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2 An act implementing the 2001-2002 General
3 Appropriations Act; providing legislative
4 intent; providing for allocation of moneys
5 provided for workforce development and
6 providing for budget amendment when a program
7 is moved; amending s. 236.081, F.S., relating
8 to the Florida Education Finance Program;
9 revising calculation of additional full-time
10 equivalent membership based on the Advanced
11 International Certificate of Education Program;
12 revising the basis of the quality assurance
13 guarantee; providing for future reversion to
14 current text; amending s. 240.116, F.S.;
15 eliminating restriction of the Advanced
16 International Certificate of Education Program
17 to a pilot program; providing for future
18 reversion to current text; amending s. 240.35,
19 F.S.; including technology fees within the
20 calculation of the range of fees allowed to be
21 adopted by each community college board of
22 trustees; providing for future reversion to
23 current text; amending s. 240.209, F.S.;
24 revising provisions governing student fees;
25 increasing the percentage of funds from the
26 financial aid fee to be used for need-based
27 financial aid; requiring Board of Regents to
28 develop criteria for making awards; providing
29 for an annual report; providing for future
30 reversion to current text; amending s. 240.35,
31 F.S.; revising provisions governing student

1 fees; increasing the percentage of funds from
2 the financial aid fee to be used for need-based
3 financial aid; revising provisions regarding
4 annual report; providing for future reversion
5 to current text; amending s. 236.081, F.S.;
6 prescribing a method for determining a school
7 district full-time equivalent membership;
8 amending s. 216.181, F.S.; authorizing the
9 Department of Children and Family Services and
10 the Department of Health to advance certain
11 moneys for certain contract services;
12 authorizing a transfer of funds between the
13 Department of Children and Family Services and
14 the Department of Juvenile Justice relating to
15 transfer of staff between the departments;
16 amending s. 394.908, F.S.; providing for the
17 allocation of certain funds to the G. Pierce
18 Wood Memorial Hospital catchment area or to
19 designated districts or counties; directing the
20 Department of Children and Family Services to
21 develop alternative allocation methodology;
22 amending ss. 430.204, 430.205, F.S.; requiring
23 the Department of Elderly Affairs to fund
24 certain community care services and
25 community-care-for-the-elderly services;
26 amending s. 216.292, F.S.; authorizing the
27 Department of Children and Family Services to
28 transfer funding between certain services;
29 amending s. 318.21, F.S.; distributing a
30 portion of the civil penalties paid to the
31 county courts to the state courts system

1 instead of the Department of Children and
2 Family Services for administrative, training,
3 and other costs associated with the
4 implementation and maintenance of Florida
5 foster care citizen review panels; amending s.
6 925.037, F.S.; providing that the state courts
7 system shall allocate conflict counsel funds
8 among certain counties; amending s. 25.402,
9 F.S.; revising membership of the County Article
10 V Trust Fund advisory committee; revising uses
11 of the fund; amending s. 29.009, F.S.; revising
12 eligibility criteria for receiving funds for
13 extraordinary criminal-case-related costs;
14 providing for future reversion to current text;
15 authorizing the Department of Law Enforcement
16 to use certain moneys to provide bonuses to
17 employees for meritorious performance, subject
18 to review; amending s. 216.181, F.S.;
19 authorizing the Department of Law Enforcement
20 to transfer positions and associated budget and
21 a certain percentage of salary rate between
22 budget entities and providing requirements with
23 respect thereto; authorizing the Correctional
24 Privatization Commission to make certain
25 expenditures to defray costs incurred by a
26 municipality or county as a result of opening
27 or operating a facility under authority of the
28 commission or the Department of Juvenile
29 Justice; amending s. 216.262, F.S.; providing
30 for additional positions to operate additional
31 prison bed capacity under certain

1 circumstances; amending ss. 938.01, 943.25,
2 F.S.; providing for deposit of certain funds
3 for use by the Department of Law Enforcement,
4 rather than the Department of Community
5 Affairs; providing for future reversion to
6 current text; transferring the Criminal Justice
7 Program from the Department of Community
8 Affairs to the Department of Law Enforcement;
9 transferring the Prevention of Domestic and
10 Sexual Violence Program from the Department of
11 Community Affairs to the Department of Children
12 and Family Services; providing matching funds
13 for the administration of such program;
14 amending s. 163.3184, F.S.; prescribing
15 standards for the state land planning agency to
16 use when issuing notice of intent; amending s.
17 287.161, F.S.; requiring the Department of
18 Management Services to charge all persons
19 receiving transportation from the executive
20 aircraft pool a specified rate; providing for
21 deposit and use of such fees; amending s.
22 259.101, F.S.; requiring appropriations from
23 the Florida Preservation 2000 Trust Fund to the
24 Save Our Everglades Trust Fund for land
25 acquisition; providing for disposition and use
26 of certain moneys accruing to the Florida
27 Forever Trust Fund; providing for future
28 reversion to current text; amending s.
29 403.7095, F.S., relating to the solid waste
30 management grant program; requiring a specified
31 level of funding for counties receiving solid

1 waste management and recycling grants; amending
2 s. 373.59, F.S.; providing for use of moneys
3 allocated to the Water Management Lands Trust
4 Fund; amending s. 253.01, F.S.; providing for
5 use of moneys allocated to the Internal
6 Improvement Trust Fund; amending s. 373.59,
7 F.S.; requiring release of certain moneys by
8 the Secretary of Environmental Protection to
9 water management districts, upon request;
10 amending s. 252.373, F.S.; authorizing the use
11 of certain funds to improve local disaster
12 preparedness; amending s. 265.2861, F.S.;
13 revising programs supported by the Cultural
14 Institutions Trust Fund; amending s. 98.0975,
15 F.S.; providing for the Division of Elections
16 to compile a list of ineligible voters;
17 requiring the Department of Agriculture and
18 Consumer Services to administer a residential
19 citrus canker compensation program; amending s.
20 110.12315, F.S.; providing copayment
21 requirements for the state employees'
22 prescription drug program; providing for a
23 preferred brand name drug list to be used in
24 the administration of such program; amending s.
25 110.1239, F.S.; providing requirements for the
26 funding of the state group health insurance
27 program; amending s. 112.061, F.S.; providing
28 for computation of travel time and
29 reimbursement for public officers' and
30 employees' travel; requiring the Department of
31 Management Services to submit a plan for

1 outsourcing human resource services; requiring
2 approval before implementation of the plan;
3 providing for development of the initial budget
4 and accounting code structure for the State
5 Technology Office; amending ss. 110.1099,
6 240.209, F.S.; providing that state employees
7 and State University System employees may not
8 receive tuition waivers or tuition-free
9 courses; providing for future repeal or
10 expiration of various provisions; providing
11 effect of veto of specific appropriation or
12 proviso to which implementing language refers;
13 providing applicability to other legislation;
14 incorporating by reference specified
15 performance measures and standards directly
16 linked to the appropriations made in the
17 2001-2002 General Appropriations Act, as
18 required by the Government Performance and
19 Accountability Act of 1994; providing
20 severability; providing an effective date.

21

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

23

24 Section 1. It is the intent of the Legislature that
25 the implementing and administering provisions of this act
26 apply to the General Appropriations Act for fiscal year
27 2001-2002.

28

29 Section 2. In order to implement Specific
30 Appropriation 171 of the 2001-2002 General Appropriations Act,
31 the funds provided for workforce development shall be
initially allocated to the school district or community

1 college as designated. If, for any reason, a program in whole
2 or in part is moved from a community college to a school
3 district or moved from a school district to a community
4 college, the Commissioner of Education or the Executive
5 Director of the Division of Community Colleges shall submit a
6 budget amendment pursuant to chapter 216, Florida Statutes, to
7 transfer the appropriate amount of the 2001-2002 appropriation
8 between the affected district and community college. The
9 amount transferred shall be as near as practicable to the
10 actual amount appropriated for the FTE funded for that
11 program. This section expires July 1, 2002.

12 Section 3. In order to implement Specific
13 Appropriation 118 of the 2001-2002 General Appropriations Act,
14 paragraph (k) of subsection (1) and subsection (8) of section
15 236.081, Florida Statutes, are amended to read:

16 236.081 Funds for operation of schools.--If the annual
17 allocation from the Florida Education Finance Program to each
18 district for operation of schools is not determined in the
19 annual appropriations act or the substantive bill implementing
20 the annual appropriations act, it shall be determined as
21 follows:

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

26 (k) Calculation of additional full-time equivalent
27 membership based on international baccalaureate examination
28 scores of students.--A value of 0.24 full-time equivalent
29 student membership shall be calculated for each student
30 enrolled in an international baccalaureate course who receives
31 a score of 4 or higher on a subject examination. A value of

1 0.3 full-time equivalent student membership shall be
2 calculated for each student who receives an international
3 baccalaureate diploma. Such value shall be added to the total
4 full-time equivalent student membership in basic programs for
5 grades 9 through 12 in the subsequent fiscal year. ~~During the~~
6 ~~1997-1998, 1998-1999, and 1999-2000 school years of the pilot~~
7 ~~program authorized in s. 240.116,~~ Students enrolled in the
8 Advanced International Certificate of Education Program shall
9 generate full-time equivalent student membership in a manner
10 that is equitable to the manner in which students enrolled in
11 the International Baccalaureate Program generate full-time
12 equivalent student membership. ~~During 1997-1998, a maximum of~~
13 ~~40 students in each participating school district is~~
14 ~~authorized to generate full-time equivalent student membership~~
15 ~~in the pilot program, and in 1998-1999 and 1999-2000 a maximum~~
16 ~~of 80 students per year in each participating school district~~
17 ~~is authorized to generate full-time equivalent student~~
18 ~~membership in the pilot program.~~

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

1 effort from taxes. A comparison of current year funds per
2 unweighted ~~weighted~~ FTE to prior year funds per unweighted
3 ~~weighted~~ FTE shall be computed. For those school districts
4 which have less than the legislatively assigned percentage
5 increase, funds shall be provided to guarantee the assigned
6 percentage increase in funds per unweighted ~~weighted~~ FTE
7 student. Should appropriated funds be less than the sum of
8 this calculated amount for all districts, the commissioner
9 shall prorate each district's allocation. This provision shall
10 be implemented to the extent specifically funded.

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

20 Section 5. In order to implement Specific
21 Appropriation 118 of the 2001-2002 General Appropriations Act,
22 subsection (6) of section 240.116, Florida Statutes, is
23 amended to read:

24 240.116 Articulated acceleration.--

25 (6) The International Baccalaureate Program shall be
26 the curriculum in which eligible secondary students are
27 enrolled in a program of studies offered through the
28 International Baccalaureate Program administered by the
29 International Baccalaureate Office. The State Board of
30 Education shall establish rules which specify the cutoff
31 scores and International Baccalaureate Examinations which will

1 be used to grant postsecondary credit at community colleges
2 and universities. Any such rules, which have the effect of
3 raising the required cutoff score or of changing the
4 International Baccalaureate Examinations which will be used to
5 grant postsecondary credit, shall only apply to students
6 taking International Baccalaureate Examinations after such
7 rules are adopted by the State Board of Education. Students
8 shall be awarded a maximum of 30 semester credit hours
9 pursuant to this subsection. The specific course for which a
10 student receives such credit shall be determined by the
11 community college or university that accepts the student for
12 admission. Students enrolled pursuant to this subsection
13 shall be exempt from the payment of any fees for
14 administration of the examinations. ~~During the 1997-1998,~~
15 ~~1998-1999, and 1999-2000 school years, the Department of~~
16 ~~Education shall assist up to three school districts in~~
17 ~~conducting a pilot of the Advanced International Certificate~~
18 ~~of Education Program administered by the University of~~
19 ~~Cambridge Local Examinations Syndicate. The department shall~~
20 ~~produce an evaluation report and recommendations regarding the~~
21 ~~comparability of the Advanced International Certificate of~~
22 ~~Education Program to the International Baccalaureate Program~~
23 ~~and submit the report to the President of the Senate and the~~
24 ~~Speaker of the House of Representatives on or before October~~
25 ~~1, 2000.~~

26 Section 6. The amendment of subsection (6) of section
27 240.116, Florida Statutes, by this act shall expire on July 1,
28 2002, and the text of that subsection shall revert to that in
29 existence on June 30, 2001, except that any amendments to such
30 text enacted other than by this act shall be preserved and
31 continue to operate to the extent that such amendments are not

1 dependent upon the portions of such text which expire pursuant
2 to the provisions of this act.

3 Section 7. In order to implement Specific
4 Appropriation 178 of the 2001-2002 General Appropriations Act,
5 subsection (7) of section 240.35, Florida Statutes, is amended
6 to read:

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

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

1 to increase the matriculation fee, the funds raised by
2 increasing the matriculation fee must be expended solely for
3 additional safety and security purposes and shall not supplant
4 funding expended in the 1998-1999 budget for safety and
5 security purposes.

6 Section 8. The amendment of subsection (7) of section
7 240.35, Florida Statutes, by this act shall expire on July 1,
8 2002, and the text of that subsection shall revert to that in
9 existence on June 30, 2001, except that any amendments to such
10 text enacted other than by this act shall be preserved and
11 continue 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.

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

18 240.209 Board of Regents; powers and duties.--

19 (3) The board shall:

20 (e) Establish student fees.

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

1 of 10 percent. The sum of nonresident student matriculation
2 and tuition fees must be sufficient to defray the full cost of
3 undergraduate education. Graduate, medical, veterinary, and
4 dental fees charged to nonresidents may be increased by the
5 board in the same percentage as the increase in fees for
6 nonresident undergraduates. However, in implementing this
7 policy and in the absence of legislative action to the
8 contrary in an appropriations act, annual fee increases for
9 nonresident students may not exceed 25 percent. In the absence
10 of legislative action to the contrary in the General
11 Appropriations Act, the fees shall go into effect for the
12 following fall term.

13 2. When the appropriations act requires a new fee
14 schedule, the board shall establish a systemwide standard fee
15 schedule required to produce the total fee revenue established
16 in the appropriations act based on the product of the assigned
17 enrollment and the fee schedule. The board may approve the
18 expenditure of any fee revenues resulting from the product of
19 the fee schedule adopted pursuant to this section and the
20 assigned enrollment.

21 3. Upon provision of authority in a General
22 Appropriations Act to spend revenue raised pursuant to this
23 section, the board shall approve a university request to
24 implement a matriculation and out-of-state tuition fee
25 schedule which is calculated to generate revenue which varies
26 no more than 10 percent from the standard fee revenues
27 authorized through an appropriations act. In implementing an
28 alternative fee schedule, the increase in cost to a student
29 taking 15 hours in one term shall be limited to 5 percent.
30 Matriculation and out-of-state tuition fee revenues generated
31 as a result of this provision are to be expended for

1 implementing a plan for achieving accountability goals adopted
2 pursuant to s. 240.214 and for implementing a Board of
3 Regents-approved plan to contain student costs by reducing the
4 time necessary for graduation without reducing the quality of
5 instruction. The plans shall be recommended by a
6 universitywide committee, at least one-half of whom are
7 students appointed by the student body president. A
8 chairperson, appointed jointly by the university president and
9 the student body president, shall vote only in the case of a
10 tie.

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

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

1 used to make awards, the amount and number of awards for each
2 criterion, and a delineation of the distribution of such
3 awards. The report shall include an assessment by category of
4 the financial need of every student who receives an award,
5 regardless of the purpose for which the award is received.
6 Awards which are based on financial need shall be distributed
7 in accordance with a nationally recognized system of need
8 analysis approved by the Board of Regents. An award for
9 academic merit shall require a minimum overall grade point
10 average of 3.0 on a 4.0 scale or the equivalent for both
11 initial receipt of the award and renewal of the award.

12 6. The board may recommend to the Legislature an
13 appropriate systemwide standard matriculation and tuition fee
14 schedule.

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

26 8. The board is further authorized to establish the
27 following fees:

28 a. A nonrefundable application fee in an amount not to
29 exceed \$30.

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

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

2 d. A fee for security, access, or identification
3 cards. The annual fee for such a card may not exceed \$10 per
4 card. The maximum amount charged for a replacement card may
5 not exceed \$15.

6 e. Registration fees for audit and zero-hours
7 registration; a service charge, which may not exceed \$15, for
8 the payment of tuition in installments; and a
9 late-registration fee in an amount not less than \$50 nor more
10 than \$100 to be imposed on students who fail to initiate
11 registration during the regular registration period.

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

19 g. A fee for miscellaneous health-related charges for
20 services provided at cost by the university health center
21 which are not covered by the health fee set under s.
22 240.235(1).

23 h. Materials and supplies fees to offset the cost of
24 materials or supplies that are consumed in the course of the
25 student's instructional activities, excluding the cost of
26 equipment replacement, repairs, and maintenance.

27 i. Housing rental rates and miscellaneous housing
28 charges for services provided by the university at the request
29 of the student.

30 j. A charge representing the reasonable cost of
31 efforts to collect payment of overdue accounts.

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

3 l. A fee for off-campus course offerings when the
4 location results in specific, identifiable increased costs to
5 the university.

6 m. Library fees and fines, including charges for
7 damaged and lost library materials, overdue reserve library
8 books, interlibrary loans, and literature searches.

9 n. Fees relating to duplicating, photocopying,
10 binding, and microfilming; copyright services; and
11 standardized testing. These fees may be charged only to those
12 who receive the services.

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

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

17 q. Traffic and parking fines, charges for parking
18 decals, and transportation access fees.

19 r. An Educational Research Center for Child
20 Development fee for child care and services offered by the
21 center.

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

24 Section 10. The amendment of paragraph 240.209(3)(e),
25 Florida Statutes, by this act shall expire July 1, 2002, and
26 the text of that paragraph shall revert to that in existence
27 on June 30, 2001, except that any amendments to such text
28 exacted other than by this act shall be preserved and continue
29 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

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 11. In order to implement Specific
6 Appropriation 93 of the 2001-2002 General Appropriations Act,
7 subsection (11) of section 240.35, Florida Statutes, is
8 amended to read:

9 240.35 Student fees.--Unless otherwise provided, the
10 provisions of this section apply only to fees charged for
11 college credit instruction leading to an associate in arts
12 degree, an associate in applied science degree, or an
13 associate in science degree and noncollege credit
14 college-preparatory courses defined in s. 239.105.

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

30 (b) All funds collected under this program shall be
31 placed in the loan and endowment fund or scholarship fund of

1 the college, by whatever name known. Such funds shall be
2 disbursed to students as quickly as possible. An amount not
3 greater than 40 percent of the fees collected in a fiscal year
4 may be carried forward unexpended to the following fiscal
5 year. However, funds collected prior to July 1, 1989, and
6 placed in an endowment fund may not be considered part of the
7 balance of funds carried forward unexpended to the following
8 fiscal year.

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

1 awards. The report shall include an assessment by category of
2 the financial need of every student who receives an award,
3 regardless of the purpose for which the award is received.
4 Awards which are based on financial need shall be distributed
5 in accordance with a nationally recognized system of need
6 analysis approved by the State Board of Community Colleges. An
7 award for academic merit shall require a minimum overall grade
8 point average of 3.0 on a 4.0 scale or the equivalent for both
9 initial receipt of the award and renewal of the award.

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

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

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

28 236.081 Funds for operation of schools.--If the annual
29 allocation from the Florida Education Finance Program to each
30 district for operation of schools is not determined in the
31 annual appropriations act or the substantive bill implementing

1 the annual appropriations act, it shall be determined as
2 follows:

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

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

29 Section 14. In order to implement Specific
30 Appropriations 302-466 and 503-637 of the 2001-2002 General
31

1 Appropriations Act, paragraph (c) is added to subsection (16)
2 of section 216.181, Florida Statutes, to read:

3 216.181 Approved budgets for operations and fixed
4 capital outlay.--

5 (16)

6 (c) For the 2001-2002 fiscal year only, funds
7 appropriated to the Department of Children and Family Services
8 in Specific Appropriations 302-466 and the Department of
9 Health in Specific Appropriations 503-637 of the 2001-2002
10 General Appropriations Act may be advanced, unless
11 specifically prohibited in such General Appropriations Act,
12 for those contracted services that were approved for
13 advancement by the Comptroller in fiscal year 1993-1994,
14 including those services contracted on a fixed-price or
15 unit-cost basis. This paragraph expires July 1, 2002.

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

1 employees from GPW priority for employment. This section
2 expires July 1, 2002.

3 Section 16. In order to implement Specific
4 Appropriations 400-402 of the 2001-2002 General Appropriations
5 Act, subsection (8) is added to section 394.908, Florida
6 Statutes, to read:

7 394.908 Substance abuse and mental health funding
8 equity; distribution of appropriations.--In recognition of the
9 historical inequity among service districts of the former
10 Department of Health and Rehabilitative Services in the
11 funding of substance abuse and mental health services, and in
12 order to rectify this inequity and provide for equitable
13 funding in the future throughout the state, the following
14 funding process shall be adhered to:

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

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

5 430.204 Community-care-for-the-elderly core services;
6 departmental powers and duties.--

7 (1)(a) The department shall fund, through each area
8 agency on aging, at least one community care service system
9 the primary purpose of which is the prevention of unnecessary
10 institutionalization of functionally impaired elderly persons
11 through the provision of community-based core services.
12 Whenever feasible, an area agency on aging shall be the
13 contracting agency of preference to engage only in the
14 planning and funding of community-care-for-the-elderly core
15 services for functionally impaired elderly persons.

16 (b) For fiscal year 2001-2002 only, in each county
17 having a population over 2 million, the department shall fund,
18 through each area agency on aging, more than one community
19 care service system the primary purpose of which is the
20 prevention of unnecessary institutionalization of functionally
21 impaired elderly persons through the provision of
22 community-based core services. This paragraph expires July 1,
23 2002.

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

28 430.205 Community care service system.--

29 (1)(a) The department, through the area agency on
30 aging, shall fund in each planning and service area at least
31 one community care service system that provides case

1 management and other in-home and community services as needed
2 to help the older person maintain independence and prevent or
3 delay more costly institutional care.

4 (b) For fiscal year 2001-2002 only, in each county
5 having a population over 2 million, the department, through
6 the area agency on aging, shall fund in each planning and
7 service area more than one community care service system that
8 provides case management and other in-home and community
9 services as needed to help elderly persons maintain
10 independence and prevent or delay more costly institutional
11 care. This paragraph expires July 1, 2002.

12 Section 19. In order to implement Specific
13 Appropriations 348, 350A, and 350C of the 2001-2002 General
14 Appropriations Act, subsection (12) is added to section
15 216.292, Florida Statutes, to read:

16 216.292 Appropriations nontransferable; exceptions.--

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

1 legislative appropriations committees at least 5 working days
2 before their implementation. This subsection expires July 1,
3 2002.

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

8 318.21 Disposition of civil penalties by county
9 courts.--All civil penalties received by a county court
10 pursuant to the provisions of this chapter shall be
11 distributed and paid monthly as follows:

12 (2) Of the remainder:

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

22 Section 21. In order to implement Specific
23 Appropriation 2967 of the 2001-2002 General Appropriations
24 Act, subsection (8) of section 925.037, Florida Statutes, is
25 amended to read:

26 925.037 Reimbursement of counties for fees paid to
27 appointed counsel; circuit conflict committees.--

28 (8) Notwithstanding any other provision of this
29 section to the contrary, and for the 2001-2002 ~~2000-2001~~
30 fiscal year only, funds allocated pursuant to this section
31 shall be distributed to the counties in the designated

1 circuits by the state courts system. This subsection expires
2 ~~is repealed on~~ July 1, 2002 ~~2001~~.

3 Section 22. In order to implement Specific
4 Appropriations 862-1126 of the 2001-2002 General
5 Appropriations Act, section 25.402, Florida Statutes, is
6 amended to read:

7 25.402 County Article V Trust Fund.--

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

14 (b) The Supreme Court shall adopt an allocation and
15 disbursement plan for the operation of the trust fund and the
16 expenditure of moneys deposited in the trust fund. The Supreme
17 Court shall include the plan in its legislative budget
18 request. A committee of 15 people shall develop and recommend
19 the allocation and disbursement plan to the Supreme Court. The
20 committee shall be composed of:

21 1. Six persons appointed by the Florida Association of
22 Counties, as follows:

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

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

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

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

31

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

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

5 c. Two persons residing in counties with populations
6 greater than 699,999.

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

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

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

13 c. One person residing in a county with a population
14 greater than 699,999.

15
16 The allocation and disbursement plan shall include provisions
17 to compensate counties with fewer than 90,000 ~~75,000~~ residents
18 for court facility needs.

19 (c) Amendments to the approved operating budget for
20 expenditures from the County Article V Trust Fund must be
21 approved in accordance with the provisions of s. 216.181. The
22 total amount disbursed from the County Article V Trust Fund
23 may not exceed the amount authorized by the General
24 Appropriations Act.

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

28 1. Funds paid to counties with populations fewer ~~less~~
29 than 90,000 ~~75,000~~ shall be grants-in-aid to be used, in
30 priority order, for: operating expenditures of the offices of
31 the state attorneys and public defenders in accordance with

1 Specific Appropriation 2978B; consulting or architectural
2 studies related to the improvement of courthouse facilities;
3 improving court facilities to ensure compliance with the
4 Americans with Disabilities Act and other federal or state
5 requirements; other renovations in court facilities;
6 improvements in court security; and expert witness fees in
7 criminal cases, court reporting and transcribing costs in
8 criminal cases, and costs associated with the appointment of
9 special public defenders.

10 2. Funds paid to counties with populations exceeding
11 89,999 ~~74,999~~ shall be grants-in-aid to be used, in priority
12 order, for operating expenditures of the offices of the state
13 attorneys and public defenders in accordance with Specific
14 Appropriation 2978B, costs paid by the county for expert
15 witness fees in criminal cases, court reporting and
16 transcribing costs in criminal cases, and costs associated
17 with the appointment of special public defenders.

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

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

23 29.009 Contingency fund.--

24 (1) Any county with a population of less than 90,000
25 ~~85,000~~, according to the most recent decennial census, may
26 apply to the Office of the State Courts Administrator for
27 additional funding to cover extraordinary
28 criminal-case-related costs.

29 (2) The Office of the State Courts Administrator, in
30 consultation with the chairs of the appropriations committees
31 of the Legislature, shall develop a process whereby counties

1 may request funds pursuant to this section. Such process shall
2 be consistent with legislative intent regarding this act. The
3 Office of the State Courts Administrator shall review any
4 request for funds by a county under this section and, if the
5 Office of the State Courts Administrator determines that a
6 request is valid, and contingent upon specific appropriation,
7 it may provide assistance upon finding a qualifying county's
8 budget is inadequate to cover extraordinary
9 criminal-case-related costs and that the deficiency will
10 result in an impairment of the operations of the county.

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

23 Section 25. Consistent with the provisions of section
24 216.163, Florida Statutes, in accordance with
25 performance-based program budgeting requirements, and
26 notwithstanding the provisions of section 216.181, Florida
27 Statutes, the Department of Law Enforcement may transfer up to
28 one-half of 1 percent of the funds in Specific Appropriations
29 1248, 1259, 1268, 1278, 1280A, 1281, 1289, 1296, and 1302 of
30 the 2001-2002 General Appropriations Act for salary bonuses
31 for departmental employees at the discretion of the executive

1 director, provided that such bonuses are given only to
2 selected employees for meritorious performance, instead of
3 being given as across-the-board bonuses for all employees. The
4 department, after consultation with the Executive Office of
5 the Governor, shall provide a plan to the chairs of the
6 legislative appropriations committees responsible for
7 producing the General Appropriations Act for review before
8 awarding such bonuses. This section expires July 1, 2002.

9 Section 26. In order to implement Specific
10 Appropriations 1248-1307 of the 2001-2002 General
11 Appropriations Act, subsection (17) is added to section
12 216.181, Florida Statutes, to read:

13 216.181 Approved budgets for operations and fixed
14 capital outlay.--

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

28 Section 27. In order to implement proviso language
29 following Specific Appropriation 1225 of the 2001-2002 General
30 Appropriations Act, the Correctional Privatization Commission
31 may expend appropriated funds to assist in defraying the costs

1 of impacts that are incurred by a municipality or county and
2 associated with opening or operating a facility under the
3 authority of the Correctional Privatization Commission or a
4 facility under the authority of the Department of Juvenile
5 Justice which is located within that municipality or county.
6 The amount that is to be paid under this section for any
7 facility may not exceed 1 percent of the facility construction
8 cost, less building impact fees imposed by the municipality or
9 by the county if the facility is located in the unincorporated
10 portion of the county. This section expires July 1, 2002.

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

15 216.262 Authorized positions.--

16 (4) Notwithstanding the provisions of this chapter on
17 increasing the number of authorized positions, and for the
18 2001-2002 ~~2000-2001~~ fiscal year only:⁷

19 (a) If the actual inmate population of the Department
20 of Corrections exceeds by 2 percent for 2 consecutive months
21 or more the inmate population projected by the Criminal
22 Justice Estimating Conference on February 16, 2001 ~~March 2,~~
23 ~~2000~~, the Executive Office of the Governor may request
24 positions in excess of the number authorized by the
25 Legislature and sufficient funding from the Working Capital
26 Fund to operate the additional prison bed capacity necessary
27 to accommodate the actual inmate population.

28 (b) If, by October 1, 2001, a contract with a private
29 vendor or vendors for the delivery of health care services at
30 institutions located in Department of Corrections Region IV
31 has not been executed, up to 97 positions in excess of the

1 number authorized and appropriate salary rate may be approved,
2 provided that sufficient funds are available to pay salaries
3 and benefits. If a contract for the provision of health care
4 services in the Department of Corrections Region IV is
5 subsequently executed, the Executive Office of the Governor
6 shall place these positions and associated salary rate into
7 reserve.

8 (c) In order to implement a Close Management
9 Consolidation Plan in the Department of Corrections, positions
10 in excess of the number authorized and appropriate salary rate
11 may be approved provided that the Secretary of Corrections
12 certifies that there are no vacant positions that may be used
13 for this purpose.

14
15 Such requests are ~~request is~~ subject to the budget amendment
16 and consultation provisions of this chapter. This subsection
17 expires is repealed on July 1, 2002 2001.

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

23 938.01 Additional Court Cost Clearing Trust Fund.--

24 (1) All courts created by Art. V of the State
25 Constitution shall, in addition to any fine or other penalty,
26 assess \$3 as a court cost against every person convicted for
27 violation of a state penal or criminal statute or convicted
28 for violation of a municipal or county ordinance. Any person
29 whose adjudication is withheld pursuant to the provisions of
30 s. 318.14(9) or (10) shall also be assessed such cost. In
31 addition, \$3 from every bond estreature or forfeited bail bond

1 related to such penal statutes or penal ordinances shall be
2 forwarded to the Treasurer as described in this subsection.
3 However, no such assessment may be made against any person
4 convicted for violation of any state statute, municipal
5 ordinance, or county ordinance relating to the parking of
6 vehicles.

7 (a) All such costs collected by the courts shall be
8 remitted to the Department of Revenue, in accordance with
9 administrative rules adopted by the executive director of the
10 Department of Revenue, for deposit in the Additional Court
11 Cost Clearing Trust Fund and shall be earmarked to the
12 Department of Law Enforcement for distribution as follows:

13 1. Two dollars and seventy-five cents of each \$3
14 assessment shall be deposited in the Criminal Justice
15 Standards and Training Trust Fund, and the remaining 25 cents
16 of each such assessment shall be deposited into the Department
17 of Law Enforcement Operating Trust Fund and shall be disbursed
18 to the Department of Law Enforcement.

19 2. Ninety-two percent of the money distributed to the
20 Additional Court Cost Clearing Trust Fund pursuant to s.
21 318.21 shall be earmarked to the Department of Law Enforcement
22 for deposit in the Criminal Justice Standards and Training
23 Trust Fund, and 8 percent of such money shall be deposited
24 into the Department of Law Enforcement Operating Trust Fund
25 and shall be disbursed to the Department of Law Enforcement.

26 (b) The funds deposited in the Criminal Justice
27 Standards and Training Trust Fund and the Department of Law
28 Enforcement Operating Trust Fund may be invested. Any interest
29 earned from investing such funds and any unencumbered funds
30 remaining at the end of the budget cycle shall remain in the
31 respective trust fund until the following year.

1 (c) All funds in the Criminal Justice Standards and
2 Training Trust Fund earmarked to the Department of Law
3 Enforcement shall be disbursed only in compliance with s.
4 943.25(9).

5 Section 30. The amendment of subsection (1) of section
6 938.01, Florida Statutes, by this act shall expire on July 1,
7 2002, and the text of that subsection shall revert to that in
8 existence on June 30, 2000, except that any amendments to such
9 text enacted other than by this act shall be preserved and
10 continue to operate to the extent that such amendments are not
11 dependent upon the portions of such text which expire pursuant
12 to the provisions of this act. The Division of Statutory
13 Revision of the Office of Legislative Services shall include
14 in an appropriate reviser's bill any amendments to such
15 subsection which are necessary to give effect to the
16 legislative intent expressed in this section.

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

22 943.25 Criminal justice trust funds; source of funds;
23 use of funds.--

24 (1) The Department of Law Enforcement may approve, for
25 disbursement from the Department of Law Enforcement Operating
26 Trust Fund, those appropriated sums necessary and required by
27 the state for grant matching, implementing, administering,
28 evaluating, and qualifying for such federal funds.
29 Disbursements from the trust fund for the purpose of
30 supplanting state general revenue funds may not be made
31 without specific legislative appropriation.

1 Section 32. The amendment of subsection (1) of section
2 943.25, Florida Statutes, by this act shall expire on July 1,
3 2002, and the text of that subsection shall revert to that in
4 existence on June 30, 2000, except that any amendments to such
5 text enacted other than by this act shall be preserved and
6 continue to operate to the extent that such amendments are not
7 dependent upon the portions of such text which expire pursuant
8 to the provisions of this act. The Division of Statutory
9 Revision of the Office of Legislative Services shall include
10 in an appropriate reviser's bill any amendments to such
11 subsection which are necessary to give effect to the
12 legislative intent expressed in this section.

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

28 (2) In order to implement Specific Appropriations
29 333-339 and 1248-1256 of the 2001-2002 General Appropriations
30 Act, and for the 2001-2002 fiscal year only, from the funds
31 deposited into the Department of Law Enforcement Operating

1 Trust Fund pursuant to section 938.01(1)(a)1. and 2., Florida
2 Statutes, the Department of Law Enforcement shall transfer
3 funds to the Department of Children and Family Services to be
4 used as matching funds for the administration of the
5 Prevention of Domestic and Sexual Violence Program transferred
6 from the Department of Community Affairs. The amount of the
7 transfer for fiscal year 2001-2002 shall be determined by the
8 Governor's Office of Planning and Budgeting, in consultation
9 with the Department of Community Affairs, the Department of
10 Law Enforcement, and the Department of Children and Family
11 Services, and shall be based on the historic use of these
12 funds and current needs of the Prevention of Domestic and
13 Sexual Violence Program.

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

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

19 163.3184 Process for adoption of comprehensive plan or
20 plan amendment.--

21 (8) NOTICE OF INTENT.--

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

1 under subsection (6), the agency's determination of compliance
2 must be based only upon one or both of the following:

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

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

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

28 2. For fiscal year 2001-2002 only, the provisions of
29 this subparagraph shall supersede the provisions of
30 subparagraph 1. During the time period provided for in this
31 subsection, the state land planning agency shall issue,

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. The advertisement shall be placed in
7 that portion of the newspaper where legal notices appear. The
8 advertisement shall be published in a newspaper that meets the
9 size and circulation requirements set forth in paragraph
10 (15)(c) and that has been designated in writing by the
11 affected local government at the time of transmittal of the
12 amendment. Publication by the state land planning agency of a
13 notice of intent in the newspaper designated by the local
14 government shall be prima facie evidence of compliance with
15 the publication requirements of this section. The state land
16 planning agency shall post a copy of the notice of intent on
17 the agency's Internet site. The agency shall, no later than
18 the date the notice of intent is transmitted to the newspaper,
19 send by regular mail a courtesy informational statement to
20 persons who provide their names and addresses to the local
21 government at the transmittal hearing or at the adoption
22 hearing where the local government has provided the names and
23 addresses of such persons to the department at the time of
24 transmittal of the adopted amendment. The informational
25 statements shall include the name of the newspaper in which
26 the notice of intent will appear, the approximate date of
27 publication, the ordinance number of the plan or plan
28 amendment, and a statement that affected persons have 21 days
29 after the actual date of publication of the notice to file a
30 petition. This subparagraph expires July 1, 2002.
31

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

5 287.161 Executive aircraft pool; assignment of
6 aircraft; charge for transportation.--

7 (4) Notwithstanding the requirements of subsections
8 (2) and (3) and for the 2001-2002 ~~2000-2001~~ fiscal year only,
9 the Department of Management Services shall charge all persons
10 receiving transportation from the executive aircraft pool a
11 rate not less than the mileage allowance fixed by the
12 Legislature for the use of privately owned vehicles. Fees
13 collected for persons traveling by aircraft in the executive
14 aircraft pool shall be deposited into the Bureau of Aircraft
15 Trust Fund and shall be expended for costs incurred to operate
16 the aircraft management activities of the department. It is
17 the intent of the Legislature that the executive aircraft pool
18 be operated on a full cost recovery basis, less available
19 funds. This subsection expires July 1, 2002 ~~2001~~.

20 Section 36. In order to implement Specific
21 Appropriation 1742 of the 2001-2002 General Appropriations
22 Act, subsection (3) of section 259.101, Florida Statutes, is
23 amended to read:

24 259.101 Florida Preservation 2000 Act.--

25 (3) LAND ACQUISITION PROGRAMS SUPPLEMENTED.--Less the
26 costs of issuance, the costs of funding reserve accounts, and
27 other costs with respect to the bonds, the proceeds of bonds
28 issued pursuant to this act shall be deposited into the
29 Florida Preservation 2000 Trust Fund created by s. 375.045.
30 Ten percent of the proceeds of any bonds deposited into the
31 Preservation 2000 Trust Fund shall be distributed by the

1 Department of Environmental Protection to the Department of
2 Environmental Protection for the purchase by the South Florida
3 Water Management District of lands in Dade, Broward, and Palm
4 Beach Counties identified in s. 7, chapter 95-349, Laws of
5 Florida. This distribution shall apply for any bond issue for
6 the 1995-1996 fiscal year. For the 1997-1998 fiscal year only,
7 \$20 million per year from the proceeds of any bonds deposited
8 into the Florida Preservation 2000 Trust Fund shall be
9 distributed by the Department of Environmental Protection to
10 the St. Johns Water Management District for the purchase of
11 lands necessary to restore Lake Apopka. Starting in fiscal
12 year 2001-2002, from the cash balance less approved
13 commitments encumbered that is remaining in the Florida
14 Preservation 2000 Trust Fund, the Legislature shall
15 appropriate up to \$75 million from the Florida Preservation
16 2000 Trust Fund to the Save Our Everglades Trust Fund to be
17 used for the acquisition of lands needed for restoration of
18 the Florida Everglades pursuant to s. 373.470. Furthermore,
19 the remaining cash balances available for the Preservation
20 2000 programs described in paragraphs (a) through (g) shall be
21 adjusted pro rata for the amount appropriated by the
22 Legislature. Additionally, any cash balances less approved
23 commitments encumbered available to the programs described in
24 paragraphs (a) through (g) at the time the first series of
25 Florida Forever Program bonds is issued and proceeds are
26 deposited into the Florida Forever Trust Fund shall be
27 reserved and remain unavailable for expenditure for projects
28 pursuant to the Florida Preservation 2000 Program until and
29 unless the programs receiving an allocation under the Florida
30 Forever Program described in paragraphs 259.105(3)(a)-(h),
31 respectively, have encumbered all funds available from the

1 first Florida Forever Program bond issue. To the extent that
2 projects eligible for Preservation 2000 funds can also be
3 eligible for Florida Forever funds, the proceeds from Florida
4 Forever bonds may be used to complete transactions begun with
5 Preservation 2000 funds or meet cash needs for property
6 transactions begun in fiscal year 2000-2001.~~In fiscal year~~
7 ~~2000-2001, for each Florida Preservation 2000 program~~
8 ~~described in paragraphs (a)-(g), that portion of each~~
9 ~~program's total remaining cash balance which, as of June 30,~~
10 ~~2000, is in excess of that program's total remaining~~
11 ~~appropriation balances shall be redistributed by the~~
12 ~~department and deposited into the Save Our Everglades Trust~~
13 ~~Fund for land acquisition. For purposes of calculating the~~
14 ~~total remaining cash balances for this redistribution, the~~
15 ~~Florida Preservation 2000 Series 2000 bond proceeds, including~~
16 ~~interest thereon, and the fiscal year 1999-2000 General~~
17 ~~Appropriations Act amounts shall be deducted from the~~
18 ~~remaining cash and appropriation balances, respectively.~~The
19 remaining proceeds shall be distributed by the Department of
20 Environmental Protection in the following manner:

21 (a) Fifty percent to the Department of Environmental
22 Protection for the purchase of public lands as described in s.
23 259.032. Of this 50 percent, at least one-fifth shall be used
24 for the acquisition of coastal lands.

25 (b) Thirty percent to the Department of Environmental
26 Protection for the purchase of water management lands pursuant
27 to s. 373.59, to be distributed among the water management
28 districts as provided in that section. Funds received by each
29 district may also be used for acquisition of lands necessary
30 to implement surface water improvement and management plans
31 approved in accordance with s. 373.456 or for acquisition of

1 lands necessary to implement the Everglades Construction
2 Project authorized by s. 373.4592.

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

31

1 (d) Two and nine-tenths percent to the Department of
2 Environmental Protection for the purchase of inholdings and
3 additions to state parks. For the purposes of this paragraph,
4 "state park" means all real property in the state under the
5 jurisdiction of the Division of Recreation and Parks of the
6 department, or which may come under its jurisdiction.

7 (e) Two and nine-tenths percent to the Division of
8 Forestry of the Department of Agriculture and Consumer
9 Services to fund the acquisition of state forest inholdings
10 and additions pursuant to s. 589.07.

11 (f) Two and nine-tenths percent to the Fish and
12 Wildlife Conservation Commission to fund the acquisition of
13 inholdings and additions to lands managed by the commission
14 which are important to the conservation of fish and wildlife.

15 (g) One and three-tenths percent to the Department of
16 Environmental Protection for the Florida Greenways and Trails
17 Program, to acquire greenways and trails or greenways and
18 trails systems pursuant to chapter 260, including, but not
19 limited to, abandoned railroad rights-of-way and the Florida
20 National Scenic Trail.

21
22 Local governments may use federal grants or loans, private
23 donations, or environmental mitigation funds, including
24 environmental mitigation funds required pursuant to s.
25 338.250, for any part or all of any local match required for
26 the purposes described in this subsection. Bond proceeds
27 allocated pursuant to paragraph (c) may be used to purchase
28 lands on the priority lists developed pursuant to s. 259.035.
29 Title to lands purchased pursuant to paragraphs (a), (d), (e),
30 (f), and (g) shall be vested in the Board of Trustees of the
31 Internal Improvement Trust Fund. Title to lands purchased

1 pursuant to paragraph (c) may be vested in the Board of
2 Trustees of the Internal Improvement Trust Fund. The board of
3 trustees shall hold title to land protection agreements and
4 conservation easements that were or will be acquired pursuant
5 to s. 380.0677, and the Southwest Florida Water Management
6 District and the St. Johns River Water Management District
7 shall monitor such agreements and easements within their
8 respective districts until the state assumes this
9 responsibility.

10 Section 37. The amendment of subsection 259.101(3),
11 Florida Statutes, by this act shall expire July 1, 2002, and
12 the text of that subsection shall revert to that in existence
13 on June 30, 2001, except that any amendments to such text
14 exacted other than by this act shall be preserved and continue
15 to operate to the extent that such amendments are not
16 dependent upon the portions of such text which expire pursuant
17 to the provisions of this act. The Division of Statutory
18 Revision of the Office of Legislative Services shall include
19 in an appropriate reviser's bill any amendments to such
20 subsection which are necessary to give effect to the
21 legislative intent expressed in this section.

22 Section 38. In order to implement Specific
23 Appropriation 1789 of the 2001-2002 General Appropriations
24 Act, subsection (8) of section 403.7095, Florida Statutes, is
25 amended to read:

26 403.7095 Solid waste management grant program.--
27 (8) Notwithstanding the provisions of this section,
28 for fiscal year 2001-2002 ~~2000-2001~~ only, the department shall
29 provide solid waste management and recycling grants only to
30 counties with populations under 100,000. Such grants must be
31 with at least 80 percent of the level of funding they received

1 in fiscal year 2000-2001 ~~1997-1998~~ for ~~solid waste management~~
2 ~~and recycling grants~~. This subsection expires ~~is repealed on~~
3 July 1, 2002 ~~2001~~.

4 Section 39. In order to implement Specific
5 Appropriation 1748 of the 2001-2002 General Appropriations
6 Act, subsection (1) of section 373.59, Florida Statutes, is
7 amended to read:

8 373.59 Water Management Lands Trust Fund.--

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

29 (b) For the 2001-2002 fiscal year only, the use of
30 funds allocated to the Water Management Lands Trust Fund shall
31

1 be as provided in the General Appropriations Act. This
2 paragraph expires July 1, 2002.

3 Section 40. In order to implement Specific
4 Appropriation 1748 of the 2001-2002 General Appropriations
5 Act, subsection (2) of section 253.01, Florida Statutes, is
6 amended to read:

7 253.01 Internal Improvement Trust Fund established.--

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

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

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

20 373.59 Water Management Lands Trust Fund.--

21 (11) Notwithstanding any provision of this section to
22 the contrary, and for the 2001-2002 ~~2000-2001~~ fiscal year
23 only, the governing board of a water management district may
24 request, and the Secretary of Environmental Protection shall
25 release upon such request, moneys allocated to the districts
26 pursuant to subsection (8) for the purpose of carrying out the
27 purposes of s. 373.0361, s. 373.0831 ~~s. 375.0831~~, s. 373.139,
28 or ss. 373.451-373.4595 and for legislatively authorized land
29 acquisition and water restoration initiatives. No funds may be
30 used pursuant to this subsection until necessary debt service
31 obligations, requirements for payments in lieu of taxes, and

1 land management obligations that may be required by this
2 chapter are provided for. This subsection expires ~~is repealed~~
3 ~~on July 1, 2002~~ ~~2001~~.

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

8 252.373 Allocation of funds; rules.--

9 (1)

10 (b) Notwithstanding the provisions of paragraph (a),
11 and for the 2001-2002 ~~2000-2001~~ fiscal year only, up to \$2.2
12 ~~\$4~~ million of the unencumbered balance of the Emergency
13 Management, Preparedness, and Assistance Trust Fund shall be
14 utilized to improve, and increase the number of, disaster
15 shelters within the state and improve local disaster
16 preparedness. This paragraph expires ~~is repealed~~ on July 1,
17 2002 ~~2001~~.

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

22 265.2861 Cultural Institutions Program; trust fund.--

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

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

28 (b) For arts in education and visiting arts programs,
29 \$250,000.

30 (c) For the State Touring Program, \$200,000. First
31 priority for the issuance of State Touring Program grants

1 shall be given to applicants that reside in counties with a
2 population of 75,000 or less.

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

5 (e)1. For the officially designated Art Museum of the
6 State of Florida described in s. 240.711, \$2.2 million, and
7 for state-owned cultural facilities assigned to the Department
8 of State, which receive a portion of any operating funds from
9 the Department of State and one of the primary purposes of
10 which is the presentation of fine arts or performing arts,
11 \$500,000.

12 2. For fiscal year 2001-2002 only, the provisions of
13 subparagraph 1. relating to state-owned cultural facilities
14 shall not be applicable. This subparagraph expires July 1,
15 2002.

16
17 The trust fund shall consist of moneys appropriated by the
18 Legislature, moneys deposited pursuant to s. 607.1901(2), and
19 moneys contributed to the fund from any other source.

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

24 98.0975 Central voter file; periodic list
25 maintenance.--

26 (5)(a) For the 2001-2002 fiscal year only and
27 notwithstanding the provisions of subsection (1), the division
28 shall provide to each county supervisor of elections a list
29 containing the name, address, date of birth, race, gender, and
30 any other available identifying information of each person
31 included in the central voter file as a registered voter in

1 the supervisor's county whom the division believes may be
2 ineligible to vote based on examination of data obtained from
3 the Florida Department of Law Enforcement, the Board of
4 Executive Clemency, the Office of Vital Statistics, or any
5 other source that indicates that the person is deceased, has
6 been convicted of a felony and has not had his or her civil
7 rights restored, or has been adjudicated mentally incompetent
8 and whose mental capacity with respect to voting has not been
9 restored.

10 (b) For the 2001-2002 fiscal year only and
11 notwithstanding the provisions of subsection (3), the division
12 is not required to contract with a private entity to compare
13 information.

14 (c) For the 2001-2002 fiscal year only and
15 notwithstanding the provisions of subsection (4), upon
16 receiving the list from the division, the supervisor must
17 attempt to verify the information provided. If the supervisor
18 determines that the information provided by the division is
19 correct, the supervisor must remove from the registration
20 books by the next election the name of any person whom the
21 supervisor confirms is deceased, has been convicted of a
22 felony and has not had his or her civil rights restored, or
23 has been adjudicated mentally incapacitated with respect to
24 voting and has not had his or her mental capacity with respect
25 to voting restored.

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

27 Section 45. In order to implement Specific
28 Appropriation 1488A of the 2001-2002 General Appropriations
29 Act:

30 (1) The Department of Agriculture and Consumer
31 Services shall provide compensation to eligible homeowners

1 whose citrus trees have been removed under a citrus canker
2 eradication program. Funds to pay this compensation may be
3 derived from both state and federal matching sources, and
4 shall be specifically appropriated by law. Eligible homeowners
5 shall be compensated subject to the availability of
6 appropriated funds.

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

9 (a) Be the homeowner of record on the effective date
10 of this act for residential property where one or more citrus
11 trees have been removed as part of a citrus canker eradication
12 program;

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

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

20 (3) The amount of compensation for each tree removed
21 from residential property by the citrus canker eradication
22 program shall be \$100 per tree. If the homeowner's property is
23 eligible for a Shade Dade or a Shade Florida Card, the
24 homeowner may not receive compensation under this section for
25 the first citrus tree removed from the property as part of a
26 citrus canker eradication program.

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

1 (5) Of the funds appropriated to the department under
2 this section, the department may use up to \$500,000 to
3 administer the residential citrus canker compensation program.
4 Specifically, the department shall:

5 (a) Take reasonable steps to identify and notify
6 owners of citrus trees removed as part of a citrus canker
7 eradication program of the availability of the compensation
8 program.

9 (b) Notify homeowners of the manner in which the owner
10 may request funding.

11 (c) Develop a compensation request form and make it
12 available to eligible homeowners.

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

16 (6) The department shall develop a plan to identify,
17 document, and distribute funds in Specific Appropriation 1488A
18 to applicable residents. The department shall submit the plan
19 to the Legislative Budget Commission for review pursuant to
20 section 216.177, Florida Statutes, prior to the release of any
21 funds.

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

23 Section 46. In order to implement section 8 of the
24 2001-2002 General Appropriations Act, subsection (7) of
25 section 110.12315, Florida Statutes, is amended to read:

26 110.12315 Prescription drug program.--The state
27 employees' prescription drug program is established. This
28 program shall be administered by the Department of Management
29 Services, according to the terms and conditions of the plan as
30 established by the relevant provisions of the annual General
31

1 Appropriations Act and implementing legislation, subject to
2 the following conditions:

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

6 ~~(a) For the period July 1, 2000, through December 31,~~
7 ~~2000+~~

- 8 1. ~~For generic drug with card.....\$7.~~
- 9 2. ~~For brand name drug with card.....\$20.~~
- 10 3. ~~For generic mail order drug with card.....\$7.~~
- 11 4. ~~For brand name mail order drug with card.....\$20.~~

12 ~~(a)(b)~~ Effective January 1, 2001:

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

20 ~~(b)(c)~~ The Department of Management Services shall
21 create a preferred brand name drug list to be used in the
22 administration of the state employees' prescription drug
23 program.

24

25 This subsection expires July 1, 2002 ~~2001~~.

26 Section 47. In order to implement section 8 of the
27 2001-2002 General Appropriations Act, section 110.1239,
28 Florida Statutes, is amended to read:

29 110.1239 State group health insurance program
30 funding.--For the 2001-2002 ~~2000-2001~~ fiscal year only, it is
31 the intent of the Legislature that the state group health

1 insurance program be managed, administered, operated, and
2 funded in such a manner as to maximize the protection of state
3 employee health insurance benefits. Inherent in this intent is
4 the recognition that the health insurance liabilities
5 attributable to the benefits offered state employees should be
6 fairly, orderly, and equitably funded. Accordingly:

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

13 (2) The Governor, in the Governor's recommended
14 budget, shall provide premium rates necessary for full funding
15 of the state group health insurance program, and the
16 Legislature shall provide in the General Appropriations Act
17 for a premium level necessary for full funding of the state
18 group health insurance program.

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

23 (4) This section expires ~~is repealed on~~ July 1, 2002
24 ~~2001~~.

25 Section 48. In order to implement sections 2-7 of the
26 2001-2002 General Appropriations Act, subsections (5) and (6)
27 of section 112.061, Florida Statutes, are amended to read:

28 112.061 Per diem and travel expenses of public
29 officers, employees, and authorized persons.--

30 (5) COMPUTATION OF TRAVEL TIME FOR REIMBURSEMENT.--For
31 purposes of reimbursement and methods of calculating

1 fractional days of travel, the following principles are
2 prescribed:

3 (a) The travel day for Class A travel shall be a
4 calendar day (midnight to midnight). The travel day for Class
5 B travel shall begin at the same time as the travel period.
6 For Class A and Class B travel, the traveler shall be
7 reimbursed one-fourth of the authorized rate of per diem for
8 each quarter, or fraction thereof, of the travel day included
9 within the travel period. Class A and Class B travel shall
10 include any assignment on official business outside of regular
11 office hours and away from regular places of employment when
12 it is considered reasonable and necessary to stay overnight
13 and for which travel expenses are approved.

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

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

20 2. Lunch--When travel begins before 12 noon and
21 extends beyond 2 p.m.

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

25
26 No allowance shall be made for meals when travel is confined
27 to the city or town of the official headquarters or immediate
28 vicinity; except assignments of official business outside the
29 traveler's regular place of employment if travel expenses are
30 approved. The Comptroller shall establish a schedule for
31

1 processing Class C travel subsistence payments at least on a
2 monthly basis.

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

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

12 (a) All travelers shall be allowed for subsistence
13 when traveling to a convention or conference or when traveling
14 within or outside the state in order to conduct bona fide
15 state business, which convention, conference, or business
16 serves a direct and lawful public purpose with relation to the
17 public agency served by the person attending such meeting or
18 conducting such business, either of the following for each day
19 of such travel at the option of the traveler:

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

25
26 When lodging or meals are provided at a state institution, the
27 traveler shall be reimbursed only for the actual expenses of
28 such lodging or meals, not to exceed the maximum provided for
29 in this subsection.

30
31

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

- 4 1. Breakfast.....\$3
- 5 2. Lunch.....\$6
- 6 3. Dinner.....\$12

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

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

15 Section 49. (1) In order to implement Specific
16 Appropriations 2654-2660B and section 47 of the 2001-2002
17 General Appropriations Act, the Department of Management
18 Services shall submit a plan for the outsourcing of human
19 resource services to the Executive Office of the Governor and
20 the President of the Senate, the Speaker of the House of
21 Representatives, the chairman of the Senate Appropriations
22 Committee, and the chairman of the House Fiscal Responsibility
23 Council. This plan shall include:

24 (a) The costs associated with contracting for
25 outsourcing of human resource services;

26 (b) The costs associated with providing those human
27 resource services not outsourced; and

28 (c) The cost savings anticipated by the state.

29 (2) The President of the Senate, the Speaker of the
30 House of Representatives, the chairman of the Senate
31 Appropriations Committee, and the chairman of the House Fiscal

1 Responsibility Council must approve the plan submitted by the
2 department for the outsourcing of human resource services
3 before the department may implement the plan. Upon approval of
4 the plan, the department shall contract with a service
5 provider for human resource services on behalf of all state
6 agencies.

7 (3) The department shall work with each state agency
8 regarding the implementation of the approved plan. During
9 implementation of the outsourced human resource services,
10 agency full-time-equivalent (FTE) service positions and
11 associated rate shall be placed in unbudgeted reserve by the
12 Executive Office of the Governor pursuant to section 216.181,
13 Florida Statutes. Each agency shall transfer any budget
14 associated with the reserved FTE to a special category for
15 human resource services. To the extent necessary to pay an
16 agency's portion of the costs of the outsourced human resource
17 services, the agency shall pay a special assessment fee to the
18 Department of Management Services.

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

23 (5) Notwithstanding the provisions of sections 216.292
24 and 216.351, Florida Statutes, upon approval by the
25 Legislative Budget Commission, the Executive Office of the
26 Governor may transfer funds between agencies to implement the
27 human resource outsourcing plan.

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

29 Section 50. In order to implement Specific
30 Appropriations 2729-2733 and section 55 of the 2001-2002
31 General Appropriations Act, and for the 2001-2002 fiscal year

1 only, the Executive Office of the Governor, in consultation
2 with the Senate Appropriations Committee and the House Fiscal
3 Responsibility Council, shall develop the initial budget and
4 accounting code structure for the State Technology Office
5 created by section 282.102, Florida Statutes.

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

10 110.1099 Education and training opportunities for
11 state employees.--

12 (1)(a) Education and training are an integral
13 component in improving the delivery of services to the public.
14 Recognizing that the application of productivity-enhancing
15 technology and practice demand continuous educational and
16 training opportunities, state employees may be authorized to
17 receive fundable tuition waivers on a space-available basis or
18 vouchers to attend work-related courses at public
19 universities. Student credit hours generated by state employee
20 fee waivers shall be fundable credit hours.

21 (b) For the 2001-2002 fiscal year only and
22 notwithstanding the provisions of paragraph (a), state
23 employees may not be authorized to receive fundable tuition
24 waivers on a space-available basis. This paragraph expires
25 July 1, 2002.

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

30 240.209 Board of Regents; powers and duties.--

31

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

5 (b) For the 2001-2002 fiscal year only and
6 notwithstanding the provisions of paragraph (a), the Board of
7 Regents is not authorized to permit State University System
8 employees to enroll for tuition-free courses. This paragraph
9 expires July 1, 2002.

10 Section 53. A section of this act that implements a
11 specific appropriation or specifically identified proviso
12 language in the 2001-2002 General Appropriations Act is void
13 if the specific appropriation or specifically identified
14 proviso language is vetoed. A section of this act that
15 implements more than one specific appropriation or more than
16 one portion of specifically identified proviso language in the
17 2001-2002 General Appropriations Act is void if all the
18 specific appropriations or portions of specifically identified
19 proviso language are vetoed.

20 Section 54. If any other act passed during the 2001
21 Regular Session of the Legislature or any extension thereof
22 contains a provision that is substantively the same as a
23 provision in this act, but that removes or is otherwise not
24 subject to the future repeal applied to such provision by this
25 act, the Legislature intends that the provision in the other
26 act shall take precedence and shall continue to operate,
27 notwithstanding the future repeal provided by this act.

28 Section 55. The agency performance measures and
29 standards in the document entitled "Florida's Budget 2001
30 Agency Performance Measures and Standards Approved by the
31 Legislature for Fiscal Year 2001-02" dated May 1, 2001, and

1 filed with the Secretary of the Senate are incorporated by
2 reference. Such performance measures and standards are
3 directly linked to the appropriations made in the General
4 Appropriations Act for fiscal year 2001-2002, as required by
5 the Government Performance and Accountability Act of 1994.
6 State agencies are directed to revise their Long-Range Program
7 Plans required under section 216.013, Florida Statutes, to be
8 consistent with these performance measures and standards.

9 Section 56. If any provision of this act or its
10 application to any person or circumstance is held invalid, the
11 invalidity shall not affect other provisions or applications
12 of the act which can be given effect without the invalid
13 provision or application, and to this end the provisions of
14 this act are declared severable.

15 Section 57. This act shall take effect July 1, 2001;
16 or, in the event this act fails to become a law until after
17 that date, it shall take effect upon becoming a law and shall
18 operate retroactively to July 1, 2001.