

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Conference Committee on SB 2002, 1st Eng. recommended the following amendment:

**Conference Committee Amendment (with title amendment)**

Delete everything after the enacting clause

and insert:

Section 1. It is the intent of the Legislature that the implementing and administering provisions of this act apply to the General Appropriations Act for fiscal year 2001-2002.

Section 2. In order to implement Specific Appropriation 171 of the 2001-2002 General Appropriations Act, the funds provided for workforce development shall be initially allocated to the school district or community college as designated. If, for any reason, a program in whole or in part is moved from a community college to a school district or moved from a school district to a community college, the Commissioner of Education or the Executive Director of the Division of Community Colleges shall submit a budget amendment pursuant to chapter 216, Florida Statutes, to

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 transfer the appropriate amount of the 2001-2002 appropriation  
2 between the affected district and community college. The  
3 amount transferred shall be as near as practicable to the  
4 actual amount appropriated for the FTE funded for that  
5 program. This section expires July 1, 2002.

6 Section 3. In order to implement Specific  
7 Appropriation 118 of the 2001-2002 General Appropriations Act,  
8 paragraph (k) of subsection (1) and subsection (8) of section  
9 236.081, Florida Statutes, are amended to read:

10 236.081 Funds for operation of schools.--If the annual  
11 allocation from the Florida Education Finance Program to each  
12 district for operation of schools is not determined in the  
13 annual appropriations act or the substantive bill implementing  
14 the annual appropriations act, it shall be determined as  
15 follows:

16 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR  
17 OPERATION.--The following procedure shall be followed in  
18 determining the annual allocation to each district for  
19 operation:

20 (k) Calculation of additional full-time equivalent  
21 membership based on international baccalaureate examination  
22 scores of students.--A value of 0.24 full-time equivalent  
23 student membership shall be calculated for each student  
24 enrolled in an international baccalaureate course who receives  
25 a score of 4 or higher on a subject examination. A value of  
26 0.3 full-time equivalent student membership shall be  
27 calculated for each student who receives an international  
28 baccalaureate diploma. Such value shall be added to the total  
29 full-time equivalent student membership in basic programs for  
30 grades 9 through 12 in the subsequent fiscal year. ~~During the~~  
31 ~~1997-1998, 1998-1999, and 1999-2000 school years of the pilot~~

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 ~~program authorized in s. 240.116, Students enrolled in the~~  
2 ~~Advanced International Certificate of Education Program shall~~  
3 ~~generate full-time equivalent student membership in a manner~~  
4 ~~that is equitable to the manner in which students enrolled in~~  
5 ~~the International Baccalaureate Program generate full-time~~  
6 ~~equivalent student membership. During 1997-1998, a maximum of~~  
7 ~~40 students in each participating school district is~~  
8 ~~authorized to generate full-time equivalent student membership~~  
9 ~~in the pilot program, and in 1998-1999 and 1999-2000 a maximum~~  
10 ~~of 80 students per year in each participating school district~~  
11 ~~is authorized to generate full-time equivalent student~~  
12 ~~membership in the pilot program.~~

13 (8) QUALITY ASSURANCE GUARANTEE.--The Legislature may  
14 annually in the General Appropriations Act determine a  
15 percentage increase in funds per K-12 unweighted ~~weighted~~ FTE  
16 as a minimum guarantee to each school district. The guarantee  
17 shall be calculated from prior year base funding per  
18 unweighted ~~weighted~~ FTE student which shall include the  
19 adjusted FTE dollars as provided in subsection (9), quality  
20 guarantee funds, and actual nonvoted discretionary local  
21 effort from taxes. From the base funding per unweighted  
22 ~~weighted~~ FTE, the increase shall be calculated for the current  
23 year. The current year funds from which the guarantee shall be  
24 determined shall include the adjusted FTE dollars as provided  
25 in subsection (9) and potential nonvoted discretionary local  
26 effort from taxes. A comparison of current year funds per  
27 unweighted ~~weighted~~ FTE to prior year funds per unweighted  
28 ~~weighted~~ FTE shall be computed. For those school districts  
29 which have less than the legislatively assigned percentage  
30 increase, funds shall be provided to guarantee the assigned  
31 percentage increase in funds per unweighted ~~weighted~~ FTE

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 student. Should appropriated funds be less than the sum of  
2 this calculated amount for all districts, the commissioner  
3 shall prorate each district's allocation. This provision shall  
4 be implemented to the extent specifically funded.

5 Section 4. The amendment of paragraph (k) of  
6 subsection (1) and subsection (8) of section 236.081, Florida  
7 Statutes, by this act shall expire on July 1, 2002, and the  
8 text of those provisions shall revert to that in existence on  
9 June 30, 2001, except that any amendments to such text enacted  
10 other than by this act shall be preserved and continue to  
11 operate to the extent that such amendments are not dependent  
12 upon the portions of such text which expire pursuant to the  
13 provisions of this act.

14 Section 5. In order to implement Specific  
15 Appropriation 118 of the 2001-2002 General Appropriations Act,  
16 subsection (6) of section 240.116, Florida Statutes, is  
17 amended to read:

18 240.116 Articulated acceleration.--

19 (6) The International Baccalaureate Program shall be  
20 the curriculum in which eligible secondary students are  
21 enrolled in a program of studies offered through the  
22 International Baccalaureate Program administered by the  
23 International Baccalaureate Office. The State Board of  
24 Education shall establish rules which specify the cutoff  
25 scores and International Baccalaureate Examinations which will  
26 be used to grant postsecondary credit at community colleges  
27 and universities. Any such rules, which have the effect of  
28 raising the required cutoff score or of changing the  
29 International Baccalaureate Examinations which will be used to  
30 grant postsecondary credit, shall only apply to students  
31 taking International Baccalaureate Examinations after such

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 rules are adopted by the State Board of Education. Students  
2 shall be awarded a maximum of 30 semester credit hours  
3 pursuant to this subsection. The specific course for which a  
4 student receives such credit shall be determined by the  
5 community college or university that accepts the student for  
6 admission. Students enrolled pursuant to this subsection  
7 shall be exempt from the payment of any fees for  
8 administration of the examinations. ~~During the 1997-1998,~~  
9 ~~1998-1999, and 1999-2000 school years, the Department of~~  
10 ~~Education shall assist up to three school districts in~~  
11 ~~conducting a pilot of the Advanced International Certificate~~  
12 ~~of Education Program administered by the University of~~  
13 ~~Cambridge Local Examinations Syndicate. The department shall~~  
14 ~~produce an evaluation report and recommendations regarding the~~  
15 ~~comparability of the Advanced International Certificate of~~  
16 ~~Education Program to the International Baccalaureate Program~~  
17 ~~and submit the report to the President of the Senate and the~~  
18 ~~Speaker of the House of Representatives on or before October~~  
19 ~~1, 2000.~~

20 Section 6. The amendment of subsection (6) of section  
21 240.116, Florida Statutes, by this act shall expire on July 1,  
22 2002, and the text of that subsection shall revert to that in  
23 existence on June 30, 2001, except that any amendments to such  
24 text enacted other than by this act shall be preserved and  
25 continue to operate to the extent that such amendments are not  
26 dependent upon the portions of such text which expire pursuant  
27 to the provisions of this act.

28 Section 7. In order to implement Specific  
29 Appropriation 178 of the 2001-2002 General Appropriations Act,  
30 subsection (7) of section 240.35, Florida Statutes, is amended  
31 to read:

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1           240.35 Student fees.--Unless otherwise provided, the  
2 provisions of this section apply only to fees charged for  
3 college credit instruction leading to an associate in arts  
4 degree, an associate in applied science degree, or an  
5 associate in science degree and noncollege credit  
6 college-preparatory courses defined in s. 239.105.

7           (7) Each community college board of trustees shall  
8 establish matriculation and tuition fees, which may vary no  
9 more than 10 percent below and 15 percent above the combined  
10 total of the fee schedule adopted by the State Board of  
11 Community Colleges and the technology fee adopted by a board  
12 of trustees, provided that any amount from 10 to 15 percent  
13 above the fee schedule is used only to support safety and  
14 security purposes. In order to assess an additional amount for  
15 safety and security purposes, a community college board of  
16 trustees must provide written justification to the State Board  
17 of Community Colleges based on criteria approved by the local  
18 board of trustees, including but not limited to criteria such  
19 as local crime data and information, and strategies for the  
20 implementation of local safety plans. For 1999-2000, each  
21 community college is authorized to increase the sum of the  
22 matriculation fee and technology fee by not more than 5  
23 percent of the sum of the matriculation and local safety and  
24 security fees in 1998-1999. However, no fee in 1999-2000 shall  
25 exceed the prescribed statutory limit. Should a college decide  
26 to increase the matriculation fee, the funds raised by  
27 increasing the matriculation fee must be expended solely for  
28 additional safety and security purposes and shall not supplant  
29 funding expended in the 1998-1999 budget for safety and  
30 security purposes.

31           Section 8. The amendment of subsection (7) of section

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 240.35, Florida Statutes, by this act shall expire on July 1,  
2 2002, and the text of that subsection shall revert to that in  
3 existence on June 30, 2001, except that any amendments to such  
4 text enacted other than by this act shall be preserved and  
5 continue to operate to the extent that such amendments are not  
6 dependent upon the portions of such text which expire pursuant  
7 to the provisions of this act.

8           Section 9. In order to implement Specific  
9 Appropriation 93 of the 2001-2002 General Appropriations Act,  
10 paragraph (e) of subsection (3) of section 240.209, Florida  
11 Statutes, is amended to read:

12           240.209 Board of Regents; powers and duties.--

13           (3) The board shall:

14           (e) Establish student fees.

15           1. By no later than December 1 of each year, the board  
16 shall raise the systemwide standard for resident undergraduate  
17 matriculation and financial aid fees for the subsequent fall  
18 term, up to but no more than 25 percent of the prior year's  
19 cost of undergraduate programs. In implementing this  
20 paragraph, fees charged for graduate, medical, veterinary, and  
21 dental programs may be increased by the Board of Regents in  
22 the same percentage as the increase in fees for resident  
23 undergraduates. However, in the absence of legislative action  
24 to the contrary in an appropriations act, the board may not  
25 approve annual fee increases for resident students in excess  
26 of 10 percent. The sum of nonresident student matriculation  
27 and tuition fees must be sufficient to defray the full cost of  
28 undergraduate education. Graduate, medical, veterinary, and  
29 dental fees charged to nonresidents may be increased by the  
30 board in the same percentage as the increase in fees for  
31 nonresident undergraduates. However, in implementing this

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 policy and in the absence of legislative action to the  
2 contrary in an appropriations act, annual fee increases for  
3 nonresident students may not exceed 25 percent. In the absence  
4 of legislative action to the contrary in the General  
5 Appropriations Act, the fees shall go into effect for the  
6 following fall term.

7 2. When the appropriations act requires a new fee  
8 schedule, the board shall establish a systemwide standard fee  
9 schedule required to produce the total fee revenue established  
10 in the appropriations act based on the product of the assigned  
11 enrollment and the fee schedule. The board may approve the  
12 expenditure of any fee revenues resulting from the product of  
13 the fee schedule adopted pursuant to this section and the  
14 assigned enrollment.

15 3. Upon provision of authority in a General  
16 Appropriations Act to spend revenue raised pursuant to this  
17 section, the board shall approve a university request to  
18 implement a matriculation and out-of-state tuition fee  
19 schedule which is calculated to generate revenue which varies  
20 no more than 10 percent from the standard fee revenues  
21 authorized through an appropriations act. In implementing an  
22 alternative fee schedule, the increase in cost to a student  
23 taking 15 hours in one term shall be limited to 5 percent.  
24 Matriculation and out-of-state tuition fee revenues generated  
25 as a result of this provision are to be expended for  
26 implementing a plan for achieving accountability goals adopted  
27 pursuant to s. 240.214 and for implementing a Board of  
28 Regents-approved plan to contain student costs by reducing the  
29 time necessary for graduation without reducing the quality of  
30 instruction. The plans shall be recommended by a  
31 universitywide committee, at least one-half of whom are



CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 students appointed by the student body president. A  
2 chairperson, appointed jointly by the university president and  
3 the student body president, shall vote only in the case of a  
4 tie.

5 4. The board may implement individual university plans  
6 for a differential out-of-state tuition fee for universities  
7 that have a service area that borders another state.

8 5. The board is authorized to collect for financial  
9 aid purposes an amount not to exceed 5 percent of the student  
10 tuition and matriculation fee per credit hour. The revenues  
11 from fees are to remain at each campus and replace existing  
12 financial aid fees. Such funds shall be disbursed to students  
13 as quickly as possible. The board shall specify specific  
14 limits on the percent of the fees collected in a fiscal year  
15 which may be carried forward unexpended to the following  
16 fiscal year. A minimum of 75 ~~50~~ percent of funds from the  
17 student financial aid fee for new financial aid awards shall  
18 be used to provide financial aid based on absolute need. A  
19 student who has received an award prior to July 1, 1984, shall  
20 have his or her eligibility assessed on the same criteria that  
21 was used at the time of his or her original award. The Board  
22 of Regents shall develop criteria for making financial aid  
23 awards. Each university shall report annually to the  
24 Department of Education on the revenue collected pursuant to  
25 this subparagraph, the amount carried forward, the criteria  
26 used to make awards, the amount and number of awards for each  
27 criterion, and a delineation of the distribution of such  
28 awards. The report shall include an assessment by category of  
29 the financial need of every student who receives an award,  
30 regardless of the purpose for which the award is received.  
31 Awards which are based on financial need shall be distributed

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 in accordance with a nationally recognized system of need  
2 analysis approved by the Board of Regents. An award for  
3 academic merit shall require a minimum overall grade point  
4 average of 3.0 on a 4.0 scale or the equivalent for both  
5 initial receipt of the award and renewal of the award.

6 6. The board may recommend to the Legislature an  
7 appropriate systemwide standard matriculation and tuition fee  
8 schedule.

9 7. The Education and General Student and Other Fees  
10 Trust Fund is hereby created, to be administered by the  
11 Department of Education. Funds shall be credited to the trust  
12 fund from student fee collections and other miscellaneous fees  
13 and receipts. The purpose of the trust fund is to support the  
14 instruction and research missions of the State University  
15 System. Notwithstanding the provisions of s. 216.301, and  
16 pursuant to s. 216.351, any balance in the trust fund at the  
17 end of any fiscal year shall remain in the trust fund and  
18 shall be available for carrying out the purposes of the trust  
19 fund.

20 8. The board is further authorized to establish the  
21 following fees:

22 a. A nonrefundable application fee in an amount not to  
23 exceed \$30.

24 b. An admissions deposit fee for the University of  
25 Florida College of Dentistry in an amount not to exceed \$200.

26 c. An orientation fee in an amount not to exceed \$35.

27 d. A fee for security, access, or identification  
28 cards. The annual fee for such a card may not exceed \$10 per  
29 card. The maximum amount charged for a replacement card may  
30 not exceed \$15.

31 e. Registration fees for audit and zero-hours

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 registration; a service charge, which may not exceed \$15, for  
2 the payment of tuition in installments; and a  
3 late-registration fee in an amount not less than \$50 nor more  
4 than \$100 to be imposed on students who fail to initiate  
5 registration during the regular registration period.

6 f. A late-payment fee in an amount not less than \$50  
7 nor more than \$100 to be imposed on students who fail to pay  
8 or fail to make appropriate arrangements to pay (by means of  
9 installment payment, deferment, or third-party billing)  
10 tuition by the deadline set by each university. Each  
11 university may adopt specific procedures or policies for  
12 waiving the late-payment fee for minor underpayments.

13 g. A fee for miscellaneous health-related charges for  
14 services provided at cost by the university health center  
15 which are not covered by the health fee set under s.  
16 240.235(1).

17 h. Materials and supplies fees to offset the cost of  
18 materials or supplies that are consumed in the course of the  
19 student's instructional activities, excluding the cost of  
20 equipment replacement, repairs, and maintenance.

21 i. Housing rental rates and miscellaneous housing  
22 charges for services provided by the university at the request  
23 of the student.

24 j. A charge representing the reasonable cost of  
25 efforts to collect payment of overdue accounts.

26 k. A service charge on university loans in lieu of  
27 interest and administrative handling charges.

28 l. A fee for off-campus course offerings when the  
29 location results in specific, identifiable increased costs to  
30 the university.

31 m. Library fees and fines, including charges for

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 damaged and lost library materials, overdue reserve library  
2 books, interlibrary loans, and literature searches.

3 n. Fees relating to duplicating, photocopying,  
4 binding, and microfilming; copyright services; and  
5 standardized testing. These fees may be charged only to those  
6 who receive the services.

7 o. Fees and fines relating to the use, late return,  
8 and loss and damage of facilities and equipment.

9 p. A returned-check fee as authorized by s. 832.07(1)  
10 for unpaid checks returned to the university.

11 q. Traffic and parking fines, charges for parking  
12 decals, and transportation access fees.

13 r. An Educational Research Center for Child  
14 Development fee for child care and services offered by the  
15 center.

16 s. Fees for transcripts and diploma replacement, not  
17 to exceed \$10 per item.

18 Section 10. The amendment of paragraph 240.209(3)(e),  
19 Florida Statutes, by this act shall expire July 1, 2002, and  
20 the text of that paragraph shall revert to that in existence  
21 on June 30, 2001, except that any amendments to such text  
22 exacted other than by this act shall be preserved and continue  
23 to operate to the extent that such amendments are not  
24 dependent upon the portions of such text which expire pursuant  
25 to the provisions of this act. The Division of Statutory  
26 Revision of the Office of Legislative Services shall include  
27 in an appropriate reviser's bill any amendments to such  
28 subsection which are necessary to give effect to the  
29 legislative intent expressed in this section.

30 Section 11. In order to implement Specific  
31 Appropriation 93 of the 2001-2002 General Appropriations Act,

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 subsection (11) of section 240.35, Florida Statutes, is  
2 amended to read:

3           240.35 Student fees.--Unless otherwise provided, the  
4 provisions of this section apply only to fees charged for  
5 college credit instruction leading to an associate in arts  
6 degree, an associate in applied science degree, or an  
7 associate in science degree and noncollege credit  
8 college-preparatory courses defined in s. 239.105.

9           (11)(a) Each community college is authorized to  
10 establish a separate fee for financial aid purposes in an  
11 additional amount up to, but not to exceed, 5 percent of the  
12 total student tuition or matriculation fees collected. Each  
13 community college may collect up to an additional 2 percent if  
14 the amount generated by the total financial aid fee is less  
15 than \$250,000. If the amount generated is less than \$250,000,  
16 a community college that charges tuition and matriculation  
17 fees at least equal to the average fees established by rule  
18 may transfer from the general current fund to the scholarship  
19 fund an amount equal to the difference between \$250,000 and  
20 the amount generated by the total financial aid fee  
21 assessment. No other transfer from the general current fund to  
22 the loan, endowment, or scholarship fund, by whatever name  
23 known, is authorized.

24           (b) All funds collected under this program shall be  
25 placed in the loan and endowment fund or scholarship fund of  
26 the college, by whatever name known. Such funds shall be  
27 disbursed to students as quickly as possible. An amount not  
28 greater than 40 percent of the fees collected in a fiscal year  
29 may be carried forward unexpended to the following fiscal  
30 year. However, funds collected prior to July 1, 1989, and  
31 placed in an endowment fund may not be considered part of the

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 balance of funds carried forward unexpended to the following  
2 fiscal year.

3 (c) Up to 25 percent or \$300,000, whichever is  
4 greater, of the financial aid fees collected may be used to  
5 assist students who demonstrate academic merit; who  
6 participate in athletics, public service, cultural arts, and  
7 other extracurricular programs as determined by the  
8 institution; or who are identified as members of a targeted  
9 gender or ethnic minority population. The financial aid fee  
10 revenues allocated for athletic scholarships and fee  
11 exemptions provided pursuant to subsection (17) for athletes  
12 shall be distributed equitably as required by s.  
13 228.2001(3)(d). A minimum of 75 ~~50~~ percent of the balance of  
14 these funds for new awards shall be used to provide financial  
15 aid based on absolute need, and the remainder of the funds  
16 shall be used for academic merit purposes and other purposes  
17 approved by the district boards of trustees. Such other  
18 purposes shall include the payment of child care fees for  
19 students with financial need. The State Board of Community  
20 Colleges shall develop criteria for making financial aid  
21 awards. Each college shall report annually to the Department  
22 of Education on the revenue collected pursuant to this  
23 paragraph, the amount carried forward, the criteria used to  
24 make awards, the amount and number of awards for each  
25 criterion, and a delineation of the distribution of such  
26 awards. The report shall include an assessment by category of  
27 the financial need of every student who receives an award,  
28 regardless of the purpose for which the award is received.  
29 Awards which are based on financial need shall be distributed  
30 in accordance with a nationally recognized system of need  
31 analysis approved by the State Board of Community Colleges. An

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 award for academic merit shall require a minimum overall grade  
2 point average of 3.0 on a 4.0 scale or the equivalent for both  
3 initial receipt of the award and renewal of the award.

4 (d) These funds may not be used for direct or indirect  
5 administrative purposes or salaries.

6 Section 12. The amendment of subsection 240.35(11),  
7 Florida Statutes, by this act shall expire July 1, 2002, and  
8 the text of that subsection shall revert to that in existence  
9 on June 30, 2001, except that any amendments to such text  
10 exacted other than by this act shall be preserved and continue  
11 to operate to the extent that such amendments are not  
12 dependent upon the portions of such text which expire pursuant  
13 to the provisions of this act. The Division of Statutory  
14 Revision of the Office of Legislative Services shall include  
15 in an appropriate reviser's bill any amendments to such  
16 subsection which are necessary to give effect to the  
17 legislative intent expressed in this section.

18 Section 13. In order to implement Specific  
19 Appropriation 118 of the 2001-2002 General Appropriations Act,  
20 paragraph (a) of subsection (1) of section 236.081, Florida  
21 Statutes, is amended to read:

22 236.081 Funds for operation of schools.--If the annual  
23 allocation from the Florida Education Finance Program to each  
24 district for operation of schools is not determined in the  
25 annual appropriations act or the substantive bill implementing  
26 the annual appropriations act, it shall be determined as  
27 follows:

28 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR  
29 OPERATION.--The following procedure shall be followed in  
30 determining the annual allocation to each district for  
31 operation:

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 (a) Determination of full-time equivalent  
2 membership.--During each of several school weeks, including  
3 scheduled intersessions of a year-round school program during  
4 the fiscal year, a program membership survey of each school  
5 shall be made by each district by aggregating the full-time  
6 equivalent student membership of each program by school and by  
7 district. The department shall establish the number and  
8 interval of membership calculations, except that for basic and  
9 special programs such calculations shall not exceed nine for  
10 any fiscal year. The district's full-time equivalent  
11 membership shall be computed and currently maintained in  
12 accordance with regulations of the commissioner. Beginning  
13 with the 1999-2000 school year, each school district shall  
14 also document the daily attendance of each student in  
15 membership by school and by district. An average daily  
16 attendance factor shall be computed by dividing the total  
17 daily attendance of all students by the total number of  
18 students in membership and then by the number of days in the  
19 regular school year. Beginning with the 2002-2003 ~~2001-2002~~  
20 school year, the district's full-time equivalent membership  
21 shall be adjusted by multiplying by the average daily  
22 attendance factor.

23 Section 14. In order to implement Specific  
24 Appropriations 302-466 and 503-637 of the 2001-2002 General  
25 Appropriations Act, paragraph (c) is added to subsection (16)  
26 of section 216.181, Florida Statutes, to read:

27 216.181 Approved budgets for operations and fixed  
28 capital outlay.--

29 (16)

30 (c) For the 2001-2002 fiscal year only, funds  
31 appropriated to the Department of Children and Family Services



CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 in Specific Appropriations 302-466 and the Department of  
2 Health in Specific Appropriations 503-637 of the 2001-2002  
3 General Appropriations Act may be advanced, unless  
4 specifically prohibited in such General Appropriations Act,  
5 for those contracted services that were approved for  
6 advancement by the Comptroller in fiscal year 1993-1994,  
7 including those services contracted on a fixed-price or  
8 unit-cost basis. This paragraph expires July 1, 2002.

9 Section 15. In order to implement Specific  
10 Appropriations 408 and 410 of the 2001-2002 General  
11 Appropriations Act, notwithstanding the provisions of chapter  
12 216, Florida Statutes, the Department of Children and Family  
13 Services is authorized to transfer funds as necessary to  
14 achieve a successful transition of staff between that  
15 department and the Department of Juvenile Justice. Such  
16 transfers of funds shall only require a 3-day consultation  
17 period with the House and Senate Appropriations Committees  
18 prior to their implementation. The Department of Juvenile  
19 Justice is directed to give priority for employment to persons  
20 employed at G. Pierce Wood Memorial Hospital (GPW). The  
21 Departments of Juvenile Justice and Children and Family  
22 Services are also directed to require the contracted  
23 Department of Juvenile Justice programs in the catchment area  
24 in the contracted sexually violent predator program to give  
25 employees from GPW priority for employment. This section  
26 expires July 1, 2002.

27 Section 16. In order to implement Specific  
28 Appropriations 400-402 of the 2001-2002 General Appropriations  
29 Act, subsection (8) is added to section 394.908, Florida  
30 Statutes, to read:

31 394.908 Substance abuse and mental health funding

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 equity; distribution of appropriations.--In recognition of the  
2 historical inequity among service districts of the former  
3 Department of Health and Rehabilitative Services in the  
4 funding of substance abuse and mental health services, and in  
5 order to rectify this inequity and provide for equitable  
6 funding in the future throughout the state, the following  
7 funding process shall be adhered to:

8       (8) For fiscal year 2001-2002 only, and  
9 notwithstanding the provisions of this section, all new funds  
10 received in excess of fiscal year 1998-1999 appropriations  
11 shall be allocated, except as specified in this subsection, to  
12 the G. Pierce Wood Memorial Hospital catchment area or other  
13 districts or counties identified in the 2001-2002 General  
14 Appropriations Act. The Department of Children and Family  
15 Services is authorized to develop an alternative allocation  
16 methodology based on national prevalence data for persons with  
17 severe and persistent mental illness for use in the  
18 distribution of new funds to the G. Pierce Wood Memorial  
19 Hospital catchment area. No district shall receive an  
20 allocation of recurring funds less than its initial approved  
21 operating budget, plus any distributions of lump sum  
22 appropriations, for fiscal year 1998-1999, except for  
23 adjustments needed to implement the SunCoast Region. This  
24 subsection expires July 1, 2002.

25       Section 17. In order to implement Specific  
26 Appropriation 480 of the 2001-2002 General Appropriations Act,  
27 subsection (1) of section 430.204, Florida Statutes, is  
28 amended to read:

29       430.204 Community-care-for-the-elderly core services;  
30 departmental powers and duties.--

31       (1)(a) The department shall fund, through each area

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 agency on aging, at least one community care service system  
2 the primary purpose of which is the prevention of unnecessary  
3 institutionalization of functionally impaired elderly persons  
4 through the provision of community-based core services.

5 Whenever feasible, an area agency on aging shall be the  
6 contracting agency of preference to engage only in the  
7 planning and funding of community-care-for-the-elderly core  
8 services for functionally impaired elderly persons.

9 (b) For fiscal year 2001-2002 only, in each county  
10 having a population over 2 million, the department shall fund,  
11 through each area agency on aging, more than one community  
12 care service system the primary purpose of which is the  
13 prevention of unnecessary institutionalization of functionally  
14 impaired elderly persons through the provision of  
15 community-based core services. This paragraph expires July 1,  
16 2002.

17 Section 18. In order to implement Specific  
18 Appropriation 480 of the 2001-2002 General Appropriations Act,  
19 subsection (1) of section 430.205, Florida Statutes, is  
20 amended to read:

21 430.205 Community care service system.--

22 (1)(a) The department, through the area agency on  
23 aging, shall fund in each planning and service area at least  
24 one community care service system that provides case  
25 management and other in-home and community services as needed  
26 to help the older person maintain independence and prevent or  
27 delay more costly institutional care.

28 (b) For fiscal year 2001-2002 only, in each county  
29 having a population over 2 million, the department, through  
30 the area agency on aging, shall fund in each planning and  
31 service area more than one community care service system that

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 provides case management and other in-home and community  
2 services as needed to help elderly persons maintain  
3 independence and prevent or delay more costly institutional  
4 care. This paragraph expires July 1, 2002.

5 Section 19. In order to implement Specific  
6 Appropriations 348, 350A, and 350C of the 2001-2002 General  
7 Appropriations Act, subsection (12) is added to section  
8 216.292, Florida Statutes, to read:

9 216.292 Appropriations nontransferable; exceptions.--

10 (12) For the 2001-2002 fiscal year only and  
11 notwithstanding the other provisions of this section, the  
12 Department of Children and Family Services may transfer funds  
13 within the family safety program identified in the General  
14 Appropriations Act from identical funding sources between the  
15 following appropriation categories without limitation as long  
16 as such a transfer does not result in an increase to the total  
17 recurring general revenue or trust fund cost of the agency in  
18 the subsequent fiscal year: adoption services and subsidy;  
19 family foster care; and emergency shelter care. Such transfers  
20 must be consistent with legislative policy and intent and must  
21 not adversely affect achievement of approved performance  
22 outcomes or outputs in the family safety program. Notice of  
23 proposed transfers under this authority must be provided to  
24 the Executive Office of the Governor and the chairs of the  
25 legislative appropriations committees at least 5 working days  
26 before their implementation. This subsection expires July 1,  
27 2002.

28 Section 20. In order to implement Specific  
29 Appropriation 3018 of the 2001-2002 General Appropriations  
30 Act, paragraph (i) of subsection (2) of section 318.21,  
31 Florida Statutes, as amended, is amended to read:

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1           318.21 Disposition of civil penalties by county  
2 courts.--All civil penalties received by a county court  
3 pursuant to the provisions of this chapter shall be  
4 distributed and paid monthly as follows:

5           (2) Of the remainder:

6           (i) For fiscal year 2001-2002 ~~2000-2001~~ only, and in  
7 lieu of the provisions of paragraph (a), five and six-tenths  
8 percent shall be paid to the General Revenue Fund of the  
9 state, except that the first \$300,000 shall be deposited into  
10 the Grants and Donations Trust Fund in the state courts system  
11 for administrative costs, training costs, and costs associated  
12 with the implementation and maintenance of Florida foster care  
13 citizen review panels as provided for in s. 39.702. This  
14 paragraph expires ~~is repealed~~ on July 1, 2002 ~~2001~~.

15           Section 21. In order to implement Specific  
16 Appropriation 2967 of the 2001-2002 General Appropriations  
17 Act, subsection (8) of section 925.037, Florida Statutes, is  
18 amended to read:

19           925.037 Reimbursement of counties for fees paid to  
20 appointed counsel; circuit conflict committees.--

21           (8) Notwithstanding any other provision of this  
22 section to the contrary, and for the 2001-2002 ~~2000-2001~~  
23 fiscal year only, funds allocated pursuant to this section  
24 shall be distributed to the counties in the designated  
25 circuits by the state courts system. This subsection expires  
26 ~~is repealed~~ on July 1, 2002 ~~2001~~.

27           Section 22. In order to implement Specific  
28 Appropriations 862-1126 of the 2001-2002 General  
29 Appropriations Act, section 25.402, Florida Statutes, is  
30 amended to read:

31           25.402 County Article V Trust Fund.--

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 (1)(a) The trust fund moneys in the County Article V  
2 Trust Fund, administered by the Supreme Court, may ~~must~~ be  
3 used to compensate counties for the costs they incur under  
4 Article V of the State Constitution in operating the state  
5 courts system, including the costs they incur in providing and  
6 maintaining court facilities.

7 (b) The Supreme Court shall adopt an allocation and  
8 disbursement plan for the operation of the trust fund and the  
9 expenditure of moneys deposited in the trust fund. The Supreme  
10 Court shall include the plan in its legislative budget  
11 request. A committee of 15 people shall develop and recommend  
12 the allocation and disbursement plan to the Supreme Court. The  
13 committee shall be composed of:

14 1. Six persons appointed by the Florida Association of  
15 Counties, as follows:

16 a. Two persons residing in counties with populations  
17 fewer ~~less~~ than 90,000 ~~75,000~~.

18 b. Two persons residing in counties with populations  
19 greater than 89,999 ~~74,999~~, but fewer ~~less~~ than 700,000.

20 c. Two persons residing in counties with populations  
21 greater than 699,999.

22 2. Six persons appointed by the Chief Justice of the  
23 Supreme Court, as follows:

24 a. Two persons residing in counties with populations  
25 fewer ~~less~~ than 90,000 ~~75,000~~.

26 b. Two persons residing in counties with populations  
27 greater than 89,999 ~~74,999~~, but fewer ~~less~~ than 700,000.

28 c. Two persons residing in counties with populations  
29 greater than 699,999.

30 3. Three persons appointed by the Florida Association  
31 of Court Clerks and Comptrollers, as follows:

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 a. One person residing in a county with a population  
2 fewer ~~less~~ than 90,000 ~~75,000~~.

3 b. One person residing in a county with a population  
4 greater than 89,999 ~~74,999~~, but fewer ~~less~~ than 700,000.

5 c. One person residing in a county with a population  
6 greater than 699,999.

7  
8 The allocation and disbursement plan shall include provisions  
9 to compensate counties with fewer than 90,000 ~~75,000~~ residents  
10 for court facility needs.

11 (c) Amendments to the approved operating budget for  
12 expenditures from the County Article V Trust Fund must be  
13 approved in accordance with the provisions of s. 216.181. The  
14 total amount disbursed from the County Article V Trust Fund  
15 may not exceed the amount authorized by the General  
16 Appropriations Act.

17 (d) Effective July 1, 2001 ~~1998~~, moneys generated from  
18 civil penalties distributed under s. 318.21(2)(h) shall be  
19 deposited in the trust fund for the following purposes:

20 1. Funds paid to counties with populations fewer ~~less~~  
21 than 90,000 ~~75,000~~ shall be grants-in-aid to be used, in  
22 priority order, for: operating expenditures of the offices of  
23 the state attorneys and public defenders in accordance with  
24 Specific Appropriation 2978B; consulting or architectural  
25 studies related to the improvement of courthouse facilities;  
26 improving court facilities to ensure compliance with the  
27 Americans with Disabilities Act and other federal or state  
28 requirements; other renovations in court facilities;  
29 improvements in court security; and expert witness fees in  
30 criminal cases, court reporting and transcribing costs in  
31 criminal cases, and costs associated with the appointment of

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 special public defenders.

2 2. Funds paid to counties with populations exceeding  
3 89,999 ~~74,999~~ shall be grants-in-aid to be used, in priority  
4 order, for operating expenditures of the offices of the state  
5 attorneys and public defenders in accordance with Specific  
6 Appropriation 2978B, costs paid by the county for expert  
7 witness fees in criminal cases, court reporting and  
8 transcribing costs in criminal cases, and costs associated  
9 with the appointment of special public defenders.

10 (2) This section expires ~~is repealed~~ June 30, 2002.

11 Section 23. In order to implement Specific  
12 Appropriation 2968 of the 2001-2002 General Appropriations  
13 Act, subsections (1) and (2) of section 29.009, Florida  
14 Statutes, are amended to read:

15 29.009 Contingency fund.--

16 (1) Any county with a population of less than 90,000  
17 ~~85,000~~, according to the most recent decennial census, may  
18 apply to the Office of the State Courts Administrator for  
19 additional funding to cover extraordinary  
20 criminal-case-related costs.

21 (2) The Office of the State Courts Administrator, in  
22 consultation with the chairs of the appropriations committees  
23 of the Legislature, shall develop a process whereby counties  
24 may request funds pursuant to this section. Such process shall  
25 be consistent with legislative intent regarding this act. The  
26 Office of the State Courts Administrator shall review any  
27 request for funds by a county under this section and, if the  
28 Office of the State Courts Administrator determines that a  
29 request is valid, and contingent upon specific appropriation,  
30 it may provide assistance upon finding a qualifying county's  
31 budget is inadequate to cover extraordinary



CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 criminal-case-related costs and that the deficiency will  
2 result in an impairment of the operations of the county.

3 Section 24. The amendment of subsections 29.009(1) and  
4 (2), Florida Statutes, by this act shall expire July 1, 2002,  
5 and the text of these subsections shall revert to that in  
6 existence on June 30, 2001, except that any amendments to such  
7 text exacted other than by this act shall be preserved and  
8 continue to operate to the extent that such amendments are not  
9 dependent upon the portions of such text which expire pursuant  
10 to the provisions of this act. The Division of Statutory  
11 Revision of the Office of Legislative Services shall include  
12 in an appropriate reviser's bill any amendments to such  
13 subsection which are necessary to give effect to the  
14 legislative intent expressed in this section.

15 Section 25. Consistent with the provisions of section  
16 216.163, Florida Statutes, in accordance with  
17 performance-based program budgeting requirements, and  
18 notwithstanding the provisions of section 216.181, Florida  
19 Statutes, the Department of Law Enforcement may transfer up to  
20 one-half of 1 percent of the funds in Specific Appropriations  
21 1248, 1259, 1268, 1278, 1280A, 1281, 1289, 1296, and 1302 of  
22 the 2001-2002 General Appropriations Act for salary bonuses  
23 for departmental employees at the discretion of the executive  
24 director, provided that such bonuses are given only to  
25 selected employees for meritorious performance, instead of  
26 being given as across-the-board bonuses for all employees. The  
27 department, after consultation with the Executive Office of  
28 the Governor, shall provide a plan to the chairs of the  
29 legislative appropriations committees responsible for  
30 producing the General Appropriations Act for review before  
31 awarding such bonuses. This section expires July 1, 2002.

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 Section 26. In order to implement Specific  
2 Appropriations 1248-1307 of the 2001-2002 General  
3 Appropriations Act, subsection (17) is added to section  
4 216.181, Florida Statutes, to read:

5 216.181 Approved budgets for operations and fixed  
6 capital outlay.--

7 (17) Notwithstanding any other provision of this  
8 section to the contrary, and for the 2001-2002 fiscal year  
9 only, the Department of Law Enforcement may transfer up to 20  
10 positions and associated budget between budget entities,  
11 provided the same funding source is used throughout each  
12 transfer. The department may also transfer up to 10 percent of  
13 the initial approved salary rate between budget entities,  
14 provided the same funding source is used throughout each  
15 transfer. The department must provide notice to the Executive  
16 Office of the Governor, the chair of the Senate Budget  
17 Committee, and the chair of the House Committee on Criminal  
18 Justice Appropriations for all transfers of positions or  
19 salary rate. This subsection expires July 1, 2002.

20 Section 27. In order to implement proviso language  
21 following Specific Appropriation 1225 of the 2001-2002 General  
22 Appropriations Act, the Correctional Privatization Commission  
23 may expend appropriated funds to assist in defraying the costs  
24 of impacts that are incurred by a municipality or county and  
25 associated with opening or operating a facility under the  
26 authority of the Correctional Privatization Commission or a  
27 facility under the authority of the Department of Juvenile  
28 Justice which is located within that municipality or county.  
29 The amount that is to be paid under this section for any  
30 facility may not exceed 1 percent of the facility construction  
31 cost, less building impact fees imposed by the municipality or

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 by the county if the facility is located in the unincorporated  
2 portion of the county. This section expires July 1, 2002.

3 Section 28. In order to implement Specific  
4 Appropriations 681-788F and 819-848 of the 2001-2002 General  
5 Appropriations Act, subsection (4) of section 216.262, Florida  
6 Statutes, is amended to read:

7 216.262 Authorized positions.--

8 (4) Notwithstanding the provisions of this chapter on  
9 increasing the number of authorized positions, and for the  
10 2001-2002 ~~2000-2001~~ fiscal year only:

11 (a) If the actual inmate population of the Department  
12 of Corrections exceeds by 2 percent for 2 consecutive months  
13 or more the inmate population projected by the Criminal  
14 Justice Estimating Conference on February 16, 2001 ~~March 2,~~  
15 ~~2000~~, the Executive Office of the Governor may request  
16 positions in excess of the number authorized by the  
17 Legislature and sufficient funding from the Working Capital  
18 Fund to operate the additional prison bed capacity necessary  
19 to accommodate the actual inmate population.

20 (b) If, by October 1, 2001, a contract with a private  
21 vendor or vendors for the delivery of health care services at  
22 institutions located in Department of Corrections Region IV  
23 has not been executed, up to 97 positions in excess of the  
24 number authorized and appropriate salary rate may be approved,  
25 provided that sufficient funds are available to pay salaries  
26 and benefits. If a contract for the provision of health care  
27 services in the Department of Corrections Region IV is  
28 subsequently executed, the Executive Office of the Governor  
29 shall place these positions and associated salary rate into  
30 reserve.

31 (c) In order to implement a Close Management

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 Consolidation Plan in the Department of Corrections, positions  
2 in excess of the number authorized and appropriate salary rate  
3 may be approved provided that the Secretary of Corrections  
4 certifies that there are no vacant positions that may be used  
5 for this purpose.

6  
7 Such requests are ~~request is~~ subject to the budget amendment  
8 and consultation provisions of this chapter. This subsection  
9 ~~expires is repealed~~ on July 1, 2002 ~~2001~~.

10 Section 29. In order to implement Specific  
11 Appropriations 333-339 and 1248-1256 of the 2001-2002 General  
12 Appropriations Act, subsection (1) of section 938.01, Florida  
13 Statutes, as amended by section 39 of chapter 2000-171, Laws  
14 of Florida, is amended to read:

15 938.01 Additional Court Cost Clearing Trust Fund.--

16 (1) All courts created by Art. V of the State  
17 Constitution shall, in addition to any fine or other penalty,  
18 assess \$3 as a court cost against every person convicted for  
19 violation of a state penal or criminal statute or convicted  
20 for violation of a municipal or county ordinance. Any person  
21 whose adjudication is withheld pursuant to the provisions of  
22 s. 318.14(9) or (10) shall also be assessed such cost. In  
23 addition, \$3 from every bond estreature or forfeited bail bond  
24 related to such penal statutes or penal ordinances shall be  
25 forwarded to the Treasurer as described in this subsection.  
26 However, no such assessment may be made against any person  
27 convicted for violation of any state statute, municipal  
28 ordinance, or county ordinance relating to the parking of  
29 vehicles.

30 (a) All such costs collected by the courts shall be  
31 remitted to the Department of Revenue, in accordance with

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 administrative rules adopted by the executive director of the  
2 Department of Revenue, for deposit in the Additional Court  
3 Cost Clearing Trust Fund and shall be earmarked to the  
4 Department of Law Enforcement for distribution as follows:

5 1. Two dollars and seventy-five cents of each \$3  
6 assessment shall be deposited in the Criminal Justice  
7 Standards and Training Trust Fund, and the remaining 25 cents  
8 of each such assessment shall be deposited into the Department  
9 of Law Enforcement Operating Trust Fund and shall be disbursed  
10 to the Department of Law Enforcement.

11 2. Ninety-two percent of the money distributed to the  
12 Additional Court Cost Clearing Trust Fund pursuant to s.  
13 318.21 shall be earmarked to the Department of Law Enforcement  
14 for deposit in the Criminal Justice Standards and Training  
15 Trust Fund, and 8 percent of such money shall be deposited  
16 into the Department of Law Enforcement Operating Trust Fund  
17 and shall be disbursed to the Department of Law Enforcement.

18 (b) The funds deposited in the Criminal Justice  
19 Standards and Training Trust Fund and the Department of Law  
20 Enforcement Operating Trust Fund may be invested. Any interest  
21 earned from investing such funds and any unencumbered funds  
22 remaining at the end of the budget cycle shall remain in the  
23 respective trust fund until the following year.

24 (c) All funds in the Criminal Justice Standards and  
25 Training Trust Fund earmarked to the Department of Law  
26 Enforcement shall be disbursed only in compliance with s.  
27 943.25(9).

28 Section 30. The amendment of subsection (1) of section  
29 938.01, Florida Statutes, by this act shall expire on July 1,  
30 2002, and the text of that subsection shall revert to that in  
31 existence on June 30, 2000, except that any amendments to such

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 text enacted other than by this act shall be preserved and  
2 continue to operate to the extent that such amendments are not  
3 dependent upon the portions of such text which expire pursuant  
4 to the provisions of this act. The Division of Statutory  
5 Revision of the Office of Legislative Services shall include  
6 in an appropriate reviser's bill any amendments to such  
7 subsection which are necessary to give effect to the  
8 legislative intent expressed in this section.

9           Section 31. In order to implement Specific  
10 Appropriations 333-339 and 1248-1256 of the 2001-2002 General  
11 Appropriations Act, subsection (1) of section 943.25, Florida  
12 Statutes, as amended by section 41 of chapter 2000-171, Laws  
13 of Florida, is amended to read:

14           943.25 Criminal justice trust funds; source of funds;  
15 use of funds.--

16           (1) The Department of Law Enforcement may approve, for  
17 disbursement from the Department of Law Enforcement Operating  
18 Trust Fund, those appropriated sums necessary and required by  
19 the state for grant matching, implementing, administering,  
20 evaluating, and qualifying for such federal funds.  
21 Disbursements from the trust fund for the purpose of  
22 supplanting state general revenue funds may not be made  
23 without specific legislative appropriation.

24           Section 32. The amendment of subsection (1) of section  
25 943.25, Florida Statutes, by this act shall expire on July 1,  
26 2002, and the text of that subsection shall revert to that in  
27 existence on June 30, 2000, except that any amendments to such  
28 text enacted other than by this act shall be preserved and  
29 continue to operate to the extent that such amendments are not  
30 dependent upon the portions of such text which expire pursuant  
31 to the provisions of this act. The Division of Statutory

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 Revision of the Office of Legislative Services shall include  
2 in an appropriate reviser's bill any amendments to such  
3 subsection which are necessary to give effect to the  
4 legislative intent expressed in this section.

5 Section 33. (1) In order to implement Specific  
6 Appropriations 333-339 and 1248-1256 of the 2001-2002 General  
7 Appropriations Act, and for the 2001-2002 fiscal year only,  
8 the Criminal Justice Program shall be transferred from the  
9 Department of Community Affairs to the Department of Law  
10 Enforcement by a type two transfer, pursuant to section  
11 20.06(2), Florida Statutes. The Criminal Justice Program so  
12 transferred is comprised of the Byrne State and Local Law  
13 Enforcement Assistance Program, Local Law Enforcement Block  
14 Grants, Drug-Free Communities Program, Residential Substance  
15 Abuse Treatment for State Prisoners, the Bulletproof Vest  
16 Program, the Guantanamo Bay Refugee and Entrant Assistance  
17 Program, the National Criminal History Improvement Program,  
18 and the Violent Offender Incarceration and Truth-in-Sentencing  
19 Program.

20 (2) In order to implement Specific Appropriations  
21 333-339 and 1248-1256 of the 2001-2002 General Appropriations  
22 Act, and for the 2001-2002 fiscal year only, from the funds  
23 deposited into the Department of Law Enforcement Operating  
24 Trust Fund pursuant to section 938.01(1)(a)1. and 2., Florida  
25 Statutes, the Department of Law Enforcement shall transfer  
26 funds to the Department of Children and Family Services to be  
27 used as matching funds for the administration of the  
28 Prevention of Domestic and Sexual Violence Program transferred  
29 from the Department of Community Affairs. The amount of the  
30 transfer for fiscal year 2001-2002 shall be determined by the  
31 Governor's Office of Planning and Budgeting, in consultation

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 with the Department of Community Affairs, the Department of  
2 Law Enforcement, and the Department of Children and Family  
3 Services, and shall be based on the historic use of these  
4 funds and current needs of the Prevention of Domestic and  
5 Sexual Violence Program.

6 (3) This section expires July 1, 2002.

7 Section 34. In order to implement Specific  
8 Appropriation 1519 of the 2001-2002 General Appropriations  
9 Act, subsection (8) of section 163.3184, Florida Statutes, is  
10 amended to read:

11 163.3184 Process for adoption of comprehensive plan or  
12 plan amendment.--

13 (8) NOTICE OF INTENT.--

14 (a) Except as provided in s. 163.3187(3), the state  
15 land planning agency, upon receipt of a local government's  
16 adopted comprehensive plan or plan amendment, shall have 45  
17 days for review and to determine if the plan or plan amendment  
18 is in compliance with this act, unless the amendment is the  
19 result of a compliance agreement entered into under subsection  
20 (16), in which case the time period for review and  
21 determination shall be 30 days. If review was not conducted  
22 under subsection (6), the agency's determination must be based  
23 upon the plan amendment as adopted. If review was conducted  
24 under subsection (6), the agency's determination of compliance  
25 must be based only upon one or both of the following:

26 1. The state land planning agency's written comments  
27 to the local government pursuant to subsection (6); or

28 2. Any changes made by the local government to the  
29 comprehensive plan or plan amendment as adopted.

30 (b)1. During the time period provided for in this  
31 subsection, the state land planning agency shall issue,



Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 through a senior administrator or the secretary, as specified  
 2 in the agency's procedural rules, a notice of intent to find  
 3 that the plan or plan amendment is in compliance or not in  
 4 compliance. A notice of intent shall be issued by publication  
 5 in the manner provided by this paragraph and by mailing a copy  
 6 to the local government and to persons who request notice.  
 7 The required advertisement shall be no less than 2 columns  
 8 wide by 10 inches long, and the headline in the advertisement  
 9 shall be in a type no smaller than 12 point. The advertisement  
 10 shall not be placed in that portion of the newspaper where  
 11 legal notices and classified advertisements appear. The  
 12 advertisement shall be published in a newspaper which meets  
 13 the size and circulation requirements set forth in paragraph  
 14 (15)(c) and which has been designated in writing by the  
 15 affected local government at the time of transmittal of the  
 16 amendment. Publication by the state land planning agency of a  
 17 notice of intent in the newspaper designated by the local  
 18 government shall be prima facie evidence of compliance with  
 19 the publication requirements of this section.

20 2. For fiscal year 2001-2002 only, the provisions of  
 21 this subparagraph shall supersede the provisions of  
 22 subparagraph 1. During the time period provided for in this  
 23 subsection, the state land planning agency shall issue,  
 24 through a senior administrator or the secretary, as specified  
 25 in the agency's procedural rules, a notice of intent to find  
 26 that the plan or plan amendment is in compliance or not in  
 27 compliance. A notice of intent shall be issued by publication  
 28 in the manner provided by this paragraph and by mailing a copy  
 29 to the local government. The advertisement shall be placed in  
 30 that portion of the newspaper where legal notices appear. The  
 31 advertisement shall be published in a newspaper that meets the

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 size and circulation requirements set forth in paragraph  
 2 (15)(c) and that has been designated in writing by the  
 3 affected local government at the time of transmittal of the  
 4 amendment. Publication by the state land planning agency of a  
 5 notice of intent in the newspaper designated by the local  
 6 government shall be prima facie evidence of compliance with  
 7 the publication requirements of this section. The state land  
 8 planning agency shall post a copy of the notice of intent on  
 9 the agency's Internet site. The agency shall, no later than  
 10 the date the notice of intent is transmitted to the newspaper,  
 11 send by regular mail a courtesy informational statement to  
 12 persons who provide their names and addresses to the local  
 13 government at the transmittal hearing or at the adoption  
 14 hearing where the local government has provided the names and  
 15 addresses of such persons to the department at the time of  
 16 transmittal of the adopted amendment. The informational  
 17 statements shall include the name of the newspaper in which  
 18 the notice of intent will appear, the approximate date of  
 19 publication, the ordinance number of the plan or plan  
 20 amendment, and a statement that affected persons have 21 days  
 21 after the actual date of publication of the notice to file a  
 22 petition. This subparagraph expires July 1, 2002.

23 Section 35. In order to implement Specific  
 24 Appropriations 2624-2628A of the 2001-2002 General  
 25 Appropriations Act, subsection (4) of section 287.161, Florida  
 26 Statutes, is amended to read:

27 287.161 Executive aircraft pool; assignment of  
 28 aircraft; charge for transportation.--

29 (4) Notwithstanding the requirements of subsections  
 30 (2) and (3) and for the 2001-2002 ~~2000-2001~~ fiscal year only,  
 31 the Department of Management Services shall charge all persons

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 receiving transportation from the executive aircraft pool a  
2 rate not less than the mileage allowance fixed by the  
3 Legislature for the use of privately owned vehicles. Fees  
4 collected for persons traveling by aircraft in the executive  
5 aircraft pool shall be deposited into the Bureau of Aircraft  
6 Trust Fund and shall be expended for costs incurred to operate  
7 the aircraft management activities of the department. It is  
8 the intent of the Legislature that the executive aircraft pool  
9 be operated on a full cost recovery basis, less available  
10 funds. This subsection expires July 1, 2002 ~~2001~~.

11 Section 36. In order to implement Specific  
12 Appropriation 1742 of the 2001-2002 General Appropriations  
13 Act, subsection (3) of section 259.101, Florida Statutes, is  
14 amended to read:

15 259.101 Florida Preservation 2000 Act.--

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

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 the St. Johns Water Management District for the purchase of  
2 lands necessary to restore Lake Apopka. Starting in fiscal  
3 year 2001-2002, from the cash balance less approved  
4 commitments encumbered that is remaining in the Florida  
5 Preservation 2000 Trust Fund, the Legislature shall  
6 appropriate up to \$75 million from the Florida Preservation  
7 2000 Trust Fund to the Save Our Everglades Trust Fund to be  
8 used for the acquisition of lands needed for restoration of  
9 the Florida Everglades pursuant to s. 373.470. Furthermore,  
10 the remaining cash balances available for the Preservation  
11 2000 programs described in paragraphs (a) through (g) shall be  
12 adjusted pro rata for the amount appropriated by the  
13 Legislature. Additionally, any cash balances less approved  
14 commitments encumbered available to the programs described in  
15 paragraphs (a) through (g) at the time the first series of  
16 Florida Forever Program bonds is issued and proceeds are  
17 deposited into the Florida Forever Trust Fund shall be  
18 reserved and remain unavailable for expenditure for projects  
19 pursuant to the Florida Preservation 2000 Program until and  
20 unless the programs receiving an allocation under the Florida  
21 Forever Program described in paragraphs 259.105(3)(a)-(h),  
22 respectively, have encumbered all funds available from the  
23 first Florida Forever Program bond issue. To the extent that  
24 projects eligible for Preservation 2000 funds can also be  
25 eligible for Florida Forever funds, the proceeds from Florida  
26 Forever bonds may be used to complete transactions begun with  
27 Preservation 2000 funds or meet cash needs for property  
28 transactions begun in fiscal year 2000-2001.~~In fiscal year~~  
29 ~~2000-2001, for each Florida Preservation 2000 program~~  
30 ~~described in paragraphs (a)-(g), that portion of each~~  
31 ~~program's total remaining cash balance which, as of June 30,~~

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 ~~2000, is in excess of that program's total remaining~~  
2 ~~appropriation balances shall be redistributed by the~~  
3 ~~department and deposited into the Save Our Everglades Trust~~  
4 ~~Fund for land acquisition. For purposes of calculating the~~  
5 ~~total remaining cash balances for this redistribution, the~~  
6 ~~Florida Preservation 2000 Series 2000 bond proceeds, including~~  
7 ~~interest thereon, and the fiscal year 1999-2000 General~~  
8 ~~Appropriations Act amounts shall be deducted from the~~  
9 ~~remaining cash and appropriation balances, respectively. The~~  
10 remaining proceeds shall be distributed by the Department of  
11 Environmental Protection in the following manner:

12 (a) Fifty percent to the Department of Environmental  
13 Protection for the purchase of public lands as described in s.  
14 259.032. Of this 50 percent, at least one-fifth shall be used  
15 for the acquisition of coastal lands.

16 (b) Thirty percent to the Department of Environmental  
17 Protection for the purchase of water management lands pursuant  
18 to s. 373.59, to be distributed among the water management  
19 districts as provided in that section. Funds received by each  
20 district may also be used for acquisition of lands necessary  
21 to implement surface water improvement and management plans  
22 approved in accordance with s. 373.456 or for acquisition of  
23 lands necessary to implement the Everglades Construction  
24 Project authorized by s. 373.4592.

25 (c) Ten percent to the Department of Community Affairs  
26 to provide land acquisition grants and loans to local  
27 governments through the Florida Communities Trust pursuant to  
28 part III of chapter 380. From funds allocated to the trust,  
29 \$3 million annually shall be used by the Division of State  
30 Lands within the Department of Environmental Protection to  
31 implement the Green Swamp Land Protection Initiative

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 specifically for the purchase of conservation easements, as  
2 defined in s. 380.0677(4), of lands, or severable interests or  
3 rights in lands, in the Green Swamp Area of Critical State  
4 Concern. From funds allocated to the trust, \$3 million  
5 annually shall be used by the Monroe County Comprehensive Plan  
6 Land Authority specifically for the purchase of any real  
7 property interest in either those lands subject to the Rate of  
8 Growth Ordinances adopted by local governments in Monroe  
9 County or those lands within the boundary of an approved  
10 Conservation and Recreation Lands project located within the  
11 Florida Keys or Key West Areas of Critical State Concern;  
12 however, title to lands acquired within the boundary of an  
13 approved Conservation and Recreation Lands project may, in  
14 accordance with an approved joint acquisition agreement, vest  
15 in the Board of Trustees of the Internal Improvement Trust  
16 Fund. Of the remaining funds allocated to the trust after the  
17 above transfers occur, one-half shall be matched by local  
18 governments on a dollar-for-dollar basis. To the extent  
19 allowed by federal requirements for the use of bond proceeds,  
20 the trust shall expend Preservation 2000 funds to carry out  
21 the purposes of part III of chapter 380.

22 (d) Two and nine-tenths percent to the Department of  
23 Environmental Protection for the purchase of inholdings and  
24 additions to state parks. For the purposes of this paragraph,  
25 "state park" means all real property in the state under the  
26 jurisdiction of the Division of Recreation and Parks of the  
27 department, or which may come under its jurisdiction.

28 (e) Two and nine-tenths percent to the Division of  
29 Forestry of the Department of Agriculture and Consumer  
30 Services to fund the acquisition of state forest inholdings  
31 and additions pursuant to s. 589.07.

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 (f) Two and nine-tenths percent to the Fish and  
2 Wildlife Conservation Commission to fund the acquisition of  
3 inholdings and additions to lands managed by the commission  
4 which are important to the conservation of fish and wildlife.

5 (g) One and three-tenths percent to the Department of  
6 Environmental Protection for the Florida Greenways and Trails  
7 Program, to acquire greenways and trails or greenways and  
8 trails systems pursuant to chapter 260, including, but not  
9 limited to, abandoned railroad rights-of-way and the Florida  
10 National Scenic Trail.

11  
12 Local governments may use federal grants or loans, private  
13 donations, or environmental mitigation funds, including  
14 environmental mitigation funds required pursuant to s.  
15 338.250, for any part or all of any local match required for  
16 the purposes described in this subsection. Bond proceeds  
17 allocated pursuant to paragraph (c) may be used to purchase  
18 lands on the priority lists developed pursuant to s. 259.035.  
19 Title to lands purchased pursuant to paragraphs (a), (d), (e),  
20 (f), and (g) shall be vested in the Board of Trustees of the  
21 Internal Improvement Trust Fund. Title to lands purchased  
22 pursuant to paragraph (c) may be vested in the Board of  
23 Trustees of the Internal Improvement Trust Fund. The board of  
24 trustees shall hold title to land protection agreements and  
25 conservation easements that were or will be acquired pursuant  
26 to s. 380.0677, and the Southwest Florida Water Management  
27 District and the St. Johns River Water Management District  
28 shall monitor such agreements and easements within their  
29 respective districts until the state assumes this  
30 responsibility.

31 Section 37. The amendment of subsection 259.101(3),

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 Florida Statutes, by this act shall expire July 1, 2002, and  
2 the text of that subsection shall revert to that in existence  
3 on June 30, 2001, except that any amendments to such text  
4 exacted other than by this act shall be preserved and continue  
5 to operate to the extent that such amendments are not  
6 dependent upon the portions of such text which expire pursuant  
7 to the provisions of this act. The Division of Statutory  
8 Revision of the Office of Legislative Services shall include  
9 in an appropriate reviser's bill any amendments to such  
10 subsection which are necessary to give effect to the  
11 legislative intent expressed in this section.

12 Section 38. In order to implement Specific  
13 Appropriation 1789 of the 2001-2002 General Appropriations  
14 Act, subsection (8) of section 403.7095, Florida Statutes, is  
15 amended to read:

16 403.7095 Solid waste management grant program.--

17 (8) Notwithstanding the provisions of this section,  
18 for fiscal year 2001-2002 ~~2000-2001~~ only, the department shall  
19 provide solid waste management and recycling grants only to  
20 counties with populations under 100,000. Such grants must be  
21 with at least 80 percent of the level of funding they received  
22 in fiscal year 2000-2001 ~~1997-1998~~ for solid waste management  
23 and recycling grants. This subsection expires ~~is repealed~~ on  
24 July 1, 2002 ~~2001~~.

25 Section 39. In order to implement Specific  
26 Appropriation 1748 of the 2001-2002 General Appropriations  
27 Act, subsection (1) of section 373.59, Florida Statutes, is  
28 amended to read:

29 373.59 Water Management Lands Trust Fund.--

30 (1)(a) There is established within the Department of  
31 Environmental Protection the Water Management Lands Trust Fund



CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 to be used as a nonlapsing fund for the purposes of this  
2 section. The moneys in this fund are hereby continually  
3 appropriated for the purposes of land acquisition, management,  
4 maintenance, capital improvements of land titled to the  
5 districts, payments in lieu of taxes, debt service on bonds  
6 issued prior to July 1, 1999, debt service on bonds issued on  
7 or after July 1, 1999, which are issued to refund bonds issued  
8 before July 1, 1999, preacquisition costs associated with land  
9 purchases, and the department's costs of administration of the  
10 fund. The department's costs of administration shall be  
11 charged proportionally against each district's allocation  
12 using the formula provided in subsection (8). Capital  
13 improvements shall include, but need not be limited to,  
14 perimeter fencing, signs, firelanes, control of invasive  
15 exotic species, controlled burning, habitat inventory and  
16 restoration, law enforcement, access roads and trails, and  
17 minimal public accommodations, such as primitive campsites,  
18 garbage receptacles, and toilets.

19 (b) For the 2001-2002 fiscal year only, the use of  
20 funds allocated to the Water Management Lands Trust Fund shall  
21 be as provided in the General Appropriations Act. This  
22 paragraph expires July 1, 2002.

23 Section 40. In order to implement Specific  
24 Appropriation 1748 of the 2001-2002 General Appropriations  
25 Act, subsection (2) of section 253.01, Florida Statutes, is  
26 amended to read:

27 253.01 Internal Improvement Trust Fund established.--

28 (2)(a) All revenues accruing from sources designated  
29 by law for deposit in the Internal Improvement Trust Fund  
30 shall be used for the acquisition, management, administration,  
31 protection, and conservation of state-owned lands.

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1           (b) For the 2001-2002 fiscal year only, the use of  
2 funds allocated to the Internal Improvement Trust Fund shall  
3 be as provided in the General Appropriations Act. This  
4 paragraph expires July 1, 2002.

5           Section 41. In order to implement Specific  
6 Appropriations 1653 and 1748 of the 2001-2002 General  
7 Appropriations Act, subsection (11) of section 373.59, Florida  
8 Statutes, is amended to read:

9           373.59 Water Management Lands Trust Fund.--

10           (11) Notwithstanding any provision of this section to  
11 the contrary, and for the 2001-2002 ~~2000-2001~~ fiscal year  
12 only, the governing board of a water management district may  
13 request, and the Secretary of Environmental Protection shall  
14 release upon such request, moneys allocated to the districts  
15 pursuant to subsection (8) for the purpose of carrying out the  
16 purposes of s. 373.0361, s. 373.0831 ~~s. 375.0831~~, s. 373.139,  
17 or ss. 373.451-373.4595 and for legislatively authorized land  
18 acquisition and water restoration initiatives. No funds may be  
19 used pursuant to this subsection until necessary debt service  
20 obligations, requirements for payments in lieu of taxes, and  
21 land management obligations that may be required by this  
22 chapter are provided for. This subsection expires ~~is repealed~~  
23 ~~on~~ July 1, 2002 ~~2001~~.

24           Section 42. In order to implement Specific  
25 Appropriation 1543A of the 2001-2002 General Appropriations  
26 Act, paragraph (b) of subsection (1) of section 252.373,  
27 Florida Statutes, is amended to read:

28           252.373 Allocation of funds; rules.--

29           (1)

30           (b) Notwithstanding the provisions of paragraph (a),  
31 and for the 2001-2002 ~~2000-2001~~ fiscal year only, up to \$2.2

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 ~~\$4~~ million of the unencumbered balance of the Emergency  
2 Management, Preparedness, and Assistance Trust Fund shall be  
3 utilized to improve, and increase the number of, disaster  
4 shelters within the state and improve local disaster  
5 preparedness. This paragraph expires ~~is repealed~~ on July 1,  
6 2002 ~~2001~~.

7 Section 43. In order to implement Specific  
8 Appropriations 2932-2947A of the 2001-2002 General  
9 Appropriations Act, subsection (1) of section 265.2861,  
10 Florida Statutes, is amended to read:

11 265.2861 Cultural Institutions Program; trust fund.--

12 (1) CULTURAL INSTITUTIONS TRUST FUND.--There is  
13 created a Cultural Institutions Trust Fund to be administered  
14 by the Department of State for the purposes set forth in this  
15 section and to support the following programs as follows:

16 (a) For statewide arts grants, \$2.7 million.

17 (b) For arts in education and visiting arts programs,  
18 \$250,000.

19 (c) For the State Touring Program, \$200,000. First  
20 priority for the issuance of State Touring Program grants  
21 shall be given to applicants that reside in counties with a  
22 population of 75,000 or less.

23 (d) For local arts agencies or state service  
24 organizations, \$400,000.

25 (e)1. For the officially designated Art Museum of the  
26 State of Florida described in s. 240.711, \$2.2 million, and  
27 for state-owned cultural facilities assigned to the Department  
28 of State, which receive a portion of any operating funds from  
29 the Department of State and one of the primary purposes of  
30 which is the presentation of fine arts or performing arts,  
31 \$500,000.

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1           2. For fiscal year 2001-2002 only, the provisions of  
2 subparagraph 1. relating to state-owned cultural facilities  
3 shall not be applicable. This subparagraph expires July 1,  
4 2002.

5  
6 The trust fund shall consist of moneys appropriated by the  
7 Legislature, moneys deposited pursuant to s. 607.1901(2), and  
8 moneys contributed to the fund from any other source.

9           Section 44. In order to implement Specific  
10 Appropriation 2898B of the 2001-2002 General Appropriations  
11 Act, subsection (5) is added to section 98.0975, Florida  
12 Statutes, to read:

13           98.0975 Central voter file; periodic list  
14 maintenance.--

15           (5)(a) For the 2001-2002 fiscal year only and  
16 notwithstanding the provisions of subsection (1), the division  
17 shall provide to each county supervisor of elections a list  
18 containing the name, address, date of birth, race, gender, and  
19 any other available identifying information of each person  
20 included in the central voter file as a registered voter in  
21 the supervisor's county whom the division believes may be  
22 ineligible to vote based on examination of data obtained from  
23 the Florida Department of Law Enforcement, the Board of  
24 Executive Clemency, the Office of Vital Statistics, or any  
25 other source that indicates that the person is deceased, has  
26 been convicted of a felony and has not had his or her civil  
27 rights restored, or has been adjudicated mentally incompetent  
28 and whose mental capacity with respect to voting has not been  
29 restored.

30           (b) For the 2001-2002 fiscal year only and  
31 notwithstanding the provisions of subsection (3), the division

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 is not required to contract with a private entity to compare  
2 information.

3 (c) For the 2001-2002 fiscal year only and  
4 notwithstanding the provisions of subsection (4), upon  
5 receiving the list from the division, the supervisor must  
6 attempt to verify the information provided. If the supervisor  
7 determines that the information provided by the division is  
8 correct, the supervisor must remove from the registration  
9 books by the next election the name of any person whom the  
10 supervisor confirms is deceased, has been convicted of a  
11 felony and has not had his or her civil rights restored, or  
12 has been adjudicated mentally incapacitated with respect to  
13 voting and has not had his or her mental capacity with respect  
14 to voting restored.

15 (d) This subsection expires July 1, 2002.

16 Section 45. In order to implement Specific  
17 Appropriation 1488A of the 2001-2002 General Appropriations  
18 Act:

19 (1) The Department of Agriculture and Consumer  
20 Services shall provide compensation to eligible homeowners  
21 whose citrus trees have been removed under a citrus canker  
22 eradication program. Funds to pay this compensation may be  
23 derived from both state and federal matching sources, and  
24 shall be specifically appropriated by law. Eligible homeowners  
25 shall be compensated subject to the availability of  
26 appropriated funds.

27 (2) To be eligible to receive compensation under the  
28 program, a homeowner must:

29 (a) Be the homeowner of record on the effective date  
30 of this act for residential property where one or more citrus  
31 trees have been removed as part of a citrus canker eradication

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 program;

2 (b) Have had one or more citrus trees removed from the  
3 property by a tree-cutting contractor as part of a citrus  
4 canker eradication program on or after January 1, 1995; and

5 (c) Have received no commercial compensation and is  
6 not eligible to receive commercial compensation from the  
7 United States Department of Agriculture for citrus trees  
8 removed as part of a citrus canker eradication program.

9 (3) The amount of compensation for each tree removed  
10 from residential property by the citrus canker eradication  
11 program shall be \$100 per tree. If the homeowner's property is  
12 eligible for a Shade Dade or a Shade Florida Card, the  
13 homeowner may not receive compensation under this section for  
14 the first citrus tree removed from the property as part of a  
15 citrus canker eradication program.

16 (4) The specification of a per-tree amount paid for  
17 the residential citrus canker compensation program does not  
18 limit the amount of any other compensation that may be paid by  
19 another entity or pursuant to court order for the removal of  
20 citrus trees as part of a citrus canker eradication program.

21 (5) Of the funds appropriated to the department under  
22 this section, the department may use up to \$500,000 to  
23 administer the residential citrus canker compensation program.  
24 Specifically, the department shall:

25 (a) Take reasonable steps to identify and notify  
26 owners of citrus trees removed as part of a citrus canker  
27 eradication program of the availability of the compensation  
28 program.

29 (b) Notify homeowners of the manner in which the owner  
30 may request funding.

31 (c) Develop a compensation request form and make it

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 available to eligible homeowners.

2 (d) Develop a process to resolve disputes relating to  
3 compensation. The department's decision is final and is not  
4 subject to chapter 120, Florida Statutes.

5 (6) The department shall develop a plan to identify,  
6 document, and distribute funds in Specific Appropriation 1488A  
7 to applicable residents. The department shall submit the plan  
8 to the Legislative Budget Commission for review pursuant to  
9 section 216.177, Florida Statutes, prior to the release of any  
10 funds.

11 (7) This section expires July 1, 2002.

12 Section 46. In order to implement section 8 of the  
13 2001-2002 General Appropriations Act, subsection (7) of  
14 section 110.12315, Florida Statutes, is amended to read:

15 110.12315 Prescription drug program.--The state  
16 employees' prescription drug program is established. This  
17 program shall be administered by the Department of Management  
18 Services, according to the terms and conditions of the plan as  
19 established by the relevant provisions of the annual General  
20 Appropriations Act and implementing legislation, subject to  
21 the following conditions:

22 (7) Notwithstanding the provisions of subsections (1)  
23 and (2), under the state employees' prescription drug program  
24 copayments must be made as follows:

25 ~~(a) For the period July 1, 2000, through December 31,~~  
26 ~~2000+.~~

- 27 ~~1. For generic drug with card.....\$7.~~
- 28 ~~2. For brand name drug with card.....\$20.~~
- 29 ~~3. For generic mail order drug with card.....\$7.~~
- 30 ~~4. For brand name mail order drug with card.....\$20.~~

31 (a)(b) Effective January 1, 2001:

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

- 1 1. For generic drug with card.....\$7.
- 2 2. For preferred brand name drug with card.....\$20.
- 3 3. For nonpreferred brand name drug with card.....\$35.
- 4 4. For generic mail order drug ~~with card~~.....\$10.50.
- 5 5. For preferred brand name mail order
- 6 drug ~~with card~~.....\$30.
- 7 6. For nonpreferred brand name drug ~~with card~~..\$52.50.

8 (b)~~(c)~~ The Department of Management Services shall  
9 create a preferred brand name drug list to be used in the  
10 administration of the state employees' prescription drug  
11 program.

12  
13 This subsection expires July 1, 2002 ~~2001~~.

14 Section 47. In order to implement section 8 of the  
15 2001-2002 General Appropriations Act, section 110.1239,  
16 Florida Statutes, is amended to read:

17 110.1239 State group health insurance program  
18 funding.--For the 2001-2002 ~~2000-2001~~ fiscal year only, it is  
19 the intent of the Legislature that the state group health  
20 insurance program be managed, administered, operated, and  
21 funded in such a manner as to maximize the protection of state  
22 employee health insurance benefits. Inherent in this intent is  
23 the recognition that the health insurance liabilities  
24 attributable to the benefits offered state employees should be  
25 fairly, orderly, and equitably funded. Accordingly:

26 (1) The division shall determine the level of premiums  
27 necessary to fully fund the state group health insurance  
28 program for the next fiscal year. Such determination shall be  
29 made after each revenue estimating conference on health  
30 insurance as provided in s. 216.136(1), but not later than  
31 December 1 and April 1 of each fiscal year.



CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 (2) The Governor, in the Governor's recommended  
2 budget, shall provide premium rates necessary for full funding  
3 of the state group health insurance program, and the  
4 Legislature shall provide in the General Appropriations Act  
5 for a premium level necessary for full funding of the state  
6 group health insurance program.

7 (3) For purposes of funding, any additional  
8 appropriation amounts allocated to the state group health  
9 insurance program by the Legislature shall be considered as a  
10 state contribution and thus an increase in the state premiums.

11 (4) This section expires ~~is repealed on~~ July 1, 2002  
12 ~~2001~~.

13 Section 48. In order to implement sections 2-7 of the  
14 2001-2002 General Appropriations Act, subsections (5) and (6)  
15 of section 112.061, Florida Statutes, are amended to read:

16 112.061 Per diem and travel expenses of public  
17 officers, employees, and authorized persons.--

18 (5) COMPUTATION OF TRAVEL TIME FOR REIMBURSEMENT.--For  
19 purposes of reimbursement and methods of calculating  
20 fractional days of travel, the following principles are  
21 prescribed:

22 (a) The travel day for Class A travel shall be a  
23 calendar day (midnight to midnight). The travel day for Class  
24 B travel shall begin at the same time as the travel period.  
25 For Class A and Class B travel, the traveler shall be  
26 reimbursed one-fourth of the authorized rate of per diem for  
27 each quarter, or fraction thereof, of the travel day included  
28 within the travel period. Class A and Class B travel shall  
29 include any assignment on official business outside of regular  
30 office hours and away from regular places of employment when  
31 it is considered reasonable and necessary to stay overnight

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 and for which travel expenses are approved.

2 (b) A traveler shall not be reimbursed on a per diem  
3 basis for Class C travel, but shall receive subsistence as  
4 provided in this section, which allowance for meals shall be  
5 based on the following schedule:

6 1. Breakfast--When travel begins before 6 a.m. and  
7 extends beyond 8 a.m.

8 2. Lunch--When travel begins before 12 noon and  
9 extends beyond 2 p.m.

10 3. Dinner--When travel begins before 6 p.m. and  
11 extends beyond 8 p.m., or when travel occurs during nighttime  
12 hours due to special assignment.

13

14 No allowance shall be made for meals when travel is confined  
15 to the city or town of the official headquarters or immediate  
16 vicinity; except assignments of official business outside the  
17 traveler's regular place of employment if travel expenses are  
18 approved. The Comptroller shall establish a schedule for  
19 processing Class C travel subsistence payments at least on a  
20 monthly basis.

21 (c) For the 2001-2002 fiscal year only and  
22 notwithstanding the other provisions of this subsection, for  
23 Class C travel, a state traveler shall not be reimbursed on a  
24 per-diem basis nor shall a traveler receive subsistence  
25 allowance. This paragraph expires July 1, 2002.

26 (6) RATES OF PER DIEM AND SUBSISTENCE ALLOWANCE.--For  
27 purposes of reimbursement rates and methods of calculation,  
28 per diem and subsistence allowances are divided into the  
29 following groups and rates:

30 (a) All travelers shall be allowed for subsistence  
31 when traveling to a convention or conference or when traveling

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 within or outside the state in order to conduct bona fide  
2 state business, which convention, conference, or business  
3 serves a direct and lawful public purpose with relation to the  
4 public agency served by the person attending such meeting or  
5 conducting such business, either of the following for each day  
6 of such travel at the option of the traveler:

- 7 1. Fifty dollars per diem; or
- 8 2. If actual expenses exceed \$50, the amounts  
9 permitted in paragraph (b) for meals, plus actual expenses for  
10 lodging at a single-occupancy rate to be substantiated by paid  
11 bills therefor.

12  
13 When lodging or meals are provided at a state institution, the  
14 traveler shall be reimbursed only for the actual expenses of  
15 such lodging or meals, not to exceed the maximum provided for  
16 in this subsection.

17 (b) All travelers shall be allowed the following  
18 amounts for subsistence while on Class C travel on official  
19 business as provided in paragraph (5)(b):

- 20 1. Breakfast.....\$3
- 21 2. Lunch.....\$6
- 22 3. Dinner.....\$12

23 (c) No one, whether traveling out of state or in  
24 state, shall be reimbursed for any meal or lodging included in  
25 a convention or conference registration fee paid by the state.

26 (d) For the 2001-2002 fiscal year only and  
27 notwithstanding the other provisions of this subsection, for  
28 Class C travel, a state traveler shall not be reimbursed on a  
29 per-diem basis nor shall a traveler receive subsistence  
30 allowance. This paragraph expires July 1, 2002.

31 Section 49. (1) In order to implement Specific

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 Appropriations 2654-2660B and section 47 of the 2001-2002  
2 General Appropriations Act, the Department of Management  
3 Services shall submit a plan for the outsourcing of human  
4 resource services to the Executive Office of the Governor and  
5 the President of the Senate, the Speaker of the House of  
6 Representatives, the chairman of the Senate Appropriations  
7 Committee, and the chairman of the House Fiscal Responsibility  
8 Council. This plan shall include:  
9 (a) The costs associated with contracting for  
10 outsourcing of human resource services;  
11 (b) The costs associated with providing those human  
12 resource services not outsourced; and  
13 (c) The cost savings anticipated by the state.  
14 (2) The President of the Senate, the Speaker of the  
15 House of Representatives, the chairman of the Senate  
16 Appropriations Committee, and the chairman of the House Fiscal  
17 Responsibility Council must approve the plan submitted by the  
18 department for the outsourcing of human resource services  
19 before the department may implement the plan. Upon approval of  
20 the plan, the department shall contract with a service  
21 provider for human resource services on behalf of all state  
22 agencies.  
23 (3) The department shall work with each state agency  
24 regarding the implementation of the approved plan. During  
25 implementation of the outsourced human resource services,  
26 agency full-time-equivalent (FTE) service positions and  
27 associated rate shall be placed in unbudgeted reserve by the  
28 Executive Office of the Governor pursuant to section 216.181,  
29 Florida Statutes. Each agency shall transfer any budget  
30 associated with the reserved FTE to a special category for  
31 human resource services. To the extent necessary to pay an

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 agency's portion of the costs of the outsourced human resource  
2 services, the agency shall pay a special assessment fee to the  
3 Department of Management Services.

4 (4) For purposes of this section, the term "state  
5 agencies" means all state entities and government branches  
6 using the Cooperative Personnel Employment System (COPES) on  
7 March 15, 2001.

8 (5) Notwithstanding the provisions of sections 216.292  
9 and 216.351, Florida Statutes, upon approval by the  
10 Legislative Budget Commission, the Executive Office of the  
11 Governor may transfer funds between agencies to implement the  
12 human resource outsourcing plan.

13 (6) This section expires July 1, 2002.

14 Section 50. In order to implement Specific  
15 Appropriations 2729-2733 and section 55 of the 2001-2002  
16 General Appropriations Act, and for the 2001-2002 fiscal year  
17 only, the Executive Office of the Governor, in consultation  
18 with the Senate Appropriations Committee and the House Fiscal  
19 Responsibility Council, shall develop the initial budget and  
20 accounting code structure for the State Technology Office  
21 created by section 282.102, Florida Statutes.

22 Section 51. In order to implement Specific  
23 Appropriation 208A of the 2001-2002 General Appropriations  
24 Act, subsection (1) of section 110.1099, Florida Statutes, is  
25 amended to read:

26 110.1099 Education and training opportunities for  
27 state employees.--

28 (1)(a) Education and training are an integral  
29 component in improving the delivery of services to the public.  
30 Recognizing that the application of productivity-enhancing  
31 technology and practice demand continuous educational and

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 training opportunities, state employees may be authorized to  
 2 receive fundable tuition waivers on a space-available basis or  
 3 vouchers to attend work-related courses at public  
 4 universities. Student credit hours generated by state employee  
 5 fee waivers shall be fundable credit hours.

6 (b) For the 2001-2002 fiscal year only and  
 7 notwithstanding the provisions of paragraph (a), state  
 8 employees may not be authorized to receive fundable tuition  
 9 wavers on a space-available basis. This paragraph expires  
 10 July 1, 2002.

11 Section 52. In order to implement Specific  
 12 Appropriation 208A of the 2001-2002 General Appropriations  
 13 Act, subsection (7) of section 240.209, Florida Statutes, is  
 14 amended to read:

15 240.209 Board of Regents; powers and duties.--

16 (7)(a) The Board of Regents is authorized to permit  
 17 full-time State University System employees who meet academic  
 18 requirements to enroll for up to 6 credit hours of  
 19 tuition-free courses per term on a space-available basis.

20 (b) For the 2001-2002 fiscal year only and  
 21 notwithstanding the provisions of paragraph (a), the Board of  
 22 Regents is not authorized to permit State University System  
 23 employees to enroll for tuition-free courses. This paragraph  
 24 expires July 1, 2002.

25 Section 53. A section of this act that implements a  
 26 specific appropriation or specifically identified proviso  
 27 language in the 2001-2002 General Appropriations Act is void  
 28 if the specific appropriation or specifically identified  
 29 proviso language is vetoed. A section of this act that  
 30 implements more than one specific appropriation or more than  
 31 one portion of specifically identified proviso language in the

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 2001-2002 General Appropriations Act is void if all the  
2 specific appropriations or portions of specifically identified  
3 proviso language are vetoed.

4 Section 54. If any other act passed during the 2001  
5 Regular Session of the Legislature or any extension thereof  
6 contains a provision that is substantively the same as a  
7 provision in this act, but that removes or is otherwise not  
8 subject to the future repeal applied to such provision by this  
9 act, the Legislature intends that the provision in the other  
10 act shall take precedence and shall continue to operate,  
11 notwithstanding the future repeal provided by this act.

12 Section 55. The agency performance measures and  
13 standards in the document entitled "Florida's Budget 2001  
14 Agency Performance Measures and Standards Approved by the  
15 Legislature for Fiscal Year 2001-02" dated May 1, 2001, and  
16 filed with the Secretary of the Senate are incorporated by  
17 reference. Such performance measures and standards are  
18 directly linked to the appropriations made in the General  
19 Appropriations Act for fiscal year 2001-2002, as required by  
20 the Government Performance and Accountability Act of 1994.  
21 State agencies are directed to revise their Long-Range Program  
22 Plans required under section 216.013, Florida Statutes, to be  
23 consistent with these performance measures and standards.

24 Section 56. If any provision of this act or its  
25 application to any person or circumstance is held invalid, the  
26 invalidity shall not affect other provisions or applications  
27 of the act which can be given effect without the invalid  
28 provision or application, and to this end the provisions of  
29 this act are declared severable.

30 Section 57. This act shall take effect July 1, 2001;  
31 or, in the event this act fails to become a law until after

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 that date, it shall take effect upon becoming a law and shall  
2 operate retroactively to July 1, 2001.

3  
4

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

6 And the title is amended as follows:

7 Delete everything before the enacting clause  
8 and insert:

9 A bill to be entitled  
10 An act implementing the 2001-2002 General  
11 Appropriations Act; providing legislative  
12 intent; providing for allocation of moneys  
13 provided for workforce development and  
14 providing for budget amendment when a program  
15 is moved; amending s. 236.081, F.S., relating  
16 to the Florida Education Finance Program;  
17 revising calculation of additional full-time  
18 equivalent membership based on the Advanced  
19 International Certificate of Education Program;  
20 revising the basis of the quality assurance  
21 guarantee; providing for future reversion to  
22 current text; amending s. 240.116, F.S.;  
23 eliminating restriction of the Advanced  
24 International Certificate of Education Program  
25 to a pilot program; providing for future  
26 reversion to current text; amending s. 240.35,  
27 F.S.; including technology fees within the  
28 calculation of the range of fees allowed to be  
29 adopted by each community college board of  
30 trustees; providing for future reversion to  
31 current text; amending s. 240.209, F.S.;



CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 revising provisions governing student fees;  
2 increasing the percentage of funds from the  
3 financial aid fee to be used for need-based  
4 financial aid; requiring Board of Regents to  
5 develop criteria for making awards; providing  
6 for an annual report; providing for future  
7 reversion to current text; amending s. 240.35,  
8 F.S.; revising provisions governing student  
9 fees; increasing the percentage of funds from  
10 the financial aid fee to be used for need-based  
11 financial aid; revising provisions regarding  
12 annual report; providing for future reversion  
13 to current text; amending s. 236.081, F.S.;  
14 prescribing a method for determining a school  
15 district full-time equivalent membership;  
16 amending s. 216.181, F.S.; authorizing the  
17 Department of Children and Family Services and  
18 the Department of Health to advance certain  
19 moneys for certain contract services;  
20 authorizing a transfer of funds between the  
21 Department of Children and Family Services and  
22 the Department of Juvenile Justice relating to  
23 transfer of staff between the departments;  
24 amending s. 394.908, F.S.; providing for the  
25 allocation of certain funds to the G. Pierce  
26 Wood Memorial Hospital catchment area or to  
27 designated districts or counties; directing the  
28 Department of Children and Family Services to  
29 develop alternative allocation methodology;  
30 amending ss. 430.204, 430.205, F.S.; requiring  
31 the Department of Elderly Affairs to fund

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 certain community care services and  
2 community-care-for-the-elderly services;  
3 amending s. 216.292, F.S.; authorizing the  
4 Department of Children and Family Services to  
5 transfer funding between certain services;  
6 amending s. 318.21, F.S.; distributing a  
7 portion of the civil penalties paid to the  
8 county courts to the state courts system  
9 instead of the Department of Children and  
10 Family Services for administrative, training,  
11 and other costs associated with the  
12 implementation and maintenance of Florida  
13 foster care citizen review panels; amending s.  
14 925.037, F.S.; providing that the state courts  
15 system shall allocate conflict counsel funds  
16 among certain counties; amending s. 25.402,  
17 F.S.; revising membership of the County Article  
18 V Trust Fund advisory committee; revising uses  
19 of the fund; amending s. 29.009, F.S.; revising  
20 eligibility criteria for receiving funds for  
21 extraordinary criminal-case-related costs;  
22 providing for future reversion to current text;  
23 authorizing the Department of Law Enforcement  
24 to use certain moneys to provide bonuses to  
25 employees for meritorious performance, subject  
26 to review; amending s. 216.181, F.S.;  
27 authorizing the Department of Law Enforcement  
28 to transfer positions and associated budget and  
29 a certain percentage of salary rate between  
30 budget entities and providing requirements with  
31 respect thereto; authorizing the Correctional

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 Privatization Commission to make certain  
2 expenditures to defray costs incurred by a  
3 municipality or county as a result of opening  
4 or operating a facility under authority of the  
5 commission or the Department of Juvenile  
6 Justice; amending s. 216.262, F.S.; providing  
7 for additional positions to operate additional  
8 prison bed capacity under certain  
9 circumstances; amending ss. 938.01, 943.25,  
10 F.S.; providing for deposit of certain funds  
11 for use by the Department of Law Enforcement,  
12 rather than the Department of Community  
13 Affairs; providing for future reversion to  
14 current text; transferring the Criminal Justice  
15 Program from the Department of Community  
16 Affairs to the Department of Law Enforcement;  
17 transferring the Prevention of Domestic and  
18 Sexual Violence Program from the Department of  
19 Community Affairs to the Department of Children  
20 and Family Services; providing matching funds  
21 for the administration of such program;  
22 amending s. 163.3184, F.S.; prescribing  
23 standards for the state land planning agency to  
24 use when issuing notice of intent; amending s.  
25 287.161, F.S.; requiring the Department of  
26 Management Services to charge all persons  
27 receiving transportation from the executive  
28 aircraft pool a specified rate; providing for  
29 deposit and use of such fees; amending s.  
30 259.101, F.S.; requiring appropriations from  
31 the Florida Preservation 2000 Trust Fund to the

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 Save Our Everglades Trust Fund for land  
2 acquisition; providing for disposition and use  
3 of certain moneys accruing to the Florida  
4 Forever Trust Fund; providing for future  
5 reversion to current text; amending s.  
6 403.7095, F.S., relating to the solid waste  
7 management grant program; requiring a specified  
8 level of funding for counties receiving solid  
9 waste management and recycling grants; amending  
10 s. 373.59, F.S.; providing for use of moneys  
11 allocated to the Water Management Lands Trust  
12 Fund; amending s. 253.01, F.S.; providing for  
13 use of moneys allocated to the Internal  
14 Improvement Trust Fund; amending s. 373.59,  
15 F.S.; requiring release of certain moneys by  
16 the Secretary of Environmental Protection to  
17 water management districts, upon request;  
18 amending s. 252.373, F.S.; authorizing the use  
19 of certain funds to improve local disaster  
20 preparedness; amending s. 265.2861, F.S.;  
21 revising programs supported by the Cultural  
22 Institutions Trust Fund; amending s. 98.0975,  
23 F.S.; providing for the Division of Elections  
24 to compile a list of ineligible voters;  
25 requiring the Department of Agriculture and  
26 Consumer Services to administer a residential  
27 citrus canker compensation program; amending s.  
28 110.12315, F.S.; providing copayment  
29 requirements for the state employees'  
30 prescription drug program; providing for a  
31 preferred brand name drug list to be used in

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 2002, 1st Eng.

Amendment No. 0h Barcode 863344

1 the administration of such program; amending s.  
2 110.1239, F.S.; providing requirements for the  
3 funding of the state group health insurance  
4 program; amending s. 112.061, F.S.; providing  
5 for computation of travel time and  
6 reimbursement for public officers' and  
7 employees' travel; requiring the Department of  
8 Management Services to submit a plan for  
9 outsourcing human resource services; requiring  
10 approval before implementation of the plan;  
11 providing for development of the initial budget  
12 and accounting code structure for the State  
13 Technology Office; amending ss. 110.1099,  
14 240.209, F.S.; providing that state employees  
15 and State University System employees may not  
16 receive tuition waivers or tuition-free  
17 courses; providing for future repeal or  
18 expiration of various provisions; providing  
19 effect of veto of specific appropriation or  
20 proviso to which implementing language refers;  
21 providing applicability to other legislation;  
22 incorporating by reference specified  
23 performance measures and standards directly  
24 linked to the appropriations made in the  
25 2001-2002 General Appropriations Act, as  
26 required by the Government Performance and  
27 Accountability Act of 1994; providing  
28 severability; providing an effective date.  
29  
30  
31