

# CHAPTER 2000-371

## House Bill No. 2377

An act relating to the state budgetary process; revising procedures used in submitting and reviewing requests for state funds; amending s. 216.011, F.S.; revising, deleting, and adding definitions; creating s. 216.013, F.S.; requiring agencies to submit long-range program plans; amending s. 216.015, F.S.; revising legislative findings; amending s. 216.0152, F.S.; changing the date for publishing a certain report; amending s. 216.0158, F.S.; revising procedures for determination of facility needs; amending s. 216.016, F.S.; requiring additional information in the Governor's recommended budget; amending s. 216.023, F.S.; prescribing procedures for submitting agency budget requests to the Legislature; amending s. 216.031, F.S.; revising procedures relating to legislative budget requests; amending s. 216.044, F.S.; revising procedures relating to budget evaluation by the Department of Management Services; amending s. 216.0446, F.S.; revising procedures relating to review of information resources management needs; amending s. 216.052, F.S.; providing procedure for submitting community budget requests; amending s. 216.081, F.S.; revising the schedule for submission of data relating to the judicial and legislative branches; amending s. 216.131, F.S.; revising procedures relating to public hearings; amending s. 216.133, F.S.; revising, deleting, and adding definitions; amending s. 216.134, F.S.; revising procedures to be used by estimating conferences; amending s. 216.136, F.S.; revising duties of the Economic Estimating Conference; abolishing the Transportation Estimating Conference; creating the Self-Insurance Estimating Conference and the Florida Retirement System Actuarial Assumption Conference; amending s. 216.141, F.S.; revising provisions relating to the planning and budgeting system; amending s. 216.162, F.S.; revising procedures relating to furnishing legislators with copies of the Governor's recommended budget; amending s. 216.163, F.S.; revising provisions relating to form and content of the Governor's recommended budget; amending s. 216.177, F.S.; revising provisions relating to appropriation act statements of intent and to required notices of budgetary action; amending s. 216.178, F.S.; requiring additional notice before the vote on an appropriations act; revising duties of the Governor with respect to statements of costs of state debts and obligations; amending s. 216.179, F.S.; prohibiting reinstatement by a state agency of vetoed appropriations administratively; amending s. 216.181, F.S.; revising procedures relating to approved budgets for operations and fixed capital outlay; revising restrictions on increases on salary rate; prescribing procedures with respect to nonoperating budgets; deleting obsolete provisions; creating s. 216.1825, F.S.; requiring zero-based budgeting reviews; providing for use of zero-based budgeting principles; amending s. 216.183, F.S.; revising provisions relating to development of charts of accounts; amending s. 216.192, F.S.; revising procedures relating to release of appropriations; amending s. 216.195, F.S.; defining the term "impoundment" for purposes of impoundment of funds; amending s. 216.212, F.S.; revising duties of the Executive Office of the Governor and the Office of the Comptroller with respect to budgets for federal funds; creating s. 216.216, F.S.; prescribing procedures to be used with respect to funds subject to a court settlement negotiated by the state; amending s. 212.221, F.S.; revising procedures to be used in the event of budget deficits; amending s. 216.251, F.S.; revising procedures

relating to salary appropriations for certain employees; amending s. 216.262, F.S.; revising provisions relating to increases in authorized positions; defining the term "perquisites" for purposes of limiting the furnishing thereof; amending s. 216.271, F.S.; defining the term "revolving fund"; amending s. 216.292, F.S.; revising provisions relating to limits on and procedures for transfers of appropriations; creating s. 216.348, F.S.; providing conditions for receipt of certain grants and aids appropriations by certain nonprofit entities; providing definitions; providing for an affidavit of nonprofit status; providing for an agreement between the administering agency and the nonprofit entity; providing minimum requirements for the agreement; providing that the nonprofit entity continue operation of the property for the purposes set forth in the grant; providing for repayment of grant moneys received under certain conditions; providing for the adoption of an accounting system and providing for audit; providing for liability insurance and exempting the administering agency from liability; providing permissive conditions of the agreement; providing for a satisfaction of the agreement; amending s. 11.45, F.S.; prescribing duties of the Auditor General with respect to direct-support and citizen support organizations; creating s. 11.90, F.S.; creating the Legislative Budget Commission; amending s. 120.65, F.S.; deleting 21-day time limitation on action by the Executive Office of the Governor; amending s. 121.031, F.S.; deleting provisions relating to the Florida Retirement System Actuarial Assumption Conference; amending s. 186.002, F.S.; changing "state agency strategic" plan to "long-range program" plan; amending s. 186.003, F.S.; redefining the term "state agency"; amending s. 186.021, F.S.; requiring each state agency to develop a long-range program plan annually; amending s. 186.022, F.S.; requiring submission of information resource strategic plans; amending s. 186.901, F.S.; revising provisions relating to production of population estimates; amending s. 215.18, F.S.; providing authority for the Governor to approve transfers between funds to avoid deficits; amending s. 215.22, F.S.; exempting Tobacco Settlement Trust Funds from service charge to general revenue; amending s. 215.32, F.S.; authorizing the Governor to combine trust funds under certain conditions; amending ss. 215.3208, 240.209, 240.20941, 240.279, 252.37, 288.7091, 320.20, 337.023, 339.135, 376.15, 392.69, F.S., to conform terminology and references to changes made by the act; transferring, renumbering, and amending s. 216.3491, F.S.; providing for the Florida Single Audit Act; renumbering s. 216.331, F.S., relating to disbursement of state moneys; renumbering s. 216.3505, F.S., relating to refinancing of bonds; repealing s. 216.001, F.S., relating to definitions; repealing s. 216.0154, F.S., relating to assessment of trends and conditions affecting need for capital facilities; repealing s. 216.0162, F.S., relating to monitoring and evaluation of capital facilities planning and budgeting; repealing s. 216.0166, F.S., relating to submission of performance-based budget requests, programs, and performance measures; repealing s. 216.0172, F.S., relating to the schedule for submission of performance-based program budgets; repealing s. 216.0235, F.S., relating to furnishing of performance-based legislative program budget requests; repealing s. 216.0315, F.S., relating to budgets of state agencies that have international programs; repealing s. 216.091, F.S., relating to statements by the Comptroller; repealing s. 216.111, F.S., relating to financial statements and schedules and other reports; repealing s. 216.281, F.S., relating to construction of terms; repealing s. 216.286, F.S., relating to release of funds under the Florida Employment Opportunity Act; providing applicability; providing an effective date.

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

Section 38. Subsection (2) of section 120.65, Florida Statutes, is amended to read:

120.65 Administrative law judges.--

(2) The director has the right to appeal actions by the Executive Office of the Governor that affect amendments to the division's approved operating budget or any personnel actions pursuant to chapter 216 to the Administration Commission, which shall decide such issue by majority vote. The appropriations committees may advise the Administration Commission on the issue. If the President of the Senate and the Speaker of the House of Representatives object in writing to the effects of the appeal, the appeal may be affirmed by the affirmative vote of two-thirds of the commission members present. ~~The failure of the Executive Office of the Governor to act on a request for action by the director within 21 days after receiving a written request constitutes approval of the request.~~