

Florida Department of Juvenile Justice



2010 Legislative & General Budget Report

June 2010

Governor Charlie Crist

Secretary Frank Peterman, Jr.

www.djj.state.fl.us



FLORIDA DEPARTMENT OF JUVENILE JUSTICE

Charlie Crist, Governor

Frank Peterman, Jr., Secretary

June 15, 2010

Dear DJJ Staff, Stakeholders, and Partners:

We are pleased to present the DJJ 2010 *Legislative and General Budget Report*. This executive summary details some of the legislation that has an effect on our youth and our agency operations, and it also provides an agency budget overview of the new fiscal year beginning July 1.

The 60-day Regular Session began on March 2 and concluded on April 30, with many months of committee weeks and hearings prior to the springtime. As we continue to grapple with the economic downturn and its effects on decreasing the state budget dollars available, I appreciate your assistance in ensuring our mission stays strong. Again this summer, we had a significant amount of additional work to do as it relates to the agency's budget reductions that impacted our workforce. Our standing Workforce Transition Plan outlines our commitment to place those employees elsewhere within DJJ or at other workplaces – I want to thank all involved in that effort, both at headquarters and in the field, for working together to successfully address those challenges.

Thank you for your efforts, your advocacy, and the constant support of our youth.

Sincerely,

Frank Peterman, Jr.

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The mission of the Department of Juvenile Justice is to increase public safety by reducing juvenile delinquency through effective prevention, intervention, and treatment services that strengthen families and turn around the lives of troubled youth.

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2010 Legislation

Throughout the legislative process, DJJ reviews every single bill filed to determine possible impact to the agency. There can be nearly 2,000 bills in one Session. Bills determined to have some level of impact to DJJ are tagged and put into categories. The resulting volume for 2010 was as follows:

Priority Bills (4)	Legal (14)	Education (43)
Major Impact (24)	Minimal Impact (51)	Health Services (13)
Budget (21)	Personnel, Finance & Accounting, and Info Technology (196)	

The agency's registered lobbyists and their designated point persons attended more than 100 committee meetings within a six-month time period (including the 60-day Regular Session in March and April) to monitor and work on these bills. Not all of the bills tagged above are included in this report. All four of DJJ's agency priority bills moved successfully through the entire committee process for floor action. The four agency bills had a total of 20 hearings in the committees & councils process. Each priority bill is detailed in this report. One additional priority bill did not secure legislative sponsors due to its considerable fiscal impact. The five in sum reflect an unprecedented number of bills for the agency.

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DJJ Priority Legislation from the 2010 Session

SB 1012 – Rulemaking Authority

Sponsors: Senator Dennis Jones and Representative Luis Garcia

This bill amends Chapter 985 to provide DJJ with authority to promulgate administrative rules governing the procedure by which youth in the juvenile justice continuum are provided vital treatment services. Specifically, the bill:

1. Defines “ordinary medical care” to include routine medical procedures which are administered or performed on a routine basis including:
 - a. inoculations;
 - b. physical examinations;
 - c. remedial treatment for minor illnesses and injuries;
 - d. preventive services;
 - e. medication management;
 - f. chronic disease detection and treatment;
 - g. other medical procedures that do not involve hospitalization, surgery, the use of general anesthesia; or
 - h. the provision of psychotropic medication (amendment adopted at the request of DCF).
2. Requires DJJ to promulgate rules to address:
 - a. ordinary medical care;
 - b. mental health services;
 - c. substance abuse treatment services; and
 - d. services to youth with developmental disabilities.
3. Requires DJJ to coordinate its rulemaking with the Department of Children and Families and the Agency for Persons with Disabilities.

The bill will make it possible to formally promulgate DJJ’s current policy. These policies currently exist as unpromulgated manuals.

This bill was signed into law on May 27, 2010 (Ch. 2010-123, L.O.F.). The effective date of this bill is July 1, 2010.

SB 1072 / HB 7181 – Juvenile Justice Reform

Sponsors: Senator Stephen Wise; House Public Safety and Domestic Security Committee with Representative Kevin Ambler and Representative Will Snyder

This bill would have implemented the recommendations set forth in the Blueprint Commission report from 2008. Specifically, the bill as proposed:

1. Formalizes services to youth by authorizing the Mothers and Infants Residential Program, which will keep young mothers with their babies while allowing them to fulfill juvenile justice Residential commitment requirements.
2. Encourages law enforcement agencies, school districts, counties, municipalities and DJJ to divert children 9 years old and under and first-time misdemeanor offenders to pre-arrest and post-arrest diversion programs to avoid deeper involvement in the juvenile justice system.
3. Increases awareness and support for victims through restorative justice practices so that a youth offender is able to understand the harm he/she caused.

4. Adds two appointed members to the Detention Risk Assessment Instrument (DRAI) Committee. The DRAI is the scoring mechanism used to determine whether a youth will be placed in a secure detention pending his or her appearance before a judge.
5. Creates grounds for diverting youth who have a history of being victims of abuse or neglect, or domestic violence, from being placed in secure detention when charged with misdemeanor domestic violence. The child would be placed in a CINS/FINS shelter instead of secure detention.
6. Clarifies existing statute that youth who perform court-ordered community service are covered under state agency liability provisions.
7. Streamlines the reporting date for all of DJJ's statutorily required program reports*. The bill requires DJJ to combine three reports into one comprehensive report and provides for a due date of January 15. The Comprehensive Accountability Report (CAR) includes:
 - a. Program Accountability Measures (PAM) – a cost-effectiveness report for residential commitment programs.
 - b. Outcome Evaluation (OE) – a report on program outputs and outcomes.
 - c. Quality Assurance (QA) – a report evaluating the internal processes in programs to determine the level of performance and the quality of the services being provided.

* This item is not a Blueprint Commission recommendation but is ideal to support the same staff who work on these reports and the agency's strategic plan, which includes Blueprint recommendations.

SB 1072 was unanimously passed on the Senate floor. HB 7181 was unanimously passed on the House floor with amendments. The Senate refused to take up the bill again with the amendments.

SB 1006 / HB 833 – Repealing Outdated Agency Reports
Sponsors: Senator Dennis Jones and Representative Perry Thurston, Jr.

This bill would have made several technical changes to chapter 985. Specifically, the bill:

1. Repeals the Serious Habitual Offender Program Report – which details the performance of the serious habitual offender program. This data already is contained in DJJ's annual Comprehensive Accountability Report.
2. Repeals the Intensive Residential Treatment Report – which details the performance of the intensive residential treatment program. This data already is contained in DJJ's annual Comprehensive Accountability Report
3. Repeals the Literacy Program Report – this information already is included in a Dept. of Education mandated report for each facility with juvenile offenders.
4. Repeals a provision for some staff in the DJJ Inspector General's Office to be certified law enforcement officers. DJJ's Office of the Inspector General has no sworn law enforcement on staff.

SB 1006 was unanimously passed on the Senate floor. HB 833 was not scheduled to be heard on the House floor.

SB 1356 / HB 627 – Transitional Services for Youth
Sponsors: Senator Stephen Wise and Representative Ari Porth

This bill would have amended sections 985.03, 984.05 and 985.721, Florida Statutes, and created section 985.626, Florida Statutes. Specifically, the bill:

1. Provides definition for Transition to Adulthood Services:
 - a. services and support for the youth in custody of or under the supervision of DJJ; and
 - b. objective the acquisition of knowledge, skills and aptitudes that are essential to pro-social, self-supporting adult life.
2. Allows DJJ to:
 - a. provide opportunities to participate in adult transition service to older children and young adults;
 - b. coordinate adult transition services with similar services offered by the Department of Children and Families; and
 - c. create an assessment and adult transition plan.
3. Provides legislative intent for:
 - a. services to be provided to youth who have reached 17 years of age, but are not yet 19 years of age, as long as he or she is not a danger to public safety; and
 - b. services focused on transition to adulthood must be part of an overall plan leading to the total independence from DJJ's supervision.

Senate Bill 1356 was unanimously passed on the Senate floor. House Bill 627 was not scheduled to be heard on the House floor.

*Shared County and State Responsibility for Juvenile Detention
(No legislative sponsors due to fiscal impacts.)*

This bill would have amended section 985.686, Florida Statutes, to clarify the responsibilities for the cost of juvenile detention. Specifically, the bill:

1. Provides definitions for:
 - a. pre-commitment – means the period of secure detention utilization prior to and including the date a juvenile is committed to the care and custody of the department for residential placement;
 - b. service day – means any day or portion of a day spent by a youth in secure detention; and
 - c. utilization – means a summary of service days.
2. Requires DJJ to determine the utilization for:
 - a. pre-commitment;
 - b. after commitment to the Department; and
 - c. pre-commitment, but where a juvenile's address is either unknown or out-of-state.
3. Clarifies that the state pays detention costs for youth after they are committed to DJJ and that counties pay costs for youth prior to DJJ commitment.

The bill would have required DJJ to provide the Legislature with annual figures on the number of pre-commitment days youth spent in juvenile detention for each county, and to submit the pre-commitment and commitment utilization percentages to the appropriation committees as part of the agency's annual Legislative Budget Request.

Also, the bill encouraged counties to collaborate with DJJ on local issues affecting juvenile detention by formally inviting their participation on local detention advisory boards.

Substantive Legislation Passed in the 2010 Session

CS/HB 7069 – Background Screening

Sponsors: House Criminal & Civil Justice Policy Council; and Representatives William Snyder and Ari Porth (with Senator Ronda Storms)

The Background Screening Bill was a priority of Governor Crist. This bill will impact the following agencies:

- Department of Juvenile Justice
- Department of Law Enforcement
- Department of Elder Affairs
- Department of Children and Families
- Department of Health
- Agency for Persons with Disabilities
- Agency for Health Care Administration

DJJ's handling of background screening already is advanced to the degree and requirements of this bill. DJJ will have minor changes to comply with the new provisions created.

CS/HB 7069 substantially rewrites requirements and procedures for background screening of the persons and businesses that deal primarily with vulnerable populations. Key changes in the law that will impact DJJ:

- "Provide that an exemption for a disqualifying felony may not be granted until at least three years after the completion of all sentencing sanctions for that felony." *Currently, the law states that exemptions may not be granted until seven years from the disposition date. Once the new three-year guideline is imposed, applicants who were waiting for the seven years to expire will most likely re-submit for an exemption. Therefore, we anticipate a nominal increase in exemption requests.*
- "Require that all exemptions from disqualification be granted only by the agency head." *Currently, there are three phases to DJJ's exemption process. They are as follows:*
 1. *The desk review process – the Inspector General (IG) reviews documents related to the request and either grants or denies the exemption. If the IG denies the exemption, the applicant can request an informal hearing.*
 2. *The informal hearing process – the Hearing Officer from the General Counsel's Office conducts a hearing in person or via telephone with the applicant and based on the evidence presented, either grants or denies the exemption. If the Hearing Officer denies the exemption, the applicant can request a formal hearing.*
 3. *The formal hearing process – an administrative judge at the Department of Administrative Hearings (DOAH) makes a recommendation to DJJ as to whether to grant or deny the exemption. The Secretary can either concur with DOAH's recommendation or not concur with the recommendation.*

Existing persons working with vulnerable populations are not required to be rescreened until such time they are otherwise required to be rescreened by existing law.

This bill was signed into law on May 26, 2010 (Ch. 2010-114, L.O.F.). The effective date of this bill is August 1, 2010.

CS/CS/HB 119 – Sexual Offenders & Predators

Sponsors: House Military & Local Affairs Policy Committee; House Public Safety & Domestic Security Policy Committee; and Representative Rich Glorioso (with Senator Dave Aronberg)

CS/CS/HB 119 creates restrictions, for a person convicted of an offense listed in the sexual offender statute where the victim was under the age of 18, as follows:

- The bill makes it a first degree misdemeanor if a person convicted of such an offense commits loitering or prowling within 300 feet of a place where children were congregating;
- The bill makes it a first degree misdemeanor for a person convicted of such an offense to knowingly approach, contact or communicate with a child under 18 years of age in any public park building or on real property comprising any public park or playground with intent to engage in conduct of a sexual nature or to make a communication containing content of a sexual nature;
- The bill also makes it a first degree misdemeanor for a person convicted of such an offense to:
 - Knowingly be present in any child care facility or pre-K-12 school or on real property comprising any child care facility or pre-K-12 school when the child care facility or school is in operation unless the offender has provided written notification of his or her intent to be present to the school board, superintendent, principal or child care facility owner;
 - Fail to notify the child care facility owner or the school principal's office when he or she arrives and departs the child care facility or school; or
 - Fail to remain under the direct supervision of a school official or designated chaperone when present in the vicinity of children.

CS/CS/HB 119 adds a definition of the term “transient residence” to the sexual predator and sexual offender registration statutes and requires an offender to provide information regarding his or her transient residence during the registration process.

The bill specifies that an offender may not be forced to move if he or she is living in a residence that complies with the statutory sex offender residency restrictions and a child care facility, park, playground or school is subsequently established within 1,000 feet of the offender's residence.

The bill specifies that a person convicted of s. 827.071, F.S. (sexual performance by a child), may be considered for removal of the requirement to register as a sexual offender or sexual predator if the person was no more than four years older than the victim and the victim was at least 14 years of age.

The bill prohibits offenders on supervision for specified sexual offenses from visiting schools, child care facilities, parks and playgrounds without prior approval of the offender's supervising officer.

The bill also prohibits such offenders from distributing candy to children on Halloween, wearing specified costumes, or entertaining at children's parties without prior approval of the sentencing authority.

This bill was signed into law on May 17, 2010 (Ch. 2010-92, L.O.F.). The effective date of this bill is upon becoming law.

CS/CS/SB 1058 – Cooperation between Schools & Juvenile Authorities
Sponsors: Senate Education Pre-K – 12 Committee; Senate Criminal Justice Committee;
and Senator Dave Aronberg (with Representative Darren Soto)

Florida law requires that a state attorney, when charging a child with a felony or a delinquent act that would be a felony if committed by an adult, to notify the superintendent of the school district where the child attends school that such charges have been filed. The superintendent must notify the appropriate school personnel, including the child's school principal, within 48 hours. In turn, the principal must immediately notify the child's classroom teachers. The bill adds requirements for the superintendent to notify the school district director of transportation and for the principal to notify the child's assigned bus driver and any other school personnel whose duties include direct supervision of the child. Additionally, the bill adds a requirement that the superintendent notify the school personnel whose duties include direct supervision of the child of the disposition of the charges against the child.

The Family Educational Rights Privacy Act of 1974 prohibits educational agencies and institutions that receive federal education funds from disclosing a student's education records without the consent of the student or the student's parent, with several exceptions. One such exception allows educational agencies and institutions to disclose a student's education records without prior consent if so authorized by a state statute that concerns the juvenile justice system and the system's ability to effectively serve the student before adjudication. Legislation enacted in 2009 inadvertently removed these provisions from the Florida Statutes. The bill re-establishes the authorization for an educational agency, public K-12 school, center, or institution, as well as the Florida School for the Deaf and the Blind and the Florida Virtual School, to disclose student education records, without prior consent, to parties in an interagency agreement among DJJ, the school, law enforcement authorities, and other signatory agencies. The purpose of such an agreement and information sharing is to reduce juvenile crime, truancy, in-school and out-of-school suspensions, and expulsions.

This bill was signed into law on June 3, 2010 (Ch. 2010-192, L.O.F.). The effective date of this bill is July 1, 2010.

HB 7035 – Criminal Justice
Sponsors: House Criminal & Civil Justice Policy Council and Representative Doug Holder
(with Senator Paula Dockery)

The bill repeals obsolete and expired criminal justice statutes and corrects cross-references. The bill repeals the following statutes:

- Section 30.11, F.S., which required a sheriff to live in the county seat or within two miles of the county seat;
- Section 944.293, F.S., an outdated restoration of civil rights provision that is now done automatically;
- Section 957.125, F.S., which authorized the Correctional Privatization Commission to contract for the building and operating of three youthful offender facilities. The Correctional Privatization Commission was eliminated in 2004. These facilities are currently operated and maintained by the Department of Corrections;
- Section 985.4891, F.S., which authorized local law enforcement agencies to establish and operate a Sheriff's Training and Respect program; and
- Section 948.034, F.S., to remove references to Community Residential Drug Punishment Centers. These centers do not exist.

The bill removes the definition of “Criminal Quarantine Community Control” in s. 948.001, F.S. This type of supervision was established in 1993 as a sentencing disposition for offenders sentenced for criminal transmission of HIV. Since this type of supervision was enacted, no offender has been sentenced to criminal quarantine community control.

This bill was signed into law on May 26, 2010 (Ch. 2010-113, L.O.F.). The effective date of this bill is July 1, 2010.

HB 7131 – Criminal Justice

Sponsors: House Public Safety & Domestic Security Policy Committee and Representative Kevin Ambler (with Senator Paula Dockery)

HB 7131 amends various sections of statute that relate to criminal laws. The bill deletes expired or obsolete statutory language, corrects cross-references and grammatical or typographical errors, removes inconsistencies and redundancies from the statutes, improves the clarity of the statutes and facilitates their correct interpretation, and confirms the restoration of provisions unintentionally omitted from republication in the acts of the Legislature during the amendatory process.

The bill amends, repeals, or reenacts the sections of the Florida Statutes, including sections 985.486, 985.632, and 985.686, F.S.

This bill was signed into law on May 27, 2010 (Ch. 2010-117, L.O.F.). The effective date of this bill is July 1, 2010.

Administrative Legislation Passed in the 2010 Session

SB 1412 – Obsolete or Outdated Agency Plans/Reports/Programs

Sponsor: Senator Mike Haridopolos

SB 1412 repeals a provision that had established the Florida Commission on Interstate Cooperation; repeals a provision relating to the Florida State Commission on Hispanic Affairs; revises reporting requirements of the Citizen's Assistance Office; repeals a provision relating to the Florida Commission on African-American Affairs; deletes an obsolete provision requiring creation of advisory committees on international and small business issues, etc.

This bill was signed into law on May 26, 2010 (Ch. 2010-102, L.O.F.). The effective date of this bill is upon becoming law.

SB 2386 – State Financial Matters

Sponsor: Senator JD Alexander

The bill revises statutory provisions related to competitive solicitation processes, coordination of contracted services, contract management and oversight, and collections of delinquent accounts.

The bill also revises provisions relating to identification and collection of delinquent accounts. It sets a time certain of 120 days for agencies to report delinquent accounts to the Department of Financial Services for collection. The bill requires:

- All agencies to submit an annual report detailing delinquent accounts that were referred for collection, those that were not referred for collection, and a list of all accounts that were waived or written off for any reason. These reports will be submitted to the President of the Senate, the Speaker of the House, and the Chief Financial Officer on October 1 of each year; and
- The Chief Financial Officer (CFO) to submit an annual report that includes the amount of claims referred for collection, the number of accounts by age and amount, a listing of agencies that failed to report known delinquent accounts in a timely manner, and the total amount of claims collected. This report will be submitted to the Governor, the President of the Senate, and the Speaker of the House on December 1 of each year.

The bill revises provisions specific to procurement. It increases threshold amounts based upon the consumer price index from 1999 forward and then rounding to the nearest \$5,000 amount. The bill also revises current exemptions to the competitive solicitation process. It retains statutory requirements for business cases for outsourcing projects more than \$10 million and requires those business cases to go through the Legislative budget request process.

The bill requires state agencies to provide specific information to the Department of Financial Services when an agency elects not to use the competitive solicitation process to award a contract for commodities or services. It also directs the CFO's office to provide contract training to agencies in order to ensure better monitoring and documentation of contractor performance.

The bill increases contractual requirements relating to protection of state interests regarding intellectual property. State purchasing agreements and state term contracts must include provisions that:

- define the scope of work that a contractor must perform;

- identify quantifiable, measurable and verifiable units of deliverables and require those deliverables to be accepted in writing prior to payment;
- specify the financial consequences for contractor noncompliance; and
- specify the ownership rights of any intellectual property related to the contract.

The bill updates and expands conflict of interest provisions.

The bill requires coordination of contract management for health and human services between agencies and their contracted service providers.

State agencies are directed to review and renegotiate current contract renewals and reprocurments in an effort to realize savings of at least three percent. If savings are found, then those savings must be placed in reserve by the Executive Office of the Governor. In addition, agencies are directed to enforce any preferred-pricing clause in state contracts. Agencies may terminate a contract for failure to comply with the preferred-pricing clause.

The bill revises provisions specific to payment of services by:

- directing all agencies and the judicial branch to use electronic payment disbursements and receipts for all state payments where possible; and
- authorizing the CFO and agencies to adopt rules requiring electronic funds transfers for payment of services and goods and by requiring that those rules provide alternate means for payment to accommodate persons with certain hardships.

The bill repeals the Council on Efficient Government, a statutorily created advisory body, charged with reviewing business plans for outsourcing. Five FTEs and \$311,915 in salaries and benefits from General Revenue are appropriated to the Department of Financial Services in order to carry out the provisions of this act.

This bill was signed into law on May 28, 2010 (Ch. 2010-151, L.O.F.). The effective date of this bill is July 1, 2010.

HB 1307 – State Financial Matters
Sponsors: Representative Robert Schenck (Senator Jeremy Ring)

This Legislation provides for excess account balances in Public Employee Optional Retirement Program when employee transfers to defined benefit program; establishes forfeiture account in Public Employee Retirement Program Trust Fund; revises contribution rates for employers participating in Florida Retirement System; provides reporting requirements for state board; and authorizes moneys available for investment by state board to be invested in specified manner.

This bill was signed into law on June 1, 2010 (Ch. 2010-180, L.O.F.). The effective date of this bill is July 1, 2010, except as otherwise provided.

SB 2020 – Information Technology
Sponsors: Senate Policy and Steering Committee on Ways and Means
and Senator JD Alexander

The bill amends s. 14.204, F.S., to expand the role of the Agency for Information Technology (AEIT) in purchases for information technology (IT) products, including software and hardware, used by multiple agencies to better leverage the state's purchasing power. The AEIT also is provided additional authority to establish IT standards for statewide email, information technology, and the data center system.

The bill amends s. 282.34, F.S., to establish a competitive solicitation process for procuring a statewide consolidated email service through the joint effort of the AEIT and the Southwood Shared Resource Center (SSRC). The goal is to centralize statewide email services, where practical, at one location to generate cost savings and efficiencies. The Southwood Shared Resource Center shall issue the competitive solicitation by August 31, 2010, with vendor responses required by October 15, 2010.

The bill amends s. 282.203, F.S., to require the state primary data centers – including the Northwood Shared Resource Center, and the Southwood Shared Resource Center – to report more detailed cost and financial information twice a year, as well as projected costs and billings for Legislative Budget Request issues. The Boards of Trustees for the primary data centers are required to develop and implement an annual performance evaluation process for their respective data center directors.

The bill amends s. 282.703, F.S., to require the Department of Management Services to mandate standards for telecommunications; require the Department maintain a directory of the names, numbers and email addresses for employees, agencies and network services utilizing SUNCOM services; and to require all customers of a state primary data center to use the shared SUNCOM telecommunications services.

This bill was signed into law on May 28, 2010 (Ch. 2010-148, L.O.F.). The effective date of this bill is upon becoming law.

2010 Budget Overview

Summary: For Fiscal Year 2010-11, there is a total \$16.1 million funding decrease from FY 2009-10, which is a 2.6% overall decrease.

Budget Comparison Year-over-Year

	<u>FY 2009-10</u>		<u>FY 2010-11</u>		<u>% Change</u>	
	<u>FTE's</u>	<u>Budget</u>	<u>FTE's</u>	<u>Budget</u>	<u>FTE</u>	<u>Budget</u>
Juvenile Detention Program						
Detention Centers	2,103.5	\$133,400,954	2,042.5	\$130,553,915	(2.9%)	(2.1%)
Probation and Community Corrections Program						
Aftercare	24.0	\$ 28,183,064	24.0	\$ 28,193,918	0.0%	0.0%
Juvenile Probation	1,406.5	\$ 98,823,632	1,384.5	\$ 96,909,957	(1.6%)	(1.9%)
Non-Res Delinquency	-0-	\$ 18,865,414	-0-	\$ 18,677,327		(1.0%)
Executive Direction						
(Offices of the Secretary, Chief of Staff, Deputy Secretary, General Counsel & Contracts, Inspector General, Health Services, Administration, Budget, Finance & Accounting, Management Information Systems, General Services, Personnel, Program Accountability, Communications, Legislative & External Affairs, Education, Staff Development & Training, etc.)						
Executive Direction	228.5	\$ 21,203,106	226.5	\$ 20,829,767	(1.0%)	(1.8%)
Information Tech	62.5	\$ 6,394,734	59.5	\$ 6,195,142	(4.8%)	(3.1%)
Residential Corrections Program						
Non-Secure	291.0	\$143,049,142	291.0	\$135,012,966	0.0%	(5.6%)
Secure	723.0	\$110,574,329	715.0	\$106,917,178	(1.1%)	(3.3%)
Prevention and Victim Services						
Prevention	17.0	\$ 58,702,235	17.0	\$ 59,840,991	0.0%	1.9%
TOTAL – DJJ	4,856.0	\$619,196,610	4,760.0	\$603,131,161	(2.0%)	(2.6%)

Highlights of the Budget

GR – General Revenue TF – Trust Fund

Reductions:

- **\$3.4 million (GR)** reduction to high and maximum risk bed capacity. This represents a loss of approximately 67 beds.
- **\$7.8 million (GR)** reduction to low and moderate risk bed capacity. This represents a loss of approximately 220 beds.
- **\$2.5 million (TF)** to eliminate 61.0 positions from the Shared County/State Juvenile Detention Trust Fund
- **\$1.0 million (GR)** to eliminate 24.0 vacant positions in Juvenile Probation (16.0) and Secure Residential (8.0)
- **\$359,815 (GR)** to eliminate the remaining 6.0 Youth Custody Officer positions in Juvenile Probation
- **\$69,713 (GR)** to eliminate 2.0 vacant positions in Executive Direction budget entity
- **\$175,930 (GR)** reduction to Information Technology for consolidation of services and the transfer of 3.0 positions to the primary data center
- **\$106,000 (GR)** reduction to travel expenses in Executive Direction
- **\$151,705 (GR)** reduction for wireless services in all program areas
- **\$188,087 (GR)** reduction for intensive community based intervention and supervision services
- **\$99,750 (GR)** reduction for leased space in program areas
- **\$322,518 (GR)** reduction for comprehensive evaluations
- **\$265,824 (GR)** reduction for intake and screening services in Juvenile Probation

Enhancements:

- **\$5.6 million (GR)** provided for fiscally constrained counties share for secure detention costs (includes 29 counties)
- **\$1.6 million (GR)** provided for additional Redirection services/slots
- **\$1 million (GR)** provided for low volume Juvenile Assessment Centers located in Leon, Marion, Pasco, and Polk counties

Additions to Agency Budget not requested by DJJ and added in the final days of Session:

- ~~**\$650,000 (GR)** provided for the Girls Advocacy Project in Miami-Dade County (Vetoed by Governor)~~
- ~~**\$370,000 (GR)** provided for Troy Academy in Miami-Dade. (Vetoed by Governor)~~
- **\$1 million (GR)** provided to develop a pilot program to provide youth jobs in Pinellas, Hillsborough, Manatee, and Sarasota counties.
- ~~**\$175,000 (GR)** provided for initial planning and design for the Palm Beach Detention Center and JAC. (Vetoed by Governor)~~

Workforce Transition:

- DJJ was cut a total of 96 full-time employee (FTE) positions in the FY 2010-11 budget. Some of these positions are vacant. The agency's workforce transition plan is in full force and effect, and has been successful.

Technical Issues:

- **\$1.0 million (TF)** unfunded trust authority with no revenue source reduced from Juvenile Probation and IT budget.

New Proviso:

(Proviso language taken directly from the 2010-11 General Appropriations Act)

- “By September 1, 2010, the DJJ shall execute a service level agreement, pursuant to section 282.203(1)(g), Florida Statutes, to specify the services and levels of services it is to receive from the Northwood Shared Resource Center (NSRC). If DJJ is unable to complete and execute a service level agreement by that date, DJJ shall submit a report to the Executive Office of the Governor and to the chairs of the Full Appropriations Council on General Government & Health Care and Senate Policy and Steering Committee on Ways and Means within five working days, explaining the specific issues preventing execution and describing DJJ's plan and schedule for resolving those issues.”

“Beginning July 1, 2010, DJJ shall have one trustee with one vote on the NSRC Board of Trustees during Fiscal Year 2010-2011.” (DJJ MIS Director Dave Kallenborn)

- **Line Item 1118-1126** – “From the funds in Specific Appropriation 1118 through 1126, DJJ may contract for services consistent with the DJJ's Juvenile Detention Alternative Initiative (JDAI) and the Annie E. Casey Foundation to divert youth from secure detention to alternative community based services. These services should be designed using in-home and community advocacy to reduce the need for more expensive restrictive placements, build community capacity to reduce recidivism, create supported work opportunities for youth, and improve community safety.”
- **Line Item 1122** – “From the funds in Specific Appropriation 1122, DJJ, no earlier than May 15, 2011, shall remit payment for any outstanding food service invoices for services provided after July 1, 2001. The monetary amount of any such payments must be consistent with the amount set forth in the settlement agreement between the DJJ, DMS, the DFS, Compass Group USA, Inc., and Trinity Services Group, Inc., and must be made from DJJ's excess food products appropriation category from funds that would otherwise revert pursuant to section 216.301, Florida Statutes. The payment of any outstanding food service invoices shall not diminish the quality or quantity of any meals currently being served by DJJ or private provider.”
- **Line Item 1141** – “From the funds in Specific Appropriation 1141, the DJJ shall transfer up to \$2,000,000 from the General Revenue Fund to the Agency for Health Care Administration to provide Medicaid coverage for children eligible for specialized mental health services.”
- **Line Item 1166-1188** – “From the funds in Specific Appropriations 1166 through 1188, for determining the most appropriate bed reductions in each level of residential commitments, DJJ may consider those residential commitment programs, if necessary, which have scored below 72 on the overall program score represented in the Comprehensive Accountability Report. DJJ may also consider programs that are underutilized, those that provide services for which there is a less critical need and other relevant performance measures in determining which level of residential beds should be reduced. Should reductions involve state-operated

programs, DJJ is authorized to submit a budget amendment in accordance with all applicable provisions of Chapter 216, Florida Statutes, to transfer positions and funds as necessary to accomplish the reduction of beds. DJJ shall apply identical criteria in determining whether bed reductions come from contracted or state-operated beds.”

- **Line Item 1177-1187** – “From the funds in Specific Appropriations 1177 through 1187, the Community Advisory Board at the Dozier School for Boys, as established under section 63E-7(11)(a) Florida Administrative Code, with the participation of the Guardian Ad Litem Program in the 14th Judicial Circuit, shall prepare an annual report to the Legislature to be submitted to the Governor, President of the Senate and the Speaker of the House of Representatives by February 1, 2011. The report shall include a summary of all monitoring activities conducted during the review period including the type and scope of each activity, the findings related to each activity, and action taken to correct any deficiencies. The report shall also include a summary of outcomes related to specific performance indicators, as well as an overview of plans, activities and outcomes related to specific program goals and objectives.”

Proviso Added in Agency Budget not requested by DJJ and added in the final days of Session:

- ~~**Line Item 1123** – “From the funds in Specific Appropriation 1123, \$650,000 of nonrecurring general revenue is provided for the Girls Advocacy Project (GAP) in Miami Dade.” (Vetoed by Governor)~~
- ~~**Line Item 1132** – “From the funds in Specific Appropriation 1132, \$370,000 in nonrecurring general revenue is provided for the Troy Academy in Miami Dade.” (Vetoed by Governor)~~
- **Line Item 1195** – “From the funds in Specific Appropriation 1195, \$1,000,000 from nonrecurring general revenue is provided to develop a pilot program to provide jobs to at-risk youth. The DJJ shall contract with non-profit or faith-based organizations that have experience in providing services to at-risk youth and community involvement in the counties of Pinellas, Hillsborough, Manatee and Sarasota.”

Implementing Bill:

Section 4: In order to fulfill legislative intent regarding the use of funds contained in Specific Appropriations 639, 651, 663, and 1188 of the 2010-2011 General Appropriations Act, the Department of Corrections and DJJ may expend appropriated funds to assist in defraying the costs of impacts that are incurred by a municipality or county and that are associated with opening or operating a facility under the authority of DJJ. The amount paid for any facility may not exceed 1 percent of the cost to construct the facility, less building impact fees imposed by the municipality or county. This section expires July 1, 2011.

Section 11: (1) In order to implement Specific Appropriations 1119, 1120, 1125, 1126, 1167, 1168, 1172, 1173, 372 1175, 1178, 1179, 1182 through 1185, 1194, and 1199 of the 2010- 2011 General Appropriations Act, DJJ must comply with the following reimbursement limitations:

- (a) No payment to a hospital or a health care provider may exceed 110 percent of the Medicare allowable rate for any health care services provided if no contract exists between DJJ and either the hospital or the health care provider providing services at a hospital;
- (b) DJJ may continue to make payments for health care services at the currently contracted rates through the current term of the contract if a contract has been executed between DJJ and a hospital or a health care provider providing services to a hospital; however, no payments may exceed 110 percent of the Medicare allowable rate after the current term of the contract expires or after the contract is renewed during the 2010-2011 fiscal year;

- (c) Payments may not exceed 110 percent of the Medicare allowable rate under a contract executed on or after July 1, 2010, between DJJ and a hospital or health care provider providing services at a hospital;
 - (d) Notwithstanding the limitations of paragraphs (a), (b), and (c), DJJ may pay up to 125 percent of the Medicare allowable rate for health care services at a hospital that reports or has reported a negative operating margin for the previous fiscal year to the Agency for Health Care Administration through hospital-audited financial data; and
 - (e) DJJ may not execute a contract for health care services at hospitals for rates other than rates based on a percentage of the Medicare allowable rate.
- (2) For purposes of this section, the term “hospital” means any hospital licensed under chapter 395, Florida Statutes.
- (3) This section expires July 1, 2011.