

By the Fiscal Responsibility Council and Representative  
Lacasa

1                                   A bill to be entitled  
2           An act implementing the act that provides  
3           appropriations and reductions in appropriations  
4           for the 2001-2002 state fiscal year; providing  
5           legislative intent; amending s. 16.555, F.S.;  
6           providing that moneys in the Crime Stoppers  
7           Trust Fund may be used to pay for salaries and  
8           benefits and other expenses of the Department  
9           of Legal Affairs; reenacting s. 215.32(2)(b),  
10          F.S., to implement the transfer of moneys to  
11          the Working Capital Fund from certain trust  
12          funds; amending s. 216.023, F.S.; providing for  
13          adjustments to performance measures and  
14          standards for the executive and judicial  
15          branches necessitated by reductions and other  
16          changes to appropriations for the 2001-2002  
17          state fiscal year; amending s. 257.195, F.S.;  
18          suspending revenue shortfall procedures  
19          applicable to appropriations for library grants  
20          from state sources; amending s. 339.135, F.S.;  
21          requiring adjustment of the adopted work  
22          program of the Department of Transportation to  
23          include certain economic stimulus projects;  
24          amending s. 401.113, F.S.; providing that  
25          moneys in the Emergency Medical Services Trust  
26          Fund may also be used for the purpose of  
27          funding the rural hospital capital improvement  
28          grant program; amending s. 561.121, F.S.;  
29          providing that moneys in the Children and  
30          Adolescents Substance Abuse Trust Fund may also  
31          be used for the purpose of funding programs

1 directed at reducing and eliminating substance  
2 abuse problems among adults; amending s.  
3 860.158, F.S.; providing that moneys in the  
4 Florida Motor Vehicle Theft Prevention Trust  
5 Fund may be used to pay for salaries and  
6 benefits and other expenses of the Department  
7 of Legal Affairs; providing effect of veto of  
8 specific appropriation or proviso to which  
9 implementing language refers; providing  
10 applicability to other legislation; providing  
11 severability; providing an effective date.

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

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15 Section 1. It is the intent of the Legislature that  
16 the implementing and administering provisions of this act  
17 apply to the act making appropriations and reductions in  
18 appropriations for the 2001-2002 state fiscal year.

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20 Section 2. In order to implement Specific  
21 Appropriation 428 of the act making appropriations and  
22 reductions in appropriations for the 2001-2002 state fiscal  
23 year, subsection (3) of section 16.555, Florida Statutes, is  
24 amended to read:

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16.555 Crime Stoppers Trust Fund; rulemaking.--

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27 (3)(a) The department shall establish a trust fund for  
28 the purpose of grant administration to fund Crime Stoppers and  
29 their crime fighting programs within the units of a local  
30 government of the state.

31

32 (b) For the 2001-2002 state fiscal year only, and  
33 notwithstanding any provision of this section to the contrary,  
34 moneys in the trust fund may also be used to pay for salaries

1 and benefits and other expenses of the department. This  
2 paragraph expires July 1, 2002.

3 Section 3. In order to implement the transfer of  
4 moneys to the Working Capital Fund from trust funds, paragraph  
5 (b) of subsection (2) of section 215.32, Florida Statutes, is  
6 reenacted to read:

7 215.32 State funds; segregation.--

8 (2) The source and use of each of these funds shall be  
9 as follows:

10 (b)1. The trust funds shall consist of moneys received  
11 by the state which under law or under trust agreement are  
12 segregated for a purpose authorized by law. The state agency  
13 or branch of state government receiving or collecting such  
14 moneys shall be responsible for their proper expenditure as  
15 provided by law. Upon the request of the state agency or  
16 branch of state government responsible for the administration  
17 of the trust fund, the Comptroller may establish accounts  
18 within the trust fund at a level considered necessary for  
19 proper accountability. Once an account is established within a  
20 trust fund, the Comptroller may authorize payment from that  
21 account only upon determining that there is sufficient cash  
22 and releases at the level of the account.

23 2. In order to maintain a minimum number of trust  
24 funds in the State Treasury, each state agency or the judicial  
25 branch may consolidate, if permitted under the terms and  
26 conditions of their receipt, the trust funds administered by  
27 it; provided, however, the agency or judicial branch employs  
28 effectively a uniform system of accounts sufficient to  
29 preserve the integrity of such trust funds; and provided,  
30 further, that consolidation of trust funds is approved by the  
31 Governor or the Chief Justice.

1           3. All such moneys are hereby appropriated to be  
2 expended in accordance with the law or trust agreement under  
3 which they were received, subject always to the provisions of  
4 chapter 216 relating to the appropriation of funds and to the  
5 applicable laws relating to the deposit or expenditure of  
6 moneys in the State Treasury.

7           4.a. Notwithstanding any provision of law restricting  
8 the use of trust funds to specific purposes, unappropriated  
9 cash balances from selected trust funds may be authorized by  
10 the Legislature for transfer to the Budget Stabilization Fund  
11 and Working Capital Fund in the General Appropriations Act.

12           b. This subparagraph does not apply to trust funds  
13 required by federal programs or mandates; trust funds  
14 established for bond covenants, indentures, or resolutions  
15 whose revenues are legally pledged by the state or public body  
16 to meet debt service or other financial requirements of any  
17 debt obligations of the state or any public body; the State  
18 Transportation Trust Fund; the trust fund containing the net  
19 annual proceeds from the Florida Education Lotteries; the  
20 Florida Retirement System Trust Fund; trust funds under the  
21 management of the Board of Regents, where such trust funds are  
22 for auxiliary enterprises, self-insurance, and contracts,  
23 grants, and donations, as those terms are defined by general  
24 law; trust funds that serve as clearing funds or accounts for  
25 the Comptroller or state agencies; trust funds that account  
26 for assets held by the state in a trustee capacity as an agent  
27 or fiduciary for individuals, private organizations, or other  
28 governmental units; and other trust funds authorized by the  
29 State Constitution.

30           Section 4. In order to implement the act making  
31 appropriations and reductions in appropriations for the

1 2001-2002 state fiscal year, subsection (14) is added to  
2 section 216.023, Florida Statutes, to read:

3           216.023 Legislative budget requests to be furnished to  
4 Legislature by agencies.--

5           (7) Annually, by June 30, executive agencies shall  
6 submit to the Executive Office of the Governor adjustments to  
7 their performance standards based on the amounts appropriated  
8 for each program by the Legislature. When such an adjustment  
9 is made, all performance standards, including any adjustments  
10 made, shall be reviewed and revised as necessary by the  
11 Executive Office of the Governor and, upon approval, submitted  
12 to the Legislature pursuant to the review and approval process  
13 provided in s. 216.177. The Senate Committee on Fiscal Policy  
14 and the House of Representatives Fiscal Responsibility Council  
15 shall advise Senate substantive committees and House of  
16 Representatives substantive committees, respectively, of all  
17 adjustments made to performance standards or measures. The  
18 Executive Office of the Governor shall maintain both the  
19 official record of adjustments to the performance standards as  
20 part of the agency's approved operating budget and the  
21 official performance ledger. As used in this section,  
22 "performance ledger" means the official compilation of  
23 information about state agency performance-based programs and  
24 measures, including approved programs, approved outputs and  
25 outcomes, baseline data, approved standards for each  
26 performance measure and any approved adjustments thereto, as  
27 well as actual agency performance for each measure.

28           (9) Annually, by June 30, the judicial branch shall  
29 make adjustments to any performance standards for approved  
30 programs based on the amount appropriated for each program,  
31 which shall be submitted to the Legislature pursuant to the

1 notice and review process provided in s. 216.177. The Senate  
2 Committee on Fiscal Policy and the House Fiscal Responsibility  
3 Council shall advise Senate substantive committees and House  
4 substantive committees, respectively, of all adjustments made  
5 to performance standards or measures.

6 (14)(a) By January 15, 2002, executive agencies must  
7 submit to the Executive Office of the Governor adjustments to  
8 their performance measures and standards necessitated by  
9 reductions and other changes to appropriations made by the  
10 Legislature for the 2001-2002 state fiscal year for each  
11 program. Review, revision, and approval of such adjustments  
12 shall be conducted pursuant to the requirements of subsection  
13 (7).

14 (b) By January 15, 2002, the judicial branch must make  
15 adjustments to any performance measures and standards  
16 necessitated by reductions and other changes to appropriations  
17 made by the Legislature for the 2001-2002 state fiscal year  
18 for each program. Review, revision, and approval of such  
19 adjustments shall be conducted pursuant to the requirements of  
20 subsection (9).

21 (c) This subsection expires July 1, 2002.

22 Section 5. In order to implement Specific  
23 Appropriations 773-773A of the act making appropriations and  
24 reductions in appropriations for the 2001-2002 state fiscal  
25 year, section 257.195, Florida Statutes, is amended to read:

26 257.195 Revenue shortfalls; procedures.--

27 (1) In the event of revenue shortfalls which  
28 necessitate budget reductions during any fiscal year, the  
29 total appropriation for library grants from state sources  
30 shall have the same ratable reduction as that applied to the  
31 operating funds of the Division of Library and Information

1 Services or such reduction shall be at the discretion of the  
2 Secretary of State.

3 (2) For the 2001-2002 state fiscal year only, the  
4 provisions of subsection (1) are suspended. This subsection  
5 expires July 1, 2002.

6 Section 6. In order to implement Specific  
7 Appropriations 580-585 of the act making appropriations and  
8 reductions in appropriations for the 2001-2002 state fiscal  
9 year, paragraph (g) is added to subsection (7) of section  
10 339.135, Florida Statutes, to read:

11 339.135 Work program; legislative budget request;  
12 definitions; preparation, adoption, execution, and  
13 amendment.--

14 (7) AMENDMENT OF THE ADOPTED WORK PROGRAM.--

15 (g) For the 2001-2002 state fiscal year only, and  
16 notwithstanding the provisions of paragraphs (b)-(f), the  
17 adopted work program shall be adjusted to include projects  
18 approved as economic stimulus projects resulting from  
19 additional appropriations made by House Bill \_\_\_-B, 2001  
20 Special Session B, or similar legislation enacted at the same  
21 legislative session or an extension thereof. This paragraph  
22 expires July 1, 2002.

23 Section 7. In order to implement Specific  
24 Appropriation 235 of the act making appropriations and  
25 reductions in appropriations for the 2001-2002 state fiscal  
26 year, subsection (4) is added to section 401.113, Florida  
27 Statutes, to read:

28 401.113 Department; powers and duties.--

29 (4) For the 2001-2002 state fiscal year only, and  
30 notwithstanding the provisions of subsections (1) and (2),  
31 moneys in the Emergency Medical Services Trust Fund may also

1 be used for the purpose of funding the rural hospital capital  
2 improvement grant program in accordance with the provisions of  
3 s. 395.6061. This subsection expires July 1, 2002.

4 Section 8. In order to implement Specific  
5 Appropriations 194-195A of the act making appropriations and  
6 reductions in appropriations for the 2001-2002 state fiscal  
7 year, subsection (4) of section 561.121, Florida Statutes, is  
8 amended to read:

9 561.121 Deposit of revenue.--

10 (4)(a) State funds collected pursuant to s. 561.501  
11 shall be paid into the State Treasury and credited to the  
12 following accounts:

13 1.~~(a)~~ Twenty-seven and two-tenths percent of the  
14 surcharge on the sale of alcoholic beverages for consumption  
15 on premises shall be transferred to the Children and  
16 Adolescents Substance Abuse Trust Fund, which shall remain  
17 with the Department of Children and Family Services for the  
18 purpose of funding programs directed at reducing and  
19 eliminating substance abuse problems among children and  
20 adolescents.

21 2.~~(b)~~ The remainder of collections shall be credited  
22 to the General Revenue Fund.

23 (b) For the 2001-2002 state fiscal year only, and  
24 notwithstanding the provisions of subparagraph (a)1., moneys  
25 in the Children and Adolescents Substance Abuse Trust Fund may  
26 also be used for the purpose of funding programs directed at  
27 reducing and eliminating substance abuse problems among  
28 adults. This paragraph expires July 1, 2002.

29 Section 9. In order to implement Specific  
30 Appropriation 428 of the act making appropriations and  
31 reductions in appropriations for the 2001-2002 state fiscal



1 year, paragraph (c) is added to subsection (2) of section  
2 860.158, Florida Statutes, to read:

3 860.158 Florida Motor Vehicle Theft Prevention Trust  
4 Fund.--

5 (2) Money in the trust fund shall be expended as  
6 follows:

7 (c) For the 2001-2002 state fiscal year only, and  
8 notwithstanding any provision of this section or s. 320.08046  
9 to the contrary, to pay for salaries and benefits and other  
10 expenses of the Department of Legal Affairs. This paragraph  
11 expires July 1, 2002.

12 Section 10. A section of this act that implements a  
13 specific appropriation or specifically identified proviso  
14 language in the act making appropriations and reductions in  
15 appropriations for the 2001-2002 state fiscal year is void if  
16 the specific appropriation or specifically identified proviso  
17 language is vetoed. A section of this act that implements  
18 more than one specific appropriation or more than one portion  
19 of specifically identified proviso language in the act making  
20 appropriations and reductions in appropriations for the  
21 2001-2002 state fiscal year is void if all the specific  
22 appropriations or portions of specifically identified proviso  
23 language are vetoed.

24 Section 11. If any other act passed during the 2001  
25 Special Session B of the Legislature or any extension thereof  
26 contains a provision that is substantively the same as a  
27 provision in this act, but that removes or is otherwise not  
28 subject to the future repeal applied to such provision by this  
29 act, the Legislature intends that the provision in the other  
30 act shall take precedence and shall continue to operate,  
31 notwithstanding the future repeal provided by this act.

1           Section 12. If any provision of this act or its  
2 application to any person or circumstance is held invalid, the  
3 invalidity shall not affect other provisions or applications  
4 of the act which can be given effect without the invalid  
5 provision or application, and to this end the provisions of  
6 this act are declared severable.

7           Section 13. This act shall take effect upon becoming a  
8 law.

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11   HOUSE SUMMARY

12           Implements the act that provides appropriations and  
13 reductions in appropriations for the 2001-2002 state  
14 fiscal year.

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