

By 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.

12

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

14

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.

19

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:

25

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 ___-C, 2001
20 Special Session C, 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 C 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.

