

LEGISLATIVE  
BUDGET  
COMMISSION

**Rudy Garcia, Chair**

**Ray Sansom, Vice-Chair**

MEETING PACKET  
Wednesday, January 23, 2008  
12:00 P.M.  
412 Knott Building

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



## LEGISLATIVE BUDGET COMMISSION AGENDA

Wednesday, January 23, 2008  
12:00 P.M.  
412 Knott Building



### Members

**Senator Rudy Garcia**  
**Senator JD Alexander**  
**Senator Lisa Carlton**  
**Senator Mike Fasano**  
**Senator Gwen Margolis**  
**Senator Nan Rich**  
**Senator Stephen Wise**

**Representative Ray Sansom**  
**Representative Aaron Bean**  
**Representative Dean Cannon**  
**Representative Stan Mayfield**  
**Representative Frank Peterman, Jr.**  
**Representative Joe Pickens**  
**Representative Ron Saunders**

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II. Other Business

Department of Juvenile Justice

EOG Number: B2008-0298

**Problem Statement:** The Department of Juvenile Justice attempted to outsource operations of the Palm Beach Detention Center in accordance with proviso associated with Specific Appropriation 1110A of the Fiscal Year 2006-07 General Appropriations Act. After evaluating responses to two separate Requests for Proposals, the department determined that there were no responsive and responsible bidders and chose not to award a contract to a private vendor.

Funding for partial year operations of this detention center was appropriated in the Qualified Expenditure Category for the Palm Beach Detention Center Contract with the expectation that the operations would be outsourced and funding would be transferred to a contracted services category. Since this did not occur, the funding for the Palm Beach Detention Center needs to be transferred to traditional state operating categories to ensure that the agency is able to continue operations of this facility.

**Agency Request:** Approve transfer of \$2,380,455 (\$409,391 general revenue and \$1,971,064 trust funds) from the Qualified Expenditure Category - Palm Beach Detention Center Contract in the Detention Centers budget entity to department operating categories as follows:

- Reduce Qualified Expenditure Category Palm Beach Detention Center Contract category by \$2,380,455
- Increase Salaries and Benefits category by \$1,821,129
- Increase Other Personal Services category by \$123,358
- Increase Expenses category by \$168,985
- Increase G/A Contracted Services category by \$257,434
- Increase Risk Management Insurance category by \$9,549

**Governor's Recommendation:** Recommend approval to transfer from the Qualified Expenditure Category - Palm Beach Detention Center Contract to various operating categories within the Juvenile Detention Program \$409,391 in General Revenue funds, \$1,912,331 within the Shared County/State Juvenile Detention Trust Fund, and \$58,733 within the Grants and Donations Trust Fund to allow for the continued operations of the Palm Beach Detention Center.

**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 Council:** Safety and Security  
**House Analyst:** Loretta Darity

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>JUVENILE JUSTICE</b>								
	Program: Juvenile Detention Program <u>Detention Centers</u>							
1162	Salaries And Benefits							
	From General Revenue Fund		349,860		349,860			
	From Shared County/state Juvenile Detention Trust Fund		1,471,269		1,471,269			
1163	Other Personal Services							
	From General Revenue Fund		12,962		12,962			
	From Shared County/state Juvenile Detention Trust Fund		110,396		110,396			
1164	Expenses							
	From General Revenue Fund		14,728		14,728			
	From Grants And Donations Trust Fund		15,761		15,761			
	From Shared County/state Juvenile Detention Trust Fund		138,496		138,496			
1169	Special Categories							
	Grants And Aids - Contracted Services							
	From General Revenue Fund		22,292		22,292			
	From Grants And Donations Trust		42,972		42,972			

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	LASPBS Account Number		Appropriation	Reserve	Appropriation	Reserve	Appropriation	Reserve
1170	Fund From Shared County/state Juvenile Detention Trust Fund		192,170		192,170			
	Special Categories Risk Management Insurance From General Revenue Fund		9,549		9,549			
1172	Qualified Expenditure Category Palm Beach Detention Center Contract							
	From General Revenue Fund		(409,391)	(409,391)	(409,391)	(409,391)		
	From Grants And Donations Trust Fund		(58,733)	(58,733)	(58,733)	(58,733)		
	From Shared County/state Juvenile Detention Trust Fund		(1,912,331)	(1,912,331)	(1,912,331)	(1,912,331)		

**Justice Administration**

**EOG Number: B2008-0382**

**Problem Statement:** The Justice Administrative Commission (JAC) is projecting a budget shortfall for Fiscal Year 2007-08 in the Criminal Conflict and Dependency Liability appropriation category. This appropriation pays for legal representation for indigent persons in certain criminal and civil cases appointed prior to July 1, 2007. Attorneys appointed to these cases work under a general contract with the JAC that specifies the rates for different types of cases and are to notify the JAC when a new case is assigned by the court. Many attorneys do not notify the JAC and the state has therefore been unable to accurately estimate the cost of the program. The 2007 Legislature appropriated \$20.4 million for this purpose along with an additional \$30 million from unallocated General Revenue to be released with the approval of the Legislative Budget Commission (LBC). A previous budget transfer of \$20.4 million was approved on September 1, 2007 by the LBC. Expenditures for this category from July 1 to December 31, 2007 totaled \$39 million.

Based on current spending, this category is projected to exceed available budget in early January. A transfer of the remaining \$9,525,539 from the \$30 million in unallocated General Revenue funds is needed to ensure continued processing of private court-appointed counsel fees and related due process expenses. Without funds to pay invoices on a timely and predictable basis, the availability of attorneys and due process vendors may be jeopardized.

**Agency Request:** As provided for in Section 23 of Chapter 2007-72, Laws of Florida (General Appropriations Act), the JAC is requesting a transfer of the remaining \$9,525,539 from the \$30 million in unallocated General Revenue funds to ensure continued processing of private court-appointed counsel fees and related due process expenses.

**Governor's Recommendation:** Recommend approval to transfer \$9,525,539 in unallocated General Revenue Funds to the Justice Administrative Commission's Criminal Conflict and Dependency Liability appropriation category to allow for continued payment of due process liability invoices.

**Commission Staff Comments:** The Legislature has approved \$40.9 million for this category to date. With the additional \$9.5 million requested, a total budget of \$50.4 million will be available. Due to the lack of reporting of new cases by the attorneys to the JAC and a lack of information from the clerk of courts, the state cannot identify outstanding cases from attorneys that have yet to bill the state. The last four months (September through December) have averaged \$5.8 million per month. If such a pattern of expenditures continues for January through June of 2008, total annual expenditures could be as much as \$71.4 million. This would mean that funding is exhausted in March, leaving a deficit of approximately \$21 million for the year. Expenditures have decreased slightly and if that trend continues, the deficit would be less.

<i>Senate Committee:</i> Criminal and Civil Justice Appropriations <i>Senate Analyst:</i> Claude Hendon	<i>House Council:</i> Safety and Security <i>House Analyst:</i> Loretta Darity
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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>JUSTICE ADMINISTRATION</b>					
916A	Program: Justice Administrative Commission <u>Executive Direction And Support Services</u>  Special Categories Criminal Conflict And Dependency Counsel Liability From General Revenue Fund		9,525,539	9,525,539	

**State Court System**

**EOG Number: B2008-0421**

<p><b>Problem Statement:</b> The Legislature funded several fixed capital projects to make repairs to the Supreme Court Building in FY 2006-07, including \$2,777,500 in general revenue for the Air Conditioning Replacement Project. Due to cost increases in materials and equipment and the work conditions imposed on the contractor, the total cost of the Department of Management Services (DMS) managed project has increased to \$3,661,309. This leaves the project short \$883,809.</p>
<p><b>Agency Request:</b> The Supreme Court requests a transfer of \$883,809 in general revenue from two fixed capital projects funded in the FY 2006-07 where costs have been less than the appropriation to provide funds for the unanticipated increases in the Air Conditioning Replacement Project. Specifically, \$546,000 is available from the Window Replacement Project where the material and labor costs came in under the original budget projection and \$337,809 from the Site Hardening Project where the engineering changes lowered the actual cost. All projects involved in this budget amendment are from the same fiscal year as required by law and are within the same budget entity.</p>
<p><b>Chief Justice's Recommendation:</b> Approve the transfer of \$883,809 from Fiscal Year 2006-2007 Fixed Capital Outlay projects (\$546,000 from the Window Replacement Project and \$337,809 from the Site Hardening Project) within the Court Operations-Supreme Court budget entity, within the General Revenue Fund, to the Air Conditioning Replacement Fixed Capital Outlay Project.</p>
<p><b>Commission Staff Comments:</b> Senate Professional Staff: Recommend approval as recommended by the Chief Justice. 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 Council:</b> Safety and Security <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 CHIEF JUSTICE	APPROVED BY THE LEGISLATIVE BUDGET COMMISSION
	LASPBS Account Number	CF	Appropriation	Appropriation	Appropriation
<b>STATE COURT SYSTEM</b>					
	Program: Supreme Court <u>Court Operations - Supreme Court</u>				
3235	Fixed Capital Outlay Site Hardening - Dms Mgd From General Revenue Fund		(337,809)	(337,809)	
3236	Fixed Capital Outlay Air Conditioning Replacement Project - Dms Mgd From General Revenue Fund		883,809	883,809	
3237	Fixed Capital Outlay Window Replacement Project - Dms Mgd From General Revenue Fund		(546,000)	(546,000)	

**Agency for Workforce Innovation**

**EOG Number: B2008-0388**

**Problem Statement:** For Fiscal Year 2007-08, the Early Learning Information System (ELIS) project was appropriated \$384,627 in the base budget of the Early Learning Services budget entity for the ELIS project in the Salaries and Benefits, Expenses, Operating Capital Outlay and Grants and Aids - Data Systems for School Readiness appropriation categories. In addition, the Legislature re-appropriated the balance of the Fiscal Year 2006-07 Qualified Expenditure Category - Early Learning Information System Development appropriation category in the Early Learning Services budget entity. The re-appropriation was \$5,152,373. During Special Session "C", the Legislature reduced the Qualified Expenditure Category - Early Learning Information System Development (ELIS) by \$1,686,887 leaving a balance of \$3,465,486. Therefore, the total adjusted appropriation for the ELIS project is \$3,850,113. Amendment EOG #B0039, approved June 14, 2007, provided the first quarter release of operating budget authority. Amendment EOG #B0128, approved September 10, 2007, provided the second quarter release of operating budget authority.

The agency projects the need for additional operating budget authority for the third quarter of Fiscal Year 2007-08 as follows: \$35 in Other Personal Services, and \$730,974 in Grants and Aids - Data Systems for School Readiness appropriation categories for a total amount of \$731,009. This amount should provide sufficient additional operating budget authority for the ELIS project during the third quarter of Fiscal Year 2007-08.

**Agency Request:** The agency requests the distribution and release of \$731,009 in General Revenue from the Qualified Expenditure Category - Early Learning Information System Development appropriation category to the Grants and Aids - Data Systems for School Readiness and Other Personal Services appropriation categories in budget entities Early Learning Services and Agency Support Services respectively.

**Governor's Recommendation:** Recommend approval to transfer \$731,009 of General Revenue Funds from the Qualified Expenditure Category - Early Learning Information Systems Development appropriation category to the Grants and Aids - Data Systems for School Readiness and Other Personal Services appropriation categories to continue the development of the Early Learning Information System.

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

<b>Senate Committee:</b> Transportation and Economic Development	<b>House Council:</b> Economic Expansion and Infrastructure
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Appropriations

*Senate Analyst:* Marsha Belcher

*House Analyst:* Scott Fennell

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			Appropriation	Reserve	Appropriation	Reserve	Appropriation	Reserve
<b>AGENCY FOR WORKFORCE INNOVATION</b>								
N/A	Executive Direction And Support Services <u>Agency Support Services</u>							
	Other Personal Services From General Revenue Fund		35		35			
	Early Learning <u>Early Learning Services</u>							
2352	Special Categories Grants And Aids - Data Systems For School Readiness From General Revenue Fund		730,974		730,974			
Sec. 42	Qualified Expenditure Category Early Learning Info System Development (elis) From General Revenue Fund		(731,009)	(731,009)	(731,009)	(731,009)		

**Department of State**

**EOG Number: B2008-0312**

***Problem Statement:*** Each year the Institute of Museum and Library Services (IMLS) approves Florida Department of State's annual library services operational plan and provides the state with an \$8.5 million federal grant award. A realignment of current year budget authority in the Library Services Trust Fund is needed to implement this year's approved plan which effectively uses federal grant funds to support statewide projects that provide fiscal benefits to local library systems. It funds the Division of Library and Information Services core requirements, grants to local governments and statewide library training and resource sharing initiatives.

The following factors have resulted in the need to realign current budget:

- (1) The Florida Electronic Library, an on-line research tool funded by the department, continues to be an invaluable tool and user requests for additional research databases has increased exponentially. Access is provided to all Florida public library patrons, K-12 School Libraries, State University Libraries, and Community College Libraries. The department renegotiated its contract for the online service last January, adding several research databases at an annual cost of \$2,004,000.
- (2) An inadvertent accounting error resulted in the department's failure to make the fourth quarter Florida Electronic Library contract payment from Fiscal Year 2006-07 funds. To correct the error, five quarterly payments of \$494,500 are due in the current fiscal year. No federal dollars were lost due to this error.
- (3) The trust fund subsidizes General Revenue funds for general collection development for the State Library of Florida. As the General Revenue funding has remained constant, all cost increases have continued to be borne by the grant funds.
- (4) A realignment of current year budget authority is necessary to comply with Comptroller's Memorandum #20 dated June, 30, 2006 reducing budget authority in Expenses and increasing it in Contracted Services category by \$123,828.

Failure to realign budget could result in the cancellation of the Florida Electronic Library on-line service and non-compliance with the federally authorized state plan of operations. The service which costs the state \$3.33 million annually, results in a \$112 million annual cost avoidance(1).

<p>(1) The estimated cost for 3,857 schools, 528 public library outlets, 28 community college libraries, and 11 state university libraries to contract separately for the commercial databases and search capabilities exceeds \$115 million.</p>	
<p><b>Agency Request:</b> The department requests the transfer of \$1,888,401 of budget authority in the Library Services Trust Fund from Other Personal Services, Expense, and various grants to the Contracted Services and Library Resources appropriation categories to carry out its federally authorized annual library services grant program.</p>	
<p><b>Governor's Recommendation:</b> Recommend approval to transfer budget authority in the amount of \$1,888,401 in the Library Services Trust Fund from various categories to the Library Resources and Contracted Services categories to carry out the state's federally approved, library services plan of operations.</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> Marsha Belcher</p>	<p><b>House Council:</b> Economic Expansion and Infrastructure <b>House Analyst:</b> Angela Peterson</p>



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	LASPBS Account Number		Appropriation	Appropriation	Appropriation
<b>STATE</b>					
	<u>Program: Library And Information Services Library, Archives And Information Services</u>				
3279	Other Personal Services From Library Services Trust Fund		(35,751)	(35,751)	
3280	Expenses From Library Services Trust Fund		(446,152)	(446,152)	
3281	Aid To Local Governments Grants And Aids - Historical Records Grants From Library Services Trust Fund		(25,000)	(25,000)	
3283	Aid To Local Governments Grants And Aids - Library Grants From Library Services Trust Fund		(1,381,498)	(1,381,498)	
3286	Special Categories Contracted Services From Library Services Trust Fund		123,828	123,828	
3287	Special Categories Library Resources From Library Services Trust Fund		1,764,573	1,764,573	

**Department of Highway Safety and Motor Vehicles**

**EOG Number: B2008-0425**

**Problem Statement:** The Department of Highway Safety and Motor Vehicles (HSMV) currently does not accept credit cards as payment for driver license or motor vehicle transactions, unless the transaction is conducted online. Projections, by the U.S. Census Bureau for 2009, indicate that there are 176 million credit card holders in the U.S. with approximately 1.4 billion credit cards. Many Floridians expect to be able to make a transaction with the state using a credit card. Providing electronic payment methods in state offices would facilitate transactions with the Department's customers and provide enhanced customer service. In addition, accepting credit cards would greatly benefit customers by providing an alternate method to pay for driver license services, further enhance licensing security in field offices and improve cash accountability.

The department proposes to expand credit card acceptance to driver license field offices statewide effective March 15, 2008 and to collect a \$1 convenience fee on each credit card transaction to cover the cost of bank card charges, in accordance with section 215.322(3)(b), Florida Statutes. Assessment of the \$1 convenience fee and pass through of the bank card charges to the credit card vendors will not represent a cost to the state.

An increase to the existing appropriation currently used to remit banking fees to the credit card vendors and the collection of a convenience fee from customers electing the credit card option will be necessary to implement the proposed expansion in services. The appropriation increase represents authorization to remit bank card charges and will have a neutral impact on the Highway Safety Operating Trust Fund.

**Agency Request:** The Department requests a \$549,612 increase in budget authority for the current fiscal year. The increase in budget authority is requested in the Pay Outside Contractor category, Driver Licensure Service, Highway Safety Operating Trust Fund, in order to expand credit card acceptance service at driver license field offices statewide. The budget authority increase will be used to remit bank charges to the credit card vendors for those licensing transactions occurring in field offices.

**Governor's Recommendation:** Recommend approval to increase spending authority by a total of \$549,612 in the Highway Safety Operating Trust Fund to provide for the expansion of credit card acceptance for driver license transaction to driver license field offices statewide.

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

<i>Senate Committee:</i> Transportation and Economic Development Appropriations <i>Senate Analyst:</i> Juliette Noble	<i>House Council:</i> Economic Expansion and Infrastructure <i>House Analyst:</i> Teddi Creamer
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	LASPBS Account Number	CF	Appropriation	Appropriation	Appropriation
<b>HIGHWAY SAFETY AND MOTOR VEHICLES</b>					
2816	Program: Licenses, Titles And Regulations <u>Driver Licensure</u>  Special Categories Payment To Outside Contractor From Highway Safety Operating Trust Fund		549,612	549,612	

**Department of Environmental Protection**

**EOG Number: B2008-0418**

**Problem Statement:** Specific Appropriation 1711 of the Fiscal Year 2007-2008 General Appropriations Act (GAA) provides \$3,387,500 from the Internal Improvement Trust Fund to the Department of Environmental Protection for the ongoing litigation to protect the Apalachicola River and Bay. These funds are used for legal representation in six separate litigation proceedings involving the allocation of water in the Apalachicola, Chattahoochee, and Flint (ACF) Rivers. Florida asserts that the waters of the Chattahoochee and Flint Rivers are interstate in nature, and cannot be regarded as the property of a single upstream state. These rivers must be managed as interstate waters, taking both upstream and downstream needs into account.

The Apalachicola River discharges its nutrient-rich freshwater into the Apalachicola Bay, one of the most productive estuarine systems on the Gulf of Mexico coast. The 210-square mile Bay provides 90 percent of Florida's rich oyster harvest (10 percent of the national harvest), supports an active finfish industry, and serves as an important nursery area for many marine species. The Bay is also home to the Apalachicola National Estuarine Research Reserve, one of only 27 sites so designated by the National Oceanographic and Atmospheric Administration as a national estuarine research reserve. The biological productivity of the Bay is strongly influenced by the amount, timing and duration of the freshwater inflow from the River. The River provides the Bay with essential nutrients that form the base of the Bay's food web. Alteration of the River's flows disrupts the input of these nutrients and undermines the foundation for the unique ecosystem found there. The freshwater flow into the Bay also affects the salinity of water in the Bay. Oysters, the hallmark species of the Bay, depend on freshwater to regulate Bay salinity and to protect them from disease and excessive predation.

These funds are appropriated in a qualified expenditure appropriation category which requires the Legislative Budget Commission to approve the transfer of funds to an operating category prior to expenditure. These funds will be used to employ counsel experienced in complex federal litigation and interstate water allocation disputes and hire experts in biology, ecology, economics, hydrology, and engineering to continue the effort to resolve differences among Florida, Georgia and Alabama on sharing the water resources of the Apalachicola, Chattahoochee, Flint Rivers Basin. Proviso language was also included in the GAA directing the agency to provide quarterly budget and expenditure reports to the Legislature.

The Legislative Budget Commission approved amendment #B2008-0032 transferring \$1,254,199 from the qualified expenditure

<p>appropriation category on June 14, 2007. The transfer of an additional \$2,132,749 from the qualified expenditure appropriation category will enable the department to remit payment for ACF litigation costs incurred through June 30, 2008.</p>
<p><b>Agency Request:</b> The Department of Environmental Protection requests transfer of \$2,132,749 from the Qualified Expenditure Appropriation Category to operating appropriation categories to covered projected Apalachicola, Chattahoochee, and Flint Rivers litigation costs through June 30, 2008.</p>
<p><b>Governor's Recommendation:</b> Recommend approval to transfer \$2,132,749 of the \$3,387,500 appropriation from the Qualified Expenditure Category to operating budget categories in the Internal Improvement Trust Fund for the Apalachicola, Chattahoochee, and Flint River Basin litigation.</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> General Government Appropriations <b>Senate Analyst:</b> Cindy Kynoch</p>	<p><b>House Council:</b> Environmental and Natural Resources <b>House Analyst:</b> Ralph Perkins</p>
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	LASPBS Account Number		Appropriation	Reserve	Appropriation	Reserve	Appropriation	Reserve
<b>ENVIRONMENTAL PROTECTION</b>								
	Program: Administrative Services <u>Executive Direction And Support Services</u>							
1700	Expenses From Internal Improvement Trust Fund		1,778		1,778			
1711	Qualified Expenditure Category Apalachicola-chattahoochee-flint River Basin Case Litigation Costs From Internal Improvement Trust Fund		(2,132,749)	(2,132,749)	(2,132,749)	(2,132,749)		
N/A	Other Personal Services From Internal Improvement Trust Fund		300,145		300,145			
N/A	Special Categories Contracted Services From Internal Improvement Trust Fund		1,830,826		1,830,826			

**Department of Management Services**

**EOG Number: B2008-0262**

**Problem Statement:** The Department of Management Services is responsible for managing and overseeing the Florida Facilities Pool (Pool). The Pool is comprised of over 122 state owned buildings of which 72 are revenue producing and occupied by state agencies. Each agency pays a rental rate of \$17.18 per square foot (full service) for space they occupy. The rental revenues are deposited into the Department of Management Services' Supervision Trust Fund and are used to pay for the operation and maintenance of the Pool.

Due to rising utility costs and a deficit carry forward from Fiscal Year 2006-2007 of \$2,608,728, the current appropriation of \$18,037,025 will not be sufficient to make all utility payments through the end of the fiscal year.

**Agency Request:** Due to rising utility costs, the Department of Management Services is projecting a shortfall in the State Utility Payments category for Fiscal Year 2007-2008. The department is requesting an additional \$3,542,255 in budget authority from the Supervision Trust Fund to fully fund the projected growth in this category and to avoid an interruption in services to customers in the Florida Facilities Pool.

**Governor's Recommendation:** Recommend approval to increase budget authority by \$3,542,255 in the Supervision Trust Fund for utility services throughout the state owned facilities due to rising utility costs and previous fiscal year deficit carried forward.

**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 Council:** Government Efficiency & Accountability

**House Analyst:** Jeff Dykes, Anita Hicks



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>MANAGEMENT SERVICES</b>					
2925	Program: Facilities Program <u>Facilities Management</u>  Special Categories State Utility Payments From Supervision Trust Fund		3,542,255	3,542,255	

**Department of the Lottery**

**EOG Number: B2008-0401**

<p><b>Problem Statement:</b> The General Appropriations Act for Fiscal Year 2007-2008, Line Item 2898, provides an appropriation of \$3,000,000 for the transfer of unencumbered funds remaining in the Operating Trust Fund at the end of Fiscal Year 2006-2007. Associated proviso requires the department to complete an annual financial statement audit for the period ending June 30, 2007, to determine the unencumbered cash balance remaining in the Operating Trust Fund. If the unencumbered cash balance exceeds the appropriation, the department is authorized to submit a budget amendment in accordance with chapter 216, Florida Statutes, to request additional budget authority for transfer.</p> <p>It has been determined that \$6,893,836 of unencumbered cash is available for transfer pending receipt of the annual financial audit through June 30, 2007. The Department of Lottery requests \$3,893,836 in additional budget authority to transfer the full amount of the unencumbered cash to the Educational Enhancement Trust Fund.</p>
<p><b>Agency Request:</b> The department requests \$3,893,836 additional budget authority from the Operating Trust Fund in specific category - Transfer to Education Enhancement Trust Fund, in order to transfer the unencumbered cash balance of \$6,893,836 to the Educational Enhancement Trust Fund in accordance with section 24.121(4), Florida Statutes.</p>
<p><b>Governor's Recommendation:</b> Recommend approval to increase budget authority by \$3,893,836 in the Operating Trust Fund to enable the department to transfer the total year end cash balance of \$6,893,836 to the Educational Enhancement Trust Fund in accordance with section 24.121(4), Florida Statutes.</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> General Government Appropriations <b>Senate Analyst:</b> Dawn Pigott</p>	<p><b>House Council:</b> Government Efficiency &amp; Accountability <b>House Analyst:</b> Susan Rayman, Jeff Dykes</p>
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*Budget Commission Meeting  
January 23, 2008*

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>LOTTERY</b>					
2898	Lottery <u>Program: Lottery Operations</u>  Special Categories Transfer To Educational Enhancement Trust Fund From Operating Trust Fund		3,893,836	3,893,836	

**Department of Corrections**

**EOG Number: B2008-0412**

<p><b>Problem Statement:</b> In FY 2005-06, the department sustained damage at numerous facilities due to hurricanes Dennis, Katrina and Wilma. The Federal Emergency Management Agency (FEMA) has approved \$4.4 million of structural and site damage claims. To date, the department has received \$2,500,623. The Legislative Budget Commission granted \$1,407,621 in spending authority for claims payment receipts on January 24, 2007 (B2006-0371). The department lacks budget authority to expend \$1,093,002 in claims payment receipts to repair the damaged facilities.</p>
<p><b>Agency Request:</b> The department requests \$1,093,002 in additional authority in the Federal Grants Trust Fund in the Security and Institutional Operations program, Correctional Facilities Maintenance and Repair budget entity, Fixed Capital Outlay Grants and Aids - 2005 Hurricanes - Agency Managed appropriation category to utilize cash from payment of claims for hurricane damage repairs.</p>
<p><b>Governor's Recommendation:</b> Recommend approval to increase Fixed Capital Outlay budget authority by \$1,093,002 in the Federal Grants Trust Fund in the Security and Institutional Operations program to utilize cash from payment of claims for hurricane damage repairs.</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> Frances Butler</p>	<p><b>House Council:</b> Safety and Security <b>House Analyst:</b> John McAuliffe</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>CORRECTIONS</b>					
N/A	Program: Security And Institutional Operations <u>Correctional Facilities Maintenance And Repair</u>  Fixed Capital Outlay Grants And Aids - 2005 Hurricanes - Agy Mgd From Federal Grants Trust Fund		1,093,002	1,093,002	

Department of Corrections

EOG Number: B2008-0413

<p><b>Problem Statement:</b> Proviso language in the 2007-08 Appropriations Act for Specific Appropriation 723 instructed that, if total reimbursements from the United States government for incarcerating aliens (State Criminal Alien Assistance Program) in Florida prisons exceeds \$12,800,000, the department shall submit a budget amendment in accordance with all applicable provisions of Chapter 216, Florida Statutes, requesting additional budget authority to transfer the balance to the General Revenue Fund. In order to comply with legislative intent, an increase in budget and release authority in the special category Transfer to General Revenue Fund in the Federal Grants Trust Fund is required.</p>
<p><b>Agency Request:</b> The department requests additional authority of \$7,262,850 in the special category Transfer to General Revenue Fund in the Federal Grants Trust Fund, Department Administration, Executive Direction and Support Services.</p>
<p><b>Governor's Recommendation:</b> Recommend approval to increase budget authority by \$7,262,850 in the Federal Grants Trust Fund, Special Category Transfer to General Revenue Fund, to transfer reimbursements from the United States government for incarcerating aliens (State Criminal Alien Assistance Program), in compliance with proviso following Specific Appropriation 723 in the Fiscal Year 2007-08 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> Criminal and Civil Justice Appropriations <b>Senate Analyst:</b> Frances Butler</p>	<p><b>House Council:</b> Safety and Security <b>House Analyst:</b> John McAuliffe</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>CORRECTIONS</b>					
723	Program: Department Administration <u>Executive Direction And Support Services</u>  Special Categories Transfer To General Revenue Fund From Federal Grants Trust Fund		7,262,850	7,262,850	

**Department of Financial Services**

**EOG Number: O2008-0099**

**Problem Statement:** The Florida Comprehensive Hurricane Damage Mitigation Program created by s. 215.5586, Florida Statutes, during the 2006 Legislative Session was established within the Department of Financial Services. This program was established to provide financial incentives and encourage residential property owners in Florida to retrofit their properties, making them less vulnerable to hurricane damage thereby decreasing the cost of residential property and casualty insurance. This program provides free home inspections and grants for home mitigation for specified Florida Homeowners. The program has a three-pronged approach for delivering services which includes local governments, non-profit organizations and direct service through the department.

Additional legislation regarding the Florida Comprehensive Hurricane Damage Mitigation Program, otherwise known as the My Safe Florida Home Program (MSFH), was enacted during the 2007 Legislative Session. Chapter 2007-126, Laws of Florida, authorizes the department, through the MSFH, to contract with third parties for grants management, inspection services, educational outreach, and auditing services. These contracts will be considered direct costs of the program and shall not be subject to administrative cost limits. Contracts valued at \$500,000 or more are subject to review and approval by the Legislative Budget Commission.

The program has posted a Notice of Funding Availability for local grants to provide inspections and grants to low and moderate income homeowners. The department received applications from 8 local governments. All grant applications were approved and the seven grant applications that exceed the approval threshold are provided below. These grants total \$5,195,471.

Pasco County	\$ 500,000
St. Lucie County	1,000,000
City of Melbourne	500,000
City of St. Petersburg	500,000
Town of Jupiter	945,471
City of West Palm Beach	1,000,000
City of Miramar	750,000

In addition, the program has selected a vendor to provide services customarily performed by marketing, advertising, and public



relations agencies. The contract amount shall not exceed \$1,068,500. Services include, but are not limited to the following:

Customized strategic message development, marketing and advertising; management of day-to-day account activity including guiding all creative development and production and media planning; analysis of current and potential marketing opportunities. Contractor shall be solely responsible for the quality and performance of its work by familiarizing itself with the mission of the MSFH Program and its educational challenges in the marketplace, and analyzing the present and potential marketing opportunities available to carry out that mission;

Creation, production, coordination, placement and distribution of public service announcements through a variety of advertising vehicles;

Obtaining all releases, licenses, or other authorizations for all third party materials used in advertising prepared by it or under this Agreement (excluding any materials or elements furnished by the Department), it being understood that ownership and usage rights may be subject to limitations disclosed by the Contractor and approved by the Department;

Strategic media planning and buys execution, including post-analysis to evaluate buying efficiency and cost savings;

Creation, production, and timely delivery of public service announcements; Contractor shall purchase all materials and services required for the production of the Department's approved public service announcements based on principles of aggressive cost management.

**Agency Request:** The department requests approval of \$5,195,471 in local government grants and approval of a marketing, advertising, and public relations contract not to exceed \$1,068,500. Approval of these requests is submitted pursuant to Chapter 2007-126, Laws of Florida.

**Governor's Recommendation:** Recommend approval to execute the contracts under the My Safe Florida Home Program to contract with third parties for grants management, inspection services, educational outreach, and auditing services. Contracts include: Pasco County - \$500,000; St. Lucie County - \$1,000,000; City of Melbourne - \$500,000; City of St. Petersburg - \$500,000; Town of Jupiter - \$945,471; City of West Palm Beach - \$1,000,000; City of Miramar - \$750,000.

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

**Senate Committee:** General Government Appropriations

**House Council:** Jobs and Entrepreneurship

*Senate Analyst:* Cindy Kynoch

*House Analyst:* Sharon Bradford

**Department of Financial Services**

**EOG Number: B2008-0417**

***Problem Statement:*** Pursuant to Section 624.316, Florida Statutes, the Office of Insurance Regulation (Office) is required to conduct financial examinations of life and health and property and casualty insurers in order to protect consumers and provide early detection of weakening financial conditions. Prior to the 2007 Legislative Session, the Office was required to obtain consent from the insurance company in order to contract with outside experts to conduct the examination and have the company cover the costs of that outside expert (unless the Office suspects criminal activity on the part of the insurer). Otherwise, the State of Florida was required to use trust fund resources to conduct the exams.

House Bill 1549 (Chapter 2007-224, Laws of Florida) permits the Office to engage outside experts to conduct financial examinations and allows the Office to select the financial examination experts and bill the insurer for the cost of the examination. This is a national model law and accreditation standard of the National Association of Insurance Commissioners. The majority of states and U.S. jurisdictions (44 out of 56) have already adopted the national model law and accreditation standard and the remaining jurisdictions have statutory language that allows for contracting exams.

Payments received from insurance companies for financial examinations are now deposited into the Insurance Regulatory Trust Fund and the Office is to make payment to the third party examiner. The Office does not have operating budget authority to make these payments.

Two budget amendments for this purpose have been approved during the current fiscal year. Budget amendment B2008-0152 for \$473,000 was approved September 6, 2007, and B2008-0153 for \$2,100,000 was approved by the Legislative Budget Commission on September 10, 2007. Both amendments were increases to the Contracted Services Appropriation Category in the Insurance Regulatory Trust Fund.

***Agency Request:*** The Office requests \$3,387,000 in the Contracted Services Appropriation Category from the Insurance Regulatory Trust Fund. This authority is requested to enable the Office to remit payments to contracted examination firms for the remainder of the fiscal year.

The cash to support the increased budget authority is from payments received from insurers for examinations.

<b>Governor's Recommendation:</b> Recommend approval to increase budget authority by \$3,387,000 Insurance Regulatory Trust Fund for the Office of Insurance Regulation (OIR) to make payments to third party financial examiners.
<b>Commission Staff Comments:</b> Senate Professional Staff: Recommend approval as recommended by the Governor's Office. House Professional Staff: None.

<b>Senate Committee:</b> General Government Appropriations <b>Senate Analyst:</b> Cindy Kynoch	<b>House Council:</b> Jobs and Entrepreneurship <b>House Analyst:</b> Sharon Bradford
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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>FINANCIAL SERVICES</b>					
2684	Office Of Insurance Regulation <u>Compliance And Enforcement - Insurance</u>  Special Categories Contracted Services From Insurance Regulatory Trust Fund		3,387,000	3,387,000	

Department of Agriculture and Consumer Services

EOG Number: B2008-0420

**Problem Statement:** On December 3, 2007, the Department of Agriculture and Consumer Services was awarded a federal bio-terrorism grant through the Department of Health and Human Services, Center for Disease Control and Prevention, under interagency agreement DOH/PHPC7 2007-08, to strengthen infrastructure and ensure preparedness in the event of terrorist acts involving biological or chemical agents. However, the department does not have sufficient spending authority in the Divisions of Food Safety and Agricultural Environmental Services for the remainder of the fiscal year for bio-terrorism related activities.

Additional budget authority of \$234,631 in the Federal Grants Trust Fund is needed to purchase laboratory equipment for the testing and maintenance of biological and chemical agents. This federal funding was authorized under the oversight of the Domestic Security Oversight Council.

**Agency Request:** The department requests additional budget authority of \$234,631 in the Federal Grants Trust Fund for federal funds received from the Department of Health and Human Services, Center for Disease Control Prevention, to purchase bio-terrorism lab equipment and maintenance contracts.

**Governor's Recommendation:** Recommend approval to increase budget authority by \$234,631 in the Federal Grants Trust Fund for grant funds passed through from the Florida Department of Health, for the purchase of additional laboratory equipment and maintenance used for testing of biological and chemical agents according to the mission of the Domestic Security Oversight Council.

**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 Council:** Environmental and Natural Resources  
**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>AGRICULTURE AND CONSUMER SERVICES , AND COMMISSIONER OF AGRICULTURE</b>					
	Program: Food Safety And Quality <u>Food Safety Inspection And Enforcement</u>				
1506	Expenses From Federal Grants Trust Fund		21,000	21,000	
1507	Operating Capital Outlay From Federal Grants Trust Fund		50,000	50,000	
1508	Special Categories Contracted Services From Federal Grants Trust Fund		49,031	49,031	
	Program: Consumer Protection <u>Agricultural Environmental Services</u>				
1515	Operating Capital Outlay From Federal Grants Trust Fund		81,000	81,000	
1518	Special Categories Contracted Services From Federal Grants Trust Fund		33,600	33,600	

**Department of Agriculture and Consumer Services**

**EOG Number: B2008-0419**

**Problem Statement:** The 2007 Legislature appropriated \$2,607,451 from the Agricultural Emergency Eradication Trust Fund and \$5,129,791 from the Federal Grants Trust Fund in chapter 2007-72, Laws of Florida, to the Department of Agriculture and Consumer Services for a comprehensive citrus health response plan. The funds are provided in a Qualified Expenditure Category which requires approval of the Legislative Budget Commission to transfer the funds to one or more appropriation categories for expenditure.

The Citrus Health Response Program is a joint effort with the United States Department of Agriculture, to minimize the impact of exotic citrus pests and diseases to citrus production and allow for orderly marketing of citrus fruit in other states and countries. However, the United States Department of Agriculture issued a rule that would relieve some restrictions on the interstate movement of fresh citrus fruit from Florida while maintaining conditions that would help prevent the spread of citrus canker. There is also a need to protect citrus budwood source trees, which are being relocated outside of commercial citrus production areas and grown in secure structures to protect these trees from citrus canker, citrus greening and other diseases.

In order to implement the Citrus Health Response Program, the department estimates additional budget authority of \$107,589 will be needed in the Qualified Expenditure Category for the third quarter of Fiscal Year 2007-08. The department is also requesting \$1,712,212 in additional budget authority in the Federal Grants Trust fund for expenses incurred due to unanticipated citrus grove survey needs. This expense occurred because of a delay in the publication of the United States Department of Agriculture rule that requires the grove certification surveys.

**Agency Request:** The department requests the transfer and release of \$48,108 in budget authority from the Qualified Expenditure Category in the Federal Grants Trust Fund; and \$59,481 from the Qualified Expenditure Category in the Agriculture Emergency Eradication Trust Fund to the Special Category - Citrus Health Response Program for implementation of the Citrus Health Response Program. The department also requests \$1,712,212 in additional budget authority in the Federal Grants Trust Fund for grove certification expenses incurred beyond the anticipated time period.

**Governor's Recommendation:** Recommend approval to transfer budget authority in the Federal Grants Trust Fund in the amount of \$48,108 and the Agricultural Emergency Eradication Trust Fund in the amount of \$59,481 from the Qualified Expenditure Category to the Special Category - Citrus Health Response Program for implementation of the citrus health response plan. Also recommend approval to increase budget authority in the Federal Grants Trust Fund to \$1,712,212 for additional expenses incurred due to



requirements by the USDA for continued citrus grove certification surveys beyond the anticipated time period.

**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 Council:** Environmental and Natural Resources

**House Analyst:** Terri Smith

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	Appropriation	Reserve	Appropriation	Reserve
<b>AGRICULTURE AND CONSUMER SERVICES , AND COMMISSIONER OF AGRICULTURE</b>								
1600A	Program: Agricultural Economic Development <u>Plant Pest And Disease Control</u>							
	Qualified Expenditure Category Citrus Health Plan							
	From Federal Grants Trust Fund		(48,108)	(48,108)	(48,108)	(48,108)		
	From Agricultural Emergency Eradication Trust Fund		(59,481)	(59,481)	(59,481)	(59,481)		
N/A	Special Categories							
	Citrus Health Response Program							
	From Federal Grants Trust Fund		1,760,320		1,760,320			
	From Agricultural Emergency Eradication Trust Fund		59,481		59,481			

**Department of Agriculture and Consumer Services**

**EOG Number: B2008-0411**

**Problem Statement:** On October 1, 2007, the Division of Forestry was awarded a Hazardous Mitigation Grant Program Project #1609-123-P from the Federal Emergency Management Agency for wildland fire risk assessment planning. The project will be administered by the Division of Emergency Management in the amount of \$1,462,350 and extends through September 30, 2009.

The department is requesting additional budget authority of \$547,817 in the Federal Grants Trust Fund in Fiscal Year 2007-08 to upgrade an existing information system application which will enable the Division of Forestry to determine which areas are subject to the greatest wildland fire risk and identify options for prevention, while allowing agencies to improve emergency response processes. The objective of this initiative is consistent with and supports the goals for the state standard mitigation plan.

**Agency Request:** The department requests additional budget authority of \$547,817 in the Federal Grants Trust Fund in the Contracted Services Category for the first year of the Hazardous Mitigation Grant Program Project administered by the Division of Emergency Management. These expenditures will be reimbursed by the Division of Emergency Management pursuant to the two year grant award.

**Governor's Recommendation:** Recommend approval to increase budget authority by \$547,817 in the Federal Grants Trust Fund for grant funds received from the Federal Emergency Management Agency, Florida Long-Term Recovery Office, for the Hazard Mitigation Grant Program awarded to the Department of Community Affairs, Florida Division of Emergency Management, in conjunction with the Department of Agriculture and Consumer Services, Division of Forestry.

**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 Council:** Environmental and Natural Resources  
**House Analyst:** Terri Smith

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
1488	<b>AGRICULTURE AND CONSUMER SERVICES , AND COMMISSIONER OF AGRICULTURE</b>				
	Program: Forest And Resource Protection <u>Wildfire Prevention And Management</u>  Special Categories Contracted Services From Federal Grants Trust Fund		547,817	547,817	

**Department of Agriculture and Consumer Services**

**EOG Number: B2008-0405**

**Problem Statement:** On December 3, 2007, the Gulf States Marine Fisheries Commission (GSMFC) approved a federal grant totaling \$1,500,000 over a five year period funded by the United States Department of Commerce, Bureau of National Oceanic Atmospheric Administration. The GSMFC awarded this grant to the Department of Agriculture and Consumer Services to provide assistance to oyster farmers to refurbish oyster stocks and restore public oyster reefs damaged by the 2005 hurricane season. The department does not have sufficient budget authority in the Federal Grants Trust Fund to implement the federal grant.

Additional budget authority of \$500,000 in the Federal Grants Trust Fund is needed to fund a portion of the first year of Sub Award ASBI #023-2007-05, to purchase a replacement barge to continue the planting of oyster shells and restoration of oyster reefs along the northwest coast of Florida.

**Agency Request:** The department requests additional budget authority of \$500,000 in the Federal Grants Trust Fund for federal funds received from the Gulf States Marine Fisheries Commission to purchase a replacement barge to aid Florida oyster producers in their recovery from the 2005 hurricanes.

**Governor's Recommendation:** Recommend approval to increase budget authority by \$500,000 in the Federal Grants Trust Fund for grant funds received from the Gulf States Marine Fisheries Commission to replace an old, leaking barge with a new barge for oyster shell planting.

**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 Council:** Environmental and Natural Resources  
**House Analyst:** Terri Smith

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
1562	<b>AGRICULTURE AND CONSUMER SERVICES , AND COMMISSIONER OF AGRICULTURE</b>				
	Program: Agricultural Economic Development <u>Aquaculture</u>  Operating Capital Outlay From Federal Grants Trust Fund		500,000	500,000	

**Department of Agriculture and Consumer Services**

**EOG Number: B2008-0399**

**Problem Statement:** The Division of Plant Industry has secured federal grants from the United States Department of Agriculture (USDA) requiring additional budget authority of \$441,482 for Fiscal Year 2007-08. The division executed cooperative agreements with the USDA for the Imported Fire Ant Regulatory Program and the Pilot Honeybee Pest Survey Program, as well as two revisions to the Cactus Moth SIT Release Program. Additionally, the division is receiving a grant for the Cooperative Agricultural Pest Survey Program (CAPS) from USDA for Fiscal Year 2007-08.

The department's review of the anticipated expenditures for the current agreements, revisions and CAPS grant reveals the division will not have sufficient budget authority to support these federal grants.

**Agency Request:** The department requests additional budget authority of \$441,482 in the Federal Grants Trust Fund for the approved cooperative agreements and for the anticipated Cooperative Pest Survey agreement from the USDA for Fiscal Year 2007-08.

**Governor's Recommendation:** Recommend approval to increase budget authority by \$441,482 in the Federal Grants Trust Fund for grants received from the United States Department of Agriculture to support new and existing cooperative agreements for plant and pest disease control and research.

**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 Council:** Environmental and Natural Resources

**House Analyst:** Terri Smith

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>AGRICULTURE AND CONSUMER SERVICES , AND COMMISSIONER OF AGRICULTURE</b>					
	Program: Agricultural Economic Development <u>Plant Pest And Disease Control</u>				
1588	Other Personal Services From Federal Grants Trust Fund		254,995	254,995	
1589	Expenses From Federal Grants Trust Fund		115,080	115,080	
1590	Operating Capital Outlay From Federal Grants Trust Fund		71,407	71,407	



**Department of Children and Family Services**

**EOG Number: B2008-0455**

<b>Problem Statement:</b> The 2006 Legislature adopted legislation authorizing community-based care (CBC) lead agency provider contracts to be increased by the amount of federal earnings in excess of their contracted amount (chapter 2006-30, Laws of Florida).	
The following CBCs earned excess federal earnings in Fiscal Year 2006-2007:	
Lakeview Center	\$ 215,424
Big Bend CBC - West	186,897
St Johns Board of County Commissioners	12,019
Child and Family Connections	35,904
Our Kids	713,850
Community Partnership for Families	21,074
Kids Central	585,614
Heartland for Children	115,557
United for Families	224,627
Sarasota Family YMCA - North	93,256
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Total	\$ 2,204,222
<b>Agency Request:</b> The department requests an increase of \$2,204,222 in budget authority from the Federal Grants Trust Fund in the Community Based Care Funds for Providers of Child Welfare Services category in the Child Protection and Permanency budget entity to allow the allocation of excess federal earnings to the CBC lead agency providers that are entitled to the additional earnings.	
<b>Governor's Recommendation:</b> Recommend approval to increase authority by \$2,204,222 in the Federal Grants Trust Fund in Child Protection and Permanency for Community Based Care lead agencies in accordance with Section 409.1617(8), Florida Statutes, and Chapter 2006-30, Laws Of Florida.	
<b>Commission Staff Comments:</b> Senate Professional Staff: Recommend approval as recommended by the Governor's Office. House Professional Staff: None.	

<i>Senate Committee:</i> Health and Human Services Appropriations <i>Senate Analyst:</i> Marta Hardy	<i>House Council:</i> Health Care <i>House Analyst:</i> Lynn Ekholm
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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>CHILDREN AND FAMILY SERVICES</b>					
363	Program: Family Safety Program <u>Child Protection And Permanency</u>  Special Categories Grants And Aids - Community Based Care Funds For Providers Of Child Welfare Services From Federal Grants Trust Fund		2,204,222	2,204,222	

**Department of Children and Family Services**

**EOG Number: B2008-0432**

**Problem Statement:** Florida receives federal funding for the Emergency Shelter Grant (ESG) program. The mission of the ESG program is to improve the quality and quantity of emergency shelters and transitional facilities for homeless persons, help cover the cost of operating emergency shelters, and fund essential supportive services to homeless individuals so they may have access to safe and sanitary shelter and the services and assistance they need. The ESG program funds an array of innovative activities to prevent homelessness.

The grant funds are allocated by the Florida Office on Homelessness to community homelessness service providers through a competitive grant proposal process, and the grantees have two years in which to expend these funds. In the past, the grants were awarded early in the fiscal year to allow grantees sufficient time to expend their allocation. In Fiscal Year 2006-2007, the grants were not awarded until February 2006 and the grantees did not fully spend their allocation during the fiscal year. The department plans to carry forward the unspent portion of the grant to Fiscal Year 2007-2008; however, there is insufficient budget authority to spend the additional funds. The calculation of the additional budget authority requirement is as follows:

- Appropriation	\$3,034,474
- Estimated expenditures	\$3,485,283 (\$2,447,100 awarded in 2006, and \$1,038,183 awarded in 2007).
- Additional Budget Required	\$450,809 (\$3,034,474 - \$3,485,283).

**Agency Request:** The department requests an increase of \$450,809 in federal grants trust fund budget authority to fully allocate available ESG grant funds in Fiscal Year 2007-2008.

**Governor's Recommendation:** Recommend approval to increase budget authority by \$450,809 in the Federal Grants Trust Fund to fully allocate the first year costs of the 2007 Emergency Shelter Grants to local providers in the form of grants that will allow for improvements to shelters, shelters operations, and homelessness prevention activities.

**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 Council:** Health Care  
**House Analyst:** Lynn Ekholm

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>CHILDREN AND FAMILY SERVICES</b>					
443	Program: Economic Self Sufficiency Program <u>Special Assistance Payments</u>  Special Categories Grants And Aids - Federal Emergency Shelter Grant Program From Federal Grants Trust Fund		450,809	450,809	

Department of Children and Family Services

EOG Number: B2008-0429

**Problem Statement:** The Refugee/Entrant Assistance category funds cash, medical assistance and social services to eligible refugees for up to 8 months from date of entry. This category is 100 percent funded through a federal entitlement grant.

Recent changes in federal policies have increased the cost of this program for Fiscal Year 2007-2008. Based on program expenditures from July 1 through November 30, 2007, the department projects a deficit of \$2,465,487 in budget authority.

**Agency Request:** The department requests an additional \$2,465,487 in the Federal Grants Trust Fund in the Refugee/Entrant Assistance category to pay for temporary assistance to eligible refugees.

**Governor's Recommendation:** Recommend approval to increase the budget by \$2,465,487 in the Federal Grants Trust Fund in the Refugee Entrant Assistance appropriation category to allow payments to eligible refugees.

**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 Council:** Health Care

**House Analyst:** Lynn Ekholm

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>CHILDREN AND FAMILY SERVICES</b>					
460	Program: Economic Self Sufficiency Program <u>Refugees</u>  Financial Assistance Payments Refugee/entrant Assistance From Federal Grants Trust Fund		2,465,487	2,465,487	

**Department of Children and Family Services**

**EOG Number: B2008-0428**

<p><b>Problem Statement:</b> The 2007 Legislature appropriated \$24,436,313 for the Florida Safe Families Network System (FSFN -- formerly HomeSafenet) in a qualified expenditure category (QEC) in the Assistant Secretary for Administration (ASA) budget entity, and double budgeted an equal amount of \$24,436,313 in a separate QEC in the Information Technology (IT) budget entity. The department needs to allocate and release \$777,467 from both QECs to operating categories to purchase new hardware for \$170,282, and additional software for \$607,185.</p>
<p><b>Agency Request:</b> The department requests a transfer of \$777,467 in Working Capital Trust Fund budget authority from the QEC to the Computer Related Expenses category in the Information Technology budget entity, and an equal transfer of \$777,467 in double budget authority (\$333,453 from the General Revenue Fund and \$444,032 from the Federal Grants Trust Fund) from the QEC to the Data Processing Services category in the Assistant Secretary for Administration budget entity to purchase new hardware for \$170,282 and additional software for \$607,185 for the FSFN project during the third quarter of Fiscal Year 2007-2008.</p>
<p><b>Governor's Recommendation:</b> Recommend approval to transfer and release from the Qualified Expenditure category - Florida SACWIS Solutions, \$333,435 in the General Revenue Fund, \$444,032 in the Federal Grants Trust Fund, and \$777,467 in the Working Capital Trust Fund to pay for project hardware and software to continue the Florida Safe Family Network (FSFN) .</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> Marta Hardy</p>	<p><b>House Council:</b> Health Care <b>House Analyst:</b> Lynn Ekholm</p>
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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>										
309	Special Categories Computer Related Expenses From Working Capital Trust Fund		777,467		777,467	777,467		777,467			
311	Qualified Expenditure Category Qualified Expenditure - Florida Sacwis Solutions From Working Capital Trust Fund		(777,467)	(777,467)		(777,467)	(777,467)				
	<u>Assistant Secretary For Administration</u>										
321	Qualified Expenditure Category Qualified Expenditure - Florida Sacwis Solutions From General Revenue Fund From Federal Grants Trust Fund		(333,435)	(333,435)		(333,435)	(333,435)				
			(444,032)	(444,032)		(444,032)	(444,032)				
322	Data Processing Services										

*Budget Commission Meeting  
January 23, 2008*

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
	Children And Families Data Center										
	From General Revenue Fund		333,435		333,435	333,435		333,435			
	From Federal Grants Trust Fund		444,032		444,032	444,032		444,032			

Department of Children and Family Services

EOG Number: B2008-0406

**Problem Statement:** The Department of Children and Family Services (DCF) contracted with Maximus, Inc., in 2004, for revenue maximization services. Under the terms of the contract, Maximus, Inc., agreed to identify and initiate practices necessary to entitle the department to increase its claims for federal funds. In exchange for this service, the department agreed to compensate Maximus, Inc., at a rate of 4.75 percent of the additional funds received. The department estimates that services provided through this contract will generate \$1,697,684 in incremental federal revenues, all of which was budgeted in the Federal Grants Trust Fund in Fiscal Year 2007-2008 to support mental health and substance abuse community services.

The estimated payment to Maximus, Inc., for services rendered under the contract is \$80,641 for Fiscal Year 2007-2008. An increase in budget authority in the Federal Grants Trust Fund in the Contracted Services category is needed to properly account for this payment.

**Agency Request:** The department requests approval to transfer budget authority in the amount of \$80,641 in the Federal Grants Trust Fund (\$48,385 from G/A-Community Mental Health Services in Adult Mental Health and \$32,256 from Other Personal Services (OPS) in Substance Abuse Program Management and Compliance to Contracted Services in both Mental Health Program Management and Compliance and Substance Abuse Program Management and Compliance) to meet contractual obligations, per the revenue maximization agreement with Maximus, Inc.

**Governor's Recommendation:** Recommend approval to transfer budget authority in the amount of \$80,641 in the Federal Grants Trust Fund (\$48,385 from G/A-Community Mental Health Services in Adult Mental Health and \$32,256 from OPS in Substance Abuse Program Management and Compliance to Contracted Services in both Mental Health Program Management and Compliance and Substance Abuse Program Management and Compliance) to meet contractual obligations, per the revenue maximization agreement with Maximus.

**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 Council:** Health Care  
**House Analyst:** Lynn Ekholm

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>CHILDREN AND FAMILY SERVICES</b>					
388	Program: Mental Health Program <u>Adult Community Mental Health Services</u>				
	Special Categories Grants And Aids - Community Mental Health Services From Federal Grants Trust Fund		(48,385)	(48,385)	
405	<u>Program Management And Compliance</u>				
	Special Categories Contracted Services From Federal Grants Trust Fund		48,385	48,385	
409	Program: Substance Abuse Program <u>Program Management And Compliance</u>				
	Other Personal Services From Federal Grants Trust Fund		(32,256)	(32,256)	
N/A	Special Categories Contracted Services From Federal Grants Trust Fund		32,256	32,256	

**Department of Children and Family Services**

**EOG Number: B2008-0391**

**Problem Statement:** The Department of Children and Family Services (DCF) estimates that Medicaid earnings in the Florida Assertive Community Treatment (FACT) program will decline by \$935,390 in Fiscal Year 2007-2008 because of changes in the client mix. As a result, the spending level in the FACT program is lower than in the previous year.

The department has recently determined that there is sufficient Community Mental Health Block Grant revenue to correct the deficit in the FACT program. Budget authority needs to be transferred from the Federal Grants Trust Fund, where Medicaid funds are deposited, to the Alcohol, Drug Abuse and Mental Health Trust Fund, where Community Mental Health Block Grant revenues are deposited.

**Agency Request:** The department requests a transfer of \$935,390 in budget authority from the Federal Grants Trust Fund to the Alcohol, Drug Abuse and Mental Health Trust Fund in the Community Mental Health Services category to maintain funding for the FACT program at the level of its current appropriation.

**Governor's Recommendation:** Recommend approval to transfer budget authority in the amount of in the amount of \$935,390 from the Federal Grants Trust Fund to the Mental Health Trust Fund for Alcohol, Drug Abuse budget in the Community Mental Health Services category for restoring Florida Assertive Community Treatment (FACT) program funding.

**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 Council:** Health Care  
**House Analyst:** Lynn Ekholm

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>CHILDREN AND FAMILY SERVICES</b>					
388	Program: Mental Health Program <u>Adult Community Mental Health Services</u>  Special Categories Grants And Aids - Community Mental Health Services From Alcohol, Drug Abuse And Mental Health Trust Fund From Federal Grants Trust Fund		935,390    (935,390)	935,390    (935,390)	

**Department of Children and Family Services**

**EOG Number: B2008-0335**

<p><b>Problem Statement:</b> The Department of Children and Family Services (DCF) received federal grant awards to provide crisis counseling services to victims of Hurricanes Wilma and Katrina. The department used temporary staff to provide services under both grants. At the end of the federally approved project period, the temporary staff were terminated. DCF has since received unemployment compensation claims from these individuals.</p> <p>On October 16, 2007, the department received approval from the federal Substance Abuse and Mental Health Services Administration to pay for the unemployment compensation claims from federal grant funds, but DCF does not have Federal Grants Trust Fund budget authority in the appropriate categories to make the payments.</p>	
<p><b>Agency Request:</b> The department requests an increase of \$65,440 in budget authority from the Federal Grants Trust Fund in the Mental Health Program Management and Compliance budget entity. The increase would be allocated to the following categories:</p>	
G/A-Emergency Management 2005 - State Operations (Hurricane Katrina )	\$17,741
G/A-Major Disaster 2005-06 - Hurricanes - State Operations (Hurricane Wilma)	\$47,699
Total Increase	\$65,440
<p>The department requests 100 percent release of this trust fund budget increase to ensure the timely payment of the unemployment compensation billings.</p>	
<p><b>Governor's Recommendation:</b> Recommend approval to increase budget authority by \$65,440 in the Federal Grants Trust Fund to allow the department to pay unemployment compensation expenses for former staff of the Hurricane Wilma and Hurricane Katrina Evacuee grant programs, which ended in March 2007.</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> Marta Hardy</p>	<p><b>House Council:</b> Health Care <b>House Analyst:</b> Lynn Ekholm</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>CHILDREN AND FAMILY SERVICES</b>					
N/A	Program: Mental Health Program <u>Program Management And Compliance</u>  Special Categories Grants And Aids - Emergency Management Assistance Compact - 2005 Hurricanes - State Operations From Federal Grants Trust Fund		17,741	17,741	
N/A	Special Categories Grants And Aids - 2005 Hurricanes - State Operations From Federal Grants Trust Fund		47,699	47,699	