

Amendment No. ____ (for drafter's use only)

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

Representative(s) Wise offered the following:

Amendment (with title amendment)

Remove from the bill: Everything after the enacting clause
and insert in lieu thereof:

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

Section 1. (1)(a) The following trust funds within
the Department of Education are terminated:

- 1. The Community College Capital Facilities Matching Trust Fund, no FLAIR number.
- 2. The Florida School Improvement and Academic Achievement Trust Fund, no FLAIR number.
- 3. The Challenger Astronauts Memorial Undergraduate Scholarship Trust Fund, FLAIR number 48-2-082.
- 4. The Federal Rehabilitation Trust Fund, FLAIR number 48-2-270.
- 5. The Dr. Philip Benjamin Academic Improvement Trust Fund for Community Colleges, FLAIR number 48-2-297.

Amendment No. ____ (for drafter's use only)

1 (b) The following trust funds within the Department of
2 Education, Division of Universities, are terminated:

3 1. The University of Florida Institute of Food and
4 Agricultural Sciences Relocation and Construction Trust Fund,
5 FLAIR number 49-2-025.

6 2. The Hurricane Andrew Disaster Relief Trust Fund,
7 FLAIR number 49-2-200.

8 3. The Hurricane Andrew Recovery and Rebuilding Trust
9 Fund, FLAIR number 49-2-205.

10 4. The University of Florida Institute of Food and
11 Agricultural Sciences Student Fee Trust Fund, FLAIR number
12 49-2-407. The current balance remaining in, and all revenues
13 of, the trust fund shall be transferred to the Education and
14 General Student and Other Fees Trust Fund.

15 5. The University of Florida Health Center Student Fee
16 Trust Fund, FLAIR number 49-2-409. The current balance
17 remaining in, and all revenues of, the trust fund shall be
18 transferred to the Education and General Student and Other
19 Fees Trust Fund.

20 6. The University of Florida Health Center Liability
21 Insurance Trust Fund, FLAIR number 49-2-444.

22 7. The University of South Florida Medical Center
23 Professional Medical Liability Self-Insurance Trust Fund,
24 FLAIR number 49-2-477.

25 8. The University of Florida Health Center at
26 Jacksonville Liability Insurance Trust Fund, FLAIR number
27 49-2-768.

28 (2) Unless otherwise provided, all current balances
29 remaining in, and all revenues of, the trust funds terminated
30 by this section shall be transferred to the General Revenue
31 Fund.

Amendment No. ____ (for drafter's use only)

1 (3) For each trust fund terminated by this section,
2 the agency or branch that administers the trust fund shall pay
3 any outstanding debts and obligations of the terminated fund
4 as soon as practicable, and the Comptroller shall close out
5 and remove the terminated fund from the various state
6 accounting systems using generally accepted accounting
7 principles concerning warrants outstanding, assets, and
8 liabilities.

9 Section 2. The Legislature finds that the following
10 trust funds are exempt from termination pursuant to Section
11 19(f), Article III of the State Constitution:

12 (1) Within the Department of Education:

13 (a) The Construction Trust Fund, Florida School for
14 the Deaf and the Blind, FLAIR number 48-2-137.

15 (b) The Educational Enhancement Trust Fund, FLAIR
16 number 48-2-178.

17 (c) The State School Trust Fund, FLAIR number
18 48-2-543.

19 (d) The Public Education Capital Outlay and Debt
20 Service Trust Fund, FLAIR number 48-2-555.

21 (e) The School District and Community College District
22 Capital Outlay and Debt Service Trust Fund, FLAIR number
23 48-2-612.

24 (2) Within the Department of Education, Division of
25 Universities:

26 (a) The Ancillary Facilities Construction Trust Fund,
27 FLAIR number 49-2-026.

28 (b) The Division of Universities Building Fee Trust
29 Fund, FLAIR number 49-2-064.

30 (c) The Division of Universities Capital Improvement
31 Fee Trust Fund, FLAIR number 49-2-071.

Amendment No. ____ (for drafter's use only)

- 1 (d) The State University System Construction Trust
2 Fund, FLAIR number 49-2-137.
- 3 (e) The Education--Contracts, Grants, and Donations
4 Trust Fund, FLAIR number 49-2-153.
- 5 (f) The Educational Enhancement Trust Fund, FLAIR
6 number 49-2-178.
- 7 (g) The Engineering Industrial Experimental Station
8 Trust Fund, FLAIR number 49-2-186.
- 9 (h) The Auxiliary General Trust Fund, FLAIR number
10 49-2-330.
- 11 (i) The State University System Law Enforcement Trust
12 Fund, FLAIR number 49-2-434.
- 13 (j) The Sponsored Research Trust Fund, FLAIR number
14 49-2-655.
- 15 (k) The Uniform Payroll Trust Fund, FLAIR number
16 49-2-766.
- 17 (l) The Developmental Research School Trust Fund,
18 FLAIR number 49-2-999.
- 19 Section 3. Section 3 of chapter 95-114, Laws of
20 Florida, and section 3 of chapter 95-115, Laws of Florida, are
21 repealed.
- 22 Section 4. Section 11.2423, Florida Statutes, is
23 amended to read:
- 24 11.2423 Laws or statutes not repealed.--
- 25 (1) No special or local statute, or statute, local,
26 limited or special in its nature, shall be repealed by the
27 Florida Statutes, now or hereafter adopted, and, for the
28 purpose of this saving from repeal any statute of the
29 following classes shall be taken to be included in such
30 exception, namely:
- 31 (a) Any statutes for or concerning only a certain

Amendment No. ____ (for drafter's use only)

1 county or certain designated counties.

2 (b) Any statute for, or concerning or operative in
3 only a portion of the state.

4 (c) Any statute for or concerning only a certain
5 municipal corporation.

6 (d) Any statute for or concerning only a designated
7 individual corporation or corporations.

8 (e) Any statute incorporating a designated individual
9 corporation, or making a grant thereto.

10 (f) Any statute of such limited or local application
11 as makes its inclusion in a general statute impracticable or
12 undesirable.

13 (g) Road designation laws.

14 (h) Severability section in any law.

15 (i) Any act of the Legislature declaring a trust fund
16 to be exempt from termination pursuant to s. 19(f), Art. III
17 of the State Constitution.

18 (2) The foregoing enumeration of classes of statutes
19 not repealed shall not be construed to imply a repeal of other
20 statutes which are local, limited or special in their nature.

21 Section 5. Paragraph (b) of subsection (1) of section
22 28.101, Florida Statutes, 1998 Supplement, is amended to read:

23 28.101 Petitions and records of dissolution of
24 marriage; additional charges.--

25 (1) When a party petitions for a dissolution of
26 marriage, in addition to the filing charges in s. 28.241, the
27 clerk shall collect and receive:

28 (b) A charge of \$5. On a monthly basis, the clerk
29 shall transfer the moneys collected pursuant to this paragraph
30 to the State Treasury for deposit in the Displaced Homemaker
31 Trust Fund created in s. 446.50 ~~410.30~~. If a petitioner does

Amendment No. ____ (for drafter's use only)

1 not have sufficient funds with which to pay this fee and signs
2 an affidavit so stating, all or a portion of the fee shall be
3 waived subject to a subsequent order of the court relative to
4 the payment of the fee.

5 Section 6. Section 446.52, Florida Statutes, is
6 amended to read:

7 446.52 Confidentiality of information.--Information
8 about displaced homemakers who receive services under ss.
9 446.50 ~~410.30~~ and 446.51 ~~410.301~~ which is received through
10 files, reports, inspections, or otherwise, by the division or
11 by authorized employees of the division, by persons who
12 volunteer services, or by persons who provide services to
13 displaced homemakers under ss. 446.50 ~~410.30~~ and 446.51
14 ~~410.301~~ through contracts with the division is confidential
15 and exempt from the provisions of s. 119.07(1). Such
16 information may not be disclosed publicly in such a manner as
17 to identify a displaced homemaker, unless such person or the
18 person's legal guardian provides written consent.

19 Section 7. Subsection (3) of section 741.01, Florida
20 Statutes, 1998 Supplement, is amended to read:

21 741.01 County court judge or clerk of the circuit
22 court to issue marriage license; fee.--

23 (3) Further, the fee charged for each marriage license
24 issued in the state shall be increased by an additional sum of
25 \$7.50 to be collected upon receipt of the application for the
26 issuance of a marriage license. The clerk shall transfer such
27 funds monthly to the State Treasury for deposit in the
28 Displaced Homemaker Trust Fund created in s. 446.50 ~~410.30~~.

29 Section 8. Section 236.1229, Florida Statutes, 1998
30 Supplement, and section 236.12295, Florida Statutes, are
31 repealed.

Amendment No. ____ (for drafter's use only)

1 Section 9. Subsection (7) of section 240.235, Florida
2 Statutes, 1998 Supplement, is amended to read:

3 240.235 Fees.--

4 (7) Each university may assess a service charge for
5 the payment of tuition and fees in installments. Such service
6 charge must be approved by the Board of Regents. The revenues
7 from such service charges shall be deposited into a student
8 fee trust fund the Legislature has established and assigned to
9 the university for that purpose ~~the Incidental Trust Fund.~~

10 Section 10. Paragraph (a) of subsection (1) of section
11 240.243, Florida Statutes, is amended to read:

12 240.243 Required number of classroom teaching hours
13 for university faculty members.--

14 (1) As used in this section:

15 (a) "State funds" means those funds appropriated
16 annually in the General Appropriations Act ~~from the General~~
17 ~~Revenue Fund and Incidental Trust Fund for institutional and~~
18 ~~research functions and, in the case of a health center, those~~
19 ~~funds appropriated from the General Revenue Fund and~~
20 ~~Operations and Maintenance Trust Fund for the same purposes.~~

21 Section 11. Section 240.36, Florida Statutes, 1998
22 Supplement, is amended to read:

23 240.36 Dr. Philip Benjamin Academic Improvement
24 Program Trust Fund for Community Colleges.--

25 (1) There is created the Dr. Philip Benjamin Academic
26 Improvement Program Trust Fund for Community Colleges to be
27 administered according to rules of the State Board of
28 Community Colleges. This program trust fund shall be used to
29 encourage private support in enhancing public community
30 colleges by providing the community college system with the
31 opportunity to receive and match challenge grants.

Amendment No. ____ (for drafter's use only)

1 ~~(2) Funds appropriated shall be deposited in the trust~~
2 ~~fund and shall be invested pursuant to s. 18.125.~~
3 ~~Notwithstanding the provisions of s. 216.301 and pursuant to~~
4 ~~s. 216.351, any undisbursed balance remaining in the trust~~
5 ~~fund and interest income accruing to that portion of the trust~~
6 ~~fund not matched shall remain in the trust fund and shall~~
7 ~~increase the total funds available for challenge grants. At~~
8 ~~the end of a fiscal year, any unexpended balance of an~~
9 ~~appropriation in the trust fund will not revert to the fund~~
10 ~~from which appropriated, but will remain in the trust fund~~
11 ~~until used for the purposes specified in this section.~~

12 (2)~~(3)~~ For every year in which there is a legislative
13 appropriation to the program trust fund, no less than \$25,000
14 must be reserved to permit each community college and the
15 State Board of Community Colleges, which shall be an eligible
16 community college entity for the purposes of this section, an
17 opportunity to match challenge grants. The balance of the
18 funds shall be available for matching by any eligible
19 community college entity. ~~Trust~~ Funds which remain unmatched
20 by contribution on March 1 of any year shall also be available
21 for matching by any community college entity. The State Board
22 of Community Colleges shall adopt rules providing all
23 community college entities with an opportunity to apply for
24 excess ~~trust~~ funds prior to the awarding of such funds.
25 However, no community college may receive more than its
26 percentage of the total full-time equivalent enrollment or 15
27 percent, whichever is greater, of the funds appropriated to
28 the program trust fund for that fiscal year and, likewise, the
29 State Board of Community Colleges may not receive more than 15
30 percent of the funds appropriated to the program trust fund
31 for that fiscal year. A community college entity shall place

Amendment No. ____ (for drafter's use only)

1 all funds it receives in excess of the first challenge grant
2 and its matching funds in its endowment fund and only the
3 earnings on that amount may be spent for approved projects. A
4 community college entity may spend the first challenge grant
5 and its matching funds as cash for any approved project,
6 except scholarships. If a community college entity proposes
7 to use any amount of the grant or the matching funds for
8 scholarships, it must deposit that amount in its endowment in
9 its academic improvement trust fund and use the earnings of
10 the endowment to provide scholarships.

11 ~~(3)(4)~~ Challenge grants shall be proportionately
12 allocated from the program trust fund on the basis of matching
13 each \$4 of state funds with \$6 of local or private funds. To
14 be eligible, a minimum of \$4,500 must be raised from private
15 sources.

16 ~~(4)(5)~~ Funds sufficient to provide the match shall be
17 transferred from the state appropriation trust fund to the
18 local community college foundation or the statewide community
19 college foundation upon notification that a proportionate
20 amount has been received and deposited by the community
21 college entity in its own trust fund.

22 ~~(5)(6)~~ Each community college entity shall establish
23 its own academic improvement trust fund as a depository for
24 the private contributions and matching state funds provided
25 under this section ~~fund established herein~~. The foundations of
26 the community college entities are responsible for the
27 maintenance, investment, and administration of their academic
28 improvement trust funds.

29 ~~(6)(7)(a)~~ The board of trustees of the community
30 college and the State Board of Community Colleges are
31 responsible for determining the uses for the proceeds of their

Amendment No. ____ (for drafter's use only)

1 respective trust funds. Such uses of the proceeds shall be
2 limited to expenditure of the funds for:

3 1. Scientific and technical equipment.

4 2. Other activities that will benefit future students
5 as well as students currently enrolled at the community
6 college and that will improve the quality of education at the
7 community college or in the community college system.

8 3. Scholarships, loans, or need-based grants.

9 (b) If a community college includes scholarships,
10 loans, or need-based grants in its proposal, it shall create
11 an endowment in its academic improvement trust fund and use
12 the earnings of the endowment to provide scholarships, loans,
13 or need-based grants.

14 (c) Proposals for use of the trust fund shall be
15 submitted to the State Board of Community Colleges for
16 approval. Any proposal not acted upon in 60 days shall be
17 considered not approved.

18 ~~(7)(8)~~ The State Board of Community Colleges shall
19 establish rules to provide for the administration of this
20 program fund. Such rules shall establish the minimum challenge
21 grant reserved for each community college entity and the
22 maximum amount which a community college entity may receive
23 from a legislative appropriation in any fiscal year in
24 accordance with the provisions of the General Appropriations
25 Act.

26 Section 12. Subsection (5) of section 240.334, Florida
27 Statutes, is amended to read:

28 240.334 Technology transfer centers at community
29 colleges.--

30 (5) A technology transfer center shall be financed
31 from the Academic Improvement Program Trust Fund or from

Amendment No. ____ (for drafter's use only)

1 moneys of a community college which are on deposit or received
2 for use in the activities conducted in the center. Such moneys
3 shall be deposited by the community college in a permanent
4 technology transfer fund in a depository or depositories
5 approved for the deposit of state funds and shall be accounted
6 for and disbursed subject to regular audit by the Auditor
7 General.

8 Section 13. Section 240.3835, Florida Statutes, is
9 repealed.

10 Section 14. Subsections (3), (4), and (11) of section
11 240.383, Florida Statutes, are amended to read:

12 240.383 State Community College System Facility
13 Enhancement Challenge Grant Program.--

14 (3) The Community College Capital Facilities Matching
15 ~~Program Trust Fund, if created by law, otherwise the General~~
16 ~~Revenue Fund,~~ shall provide funds to match private
17 contributions for the development of high priority
18 instructional and community-related capital facilities,
19 including common areas connecting such facilities, within the
20 State Community College System. ~~All appropriated funds~~
21 ~~deposited in the trust fund, if created by law, otherwise the~~
22 ~~General Revenue Fund, shall be invested pursuant to the~~
23 ~~provisions of s. 18.125. Interest income accruing to that~~
24 ~~portion of the trust fund, if created by law, otherwise the~~
25 ~~General Revenue Fund, shall increase the total funds available~~
26 ~~for the challenge grant program. Interest income accruing~~
27 ~~from the private donations shall be returned to the~~
28 ~~participating direct support organization upon completion of~~
29 ~~the project.~~

30 (4) Within the direct-support organization of each
31 community college there must be established a separate capital

Amendment No. ____ (for drafter's use only)

1 facilities matching account for the purpose of providing
2 matching funds from the direct-support organization's
3 unrestricted donations or other private contributions for the
4 development of high priority instructional and
5 community-related capital facilities, including common areas
6 connecting such facilities. The Legislature shall appropriate
7 ~~funds to be transferred to the Community College Capital~~
8 ~~Facilities Matching Trust Fund, if created by law, otherwise~~
9 ~~the General Revenue Fund,~~ for distribution to a community
10 college after matching funds are certified by the
11 direct-support organization and community college. The Public
12 Education Capital Outlay and Debt Service Trust Fund shall not
13 be used as the source of the state match for private
14 contributions.

15 (11) Any project funds that are unexpended after a
16 project is completed shall revert to the community college's
17 direct-support organization capital facilities matching
18 account. Fifty percent of such unexpended funds shall be
19 reserved for the community college which originally received
20 the private contribution for the purpose of providing private
21 matching funds for future facility construction projects as
22 provided in this section. The balance of such unexpended
23 funds shall be returned to the ~~Community College Capital~~
24 ~~Facilities Matching Trust Fund, if created by law, otherwise~~
25 ~~the General Revenue Fund,~~ and be available to any community
26 college for future facility construction projects conducted
27 pursuant to this section.

28 Section 15. Section 240.408, Florida Statutes, is
29 repealed.

30 Section 16. Subsection (10) of section 229.602,
31 Florida Statutes, is amended to read:

Amendment No. ____ (for drafter's use only)

1 229.602 Florida private sector and education
2 partnerships.--

3 (10)(a) There is hereby created the teacher/quest
4 partnership program. This program establishes a new education
5 partnership with business, industry, or nonprofit or
6 government agencies for the purpose of providing teachers with
7 the opportunity to enhance their knowledge and improve their
8 teaching skills in the areas of science, mathematics, and
9 computer science.

10 (b) Teachers shall participate in a project in
11 association with a business, industry, or agency partner.
12 Teachers shall explore job-related science, mathematics, and
13 computer skills, and the application of mathematical,
14 scientific, and computing concepts to problems faced in
15 business, industry, or agency settings. This experience will
16 keep them current, provide them with a "real world"
17 perspective and experiential knowledge, and enable them to
18 develop resource contacts from the participating organizations
19 who could be invited to participate in classroom
20 demonstrations or other learning experiences.

21 (c) The Department of Education is authorized to
22 distribute grants to school districts for teacher/quest
23 partnership projects. Each project shall provide salary
24 stipends to teachers for the summer recess at their regular
25 rate of pay. Each school district and participating business,
26 industry, or agency shall reach a contractual agreement which
27 shall be included in a proposal submitted to the Department of
28 Education. A business, industry, or agency shall agree to hire
29 teachers, and teacher recipients shall make a commitment to
30 continue teaching or repay the cost of the stipend. The
31 proposed projects shall be judged on their originality and the

Amendment No. ____ (for drafter's use only)

1 potential transfer of knowledge to learning opportunities for
2 students. All projects shall require the participating
3 business, industry, or agency to match state dollars one for
4 one.

5 ~~(d) The program shall be funded wholly or in part by~~
6 ~~the Challenger Astronauts Memorial Undergraduate Scholarship~~
7 ~~Trust Fund, pursuant to s. 240.408.~~

8 Section 17. Section 240.4082, Florida Statutes, is
9 amended to read:

10 240.4082 Teacher/Quest Scholarship Program.--

11 ~~(1)~~ The Teacher/Quest Scholarship Program is created
12 for the purpose of providing teachers with the opportunity to
13 enhance their knowledge of science, mathematics, and computer
14 applications in business, industry, and government. A school
15 district or developmental research school may propose that one
16 or more teachers be granted a Teacher/Quest Scholarship by
17 submitting to the Department of Education:

18 ~~(1)(a)~~ A project proposal specifying activities a
19 teacher will carry out to improve his or her:

20 ~~(a)1.~~ Understanding of mathematical, scientific, or
21 computing concepts;

22 ~~(b)2.~~ Ability to apply and demonstrate such concepts
23 through instruction;

24 ~~(c)3.~~ Knowledge of vocational requirements for
25 competency in mathematics, science, and computing; and

26 ~~(d)4.~~ Ability to integrate and apply technological
27 concepts from all three fields; and

28 ~~(2)(b)~~ A contractual agreement with a private
29 corporation or governmental agency that implements the project
30 proposal and guarantees employment to the teacher during a
31 summer or other period when schools are out of session. The

Amendment No. ____ (for drafter's use only)

1 agreement must stipulate a salary rate that does not exceed
 2 regular rates of pay and a gross salary amount consistent with
 3 applicable statutory and contractual provisions for the
 4 teachers' employment. The teachers' compensation shall be
 5 provided for on an equally matched basis by ~~funds from the~~
 6 ~~Challenger Astronauts Memorial Undergraduate Scholarship Trust~~
 7 ~~Fund, as provided for in s. 240.408,~~ and funds from the
 8 employing corporation or agency.

9 ~~(2) This section shall be administered subject to the~~
 10 ~~availability of funds from the Challenger Astronauts Memorial~~
 11 ~~Undergraduate Scholarship Trust Fund and such authority as may~~
 12 ~~be exercised by the Challenger Astronauts Memorial Foundation~~
 13 ~~over such fund.~~

14 Section 18. This act shall take effect July 1, 2000.

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17 ===== T I T L E A M E N D M E N T =====

18 And the title is amended as follows:

19 On page 1, lines 1 - 8
 20 remove from the title of the bill: all of said lines
 21
 22 and insert in lieu thereof:

23 An act relating to trust funds; terminating
 24 specified trust funds within the Department of
 25 Education; providing for disposition of
 26 balances in and revenues of such trust funds;
 27 prescribing procedures for the termination of
 28 such trust funds; declaring the findings of the
 29 Legislature that specified trust funds within
 30 the Department of Education are exempt from the
 31 termination requirements of s. 19(f), Art. III

Amendment No. ____ (for drafter's use only)

1 of the State Constitution; repealing s. 3, ch.
2 95-114, Laws of Florida, and s. 3, ch. 95-115,
3 Laws of Florida, to eliminate future review and
4 termination or re-creation of the Ancillary
5 Facilities Construction Trust Fund and the
6 Education--Contracts, Grants, and Donations
7 Trust Fund; amending s. 11.2423, F.S.;
8 providing that acts declaring trust funds
9 exempt from constitutional termination
10 requirements are not repealed by the adoption
11 of the Florida Statutes; amending ss. 28.101,
12 446.52, 741.01, F.S.; correcting cross
13 references; repealing ss. 236.1229 and
14 236.12295, F.S., relating to the Florida School
15 Improvement and Academic Achievement Trust Fund
16 and grants from the trust fund; amending ss.
17 240.235 and 240.243, F.S.; eliminating
18 reference to the Incidental Trust Fund;
19 revising provisions relating to deposit of
20 revenues from the service charge assessed for
21 payment of university tuition and fees in
22 installments and redefining the term "state
23 funds" for purposes of provisions relating to
24 the number of classroom teaching hours required
25 of university faculty members, to conform;
26 amending s. 240.36, F.S.; revising funding
27 provisions of the Dr. Philip Benjamin Academic
28 Improvement Program; amending s. 240.334, F.S.,
29 to conform; repealing s. 240.3835, F.S.,
30 relating to the Community College Capital
31 Facilities Matching Trust Fund; amending s.

Amendment No. ____ (for drafter's use only)

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240.383, F.S.; revising funding provisions of
the Community College Capital Facilities
Matching Program, to conform; repealing s.
240.408, F.S., relating to the Challenger
Astronauts Memorial Undergraduate Scholarship
Trust Fund; amending ss. 229.602 and 240.4082,
F.S., relating to the teacher/quest partnership
program and the Teacher/Quest Scholarship
Program, to conform; providing an effective
date.