonies.

**Commission Staff Comments:** Senate Professional Staff: Recommend approval as recommended by the Governor's Office.  
House Professional Staff: None.

**Senate Committee:** Criminal and Civil Justice Appropriations  
**Senate Analyst:** Claude Hendon

**House Committee:** Criminal and Civil Justice Appropriations  
**House Analyst:** Loretta Darity

Line Item No.	Budget Entity / Fund / Appropriation Category Title		REQUESTED BY AGENCY	RECOMMENDED BY GOVERNOR	APPROVED BY THE LEGISLATIVE BUDGET COMMISSION
	LASPBS Account Number	CF	Appropriation	Appropriation	Appropriation
<b>JUSTICE ADMINISTRATION</b>					
	State Attorneys <u>Program: State Attorneys - Tenth Judicial Circuit</u> <i>Positions and Salary Rate Adjustment</i> Positions Rate		170,825	170,825	
854	Salaries And Benefits From Grants And Donations Trust Fund		228,900	228,900	



**Justice Administration**

**EOG Number: B2009-0812**

<p><b>Problem Statement:</b> The Justice Administrative Commission (JAC) is projecting a deficit in the Criminal Conflict Case Costs category for Fiscal Year 2008-09. In March 2009, JAC projected a deficit in each of the due process categories and the Legislature provided for the transfer of budget between appropriation categories to address these deficits in Section 14 of Senate Bill 2600. Since that date, JAC has received an increased number of capital case invoices for large amounts.</p> <p>JAC projects additional budget authority of \$497,530 is needed in the Criminal Conflict Case Costs category for FY 2008-2009. Budget is available to transfer from the Regional Counsel Office - Second and Fourth Districts to offset the projected deficit.</p>
<p><b>Agency Request:</b> The Justice Administrative Commission is requesting the transfer of \$27,530 from the Salaries and Benefits category in the Regional Counsel - 2nd District and \$470,000 from the Contracted Services category in the Regional Counsel - 4th District to the JAC Criminal Conflict category to assist in paying attorney fee bills and to alleviate the deficit for Fiscal Year 2008-2009.</p>
<p><b>Governor's Recommendation:</b> Recommend approval to transfer General Revenue funds in the amount of \$497,530, of which \$470,000 are from Contracted Services in the Regional Conflict Counsel Office in Region 4 and \$27,530 are from Salaries and Benefits in the Regional Conflict Counsel Office in Region 2, to the Criminal Conflict Case Cost category in the Justice Administrative Commission to offset a projected year-end due process deficit.</p>
<p><b>Commission Staff Comments:</b> Senate Professional Staff: Recommend approval as recommended by the Governor's Office. House Professional Staff: None.</p>

<p><b>Senate Committee:</b> Criminal and Civil Justice Appropriations <b>Senate Analyst:</b> Claude Hendon</p>	<p><b>House Committee:</b> Criminal and Civil Justice Appropriations <b>House Analyst:</b> Loretta Darity</p>
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Line Item No.	Budget Entity / Fund / Appropriation Category Title		REQUESTED BY AGENCY	RECOMMENDED BY GOVERNOR	APPROVED BY THE LEGISLATIVE BUDGET COMMISSION
	LASPBS Account Number	CF	Appropriation	Appropriation	Appropriation
<b>JUSTICE ADMINISTRATION</b>					
	<u>Program: Justice Administrative Commission Executive Direction And Support Services</u>				
821	Special Categories Criminal Conflict Case Costs From General Revenue Fund		497,530	497,530	
	<u>Criminal Conflict And Civil Regional Counsels Program: Regional Conflict Counsel - Second</u>				
1053	Salaries And Benefits From General Revenue Fund		(27,530)	(27,530)	
	<u>Program: Regional Conflict Counsel - Fourth</u>				
1065	Special Categories Contracted Services From General Revenue Fund		(470,000)	(470,000)	



**Department of Corrections**

**EOG Number: B2009-0804**

**Problem Statement:** The department projects shortfalls in a number of General Revenue appropriation categories for the fiscal year ending June 30, 2009.

**Expenses:** The department has received substantial non-specific budget reductions in this category which has historically experienced deficits due to a high percentage of fixed costs (such as utilities, fuel and leases) and facility maintenance. Both the Security and Institutional Operations and Community Corrections programs have insufficient appropriations to meet operational needs for FY 2008-09.

**Contracted Services:** Security and Institutional Operations has experienced non-specific reductions in this category and has insufficient funding to meet operational needs (for utility contracts, contract work release, maintenance contracts, etc.) for an ever-expanding prison system.

**Salaries and Benefits:** Reductions taken in this category for both Community Corrections and Education and Programs require adjustments to continue providing sufficient funding for authorized positions.

**Electronic Monitoring:** The department has insufficient funding in this category to meet operational needs for FY 2008-09.

**Salary Incentive Payments:** The department projects a small deficit in this category in the Community Corrections program.

**Other Personal Services and Food Categories:** Due to reductions in these categories and resumption of the department's food service function, the department has insufficient appropriations in these categories in the Security and Institutional Operations program. The department's food products budget for FY 2008-2009 was reduced to \$76.2 million as a result of a \$9.25 million cut during the 2008 Legislative Session and a \$1.2 million cut during the 2009 Special Session. Proviso language in the 2008 General Appropriations Act required that the \$9.25 million reduction be achieved through negotiated contract amendments with the vendors effective July 1, 2008. The proviso further directed the department to reduce the per diem paid on food contracts, revise the master menu, and make other considerations as necessary. The department was unable to negotiate contract amendments to effect the entire \$9.25 million reduction

and resumed internal provision of food service using both full-time equivalent positions and temporary personnel.

Drugs: The department has insufficient funding in these categories to meet operational needs for FY 2008-09. Although the department has achieved substantial savings in other Health Services appropriation categories, additional funding is required to purchase pharmaceuticals for FY2008-09.

**Agency Request:** The department requests to address its projected deficits in various categories with projected surpluses in Salaries and Benefits, Other Personal Services, Expenses, Inmate Health Services, and various drug categories. Due to careful fiscal planning and cost containment initiatives, particularly in the area of Health Services, the department is able to address its projected deficits with a series of transfers from other program areas and categories.

Specifically the department requests to transfer the following surpluses for FY 2008-09 as forecasted through the management reporting system:

\$10,266,125 from the Adult Male Custody Salary and Benefits category; \$707,167 from the Pre-Trial Intervention Salary and Benefits category; \$485,576 from the Offender Management and Control Salaries and Benefits category; \$2,180,717 from the Inmate Health Services Salary and Benefits category; \$5,307,707 from the Inmate Health Services Other Personal Services category; \$242,454 from the Inmate Health Services Expenses category; \$16,047,222 from the Inmate Health Services Inmate Health Services category; \$6,623,059 from the Inmate Health Services Psychotropic Drugs category; and \$3,500,000 from the Treatment of Infectious Disease Infectious Disease Drugs category.

With the above, the department requests to address projected deficits with transfer to:

\$4,911,932 to Offender Management and Control Other Personal Services category; \$6,686,983 to the Correctional Facility Maintenance and Repair Expenses category; \$625,000 to the Adult Male Custody Operations Contracted Services category; \$2,757,520 to the Public Service Work Squad/Work Release Contracted Services category; \$485,937 to the Correctional Facility Maintenance and Repair Contracted Services category; \$5,615,788 to the Adult Male Custody Food Products category; \$767,717 to the Probation Supervision Salaries and Benefits category; \$2,127,986 to the Drug Offender Probation Salaries and Benefits category; \$699,841 to the Community Control Salaries and Benefits category; \$1,689,345 to the Post Prison Release Salaries and Benefits category; \$4,018,966 to the Probation Supervision Expenses category; \$61,392 to the Probation Supervision Salary Incentive Payments category; \$1,048,033 to the Electronic Monitoring Category; \$5,437,737 to the Inmate Health Services General Drugs Category; \$6,990,837 to the Treatment of Infectious Disease Infectious Disease Drugs category; \$128,570 to the Adjust Substance

Abuse/Prevention/Services Salaries and Benefits Category; \$377,570 to the Basic Education Skills Salaries and Benefits category; and \$928,873 to the Adult Offender Transition/Rehab/Support Salary and Benefits category.

In summary, the department requests to transfer \$45,360,027 in projected surpluses to address the corresponding amount in projected deficits for FY 2008-09.

**Governor's Recommendation:** Recommend approval to transfer General Revenue funds in the amount of \$45,360,027 between and within various categories, budget entities and programs within the Department of Corrections to meet projected deficits for the remainder of Fiscal Year 2008-09.

**Commission Staff Comments:** Senate Professional Staff: Recommend approval as recommended by the Governor's Office.  
House Professional Staff: None.

**Senate Committee:** Criminal and Civil Justice Appropriations  
**Senate Analyst:** Frances Butler

**House Committee:** Criminal and Civil Justice Appropriations  
**House Analyst:** John McAuliffe

Line Item No.	Budget Entity / Fund / Appropriation Category Title		REQUESTED BY AGENCY	RECOMMENDED BY GOVERNOR	APPROVED BY THE LEGISLATIVE BUDGET COMMISSION
	LASPBS Account Number	CF	Appropriation	Appropriation	Appropriation
<b>CORRECTIONS</b>					
	<u>Program: Security And Institutional Operations Adult Male Custody Operations</u>				
721A	Salaries And Benefits From General Revenue Fund		(10,266,125)	(10,266,125)	
721E	Food Products From General Revenue Fund		5,615,788	5,615,788	
721F	Special Categories Contracted Services From General Revenue Fund		625,000	625,000	
	<u>Public Service Worksquads And Work Release Transition</u>				
736	Special Categories Contracted Services From General Revenue Fund		2,757,520	2,757,520	
	<u>Offender Management And Control</u>				
748	Other Personal Services From General Revenue Fund		4,911,932	4,911,932	

*Budget Commission Meeting  
June 17, 2009*

Line Item No.	Budget Entity / Fund / Appropriation Category Title		REQUESTED BY AGENCY	RECOMMENDED BY GOVERNOR	APPROVED BY THE LEGISLATIVE BUDGET COMMISSION
	LASPBS Account Number	CF	Appropriation	Appropriation	Appropriation
	<u>Correctional Facilities Maintenance And Repair</u>				
754	Expenses From General Revenue Fund		6,686,983	6,686,983	
757	Special Categories Contracted Services From General Revenue Fund		485,937	485,937	
	Program: Community Corrections <u>Probation Supervision</u>				
775A	Salaries And Benefits From General Revenue Fund		767,717	767,717	
775C	Expenses From General Revenue Fund		4,018,966	4,018,966	
775G	Special Categories Salary Incentive Payments From General Revenue Fund		61,392	61,392	
	<u>Drug Offender Probation Supervision</u>				
775H	Salaries And Benefits From General Revenue Fund		2,127,986	2,127,986	

*Budget Commission Meeting  
June 17, 2009*

Line Item No.	Budget Entity / Fund / Appropriation Category Title		REQUESTED BY AGENCY	RECOMMENDED BY GOVERNOR	APPROVED BY THE LEGISLATIVE BUDGET COMMISSION
	LASPBS Account Number	CF	Appropriation	Appropriation	Appropriation
	<u>Pre Trial Intervention Supervision</u>				
775M	Salaries And Benefits From General Revenue Fund		(707,167)	(707,167)	
	<u>Community Control Supervision</u>				
775Q	Salaries And Benefits From General Revenue Fund		699,841	699,841	
775U	Special Categories Electronic Monitoring From General Revenue Fund		1,048,033	1,048,033	
	<u>Post Prison Release Supervision</u>				
775V	Salaries And Benefits From General Revenue Fund		1,689,345	1,689,345	
	<u>Offender Management And Control</u>				
775AE	Salaries And Benefits From General Revenue Fund		(485,576)	(485,576)	
	Program: Health Services <u>Inmate Health Services</u>				

*Budget Commission Meeting  
June 17, 2009*

Line Item No.	Budget Entity / Fund / Appropriation Category Title	CF	REQUESTED BY AGENCY	RECOMMENDED BY GOVERNOR	APPROVED BY THE LEGISLATIVE BUDGET COMMISSION
	LASPBS Account Number		Appropriation	Appropriation	Appropriation
780	Salaries And Benefits From General Revenue Fund		(2,180,717)	(2,180,717)	
781	Other Personal Services From General Revenue Fund		(5,307,707)	(5,307,707)	
782	Expenses From General Revenue Fund		(242,454)	(242,454)	
786	Special Categories Inmate Health Services From General Revenue Fund		(16,047,222)	(16,047,222)	
787	Special Categories Treatment Of Inmates - General Drugs From General Revenue Fund		5,437,737	5,437,737	
788	Special Categories Treatment Of Inmates - Psychotropic Drugs From General Revenue Fund		(6,623,059)	(6,623,059)	
	<u>Treatment Of Inmates With Infectious Diseases</u>				
789F	Special Categories Inmate Health Services From General Revenue Fund		(3,500,000)	(3,500,000)	

*Budget Commission Meeting  
June 17, 2009*

Line Item No.	Budget Entity / Fund / Appropriation Category Title	CF	REQUESTED BY AGENCY	RECOMMENDED BY GOVERNOR	APPROVED BY THE LEGISLATIVE BUDGET COMMISSION
	LASPBS Account Number		Appropriation	Appropriation	Appropriation
789G	Special Categories Treatment Of Inmates - Infectious Disease Drugs From General Revenue Fund  <u>Program: Education And Programs</u> <u>Adult Substance Abuse Prevention, Evaluation</u> <u>And Treatment Services</u>		6,990,837	6,990,837	
790	Salaries And Benefits From General Revenue Fund  <u>Basic Education Skills</u>		128,570	128,570	
795	Salaries And Benefits From General Revenue Fund  <u>Adult Offender Transition, Rehabilitation And</u> <u>Support</u>		377,570	377,570	
802	Salaries And Benefits From General Revenue Fund		928,873	928,873	



**Department of Corrections**

**EOG Number: B2010-0030**

**Problem Statement:** As specified in Section 13 of the 2009-10 General Appropriations Act, the department will revert \$172,949,134 of unexpended general revenue fixed capital outlay appropriations for additional capacity on June 30, 2009. In return, the department was authorized to bond the remainder of these projects. The bonding process is anticipated to take up to six months to complete. Currently, the department does not have sufficient trust fund authority to continue these approved projects and remain on schedule.

**Agency Request:** The department requests \$172,949,134 in Grants and Donations trust fund authority in the Correctional Facility Maintenance and Repair budget entity, Additional Capacity category. Per s. 215.18, F.S., the agency will be requesting a loan to continue construction until bond proceeds are realized. The trust authority is needed to expend the funds received through the loan, and the loan will be repaid as soon as the bond proceeds are realized. This is necessary to ensure the Department of Corrections is able to continue construction without financial delays.

**Governor's Recommendation:** Recommend approval to increase budget authority by \$172,949,134 in Grants and Donations Trust Fund in the Correctional Facility Maintenance and Repair budget entity to allow the agency to expend funds when a loan request is made to continue construction projects begun in Fiscal Year 2008-09 in which the balance of the projects are being bonded per language in the back of the General Appropriations Act. This authority is needed so the construction projects can progress until bond proceeds are available.

**Commission Staff Comments:** Senate Professional Staff: Recommend approval as recommended by the Governor's Office.  
House Professional Staff: None.

**Senate Committee:** Criminal and Civil Justice Appropriations  
**Senate Analyst:** Frances Butler

**House Committee:** Criminal and Civil Justice Appropriations  
**House Analyst:** John McAuliffe

Line Item No.	Budget Entity / Fund / Appropriation Category Title		REQUESTED BY AGENCY	RECOMMENDED BY GOVERNOR	APPROVED BY THE LEGISLATIVE BUDGET COMMISSION
	LASPBS Account Number	CF	Appropriation	Appropriation	Appropriation
<b>CORRECTIONS</b>					
NA	Program: Security And Institutional Operations <u>Correctional Facilities Maintenance And Repair</u>  Fixed Capital Outlay Facilities Providing Additional Capacity From Grants And Donations Trust Fund		172,949,134	172,949,134	



**Department of Law Enforcement**

**EOG Number: B2009-0800**

**Problem Statement:** The 2008 Legislature appropriated \$8,983,131 for the Falcon - Integrated Criminal History System. Of this, \$5,384,201 was appropriated in a Qualified Expenditure Category (QEC) (\$4,315,866 GAA Section 4 Item 1238A and \$1,068,335 Section 61), which requires approval of the Legislative Budget Commission to access the funds.

These QEC funds will be used to help make a final milestone payment on one of the main contracts associated with the Falcon-ICHS project.

Build 2A (FDLE Contract #C9850A - Unisys Corporation) forms the foundation and infrastructure for Falcon; as well as replaces and/or more efficiently provides key functionality of existing FDLE systems. This will provide improved retention and verification capabilities of applicant fingerprints and expand expedited electronic service to FDLE's criminal justice customers such as judges, court personnel, correctional and law enforcement officers.

In order to make the final milestone payment on Build 2A, budget is needed in the operational categories. Final acceptance of the Build 2A system is scheduled for June 15, 2009.

**Agency Request:** The amendment requests the transfer of \$568,335 from the Qualified Expenditure category and \$432,016 to Expenses, \$21,900 to Operating Capital Outlay and \$114,419 to Contracted Services appropriation categories for the Falcon-Integrated Criminal History System. This action will allow the agency to meet payment obligations defined in the terms of the contracts associated with this project.

**Governor's Recommendation:** Recommend approval to transfer and release \$568,335 in the Operating Trust Fund from the Qualified Expenditure Category - Integrated Criminal History System (FALCON) appropriation category to the Expenses, Operating Capital Outlay, and Contracted Services categories in the Provide Information Network Services budget entity to allow the Florida Department of Law Enforcement to meet its contractual obligations for the FALCON project.

**Commission Staff Comments:** Senate Professional Staff: Recommend approval as recommended by the Governor's Office.  
House Professional Staff: None.

**Senate Committee:** Criminal and Civil Justice Appropriations  
**Senate Analyst:** Tim Sadberry

**House Committee:** Criminal and Civil Justice Appropriations  
**House Analyst:** Greg Davis

Line Item No.	Budget Entity / Fund / Appropriation Category Title		REQUESTED BY AGENCY	RECOMMENDED BY GOVERNOR	APPROVED BY THE LEGISLATIVE BUDGET COMMISSION
	LASPBS Account Number	CF	Appropriation	Appropriation	Appropriation
<b>LAW ENFORCEMENT</b>					
	<u>Program: Criminal Justice Information Program Provide Information Network Services To The Law Enforcement Community</u>				
1232	Expenses From Operating Trust Fund		432,016	432,016	
1233	Operating Capital Outlay From Operating Trust Fund		21,900	21,900	
1234	Special Categories Contracted Services From Operating Trust Fund		114,419	114,419	
1238A	Qualified Expenditure Category Integrated Criminal History System - Falcon From Operating Trust Fund		(568,335)	(568,335)	



**Department of Juvenile Justice**

**EOG Number: O2010-0021**

**Problem Statement:** In accordance with proviso language in the FY 2008-09 General Appropriations Act (GAA), the Department of Juvenile Justice is required to submit a proposal to the Governor's Office of Policy and Budget and to the Legislative Budget Commission prior to implementing any departmental reorganization plans. This request provides for the restructure of offices within the Office of the Secretary/Assistant Secretary for Administrative Services Program and Executive Direction and Support Services budget entity.

The agency is currently operating under a structure where some essential support services, functions and offices that are not direct care to youth are reporting to the Deputy Secretary and some to the Chief of Staff. According to the department, this structure does not lend itself to a cohesive or independent approach to manage essential support services, functions and offices that do not provide direct care services to youth. This request will rectify this situation.

The Office of Interagency Operations performs quality assurance reviews of state and contracted programs pursuant to the requirements of section 985.632, Florida Statutes, and currently reports to the Deputy Secretary. This request would restructure the department so this office would report to the Chief of Staff to ensure independence and an objective approach to assessing performance and cost effectiveness of direct care programs.

**Agency Request:** The department requests the transfer of the following functions/positions from reporting to the Deputy Secretary, General & Operations Managers to report to the Chief of Staff.

1. Operations and Management Consultant
2. The Office of Staff Development and Training
3. The Office of Research and Planning
  - a. The Office of Research and Planning report directly to the Director of the Office of Interagency Operations.
  - b. The Office of Research and Planning be supervised by a Bureau Chief
4. The Office of Interagency Operations
  - a. The Office of Interagency Operations be retitled to "Office of Program Accountability" and include a title change from the Director of the Office of Interagency Operations to the Director of the Office of Program Accountability.

b. The Office of Interagency Operations report directly to the Chief of Staff.

This request does not require any changes to section 20.316 (2), Florida Statutes or the department's current budget structure. Furthermore, it does not move any functions, positions, rate or salary between budget entities. It does not create or delete any SMS, SES or career service positions.

**Governor's Recommendation:** Recommend approval of the proposed reorganization plan which will allow the Department of Juvenile Justice to move forward with a reorganization involving the Chief of Staff's Office through the normal reorganization process.

**Commission Staff Comments:** Senate Professional Staff: Recommend approval as recommended by the Governor's Office.  
House Professional Staff: None.

**Senate Committee:** Criminal and Civil Justice Appropriations  
**Senate Analyst:** Tim Sadberry

**House Committee:** Criminal and Civil Justice Appropriations  
**House Analyst:** Loretta Darity

Line Item No.	Budget Entity / Fund / Appropriation Category Title		<b>REQUESTED BY AGENCY</b>	<b>RECOMMENDED BY GOVERNOR</b>	<b>APPROVED BY THE LEGISLATIVE BUDGET COMMISSION</b>
	LASPBS Account Number	CF	Appropriation	Appropriation	Appropriation



**Agency for Workforce Innovation**

**EOG Number: B2009-0827**

<p><b>Problem Statement:</b> On February 17, 2009, the American Recovery and Reinvestment Act of 2009 (ARRA) was signed into law by the President. The Act is intended to spur economic growth and provides additional funding for many of the grants passed to the State of Florida to provide services. The Agency for Workforce Innovation is receiving federal recovery funds to pay a \$25 weekly supplement to Unemployment Compensation eligible claimants, increasing the maximum weekly benefit from \$275 to \$300. The agency will incur additional administrative costs associated with providing these additional payments. The U.S. Department of Labor issued Unemployment Insurance Program Letter No. 11-09 on February 23, 2009, which states that "any additional administrative expenses incurred by the state in paying the supplement is 100 percent funded from Federal general revenues".</p>
<p>On April 15, 2009, the Legislative Budget Commission approved amendment B2009-0654 providing the agency with additional budget authority to generate the supplemental benefit payments. However, the volume and cost of generating the benefit payments has exceeded the agency's projections and the agency anticipates the need for an additional \$555,000 of budget authority in the Workforce Services Program. The additional expenditures include Pitney Bowes mail presort charges and postage costs as well as time charges by Unemployment Compensation staff involved in the processing of the additional benefit checks to individuals.</p>
<p><b>Agency Request:</b> The Agency for Workforce Innovation requests additional trust fund budget authority of \$555,000 within the Workforce Services Program, Employment Security Administrative Trust Fund, in various appropriation categories to cover the additional administrative costs required to pay the \$25 weekly Unemployment Compensation supplement to eligible claimants as provided in the American Recovery and Reinvestment Act of 2009.</p>
<p><b>Governor's Recommendation:</b> Recommend approval to increase budget authority by \$555,000 in the Employment Security Administrative Trust Fund in various appropriation categories to cover additional postage and staff costs involved in processing the \$25 weekly Unemployment Compensation supplement to eligible claimants as provided for in the American Recovery and Reinvestment Act of 2009.</p>
<p><b>Commission Staff Comments:</b> Senate Professional Staff: Recommend approval as recommended by the Governor's Office. House Professional Staff: None.</p>

<p><b>Senate Committee:</b> Transportation and Economic Development Appropriations</p>	<p><b>House Committee:</b> Transportation and Economic Development Appropriations</p>
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**Senate Analyst:** Marsha Belcher

**House Analyst:** Michelle Perez

Line Item No.	Budget Entity / Fund / Appropriation Category Title		REQUESTED BY AGENCY	RECOMMENDED BY GOVERNOR	APPROVED BY THE LEGISLATIVE BUDGET COMMISSION
	LASPBS Account Number	CF	Appropriation	Appropriation	Appropriation
<b>AGENCY FOR WORKFORCE INNOVATION</b>					
	Program: Workforce Services <u>Unemployment Compensation</u>				
N/A	Special Categories State Operations - American Recovery And Reinvestment Act Of 2009 From Employment Security Administration Trust Fund		475,000	475,000	
N/A	Special Categories Grants And Aids - Contracted Services - American Recovery And Reinvestment Act Of 2009 From Employment Security Administration Trust Fund		30,000	30,000	
N/A	Special Categories Salaries And Benefits - American Recovery And Reinvestment Act Of 2009 From Employment Security Administration Trust Fund		50,000	50,000	



**Agency for Workforce Innovation**

**EOG Number: B2010-0026**

**Problem Statement:** Specific Appropriation 2139B of the Fiscal Year 2009-2010 General Appropriations Act provides \$2,000,000 to the Agency for Workforce Innovation for the Unemployment Compensation Claims and Benefits Information System project in a qualified expenditure category. In addition, Senate Bill 1782 establishes a time line, scope and executive steering committee for the project. The steering committee is in the process of organizing and the agency is in the process of acquiring a vendor to begin the requirements phase of the project. Once the vendor is selected, an operational work plan will be developed to detail the plans for the coming year.

This system will replace and enhance the functionality of the existing 30-year old Unemployment Compensation system. The bill further requires that the new system is to provide on-line, self-service access to claimant and employer information; streamline current paper processes; improve fraud detection capabilities; and integrate with the Department of Revenue's unemployment compensation tax collection system.

The agency has developed an estimated budget for the first quarter of Fiscal Year 2009-2010 to perform the following tasks:

- establish the project governance board
- select the project director and establish a Project Management Office
- contract with a third party vendor to begin development of the system requirements
- contract for Independent Validation and Verification (IV&V) services
- develop an operational work plan and status reports

To accomplish these tasks, \$521,800 of the funds appropriated in the Qualified Expenditure Category for the Unemployment Compensation Claims and Benefits System must be transferred to operating categories and released for expenditure.

**Agency Request:** The agency requests the transfer of \$521,800 within the Employment Security Administration Trust Fund from the Qualified Expenditure Category - Unemployment Compensation Claims and Benefits System appropriation category to the Grants and Aids - Contracted Services appropriation category for \$506,800 and to the Expenses category for \$15,000 to begin the business process analysis and re-engineering efforts necessary for the implementation of the Unemployment Compensation Claims and Benefits Information System.

**Governor's Recommendation:** Recommend approval to transfer and release \$521,800 in the Employment Security Administration Trust Fund from the Qualified Expenditure Category - Unemployment Compensation Claims and Benefits System appropriation category to the G/A-Contracted Services and Expenses categories to begin the business process analysis and re-engineering efforts necessary for the implementation of the Unemployment Compensation Claims and Benefits Information System.

**Commission Staff Comments:** Senate Professional Staff: Recommend approval as recommended by the Governor's Office.  
House Professional Staff: None.

**Senate Committee:** Transportation and Economic Development  
Appropriations

**Senate Analyst:** Marsha Belcher

**House Committee:** Transportation and Economic Development  
Appropriations

**House Analyst:** Michelle Perez

*Budget Commission Meeting  
June 17, 2009*

Line Item No.	Budget Entity / Fund / Appropriation Category Title LASPBS Account Number	CF	REQUESTED BY AGENCY			RECOMMENDED BY GOVERNOR			APPROVED BY THE LEGISLATIVE BUDGET COMMISSION		
			Appropriation	Reserve	Release	Appropriation	Reserve	Release	Appropriation	Reserve	Release
<b>AGENCY FOR WORKFORCE INNOVATION</b>											
	Program: Workforce Services <u>Unemployment Compensation</u>										
2135	Expenses From Employment Security Administration Trust Fund		15,000		15,000	15,000		15,000			
2137	Special Categories Grants And Aids - Contracted Services From Employment Security Administration Trust Fund		506,800		506,800	506,800		506,800			
2139B	Qualified Expenditure Category Unemployment Compensation Claims And Benefits Information System From Employment Security Administration Trust Fund		(521,800)	(521,800)		(521,800)	(521,800)				

Line Item No.	Budget Entity / Fund / Appropriation Category Title LASPBS Account Number	CF	REQUESTED BY AGENCY			RECOMMENDED BY GOVERNOR			APPROVED BY THE LEGISLATIVE BUDGET COMMISSION		
			Appropriation	Reserve	Release	Appropriation	Reserve	Release	Appropriation	Reserve	Release



**Agency for Workforce Innovation**

**EOG Number: B2010-0029**

**Problem Statement:** Specific Appropriation 2161C of the Fiscal Year 2009-2010 General Appropriations Act provides \$6,000,000 to the Agency for Workforce Innovation for the Early Learning Information System (ELIS) project in a qualified expenditure category. A total of \$5,000,000 will be provided from federal funds received through the American Recovery and Reinvestment Act of 2009. The Agency is in the process of procuring a vendor to design, develop, and implement this system, which will support the School Readiness and Voluntary Pre-Kindergarten programs.

The agency has developed an estimated budget and a project time line for the first quarter of Fiscal Year 2009-2010 to perform the following tasks:

- continue the ELIS Invitation to Negotiate activities
- establish a project management oversight committee
- select a program director and establish a Project Management Office
- contract for Independent Validation and Verification (IV&V) services
- develop an operational work plan and status reports

To accomplish these tasks, \$552,000 of the funds appropriated in the Qualified Expenditure Category for the ELIS project must be transferred to operating categories and released for expenditure.

**Agency Request:** The agency requests the transfer and release of \$552,000 (\$460,000 in the Child Care and Development Block Grant Trust Fund and \$92,000 in the Special Employment Security Administration Trust Fund) from the Qualified Expenditure Category - ELIS Development appropriation category to operating categories to begin the design and development phases of the Early Learning Information System (ELIS).

**Governor's Recommendation:** Recommend approval to transfer and release \$552,000 (\$460,000 in the Child Care and Development Block Grant Trust Fund and \$92,000 in the Special Employment Security Administration Trust Fund) from the Qualified Expenditure Category - ELIS Development appropriation category to operating categories to begin the design and development phases of the Early Learning Information System (ELIS).

**Commission Staff Comments:** Senate Professional Staff: Recommend approval as recommended by the Governor's Office.

House Professional Staff: None.

**Senate Committee:** Transportation and Economic Development  
Appropriations  
**Senate Analyst:** Marsha Belcher

**House Committee:** Transportation and Economic Development  
Appropriations  
**House Analyst:** Michelle Perez

Line Item No.	Budget Entity / Fund / Appropriation Category Title LASPBS Account Number	CF	REQUESTED BY AGENCY			RECOMMENDED BY GOVERNOR			APPROVED BY THE LEGISLATIVE BUDGET COMMISSION		
			Appropriation	Reserve	Release	Appropriation	Reserve	Release	Appropriation	Reserve	Release
<b>AGENCY FOR WORKFORCE INNOVATION</b>											
2161A	Early Learning <u>Early Learning Services</u>  Special Categories Grants And Aids - Contracted Services - American Recovery And Reinvestment Act Of 2009 From Child Care And Development Block Grant Trust Fund		440,000		440,000	440,000		440,000			
2161C	Qualified Expenditure Category Early Learning Info System Development (elis) From Child Care And Development Block Grant Trust Fund From Special Employment Security Administration Trust Fund		(460,000)	(460,000)		(460,000)	(460,000)				
N/A	Expenses		(92,000)	(92,000)		(92,000)	(92,000)				

*Budget Commission Meeting  
June 17, 2009*

Line Item No.	Budget Entity / Fund / Appropriation Category Title LASPBS Account Number	CF	REQUESTED BY AGENCY			RECOMMENDED BY GOVERNOR			APPROVED BY THE LEGISLATIVE BUDGET COMMISSION		
			Appropriation	Reserve	Release	Appropriation	Reserve	Release	Appropriation	Reserve	Release
	From Special Employment Security Administration Trust Fund		4,000		4,000	4,000		4,000			
N/A	Special Categories Grants And Aids - Data Systems For School Readiness										
	From Special Employment Security Administration Trust Fund		88,000		88,000	88,000		88,000			
N/A	Special Categories State Operations - American Recovery And Reinvestment Act Of 2009										
	From Child Care And Development Block Grant Trust Fund		20,000		20,000	20,000		20,000			



**Department of Community Affairs**

**EOG Number: B2009-0781**

<p><b>Problem Statement:</b> At the beginning of Fiscal Year 2008-09, payments for the Residential Construction Mitigation Program in the amount of \$448,013.91 were inadvertently paid from the current year appropriation in lieu of the approved certified forward appropriation. This error has created a shortfall in current year budget authority to pay current year program expenditures.</p> <p>In addition, the remaining balance of a contract with Florida International University totaling \$441,758.56 was certified forward in the current fiscal year; however, the invoice for payment was processed after the certified forward deadline and rejected by the Chief Financial Officer. In order for the Division of Emergency Management (DEM) to make the payment and satisfy its contractual obligation, additional current year budget authority is needed.</p> <p>As a result, the Department lacks sufficient budget authority to both pay its current year obligations in the Residential Construction Mitigation Program and to satisfy their contractual obligations to Florida International University.</p>
<p><b>Agency Request:</b> The Division of Emergency Management (DEM) requests additional budget authority in the amount of \$889,773 in the Grants and Donations Trust Fund, Grants and Aids - Hurricane Loss Mitigation category to satisfy prior year payment requirements and to process its remaining current year contractual obligations in the Residential Construction Mitigation Program.</p>
<p><b>Governor's Recommendation:</b> Recommend approval to increase budget authority by \$889,773 in the Grants and Donations Trust Fund, Grants &amp; Aids - Hurricane Loss Mitigation category to restore current year authority due to payment of certified forward invoices from current year authority.</p>
<p><b>Commission Staff Comments:</b> Senate Professional Staff: Recommend approval as recommended by the Governor's Office. House Professional Staff: None.</p>

<p><b>Senate Committee:</b> Transportation and Economic Development Appropriations <b>Senate Analyst:</b> Tom Weaver</p>	<p><b>House Committee:</b> Transportation and Economic Development Appropriations <b>House Analyst:</b> Scott Fennell</p>
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Line Item No.	Budget Entity / Fund / Appropriation Category Title		<b>REQUESTED BY AGENCY</b>	<b>RECOMMENDED BY GOVERNOR</b>	<b>APPROVED BY THE LEGISLATIVE BUDGET COMMISSION</b>
	LASPBS Account Number	CF	Appropriation	Appropriation	Appropriation
<b>COMMUNITY AFFAIRS</b>					
1559	Program: Emergency Management <u>Emergency Recovery</u>  Special Categories Grants And Aids - Hurricane Loss Mitigation From Grants And Donations Trust Fund		889,773	889,773	



**Department of Community Affairs**

**EOG Number: B2009-0786**

**Problem Statement:** The Division of Emergency Management (DEM) received funding in Fiscal Year 2006-07 in House Bill 7121 (Chapter 2006-71, Laws of Florida), to carry out several hurricane preparation, evacuation planning and public awareness initiatives. Included in the bill was \$29 million in budget authority to DEM to expend federal grant funds received from the U. S. Geological Service for the identification of Florida's coastline storm surge zones for regional evacuation planning purposes. The grant required that topographic mapping be conducted with Light Detection and Ranging (LiDAR) technology.

The U. S. Geological Service has provided additional funds in the amount of \$250,000 as an investment in the project, which will ensure that high levels of quality control/quality assurance are maintained throughout the project as well as enable a wider distribution of data to the public. DEM will need additional budget authority to expend the funds in the current fiscal year. There is no state match required.

**Agency Request:** The Division of Emergency Management (DEM) requests additional budget authority of \$250,000 in the Grants and Donations Trust Fund, Grants & Aids - Statewide Hurricane Preparedness and Planning category to expend federal funds to improve quality control and quality assurance levels for the ongoing LiDAR initiative. The data generated from the LiDAR initiative will be key in updating the State's current regional evacuation plans and performing computer-modeling analysis on the effects of storm-surge events.

**Governor's Recommendation:** Recommend approval to increase budget authority by \$250,000 in the Grants and Donations Trust Fund, Grants & Aids - Statewide Hurricane Preparedness and Planning category, to accept a federal grant from the US Geological Service to ensure quality control on the LiDAR project.

**Commission Staff Comments:** Senate Professional Staff: Recommend approval as recommended by the Governor's Office.  
House Professional Staff: None.

**Senate Committee:** Transportation and Economic Development  
Appropriations

**Senate Analyst:** Tom Weaver

**House Committee:** Transportation and Economic Development  
Appropriations

**House Analyst:** Scott Fennell

Line Item No.	Budget Entity / Fund / Appropriation Category Title  LASPBS Account Number		<b>REQUESTED BY AGENCY</b>  Appropriation	<b>RECOMMENDED BY GOVERNOR</b>  Appropriation	<b>APPROVED BY THE LEGISLATIVE BUDGET COMMISSION</b>  Appropriation
		CF			
<b>COMMUNITY AFFAIRS</b>					
1537	Program: Emergency Management <u>Emergency Planning</u>  Special Categories Statewide Hurricane Preparedness And Planning From Grants And Donations Trust Fund		250,000	250,000	



**Executive Office of the Governor**

**EOG Number: B2010-0035**

**Problem Statement:** The American Recovery and Reinvestment Act of 2009 (ARRA) (Public Law 111-5), appropriated funding for the US Department of Energy (USDOE) to issue/award formula based grants to states under the State Energy Program (SEP). The State of Florida's portion of the SEP funding under the ARRA is \$126,089,000. The grant is to be issued to the Florida Energy and Climate Commission within the Executive Office of the Governor (herein referred to as the Governor's Energy Office) pending approval of the State's grant application. At the time of the completion of the Conference Report on Senate Bill 2600, the final grant application to the US DOE, which included the Governor's Energy Office plan for obligation and expenditure of the Federal funds, had not yet been finalized. As a result, spending authority (in the amount of \$126,089,000) in the grants and donations trust fund for this grant was appropriated in fixed capital outlay. During the develop of the State Plan, the Energy Office determined that one of the best uses for a portion of the grant would be to reduce a backlog in the Solar Rebate Program, which was the result of higher than expected demand.

**Agency Request:** The Governor's Office is requesting spending authority for the Solar Energy Rebate program in the amount of \$5 million. They anticipate reverting \$5 million from the G/A-Fixed Capital Outlay-State Energy Program pursuant to this request.

The Solar Energy Rebates Program (Solar Energy System Incentives Program) is established pursuant to Section 377.806, Florida Statutes within the Governor's Energy Office to provide financial incentives for the purchase and installation of solar energy systems. Any resident of the state who purchases and installs a new solar energy system of 2 kilowatts or larger for a solar photovoltaic system, a solar energy system that provides at least 50 percent of a building's hot water consumption for a solar thermal system, or a solar thermal pool heater, from July 1, 2006, through June 30, 2010, is eligible for a rebate on a portion of the purchase price of that solar energy system. The State of Florida solar rebate program has successfully catalyzed investment in clean solar energy technologies. The program provides a maximum rebate amount of \$20,000 for residential systems and \$100,000 for commercial systems. In addition, the program provides a \$500 rebate for residential solar water heaters, a \$5,000 rebate for commercial solar water heaters and a \$100 rebate for solar pool heaters.

The Governor's Office has historically utilized an operating category for the distribution of these rebates to program participants and believes for consistency sake and improved transparency, the use of an operating category should be continued. The Governor's Energy Office indicates that they are currently holding in backlog approximately \$5 million in authorized and approved rebate

applications. The Energy Office submitted a plan to the US Department of Energy and is currently waiting for final approval to allow for the disbursement of these funds to Florida constituents they anticipate an award approval by mid-July. The Governor's Office is requesting to place this \$5 million request in budgetary reserve until the final grant award is approved by the US Department of Energy. A second amendment will be completed requesting release of the spending authority once final grant approval is received from the US Department of Energy.

The Governor's Office has submitted another grant for additional money for this program, but believes that this amendment will help expedite payments to individuals and commercial enterprises that have been placed in a backlog due to a lack of available funds during fiscal year 2008-09.

**Governor's Recommendation:** Recommend approval to increase budget authority by \$5,000,000 in the Grants and Donations Trust Fund for the American Recovery and Reinvestment Act of 2009 to expend federal recovery funds for energy rebates.

**Commission Staff Comments:** House Professions Staff: None.

**Senate Committee:** Senate Policy Steering Committee on Ways and Means  
**Senate Analyst:** Eliza Hawkins

**House Committee:** Full Appropriations Council on General Government & Health Care  
**House Analyst:** Gus Delaney

Line Item No.	Budget Entity / Fund / Appropriation Category Title	CF	REQUESTED BY AGENCY		RECOMMENDED BY GOVERNOR		APPROVED BY THE LEGISLATIVE BUDGET COMMISSION	
	LASPBS Account Number		Appropriation	Reserve	Appropriation	Reserve	Appropriation	Reserve
	<b>GOVERNOR, EXECUTIVE OFFICE OF THE</b>							
N/A	Program: General Office <u>Florida Energy And Climate Commission</u>  Special Categories Energy Conservation Initiatives - American Recovery And Reinvestment Act Of 2009 From Grants And Donations Trust Fund		5,000,000	5,000,000	5,000,000	5,000,000		



**Department of Revenue**

**EOG Number: B2009-0787**

**Problem Statement:** The Federal Deficit Reduction Act of 2005 imposed an annual \$25 fee for all "non-public assistance cases" with a collection of \$500 or greater, effective October 1, 2006. Chapter 2007-85, Laws of Florida, directed the Department of Revenue to pay the federal share of the \$25 fee, which is \$16.50 per case, in lieu of passing the cost on to either the custodial or non-custodial parents. In State Fiscal Year 2008-09, the department was provided a recurring appropriation of \$1,980,000 from the General Revenue Fund based on the anticipation of having 120,000 cases subject to the fee. However, the number of cases subject to the fee has continued to grow over the past two years from 134,604 in Federal Fiscal Year 2007-08 to an anticipated 149,535 in 2009-10.

All annual payments are billed for the preceding Federal Fiscal Year and are due by September 30th of each year. The mandatory annual fee for the Federal Fiscal Year 2007-08 which ended on September 30, 2008, was \$2,220,966 for 134,604 cases. Of this amount, \$150,000 was for State Fiscal Year 2008-09. Transfers totaling \$1,980,000 were made as General Revenue was released during State Fiscal Year 2008-09. A balance of \$90,966 remains to be paid for Federal Fiscal Year 2007-08, ending September 30, 2008.

The department estimates that the total amount due on September 30, 2009, will be \$2,467,322 for 149,535 cases. This amount exceeds the department's appropriation of \$1,980,000 by \$487,322 in addition to the \$90,966 that remains unpaid for Federal Fiscal Year 2007-08; therefore, the department will request a transfer of \$578,288 from the Department of Children and Family Services Data Center appropriation category to the Child Support Enforcement Annual Fee appropriation category to provide the General Revenue needed to pay the federal share of the \$25 fee owed for Federal Fiscal Year 2008-09 and arrearages owed for 2007-08.

**Agency Request:** The Department of Revenue requests the transfer of General Revenue totaling \$578,288 from the Department of Children and Family Services Data Center appropriation category to the Child Support Enforcement Annual Fee appropriation category within the Child Support Enforcement Program's Case Processing budget entity, in order to support the \$25 annual fee required by federal statute.

**Governor's Recommendation:** Recommend approval to transfer \$578,288 from the General Revenue Fund, within the Child Support Enforcement Program's Case processing budget entity from the Department of Children and Family Services Data Processing

appropriation category to the Child Support Enforcement Annual Fee appropriation category, to allow the department to meet its statutorily required financial obligations for the federal share of the \$25 annual fee as required by the passage of chapter 2007-85, Laws of Florida.

**Commission Staff Comments:** Senate Professional Staff: Recommend approval as recommended by the Governor's Office.  
House Professional Staff: None.

**Senate Committee:** General Government Appropriations  
**Senate Analyst:** Sandra Blizzard

**House Committee:** Government Operations Appropriations  
**House Analyst:** Ralph Perkins

Line Item No.	Budget Entity / Fund / Appropriation Category Title		REQUESTED BY AGENCY	RECOMMENDED BY GOVERNOR	APPROVED BY THE LEGISLATIVE BUDGET COMMISSION
	LASPBS Account Number	CF	Appropriation	Appropriation	Appropriation
<b>REVENUE</b>					
	Program: Child Support Enforcement Program <u>Case Processing</u>				
3061	Special Categories Child Support Enforcement Annual Fee From General Revenue Fund		578,288	578,288	
3064	Data Processing Services Children And Families Data Center From General Revenue Fund		(578,288)	(578,288)	



**Department of Education**

**EOG Number: B2009-0842**

***Problem Statement:*** The Department of Education, Food and Nutrition Program administers the National School Lunch Program (NSLP) under the direction of the United States Department of Agriculture. The program provides meals to students in public, non-profit private, charter schools, and residential child care institutions to ensure that school children receive nutritious meals each school day. The participating schools and institutions are reimbursed monthly for allowable meals served each day.

The Food and Nutrition Program has experienced an increase in the number of students participating in the National School Lunch Program and the number of sponsors that have joined the program during the current fiscal year. The increases in the program are a result of economic and program changes, with the most significant increases directly related to student eligibility. The transition in student eligibility towards a higher economically needy status (from paid to free or reduced cost meals) has contributed towards a sharp rise in claim reimbursement with a projected increase for 2008-09 of \$53.8 million. Also, the addition of 31 new sponsors has generated an estimated \$1.5 million more in reimbursed meals.

Programmatic changes that have increased the cost of the NSLP for 2008-09 include changes to the summer program reimbursements and the implementation of the Fresh Fruit and Vegetable Program. A majority of the districts moved to the new Simplified Summer Program which is modeled after the NSLP. This revised summer reimbursement plan has increased summer reimbursement by approximately \$5.9 million. The Fresh Fruit and Vegetable Program also expanded and accounts for \$1.6 million in increased reimbursements during the 2008-09 fiscal year.

The increase in free and reduced cost meal reimbursements combined with increases due to program changes make it necessary for the Department of Education to request a budget authority increase of \$62,771,645 in the Food and Nutrition Services Trust Fund from federal funds to provide timely reimbursements to the districts and other program participants.

***Agency Request:*** The Department of Education, Federal Grants K-12 Program requests additional Food and Nutrition Services Trust Fund budget authority and release in the Grants and Aids - School Lunch Program of \$62,771,645 to continue timely meal reimbursements to the school districts and other program participants during the 2008-09 fiscal year.

***Governor's Recommendation:*** Recommend approval to increase budget and release authority by \$62,771,645 in the Food and Nutrition Services Trust Fund in the Grants and Aids - School Lunch Program to maximize available funding for Food and Nutrition

Services and continue timely meal reimbursements to the school districts and other program participants.  
**Commission Staff Comments:** Senate Professional Staff: Recommend approval as recommended by the Governor's Office.  
House Professional Staff: None.

<b>Senate Committee:</b> Higher Education Appropriations <b>Senate Analyst:</b> Kurt Hamon	<b>House Committee:</b> PreK-12 Appropriations <b>House Analyst:</b> Allyce Heflin
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Line Item No.	Budget Entity / Fund / Appropriation Category Title		REQUESTED BY AGENCY	RECOMMENDED BY GOVERNOR	APPROVED BY THE LEGISLATIVE BUDGET COMMISSION
	LASPBS Account Number	CF	Appropriation	Appropriation	Appropriation
<b>EDUCATION</b>					
109	Public Schools, Division Of <u>Program: Federal Grants K/12 Program</u>  Aid To Local Governments Grants And Aids - School Lunch Program From Food And Nutrition Services Trust Fund		62,771,645	62,771,645	



**Department of Education**

**EOG Number: B2009-0856**

**Problem Statement:** In early June, the Office of Economic and Demographic Research revised the Principal State School revenue estimate for the 2008-09 fiscal year. The recent estimate decreased the projection of receipts from abandoned property sales and subsequent distributions to the trust fund. With this reduction and other adjustments, Principal State School revenues are insufficient to support the 2008-09 appropriation for the education budget by an estimated \$35.4 million.

In addition, on February 27, 2009 the Revenue Estimating Conference revised the Educational Enhancement Trust Fund revenue estimate for the 2008-09 fiscal year. The Conference increased the projected receipts from Lottery sales and revised the 2008-09 reserves. With this increase and other adjustments, the balance of available funds not appropriated from the Educational Enhancement Trust Fund for 2008-09 increased to \$44.3 million.

In order to resolve the projected shortfall in the Principal State School Trust Fund and maintain the appropriated level of funding in the 2008-09 education budget, the Department of Education has requested that \$35.4 million of budget authority be transferred from the Principal State School Trust Fund to the Educational Enhancement Trust Fund in the Class Size Reduction category.

**Agency Request:** This budget amendment requests a transfer of \$35,400,000 in budget authority in the Class Size Reduction category from the Principal State School Trust Fund to the Educational Enhancement Trust Fund to offset a projected decrease in Principal State School revenues. This will allow the Department of Education to maintain the level of appropriations that were authorized in the Fiscal Year 2008-09 General Appropriations Act.

**Governor's Recommendation:** Recommend approval to transfer budget authority in the amount of \$35,400,000 in the class size reduction category from the Principal State School Trust Fund to the Educational Enhancement Trust Fund to offset a projected decrease in unclaimed property revenues.

**Commission Staff Comments:** Senate Professional Staff: Recommend approval as recommended by the Governor's Office.  
House Professional Staff: None.

<b>Senate Committee:</b> Higher Education Appropriations <b>Senate Analyst:</b> Kurt Harmon	<b>House Committee:</b> PreK-12 Appropriations <b>House Analyst:</b> Allyce Heflin
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Line Item No.	Budget Entity / Fund / Appropriation Category Title		REQUESTED BY AGENCY	RECOMMENDED BY GOVERNOR	APPROVED BY THE LEGISLATIVE BUDGET COMMISSION
	LASPBS Account Number	CF	Appropriation	Appropriation	Appropriation
<b>EDUCATION</b>					
6	Public Schools, Division Of <u>Program: State Grants/k-12 Program - Fefp</u>				
	Aid To Local Governments Grants And Aids - Class Size Reduction From Educational Enhancement Trust Fund From Principal State School Trust Fund		35,400,000 (35,400,000)	35,400,000 (35,400,000)	