

Amendment No. \_\_\_\_ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

Representative(s) Lacasa offered the following:

**Amendment (with title amendment)**

Remove from the bill: Everything after the enacting clause and insert in lieu thereof:

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

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

16.555 Crime Stoppers Trust Fund; rulemaking.--

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

(b) For the 2001-2002 state fiscal year only, and

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1 notwithstanding any provision of this section to the contrary,  
2 moneys in the trust fund may also be used to pay for salaries  
3 and benefits and other expenses of the department. This  
4 paragraph expires July 1, 2002.

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

9 215.32 State funds; segregation.--

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

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

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

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1 further, that consolidation of trust funds is approved by the  
2 Governor or the Chief Justice.

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

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

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

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1           Section 4. In order to implement the act making  
2 appropriations and reductions in appropriations for the  
3 2001-2002 state fiscal year, subsection (14) is added to  
4 section 216.023, Florida Statutes, to read:

5           216.023 Legislative budget requests to be furnished to  
6 Legislature by agencies.--

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

30           (9) Annually, by June 30, the judicial branch shall  
31 make adjustments to any performance standards for approved

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1 programs based on the amount appropriated for each program,  
2 which shall be submitted to the Legislature pursuant to the  
3 notice and review process provided in s. 216.177. The Senate  
4 Committee on Fiscal Policy and the House Fiscal Responsibility  
5 Council shall advise Senate substantive committees and House  
6 substantive committees, respectively, of all adjustments made  
7 to performance standards or measures.

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

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

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

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

28 257.195 Revenue shortfalls; procedures.--

29 (1) In the event of revenue shortfalls which  
30 necessitate budget reductions during any fiscal year, the  
31 total appropriation for library grants from state sources

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1 shall have the same ratable reduction as that applied to the  
2 operating funds of the Division of Library and Information  
3 Services or such reduction shall be at the discretion of the  
4 Secretary of State.

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

8 Section 6. In order to implement Specific  
9 Appropriations 580-585 of the act making appropriations and  
10 reductions in appropriations for the 2001-2002 state fiscal  
11 year, paragraph (g) is added to subsection (7) of section  
12 339.135, Florida Statutes, to read:

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

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

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

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

30 401.113 Department; powers and duties.--

31 (4) For the 2001-2002 state fiscal year only, and

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1 notwithstanding the provisions of subsections (1) and (2),  
2 moneys in the Emergency Medical Services Trust Fund may also  
3 be used for the purpose of funding the rural hospital capital  
4 improvement grant program in accordance with the provisions of  
5 s. 395.6061. This subsection expires July 1, 2002.

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

11 561.121 Deposit of revenue.--

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

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

23 2.(b) The remainder of collections shall be credited  
24 to the General Revenue Fund.

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

31 Section 9. In order to implement Specific

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1 Appropriation 428 of the act making appropriations and  
2 reductions in appropriations for the 2001-2002 state fiscal  
3 year, paragraph (c) is added to subsection (2) of section  
4 860.158, Florida Statutes, to read:

5           860.158 Florida Motor Vehicle Theft Prevention Trust  
6 Fund.--

7           (2) Money in the trust fund shall be expended as  
8 follows:

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

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

26           Section 11. If any other act passed during the 2001  
27 Special Session C of the Legislature or any extension thereof  
28 contains a provision that is substantively the same as a  
29 provision in this act, but that removes or is otherwise not  
30 subject to the future repeal applied to such provision by this  
31 act, the Legislature intends that the provision in the other



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1 act shall take precedence and shall continue to operate,  
2 notwithstanding the future repeal provided by this act.

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

9 Section 13. This act shall take effect upon becoming a  
10 law.

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

14 And the title is amended as follows:

15 remove from the title of the bill: Everything before the  
16 enacting clause

17

18 and insert in lieu thereof:

19

A bill to be entitled

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An act implementing the act that provides  
21 appropriations and reductions in appropriations  
22 for the 2001-2002 state fiscal year; providing  
23 legislative intent; amending s. 16.555, F.S.;  
24 providing that moneys in the Crime Stoppers  
25 Trust Fund may be used to pay for salaries and  
26 benefits and other expenses of the Department  
27 of Legal Affairs; reenacting s. 215.32(2)(b),  
28 F.S., to implement the transfer of moneys to  
29 the Working Capital Fund from certain trust  
30 funds; amending s. 216.023, F.S.; providing for  
31 adjustments to performance measures and

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1 standards for the executive and judicial  
2 branches necessitated by reductions and other  
3 changes to appropriations for the 2001-2002  
4 state fiscal year; amending s. 257.195, F.S.;  
5 suspending revenue shortfall procedures  
6 applicable to appropriations for library grants  
7 from state sources; amending s. 339.135, F.S.;  
8 requiring adjustment of the adopted work  
9 program of the Department of Transportation to  
10 include certain economic stimulus projects;  
11 amending s. 401.113, F.S.; providing that  
12 moneys in the Emergency Medical Services Trust  
13 Fund may also be used for the purpose of  
14 funding the rural hospital capital improvement  
15 grant program; amending s. 561.121, F.S.;  
16 providing that moneys in the Children and  
17 Adolescents Substance Abuse Trust Fund may also  
18 be used for the purpose of funding programs  
19 directed at reducing and eliminating substance  
20 abuse problems among adults; amending s.  
21 860.158, F.S.; providing that moneys in the  
22 Florida Motor Vehicle Theft Prevention Trust  
23 Fund may be used to pay for salaries and  
24 benefits and other expenses of the Department  
25 of Legal Affairs; providing effect of veto of  
26 specific appropriation or proviso to which  
27 implementing language refers; providing  
28 applicability to other legislation; providing  
29 severability; providing an effective date.  
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