



LEGISLATIVE BUDGET COMMISSION

Lisa Carlton, Chair

Meeting Packet

Thursday, December 2, 2004

2:00 p.m. – 4:00 p.m.

412 Knott

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

LEGISLATIVE BUDGET COMMISSION AGENDA

December 2, 2004
2:00 p.m. – 4:00 p.m.
Room 412, Knott Building

MEMBERS

Senator Lisa Carlton
Senator JD Alexander
Senator Jeffrey Atwater
Senator Mike Fasano
Senator Les Miller
Senator Burt Saunders
Senator Rod Smith

Representative Joe Negrón
Representative Gustavo Barreiro
Representative Kim Berfield
Representative Don Davis
Representative Ron Greenstein
Representative Will Kendrick
Representative Stan Mayfield

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Department: Fish and Wildlife

EOG Number: B2005-0265

Problem Statement: The Boating and Waterways Section within the Division of Law Enforcement of the Florida Fish and Wildlife Conservation Commission (FWCC) received federal grant funding from the U.S. Department of Interior, Fish and Wildlife Service (USFWS) in the amount of \$900,000 for conducting Phase I and II of a Boating Access Facilities Assessment and Economic Study. The study is intended to be statewide and will be initiated as a pilot project in Lee County. The federal funds represent 75 percent of the grant with state match of \$200,000 and \$100,000 from Lee County. Current budget authority from special category Boating and Waterways Activities will be used to cover the state match. Under Phase I, the Boating and Waterways Section will conduct a comprehensive recreational boating facilities inventory for the state to include marinas, dry storage, mooring fields, boat ramps and docks. Phase II will map the existing boating access facilities. Data from Phases I and II will serve as baseline for determining the state and federal resources needed to complete Phase III of the study.

Agency Request: The Commission is requesting increased budget authority of \$900,000 in the special category Boating and Waterways Activities within the State Game Trust Fund for the USFWS grant. This spending authority will be 100% reimbursed with the federal funds. State match is already available; therefore, additional spending authority for the state match is not required.

Non-approval of the budget amendment will prevent the Commission from utilizing federal grant monies and fulfilling the contract with the U.S. Fish and Wildlife Service to conduct the Boating Access Facilities Assessment and Economic Study.

Governor's Recommendation: Recommend approval to increase budget authority by \$900,000 in the State Game Trust Fund to implement federally funded grant from the U.S. Department of Interior, Fish and Wildlife Service, for a Boating Access Facilities Assessment and Economic Study project.

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

Senate Committee: General Government Appropriations

Senate Analyst: Jane Hayes

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House Committee: Agriculture and Environment Appropriations

House Analyst: Greg Davis

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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
	LAS/PBS Account Number	CF	Appropriation	Appropriation	Appropriation
FISH AND WILDLIFE CONSERVATION COMMISSION					
1898	Program: Law Enforcement Wildlife, Marine, and Boating Law Enforcement State Game Trust Fund Boating and Waterways Activities 77200100-104080-00-2672		900,000	900,000	

Department: Fish and Wildlife

EOG Number: B2005-0266

Problem Statement: The Fish and Wildlife Conservation Commission employs many temporary, grant-funded OPS employees for scientific research related activities. The lack of benefits for these employees has created both recruitment and retention problems. The turnover is especially detrimental since it affects the continuation and integrity of the activities in which the employee participated. The 2004 Legislature provided 10.5 time-limited, grant-funded positions in line item #1941T of the FY 2004-05 General Appropriations Act. These positions are to be utilized by the Commission for grants received that will recur for a minimum of 3 years. Salary rate can be established for any position authorized at an average of 40,000 per position. The Commission has entered into 7 new grants which provide funding for positions.

Agency Request: The Division of Habitat and Species Conservation has received federal grant funding from the U.S. Department of Interior, Fish and Wildlife Service in the amount of \$1,950,577. This grant titled Comprehensive Wildlife Conservation Strategy is to operate an FWC data warehouse, a virtual data integration facility designed to provide internet-based search, query, and analysis tools for disparate types of scientific and business data important to fish and wildlife resource decision makers like State Wildlife Grant (SWG) planners. This grant began August 9, 2004 and ends August 1, 2007.

The Fish and Wildlife Research Institute (FWRI) has several continuation grants which provide funding for projects including the North Atlantic Right Whale project, Sportfish Health, Information and Data Management Activities, Fisheries Independent Monitoring at Lower Charlotte Harbor and Caloosahatchee Estuary, Southeast Florida Reef Fish Abundance and Biology, and Nearshore and Estuarine Gamefish Behavior, Ecology, and Life History.

Interim budget action is necessary to release 10.0 positions from reserve, provide rate, and transfer spending authority from special categories to the Salaries and Benefits appropriations category.

Governor's Recommendation: Recommend approval to transfer \$34,472 of Nongame Wildlife Trust Fund budget authority and \$236,223 of Marine Resources Conservation Trust Fund budget authority between appropriation categories; to authorize ten positions from reserve; and to establish 357,328 salary rate for grant funded positions coming from reserve.

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

Senate Committee: General Government Appropriations

Senate Analyst: Jane Hayes

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House Committee: Agriculture and Environment Appropriations

House Analyst: Greg Davis

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Line Item No.	Budget Entity / Fund / Appropriation Category Title LAS/PBS Account Number	CF	REQUESTED BY AGENCY		RECOMMENDED BY GOVERNOR		APPROVED BY THE LEGISLATIVE BUDGET COMMISSION	
			Appropriation	Reserve	Appropriation	Reserve	Appropriation	Reserve
FISH AND WILDLIFE CONSERVATION TRUST FUND								
	Habitat and Species Conservation							
	Non-game Wildlife Trust Fund							
	Positions and Rate							
	Positions		1.00		1.00			
	Salary Rate		45,647		45,647			
N/A	Salaries and Benefits							
	77350200-010000-00-2504		34,083		34,083			
N/A	Contract & Grant Reimbursed Activities							
	77350200-109940-00-2504		(34,472)		(34,472)			
N/A	TR/DMS/HR Svcs/STW Contract							
	77350200-107040-00-2504		389		389			
	Fish and Wildlife Research Institute							
	Marine Resources Conservation TF							
	Positions and Rate							
	Positions		9.00	(10.00)	9.00	(10.00)		
	Salary Rate		311,681		311,681			
N/A	Salaries and Benefits							
	77650200-010000-00-2467		232,722		232,722			
N/A	Marine Research Grants							
	77650200-102080-00-2467		(236,223)		(236,223)			
N/A	TR/DMS/HR Svcs/STW Contract							
	77650200-107040-00-2467		3,501		3,501			

Department: State Courts System

EOG Number: B2005-0306

Problem Statement: A recent inspection of the Supreme Court building by the State Fire Marshal's Office noted a Life Safety Violation. The interior stairwell doors do not latch properly and other doors drag and slow the emergency exit process. These doors are warped due to roof leaks and large temperature and humidity differences across the doors, and the door hardware has also exceeded its useful life. This violation was classified as an "Imminent Hazard".

The Supreme Court is unable to cover this additional expense with existing funds. Therefore, in accordance with s. 216.231, F.S., the Chief Justice requests funds from the Deficiency category to correct this violation.

Agency Request: Interim budget action is necessary to correct a Life Safety Violation identified by the State Fire Marshal's Office in a recent inspection of the Supreme Court building.

The State Courts System requests the transfer of General Revenue Fund budget authority in the amount of \$73,500 from the Special Category-Deficiency and Administered Funds budget entity, to the Expenses Category within the Court Operations-Supreme Court Budget entity.

Governor's Recommendation: Recommend approval to transfer \$73,500 in General Revenue Fund budget authority from the Administered Funds, Special Category - Deficiency appropriation to the Supreme Court to address life safety violations identified by the State Fire Marshal's office.

Chief Justice's Recommendation: Recommend approval to increase the Supreme Court's budget authority by \$73,500 in General Revenue Fund budget authority to address life safety violations identified by the State Fire Marshal's office.

Commission Staff Comments: Recommend approval as recommended by the Chief Justice and Governor's Office.

Senate Committee: Criminal Justice Appropriations
Senate Analyst: Claude Hendon
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House Subcommittee: Justice Appropriations
House Analyst: Diane Sneed
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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
	LAS/PBS Account Number	CF	Appropriation	Appropriation	Appropriation
ADMINISTERED FUNDS					
2073	Administered Funds General Revenue Special Category - Deficiency 49000000-100910-00-1000		(73,500)	(73,500)	
STATE COURTS SYSTEM					
2921	Court Operations - Supreme Court General Revenue Expenses 22010100-040000-00-1000		73,500	73,500	

Department: Agency for Persons with Disabilities

EOG Number: B2005-0270

Problem Statement: The Independence Plus Initiative federal grant awarded the Agency \$501,801 to be disbursed over a three-year grant period from September 30, 2003 through September 29, 2006. This grant provides funding for other personal services, expenses, and contracted services in order to educate consumers on how to identify and manage their needs and preferences for services and supports through the use of self-advocates. The project director and the self-advocates will attend support brokerage and other appropriate educational training opportunities including the Florida Freedom Initiative Advisory Council meetings arranged by the Florida Developmental Disabilities Council. A letter of agreement will be executed with the Center for Self-Determination to perform five regional on-site train-the-trainer sessions specifically focusing on self-determination and supports brokerage. The total budget required through June 30, 2005 is \$283,714.

Agency Request: This action is necessary to provide budget authority for the Independence Plus Initiative grant award. The Agency for Persons with Disabilities does not have sufficient budget authority in the Operations and Maintenance Trust Fund in the Other Personal Services, Expense and Contracted Services appropriations categories to fulfill the obligation of the grant. This grant was awarded September 30, 2003, and a budget amendment for budget authority was approved in May 2004. There was insufficient time to spend \$150,150 for the first grant year. This request includes the remainder of the FY 2003-2004 grant amount and the current FY 2004-2005 grant amount for a total of \$283,714. If this action is not approved, the Agency will be required to return all funds to the federal Department of Health and Human Services.

Governor's Recommendation: Recommend approval to increase budget authority by \$283,714 in the Operations and Maintenance Trust Fund for the Independence Plus Initiative federal grant award.

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

Senate Committee: Health and Human Services Appropriations
Senate Analyst: Ross Fabricant
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House Committee: Health Care Appropriations
House Analyst: Lynn Ekholm
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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
	LAS/PBS Account Number	CF	Appropriation	Appropriation	Appropriation
AGENCY FOR PERSONS WITH DISABILITIES					
	<u>Program Management and Compliance Operations and Maintenance Trust</u>				
N/A	Other Personal Services 60980200-030000-00-2516		87,779	87,779	
N/A	Expense 60980200-040000-00-2516		54,119	54,119	
N/A	G/A-Contracted Services 60980200-100778-00-2516		141,816	141,816	

Department: Agency for Persons with Disabilities

EOG Number: B2005-0271

Problem Statement: A Quality Assurance and Quality Improvement in Home and Community Based Services (HCBS) grant for \$475,000 was awarded to the Agency to be disbursed over a three-year period from September 30, 2004 through September 29, 2007. The grant requires a \$25,000 in-kind state match making the three-year total \$500,000. This grant provides funding for expenses and contracted services to enhance quality improvement efforts at state and local levels. Funds will be used to train self-advocates, services providers, and other stakeholders as members of the District Steering Committees for Quality Improvement. Resources will be used to identify system weaknesses and formulate strategies to ensure achievement of outcome objectives of people with developmental disabilities and their families.

A contract will be executed with the Council on Quality and Leadership to perform quality management training and consultation to districts, consumers, families and providers concerning improving the quality of waiver services for the HCBS Waiver. The total budget authority required through June 30, 2005 is \$201,867.

Agency Request: This action is necessary to provide budget authority for the Quality Assurance and Quality Improvement in HCBS grant award. The Agency does not have sufficient budget authority in the Operations and Maintenance Trust Fund in the Expense and Contracted Services appropriations categories to fulfill the obligation of the grant. This request for the current FY 2004-2005 is \$201,867. If this action is not approved, the Agency will be required to return all funds to the U.S. Department of Health and Human Services.

Governor's Recommendation: Recommend approval to increase budget authority by \$201,867 in the Operation and Maintenance Trust Fund for the implementation of the Quality Assurance and Quality Improvement in Home and Community Based Services Grant to be used to enhance quality improvement efforts for waiver services.

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

Senate Committee: Health and Human Services Appropriations

Senate Analyst: Ross Fabricant

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House Committee: Health Care Appropriations

House Analyst: Lynn Ekholm

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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
	LAS/PBS Account Number	CF	Appropriation	Appropriation	Appropriation
AGENCY FOR PERSONS WITH DISABILITIES					
<p>Home and Community Services <u>Operations and Maintenance Trust Fund</u></p>					
N/A	Expense 60980100-040000-00-2516		19,867	19,867	
N/A	G/A-Contracted Services 60980100-100778-00-2516		182,000	182,000	

Department: Department of Education

EOG Number: B2005-0330

Problem Statement: Section 1009.53 (1), Florida Statutes, states that "the Florida Bright Futures Scholarship Program is created to establish a lottery-funded scholarship program to reward any Florida high school graduate who merits recognition of high academic achievement and who enrolls in a degree program, certificate program, or applied technology program at an eligible Florida public or private postsecondary education institution within 3 years of graduation from high school."

The FY 2004-05 appropriation for the Bright Futures student financial aid program is \$268.1 million and is based on data from the March 2004 Student Financial Aid Estimating Conference. At the March 2004 conference, the principals agreed to a total count of 125,101 eligible students for the 2004-05 academic year. At the November 2004 Student Financial Aid Estimating Conference, the principals agreed to the latest projection of 129,540 eligible students for 2004-05, generating an additional budgetary need of \$7,883,680. The increased projection of 4,439 students reflects a retention rate above that previously projected. A change in the university/community college mix for the Florida Medallion Scholars award level also contributes to the increased cost of the program. Unless additional funds are provided to address this need, the scholarships will be reduced below the statutorily authorized level on a pro-rata basis for the remainder of this fiscal year.

Unbudgeted lottery receipts are available in the Educational Enhancement Trust Fund, based on the October 14, 2004 Lottery Estimating Conference, to fund this increase.

Agency Request: Increased budget authority will enable the Florida Bright Futures scholarship program to maintain its commitment to the public.

Governor's Recommendation: Recommend increased budget authority utilizing \$7,883,680 of unbudgeted lottery receipts in the Educational Enhancement Trust Fund

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

Senate Committee: Education Appropriations
Senate Analyst: John Newman
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House Committee: Education Appropriations
House Analyst: Kurt Hamon
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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
	LAS/PBS Account Number	CF	Appropriation	Appropriation	Appropriation
EDUCATION					
3	OFFICE OF STUDENT FINANCIAL ASSISTANCE PROGRAM: Student Financial Aid Program - State <u>Educational Enhancement Trust Fund</u> G/A-Florida Bright Futures Scholarship Program 48200200-100373-00-2178		7,883,680	7,883,680	

Department: State

EOG Number: B2005-0296

Problem Statement: Currently, the Department of State (DOS) is the defendant in 25 election-related lawsuits. These lawsuits are currently being defended by the Office of the Attorney General and outside legal counsel procured by the DOS. The Attorney General is representing DOS on as many cases as they can handle, but the number of cases being filed and the speed at which they are moving through the courts for hearings, trials and multiple appeals requires additional outside counsel experienced in election law. The DOS does not have legal staff to handle the workload because of handling other issues (i.e. phone calls, advising clients on issues stemming from requests from the Voter Hotline, inquiries from the 67 supervisors of elections, managing ongoing fast-track election litigation, issuing election opinions, and handling all matters relating to four other Divisions of the department).

The DOS currently has \$560,000 under contract with various legal firms to assist in the department's legal defense. The DOS estimates legal costs to defend filed suits to be approximately \$683,000. Estimates are based upon a midrange of expected billable hours, multiplied by the hourly contracted rate. Due to the uncertainty of the legal process and the possibility of continuing appeals in each case, each estimate may be high or low depending on the ultimate disposition of the case.

The DOS is requesting release of deficiency funds in the amount of \$300,000 to assist in the payment of mounting legal obligations. This request should allow the department to meet immediate legal obligations until such time as the Legislature can convene and evaluate the need for further current year appropriations. Alternative options for payment have been exhausted, or are prohibited because of the revenue source or other limitations. In accordance with the provisions of s. 216.231(2), F.S., the DOS requests funds from the Deficiency appropriations category to address this issue.

The following is a summary of current obligations and anticipated bills for legal work already done or underway.

Legal Invoices Received for Payment:	\$248,539
Portion to be paid from FY 03-04 Certified Forward Funds:	<u>(\$180,097)</u>
Current Year Obligations for Invoices Received:	\$68,442
Current Year Budget Allotted for Legal Defense:	\$370,000
Current Year Obligations for Invoices Received:	(\$68,441)
Total of YTD Disbursements	<u>(\$41,387)</u>
Remaining Budget Available Current Year:	\$260,172
Current Legal Contractual Obligations	<u>(\$560,000)</u>
Current General Revenue Deficiency	(\$299,828)

*Legislative Budget Commission Meeting
December 2, 2004*

<p>Agency Request: The Department of State is requesting the transfer of \$300,000 in General Revenue Fund budget authority from Administered Funds, Special Category - Deficiency funds to the Litigation Expense category within the Election Records, Laws and Code budget entity to assist in the payment of legal services. This request should allow the department to meet immediate legal obligations until such time as the Legislature can convene and evaluate the need for further current year appropriations.</p>
<p>Governor's Recommendation: Recommend approval to transfer \$300,000 of General Revenue Fund budget authority from the Deficiency category in Administered Funds to Litigation Expense in the Election Records, Law and Codes program to pay for elections-related lawsuits.</p>
<p>Commission Staff Comments: Recommend approval as recommended by the Governor's Office.</p>

<p>Senate Committee: Transportation & Economic Development Senate Analyst: Tom Weaver Phone Number: (850) 487-5140 or SunCom 277-5140 E-mail Address: tom.weaver@laspbs.state.fl.us</p>	<p>House Committee: Transportation & Economic Development House Analyst: Loretta Jones Darity Phone Number: (850) 488-6204 or SunCom 278-6204 E-mail Address: loretta.jonesdarity@laspbs.state.fl.us</p>
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Line Item No.	Budget Entity / Fund / Appropriation Category Title LAS/PBS Account Number	CF	REQUESTED BY AGENCY	RECOMMENDED BY GOVERNOR	APPROVED BY THE LEGISLATIVE BUDGET COMMISSION
			Appropriation	Appropriation	Appropriation
ADMINISTERED FUNDS					
2073	General Revenue Special Category - Deficiency 49000000-100910-00-1000		(300,000)	(300,000)	
STATE					
NA	Election Records, Laws and Code General Revenue Litigation Expense 45100100-101981-00-1000		300,000	300,000	

Department: Department of Children and Family Services and Department of Health

EOG Number: B2005-0285

Problem Statement: The Legislature appropriated \$115,900,000 from the General Revenue Fund and \$52,300,000 from trust funds in Specific Appropriation 2065A of the FY 2004-05 General Appropriations Act (GAA) for Salary Increases and Bonuses for state employees to be distributed to all agencies by the Executive Office of the Governor (EOG) as specified in section 8 of the GAA. The amount of trust fund budget authority appropriated was inadequate for the bonuses because the County Health Departments (CHD) in the Department of Health are double-budgeted. The CHD's receive Salaries and Benefits appropriations in trust funds and an Aid to Local Government appropriation from the General Revenue Fund which provides a revenue source for the trust fund budget authority. The cash from the General Revenue Fund appropriation is transferred to the Salaries and Benefits trust fund appropriation. Specific Appropriation 2065A included the General Revenue Fund portion but did not include sufficient trust fund budget authority to cover the trust funded portion. An additional \$9,150,374 in trust fund budget authority is needed.

The Legislature appropriated \$34,600,000 from the General Revenue Fund and \$15,300,000 from trust funds in Specific Appropriation 2067A of the FY 2004-05 GAA for state portion of the health insurance premium increase to cover the projected deficit in the State Health Insurance Trust Fund. The appropriation was to be distributed to all agencies by EOG as specified in section 8 of the GAA. The trust funded appropriation in this line item was insufficient in total by \$4,599,990. Additional trust fund budget authority is needed in the Department of Health in the amount of \$3,461,121 for the double-budget portion in the CHD's. Additionally, another \$1,138,869 increase in trust fund budget authority is needed to ensure that adequate budget authority is provided to agencies to implement the health insurance premium increase. The Office of Policy and Budget selected the Administrative Trust Fund in the Department of Children and Family Services for this purpose so there would be minimal impact by covering the shortage in one place.

Agency Request: This request is for approval to increase budget authority in the County Health Department Trust Fund by \$9,150,374 in the Salaries and Benefits appropriations category for the trust fund portion of the Lump Sum Bonuses and by \$3,461,121 in the Salaries and Benefits category for the trust fund portion of State Health Insurance Trust Fund Deficiency appropriations for a total increase of \$12,611,495.

In addition, the Office of Policy and Budget requests approval for an increase in budget authority in the Department of Children and Family Services Administrative Trust Fund by \$1,138,869 for the increase in the State Health Insurance Trust Fund Deficiency appropriation to cover health insurance premium increases.

Governor's Recommendation: Recommend approval to increase budget authority by \$12,611,495 in the County Health Department Trust Fund in the Department of Health and by \$1,138,869 in the Administrative Trust Fund in the Department of Children and Families for the one time lump sum bonuses and state health insurance premium increases as provided in the Fiscal Year 2004-05 General Appropriations Act.

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

Senate Committee: Health and Human Services Appropriations

Senate Analyst: Elaine Peters

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House Committee: State Administration Appropriations

House Analyst: David Dobbs

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Line Item	Budget Entity / Fund / Appropriation Category Title		REQUESTED BY AGENCY	RECOMMENDED BY GOVERNOR	APPROVED BY THE LEGISLATIVE BUDGET COMMISSION
	LAS/PBS Account Number	CF	Appropriation	Appropriation	Appropriation
	<p>DEPARTMENT OF CHILDREN AND FAMILIES <u>District Administration</u> Administrative Trust Fund Salaries & Benefits 60900204-010000-00-2021</p>		79,223	79,223	
389	<p><u>Comprehensive Eligibility Services</u> Administrative Trust Fund Salaries & Benefits 60910702-010000-00-2021</p>		1,059,646	1,059,646	
548A	<p>DEPARTMENT OF HEALTH <u>County Health Departments Local Health Needs</u> County Health Department Trust Fund Salaries & Benefits 64200700-010000-00-2141</p>		12,611,495	12,611,495	

Department: Department of Health

EOG Number: B2005-0276

Problem Statement: The Department of Health's Children's Medical Services (CMS) Program provides a comprehensive continuum of medical and support services to eligible children who are medically involved, complex or fragile, or who are delayed in their development. The program's primary sources of funding include state funds (general revenue and tobacco), as well as Medicaid (Title XIX) and State Children's Health Insurance (Title XXI) funds transferred from the Agency for Health Care Administration.

The 2004-05 General Appropriations Act includes an issue that uses a portion of the department's Donations Trust Fund nonrecurring cash balance to support the program. The Donations Trust Fund is the CMS program's primary recipient of Title XIX and Title XXI receipts. When the issue was included, the funding was inadvertently appropriated to incorrect appropriation categories.

Agency Request: The department requests the realignment of \$3,497,474 in Donations Trust fund budget authority within the Children's Special Health Care program. The realignment of budget authority will appropriate Donations Trust Fund to the correct appropriation categories. If this amendment is not approved, the department will not have sufficient budget authority to charge expenditures to the correct category.

Governor's Recommendation: Recommend approval to transfer \$3,497,474 in Donations Trust Fund budget authority from the Medical Services for Abused and Neglected Children category to the Contracted Services and Master Contracts categories to realign budget authority.

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

Senate Committee: Health and Human Services Appropriations

Senate Analyst: Elaine Peters

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House Committee: Health Care Appropriations

House Analyst: Wayne Money

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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
	LAS/PBS Account Number	CF	Appropriation	Appropriation	Appropriation
HEALTH					
<p style="text-align: center;">CHILDREN'S SPECIAL HEALTH CARE <u>Donations Trust Fund</u></p>					
558J	G/A-Medical Svcs Ab/Neg Children 64300100-100655-00-2168		(3,497,474)	(3,497,474)	
558L	Contracted Services 64300100-100777-00-2168		1,750,000	1,750,000	
558M	Master Contracts 64300100-100808-00-2168		1,747,474	1,747,474	

Department: Department of Financial Services

EOG Number: B2005-0281

Problem Statement: House Bill 1251 passed by the 2004 Legislature (Chapter 2004-266 Laws of Florida) required the Department of Financial Services (department) to create a contingency reserve not to exceed \$15 million within the Workers' Compensation Administration Trust Fund for the purpose of funding deficits within subplan "D" of Florida's workers' compensation joint underwriting plan (JUA) provided in section 627.311(5), Florida Statutes. Provisions of the law allow the JUA to request cash sufficient to cover 3 months of projected cash needs.

In September 2004, the Legislative Budget Commission approved the department's request to transfer \$574,000 from the Workers' Compensation Administration Trust Fund to the JUA to cover deficits estimated to be incurred through December 2004.

The JUA Board of Directors and the Office of Insurance Regulation have certified the cash needs of subplan "D" through March 2005. The projections show a cash deficit of \$2,007,924 as of March 31, 2005 and a cash deficit of \$5.2 million as of June 30, 2005. The projections include maintaining a contingency reserve of \$2.5 million in the JUA.

Agency Request: The department is requesting increased budget authority of \$2,007,924 in the Transfer to Florida Workers' Compensation JUA appropriation category within the Workers' Compensation Administration Trust Fund to cover projected cash needs for 3 months (January 2005 through March 2005).

Governor's Recommendation: Recommend approval to increase budget authority by \$2,007,924 in the Workers' Compensation Administrative Trust Fund in the Transfer to Florida Workers' Compensation Joint Underwriting Association (FWCJUA) category in accordance with provisions of s. 627.311, Florida Statutes, to provide for a 3 months cash deficit in subplan D of the FWCJUA.

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

Senate Committee: General Government Appropriations
Senate Analyst: Cindy Kynoch
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House Committee: State Administration Appropriations
House Analyst: Susan Rayman
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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
	LAS/PBS Account Number	CF	Appropriation	Appropriation	Appropriation
FINANCIAL SERVICES					
N/A	<p>Workers' Compensation Workers' Compensation Administrative Trust Fund Transfer to Workers' Compensation Joint Underwriting Association 43600100-109977-00-2795</p>		2,007,924	2,007,924	

Department: Agency for Workforce Innovation

EOG Number: B2005-0263

Problem Statement: The Florida Partnership for School Readiness contracts with the Redlands Christian Migrant Association (RCMA) to provide school readiness services to approximately 2,600 migrant children each month in 19 counties throughout the state. In the FY 2004-05 General Appropriations Act, a new special appropriations category titled “Grants and Aids/Redlands Migrant-School Readiness” was created to reflect funding for the RCMA contract. A total of \$11,714,939 was appropriated, of which \$3,697,343 was funded with Temporary Assistance for Needy Families (TANF) funds in the Welfare Transition Trust Fund.

In May, after consulting with the independent auditor reviewing RCMA’s operations, AWI staff determined that services provided to migrant children under the RCMA contract (both currently and in prior years) could not be funded with TANF dollars because their parents were not screened for TANF eligibility. However, the children served were eligible to receive school readiness services from other fund sources (Child Care and Development Block Grant funds and General Revenue). The Agency immediately stopped disbursing TANF funds for the RCMA contract and all previous fiscal years’ expenditures have been adjusted in the Agency’s accounting records to correctly reflect the appropriate funding sources for this contract – internal controls have been reviewed and modified to ensure that TANF funds are only disbursed for services provided to TANF eligible children in the future.

This budget amendment is necessary to realign budget between funding sources and the special appropriations categories “Grants and Aids/Partnership for School Readiness” and “Grants and Aids/Redlands Migrant-School Readiness” to properly reflect projected expenditures for the contract with the Redlands Christian Migrant Association and allow them to continue to serve the 2,600 migrant children each month.

Agency Request: This budget amendment requests the following transfer of budget authority within the School Readiness Services budget entity:

Grants and Aids/Partnership for School Readiness (103113)	
General Revenue	(\$1,612,408)
Child Care Development Block Grant Trust Fund	(\$2,084,935)
Welfare Transition Trust Fund	\$3,697,343
Grants and Aids/Redlands Migrant-School Readiness (103116)	
General Revenue	\$1,612,408
Child Care Development Block Grant Trust Fund	\$2,084,935
Welfare Transition Trust Fund	(\$3,697,343)

*Legislative Budget Commission Meeting
December 2, 2004*

Governor's Recommendation: Recommend approval to transfer \$1,612,408 in General Revenue Fund budget authority and \$2,084,935 in Child Care Development Block Grant Trust Fund budget authority from the Grants and Aids/Partnership for School Readiness special appropriation category to the Grants and Aids/Redlands Migrant-School Readiness special appropriation category, and then to transfer \$3,697,343 in the Welfare Transition Trust Fund (TANF funds) budget authority from the Grants and Aids/Redlands Migrant School Readiness special appropriation category to the Grants and Aids/Partnership for School Readiness special appropriation category.

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

Senate Committee: Transportation & Economic Development

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House Subcommittee: Transportation & Economic Development

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Line Item No.	Budget Entity / Fund / Appropriation Category Title LAS/PBS Account Number	CF	REQUESTED BY AGENCY	RECOMMENDED BY GOVERNOR	APPROVED BY THE LEGISLATIVE BUDGET COMMISSION
			Appropriation	Appropriation	Appropriation
AGENCY FOR WORKFORCE INNOVATION					
<u>School Readiness Services</u>					
General Revenue					
2122F	G/A- Partnership for School Readiness 75800100-103113-00-1000		(1,612,408)	(1,612,408)	
2122G	G/A - Redlands Migrant - School Readiness 75800100-103116-00-1000		1,612,408	1,612,408	
Child Care Development Block Grant Trust Fund					
2122F	G/A- Partnership for School Readiness 75800100-103113-00-2098		(2,084,935)	(2,084,935)	
2122G	G/A - Redlands Migrant - School Readiness 75800100-103116-00-2098		2,084,935	2,084,935	
Welfare Transition Trust Fund					
2122F	G/A- Partnership for School Readiness 75800100-103113-00-2401		3,697,343	3,697,343	
2122G	G/A - Redlands Migrant - School Readiness 75800100-103116-00-2401		(3,697,343)	(3,697,343)	

Department: Department of Children and Family Services

EOG Number: B2005-0274

Problem Statement: The Governor's Office submitted an application to the Federal Substance Abuse and Mental Health Services Administration (SAMHSA) for the Ecstasy and Club Drug Prevention Grant. SAMHSA is recommending that Florida receive \$1,461,780 to be awarded in five annual installments of \$292,356 beginning on September 30, 2004. The Governor's Office and the Department received receipt of the official award notice in September 2004.

The grant will be administered by the Department of Children and Families, enabling the state to provide ecstasy and club drug prevention services to a minimum of 300 young people annually (middle school, high school, young adults) in Northeast Florida beginning in state FY 2004-2005. Participants are expected to: 1) change their attitudes regarding the harmlessness of using ecstasy and club drugs; 2) increase knowledge about the physical and psychological effects of ecstasy and club drugs; 3) recognize the dangers of using ecstasy and club drugs; and 4) be able to distinguish between what is fact and what is fiction about ecstasy and club drugs.

The Department will contract with/for the following:

- Gateway Community Services and Stewart Marchman Center as the local providers of the proposed program. They will hire and monitor staff, provide the training, work with local schools and youth serving organizations to implement the training, work with the evaluator in collecting data, administering the Government Performance and Results Act (GPRA) and provide regular quality improvement.
- University of Florida McKnight Brain Institute to serve as content experts for any proposed changes or updates in the curricula.
- Steelbeach Productions to produce and make changes in the curricula.

Agency Request: Because the funding is for Federal Fiscal Year 2004, the federal Substance Abuse and Mental Health Service Administration must award grant funds by the end of September 2004. Awardees are expected to develop necessary administrative infrastructure and initiate direct service provision within 90-120 days following award of the grant. The department needs budget authority prior to January 2005 to develop and implement contracts, update materials and curriculum, and recruit, enroll, and serve interested program participants.

*Legislative Budget Commission Meeting
December 2, 2004*

The Department is requesting \$237,216 (\$240,302 less indirect costs of \$3,086) to fully utilize the federal allocations to enhance current programs in substance abuse prevention. Note that this request for budget authority is different from the budget categories shown on the Notice of Grant Award (NGA). This is necessary because the budget on the NGA reflects the provider's (Gateway Community Services) budget breakdown. The nature of this grant program requires that a local provider submit proposals through the state office. Gateway prepared the proposal, including the budget. Because this is the first year of this process, the issue of state budget categories was not considered in the proposal review and approval process. The need for a different allocation of the budget for state purposes as the grant recipient, as opposed to the provider's needs as a subcontractor, became evident in the preparation of this Budget Amendment Summary. We will be requesting an adjustment in the grant from SAMHSA to reflect the categories being requested through this process.

Governor's Recommendation: Recommend approval to transfer \$237,216 in budget authority in the Federal Grants Trust Fund for the Ecstasy and Club Drug Prevention Grant.

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

Senate Committee: Health and Human Services Appropriations

Senate Analyst: Ross Fabricant

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House Committee: Health Care Appropriations

House Analyst: Lynn Ekholm

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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
	LAS/PBS Account Number	CF	Appropriation	Appropriation	Appropriation
CHILDREN AND FAMILIES					
<u>Family Safety Program</u>					
Program Management and Compliance					
316	Federal Grants Trust Fund Other Personal Services 60910307-030000-00-2261		(55,290)	(55,290)	
<u>Substance Abuse Program</u>					
Adult Substance Abuse Prevention, Evaluation & Treatment Services					
388	Federal Grants Trust Fund G/A-Community Substance Abuse Services 60910603-100618-00-2261		(181,926)	(181,926)	
Program Management & Compliance					
377	Federal Grants Trust Fund Other Personal Services 60910601-030000-00-2261		25,500	25,500	
378	Expenses 60910601-040000-00-2261		3,500	3,500	
Child Substance Abuse Prevention, Evaluation & Treatment Services					
385	Federal Grants Trust Fund G/A-Child/Adol Substance Abuse Services 60910602-100420-00-2261		208,216	208,216	

Department: Department of Children and Family Services

EOG Number: B2005-0275

Problem Statement: The Governor's Office submitted an application to the Federal Substance Abuse and Mental Health Services Administration (SAMHSA) for the Strategic Prevention Framework State Incentive Grant. SAMHSA is recommending that Florida receive a total of \$11,754,825 to be awarded in five annual installments of \$2,350,965 beginning on September 30, 2004. The Governor's Office and the Department received the official award notice on September 30, 2004.

This grant will be administered by the Department of Children and Families, enabling the state to expand assessment data collection, strengthen the needs assessment processes at the state and local levels, and establish or strengthen community anti-drug coalitions in Florida's 67 counties. In Fiscal Year 2005-06, the Department will provide six evidence-based prevention services to an estimated 3,000 people. The project will implement strategies strengthening the state's efforts to achieve the prevention goals and objectives of the Florida Drug Control Strategy. In Fiscal Year 2004-05, the Department will contract with/for the following:

1. University of Miami, Department of Epidemiology and Public Health to:
 - establish and manage state and sub-state epidemiology workgroups
 - design and conduct the project evaluation
 - conduct the district Government Performance and Results Act (GPRA) assessment
 - provide evaluation support to the new provider projects in the target districts.

2. Florida State University, Florida Center for Prevention Research to:
 - assess coalition readiness within the targeted Florida Strategic Prevention Alliances districts
 - establish, monitor, and manage organizational strengthening projects in up to 67 counties
 - develop and provide technical assistance to the projects on the strategic prevention framework and organizational capacity.

Agency Request: Because the funding begins in federal fiscal year 2004, the Substance Abuse and Mental Health Service Administration must award grant funds by the end of September 2004 (close of the federal fiscal year). Awardees are expected to develop necessary administrative infrastructure within 90-120 days following award of the grant. The Department needs legislative authority prior to January 2005 to begin to develop and implement contracts, collect and assess epidemiological data, select target districts, and conduct competitive procurement processes for services to begin in 2005-06.

The Department is requesting \$341,500 of budget authority to enhance current substance abuse prevention programs.

Governor's Recommendation: Recommend approval to increase budget authority by \$341,500 in the Federal Grants Trust Fund for the Strategic Prevention Framework State Incentive Grant to provide start-up funding to establish the infrastructure and initial data gathering.

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

Senate Committee: Health and Human Services Appropriations

Senate Analyst: Ross Fabricant

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House Committee: Health Care Appropriations

House Analyst: Lynn Ekholm

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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
	LAS/PBS Account Number	CF	Appropriation	Appropriation	Appropriation
CHILDREN AND FAMILIES					
	Substance Abuse Program Program Management & Compliance				
	Federal Grants Trust Fund				
376	Salaries and Benefits				
	60910601-010000-00-2261		9,629	9,629	
377	Other Personal Services				
	60910601-030000-00-2261		48,871	48,871	
378	Expenses				
	60910601-040000-00-2261		20,000	20,000	
N/A	G/A-Contracted Services				
	60910601-100778-00-2261		263,000	263,000	

Department: Juvenile Justice

EOG Number: B2005-0305

Problem Statement Section 985.2155, Florida Statutes provides that the state and the counties have a joint obligation to contribute to the financial support of the detention care provided for juveniles. Due to ongoing litigation, payments from most counties have been delayed. This has caused a serious deficit in the Grants and Donations Trust Fund which is now the primary funding source for detention center operations. The department is expected to exhaust all available cash to operate the detention centers in early December. Absent intervention, the centers will be forced to shut down. This presents a potential risk to public safety since detention is generally used for more serious or repeat juvenile offenders.

Agency Request: The department requests the transfer of \$16,347,313 from General Revenue from the following department programs: (1) \$3,403,547 from Contracted Services in Aftercare Services/Conditional Release; (2) \$1,797,408 from Contracted Services in Juvenile Probation; (3) \$2,972,701 from Contracted Services in Non-Residential Delinquency Rehabilitation; (4) \$6,373,657 from Contracted Services in Non-secure Residential Commitment; and, (5) \$1,800,000 from Contracted Services in Secure Residential Commitment.

In addition, DJJ requests that \$16,347,313 from the Grants and Donation Trust Fund budget authority be placed in Executive Office of the Governor (EOG) reserve because there are insufficient receipts to support trust fund budget authority. Approval of this budget amendment will allow DJJ to continue to operate their detention centers through January 31, 2005.

Governor's Recommendation: Recommend approval to transfer \$16,347,313 in General Revenue funds to Detention Services from Probation and Community Corrections and Residential Corrections program areas to keep Detention Services operational through January 2005, and to place \$16,347,313 in Grants and Donations Trust Fund budget authority into reserve.

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

Senate Committee: Committee on Criminal Justice App.

Senate Analyst: Tim Sadberry

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House Subcommittee: Justice Appropriations Committee

House Analyst: Jim DeBeaugrine

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Line Item No.	Budget Entity / Fund / Appropriation Category Title LAS/PBS Account Number	CF	REQUESTED BY AGENCY		RECOMMENDED BY GOVERNOR		APPROVED BY THE LEGISLATIVE BUDGET COMMISSION	
			Appropriation	Reserve	Appropriation	Reserve	Appropriation	Reserve
JUVENILE JUSTICE								
	<u>Detention Centers</u>							
	General Revenue Fund							
1067	Salaries and Benefits 80400100-010000-00-1000		13,800,760		13,800,760			
1068	Other Personal Services 80400100-030000-00-1000		230,987		230,987			
1069	Expenses 80400100-040000-00-1000		2,315,566		2,315,566			
	Grants & Donations Trust Fund							
1067	Salaries and Benefits 80400100-010000-00-2339			13,800,760		13,800,760		
1068	Other Personal Services 80400100-030000-00-2339			230,987		230,987		
1069	Expenses 80400100-040000-00-2339			2,315,566		2,315,566		

Line Item No.	Budget Entity / Fund / Appropriation Category Title LAS/PBS Account Number	CF	REQUESTED BY AGENCY		RECOMMENDED BY GOVERNOR		APPROVED BY THE LEGISLATIVE BUDGET COMMISSION	
			Appropriation	Reserve	Appropriation	Reserve	Appropriation	Reserve
JUVENILE JUSTICE								
	<u>Aftercare Services-Conditional Release</u>							
	General Revenue							
1079E	G/A - Contracted Services 80700100-100778-00-1000		(3,403,547)		(3,403,547)			
	<u>Juvenile Probation</u>							
	General Revenue							
1079L	G/A - Contracted Services 80700200-100778-00-1000		(1,797,408)		(1,797,408)			
	<u>Non-Residential Delinquency Rehabilitation</u>							
	General Revenue							
1079Q	G/A - Contracted Services 80700300-100778-00-1000		(2,972,701)		(2,972,701)			
	<u>Non-Secure Residential Commitment</u>							
	General Revenue							
1127	G/A -Contracted Services 80800100-100778-00-1000		(6,373,657)		(6,373,657)			
	<u>Secure Residential Commitment</u>							
	General Revenue							
1138	G/A - Contracted Services 80800200-100778-00-1000		(1,800,000)		(1,800,000)			

Department: Juvenile Justice

EOG Number: B2005-0318

Problem Statement The 2002-03 General Appropriations Act (GAA) directed the Department of Juvenile (DJJ) to privatize a detention center through a competitively procured contract with a private vendor starting January 1, 2003. In response, DJJ privatized the Southwest Florida Detention Center. The 2002-03 GAA also directed the Executive Office of the Governor (EOG) to place the positions and salary rate in reserve at the time that the private vendor took over operations of the detention center. DJJ awarded the contract to Securicor New Century LLC for a two-year contract period. This provider recently notified DJJ that it would not be renewing its contract and would be terminating services effective December 31, 2004.

DJJ has been unable to secure a private sector vendor to replace Securicor New Century LLC and, therefore, are requesting to re-establish 46.0 FTEs and salary rate from EOG reserve. They are also requesting a transfer of \$390,513 in General Revenue Fund budget authority and \$815,240 in Grants and Donations Trust Fund budget authority from the Outsourced Detention Center Operations Category to Salaries and Benefits, Other Personal Services, Expenses, and Grants and Aids – Contracted Services appropriations categories in order to resume direct operations of the Southwest Florida Detention Center.

Agency Request: DJJ is requesting the transfer of budget authority in the Detention Centers budget entity from the General Revenue Fund of \$390,513 and from the Grants and Donations Trust Fund of \$815,240 in the Outsourced Detention Center Operations Category to Salaries and Benefits, Other Personal Services, Expenses, and Grants and Aids – Contracted Services Categories. Approval of this budget amendment will allow DJJ to continue to operate the Southwest Florida Detention Center.

Governor's Recommendation: Recommend approval to transfer \$390,513 in General Revenue Fund budget authority and \$815,240 in Grants and Donations Trust Fund budget authority from the Outsourced Detention Center Operations special category to operational categories and to release 46 positions from reserve and 1,226,050 of salary rate to continue the operations of the South West Florida Juvenile Detention Center because of the inability to secure a private sector vendor to operate the detention center.

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

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House Subcommittee: Justice Appropriations Committee
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Line Item No.	Budget Entity / Fund / Appropriation Category Title LAS/PBS Account Number	REQUESTED BY AGENCY		RECOMMENDED BY GOVERNOR		APPROVED BY THE LEGISLATIVE BUDGET COMMISSION	
		CF	Appropriation	Reserve	Appropriation	Reserve	Appropriation
JUVENILE JUSTICE							
	Detention Centers						
	General Revenue Fund						
1067	Salaries and Benefits 80400100-010000-00-1000		325,977		325,977		
	Positions and Rate						
	Positions	46.00	(46.00)	46.00	(46.00)		
	Salary Rate		1,226,050		1,226,050		
1068	Other Personal Services 80400100-030000-00-1000		11,794		11,794		
1069	Expenses 80400100-040000-00-1000		14,449		14,449		
1076	G/A - Contracted Services 80400100-100778-00-1000		38,293		38,293		
1073	Outsourced Detention Center Operations 80400100-100162-00-1000		(390,513)		(390,513)		
	Grants & Donations Trust Fund						
1067	Salaries and Benefits 80400100-010000-00-2339		680,509		680,509		

Line Item No.	Budget Entity / Fund / Appropriation Category Title LAS/PBS Account Number	CF	REQUESTED BY AGENCY		RECOMMENDED BY GOVERNOR		APPROVED BY THE LEGISLATIVE BUDGET COMMISSION	
			Appropriation	Reserve	Appropriation	Reserve	Appropriation	Reserve
JUVENILE JUSTICE								
	Grants & Donations Trust Fund (cont.)							
1068	Other Personal Services 80400100-030000-00-2339		24,621		24,621			
1069	Expenses 80400100-040000-00-2339		30,166		30,166			
1076	G/A - Contracted Services 80400100-100778-00-2339		79,944		79,944			
1073	Outsourced Detention Center Operations 80400100-100162-00-2339		(815,240)		(815,240)			