

By the Committee on Criminal Justice Appropriations and  
Representative Villalobos

1                                   A bill to be entitled  
2           An act relating to implementing the fiscal year  
3           1997-1998 General Appropriations Act in the  
4           area of criminal justice; providing legislative  
5           intent; providing the Florida Department of Law  
6           Enforcement performance-based program budgeting  
7           incentives consistent with s. 216.163, F.S.,  
8           relating to the Governor's recommended budget;  
9           providing for future repeal; amending s.  
10          216.301, F.S.; providing for appropriation of  
11          certain unexpended and unobligated balances of  
12          the Supreme Court and the district courts of  
13          appeal; providing for future repeal; providing  
14          severability; providing an effective date.

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

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18           Section 1. It is the intent of the Legislature that  
19 the implementing and administering provisions of this act  
20 apply to the fiscal year 1997-1998 General Appropriations Act  
21 in the area of criminal justice.

22           Section 2. Consistent with the provisions of section  
23 216.163, Florida Statutes, and notwithstanding the provisions  
24 of section 216.181, Florida Statutes, the Florida Department  
25 of Law Enforcement may transfer between budget entities up to  
26 10 percent of the initial approved salary rate provided for in  
27 Specific Appropriations 937, 946, 949, and 953 of the fiscal  
28 year 1997-1998 General Appropriations Act. This transfer of  
29 approved salary rate may exceed the 5-percent limit during the  
30 year; however, by June 30, 1998, the total of all transfers  
31 must not have increased or decreased the initial approved

1 salary rate by more than 5 percent for any budget entity. The  
2 department shall provide prior notice to the Executive Office  
3 of the Governor and to the chairs of the legislative fiscal  
4 committees for all transfers of salary rate. This section is  
5 repealed on July 1, 1998.

6 Section 3. Consistent with the provisions of section  
7 216.163, Florida Statutes, and notwithstanding the provisions  
8 of section 216.262, Florida Statutes, the Florida Department  
9 of Law Enforcement may, in accordance with Specific  
10 Appropriations 937, 946, 949, and 954 of the fiscal year  
11 1997-1998 General Appropriations Act, transfer up to 20  
12 positions between budget entities without approval of the  
13 Executive Office of the Governor, the Legislature, or the  
14 Administration Commission. The department shall provide prior  
15 notice to the Executive Office of the Governor and to the  
16 chairs of the legislative fiscal committees on all position  
17 transfers proposed under this authority. This section is  
18 repealed on July 1, 1998.

19 Section 4. Consistent with the provisions of section  
20 216.163, Florida Statutes, and notwithstanding any provision  
21 of section 334.0445, Florida Statutes, to the contrary,  
22 beginning July 1, 1997, the Florida Department of Law  
23 Enforcement is authorized, in accordance with Specific  
24 Appropriations 937, 946, 949, and 955 of the fiscal year  
25 1997-1998 General Appropriations Act, to participate in the  
26 Model Career Service Classification and Compensation System as  
27 authorized by section 334.0445, Florida Statutes, which is  
28 hereby continued through June 30, 1998, for this purpose.  
29 Implementation of this section shall be subject to the notice  
30 and review provisions of section 216.177, Florida Statutes.  
31 This section is repealed on July 1, 1998.

1           Section 5. In order to implement Specific  
2 Appropriations 2139, 2146A, and 2154 through 2159 of the  
3 1997-1998 General Appropriations Act, subsection (4) is added  
4 to section 216.301, Florida Statutes, to read:

5           216.301 Appropriations; undisbursed balances.--

6           (4) For the 1997-1998 fiscal year only,  
7 notwithstanding the provisions of subsection (1), 50 percent  
8 of the unexpended and unobligated balances on June 30, 1997,  
9 of any appropriation from the General Revenue Fund for  
10 salaries, other personal services, expenses, or operating  
11 capital outlay for the Supreme Court and the district courts  
12 of appeal in the 1996-1997 General Appropriations Act, are  
13 hereby appropriated in fiscal year 1997-1998. Of this amount,  
14 50 percent is for court improvements for the Supreme Court and  
15 the district courts of appeal, and the remainder shall be  
16 divided into six equal sums, one each for each of the five  
17 district courts of appeal and one for the discretionary  
18 spending account of the Chief Justice of the Supreme Court.  
19 This subsection is repealed on July 1, 1998.

20           Section 6. If any provision of this act or the  
21 application thereof to any person or circumstance is held  
22 invalid, the invalidity shall not affect other provisions or  
23 applications of the act which can be given effect without the  
24 invalid provision or application, and to this end the  
25 provisions of this act are declared severable.

26           Section 7. This act shall take effect July 1, 1997, or  
27 in the event this act fails to become a law until after that  
28 date, it shall operate retroactively thereto.

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HOUSE SUMMARY

For the purpose of implementing the fiscal year 1997-1998 General Appropriations Act in the area of criminal justice, provides the Florida Department of Law Enforcement performance-based program budgeting incentives, consistent with s. 216.163, F.S., relating to the Governor's recommended budget, which include transfer of certain salary rate between budget entities, transfer of certain positions between budget entities, and participation in the Model Career Service Classification and Compensation System, and provides for appropriation of certain unexpended and unobligated balances of the Supreme Court and the district courts of appeal. See bill for details.