**RICK SCOTT**
GOVERNOR

May 26, 2011

Mr. Kurt Browning
Secretary of State
Florida Department of State
R. A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Browning:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of portions of Senate Bill 2000, enacted during the 43rd Session of the Legislature convened under the Constitution of 1968, and entitled:

> An act making appropriations; providing monies for the annual period beginning July 1, 2011, and ending June 30, 2012, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

In these tough economic times, the people of Florida are forced to do more with less. Families and businesses are reducing their spending and working to limit the burden of debt. I promised Floridians that their state government will make these same fiscally-responsible choices. The decisions represented in this letter are part of my commitment to keep that promise by eliminating an additional $615 million of spending from the 2011-12 budget.

In February, I proposed my budget and, in the weeks after, the Legislature offered their plan for spending taxpayer dollars. I commend the Legislature for sending me a budget that meets my priorities by reducing the size and cost of government, while also providing tax relief for Floridians. After a thorough line-by-line review, I am continuing to strengthen the fiscal foundation upon which our state will build a more prosperous future.

The optimism I have that we can get Florida back to work comes from my own life experience. Despite having only received a sixth-grade education, my father answered the call to serve his country during World War II. Later, he and my mother struggled to get by but remained committed to hard work. Our family lived in public housing and financial challenges were always present. Priorities were met and I got an opportunity to get an education and a job.

I believe government should also prioritize and, in challenging times, return to focusing on its core functions. First, we must protect public health and safety. Next, we must give each

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Floridian the chance to be a stakeholder in the marketplace by having a job. And, finally, we must give Florida's next generations the opportunity for an education that prepares them to compete in the new, global economy.

What government should not do is live beyond its means and saddle future generations with debt and financial insecurity. Both at the national level, and here in Florida, debt poses a risk to our economic security. Today, our state currently is burdened with $23.1 billion worth of tax-supported debt, an amount about equal to the entire state's 2011 General Revenue budget. Therefore, I'm vetoing almost all projects in the budget that would only be afforded through additional borrowing and increasing the debt burden that must be paid in the future.

With a national government that seems oblivious to the threat of burdensome debt, I will also continue to reduce the state's reliance on federal dollars. Too often these federal dollars are presented as if they are a gift without the recognition that this is money our children and grandchildren will have to repay to foreign lenders. Furthermore, I will reject federal money that is temporary or short-term but forces Florida taxpayers to cover permanent or long-term state spending.

By holding government accountable and measuring results with accountability budgeting, we can continue to improve how government fulfills its obligations. This year, throughout my line-by-line examination of the state budget, I found many expenditures of taxpayer dollars with laudable and important goals but limited accountability. Those that won my approval this year will not receive approval next year unless my office receives clearly defined measurements submitted with their Fiscal Year 2012-13 Legislative Budget Requests.

I have closely scrutinized each line item in the proposed budget for the Fiscal Year 2011-12, with the goal of identifying those programs, services and functions that are not critical to the operation of state government. I have also reduced the use of state tax dollars for local or new projects that can and should be funded with other resources. While there are many worthwhile projects and programs in this budget, I have placed a priority on programs and services that can have a statewide impact, those programs that have been systematically reviewed and selected for funding on a competitive basis, and those programs that have demonstrated a measurable and positive impact for the individuals being served.

I do hereby withhold my approval of the following line items in the 2011-12 General Appropriations Act:

## SECTION 1 - EDUCATION ENHANCEMENT "LOTTERY" TRUST FUND

The only measure of success for Florida's education model should be based on learning gains by students and whether they are prepared for global competition. We must empower students, parents and educators to make sure that we build strong skills in communication, science, technology, and mathematics. Throwing more taxpayer dollars at an outdated system is not the answer. Taxpayer dollars appropriated to education should follow the student and be invested in modernizing the learning process through the use of technology. The very notion of the traditional classroom must be challenged.

The Legislature has demonstrated their support for these principles this session through creation of a high-performing charter school program and measures that enable more students to take advantage of virtual education programs. These programs will provide parents and students with more education options. Further, the Legislature has funded student mentoring initiatives detailed in my plan to support at-risk students and ensure their success in school. Finally, student access and choice for higher education has been guaranteed through continued funding of the Florida Resident Access Grant (FRAG) and Access to Better Learning and Education (ABLE) grant.

It is worth noting that the budget required that I make a choice between two very important uses for taxpayer dollars. The Legislature chose to move $150 million from a transportation trust fund and apply it to K through 12 education. I strongly support investing in Florida's infrastructure; it is good for job creation and good for our economic future. However, at this time, I believe those funds are better spent on Florida's children and grandchildren.

My 7-7-7 Plan includes creating a cutting edge technology cluster. This requires us to continue to meet the demand for high-tech workers trained in science, technology, and related fields. Florida's universities are among the largest in the nation and several universities are nearing their capacity to accept additional students, while demand for higher education access continues to rise. So, I support some investments in this area. For example, the new campus at USF-Polytechnic will focus on the important high-tech fields of the future. The polytechnic concept ensures that even graduates in degree programs outside of the Science, Technology, Engineering and Mathematics (STEM) areas will have training and education in those areas and develop skills applicable to the 21st century economy. Additionally, the construction of this campus will allow the state university system to continue to meet the growing demand for access.

At the same time, Florida is borrowing beyond its self-imposed constraints and taking on debt that it should not. Therefore, I cannot allow construction of facilities that rely on such borrowing. I withhold my approval of several recommended capital projects until such time as we can afford to fund them without added debt.

I do hereby withhold my approval of the following line items in the 2011-12 General Appropriations Act:

**Specific Appropriation 2A**
**Page 2**

"2A FIXED CAPITAL OUTLAY
EDUCATIONAL FACILITIES
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND . . . . . 3,500,000

Funds in Specific Appropriation 2A for educational facilities are provided for debt service requirements associated with bond proceeds from Lottery Capital Outlay and Debt Service Trust Funds included in Specific Appropriations 15C, 15D and 17C and are authorized pursuant to section 1013.737, Florida Statutes. Funds in Specific Appropriation 2A shall be transferred, using nonoperating budget authority, to the

Lottery Capital Outlay and Debt Service Trust Fund."

## Specific Appropriation 11
## Page 5 - A portion of proviso language

"From the funds in Specific Appropriation 11, $500,000 in nonrecurring funding is provided to the FAMU Public Health Entomology Research and Education Center (PHEREC) in the Panama City State Mosquito Control Research Lab."

## SECTION 2 - EDUCATION (ALL OTHER FUNDS)

## Specific Appropriation 15C
## Pages 7 and 8 - A portion of proviso language

| | |
|---|---|
| "Public Safety Institute (sp)..... | 7,500,000" |
| "Construct Levy Co. Center Ph I (pce) part..... | 4,800,000" |
| "Remodel/Addition - News Journal Center Building part..... | 7,800,000 |
| Rem/Add Bldg 220 - Stu Svc/Clsrm/Office - Daytona..... | 2,400,000 |
| Rem/Add Bldg 314 - Thermal Storage..... | 3,012,000" |
| "Rem/Ren Bldgs. 1,2,3,4,6,7,9,10,29,30,32,34-Lee..... | 6,749,585 |
| Rem/Ren Collier - Bldgs 1,5,10 - Collier..... | 956,481" |
| "Gen ren/rem, infrastruct, site improvement & acquisition... | 1,776,231" |
| "Rem/Ren/ Add Bldg 8 & 9 Library - Bradenton part..... | 5,000,000 |
| MIAMI DADE COLLEGE | |
| Gen ren/rem, infrastruct, site improvement & acquisition... | 3,624,269 |
| Rem/ren/add Clsrms/Labs/Supp Svcs Fac 2-Hialeah part..... | 6,700,000" |
| "Multipurp Clsrm/Admin Bldg, site - West Central part..... | 7,300,000" |
| "Clsrms/Labs/Sup Svcs - Wesley Chapel Center (ce)..... | 6,935,170" |
| "Institute for Public Safety - Winter Haven part..... | 2,000,000" |
| "Law Enforcement Labs & Library-Kirkpatrick (p)..... | 750,000" |
| "Site/Facilities Acquisition-Alt Springs (sp)..... | 7,500,000" |
| "Rem/Ren Fire Fighting - Main comp..... | 2,514,241" |
| "Library & High Tech Bldg 4 - Osceola (ce) comp..... | 4,191,590 |
| Maj Ren/Rem,Emg repl-Chill w/loop infrastr-East comp..... | 2,718,884" |

## Specific Appropriation 15D
## Page 8 - A portion of proviso language

"UNIVERSITY OF FLORIDA
Utilities/Infrastructure/Capital Renewal/Roofs..... 5,297,085
Lake Nona Research and Academic Facility..... 6,000,000"

"Applied Sciences Building (ce)..... 6,000,000"

"FLORIDA AGRICULTURAL AND MECHANICAL UNIVERSITY
Utilities/Infrastructure/Capital Renewal/Roofs..... 2,014,769"

"Utilities/Infrastructure/Capital Renewal/Roofs..... 2,549,206"

"USF Health School of Pharmacy @ Polytechnic..... 10,000,000
USF Polytechnic Interdisciplinary Center for Excellence... 1,000,000
USF Sarasota/Manatee Utilities/Infrastructure/Capital
Renewal/Roofs (pce)..... 162,723
USF-St. Pete Utilities/Infrastructure/Capital
Renewal/Roofs (pce)..... 173,571"

"FLORIDA ATLANTIC UNIVERSITY
Utilities/Infrastructure/Capital Renewal/Roofs..... 3,251,463"

"UNIVERSITY OF CENTRAL FLORIDA
Utilities/Infrastructure/Capital Renewal/Roofs..... 2,277,804
Physics Bldg..... 3,877,895
Engineering Bldg..... 3,620,723
Classroom Building II (ce)..... 5,241,445
Interdisc, Research and Incubator Facility..... 6,328,564"

"Satellite Chiller Plant Expansion-MMC..... 6,000,000
UNIVERSITY OF NORTH FLORIDA
Utilities/Infrastructure/Capital Renewal/Roofs..... 1,972,294"

"Classrooms/Offices/Labs Academic 8 (ce)..... 4,500,000
Innovation Hub Research..... 5,000,000"

"Caples Mechanical Renovation, Remodeling..... 4,650,000"

## Specific Appropriation 17C
## Page 9

"17C FIXED CAPITAL OUTLAY
LIBERTY COUNTY PUBLIC SCHOOL
FROM LOTTERY CAPITAL OUTLAY AND
DEBT SERVICES TRUST FUND . . . . . 150,000"

**Specific Appropriation 50**
**Page 14 - A portion of proviso language**

"Cancer Research..... 1,213,765"

**Specific Appropriation 51**
**Page 14 - A portion of proviso language**

"Barry University - School of Podiatry..... 100,000
Barry University - Juvenile Justice Program..... 100,000"

"University of Miami - Institute for Cuban American Studies.. 10,000"

**Specific Appropriation 73**
**Page 22 - A portion of proviso language**

"Big Brothers Big Sisters of Palm Beach and Martin
Counties, Inc..... 200,000"

**Specific Appropriation 83**
**Page 23 - A portion of proviso language**

"Governor's School for Space Science and Technology..... 100,000
Knowledge is Power Program (KIPP)..... 400,000"

**Specific Appropriation 91A**
**Page 25 - A portion of proviso language**

"Broward Educational Programming..... 21,000"

**Specific Appropriation 93**
**Page 25 - A portion of proviso language**

"Public Television and Radio Stations..... 4,799,110"

"Funds provided in Specific Appropriation 93 for public television and radio stations shall be allocated in the amount of $307,447 for each public television station and $61,715 for each public radio station as recommended by the Commissioner of Education. Funds are included for public television station(s) recommended by the Commissioner to provide the full-service public broadcasting signal to the Orlando Designated Market Area (DMA)."

**Specific Appropriation 121**
**Page 36 - A portion of proviso language**

"From the funds in Specific Appropriation 121, the University of South Florida shall provide a minimum of $500,000 to continue support of the Interdisciplinary Center for Neuromusculoskeletal Research within the School of Physical Therapy and Rehabilitation Sciences."

## SECTION 3 - HUMAN SERVICES

Funding for Health and Human Services programs comprises the largest single priority area in the state budget, with a total appropriation of $30.0 billion for Fiscal Year 2011-12. Under the umbrella of Health and Human Services, a wide range of services are provided to the most vulnerable in Florida's communities. Those services include medical and dental care, nursing home care, home and community based services, residential, therapeutic and protective services for children in the child welfare system, community and institutional mental health services for adults and children, substance abuse services for adults and children, biomedical research, health education programs, disease prevention services, prescription drug coverage and long term care for our veterans.

While the programs and services are many and varied, the Health and Human Services budget is dominated by Medicaid, which accounts for more than 71 percent of all spending in this area. Medicaid costs have increased by more than 44 percent in the past four years, from $14.9 billion in Fiscal Year 2007-08 to a proposed $21.4 billion for Fiscal Year 2011-12. I recognize the importance of providing necessary medical and dental services to low income children, seniors and persons with disabilities; however, I must acknowledge that if the current rate of Medicaid growth is left unchecked, significantly fewer resources will be available to fund other priorities such as education, public safety, economic development and transportation.

I am committed to increasing the level of accountability and predictability in the Health and Human Services budget so we can provide Florida taxpayers with a better return on their investment in this area – high quality care and high quality outcomes. I view the responsibility to help ensure the health, safety and welfare of Florida's most vulnerable residents as a fundamental duty. At the same time, we recognize that we have a responsibility to spend Florida's tax dollars judiciously and conservatively.

Of particular note regarding proviso associated with Specific Appropriation 504, there is merit to the study on birth-related brachial plexus injuries. However, the Florida Birth Related Neurological Injury Compensation Association has sufficient authority to conduct this study and does not need legislative authority to do so.

It is with those priorities in mind that I do hereby withhold my approval of the following line items:

**Specific Appropriation 177**
**Pages 46 and 47 - A portion of proviso language**

> "From the funds in Specific Appropriation 177, $168,300 from the General Revenue Fund is provided to Lee Memorial Hospital for the Regional Perinatal Intensive Care Center (RPICC) Program."

> "From the funds in Specific Appropriation 177, $2,203,000 from the General Revenue Fund and $2,797,000 from the Medical Care Trust Fund are provided to Mount Sinai Medical Center for participating in graduate medical education initiatives and engaging in the development and

maintenance of graduate medical education positions for training over 120 residents and fellows and programs following the expenditure by Mount Sinai Medical Center of not less than $10 million for the same initiatives during the 2011-2012 fiscal year. These funds may be used as funding to buy back the Medicaid inpatient and outpatient trend adjustments applied to Mount Sinai Medical Center's individual hospital rate and other Medicaid reductions to their rate up to the actual Medicaid inpatient and outpatient cost."

## Specific Appropriation 193
## Page 53 - A portion of proviso language

"From the funds in Specific Appropriation 193, $800,000 from the General Revenue Fund and $1,015,706 from the Medical Care Trust Fund are provided for Tdap vaccinations for postpartum mothers enrolled in the Program consistent with the Center for Disease Control's recommendations."

## Specific Appropriation 230
## Page 59 - A portion of proviso language

"From the funds in Specific Appropriations 230, $500,000 in nonrecurring funds from the General Revenue Fund is provided for the Dan Marino Foundation Florida Vocational College in Broward County.

From the funds in Specific Appropriations 230, $500,000 in nonrecurring funds from the General Revenue Fund is provided for the Loveland Center, Inc., in Sarasota County."

## Specific Appropriation 314A
## Page 69 - A portion of proviso language

"From the funds in Specific Appropriation 314A, the nonrecurring sum of $750,000 from the General Revenue Fund is provided to the Bob Janes Triage Center in Lee County."

## Specific Appropriation 334
## Page 71 - proviso language

"From the funds in Specific Appropriation 334, an additional nonrecurring sum of $100,000 from the General Revenue Fund is provided for the Here's Help program."

## Specific Appropriation 345A
## Page 73

"345A SPECIAL CATEGORIES
GRANTS AND AIDS - HOMELESS HOUSING
ASSISTANCE GRANTS
FROM GENERAL REVENUE FUND . . . . . 12,000,000

Funds in Specific Appropriation 345A are provided to the National Veterans' Homeless Support Group."

## Specific Appropriation 347
## Page 73 - proviso language

"From the funds in Specific Appropriation 347, the nonrecurring sum of $100,000 from the General Revenue Fund is provided to the Gould's Coalition of Ministries and Lay People, Inc., for information and referral services to low income persons.

From the funds in Specific Appropriation 347, the nonrecurring sum of $100,000 from the General Revenue Fund is provided to the Richmond Heights Homeowners Association for crisis intervention and support services to low income persons."

## Specific Appropriation 378
## Page 76 - proviso language

"In addition to the existing projects, the following projects in Specific Appropriation 378, are funded from recurring general revenue funds:

| | |
|---|---|
| Little Havana Activities and Nutrition Centers of Dade County..... | 300,000 |
| DeAllapattah Community Center Hot Meals Program..... | 430,298" |

## Specific Appropriation 383A
## Page 77

| | |
|---|---|
| "383A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AIDS - SENIOR CITIZEN CENTERS FROM GENERAL REVENUE FUND . . . . . | 1,400,000 |

From the funds in Specific Appropriation 383A, $1,400,000 from nonrecurring general revenue funds is provided for the construction of the Glades Community Senior Center in Belle Glade."

## Specific Appropriation 407
## Page 79 - proviso language

"From the funds in Specific Appropriation 407, $25,000 in nonrecurring funds from the General Revenue Fund is provided to the Thelma Gibson Health Initiative in Coconut Grove."

## Specific Appropriation 422
## Page 81 - proviso language

"From the funds in Specific Appropriation, 423, 431, and 433, $1,124,801 from the Administrative Trust Fund, of which $830,386 is nonrecurring, is provided for the Department of Health to procure software to develop and integrate electronic dental records with other electronic medical records to provide a single comprehensive electronic

medical record for the department and county health department clients. The department shall provide preference for products which have already been developed and designed to be readily integrated into other non-dental electronic medical records."

## Specific Appropriation 429
## Page 82

"429 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS-RURAL DIVERSITY MINORITY
HEALTH CARE

| | |
|---|---|
| FROM GENERAL REVENUE FUND . . . . . | 2,100,000 |
| FROM TOBACCO SETTLEMENT TRUST FUND . | 250,000 |

From the funds in Specific Appropriation 429, $1,000,000 is provided for comprehensive primary and preventive dental and medical services to the uninsured and underinsured population in Lake Wales and surrounding communities.

From the funds in Specific Appropriation 429, $500,000 is provided from the General Revenue Fund to the AGAPE Community Health Center for a mobile dental unit to serve underserved areas of Duval County.

From the funds in Specific Appropriation 429, $600,000 from the General Revenue Fund is provided on a nonrecurring basis to the Doctors' Memorial Hospital to serve the North Florida communities of Holmes, Jackson, Walton, and Washington counties.

From the funds in Specific Appropriation 429, $250,000 in nonrecurring funds from the Tobacco Settlement Trust Fund is provided to establish a countywide mobile health unit to provide primary and acute care to the uninsured population of Gadsden County."

## Specific Appropriation 434
## Pages 83 and 84 - A portion of proviso language

"From the funds in Specific Appropriation 434, $777,169 in recurring funds from the General Revenue Fund is provided to the University of Miami for the Crohn's Disease and Ulcerative Colitis Project.

From the funds in Specific Appropriation 434, $10,000 in recurring funds from the General Revenue fund is provided to the South Florida Fragile X Clinic (SFFXC) at the University of Miami to expand evaluation and treatment services to children and adolescents who have Fragile X.

From the funds in Specific Appropriation 434, $500,000 in recurring funds from the General Revenue Fund is provided to the Health Care Center for the Homeless, Inc., to serve homeless and uninsured residents in Orange, Osceola, and Seminole counties.

From the funds in Specific Appropriation 434, $500,000 in recurring funds from the General Revenue Fund is provided to the Apopka Family Health Center to address rural minority health issues."

"From the funds in Specific Appropriation, 434, $500,000 in nonrecurring funds from the General Revenue Fund is provided to the Miami Project to Cure Paralysis."

**Specific Appropriation 435**
**Page 84 - proviso language**

"From the funds in Specific Appropriation 435, $200,000 in nonrecurring funds from the General Revenue Fund is provided for the Healthy Start Coalition of Orange County."

**Specific Appropriation 474**
**Page 88 - proviso language**

"From the funds in Specific Appropriation 474, $100,000 in recurring general revenue funds is provided to increase funding to La Liga-League Against Cancer.

From the funds in Specific Appropriation 474, $500,000 is provided from the General Revenue Fund, of which $315,455 is nonrecurring for the Gadsden Nurse-Family Partnership."

**Specific Appropriation 485**
**Page 90 - proviso language**

"From the funds in Specific Appropriation 485, $250,000 in recurring funds from the General Revenue Fund shall be used to support the Statewide Council on Deafness.

From the funds in Specific Appropriation 485 and 490, $1,952,084 from the Planning and Evaluation Trust Fund is provided for the inclusion of Severe Combined Immunodeficiency Disease (SCID) testing within the Newborn Screening Program."

**Specific Appropriation 492**
**Page 91 - A portion of proviso language**

"From the funds in Specific Appropriation 492, up to $50,000 shall be used for collaborative biomedical research projects within the state's historically black colleges and universities."

**Specific Appropriation 492A**
**Page 91 - A portion of proviso language**

"From the funds provided in Specific Appropriation 492A, $500,000 is provided to maintain the statewide Brain Tumor Registry Program at the McKnight Brain Institute."

**Specific Appropriation 502**
**Page 94 - A portion of proviso language**

"From the funds in Specific Appropriation 502, $200,000 in nonrecurring funds from the General Revenue Fund is provided to the Howard Phillip Center for Children and Families."

**Specific Appropriation 504**
**Page 94 - proviso language**

"From the funds in Specific Appropriation 504, $1,500,000 in nonrecurring funds from the Donations Trust Fund is provided to a public hospital created either by county ordinance or by special act of the Florida Legislature which has no taxing authority, located in Lee County for the purpose of initial planning and design of a free standing children's hospital to serve Southwest Florida.

From the funds in Specific Appropriation 504, $150,000 in nonrecurring funds from the Donations Trust Fund shall be provided to the Florida Birth Related Neurological Injury Compensation Association to conduct a study on birth-related brachial plexus injuries, causes and treatments, and their impact on malpractice insurance premiums in Florida. Funding shall include payment of expenses pursuant to s. 112.061, Florida Statutes. The Association shall submit its findings in a report to the President of the Senate and the Speaker of the House of Representatives on or before December 1, 2011."

**Specific Appropriation 505**
**Page 94 - proviso language**

"From the funds in Specific Appropriation 505, an increase of $286,668 in recurring funds from the General Revenue Fund is provided to the Islet Cell Transplantation to Cure Diabetes Project."

## SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

The Legislature demonstrated their commitment to public safety and affirmed many of my budget recommendations. Included for the Department of Corrections budget were savings gained by expanding contracted residential substance abuse programs and consolidating prison bed capacity. By maximizing existing prison space, which allows for closing more costly prisons and adjusting for the expected inmate population, $78.2 million in taxpayer dollars will be saved. Most importantly, there will be no early release of inmates. Additional funding was provided to continue in-prison substance abuse treatment beds and to invest in officer safety by funding body armor and replacing obsolete radio communication systems within prisons. Offenders will continue to be held accountable and there has been no dilution of the requirement that all inmates serve 85 percent of their sentence prior to being eligible for release.

Within the Department of Juvenile Justice, my recommendations included a number of reforms for the juvenile justice system. With the support of the Legislature, a savings of $18 million is realized by limiting residential stays for misdemeanant youth and investing $5.4 million for evidenced based front-end services which focus on intervention and prevention. Also,

additional savings are realized through the closure of surplus residential beds and excess juvenile detention capacity due to a lower utilization of the programs.

I do hereby withhold my approval of the following items:

**Before Specific Appropriation 595**
**Page 107 - A portion of proviso language**

"From the funds in Specific Appropriations 595 through 688A, $250,000 in recurring general revenue funds is provided to the Department of Corrections to issue a request for proposal, as defined in section 287.057(1)(b), Florida Statutes, for the development of a water savings plan that creates performance standards for rain water harvesting and water reuse to achieve annual cost savings of at least 25 percent from the 2008, 2009, and 2010 calendar years. By no later than September 30, 2011, the department shall identify a vendor to conduct and inventory the water consumption of all department facilities consuming water for irrigation, gray water or drinking water purposes, including an inventory of each facility's roof surface area. To achieve these cost savings objectives, the vendor shall submit a plan to the department by February 1, 2012, which identifies the most cost-effective plan for the procurement of services and cistern products and establishes performance standards for the efficient and effective use of water resources and estimates of future potential savings and other related benefits."

**Specific Appropriation 1142**
**Page 171 - A portion of proviso language**

"From the funds in Specific Appropriation 1142, $1,000,000 from recurring general revenue funds is provided to develop a pilot program to provide jobs to at-risk youth. The department 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 and Manatee."

**Specific Appropriation 1144**
**Page 172 - proviso language**

"From the funds in Specific Appropriation 1144, $500,000 in recurring general revenue funds and $1,200,000 in nonrecurring general revenue funds is provided for the Florida Alliance of Boys and Girls Clubs."

**Specific Appropriation 1289**
**Page 185 - proviso language**

"From the funds in Specific Appropriation 1289, $100,000 from recurring general revenue funds is provided to the Family Justice Center in Hillsborough County for assistance to victims of domestic violence."

**Specific Appropriation 1294A**
**Page 186**

"1294A SPECIAL CATEGORIES

CIVIL LEGAL ASSISTANCE
FROM GENERAL REVENUE FUND . . . . . 1,000,000"

**Specific Appropriation 1301**
**Pages 186 and 187 - proviso language**

"From the funds in Specific Appropriation 1301, $50,000 in recurring general revenue funds is provided for the Cuban American Bar Association Pro Bono Project."

## SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

Florida continues its commitment to protecting its natural environment, maintaining healthy habitats for fish and wildlife, and facilitating the growth and vitality of agriculture, while refocusing government efforts on core missions and accountability. The budget funds all of Florida's top priorities while recognizing the challenges of our state's economy. Resource funding includes Everglades and beach restoration, protection of the state's water resources, and assistance to local governments to address wastewater and drinking water issues. Additionally, the budget continues Florida's commitment to species and habitat protection, marine and freshwater management, hunting, fishing and other recreational activities, and research and enforcement that support those efforts and provide for citizen safety in these endeavors. In support of agricultural growth and vitality, the budget continues the development and promotion of best management practices to ensure a viable industry and resource protection; promotion of Florida agricultural products; and support for wildfire protection. Finally, the budget includes resource restoration funded as a result of impacts from the Deepwater Horizon accident. However, I do have some specific concerns about items included in the state budget.

While I am not withholding my approval of the funding for the Department of Agriculture and Consumer Services' Division of Standards and Division of Consumer Services, I am concerned about the value provided to Floridians by these programs. The two programs represent 302 full-time employees and cost Floridians $9.8 million. I would recommend that the Department provide better metrics to substantiate the value of these expenditures to Floridians in the future.

I am withholding my approval of Line Item 1578A, $305,000,000, which represents spending authority for the Florida Forever Program. While Florida has one the nation's largest land buying programs, during these challenging economic times it is not in the state's best interest to continue to purchase lands and assume additional land management costs. This line item does not represent an appropriation of readily useable funds, but rather only authority to spend proceeds derived from the future sale of surplused state lands. According to the Department of Environmental Protection, the average annual proceeds from the sale of such lands is approximately $6 million.

I am also withholding my approval of Line Item 1972, $11,152,281, from the State's Transportation Trust Fund for lease agreement payments to specific Transportation Authorities. The state's relationship with Transportation Authorities is currently under review. My staff will

be working in collaboration with the Department of Transportation to review the roles of our authorities and ensure that current and future agreements provide the most cost effective option for providing our residents and tourists with a safe effective transportation system. Conforming legislation prohibits the state from entering new lease payment agreements with Transportation Authorities. This change is a good first step; however, the repayment of funds previously loaned to authorities under the current agreements and the option of consolidating the authorities with the Florida Turnpike Enterprise should also be addressed. To move forward in this review, I veto funding for payments to expressway authorities for the next year.

The Department of Transportation's budget includes my recommendation to fund the Department's Five Year Work Program at a cost of $7.1 billion. These funds are used for the planning, development, construction, operation and maintenance of Florida's transportation network. As stated in my 7-7-7 Plan, Florida's transportation system is an integral part of growing Florida's economy, creating jobs and improving the quality of life for our citizens. To ensure South Florida's continued role as a global leader in international trade and commerce this budget includes $55.8 million for the Port of Miami Dredging Project – a project that could create 30,000 permanent jobs.

As Floridians review and plan their household and business budgets to weather these economically challenging times, so must their state government. Through my review of the budget, I tried to focus funding on core mission functions and those that best benefit all Floridians. Additionally, I identified other items that, while needed, should be deferred until another more prosperous time.

I do hereby withhold my approval of the following items:

**Specific Appropriation 1335**
**Page 191 - A portion of proviso language**

"Of the funds in Specific Appropriation 1335, $50,000 in nonrecurring funds from the General Inspection Trust Fund is provided for the Association of Florida Conservation Districts' contract for support services to all Florida's Soil and Water Conservation Districts."

**Specific Appropriation 1414**
**Page 198 - proviso language**

"From the funds in Specific Appropriation 1414, $500,000 in nonrecurring general revenue shall be transferred to the Technology Research and Development Authority for implementation of a clean technology entrepreneurship initiative."

**Specific Appropriation 1431B**
**Page 200**

"1431B SPECIAL CATEGORIES
FLORIDA HORSE PARK
FROM GENERAL REVENUE FUND . . . . . 500,000"

**Specific Appropriation 1433A**
**Page 201**

"1433A SPECIAL CATEGORIES
AGRICULTURAL RESEARCH
FROM GENERAL REVENUE FUND . . . . . 2,000,000

Funds in Specific Appropriation 1433A shall be transferred to the Citrus Research and Development Foundation, Inc., to conduct or cause to be conducted research projects on citrus disease. Distribution of such funds for a particular research project is contingent upon a dollar for dollar cash match from federal or private funds or from citrus box tax revenues. At no time shall the funds appropriated in Specific Appropriation 1433A allocated to a particular project, exceed the private, federal, and citrus box tax funds provided for that project."

## Specific Appropriation 1433B
## Page 201

"1433B SPECIAL CATEGORIES
FARM SHARE PROGRAM
FROM GENERAL REVENUE FUND . . . . . 200,000
FROM GENERAL INSPECTION TRUST FUND . 550,000"

## Specific Appropriation 1437C
## Page 201

"1437C GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
TURNER AGRI-CIVIC CENTER
FROM GENERAL REVENUE FUND . . . . . 100,000"

## Specific Appropriation 1445
## Page 202 - proviso language

"From the funds in Specific Appropriation 1445, $25,000 in nonrecurring funds from the General Inspection Trust Fund is provided for the Florida Aquaculture Association."

## Specific Appropriation 1495
## Page 207

"1495 SPECIAL CATEGORIES
GRANTS AND AIDS - REGIONAL PLANNING
COUNCILS
FROM GENERAL REVENUE FUND . . . . . 2,500,000

Funds in Specific Appropriation 1495 are provided to the Regional Planning Councils, 70 percent of which must be divided equally among the councils and 30 percent of which must be allocated according to population. The funds shall be used to prepare and implement strategic regional policy plans, perform regional review and comment functions, and assist local governments in addressing problems of greater-than-local significance."

## Specific Appropriation 1515A
## Page 212 - A portion of proviso language

"From the funds in Specific Appropriation 1515A, $5,000,000 from the General Revenue Fund shall be provided to Glades County to assist in the construction of an emergency operations center."

## Specific Appropriation 1519A
## Page 213

"1519A SPECIAL CATEGORIES
GRANTS AND AIDS TO COMMUNITY SERVICES
FROM GENERAL REVENUE FUND . . . . . 4,750,000

Funds in Specific Appropriation 1519A shall be allocated as follows:

We Help Community Development Corporation - Miami..... 100,000
Pine Hills Neighborhood Redevelopment Project - Orange County..... 3,400,000
Renaissance of the Parramore Neighborhood in Downtown Orlando..... 900,000
Marydia Neighborhood Community Center - Osceola County..... 350,000"

## Specific Appropriation 1578A
## Page 219

"1578A FIXED CAPITAL OUTLAY
LAND ACQUISITION, ENVIRONMENTALLY ENDANGERED, UNIQUE/ IRREPLACEABLE LANDS, STATEWIDE
FROM FLORIDA FOREVER TRUST FUND . . 305,000,000

Funds in Specific Appropriation 1578A are provided from the proceeds of surplus lands and interest earnings. The Division of State Lands, acting on behalf of the Board of Trustees, shall proceed with the disposition of surplus state lands in order to provide up to $305,000,000 for purchase of conservation lands."

## Specific Appropriation 1580B
## Page 220 - A portion of proviso language

"From funds in Specific Appropriation 1580B, $500,000 is provided to the Department of Environmental Protection to study and quantify urban and other sources of phosphorus introduced into the Lake Okeechobee watershed, to evaluate and report on relative contributions of those sources to water quality impairment, and to make recommendations on source reduction strategies that can be efficiently applied across the watershed."

## Specific Appropriation 1675D
## Page 228

"1675D AID TO LOCAL GOVERNMENTS

GRANTS AND AIDS - NORTHWEST FLORIDA WATER
MANAGEMENT DISTRICT ENVIRONMENTAL RESOURCE
PERMITTING PROGRAM
FROM WATER MANAGEMENT LANDS TRUST
FUND . . . . . 1,851,231"

## Specific Appropriation 1675F
## Page 228

"1675F AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - NW FLORIDA WATER
MANAGEMENT DISTRICT OPERATIONS
FROM WATER MANAGEMENT LANDS TRUST
FUND . . . . . 522,463"

## Specific Appropriation 1675U
## Page 229 - A portion of proviso language

"City of Port Orange - Nova Canal Flood Control and
Integrated Water Resources Project..... 1,250,000"

"Imperial River - Oak Creek Water Quality Project and Harbor
River Ponds/Spring Creek Water Enhancement..... 250,000"

"Of the funds in Specific Appropriation 1675U $1,950,000 in nonrecurring funds from the General Revenue Fund and the Ecosystem Management and Restoration Trust Fund is provided for the payment of Statewide Revolving Fund loans 60006P and 60007L for the City of Frostproof in the Department of Environmental Protection."

## Specific Appropriation 1675Y
## Page 230

"1675Y GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - CITY OF WINTER HAVEN -
PEACE CREEK WATERSHED
FROM GENERAL REVENUE FUND . . . . . 2,623,823
FROM ECOSYSTEM MANAGEMENT AND
RESTORATION TRUST FUND . . . . . 676,177"

## Specific Appropriation 1675Z
## Page 230

"1675Z GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
RESTORATION/ST JOHNS RIVER
FROM GENERAL REVENUE FUND . . . . . 10,000,000"

## Specific Appropriation 1715A
## Page 234

"1715A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY

GRANTS AND AIDS - LOCAL RECREATIONAL
PROJECTS
FROM GENERAL REVENUE FUND . . . . . 500,000

From the funds in Specific Appropriation 1715A, $500,000 in nonrecurring funds from the General Revenue Fund is provided to Polk County for safety and horticultural upgrades to the botanical gardens associated with the Department of Environmental Protection's conservation easement."

## Specific Appropriation 1813A
## Page 242

"1813A FIXED CAPITAL OUTLAY
MAJOR REPAIRS OR IMPROVEMENTS STATEWIDE
FROM GENERAL REVENUE FUND . . . . . 975,000"

## Specific Appropriation 1842
## Page 245

"1842 SPECIAL CATEGORIES
TRANSFER DEPARTMENT OF AGRICULTURE -
ALLIGATOR MARKETING AND EDUCATION
FROM STATE GAME TRUST FUND . . . . . 150,000"

## Specific Appropriation 1938H
## Pages 256 and 257 - proviso language

"From the funds in Specific Appropriation 1938H, $5,000,000 shall be utilized by the department for a pilot program in Districts 1 and 4 for the retrofitting and reinforcement of traffic signalization. This program shall retrofit existing span wire signalization along evacuation routes or intersections located within one-half mile proximate to an interstate highway or state or federally designated evacuation route as determined by the Florida Division of Emergency Management, State Emergency Response Team. All procurements related to this pilot program shall be competitively bid by the department."

## Specific Appropriation 1972
## Page 260

"1972 SPECIAL CATEGORIES
PAYMENT TO EXPRESSWAY AUTHORITIES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND . . . . . 11,152,281

From the funds in Specific Appropriation 1972, $500,000 in nonrecurring funds is provided for an Expressway Authority designated in s. 348.9952, Florida Statutes."

## SECTION 6 - GENERAL GOVERNMENT

General Government agencies generally provide services that impact not only their constituency groups, but also other state agencies. I believe that the role of some of these agencies can be expanded to assume more responsibility for common administrative functions, which would allow other state agencies to focus on their core mission. I am disappointed that the Legislature did not support my effort to consolidate 17 shared, administrative functions over a two-year period. This effort was expected to result in savings of $10 million in the first year alone. I will continue exploring this issue with the Legislature to improve state administrative efficiencies, while reducing the workforce and eliminating unnecessary service duplication.

The budget also supports the continued regulation of 26 professions and businesses within the Department of Business and Professional Regulation. I am hopeful that the efforts which resulted in House Bills 5005 and 5007, which repealed unnecessary licensure and regulatory requirements for many professions and businesses, will continue into the next legislative session. In order to increase jobs in this state, it is imperative that we reduce the licensure and regulatory burden on Florida businesses, especially small businesses. This is, of course, within the context of ensuring the health, safety, and welfare of our citizens.

I also believe that agencies are engaging in activities that, although worthwhile, are not legitimate functions of government. One example is the provision of scholarships to minority accounting students in the Department of Business and Professional Regulation. If a Florida profession desires to provide scholarships, it can be done through a professional association or direct-support organization. In my recommended budget, I proposed the transfer of this responsibility to a direct-support organization, which I will again recommend in 2012.

The budget included $3.25 million for the Wounded Warrior Project to support the transition of wounded service members back into society. However, the Project's Board of Directors has chosen not to accept the funds, due to an established policy against accepting government funds. Based on this decision, the appropriation would not be utilized.

I am vetoing $400,000 for a gaming study. While I encourage the Legislature to make a comprehensive review of additional gaming, I believe it is important to have a full consideration of the positive economic impact, the costs that may result from this policy and the impact on current gaming in our state. However, such a study at this time is an expense Florida taxpayers should not incur.

I am also vetoing Section 31, which directs the transfer of $750,000 from the Hotel and Restaurant Trust Fund to the Florida Restaurant and Lodging Association to promote tourism in the areas affected by the Deepwater Horizon Oil Spill. While this is certainly a laudable effort, BP recently awarded a $30 million marketing grant to the Northwest Florida Tourism Council (which includes the Escambia, Santa Rosa, Okaloosa, Walton, Bay, Gulf, and Franklin tourism development councils). I prefer not to use state funds to address an issue caused by a private entity.

I support the Legislature's concept of reviewing the efficiency and structure of the administration of the Supreme Court, the nominating commissions and the Judicial Qualifications Commission and the effectiveness of the judicial merit retention system. However, I believe that during these tough economic times, we cannot afford to spend $400,000 on this otherwise worthwhile review.

Budget for the Transportation and Economic Development area includes my recommendation to provide economic opportunities for all Floridians. The State of Florida has an important role to play in promoting an economic climate in which Florida's businesses can be competitive and productive with minimal government interference.

With the support of the Legislature, a single economic development agency was created that will move us forward in our efforts to develop policies for economic diversification and improvements in Florida's business climate and infrastructure. Most notable in this regard is the re-organization of agency functions to optimize economic development. In addition, the rewrite of the growth management laws allows more local government control and limits state oversight. Within the new agency, the State Economic Enhancement and Development (SEED) Trust Fund was created to provide the resources needed in the future for an effective economic development program which allows for the flexibility to adapt to the most promising business opportunities.

The State's public-private partners provide access to industry expertise and will facilitate implementation of the economic development programs funded in this budget. My goal is to create private sector jobs and to increase accountability for our economic development programs through measurable performance criteria and deliverables. With this in mind, $21.2 million has been invested to provide us with the economic development tools needed to recruit and expand existing businesses as a catalyst for economic growth.

I have vetoed many projects that were not of statewide importance or that were added to the budget without adequate public hearing. The funds for these vetoed projects will increase the amount of resources available as state reserves.

I do hereby withhold my approval of the following items:

**Specific Appropriation 1977**
**Page 263**

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"1977   LUMP SUM
        CASUALTY INSURANCE PREMIUM DEFICIT
         FROM GENERAL REVENUE FUND  . . . . .                    7,867,800"
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**Specific Appropriation 1981**
**Page 265**

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"1981   SPECIAL CATEGORIES
        DEFICIENCY
         FROM GENERAL REVENUE FUND  . . . . .                      400,000"
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**Specific Appropriation 1982**
**Page 265**

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"1982   SPECIAL CATEGORIES
        EMERGENCY
         FROM GENERAL REVENUE FUND  . . . . .                      250,000"
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**Specific Appropriation 2003A**

## Page 268 - A portion of proviso language

"Goodwill Industries of South Florida..... 250,000
Connections Job Development Program..... 100,000"

## Specific Appropriation 2006
## Pages 268 and 269 - A portion of proviso language

"From the funds provided in Specific Appropriation 2006 from the Employment Security Administration Trust Fund, and allocated by Workforce Florida, Inc, or the Agency for Workforce Innovation to the regional workforce boards covering Baker, Clay, Duval, Nassau, Putnam and St. Johns counties (First Coast Workforce Development, Inc.), Orange, Osceola, Seminole, Lake, and Sumter counties (Workforce Central Florida), and Broward County (Workforce One), $1,000,000 shall be used by each of the three regional workforce boards to provide competitively-procured contracts for the purpose of providing year-round youth services to eligible low-income youth from disadvantaged neighborhoods. Special consideration shall be given to youth providers with established track records of providing services to low-income youth from disadvantaged neighborhoods."

## Specific Appropriation 2113A
## Page 280

"2113A SPECIAL CATEGORIES
COMPREHENSIVE GAMING STUDY/OPPAGA
FROM GENERAL REVENUE FUND . . . . . 400,000

Funds in Specific Appropriation 2113A are provided for the Office of Program Policy Analysis and Government Accountability to conduct a comprehensive gaming study of the revenues derived, the expenses incurred, and the potential benefits to Florida from destination resorts and horse racing. The Office of Program Policy Analysis and Government Accountability shall recommend an independent consultant for the study subject to the approval of the Legislative Budget Commission."

## Specific Appropriation 2442C
## Page 311

"2442C SPECIAL CATEGORIES
HISPANIC BUSINESS INITIATIVE FUND OUTREACH
PROGRAM
FROM GENERAL REVENUE FUND . . . . . 200,000"

## Specific Appropriation 2442D
## Page 311

"2442D SPECIAL CATEGORIES
GRANTS AND AIDS - ECONOMIC GARDENING -
UNIVERSITY OF CENTRAL FLORIDA
FROM GENERAL REVENUE FUND . . . . . 2,000,000

The recurring funds provided in Specific Appropriation 2442D from the General Revenue Fund are for the Economic Gardening Technical Assistance Program."

## Specific Appropriation 2442E
## Page 311

"2442E SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA SMALL BUSINESS DEVELOPMENT CENTER NETWORK
FROM GENERAL REVENUE FUND . . . . . 500,000"

## Specific Appropriation 2442F
## Pages 311 and 312 - A portion of proviso language

"Florida Association of Volunteer Action/Caribbean & Americas (FAVACA) - Haiti Business Linkage Program..... 300,000
Florida Association of Volunteer Action/Caribbean & Americas (FAVACA) - Haiti Pilot Project..... 50,000"

"Florida Gateway..... 150,000
The Greater Caribbean Chamber of Commerce..... 50,000"

## Specific Appropriation 2442G
## Page 312 - A portion of proviso language

"CAMACOL Film and Entertainment Industry Development Program..... 150,000"

"World Class International Regatta Sports Center - Nathan Benderson Park (Sarasota)..... 5,000,000
Sanford-Burnham Medical Research Institute..... 2,000,000
Economic Aid - Florida Panhandle..... 6,000,000"

## Specific Appropriation 2445E
## Page 313 - A portion of proviso language

"West End Bridge Crossing..... 500,000
Bayfront Parkway/9th Avenue Roundabout..... 417,000"

## Specific Appropriation 2539
## Pages 321 and 322 - proviso language

"From funds provided in Specific Appropriation 2539 and 2538, $400,000 in non-recurring general revenue is appropriated to the Office of Program Policy Analysis and Government Accountability to contract for a study that shall review and make recommendations in all of the following areas:

1. The workload of the Supreme Court, separated by civil and criminal cases, and whether it could be enhanced through a more effective structure.

2. The case law output and administrative organization of the Supreme Court, in terms of both quality and efficiency.
3. The staffing of the Supreme Court, including number of staff at the Office of State Courts Administrator, functions, duties and efficiencies, and whether different staffing would be more effective.
4. The impact on case processing of restructuring the Supreme Court into a Criminal Division and a Civil Division.
5. The structure, function and effectiveness of the Judicial Nominating Commission in providing the best judicial candidates for Florida.
6. The structure, function and effectiveness of the Judicial Qualifications Commission in disciplining and reviewing the conduct of judges and justices.
7. The effectiveness of the judicial merit retention system in providing meaningful opportunity for voter review and evaluation of judicial performance

The Supreme Court shall cooperate with the party conducting the study in providing requested data on all relevant areas of internal Supreme Court operations. The party conducting the study shall evaluate the data, make selected audits of such data as necessary, and report to the Legislature regarding the accuracy of such data. The study shall be provided to the President of the Senate, Speaker of the House of Representatives, the Chief Justice of the Supreme Court and the Governor not later than December 15, 2011."

## Specific Appropriation 2564
## Page 323

"2564 SPECIAL CATEGORIES
COMPULSIVE GAMBLING PROGRAM
FROM OPERATING TRUST FUND . . . . . 569,000

From the funds provided in Specific Appropriation 2564, the Department of the Lottery shall contract with an appropriate Florida organization to conduct a compulsive gambling program."

## Specific Appropriation 2724A
## Pages 340 and 341

"2724A LUMP SUM
AGENCY FOR ENTERPRISE BUSINESS SERVICES
POSITIONS 3.00
FROM GENERAL REVENUE FUND . . . . . 300,000

The funds and positions in Specific Appropriation 2724A are contingent upon Senate Bill 1738 or similar legislation, relating to the Agency for Enterprise Business Services, becoming a law."

## Specific Appropriation 2756A

**Page 343**

"2756A AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - WOUNDED WARRIOR PROJECT
FROM GENERAL REVENUE FUND . . . . . 3,250,000

The Department of Military of Affairs shall contract with the Wounded Warrior Project to assist the organization with the transition of wounded service members back into society."

**Specific Appropriation 2949**
**Pages 360 and 361 - A portion of proviso language**

"Historic Hampton House - Miami..... 100,000"

"Town of Eatonville Historic Preservation..... 100,000"

**Specific Appropriation 2952A**
**Page 361**

"2952A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
HISTORIC PROJECT - HOLOCAUST DOCUMENTATION
AND EDUCATION CENTER RAIL CAR RENOVATION
FROM GENERAL REVENUE FUND . . . . . 250,000"

**Specific Appropriation 2973B**
**Page 363 - proviso language**

"From the funds in Specific Appropriation 2973B, $100,000 shall be used for the Junior Museum of Bay County, and $50,000 shall be used for the Jones High School Historical Society, Inc., Museum in Orlando."

## SECTION 7 - JUDICIAL BRANCH

As a separate branch of government, the state court system of Florida has the same fiscal responsibility to be prudent with taxpayers' dollars as the legislative and executive branch agencies do. Declining revenues in the State Courts Revenue Trust Fund, which provides most of the courts' funding, necessitated the court system to seek a loan to continue operations in Fiscal Year 2010-11, and the need to begin Fiscal Year 2011-12 with authority to request a loan for continued operations into the new fiscal year. The Legislature also recognizes the revenue stream for this trust fund is not sufficient and has directed the Office of the State Courts Administrator to work with the Clerks of Court Operations Corporation to develop and make recommendations concerning appropriate revenue streams.

Due to increased authority in the State Courts Revenue Trust Fund associated with furnishings for non-public areas of a courthouse, which is not critical to court operations, I do hereby withhold my approval of the following item:

**Specific Appropriation 3011**
**Page 369**

"3011 OPERATING CAPITAL OUTLAY
FROM STATE COURTS REVENUE TRUST
FUND . . . . . 1,050,662"

## OTHER SECTIONS

### Section 27
### Page 379

"SECTION 27. There is appropriated $53,204 in nonrecurring funds from the General Revenue Fund to the Department of Health for the Jessie Trice Cancer Center for Fiscal Year 2010-11. This section shall take effect immediately upon becoming law."

### Section 28
### Page 379

"SECTION 28. There is appropriated $34,015 in nonrecurring funds from the General Revenue Fund to the Department of Health for the S.W. Alachua County Primary and Community Health Care Clinic for Fiscal Year 2010-11. This section shall take effect immediately upon becoming law."

### Section 31
### Page 379

"SECTION 31. The nonrecurring sum of $750,000 from the Hotel and Restaurant Trust Fund shall be transferred by non-operating transfer from the Department of Business and Professional Regulation to the Office of Tourism, Trade and Economic Development, to contract with the Florida Restaurant and Lodging Association, Inc., to continue the tourism marketing campaign begun in 2010 in the aftermath of the Deepwater Horizon Oil Spill. This campaign shall be conducted throughout the state and the southeastern United States, pursuant to a plan approved and monitored by the office, for promoting tourism in those areas of the state affected by the oil spill and eliminating the damaging public perception stemming from that event."

### Section 39
### Page 383 - A portion of proviso language

"Miami Stormwater Master Plan Implementation..... 1,000,000"

### Section 63
### Page 385

"SECTION 63. The unexpended balance of funds provided in Specific Appropriation 1615A of Chapter 2010-152, Laws of Florida shall revert immediately and is appropriated for Fiscal Year 2011-2012 for operational services of the Regional Hurricane Shelter/Community Health Center, Pasco County."

**Section 64**
**Page 385**

"SECTION 64. The unexpended balance of funds provided in Section 64 of Chapter 2010-152, Laws of Florida, (which funds were originally appropriated in Specific Appropriation 1540A of Chapter 2008-152, Laws of Florida) shall revert immediately and is appropriated for Fiscal Year 2011-2012 for the nonrecurring operational needs of the Regional Hurricane Shelter/Community Health Center, Pasco County."

**Section 69**
**Page 386**

"SECTION 69. The unexpended balance of funds appropriated in Section 76 of chapter 2010-152, Laws of Florida, to the Tampa Bay Area Regional Transportation Authority shall revert immediately and is appropriated in Fiscal Year 2011-2012 for the same purpose."

I have major concerns with one trust fund sweep the Legislature has undertaken.

Declining revenues in the State Courts Revenue Trust Fund necessitated a loan to keep the state court system operational through the end of Fiscal Year 2010-11. In addition, the Legislature provided the State Court System authority to request a loan for continued operations into the new fiscal year. The Legislature also recognizes the revenue stream for this trust fund is not sufficient and has directed the Office of the State Courts Administrator to work with the Clerks of Court Operations Corporation to develop and make recommendations concerning appropriate revenue streams.

Therefore, I do hereby withhold my approval of the following item:

**Section 110**
**Page 391 - A portion of proviso language**

"STATE COURTS
State Courts Revenue Trust Fund..... 4,700,000"

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Finally, I respectfully note that several sections of Senate Bill 2000 contain proviso that appears to exceed parameters established by the Florida Constitution. Article III, Section 12 of the Florida Constitution requires that a qualification or restriction placed on a particular budget item must rationally and directly relate to the purpose of that budget item. Proviso can only be valid if it appears to be a major motivating factor behind the enactment of an appropriation such that the appropriation is only advisable if contingent upon the proviso. While I am choosing not to veto the below proviso, I believe that the following four items do not satisfy this standard.

**Line Item 175 – Incontinence Supplies**

From the funds in Specific Appropriation 175, The Agency for Health Care Administration shall competitively procure a statewide managed disposable incontinence medical supply program in order to maximize efficiencies and savings in the Medicaid program. To maximize program

> efficiencies and cost savings within the Florida Medicaid program, incontinence medical supplies provided under this program shall be utilized by all Medicaid State Plan recipients. The agency shall competitively bid a contract for selection of a qualified organization to administer the comprehensive program and shall ensure that any contract awarded through this procurement provides for a minimum of twenty percent cost savings. Vendors shall submit their bid prices based on proposed discounts and cost savings measured against the agency's new standardized fee schedule for incontinence products. The contract for these services shall require the selected bidder to extend its bid pricing to Medicaid managed care plans, pursuant to the Medicaid reform plan, during the term of the contract for these services including any extension(s). The agency shall seek any federal Medicaid waivers or authority necessary to implement this provision. The Office of Program Policy Analysis and Government Accountability shall monitor program implementation and issue a progress report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by March 1, 2012.

The practice of limiting the state's ability to competitively procure incontinence supplies from a variety of vendors does not serve the best interest of Florida's Medicaid recipients. Marketplace competition and supplier diversity are essential components of a robust economy. To that end, the state's ability to leverage its buying power should be protected and strengthened, rather than restricted.

### Line Item 595 - Electronic Timekeeping System

> From the funds provided in Specific Appropriations 570 through 759, the Department of Corrections shall implement an electronic time and attendance system in all regions. The department shall report installation and operational costs and annual cost savings projections related to the implementation of the electronic time and attendance system to the Speaker of the House of Representatives and the President of the Senate by November 1, 2011.

There are several concerns with this language; initial investment in the system is costly and savings would not be realized, if at all, for a number of years. The initial investment would be drawn from existing funds which will reduce funding critically needed for prison security and operations essential to ensure safe custody of all inmates, both for the inmate population, staff, and the surrounding communities. In addition, the proviso requires the system in all regions, yet the department will not be operating prisons in all the regions, as other proviso requires privatization of the southern part of the state.

**Line Item 1068 - Detention Funding Share**

> From the funds in Specific Appropriations 1068 through 1147, the Department of Juvenile Justice is directed to withhold funds from contract payments to any provider if that provider failed to comply with contract requirements that it maintain property insurance and if the failure to do so resulted in uninsured losses. The amount withheld shall not exceed the amount of the uninsured loss and may be reduced by other remedial actions agreed upon by the department and the provider.

This language provides for an across the board reduction in county's share of pretrial detention costs (excepting fiscally constrained counties) whenever a county opts to operate its own juvenile detention center. The creation of a joint recommendation committee composed of Department of Juvenile Justice (DJJ) and the Florida Association of Counties indicates the Legislature recognizes the proviso will create a funding problem for DJJ, yet the budget does not provide any funding or other mechanism for DJJ to make up the costs of pretrial detention in areas where the counties do not provide services and DJJ has to operate a center it could otherwise close.

**Line Item 1148 Related to Collective Bargaining**

> The funds in the Specific Appropriations 1148 through 1252, the Commissioner of the Florida Department of Law Enforcement (FDLE) shall defer to the current collective bargaining agreement between FDLE and special agents when reducing positions in the department for Fiscal Year 2011-2012. The Commissioner may also give priority to sworn law enforcement classes represented by collective bargaining agreements when implementing any position reductions in order to carry out the investigative responsibilities of the agency.

This language has expressively applied these restrictions to a large number (more than 100) of specific appropriations in the Florida Department of Law Enforcement (FDLE) unrelated to the proviso language at hand. It is apparent from the face of the budget that this proviso lacks a rational relationship to most, if not all, to which it applies. The only reasonable conclusion is that the proviso is being used as a legislative device to further a legislative objective unrelated to those appropriations.

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In conclusion, I recognize that I need to lead by example. Therefore, as authorized in Section 8 of the General Appropriations Act in which the Legislature has set the salary schedule for state officers and judges, I am voluntarily reducing my salary to 1 cent for Fiscal Year 2011-12.

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The portions of Senate Bill 2000 which are set forth herein with my objections are hereby vetoed, and all other portions of Senate Bill 2000 are hereby approved.

Sincerely,

Rick Scott
Governor