

By Senator McKay

rb2000-2

1 A reviser's bill to be entitled
2 An act relating to the Florida Statutes;
3 amending ss. 213.05, 213.053, 215.22, 215.471,
4 215.615, 216.031, 216.3505, 218.32, 218.321,
5 228.053, 228.0565, 230.2305, 235.186, 235.187,
6 235.2195, 235.2197, 240.2093, 240.334, 240.383,
7 240.421, 242.335, 252.82, 253.034, 255.503,
8 255.504, 255.518, 255.553, 259.04, 259.041,
9 259.101, 259.105, 282.107, 282.3091, 282.5007,
10 288.063, 288.0655, 288.125, 295.18, 311.07,
11 316.003, 318.18, 318.21, 320.04, 320.086,
12 322.025, 327.35, 327.73, 328.48, 328.72,
13 328.73, 328.735, 331.401, 337.25, 338.227,
14 338.2275, 348.0005, 348.565, 348.755, 349.05,
15 364.515, and 369.252, F.S.; and reenacting s.
16 230.03(2), F.S., pursuant to s. 11.242, F.S.;
17 deleting provisions which have expired, have
18 become obsolete, have had their effect, have
19 served their purpose, or have been impliedly
20 repealed or superseded; replacing incorrect
21 cross-references and citations; correcting
22 grammatical, typographical, and like errors;
23 removing inconsistencies, redundancies, and
24 unnecessary repetition in the statutes;
25 improving the clarity of the statutes and
26 facilitating their correct interpretation; and
27 confirming the restoration of provisions
28 unintentionally omitted from republication in
29 the acts of the Legislature during the
30 amendatory process.
31

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

2

3 Section 1. Section 213.05, Florida Statutes, is
4 amended to read:

5 213.05 Department of Revenue; control and
6 administration of revenue laws.--The Department of Revenue
7 shall have only those responsibilities for ad valorem taxation
8 specified to the department in chapter 192, taxation, general
9 provisions; chapter 193, assessments; chapter 194,
10 administrative and judicial review of property taxes; chapter
11 195, property assessment administration and finance; chapter
12 196, exemption; chapter 197, tax collections, sales, and
13 liens; chapter 199, intangible personal property taxes; and
14 chapter 200, determination of millage. The Department of
15 Revenue shall have the responsibility of regulating,
16 controlling, and administering all revenue laws and performing
17 all duties as provided in s. 125.0104, the Local Option
18 Tourist Development Act; s. 125.0108, tourist impact tax;
19 chapter 198, estate taxes; chapter 201, excise tax on
20 documents; chapter 203, gross receipts taxes; chapter 206,
21 motor and other fuel taxes; chapter 211, tax on production of
22 oil and gas and severance of solid minerals; chapter 212, tax
23 on sales, use, and other transactions; chapter 220, income tax
24 code; chapter 221, emergency excise tax; ss. 336.021 and
25 336.025, taxes on motor fuel and special fuel; s. 370.07(3),
26 Apalachicola Bay oyster surcharge; s. 376.11, pollutant spill
27 prevention and control; s. 403.718, waste tire fees; s.
28 403.7185, lead-acid battery fees; ~~s. 403.7195, waste newsprint~~
29 ~~disposal fees~~; s. 538.09, registration of secondhand dealers;
30 s. 538.25, registration of secondary metals recyclers; s.
31 624.4621, group self-insurer's fund premium tax; s. 624.5091,

1 retaliatory tax; s. 624.475, commercial self-insurance fund
2 premium tax; ss. 624.509-624.511, insurance code:
3 administration and general provisions; s. 624.515, State Fire
4 Marshal regulatory assessment; s. 627.357, medical malpractice
5 self-insurance premium tax; s. 629.5011, reciprocal insurers
6 premium tax; and s. 681.117, motor vehicle warranty
7 enforcement.

8
9 Reviser's note.--Amended to conform to the
10 repeal of s. 403.7195 by s. 20, ch. 99-4, Laws
11 of Florida.

12
13 Section 2. Subsection (1) of section 213.053, Florida
14 Statutes, is amended to read:

15 213.053 Confidentiality and information sharing.--

16 (1) The provisions of this section apply to s.
17 125.0104, county government; s. 125.0108, tourist impact tax;
18 chapter 175, municipal firefighters' pension trust funds;
19 chapter 185, municipal police officers' retirement trust
20 funds; chapter 198, estate taxes; chapter 199, intangible
21 personal property taxes; chapter 201, excise tax on documents;
22 chapter 203, gross receipts taxes; chapter 211, tax on
23 severance and production of minerals; chapter 212, tax on
24 sales, use, and other transactions; chapter 220, income tax
25 code; chapter 221, emergency excise tax; s. 252.372, emergency
26 management, preparedness, and assistance surcharge; s.
27 370.07(3), Apalachicola Bay oyster surcharge; chapter 376,
28 pollutant spill prevention and control; s. 403.718, waste tire
29 fees; s. 403.7185, lead-acid battery fees; ~~s. 403.7195, waste~~
30 ~~newsprint disposal fees~~; s. 538.09, registration of secondhand
31 dealers; s. 538.25, registration of secondary metals

1 recyclers; ss. 624.501 and 624.509-624.515, insurance code; s.
2 681.117, motor vehicle warranty enforcement; and s. 896.102,
3 reports of financial transactions in trade or business.

4
5 Reviser's note.--Amended to conform to the
6 repeal of s. 403.7195 by s. 20, ch. 99-4, Laws
7 of Florida.

8
9 Section 3. Paragraph (t) of subsection (1) of section
10 215.22, Florida Statutes, is amended to read:

11 215.22 Certain income and certain trust funds
12 exempt.--

13 (1) The following income of a revenue nature or the
14 following trust funds shall be exempt from the deduction
15 required by s. 215.20(1):

16 (t) That portion of the Highway Safety Operating Trust
17 Fund funded by the motorcycle safety education fee collected
18 pursuant to s. 320.08(1)(c)~~320.08(1)(d)~~.

19
20 Reviser's note.--Amended to conform to the
21 redesignation of s. 320.08(1)(d) as s.
22 320.08(1)(c) by s. 6, ch. 99-385, Laws of
23 Florida.

24
25 Section 4. Section 215.471, Florida Statutes, is
26 amended to read:

27 215.471 Divestiture by the State Board of
28 Administration.--The State Board of Administration shall
29 divest any investment under s. 121.151 and ss. 215.44-215.53
30 ~~215.44-215.33~~, and is prohibited from investment in stocks,
31 securities, or other obligations of:

1 (1) Any institution or company domiciled in the United
2 States, or foreign subsidiary of a company domiciled in the
3 United States, doing business in or with Cuba, or with
4 agencies or instrumentalities thereof in violation of federal
5 law.

6 (2) Any institution or company domiciled outside of
7 the United States if the President of the United States has
8 applied sanctions against the foreign country in which the
9 institution or company is domiciled pursuant to s. 4 of the
10 Cuban Democracy Act of 1992.

11
12 Reviser's note.--Amended to correct an apparent
13 error and conform to usage elsewhere in the
14 chapter. The referenced s. 215.33 does not
15 follow s. 215.44 in numerical order. It related
16 to a review of funds in the state treasury and
17 transfer of funds to be completed by June 30,
18 1945, and was repealed by s. 17, ch. 63-572,
19 Laws of Florida. Section 215.53 provides that
20 transfer of powers, duties, and
21 responsibilities of existing entities to the
22 Board of Administration pursuant to ss.
23 215.44-215.53 does not affect other powers not
24 transferred.

25
26 Section 5. Subsection (1) of section 215.615, Florida
27 Statutes, is amended to read:

28 215.615 Fixed-guideway transportation systems
29 funding.--

30 (1) The issuance of revenue bonds by the Division of
31 Bond Finance, on behalf of the Department of Transportation,

1 pursuant to s. 11, Art. VII of the State Constitution, is
2 authorized, pursuant to the State Bond Act, to finance or
3 refinance fixed capital expenditures for fixed-guideway
4 transportation systems, as defined in s. 341.031, including
5 facilities appurtenant thereto, costs of issuance, and other
6 amounts relating to such financing or refinancing. Such
7 revenue bonds shall be matched on a 50-50 basis with funds
8 from sources other than revenues of the Department of
9 Transportation, in a manner acceptable to the Department of
10 Transportation. The Division of Bond Finance is authorized to
11 consider innovative financing technologies which may include,
12 but are not limited to, innovative bidding and structures of
13 potential findings that may result in negotiated transactions.

14 (a) The department and any participating commuter rail
15 authority or regional transportation authority established
16 under chapter 343, local governments, or local governments
17 collectively by interlocal agreement having jurisdiction of a
18 fixed-guideway transportation system may enter into an
19 interlocal agreement to promote the efficient and
20 cost-effective financing or refinancing of fixed-guideway
21 transportation system projects by revenue bonds issued
22 pursuant to this subsection. The terms of such interlocal
23 agreements shall include provisions for the Department of
24 Transportation to request the issuance of the bonds on behalf
25 of the parties; shall provide that each party to the agreement
26 is contractually liable for an equal share of funding an
27 amount equal to the debt service requirements of such bonds;
28 and shall include any other terms, provisions, or covenants
29 necessary to the making of and full performance under such
30 interlocal agreement. Repayments made to the department under
31 any interlocal agreement are not pledged to the repayment of

1 bonds issued hereunder, and failure of the local governmental
2 authority to make such payment shall not affect the obligation
3 of the department to pay debt service on the bonds.

4 (b) Revenue bonds issued pursuant to this subsection
5 shall not constitute a general obligation of, or a pledge of
6 the full faith and credit of, the State of Florida. Bonds
7 issued pursuant to this section shall be payable from funds
8 available pursuant to s. 206.46(3), subject to annual
9 appropriation. The amount of revenues available for debt
10 service shall never exceed a maximum of 2 percent of all state
11 revenues deposited into the State Transportation Trust Fund.

12 (c) The projects to be financed or refinanced with the
13 proceeds of the revenue bonds issued hereunder are designated
14 as state fixed capital outlay projects for purposes of s.
15 11(d), Art. VII of the State Constitution, and the specific
16 projects to be financed or refinanced shall be determined by
17 the Department of Transportation in accordance with state law
18 and appropriations from the State Transportation Trust Fund.
19 Each project to be financed with the proceeds of the bonds
20 issued pursuant to this subsection must first be approved by
21 the Legislature by an act of general law.

22 (d) Any complaint for validation of bonds issued
23 pursuant to this section shall be filed in the circuit court
24 of the county where the seat of state government is situated,
25 the notice required to be published by s. 75.06 shall be
26 published only in the county where the complaint is filed, and
27 the complaint and order of the circuit court shall be served
28 only on the state attorney of the circuit in which the action
29 is pending.

30 (e) The state does hereby covenant with holders of
31 such revenue bonds or other instruments of indebtedness issued

1 hereunder, that it will not repeal or impair or amend these
2 provisions in any manner that will materially and adversely
3 affect the rights of such holders as long as bonds authorized
4 by this subsection are outstanding.

5 (f) This subsection supersedes any inconsistent
6 provisions in existing law.

7
8 Notwithstanding this subsection, the lien of revenue bonds
9 issued pursuant to this subsection on moneys deposited into
10 the State Transportation Trust Fund shall be subordinate to
11 the lien on such moneys of bonds issued under ss. 215.605,
12 320.20, and 215.616, and any pledge of such moneys to pay
13 operating and maintenance expenses under s. 206.46(5)
14 ~~subsection (5)~~ and chapter 348, as may be amended.

15
16 Reviser's note.--Amended to conform to the
17 correct location of the referenced material.

18
19 Section 6. Subsection (8) of section 216.031, Florida
20 Statutes, is amended to read:

21 216.031 Budgets for operational expenditures.--A
22 legislative budget request, reflecting the independent
23 judgment of the head of the state agency, and of the Chief
24 Justice of the Supreme Court, with respect to the needs of the
25 agency and the judicial branch for operational expenditures
26 during the next fiscal year, shall be submitted by each head
27 of a state agency and by the Chief Justice of the Supreme
28 Court and shall contain the following:

29 (8) An information resources management schedule
30 showing the agency's or judicial branch's total budget request
31 for information resources management. The schedule shall be

1 in the format provided for in the legislative budget
2 instructions. The budget request for information resources
3 management shall identify, if applicable, which parts of the
4 request are in response to any information resources
5 management issues included in the legislative budget
6 instructions. This subsection is applicable only to those
7 state agencies which are under the purview of ss.
8 282.303-282.310 ~~282.303-282.313~~ and to the judicial branch.
9
10 Either chair of a legislative appropriations committee, or the
11 Executive Office of the Governor for state agencies, may
12 require the agency or the Chief Justice to address major
13 issues separate from those outlined in s. 216.023, this
14 section, and s. 216.043 for inclusion in the requests of the
15 agency or of the judicial branch. The issues shall be
16 submitted to the agency no later than July 30 of each year and
17 shall be displayed in its requests as provided in the budget
18 instructions. The Executive Office of the Governor may
19 request an agency, or the chair of the appropriations
20 committees of the Senate or House of Representatives may
21 request any agency or the judicial branch, to submit no later
22 than September 15 of each year a budget plan with respect to
23 targets established by the Governor or either chair. The
24 target budget shall require each entity to establish an order
25 of priorities for its budget issues and may include requests
26 for multiple options for the budget issues. The target budget
27 may also require each entity to submit a program budget or a
28 performance-based budget in the format prescribed by the
29 Executive Office of the Governor or either chair; provided,
30 however, the target budget format shall be compatible with the
31 planning and budgeting system requirements set out in s.

1 216.141. Such a request shall not influence the agencies' or
2 judicial branch's independent judgment in making legislative
3 budget requests, as required by law.

4
5 Reviser's note.--Amended to conform to the
6 repeal of ss. 282.311 and 282.312 by s. 18, ch.
7 97-286, Laws of Florida; s. 282.3115 by s. 11,
8 ch. 91-171, Laws of Florida; and s. 282.313 by
9 s. 18, ch. 97-241, Laws of Florida.

10
11 Section 7. Section 216.3505, Florida Statutes, is
12 amended to read:

13 216.3505 Refinancing of bonds.--The Division of Bond
14 Finance of the State Board of Administration is hereby
15 authorized to refinance any or all bonds previously issued
16 pursuant to the provisions of s. 11(d), Art. VII of the State
17 Constitution, and all projects that have been built or are
18 scheduled to be built with the proceeds of bonds previously
19 issued pursuant to the provisions of s. 11(d), Art. VII of the
20 State Constitution are hereby approved in accordance with the
21 provisions of s. 11(f)~~11(e)~~, Art. VII of the State
22 Constitution for the purposes of one or more refinancings of
23 any or all of such bonds as may be determined by the Division
24 of Bond Finance. The bonds authorized to be issued shall not
25 be counted towards any statutory limit on the dollar amount of
26 bonds which may be issued for any bond program.

27
28 Reviser's note.--Amended to conform to the
29 redesignation of s. 11(e), Art. VII of the
30 State Constitution, as s. 11(f) necessitated by
31

1 the creation of a new s. 11(e) by Revision No.
2 5 (1998).

3
4 Section 8. Paragraph (d) of subsection (1) of section
5 218.32, Florida Statutes, is amended to read:

6 218.32 Annual financial reports; local governmental
7 entities.--

8 (1)

9 (d) Each local governmental entity that is required to
10 provide for an audit report in accordance with s.

11 11.45(3)(a)5.~~11.45(3)(a)4.~~ must submit the annual financial
12 report with the audit report. A copy of the audit report and
13 annual financial report must be submitted to the department
14 within 45 days after the completion of the audit report but no
15 later than 12 months after the end of the fiscal year. All
16 other reporting entities must submit the annual financial
17 report to the department no later than April 30 of each year.

18

19 Reviser's note.--Amended to conform to the
20 redesignation of s. 11.45(3)(a)4. as s.
21 11.45(3)(a)5. by s. 3, ch. 99-333, Laws of
22 Florida.

23

24 Section 9. Subsection (2) of section 218.321, Florida
25 Statutes, is amended to read:

26 218.321 Annual financial statements; local
27 governmental entities.--

28 (2) Each local governmental entity that is not
29 required to provide for an audit report in accordance with s.

30 11.45(3)(a)5.~~11.45(3)(a)4.~~ must complete its financial

31

1 statements no later than 12 months after the end of the fiscal
2 year.

3

4 Reviser's note.--Amended to conform to the
5 redesignation of s. 11.45(3)(a)4. as s.
6 11.45(3)(a)5. by s. 3, ch. 99-333, Laws of
7 Florida.

8

9 Section 10. Paragraph (a) of subsection (12) of
10 section 228.053, Florida Statutes, is amended to read:

11 228.053 Developmental research schools.--

12 (12) EXCEPTIONS TO LAW.--To encourage innovative
13 practices and facilitate the mission of the developmental
14 research schools, in addition to the exceptions to law
15 specified in s. 229.592, the following exceptions shall be
16 permitted for developmental research schools:

17 (a) The methods and requirements of the following
18 statutes shall be held in abeyance: ss. 230.01; 230.02;
19 230.03; 230.04; 230.05; 230.061; 230.10; 230.105; 230.11;
20 230.12; 230.15; 230.16; 230.17; 230.173; 230.18; 230.19;
21 230.201; 230.202; 230.21; 230.22; 230.2215; 230.2318; ~~230.232~~
22 230.24; 230.241; 230.26; 230.28; 230.30; 230.303; 230.31;
23 230.32; 230.321; 230.33; 230.35; 230.39; 230.63; 230.64;
24 230.643; 234.01; 234.021; ~~234.112~~; 236.25; 236.261; 236.29;
25 236.31; 236.32; 236.35; 236.36; 236.37; 236.38; 236.39;
26 236.40; 236.41; 236.42; 236.43; 236.44; 236.45; 236.46;
27 236.47; 236.48; 236.49; 236.50; 236.51; 236.52; 236.55;
28 236.56; 237.051; 237.071; 237.091; 237.201; 237.40; and
29 316.75. With the exception of subsection (16) of s. 230.23, s.
30 230.23 shall be held in abeyance. Reference to school boards
31

1 in s. 230.23(16) shall mean the president of the university or
2 the president's designee.

3
4 Reviser's note.--Amended to conform to the
5 repeal of s. 230.232 by s. 49, ch. 94-232, Laws
6 of Florida, and s. 234.112 by s. 69, ch.
7 99-385, Laws of Florida.

8
9 Section 11. Paragraph (b) of subsection (7) of section
10 228.0565, Florida Statutes, is amended to read:

11 228.0565 Deregulated public schools.--

12 (7) EXEMPTION FROM STATUTES.--

13 (b) A deregulated public school may, with appropriate
14 justification, request a waiver from the certification
15 requirements of chapter 231. Pursuant to s. 229.592(9)
16 ~~229.592(6)~~, the commissioner may waive requirements of chapter
17 231 that relate to teacher certification to facilitate
18 innovative practices and to allow local school selection of
19 educational methods. A deregulated public school may employ or
20 contract with skilled selected noncertified personnel to
21 provide instructional services or to assist instructional
22 staff members as education paraprofessionals in the same
23 manner as defined in chapter 231. A deregulated public school
24 may not employ an individual to provide instructional services
25 or to serve as an education paraprofessional if the
26 individual's certification or licensure as an educator is
27 suspended or revoked by this or any other state. The
28 qualifications of teachers shall be disclosed to parents.

1 Reviser's note.--Amended to conform to the
2 redesignation of s. 229.592(6) as s. 229.592(9)
3 by s. 10, ch. 99-398, Laws of Florida.
4

5 Section 12. Subsection (2) of section 230.03, Florida
6 Statutes, is reenacted to read:

7 230.03 Management, control, operation, administration,
8 and supervision.--The district school system must be managed,
9 controlled, operated, administered, and supervised as follows:

10 (2) SCHOOL BOARD.--In accordance with the provisions
11 of s. 4(b) of Art. IX of the State Constitution, district
12 school boards shall operate, control, and supervise all free
13 public schools in their respective districts and may exercise
14 any power except as expressly prohibited by the State
15 Constitution or general law.
16

17 Reviser's note.--Section 1, ch. 97-190, Laws of
18 Florida, purported to amend subsection (2), but
19 did not publish the amended subsection. Absent
20 affirmative evidence of an intent to repeal it,
21 subsection (2) is reenacted to confirm that the
22 omission was not intended.
23

24 Section 13. Paragraph (f) of subsection (3) of section
25 230.2305, Florida Statutes, is amended to read:

26 230.2305 Prekindergarten early intervention program.--

27 (3) STANDARDS.--

28 (f) All staff must meet the following minimum
29 requirements:

30 1. The minimum level of training is to be the
31 completion of a 30-clock-hour training course planned jointly

1 by the Department of Education and the Department of Children
2 and Family Services to include the following areas: state and
3 local rules that govern child care, health, safety, and
4 nutrition; identification and report of child abuse and
5 neglect; child growth and development; use of developmentally
6 appropriate early childhood curricula; and avoidance of
7 income-based, race-based, and gender-based stereotyping.

8 2. When individual classrooms are staffed by certified
9 teachers, those teachers must be certified for the appropriate
10 grade levels under s. 231.17 and State Board of Education
11 rules. Teachers who are not certified for the appropriate
12 grade levels must obtain proper certification within 2 years.
13 However, the commissioner may make an exception on an
14 individual basis when the requirements are not met because of
15 serious illness, injury, or other extraordinary, extenuating
16 circumstance.

17 3. When individual classrooms are staffed by
18 noncertified teachers, there must be a program director or
19 lead teacher who is eligible for certification or certified
20 for the appropriate grade levels pursuant to s. 231.17 and
21 State Board of Education rules in regularly scheduled direct
22 contact with each classroom. Notwithstanding s. 231.15, such
23 classrooms must be staffed by at least one person who has, at
24 a minimum, a child development associate credential (CDA) or
25 an amount of training determined by the commissioner to be
26 equivalent to or to exceed the minimum, such as an associate
27 in science degree in the area of early childhood education.

28 4. ~~Beginning October 1, 1994,~~ Principals and other
29 school district administrative and supervisory personnel with
30 direct responsibility for the program must demonstrate
31 knowledge of prekindergarten education programs that increase

1 children's chances of achieving future educational success and
2 becoming productive members of society in a manner established
3 by the State Board of Education by rule.

4 5. All personnel who are not certified under s. 231.17
5 must comply with screening requirements under s. ss-231.02
6 ~~and 231.1713~~.

7
8 Reviser's note.--Amended to delete a provision
9 that has served its purpose and to conform to
10 the repeal of s. 231.1713 by s. 5, ch. 99-4,
11 Laws of Florida.

12
13 Section 14. Subsection (1) of section 235.186, Florida
14 Statutes, is amended to read:

15 235.186 Effort index grants for school district
16 facilities.--

17 (1) The Legislature hereby allocates for effort index
18 grants the sum of \$300 million from the funds appropriated
19 from the Educational Enhancement Trust Fund by s. 46, chapter
20 97-384, Laws of Florida, contingent upon the sale of school
21 capital outlay bonds. From these funds, the Commissioner of
22 Education shall allocate to the four school districts deemed
23 eligible for an effort index grant by the SMART Schools
24 Clearinghouse the sums of \$7,442,890 to the Clay County School
25 District, \$62,755,920 to the Dade County School District,
26 \$1,628,590 to the Hendry County School District, and \$414,950
27 to the Madison County School District. The remaining funds
28 shall be allocated among the remaining district school boards
29 that qualify for an effort index grant by meeting the local
30 capital outlay effort criteria in paragraph (a) or paragraph
31 (b).

1 (a) Between July 1, 1995, and June 30, 1999, the
2 school district received direct proceeds from the
3 one-half-cent sales surtax for public school capital outlay
4 authorized by s. 212.055(6)~~212.055(7)~~ or from the local
5 government infrastructure sales surtax authorized by s.
6 212.055(2).

7 (b) The school district met two of the following
8 criteria:

9 1. Levied the full 2 mills of nonvoted discretionary
10 capital outlay authorized by s. 236.25(2) during 1995-1996,
11 1996-1997, 1997-1998, and 1998-1999.

12 2. Levied a cumulative voted millage for capital
13 outlay and debt service equal to 2.5 mills for fiscal years
14 1995 through 1999.

15 3. Received proceeds of school impact fees greater
16 than \$500 per dwelling unit which were in effect on July 1,
17 1998.

18 4. Received direct proceeds from either the
19 one-half-cent sales surtax for public school capital outlay
20 authorized by s. 212.055(6)~~212.055(7)~~ or from the local
21 government infrastructure sales surtax authorized by s.
22 212.055(2).

23
24 Reviser's note.--Amended to conform to the
25 redesignation of s. 212.055(7) as s. 212.055(6)
26 necessitated by the repeal of former s.
27 212.055(6) by s. 4, ch. 99-4, Laws of Florida.

28
29 Section 15. Subsection (3) of section 235.187, Florida
30 Statutes, is amended to read:

31 235.187 Classrooms First Program; uses.--

1 (3) Each district school board that pledges moneys
2 under paragraph (2)(b) shall notify the Department of
3 Education of its election at a time set by the department+
4 ~~however, the initial notification shall be by February 1,~~
5 ~~1998.~~ The Department of Education shall review the proposal of
6 each district school board for compliance with this section
7 and shall forward all approved proposals to the Division of
8 Bond Finance with a request to issue bonds on behalf of the
9 approved school districts. The Division of Bond Finance shall
10 pool the pledges from all school districts making the election
11 in that year and shall issue the bonds on behalf of the
12 districts for a period not to exceed the distributions to be
13 received under s. 24.121(2). The bonds must be issued in
14 accordance with s. 11(d), Art. VII of the State Constitution,
15 and each project to be constructed with the proceeds of bonds
16 is hereby approved as provided in s. 11(f)~~11(e)~~, Art. VII of
17 the State Constitution. The bonds shall be issued pursuant to
18 the State Bond Act to the extent not inconsistent with this
19 section.

20
21 Reviser's note.--Amended to delete a provision
22 that has served its purpose and to conform to
23 the redesignation of s. 11(e), Art. VII of the
24 State Constitution, as s. 11(f) necessitated by
25 the creation of a new s. 11(e) by Revision No.
26 5 (1998).

27
28 Section 16. Subsection (4) of section 235.2195,
29 Florida Statutes, is amended to read:

30
31

1 235.2195 The 1997 School Capital Outlay Bond
2 Program.--There is hereby established the 1997 School Capital
3 Outlay Bond Program.

4 (4) The facilities to be financed with the proceeds of
5 such bonds are designated as state fixed capital outlay
6 projects for purposes of s. 11(d), Art. VII of the State
7 Constitution and the specific facilities to be financed shall
8 be determined by the Department of Education in accordance
9 with state law and appropriations from the Educational
10 Enhancement Trust Fund. Each educational facility to be
11 financed with the proceeds of the bonds issued pursuant to
12 this section is hereby approved as required by s. 11(f)~~11(e)~~,
13 Art. VII of the State Constitution.

14
15 Reviser's note.--Amended to conform to the
16 redesignation of s. 11(e), Art. VII of the
17 State Constitution, as s. 11(f) necessitated by
18 the creation of a new s. 11(e) by Revision No.
19 5 (1998).

20
21 Section 17. Paragraph (c) of subsection (2) of section
22 235.2197, Florida Statutes, is amended to read:

23 235.2197 Florida Frugal Schools Program.--

24 (2) The "Florida Frugal Schools Program" is created to
25 recognize publicly each district school board that agrees to
26 build frugal yet functional educational facilities and that
27 implements "best financial management practices" when
28 planning, constructing, and operating educational facilities.
29 The State Board of Education shall recognize a district school
30 board as having a Florida Frugal Schools Program if the

31

1 district requests recognition and satisfies two or more of the
2 following criteria:

3 (c) The district school board submits a plan to the
4 Commissioner of Education certifying how the revenues
5 generated by the levy of the capital outlay sales surtax
6 authorized by s. 212.055(6)~~212.055(7)~~ will be spent. The plan
7 must include at least the following assurances about the use
8 of the proceeds of the surtax and any accrued interest:

9 1. The district school board will use the surtax and
10 accrued interest only for the fixed capital outlay purposes
11 identified by s. 212.055(6)(d)~~212.055(7)(d)~~ which will reduce
12 school overcrowding that has been validated by the Department
13 of Education, or for the repayment of bonded indebtedness
14 related to such capital outlay purposes.

15 2. The district school board will not spend the surtax
16 or accrued interest to pay for operational expenses or for the
17 construction, renovation, or remodeling of any administrative
18 building or any other ancillary facility that is not directly
19 related to the instruction, feeding, or transportation of
20 students enrolled in the public schools.

21 3. The district school board's use of the surtax and
22 accrued interest will be consistent with the best financial
23 management practices identified and approved under s.
24 230.23025.

25 4. The district school board will apply the
26 educational facilities contracting and construction techniques
27 authorized by s. 235.211 or other construction management
28 techniques to reduce the cost of educational facilities.

29 5. The district school board will discontinue the
30 surtax levy when the district has provided the
31 survey-recommended educational facilities that were determined

1 to be necessary to relieve school overcrowding; when the
2 district has satisfied any bonded indebtedness incurred for
3 such educational facilities; or when the district's other
4 sources of capital outlay funds are sufficient to provide such
5 educational facilities, whichever occurs first.

6 6. The district school board will use any excess
7 surtax collections or accrued interest to reduce the
8 discretionary outlay millage levied under s. 236.25(2).

9
10 Reviser's note.--Amended to conform to the
11 redesignation of s. 212.055(7) as s. 212.055(6)
12 necessitated by the repeal of former s.
13 212.055(6) by s. 4, ch. 99-4, Laws of Florida.

14
15 Section 18. Subsection (1) of section 240.2093,
16 Florida Statutes, is amended to read:

17 240.2093 Board of Regents; issuance of bonds pursuant
18 to s. 11(f)~~11(e)~~, Art. VII, State Constitution.--

19 (1) Pursuant to s. 11(f)~~11(e)~~, Art. VII of the State
20 Constitution, the Board of Regents of the State University
21 System, supported by the building fee, the capital improvement
22 fee, or any other revenue approved by the Legislature for
23 facilities construction, is authorized to request the issuance
24 of bonds or other forms of indebtedness pursuant to the State
25 Bond Act to finance or refinance capital projects authorized
26 by the Legislature. In order to take advantage of economic
27 conditions, the Division of Bond Finance shall process
28 requests by the Board of Regents to refinance capital projects
29 under this section on a priority basis.

30
31

1 Reviser's note.--Amended to conform to the
2 redesignation of s. 11(e), Art. VII of the
3 State Constitution, as s. 11(f) necessitated by
4 the creation of a new s. 11(e) by Revision No.
5 5 (1998).

6
7 Section 19. Paragraph (b) of subsection (10) of
8 section 240.334, Florida Statutes, is amended to read:
9 240.334 Technology transfer centers at community
10 colleges.--

11 (10) The State Board of Community Colleges may award
12 grants to community colleges, or consortia of public and
13 private colleges and universities and other public and private
14 entities, for the purpose of supporting the objectives of this
15 section. Grants awarded pursuant to this subsection shall be
16 in accordance with rules of the State Board of Community
17 Colleges. Such rules shall include the following provisions:

18 (b) Grants to centers funded with state revenues
19 appropriated specifically for technology transfer activities
20 shall be reviewed and approved by the State Board of Community
21 Colleges using proposal solicitation, evaluation, and
22 selection procedures established by the board in consultation
23 with Enterprise Florida, Inc ~~the Florida High Technology and~~
24 ~~Industry Council~~. Such procedures may include designation of
25 specific areas or applications of technology as priorities for
26 the receipt of funding; and

27
28 Reviser's note.--Amended to conform to the
29 abolition of the Florida High Technology and
30 Industry Council and the assumption of its
31 obligations by the Department of Commerce

1 according to s. 12, ch. 93-187, Laws of
2 Florida, and the repeal of s. 20.17, creating
3 the Department of Commerce and the
4 reorganization of the functions formerly
5 performed by it, by ch. 96-320, Laws of
6 Florida.

7
8 Section 20. Subsections (1) and (9) of section
9 240.383, Florida Statutes, are amended to read:

10 240.383 State Community College System Facility
11 Enhancement Challenge Grant Program.--

12 (1) The Legislature recognizes that the Florida State
13 Community College System does not have sufficient physical
14 facilities to meet the current demands of its instructional
15 and community programs. It further recognizes that, to
16 strengthen and enhance the Florida Community College System,
17 it is necessary to provide facilities in addition to those
18 currently available from existing revenue sources. It further
19 recognizes that there are sources of private support that, if
20 matched with state support, can assist in constructing much
21 needed facilities and strengthen the commitment of citizens
22 and organizations in promoting excellence throughout the state
23 community colleges. Therefore, it is the intent of the
24 Legislature to establish a program to provide the opportunity
25 for each community college through its direct-support
26 organization to receive and match challenge grants for
27 instructional and community-related capital facilities within
28 the community college.

29 (9) In order for a project to be eligible under this
30 program, it must be survey recommended under the provisions of
31 s. 235.15 and included in the Florida State Community College

1 System 5-year capital improvement plan, and it must receive
2 prior approval from the State Board of Community Colleges.

3

4 Reviser's note.--Amended to conform to the
5 redesignation of the State Community College
6 System as the Florida Community College System
7 by s. 15, ch. 98-58, Laws of Florida.

8

9 Section 21. Paragraph (b) of subsection (1) of section
10 240.421, Florida Statutes, is amended to read:

11 240.421 Florida Council of Student Financial Aid
12 Advisors.--

13 (1) There is created the Florida Council of Student
14 Financial Aid Advisors for the purpose of advising the State
15 Board of Education, the Legislature, the Board of Regents, the
16 State Board of Community Colleges, and the Postsecondary
17 Education Planning Commission on policy matters related to
18 student financial aid.

19 (b) The Commissioner of Education in appointing the
20 members specified in subparagraphs (a)3.-5.3.-5. shall
21 consider any recommendations submitted by the Florida
22 Association of Student Financial Aid Administrators.

23

24 Reviser's note.--Amended to conform to the
25 correct citation to the referenced material.

26

27 Section 22. Paragraph (c) of subsection (2) of section
28 242.335, Florida Statutes, is amended to read:

29 242.335 Personnel screening; Florida School for the
30 Deaf and the Blind.--

31

1 (2) As a prerequisite for initial and continuing
2 employment at the Florida School for the Deaf and the Blind:

3 (c) The Florida School for the Deaf and the Blind
4 shall review the record of the applicant or employee with
5 respect to the crimes contained in s. 435.04 ~~subsection (3)~~
6 and shall notify the applicant or employee of its findings.
7 When disposition information is missing on a criminal record,
8 it shall be the responsibility of the applicant or employee,
9 upon request of the Florida School for the Deaf and the Blind,
10 to obtain and supply within 30 days the missing disposition
11 information to the Florida School for the Deaf and the Blind.
12 Failure to supply missing information within 30 days or to
13 show reasonable efforts to obtain such information shall
14 result in automatic disqualification of an applicant and
15 automatic termination of an employee.

16
17 Reviser's note.--Amended to conform to the
18 deletion of the list of crimes from subsection
19 (3) by s. 34, ch. 95-228, Laws of Florida, and
20 the enactment of s. 435.04, containing a list
21 of crimes relating to level 2 screening
22 standards, by s. 47, ch. 95-228.

23
24 Section 23. Subsection (7) of section 252.82, Florida
25 Statutes, is amended to read:

26 252.82 Definitions.--As used in this part:

27 (7) "Trust fund" means the Operating Trust Fund of the
28 department ~~established in s. 290.034.~~

1 Reviser's note.--Amended to conform to the
2 repeal of s. 290.034 by s. 14, ch. 99-4, Laws
3 of Florida.

4
5 Section 24. Paragraph (b) of subsection (6) of section
6 253.034, Florida Statutes, is amended to read:

7 253.034 State-owned lands; uses.--

8 (6) The Board of Trustees of the Internal Improvement
9 Trust Fund shall determine which lands, the title to which is
10 vested in the board, may be surplused. Notwithstanding s.
11 253.111, for those lands designated as acquired for
12 conservation purposes, the board shall make a determination
13 that the lands are no longer needed for conservation purposes
14 and may dispose of them by a two-thirds vote. For all other
15 lands, the board shall make a determination that the lands are
16 no longer needed and may dispose of them by majority vote.

17 (b) For any lands purchased by the state on or after
18 July 1, 1999, a determination shall be made by the board prior
19 to acquisition as to those parcels that shall be designated as
20 having been acquired for conservation purposes. No lands
21 acquired for use by the Department of Corrections, the
22 Department of Management Services for use as state offices,
23 the Department of Transportation, except those specifically
24 managed for conservation or recreation purposes, or the State
25 University System or the Florida State Community College
26 System shall be designated as having been purchased for
27 conservation purposes.

28
29 Reviser's note.--Amended to conform to the
30 redesignation of the State Community College

31

1 System as the Florida Community College System
2 by s. 15, ch. 98-58, Laws of Florida.

3
4 Section 25. Subsection (3) of section 255.503, Florida
5 Statutes, is amended to read:

6 255.503 Powers of the Department of Management
7 Services.--The Department of Management Services shall have
8 all the authority necessary to carry out and effectuate the
9 purposes and provisions of this act, including, but not
10 limited to, the authority to:

11 (3) Acquire facilities pursuant to s. 11(f)~~11(e)~~,
12 Art. VII of the State Constitution and own, operate, and
13 finance such facilities in accordance with this act through
14 the issuance of obligations by the division under this act; to
15 utilize rentals or charges from such facilities, as well as
16 any appropriated state or other public funds; and to pledge
17 revenue from such facilities to finance the acquisition of
18 facilities pursuant to the provisions of this act.

19
20 Reviser's note.--Amended to conform to the
21 redesignation of s. 11(e), Art. VII of the
22 State Constitution, as s. 11(f) necessitated by
23 the creation of a new s. 11(e) by Revision No.
24 5 (1998).

25
26 Section 26. Subsection (1) of section 255.504, Florida
27 Statutes, is amended to read:

28 255.504 Use of facilities.--

29 (1) Any facility which is acquired and approved
30 pursuant to s. 11(f)~~11(e)~~, Art. VII of the State Constitution
31 and financed under this act, and any facility in the pool

1 shall be occupied to the extent that space is available, by
2 agencies as authorized by the Department of Management
3 Services.

4
5 Reviser's note.--Amended to conform to the
6 redesignation of s. 11(e), Art. VII of the
7 State Constitution, as s. 11(f) necessitated by
8 the creation of a new s. 11(e) by Revision No.
9 5 (1998).

10
11 Section 27. Paragraph (a) of subsection (1) of section
12 255.518, Florida Statutes, is amended to read:

13 255.518 Obligations; purpose, terms, approval,
14 limitations.--

15 (1)(a) The issuance of obligations shall provide
16 sufficient funds to achieve the purposes of this act; pay
17 interest on obligations except as provided in paragraph (b);
18 pay expenses incident to the issuance and sale of any
19 obligations issued pursuant to this act, including costs of
20 validating, printing, and delivering the obligations, printing
21 the official statement, publishing notices of sale of the
22 obligations, and related administrative expenses; pay building
23 acquisition and construction costs; and pay all other capital
24 expenditures of the Department of Management Services and the
25 division incident to and necessary to carry out the purposes
26 and powers granted by this act, subject to the provisions of
27 s. 11(f)~~11(e)~~, Art. VII of the State Constitution and the
28 applicable provisions of the State Bond Act. Such obligations
29 shall be payable solely from the pool pledged revenues
30 identified to such obligation. Proceeds of obligations may not
31 be used to pay building acquisition or construction costs for

1 any facility until the Legislature has appropriated funds from
2 other sources estimated to be necessary for all costs relating
3 to the initial planning, preliminary design and programming,
4 and land acquisition for such facility and until such
5 planning, design, and land acquisition activities have been
6 completed. Obligation proceeds for building construction,
7 renovation, or acquisition shall be requested for
8 appropriation in any fiscal year by the Department of
9 Management Services only if the department estimates that such
10 construction, renovation, or acquisition can be initiated
11 during such fiscal year.

12

13 Reviser's note.--Amended to conform to the
14 redesignation of s. 11(e), Art. VII of the
15 State Constitution, as s. 11(f) necessitated by
16 the creation of a new s. 11(e) by Revision No.
17 5 (1998).

18

19 Section 28. Section 255.553, Florida Statutes, is
20 amended to read:

21 255.553 Survey required.--Each state agency shall
22 survey or cause to be surveyed for the presence of
23 asbestos-containing materials each public building for which
24 it is responsible. ~~Except as provided in s. 255.554,~~The
25 survey shall be conducted by an asbestos consultant licensed
26 under chapter 469 and shall be conducted in accordance with
27 AHERA initial inspection procedures; Environmental Protection
28 Agency guidelines; National Emission Standards for Hazardous
29 Air Pollutants; Occupational Safety and Health Administration
30 regulations; and any subsequent recommendations made by the

31

1 Asbestos Oversight Program Team established under s. 255.565.

2 The survey shall:

3 (1) Determine all materials which may contain
4 asbestos;

5 (2) Identify the location and quantify the types of
6 asbestos-containing materials;

7 (3) Assess the hazard of the existing
8 asbestos-containing materials as they relate to any situation
9 where a person may come into contact with asbestos;

10 (4) Prioritize the areas which need immediate asbestos
11 abatement action according to the hazard assessment; and

12 (5) Estimate the cost of recommended abatement
13 alternatives.

14

15 The asbestos program administrator shall review the asbestos
16 surveys and consult with the affected agency to determine on a
17 priority basis the need for instituting abatement procedures,
18 and the asbestos program administrator shall institute
19 abatement procedures on a priority basis as directed by the
20 secretary of the Department of Labor and Employment Security.

21

22 Reviser's note.--Amended to conform to the
23 repeal of s. 255.554 by s. 10, ch. 99-5, Laws
24 of Florida.

25

26 Section 29. Subsection (1) of section 259.04, Florida
27 Statutes, is amended to read:

28 259.04 Board; powers and duties.--

29 (1) For projects and acquisitions selected for
30 purchase pursuant to ss. ~~259.034~~, 259.035, 259.101, and
31 259.105:

1 (a) The board is given the responsibility, authority,
2 and power to develop and execute a comprehensive, statewide
3 5-year plan to conserve, restore, and protect environmentally
4 endangered lands, ecosystems, lands necessary for outdoor
5 recreational needs, and other lands as identified in ss.
6 259.032, 259.101, and 259.105. This plan shall be kept current
7 through continual reevaluation and revision. The advisory
8 council or its successor shall assist the board in the
9 development, reevaluation, and revision of the plan.

10 (b) The board may enter into contracts with the
11 government of the United States or any agency or
12 instrumentality thereof; the state or any county,
13 municipality, district authority, or political subdivision; or
14 any private corporation, partnership, association, or person
15 providing for or relating to the conservation or protection of
16 certain lands in accomplishing the purposes of this chapter.

17 (c) Within 45 days after the advisory council or its
18 successor submits the lists of projects to the board, the
19 board shall approve, in whole or in part, the lists of
20 projects in the order of priority in which such projects are
21 presented. To the greatest extent practicable, projects on
22 the lists shall be acquired in their approved order of
23 priority.

24 (d) The board is authorized to acquire, by purchase,
25 gift, or devise or otherwise, the fee title or any lesser
26 interest of lands, water areas, and related resources for
27 environmentally endangered lands.

28
29 Reviser's note.--Amended to facilitate correct
30 interpretation; s. 259.034 does not exist.

1 Section 30. Paragraph (b) of subsection (11) of
2 section 259.041, Florida Statutes, is amended to read:

3 259.041 Acquisition of state-owned lands for
4 preservation, conservation, and recreation purposes.--

5 (11)

6 (b) All project applications shall identify, within
7 their acquisition plans, those projects which require a full
8 fee simple interest to achieve the public policy goals,
9 together with the reasons full title is determined to be
10 necessary. The state agencies and the water management
11 districts may use alternatives to fee simple acquisition to
12 bring the remaining projects in their acquisition plans under
13 public protection. For the purposes of this subsection, the
14 term "alternatives to fee simple acquisition" includes, but is
15 not limited to: purchase of development rights; obtaining
16 conservation easements; obtaining flowage easements; purchase
17 of timber rights, mineral rights, or hunting rights; purchase
18 of agricultural interests or silvicultural interests; entering
19 into land protection agreements as defined in s. 380.0677(4)
20 ~~380.0677(5)~~; fee simple acquisitions with reservations;
21 creating life estates; or any other acquisition technique
22 which achieves the public policy goals listed in paragraph
23 (a). It is presumed that a private landowner retains the full
24 range of uses for all the rights or interests in the
25 landowner's land which are not specifically acquired by the
26 public agency. The lands upon which hunting rights are
27 specifically acquired pursuant to this paragraph shall be
28 available for hunting in accordance with the management plan
29 or hunting regulations adopted by the Florida Fish and
30 Wildlife Conservation Commission, unless the hunting rights
31

1 are purchased specifically to protect activities on adjacent
2 lands.

3
4 Reviser's note.--Amended to conform to the
5 redesignation of s. 380.0677(5) as s.
6 380.0677(4) necessitated by the repeal of
7 former s. 380.0677(2) by s. 51, ch. 99-247,
8 Laws of Florida.

9
10 Section 31. Subsection (3) and paragraph (c) of
11 subsection (9) of section 259.101, Florida Statutes, are
12 amended to read:

13 259.101 Florida Preservation 2000 Act.--

14 (3) LAND ACQUISITION PROGRAMS SUPPLEMENTED.--Less the
15 costs of issuance, the costs of funding reserve accounts, and
16 other costs with respect to the bonds, the proceeds of bonds
17 issued pursuant to this act shall be deposited into the
18 Florida Preservation 2000 Trust Fund created by s. 375.045.
19 ~~Ten percent of the proceeds of any bonds deposited into the~~
20 ~~Preservation 2000 Trust Fund shall be distributed by the~~
21 ~~Department of Environmental Protection to the Department of~~
22 ~~Environmental Protection for the purchase by the South Florida~~
23 ~~Water Management District of lands in Dade, Broward, and Palm~~
24 ~~Beach Counties identified in s. 7, chapter 95-349, Laws of~~
25 ~~Florida. This distribution shall apply for any bond issue for~~
26 ~~the 1995-1996 fiscal year. For the 1997-1998 fiscal year only,~~
27 ~~\$20 million per year from the proceeds of any bonds deposited~~
28 ~~into the Florida Preservation 2000 Trust Fund shall be~~
29 ~~distributed by the Department of Environmental Protection to~~
30 ~~the St. Johns Water Management District for the purchase of~~
31 ~~lands necessary to restore Lake Apopka.~~The remaining proceeds

1 shall be distributed by the Department of Environmental
2 Protection in the following manner:

3 (a) Fifty percent to the Department of Environmental
4 Protection for the purchase of public lands as described in s.
5 259.032. Of this 50 percent, at least one-fifth shall be used
6 for the acquisition of coastal lands.

7 (b) Thirty percent to the Department of Environmental
8 Protection for the purchase of water management lands pursuant
9 to s. 373.59, to be distributed among the water management
10 districts as provided in that section. Funds received by each
11 district may also be used for acquisition of lands necessary
12 to implement surface water improvement and management plans
13 approved in accordance with s. 373.456 or for acquisition of
14 lands necessary to implement the Everglades Construction
15 Project authorized by s. 373.4592.

16 (c) Ten percent to the Department of Community Affairs
17 to provide land acquisition grants and loans to local
18 governments through the Florida Communities Trust pursuant to
19 part III of chapter 380. From funds allocated to the trust,
20 \$3 million annually shall be used by the Green Swamp Land
21 Authority specifically for the purchase through land
22 protection agreements, as defined in s. 380.0677(4)
23 ~~380.0677(5)~~, of lands, or severable interests or rights in
24 lands, in the Green Swamp Area of Critical State Concern.
25 From funds allocated to the trust, \$3 million annually shall
26 be used by the Monroe County Comprehensive Plan Land Authority
27 specifically for the purchase of any real property interest in
28 either those lands subject to the Rate of Growth Ordinances
29 adopted by local governments in Monroe County or those lands
30 within the boundary of an approved Conservation and Recreation
31 Lands project located within the Florida Keys or Key West

1 Areas of Critical State Concern; however, title to lands
2 acquired within the boundary of an approved Conservation and
3 Recreation Lands project may, in accordance with an approved
4 joint acquisition agreement, vest in the Board of Trustees of
5 the Internal Improvement Trust Fund. Of the remaining funds
6 allocated to the trust after the above transfers occur,
7 one-half shall be matched by local governments on a
8 dollar-for-dollar basis. To the extent allowed by federal
9 requirements for the use of bond proceeds, the trust shall
10 expend Preservation 2000 funds to carry out the purposes of
11 part III of chapter 380.

12 (d) Two and nine-tenths percent to the Department of
13 Environmental Protection for the purchase of inholdings and
14 additions to state parks. For the purposes of this paragraph,
15 "state park" means all real property in the state under the
16 jurisdiction of the Division of Recreation and Parks of the
17 department, or which may come under its jurisdiction.

18 (e) Two and nine-tenths percent to the Division of
19 Forestry of the Department of Agriculture and Consumer
20 Services to fund the acquisition of state forest inholdings
21 and additions pursuant to s. 589.07.

22 (f) Two and nine-tenths percent to the ~~Game and Fresh~~
23 ~~Water~~ Fish and Wildlife Conservation Commission to fund the
24 acquisition of inholdings and additions to lands managed by
25 the commission which are important to the conservation of fish
26 and wildlife.

27 (g) One and three-tenths percent to the Department of
28 Environmental Protection for the Florida Greenways and Trails
29 Program, to acquire greenways and trails or greenways and
30 trails systems pursuant to chapter 260, including, but not
31

1 | limited to, abandoned railroad rights-of-way and the Florida
2 | National Scenic Trail.
3 |
4 | Local governments may use federal grants or loans, private
5 | donations, or environmental mitigation funds, including
6 | environmental mitigation funds required pursuant to s.
7 | 338.250, for any part or all of any local match required for
8 | the purposes described in this subsection. Bond proceeds
9 | allocated pursuant to paragraph (c) may be used to purchase
10 | lands on the priority lists developed pursuant to s. 259.035.
11 | Title to lands purchased pursuant to paragraphs (a), (d), (e),
12 | (f), and (g) shall be vested in the Board of Trustees of the
13 | Internal Improvement Trust Fund, except that title to lands,
14 | or rights or interests therein, acquired by either the
15 | Southwest Florida Water Management District or the St. Johns
16 | River Water Management District in furtherance of the Green
17 | Swamp Land Authority's mission pursuant to s. 380.0677(2)
18 | ~~380.0677(3)~~, shall be vested in the district where the
19 | acquisition project is located. Title to lands purchased
20 | pursuant to paragraph (c) may be vested in the Board of
21 | Trustees of the Internal Improvement Trust Fund, except that
22 | title to lands, or rights or interests therein, acquired by
23 | either the Southwest Florida Water Management District or the
24 | St. Johns River Water Management District in furtherance of
25 | the Green Swamp Land Authority's mission pursuant to s.
26 | 380.0677(2)~~380.0677(3)~~, shall be vested in the district where
27 | the acquisition project is located. This subsection is
28 | repealed effective October 1, 2000. Prior to repeal, the
29 | Legislature shall review the provisions scheduled for repeal
30 | and shall determine whether to reenact or modify the
31 | provisions or to take no action.

1 (9)
2 (c) ~~Beginning in fiscal year 1996-1997,~~The department
3 and each water management district shall implement initiatives
4 to use alternatives to fee simple acquisition and to educate
5 private landowners about such alternatives. These initiatives
6 shall include at least two acquisitions a year by the
7 department and each water management district utilizing
8 alternatives to fee simple.

9
10 Reviser's note.--The introductory paragraph of
11 subsection (3) is amended to delete provisions
12 that have served their purpose. Paragraph
13 (3)(c) and the flush left paragraph at the end
14 of the subsection are amended to conform to the
15 redesignation of subunits of s. 380.0677
16 necessitated by the repeal of former s.
17 380.0677(2) by s. 51, ch. 99-247, Laws of
18 Florida. Paragraph (3)(f) is amended to conform
19 to the transfer of the Game and Fresh Water
20 Fish Commission to the Fish and Wildlife
21 Conservation Commission by s. 2, ch. 99-245,
22 Laws of Florida. Paragraph (9)(c) is amended to
23 delete language that has served its purpose.

24
25 Section 32. Paragraph (k) of subsection (9) of section
26 259.105, Florida Statutes, is amended to read:

27 259.105 The Florida Forever Act.--
28 (9) The Acquisition and Restoration Council shall
29 develop a rule to competitively evaluate, select, and rank
30 projects eligible for Florida Forever funds pursuant to
31 paragraph (3)(b). In developing this rule the Acquisition and

1 Restoration Council shall give weight to the following
2 criteria:

3 (k) The project may be acquired, in whole or in part,
4 using alternatives to fee simple, including but not limited
5 to, purchase of development rights, hunting rights,
6 agricultural or silvicultural rights, or mineral rights;
7 obtaining conservation easements or flowage easements; or use
8 of land protection agreements as defined in s. 380.0677(4)
9 ~~380.0677(5)~~.

10

11 Reviser's note.--Amended to conform to the
12 redesignation of s. 380.0677(5) as s.
13 380.0677(4) necessitated by the repeal of
14 former s. 380.0677(2) by s. 51, ch. 99-247,
15 Laws of Florida.

16

17 Section 33. Subsections (1) and (2) of section
18 282.107, Florida Statutes, are amended to read:

19 282.107 SUNCOM Network; criteria for usage.--

20 (1) The Department of Management Services division
21 shall periodically review the qualifications of subscribers
22 using the state SUNCOM Network and shall terminate services
23 provided to any facility not qualified pursuant to ss.
24 282.101-282.111 or rules adopted hereunder. In the event of
25 nonpayment of invoices by subscribers whose SUNCOM Network
26 invoices are paid from sources other than legislative
27 appropriations, such nonpayment represents good and sufficient
28 reason to terminate service.

29 (2) The Department of Management Services division
30 shall adopt rules setting forth its procedures for withdrawing
31 and restoring authorization to use the state SUNCOM Network.

1 Such rules shall provide a minimum of 30 days' notice to
2 affected parties prior to termination of voice communications
3 service.

4
5 Reviser's note.--Amended to conform to the
6 deletion of the Division of Communications of
7 the Department of Management Services by s. 3,
8 ch. 97-296, Laws of Florida.

9
10 Section 34. Paragraph (d) of subsection (3) and
11 subsection (4) of section 282.3091, Florida Statutes, are
12 amended to read:

13 282.3091 State Technology Council; creation.--

14 (3) The council shall be composed of nine members as
15 follows:

16 (d) The secretary of the Department of Management
17 Services, who shall serve ~~service~~ as chair of the council.

18
19 Members may appoint designees to serve on their behalf;
20 however, such designees must be in a position that reports
21 directly to the member.

22 (4) Members of the council who are appointed shall
23 serve 2-year terms beginning January 1 through December 31,
24 ~~except that their initial term shall be July 1, 1997, through~~
25 ~~December 31, 1998.~~ A member may be removed by the appointing
26 officer for cause or if such member is absent from three
27 consecutive meetings. Any member appointed to fill a vacancy
28 shall serve for the unexpired term of his or her predecessor.

29
30 Reviser's note.--Paragraph (3)(d) is amended to
31 improve clarity and facilitate correct

1 interpretation. Subsection (4) is amended to
2 delete a provision that has served its purpose.

3
4 Section 35. Paragraph (b) of subsection (2) of section
5 282.5007, Florida Statutes, is amended to read:

6 282.5007 Alternative dispute resolution procedures.--

7 (2) MEDIATION.--

8 (b) A party may serve its last best offer made in
9 mediation upon another party as an offer of judgment under s.
10 768.79 ~~678.79~~, and may make use of all the rights and remedies
11 provided by this section.

12
13 Reviser's note.--Amended to facilitate correct
14 interpretation. Section 678.79 does not exist;
15 s. 768.79 relates to offers of judgment.

16
17 Section 36. Subsection (4) of section 288.063, Florida
18 Statutes, is amended to read:

19 288.063 Contracts for transportation projects.--

20 (4) The Office of Tourism, Trade, and Economic
21 Development may adopt criteria by which transportation
22 projects are to be specified and identified. In approving
23 transportation projects for funding, the Office of Tourism,
24 Trade, and Economic Development shall consider factors
25 including, but not limited to, the cost per job created or
26 retained considering the amount of transportation funds
27 requested; the average hourly rate of wages for jobs created;
28 the reliance on the program as an inducement for the project's
29 location decision; the amount of capital investment to be made
30 by the business; the demonstrated local commitment; the
31 location of the project in an enterprise zone designated

1 pursuant to s. 290.0055; ~~the location of the project in a~~
2 ~~community development corporation service area as defined in~~
3 ~~s. 290.035(2);~~ the location of the project in a spaceport
4 territory as defined in s. 331.304; the unemployment rate of
5 the surrounding area; the poverty rate of the community; and
6 the adoption of an economic element as part of its local
7 comprehensive plan in accordance with s. 163.3177(7)(j). The
8 Office of Tourism, Trade, and Economic Development may contact
9 any agency it deems appropriate for additional input regarding
10 the approval of projects.

11

12 Reviser's note.--Amended to conform to the
13 repeal of s. 290.035 by s. 14, ch. 99-4, Laws
14 of Florida.

15

16 Section 37. Paragraph (e) of subsection (2) and
17 subsection (4) of section 288.0655, Florida Statutes, are
18 amended to read:

19 288.0655 Rural Infrastructure Fund.--

20 (2)

21 (e) To enable local governments to access the
22 resources available pursuant to s. 403.973(18)~~403.973(16)~~,
23 the office may award grants for surveys, feasibility studies,
24 and other activities related to the identification and
25 preclearance review of land which is suitable for preclearance
26 review. Authorized grants under this paragraph shall not
27 exceed \$75,000 each, except in the case of a project in a
28 rural area of critical economic concern, in which case the
29 grant shall not exceed \$300,000. Any funds awarded under this
30 paragraph must be matched at a level of 50 percent with local
31 funds, except that any funds awarded for a project in a rural

1 area of critical economic concern must be matched at a level
2 of 33 percent with local funds. In evaluating applications
3 under this paragraph, the office shall consider the extent to
4 which the application seeks to minimize administrative and
5 consultant expenses.

6 (4) By September 1, 1999, the office shall, in
7 consultation with the organizations listed in subsection (3),
8 and other organizations, develop guidelines and criteria
9 governing submission of applications for funding, review and
10 evaluation of such applications, and approval of funding under
11 this section. The office shall consider factors including, but
12 not limited to, the project's potential for enhanced job
13 creation or increased capital investment, the demonstration of
14 local public and private commitment, the location of the
15 project in an enterprise zone, the location of the project in
16 a community development corporation service area ~~as defined in~~
17 ~~s. 290.035(2)~~, the location of the project in a county
18 designated under s. 212.097, the unemployment rate of the
19 surrounding area, and the poverty rate of the community.

20
21 Reviser's note.--Paragraph (2)(e) is amended to
22 conform to the redesignation of s. 403.973(16)
23 as s. 403.973(18) by s. 9, ch. 99-244, Laws of
24 Florida. Subsection (4) is amended to conform
25 to the repeal of s. 290.035 by s. 14, ch. 99-4,
26 Laws of Florida.

27
28 Section 38. Section 288.125, Florida Statutes, is
29 amended to read:

30 288.125 Definitions.--For the purposes of ss.
31 288.1251-288.1253 ~~288.1251 through 288.1258~~, the term

1 "entertainment industry" means those persons or entities
2 engaged in the operation of motion picture or television
3 studios or recording studios; those persons or entities
4 engaged in the preproduction, production, or postproduction of
5 motion pictures, made-for-TV motion pictures, television
6 series, commercial advertising, music videos, or sound
7 recordings; and those persons or entities providing products
8 or services directly related to the preproduction, production,
9 or postproduction of motion pictures, made-for-TV motion
10 pictures, television series, commercial advertising, music
11 videos, or sound recordings, including, but not limited to,
12 the broadcast industry.

13

14 Reviser's note.--Amended to facilitate correct
15 interpretation; s. 288.1258 does not exist.

16

17 Section 39. Section 295.18, Florida Statutes, is
18 amended to read:

19 295.18 Florida World War II Veterans Memorial Matching
20 Trust Fund; creation.--The Florida World War II Veterans
21 Memorial Matching Trust Fund is hereby created, to be
22 administered by the Department of Veterans' Affairs. Funds
23 shall be credited to the trust fund as provided in chapter
24 99-160, Laws of Florida ~~SB 714 or similar legislation~~, to be
25 used for the purposes set forth therein.

26

27 Reviser's note.--Amended to substitute a
28 reference to ch. 99-160, Laws of Florida, for a
29 reference to 1999 Senate Bill 714, which became
30 ch. 99-160.

31

1 Section 40. Paragraph (a) of subsection (3) of section
2 311.07, Florida Statutes, is amended to read:

3 311.07 Florida seaport transportation and economic
4 development funding.--

5 (3)(a) Program funds shall be used to fund approved
6 projects on a 50-50 matching basis with any of the deepwater
7 ports, as listed in s. 403.021(9)(b), which is governed by a
8 public body or any other deepwater port which is governed by a
9 public body and which complies with the water quality
10 provisions of s. 403.061, the comprehensive master plan
11 requirements of s. 163.3178(2)(k), the local financial
12 management and reporting provisions of part III of chapter
13 218, and the auditing provisions of s. 11.45(3)(a)5.

14 ~~11.45(3)(a)4.~~Program funds also may be used by the Seaport
15 Transportation and Economic Development Council to develop
16 with the Florida Trade Data Center such trade data information
17 products which will assist Florida's seaports and
18 international trade.

19
20 Reviser's note.--Amended to conform to the
21 redesignation of s. 11.45(3)(a)4. as s.
22 11.45(3)(a)5. by s. 3, ch. 99-333, Laws of
23 Florida.
24

25 Section 41. Subsection (2) of section 316.003, Florida
26 Statutes, is amended to read:

27 316.003 Definitions.--The following words and phrases,
28 when used in this chapter, shall have the meanings
29 respectively ascribed to them in this section, except where
30 the context otherwise requires:
31

1 (2) BICYCLE.--Every vehicle propelled solely by human
2 power, and every motorized bicycle propelled by a combination
3 of human power and an electric helper motor ~~not~~ capable of
4 propelling the vehicle at a speed of not more than 20 miles
5 per hour on level ground upon which any person may ride,
6 having two tandem wheels, and including any device generally
7 recognized as a bicycle though equipped with two front or two
8 rear wheels. The term does not include such a vehicle with a
9 seat height of no more than 25 inches from the ground when the
10 seat is adjusted to its highest position or a scooter or
11 similar device. No person under the age of 16 may operate or
12 ride upon a motorized bicycle.

13

14 Reviser's note.--Amended to improve clarity and
15 facilitate correct interpretation.

16

17 Section 42. Paragraph (b) of subsection (2) of section
18 318.18, Florida Statutes, is amended to read:

19 318.18 Amount of civil penalties.--The penalties
20 required for a noncriminal disposition pursuant to s. 318.14
21 are as follows:

22 (2) Thirty dollars for all nonmoving traffic
23 violations and:

24 (b) For all violations of ss. 320.0605 ~~320.0605(1)~~,
25 320.07(1), 322.065, and 322.15(1). Any person who is cited
26 for a violation of s. 320.07(1) shall be charged a delinquent
27 fee pursuant to s. 320.07(4).

28 1. If a person who is cited for a violation of s.
29 320.0605 or s. 320.07 can show proof of having a valid
30 registration at the time of arrest, the clerk of the court may
31 dismiss the case and may assess a \$5 dismissal fee. A person

1 who finds it impossible or impractical to obtain a valid
2 registration certificate must submit an affidavit detailing
3 the reasons for the impossibility or impracticality. The
4 reasons may include, but are not limited to, the fact that the
5 vehicle was sold, stolen, or destroyed; that the state in
6 which the vehicle is registered does not issue a certificate
7 of registration; or that the vehicle is owned by another
8 person.

9 2. If a person who is cited for a violation of s.
10 322.03, s. 322.065, or s. 322.15 can show a driver's license
11 issued to him or her and valid at the time of arrest, the
12 clerk of the court may dismiss the case and may assess a \$5
13 dismissal fee.

14 3. If a person who is cited for a violation of s.
15 316.646 can show proof of security as required by s. 627.733,
16 issued to the person and valid at the time of arrest, the
17 clerk of the court may dismiss the case and may assess a \$5
18 dismissal fee. A person who finds it impossible or impractical
19 to obtain proof of security must submit an affidavit detailing
20 the reasons for the impracticality. The reasons may include,
21 but are not limited to, the fact that the vehicle has since
22 been sold, stolen, or destroyed; that the owner or registrant
23 of the vehicle is not required by s. 627.733 to maintain
24 personal injury protection insurance; or that the vehicle is
25 owned by another person.

26

27 Reviser's note.--Amended to conform to the
28 deletion of subunits from s. 320.0605 by s. 50,
29 ch. 96-350, Laws of Florida.

30

31

1 Section 43. Paragraph (d) of subsection (2) of section
2 318.21, Florida Statutes, is amended to read:

3 318.21 Disposition of civil penalties by county
4 courts.--All civil penalties received by a county court
5 pursuant to the provisions of this chapter shall be
6 distributed and paid monthly as follows:

7 (2) Of the remainder:

8 (d) Eight and two-tenths percent shall be deposited in
9 the Brain and Spinal Cord Injury Rehabilitation Trust Fund for
10 the purposes set forth in s. 381.79 ~~413.613~~.

11
12 Reviser's note.--Amended to conform to the
13 transfer of s. 413.613 to s. 381.79 by s. 23,
14 ch. 99-240, Laws of Florida.

15
16 Section 44. Paragraph (b) of subsection (1) of section
17 320.04, Florida Statutes, is amended to read:

18 320.04 Registration service charge.--

19 (1)

20 (b) In addition to the fees provided in paragraph (a),
21 any tax collector may impose an additional service charge of
22 not more than 50 cents on any transaction specified in
23 paragraph (a) or on any transaction specified in s.
24 ~~319.32(2)(a) or s. 328.48(1982 Supplement to the Florida~~
25 ~~Statutes 1981)~~when such transaction occurs at any tax
26 collector's branch office.

27
28 Reviser's note.--Amended to improve clarity and
29 facilitate correct interpretation; the
30 referenced section was created in 1999.

1 Section 45. Subsection (1) and paragraph (a) of
2 subsection (2) of section 320.086, Florida Statutes, are
3 amended to read:

4 320.086 Ancient or antique motor vehicles; "horseless
5 carriage," antique, or historical license plates.--

6 (1) The owner of a motor vehicle for private use
7 manufactured in 1945 or earlier, equipped with an engine
8 manufactured in 1945 or earlier or manufactured to the
9 specifications of the original engine, and operated on the
10 streets and highways of this state shall, upon application in
11 the manner and at the time prescribed by the department and
12 upon payment of the license tax for an ancient motor vehicle
13 prescribed by s. 320.08(1)(d), (2)(a), or (3)(e)~~320.08(1)(e),~~
14 ~~(2)(a), or (3)(e)~~, be issued a special license plate for such
15 motor vehicle. The license plate shall be permanent and valid
16 for use without renewal so long as the vehicle is in
17 existence. In addition to the payment of all other fees
18 required by law, the applicant shall pay such fee for the
19 issuance of the special license plate as may be prescribed by
20 the department commensurate with the cost of its manufacture.
21 The registration numbers and special license plates assigned
22 to such motor vehicles shall run in a separate numerical
23 series, commencing with "Horseless Carriage No. 1," and the
24 plates shall be of a distinguishing color.

25 (2)(a) The owner of a motor vehicle for private use
26 manufactured after 1945 and of the age of 30 years or more
27 after the date of manufacture, equipped with an engine of the
28 age of 30 years or more after the date of manufacture, and
29 operated on the streets and highways of this state may, upon
30 application in the manner and at the time prescribed by the
31 department and upon payment of the license tax prescribed by

1 s. 320.08(1)(d), (2)(a), or (3)(e)~~320.08(1)(e), (2)(a), or~~
2 ~~(3)(e)~~, be issued a special license plate for such motor
3 vehicle. In addition to the payment of all other fees
4 required by law, the applicant shall pay the fee for the
5 issuance of the special license plate prescribed by the
6 department, commensurate with the cost of its manufacture.
7 The registration numbers and special license plates assigned
8 to such motor vehicles shall run in a separate numerical
9 series, commencing with "Antique No. 1," and the plates shall
10 be of a distinguishing color. The owner of the motor vehicle
11 may, upon application and payment of the license tax
12 prescribed by s. 320.08, be issued a regular Florida license
13 plate or specialty license plate in lieu of the special
14 "Antique" license plate.

15

16 Reviser's note.--Amended to conform to the
17 redesignation of s. 320.08(1)(e) as s.
18 320.08(1)(d) by s. 6, ch. 99-385, Laws of
19 Florida.

20

21 Section 46. Section 322.025, Florida Statutes, is
22 amended to read:

23 322.025 Driver improvement.--The department may
24 implement programs to improve the driving ability of the
25 drivers of this state. Such programs may include, but shall
26 not be limited to, safety awareness campaigns, driver
27 training, and licensing improvement. Motorcycle driver
28 improvement programs implemented pursuant to this section or
29 s. 322.0255 shall be funded by the motorcycle safety education
30 fee collected pursuant to s. 320.08(1)(c)~~320.08(1)(d)~~, which
31

1 shall be deposited in the Highway Safety Operating Trust Fund
2 of the department and appropriated for that purpose.

3
4 Reviser's note.--Amended to conform to the
5 redesignation of s. 320.08(1)(d) as s.
6 320.08(1)(c) by s. 6, ch. 99-385, Laws of
7 Florida.

8
9 Section 47. Subsection (9) of section 327.35, Florida
10 Statutes, is amended to read:

11 327.35 Boating under the influence; penalties;
12 "designated drivers".--

13 (9) Notwithstanding any other provision of this
14 section, for any person convicted of a violation of subsection
15 (1), in addition to the fines set forth in subsections (2) and
16 (4), an additional fine of \$60 shall be assessed and collected
17 in the same manner as the fines set forth in subsections (2)
18 and (4). All fines collected under this subsection shall be
19 paid monthly into the Brain and Spinal Cord Injury
20 Rehabilitation Trust Fund and used for the purposes set forth
21 in s. 381.79 ~~413.613~~, after 5 percent is deducted therefrom by
22 the clerk of the court for administrative costs.

23
24 Reviser's note.--Amended to conform to the
25 transfer of s. 413.613 to s. 381.79 by s. 23,
26 ch. 99-240, Laws of Florida.

27
28 Section 48. Paragraph (k) of subsection (1) of section
29 327.73, Florida Statutes, is amended to read:

30 327.73 Noncriminal infractions.--

31

1 (1) Violations of the following provisions of the
2 vessel laws of this state are noncriminal infractions:

3 (k) Violations relating to restricted areas and speed
4 limits:

5 1. Established by the commission ~~department~~ pursuant
6 to s. 327.46.

7 2. Established by local governmental authorities
8 pursuant to s. 327.22 or s. 327.60.

9 3. Speed limits established pursuant to s. 370.12(2).
10

11 Any person cited for a violation of any such provision shall
12 be deemed to be charged with a noncriminal infraction, shall
13 be cited for such an infraction, and shall be cited to appear
14 before the county court. The civil penalty for any such
15 infraction is \$50, except as otherwise provided in this
16 section. Any person who fails to appear or otherwise properly
17 respond to a uniform boating citation shall, in addition to
18 the charge relating to the violation of the boating laws of
19 this state, be charged with the offense of failing to respond
20 to such citation and, upon conviction, be guilty of a
21 misdemeanor of the second degree, punishable as provided in s.
22 775.082 or s. 775.083. A written warning to this effect shall
23 be provided at the time such uniform boating citation is
24 issued.
25

26 Reviser's note.--Amended to conform to the
27 change in s. 327.46 of references to the
28 Department of Environmental Protection to the
29 Fish and Wildlife Conservation Commission by s.
30 27, ch. 99-245, Laws of Florida.
31

1 Section 49. Subsection (3) of section 328.48, Florida
2 Statutes, is amended to read:

3 328.48 Vessel registration, application, certificate,
4 number, decal, duplicate certificate.--

5 (3) The Department of Highway Safety and Motor
6 Vehicles shall issue certificates of registration and numbers
7 for city, county, and state-owned vessels, charging only the
8 service fees required in s. 328.72(7) and (8)~~327.25(7) and~~
9 ~~(8)~~, provided the vessels are used for purposes other than
10 recreation.

11

12 Reviser's note.--Amended to conform to the
13 transfer of s. 327.25(7) and (8) to s.
14 328.72(7) and (8) by s. 25, ch. 99-289, Laws of
15 Florida.

16

17 Section 50. Paragraph (c) of subsection (2) of section
18 328.72, Florida Statutes, is amended to read:

19 328.72 Classification; registration; fees and charges;
20 surcharge; disposition of fees; fines; marine turtle
21 stickers.--

22 (2) ANTIQUE VESSEL REGISTRATION FEE.--

23 (c) The Department of Highway Safety and Motor
24 Vehicles may issue a decal identifying the vessel as an
25 antique vessel. The decal shall be displayed as provided in
26 ss. 328.48 ~~327.11~~ and 328.54 ~~327.14~~.

27

28 Reviser's note.--Amended to conform to the
29 transfers of s. 327.11 to s. 328.48 by s. 11,
30 ch. 99-289, Laws of Florida, and s. 327.14 to
31 s. 328.54 by s. 14, ch. 99-289.

1 Section 51. Subsection (3) of section 328.73, Florida
2 Statutes, is amended to read:

3 328.73 Registration; duties of tax collectors.--

4 (3) A fee of 50 cents shall be charged in addition to
5 the fees required under s. 328.72 ~~327.25~~ on every vessel decal
6 registration sold to cover the cost of the Florida Real Time
7 Vehicle Information System. The fees collected under this
8 section shall be deposited into the Highway Safety Operating
9 Trust Fund and shall be used to fund that system and may be
10 used to fund the general operations of the department.

11
12 Reviser's note.--Amended to conform to the
13 redesignation of s. 327.25 as s. 328.72 by s.
14 25, ch. 99-289, Laws of Florida.

15
16 Section 52. Subsection (2) of section 328.735, Florida
17 Statutes, is amended to read:

18 328.735 Advanced registration renewal; procedures.--

19 (2) Upon the filing of the application and payment of
20 the appropriate vessel registration fee and service charges
21 required by s. 328.72 ~~327.25~~ and any additional fees required
22 by law, the department or its agents shall issue to the owner
23 of the vessel a decal and registration. When the decal is
24 affixed to the vessel, the registration is renewed for the
25 appropriate registration period.

26
27 Reviser's note.--Amended to conform to the
28 redesignation of s. 327.25 as s. 328.72 by s.
29 25, ch. 99-289, Laws of Florida.

1 Section 53. Section 331.401, Florida Statutes, is
2 amended to read:

3 331.401 Short title.--Sections 331.401-331.419
4 ~~331.401-331.421~~ may be cited as the "Florida Commercial Space
5 Financing Corporation Act."

6
7 Reviser's note.--Amended to facilitate correct
8 interpretation; s. 331.421 does not exist, and
9 the last section in the act is s. 331.419.

10
11 Section 54. Paragraph (g) of subsection (5) of section
12 337.25, Florida Statutes, is amended to read:

13 337.25 Acquisition, lease, and disposal of real and
14 personal property.--

15 (5) The department may convey a leasehold interest for
16 commercial or other purposes, in the name of the state, to any
17 land, building, or other property, real or personal, which was
18 acquired under the provisions of subsection (1).

19 (g) No lease executed under this subsection may be
20 utilized by the lessee to establish the 4 5 years' standing
21 required by s. 73.071(3)(b) if the business had not been
22 established for 4 5 years on the date title passed to the
23 department.

24
25 Reviser's note.--Amended to conform to the
26 amendment to s. 73.071(3)(b) by s. 58, ch.
27 99-385, Laws of Florida, which changed the
28 period of time a business would need to be in
29 operation for certain purposes from 5 years to
30 4 years.

1 Section 55. Subsection (3) of section 338.227, Florida
2 Statutes, is amended to read:

3 338.227 Turnpike revenue bonds.--

4 (3) The Division of Bond Finance is authorized to
5 issue revenue bonds on behalf of the department to finance or
6 refinance the cost of turnpike projects approved in s.
7 338.2275, by the Legislature in accordance with s. 11(f)
8 ~~11(e)~~, Art. VII of the State Constitution.

9
10 Reviser's note.--Amended to conform to the
11 redesignation of s. 11(e), Art. VII of the
12 State Constitution, as s. 11(f) necessitated by
13 the creation of a new s. 11(e) by Revision No.
14 5 (1998).

15
16 Section 56. Subsection (1) of section 338.2275,
17 Florida Statutes, is amended to read:

18 338.2275 Approved turnpike projects.--

19 (1) Legislative approval of the department's tentative
20 work program that contains the turnpike project constitutes
21 approval to issue bonds as required by s. 11(f)~~11(e)~~, Art.
22 VII of the State Constitution. Turnpike projects approved to
23 be included in future tentative work programs include, but are
24 not limited to, projects contained in the 1997-1998 tentative
25 work program and potential expansion projects listed in the
26 January 25, 1997, report submitted to the Florida
27 Transportation Commission titled "Florida's Turnpike Building
28 on the Past - Preparing for the Future." A maximum of \$3
29 billion of bonds may be issued to fund approved turnpike
30 projects.

31

1 Reviser's note.--Amended to conform to the
2 redesignation of s. 11(e), Art. VII of the
3 State Constitution, as s. 11(f) necessitated by
4 the creation of a new s. 11(e) by Revision No.
5 5 (1998).

6
7 Section 57. Paragraph (f) of subsection (2) of section
8 348.0005, Florida Statutes, is amended to read:

9 348.0005 Bonds.--
10 (2)

11 (f) Notwithstanding any of the provisions of this
12 part, in any county as defined in s. 125.011(1), each project,
13 building, or facility which has been or will be financed by
14 the issuance of bonds or other evidence of indebtedness and
15 that does not pledge the full faith and credit of the state
16 under this part and any refinancing thereof is approved for
17 purposes of s. 11(f)~~11(e)~~, Art. VII of the State
18 Constitution.

19
20 Reviser's note.--Amended to conform to the
21 redesignation of s. 11(e), Art. VII of the
22 State Constitution, as s. 11(f) necessitated by
23 the creation of a new s. 11(e) by Revision No.
24 5 (1998).

25
26 Section 58. Section 348.565, Florida Statutes, is
27 amended to read:

28 348.565 Revenue bonds for specified projects.--The
29 existing facilities that constitute the Tampa-Hillsborough
30 County Expressway System are hereby approved to be refinanced
31 by the issuance of revenue bonds by the Division of Bond

1 Finance of the State Board of Administration pursuant to s.
2 11(f)~~11(e)~~, Art. VII of the State Constitution. In addition,
3 the following projects of the Tampa-Hillsborough County
4 Expressway Authority are approved to be financed or refinanced
5 by the issuance of revenue bonds pursuant to s. 11(f)~~11(e)~~,
6 Art. VII of the State Constitution:

- 7 (1) Brandon area feeder roads;
8 (2) Capital improvements to the expressway system,
9 including safety and operational improvements and toll
10 collection equipment; and
11 (3) Lee Roy Selmon Crosstown Expressway System
12 widening.

13

14 Reviser's note.--Amended to conform to the
15 redesignation of s. 11(e), Art. VII of the
16 State Constitution, as s. 11(f) necessitated by
17 the creation of a new s. 11(e) by Revision No.
18 5 (1998).

19

20 Section 59. Subsection (5) of section 348.755, Florida
21 Statutes, is amended to read:

22

348.755 Bonds of the authority.--

23

24 (5) Notwithstanding any of the provisions of this
25 part, each project, building, or facility which has been
26 financed by the issuance of bonds or other evidence of
27 indebtedness under this part and any refinancing thereof is
28 hereby approved as provided for in s. 11(f)~~11(e)~~, Art. VII of
the State Constitution.

29

30 Reviser's note.--Amended to conform to the
31 redesignation of s. 11(e), Art. VII of the

1 State Constitution, as s. 11(f) necessitated by
2 the creation of a new s. 11(e) by Revision No.
3 5 (1998).

4
5 Section 60. Subsection (5) of section 349.05, Florida
6 Statutes, is amended to read:

7 349.05 Bonds of the authority.--

8 (5) Notwithstanding any of the provisions of this
9 chapter, each project, building, or facility which has been
10 financed by the issuance of bonds or other evidences of
11 indebtedness under this chapter and any refinancing thereof is
12 hereby approved as provided for in s. 11(f)~~11(e)~~, Art. VII of
13 the State Constitution.

14
15 Reviser's note.--Amended to conform to the
16 redesignation of s. 11(e), Art. VII of the
17 State Constitution, as s. 11(f) necessitated by
18 the creation of a new s. 11(e) by Revision No.
19 5 (1998).

20
21 Section 61. Subsection (1) of section 364.515, Florida
22 Statutes, is amended to read:

23 364.515 Infrastructure investment.--

24 (1) ~~Notwithstanding ss. 364.509-364.514,~~Advanced
25 telecommunications services shall be provided to eligible
26 facilities in accordance with the provisions of this section.

27
28 Reviser's note.--Amended to conform to the
29 repeal of ss. 364.509-364.514 by s. 10, ch.
30 99-354, Laws of Florida.

31

1 Section 62. Effective July 1, 2001, subsection (4) of
2 section 369.252, Florida Statutes, as amended by section 30 of
3 chapter 99-247, Laws of Florida, is amended to read:

4 369.252 Invasive exotic plant control on public
5 lands.--The department shall establish a program to:

6 (4) Use funds in the Invasive Plant Control Trust Fund
7 as authorized by the Legislature for carrying out activities
8 under this section on public lands. Twenty percent of the
9 amount credited to the Invasive ~~Aquatic~~ Plant Control Trust
10 Fund pursuant to s. 201.15(6) shall be used for the purpose of
11 controlling nonnative, upland, invasive plant species on
12 public lands.

13
14 Reviser's note.--Amended to conform to the
15 redesignation of the Aquatic Plant Control
16 Trust Fund as the Invasive Plant Control Trust
17 Fund by s. 3, ch. 99-205, Laws of Florida, and
18 s. 1, ch. 99-312, Laws of Florida.