

1                                   A bill to be entitled  
2           An act relating to implementing the fiscal year  
3           1998-1999 General Appropriations Act; providing  
4           legislative intent; amending s. 216.292, F.S.;  
5           authorizing the Department of Children and  
6           Family Services and the Agency for Health Care  
7           Administration to transfer general revenue  
8           funds between them; requiring the Agency for  
9           Health Care Administration to use a specified  
10          disproportionate share formula, specified  
11          audited financial data, and a specified  
12          Medicaid per diem rate in fiscal year 1998-1999  
13          for qualifying hospitals; amending s. 409.9116,  
14          F.S.; altering the formula for rural hospital  
15          disproportionate share payments; amending s.  
16          216.181, F.S.; authorizing the Department of  
17          Children and Family Services and the Department  
18          of Health to advance certain moneys for certain  
19          contract services; directing the Agency for  
20          Health Care Administration to include health  
21          maintenance organization recipients in the  
22          county billing for a specified purpose;  
23          authorizing the Department of Children and  
24          Family Services to use certain funds for fixed  
25          capital outlay expenditures to meet federal  
26          standards; providing an advance of funds from  
27          the Medical Quality Assurance Trust Fund to the  
28          Department of Health to allow the department to  
29          develop an examination for foreign-licensed  
30          physicians; providing for reimbursement of the  
31          trust fund through examination fees; amending

1 s. 458.3115, F.S.; deleting certain  
2 requirements for the examination; changing the  
3 date for availability of the examination for  
4 foreign-licensed physicians; authorizing the  
5 Department of Law Enforcement to transfer  
6 positions, salary rate, and budget between  
7 budget entities; requiring notification of such  
8 actions; authorizing the Department of Law  
9 Enforcement to participate in the Model Career  
10 Service Classification and Compensation System,  
11 subject to certain conditions; authorizing the  
12 Department of Law Enforcement to use certain  
13 moneys to provide meritorious-performance  
14 bonuses for employees, subject to approval;  
15 authorizing the Correctional Privatization  
16 Commission and the Department of Juvenile  
17 Justice to make certain expenditures to defray  
18 costs incurred by a municipality or county as a  
19 result of opening and operating a facility of  
20 the commission or the department; amending s.  
21 236.081, F.S., relating to the Florida  
22 Education Finance Program; authorizing funds to  
23 keep the district required local effort at a  
24 specified percentage of the district's total  
25 calculation; providing for allocation of moneys  
26 provided for workforce development; providing  
27 for budget amendment when a program is moved;  
28 amending s. 212.20, F.S.; providing for use of  
29 moneys allocated to the Solid Waste Management  
30 Trust Fund; providing for certain counties to  
31 use moneys received for aquatic weed control

1 for recycling purposes; amending s. 403.7095,  
2 F.S.; revising applicability and the expiration  
3 date of the solid waste management grant  
4 program; requiring a specified level of funding  
5 for counties receiving solid waste management  
6 and recycling grants; providing for allocation  
7 of funds for innovative programs to address  
8 recycling practices and procedures; providing  
9 for the sale of certain property; providing for  
10 expiration of temporary provisions; providing  
11 effect of veto of specific appropriation or  
12 proviso to which implementing language refers;  
13 providing for construction of implementing act  
14 in relation to other legislation; providing  
15 severability; providing for retroactive  
16 effectiveness; providing an effective date.

17  
18 Be It Enacted by the Legislature of the State of Florida:

19  
20 Section 1. It is the intent of the Legislature that  
21 the implementing and administering provisions of this act  
22 apply to the General Appropriations Act for fiscal year  
23 1998-1999.

24 Section 2. In order to implement Specific  
25 Appropriations 207 through 521 of the 1998-1999 General  
26 Appropriations Act, subsection (1) of section 216.292, Florida  
27 Statutes, is amended to read:

28 216.292 Appropriations nontransferable; exceptions.--

29 (1)(a) Funds provided in the General Appropriations  
30 Act or as otherwise expressly provided by law shall be  
31 expended only for the purpose for which appropriated, except

1 that if deemed necessary such moneys may be transferred as  
2 provided in subsections (3) and (4) when it is determined to  
3 be in the best interest of the state. Appropriations for fixed  
4 capital outlay may not be expended for any other purpose, and  
5 appropriations may not be transferred between state agencies,  
6 or between a state agency and the judicial branch, unless  
7 specifically authorized by law.

8 (b) For the 1998-1999 ~~1997-1998~~ fiscal year only, the  
9 Department of Children and Family Services and the Agency for  
10 Health Care Administration may transfer general revenue funds  
11 as necessary to comply with any provision of the General  
12 Appropriations Act that requires or specifically authorizes  
13 the transfer of general revenue funds between these two  
14 agencies. This paragraph expires ~~is repealed on July 1, 1999~~  
15 ~~1998~~.

16 Section 3. During the 1998-1999 fiscal year, the  
17 Agency for Health Care Administration shall use the 1992-1993  
18 disproportionate share formula, the 1989 audited financial  
19 data, and the Medicaid per diem rate as of January 1, 1992,  
20 for those hospitals that qualify for the hospital  
21 disproportionate share program funded in Specific  
22 Appropriation 247 of the 1998-1999 General Appropriations Act.  
23 This section expires July 1, 1999.

24 Section 4. In order to implement Specific  
25 Appropriation 240 of the 1998-1999 General Appropriations Act,  
26 subsection (6) of section 409.9116, Florida Statutes, is  
27 amended to read:

28 409.9116 Disproportionate share/financial assistance  
29 program for rural hospitals.--In addition to the payments made  
30 under s. 409.911, the Agency for Health Care Administration  
31 shall administer a federally matched disproportionate share

1 program and a state-funded financial assistance program for  
 2 statutory rural hospitals. The agency shall make  
 3 disproportionate share payments to statutory rural hospitals  
 4 that qualify for such payments and financial assistance  
 5 payments to statutory rural hospitals that do not qualify for  
 6 disproportionate share payments. The disproportionate share  
 7 program payments shall be limited by and conform with federal  
 8 requirements. In fiscal year 1993-1994, available funds shall  
 9 be distributed in one payment, as soon as practicable after  
 10 the effective date of this act. In subsequent fiscal years,  
 11 funds shall be distributed quarterly in each fiscal year for  
 12 which an appropriation is made. Notwithstanding the provisions  
 13 of s. 409.915, counties are exempt from contributing toward  
 14 the cost of this special reimbursement for hospitals serving a  
 15 disproportionate share of low-income patients.

16 (6) For the 1998-1999 ~~1997-1998~~ fiscal year only, the  
 17 Agency for Health Care Administration shall use the following  
 18 formula for distribution of the funds in Specific  
 19 Appropriation 240 226 of the 1998-1999 ~~1997-1998~~ General  
 20 Appropriations Act for the disproportionate share/financial  
 21 assistance program for rural hospitals.

22 (a) The agency shall first determine a preliminary  
 23 payment amount for each rural hospital by allocating all  
 24 available state funds using the following formula:

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$$26 \quad \text{PDAER} = (\text{TAERH} \times \text{TARH}) / \text{STAERH}$$

27

28 Where:

29 PDAER = preliminary distribution amount for each rural  
 30 hospital.

31 TAERH = total amount earned by each rural hospital.

1           TARH = total amount appropriated or distributed under  
2 this section.

3           STAERH = sum of total amount earned by each rural  
4 hospital.

5           (b) Federal matching funds for the disproportionate  
6 share program shall then be calculated for those hospitals  
7 that qualify for disproportionate share in paragraph (a).

8           (c) The state-funds-only payment amount is then  
9 calculated for each hospital using the formula:

10

11           SFOER = Maximum value of (1) SFOL - PDAER or (2) 0

12

13 Where:

14           SFOER = state-funds-only payment amount for each rural  
15 hospital.

16           SFOL = state-funds-only payment level, which is set at  
17 4 percent of TARH.

18           (d) The adjusted total amount allocated to the rural  
19 disproportionate share program shall then be calculated using  
20 the following formula:

21

22                            $ATARH = (TARH - SSFOER)$

23

24 Where:

25           ATARH = adjusted total amount appropriated or  
26 distributed under this section.

27           SSFOER = sum of the state-funds-only payment amount  
28 calculated under paragraph (c) for all rural hospitals.

29           (e) The determination of the amount of rural  
30 disproportionate share hospital funds is calculated by the  
31 following formula:

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$$\text{TDAERH} = [(\text{TAERH} \times \text{ATARH}) / \text{STAERH}]$$

Where:

TDAERH = total distribution amount for each rural hospital.

(f) Federal matching funds for the disproportionate share program shall then be calculated for those hospitals that qualify for disproportionate share in paragraph (e).

(g) State-funds-only payment amounts calculated under paragraph (c) are then added to the results of paragraph (f) to determine the total distribution amount for each rural hospital.

(h) This subsection expires ~~is repealed~~ on July 1, 1999 ~~1998~~.

Section 5. In order to implement Specific Appropriations 293 through 446A and 466A through 556A of the 1998-1999 General Appropriations Act, paragraph (c) of subsection (15) of section 216.181, Florida Statutes, is amended to read:

216.181 Approved budgets for operations and fixed capital outlay.--

(15)

(c) For the 1998-1999 ~~1997-1998~~ fiscal year only, funds appropriated to the Department of Children and Family Services in Specific Appropriations 293 ~~272~~ through 446A ~~403~~ and the Department of Health in Specific Appropriations 466A ~~426~~ through 556A ~~511A~~ of the 1998-1999 ~~1997-1998~~ General Appropriations Act may be advanced, unless specifically prohibited in such General Appropriations Act, for those contracted services that were approved for advancement by the

1 Comptroller in fiscal year 1993-1994, including those services  
2 contracted on a fixed-price or unit cost basis. This  
3 paragraph expires ~~is repealed~~ on July 1, 1999 ~~1998~~.

4 Section 6. For the purpose of implementing Specific  
5 Appropriation 247 of the 1998-1999 General Appropriations Act,  
6 and for the 1998-1999 fiscal year only, the Agency for Health  
7 Care Administration shall include health maintenance  
8 organization recipients in the county billing for inpatient  
9 hospital stays for the purpose of shared costs with counties  
10 in accordance with the Florida Statutes. This section expires  
11 July 1, 1999.

12 Section 7. In order to implement Specific  
13 Appropriations 440 through 445 of the 1998-1999 General  
14 Appropriations Act, the Department of Children and Family  
15 Services is authorized to use operating funds budgeted for  
16 Developmental Services Institutions for fixed capital outlay  
17 expenditures as needed to bring any currently unlicensed beds  
18 up to Federal Intermediate Care Facility for the  
19 Developmentally Disabled licensure standards. This section  
20 expires July 1, 1999.

21 Section 8. In order to implement Specific  
22 Appropriation 474 of the 1998-1999 General Appropriations Act,  
23 the sum of \$1.2 million is transferred from the unallocated  
24 balance in the Medical Quality Assurance Trust Fund to the  
25 Department of Health to allow the department to develop the  
26 examination required for foreign-licensed physicians in  
27 section 458.3115(1)(a), Florida Statutes, through a contract  
28 with the University of South Florida. The department shall  
29 charge examinees a fee that, in the aggregate, will reimburse  
30 the Medical Quality Assurance Trust Fund for the amount  
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1 advanced to the department under this section. This section  
2 expires July 1, 1999.

3 Section 9. Paragraph (a) of subsection (1) of section  
4 458.3115, Florida Statutes, is amended to read:

5 458.3115 Restricted license; certain foreign-licensed  
6 physicians; United States Medical Licensing Examination  
7 (USMLE) or agency-developed examination; restrictions on  
8 practice; full licensure.--

9 (1)(a) Notwithstanding any other provision of law, the  
10 agency shall provide procedures under which certain physicians  
11 who are or were foreign-licensed and have practiced medicine  
12 no less than 2 years may take the USMLE or an agency-developed  
13 examination to qualify for a restricted license to practice  
14 medicine in this state. The agency and board-developed  
15 examination shall test the same areas of medical knowledge as  
16 the Federation of State Medical Boards of the United States,  
17 Inc. (FLEX) previously administered by the Florida Board of  
18 Medicine to grant medical licensure in Florida. ~~Said~~  
19 ~~examination shall be in the same form and content and shall be~~  
20 ~~administered in the same manner as the FLEX.~~The  
21 agency-developed examination must be made available no later  
22 than December 31 ~~September 1~~, 1998, to a physician who  
23 qualifies for licensure. A person who is eligible to take and  
24 elects to take the agency and board-developed examination, who  
25 has previously passed part 1 or part 2 of the previously  
26 administered FLEX shall not be required to retake or pass the  
27 equivalent parts of the agency-developed examination, and may  
28 sit for the agency and board-developed examination five times  
29 within 5 years.

30 Section 10. For the purpose of implementing Specific  
31 Appropriations 1033, 1042, 1046, and 1050 of the 1998-1999

1 General Appropriations Act, the Florida Department of Law  
2 Enforcement may transfer up to 20 positions and associated  
3 budget between budget entities and up to 10 percent of the  
4 initial approved salary rate between budget entities, provided  
5 the same funding source is used throughout each transfer. The  
6 department may also transfer up to 10 percent of the initial  
7 approved budget between budget entities, provided the same  
8 funding source is used throughout each transfer. The  
9 department must provide notice to the Executive Office of the  
10 Governor, the Senate Ways and Means Committee, and the House  
11 Committee on Criminal Justice Appropriations for all transfers  
12 of salary rate or positions. This section expires July 1,  
13 1999.

14           Section 11. For the purpose of implementing Specific  
15 Appropriations 1033, 1042, 1046, and 1050 of the 1998-1999  
16 General Appropriations Act, beginning July 1, 1998, the  
17 Florida Department of Law Enforcement, with approval of the  
18 Executive Office of the Governor and in consultation with the  
19 Department of Management Services, legislative appropriation  
20 and personnel committees, and the affected certified  
21 bargaining units, is authorized to participate in the Model  
22 Career Service Classification and Compensation System as  
23 authorized by section 334.0445, Florida Statutes, which is  
24 hereby continued through June 30, 1999, for this purpose. This  
25 section expires July 1, 1999.

26           Section 12. Consistent with the provisions of section  
27 216.163, Florida Statutes, and notwithstanding the provisions  
28 of section 216.181, Florida Statutes, the Florida Department  
29 of Law Enforcement may transfer up to one-half of 1 percent of  
30 the funds in Specific Appropriations 1033, 1042, 1046, and  
31 1050 of the 1998-1999 General Appropriations Act for lump-sum

1 salary bonuses for departmental employees at the discretion of  
2 the Executive Director, provided that such bonuses are given  
3 only to selected employees for meritorious performance,  
4 instead of being given as across-the-board bonuses for all  
5 employees. The department, after consultation with the  
6 Executive Office of the Governor, shall provide a plan to the  
7 House Fiscal Responsibility Council Chair and to the Senate  
8 Ways and Means Committee Chair for approval before awarding  
9 such bonuses. This section expires July 1, 1999.

10           Section 13. In order to implement Specific  
11 Appropriation 589 of the 1998-1999 General Appropriations Act,  
12 the Correctional Privatization Commission and the Department  
13 of Juvenile Justice may expend appropriated funds to assist in  
14 defraying the costs of impacts that are incurred by a  
15 municipality or county and associated with opening and  
16 operating a facility under the authority of the Correctional  
17 Privatization Commission or a facility under the authority of  
18 the Department of Juvenile Justice which is located within  
19 that municipality or county. The amount that is to be paid  
20 under this section for any facility may not exceed 1 percent  
21 of the facility construction cost, less building impact fees  
22 imposed by the municipality, or by the county if the facility  
23 is located in the unincorporated portion of the county. This  
24 section expires July 1, 1999.

25           Section 14. In order to implement Specific  
26 Appropriation 117 of the 1998-1999 General Appropriations Act,  
27 paragraph (a) of subsection (4) of section 236.081, Florida  
28 Statutes, is amended to read:

29           236.081 Funds for operation of schools.--If the annual  
30 allocation from the Florida Education Finance Program to each  
31 district for operation of schools is not determined in the

1 annual appropriations act or the substantive bill implementing  
2 the annual appropriations act, it shall be determined as  
3 follows:

4 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL  
5 EFFORT.--The Legislature shall prescribe the aggregate  
6 required local effort for all school districts collectively as  
7 an item in the General Appropriations Act for each fiscal  
8 year. The amount that each district shall provide annually  
9 toward the cost of the Florida Education Finance Program for  
10 kindergarten through grade 12 programs shall be calculated as  
11 follows:

12 (a) Estimated taxable value calculations.--

13 1.a. Not later than 2 working days prior to July 19,  
14 the Department of Revenue shall certify to the Commissioner of  
15 Education its most recent estimate of the taxable value for  
16 school purposes in each school district and the total for all  
17 school districts in the state for the current calendar year  
18 based on the latest available data obtained from the local  
19 property appraisers. Not later than July 19, the commissioner  
20 shall compute a millage rate, rounded to the next highest one  
21 one-thousandth of a mill, which, when applied to 95 percent of  
22 the estimated state total taxable value for school purposes,  
23 would generate the prescribed aggregate required local effort  
24 for that year for all districts. The commissioner shall  
25 certify to each district school board the millage rate,  
26 computed as prescribed in this subparagraph, as the minimum  
27 millage rate necessary to provide the district required local  
28 effort for that year.

29 b. For the 1998-1999 ~~1997-1998~~ fiscal year only, the  
30 General Appropriations Act may direct the computation of the  
31 statewide adjusted aggregate amount for required local effort

1 for all school districts collectively from ad valorem taxes to  
2 ensure that no school district's revenue from required local  
3 effort millage will produce more than 90 percent of the  
4 district's total Florida Education Finance Program  
5 calculation, and the adjustment of the required local effort  
6 millage rate of each district that produces more than 90  
7 percent of its total Florida Education Finance Program  
8 entitlement to a level that will produce only 90 percent of  
9 its total Florida Education Finance Program entitlement. This  
10 sub-subparagraph expires ~~is repealed on July 1, 1999~~ ~~1998~~,  
11 unless enacted in other legislation.

12           2. As revised data are received from property  
13 appraisers, the Department of Revenue shall amend the  
14 certification of the estimate of the taxable value for school  
15 purposes. The Commissioner of Education, in administering the  
16 provisions of subparagraph (10)(a)2., shall use the most  
17 recent taxable value for the appropriate year.

18           Section 15. The funds provided in the 1998-1999  
19 General Appropriations Act for workforce development shall be  
20 initially allocated to the school district or community  
21 college as designated. If, for any reason, a program in whole  
22 or in part is moved from a community college to a school  
23 district or moved from a school district to a community  
24 college, the Commissioner of Education or the Executive  
25 Director, Division of Community Colleges, shall submit a  
26 budget amendment pursuant to chapter 216, Florida Statutes, to  
27 transfer the appropriate amount of the 1998-1999 appropriation  
28 between the affected district and community college. The  
29 amount transferred shall be as near as practicable to the  
30 actual amount appropriated for the FTE funded for that  
31 program. This section expires July 1, 1999.

1           Section 16. In order to implement Specific  
2 Appropriations 1299 and 1302 of the 1998-1999 General  
3 Appropriations Act, subsection (7) of section 212.20, Florida  
4 Statutes, is amended to read:

5           212.20 Funds collected, disposition; additional powers  
6 of department; operational expense; refund of taxes  
7 adjudicated unconstitutionally collected.--

8           (7) For the 1998-1999 ~~1997-1998~~ fiscal year only, the  
9 use of funds allocated to the Solid Waste Management Trust  
10 Fund shall be as provided in the General Appropriations Act.  
11 There is transferred \$6 million for the surface water  
12 improvement and management program and \$6 million for the  
13 aquatic weed control program from revenues provided by this  
14 section. This subsection expires July 1, 1999 ~~1998~~.

15           Section 17. In order to implement Specific  
16 Appropriations 1397 and 1399 of the 1998-1999 General  
17 Appropriations Act, counties receiving funds for aquatic weed  
18 control programs as provided by section 212.20(7), Florida  
19 Statutes, may use these funds for recycling purposes. This  
20 authorization expires June 30, 1999.

21           Section 18. In order to implement Specific  
22 Appropriations 1397 and 1399 of the 1998-1999 General  
23 Appropriations Act, paragraph (a) of subsection (7) of section  
24 403.7095, Florida Statutes, is amended to read:

25           403.7095 Solid waste management grant program.--

26           (7)(a) Annual solid waste and recycling grants shall  
27 be available to counties with populations of fewer than  
28 100,000. The sum of \$50,000 shall be available annually to  
29 each eligible county from the Solid Waste Management Trust  
30 Fund through June 30, 1999 ~~1998~~. These grants shall be made

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1 by October 1 of each year to any county applying to the  
2 department prior to August 1 of any given year.

3 Section 19. In order to implement Specific  
4 Appropriations 1397 and 1399 of the 1998-1999 General  
5 Appropriations Act, subsections (8) and (9) of section  
6 403.7095, Florida Statutes, are amended to read:

7 403.7095 Solid waste management grant program.--

8 (8) For fiscal year 1998-1999 ~~1997-1998~~ the department  
9 shall provide counties with populations under 100,000 with at  
10 least the same level of funding they received in fiscal year  
11 1997-1998 ~~1996-1997~~ for solid waste management and recycling  
12 grants.

13 (9) For fiscal year 1998-1999 ~~1997-1998~~ the department  
14 shall provide 10 percent of the total funds available after  
15 the requirements of subsection (8) are met for recycling  
16 grants available to all counties on a competitive basis for  
17 innovative programs that meet one or more of the following  
18 criteria:

19 (a) Demonstrate advanced technologies or processes.

20 (b) Collect and recycle nontraditional materials.

21 (c) Demonstrate substantial improvement in program  
22 cost-effectiveness and efficiency as measured against  
23 statewide average costs for the same or similar programs.

24 (d) Demonstrate transferability of technology and  
25 processes used in program.

26 (e) Demonstrate and implement multicounty or regional  
27 recycling programs.

28 Section 20. In order to implement Specific  
29 Appropriation 1571M of the 1998-1999 General Appropriations  
30 Act, the Department of Transportation, on behalf of the Board  
31 of Trustees of the Internal Improvement Trust Fund, may sell,

1 at fair market value, the following described state real  
2 property utilized by the Department of Highway Safety and  
3 Motor Vehicles.

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5 From the NW corner of Section 28, Township 22  
6 South, Range 30 East, run North 89 degrees, 21  
7 minutes, 24 seconds East, 1900 feet; thence run  
8 South 0 degrees, 38 minutes, 36 seconds East,  
9 59.45 feet for a point of beginning, said point  
10 being on the Southerly right of way line of  
11 State Highway No. 50; thence South 0 degrees,  
12 38 minutes, 36 seconds East, 525.41 feet;  
13 thence North 66 degrees, 42 minutes, 09 seconds  
14 East, 390 feet more or less to the water's edge  
15 of Lake Barton; thence run Northerly along the  
16 water's edge of Lake Barton to the North line  
17 of said Section 28; thence run South 89  
18 degrees, 21 minutes, 24 seconds West along the  
19 North line of said Section 28, to a 4" concrete  
20 monument on the Southerly right of way line of  
21 State Road No. 50, being North 89 degrees, 21  
22 minutes, 24 seconds East, 2315.27 feet from the  
23 NW Corner of said Section 28; thence run  
24 Westerly 419.59 feet along the arc of a 0  
25 degree, 44 minutes, 25 seconds curve concave to  
26 the Northwesterly, (having a central angle of 3  
27 degrees, 6 minutes, 22 seconds, the long chord  
28 bearing South 81 degrees, 08 minutes, 37  
29 seconds West 419.50 feet) to the point of  
30 beginning. All of the above described land  
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1           being in the NE 1/4 of the NW 1/4 of said  
2           Section 28, Orange County, Florida.

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4           Proceeds from the sale shall be deposited in the State  
5           Transportation Trust Fund. The Board of Trustees of the  
6           Internal Improvement Trust Fund shall execute and deliver a  
7           deed of conveyance for the purpose of carrying into effect a  
8           contract or agreement of sale.

9           Section 21. A section of this act which implements a  
10          specific appropriation or specifically identified proviso  
11          language in the 1998-1999 General Appropriations Act is void  
12          if the specific appropriation or specifically identified  
13          proviso language is vetoed. A section of this act that  
14          implements more than one specific appropriation or more than  
15          one portion of specifically identified proviso language in the  
16          1998-1999 General Appropriations Act is void if all the  
17          specific appropriations or portions of specifically identified  
18          proviso language are vetoed.

19          Section 22. If any other act passed during the 1998  
20          Regular Session of the Legislature or any extension thereof  
21          contains a provision that is substantively the same as a  
22          provision in this act, but which removes or is otherwise not  
23          subject to the future repeal applied to such provision by this  
24          act, the Legislature intends that the provision in the other  
25          act shall take precedence and shall continue to operate,  
26          notwithstanding the future repeal provided by this act.

27          Section 23. If any provision of this act or the  
28          application thereof to any person or circumstance is held  
29          invalid, the invalidity shall not affect other provisions or  
30          applications of the act which can be given effect without the  
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1 invalid provision or application, and to this end the  
2 provisions of this act are declared severable.

3           Section 24. This act shall take effect July 1, 1998,  
4 or in the event this act fails to become a law until after  
5 that date, it shall operate retroactively thereto.

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