

By Senator Carlton

309-695A-02

1 A bill to be entitled
2 An act implementing the 2001-2002 supplemental
3 appropriations act; providing legislative
4 intent; amending s. 216.023, F.S.; providing
5 directives for executive agencies and the
6 judicial branch in adjusting performance
7 measures and standards to respond to budgetary
8 modifications; reenacting s. 215.32(2)(b),
9 F.S., to implement the transfer of moneys to
10 the Working Capital Fund from certain trust
11 funds; providing a directive to the Department
12 of Juvenile Justice; amending s. 16.555, F.S.;
13 providing for the use of the Crime Stoppers
14 Trust Fund; amending s. 860.158, F.S.;
15 providing directives for the use of moneys in
16 the Florida Motor Vehicle Theft Prevention
17 Trust Fund; amending s. 339.135, F.S.;
18 requiring adjustment of the adopted work
19 program of the Department of Transportation to
20 include certain economic stimulus projects;
21 amending s. 44.108, F.S.; providing for use of
22 moneys in the state mediation and arbitration
23 trust fund; limiting the use of funds for
24 state-employee travel; requiring the Governor
25 to furnish a copy of his recommended balanced
26 budget to members of the Legislature;
27 providing effect of veto of specific
28 appropriation or proviso to which implementing
29 language refers; providing severability;
30 providing an effective date.
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1 Be It Enacted by the Legislature of the State of Florida:

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

7 Section 2. In order to implement reductions and other
8 changes in appropriations for the 2001-2002 fiscal year made
9 by Senate Bill 2-C, subsection (14) is added to section
10 216.023, Florida Statutes, to read:

11 216.023 Legislative budget requests to be furnished to
12 Legislature by agencies.--

13 (14) For the 2001-2002 fiscal year only:

14 (a) By January 15, 2002, executive agencies shall
15 submit to the Executive Office of the Governor adjustments to
16 their performance measures and standards necessitated by
17 reductions and other changes by the Legislature to 2001-2002
18 appropriations. Review, revision, and approval of such
19 adjustments shall be conducted pursuant to the requirements of
20 subsection (7).

21 (b) By January 15, 2002, the judicial branch shall
22 make adjustments to any performance measures and standards
23 necessitated by reductions and other changes by the
24 Legislature to 2001-2002 appropriations. Review, revision, and
25 approval of such adjustments shall be conducted pursuant to
26 the requirements of subsection (9).

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28 This subsection expires July 1, 2002.

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

3 215.32 State funds; segregation.--

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

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

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

28 3. All such moneys are hereby appropriated to be
29 expended in accordance with the law or trust agreement under
30 which they were received, subject always to the provisions of
31 chapter 216 relating to the appropriation of funds and to the

1 applicable laws relating to the deposit or expenditure of
2 moneys in the State Treasury.

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

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

26 Section 4. In order to implement Specific
27 Appropriation 345 of Senate Bill 2-C and notwithstanding any
28 proviso contained in Specific Appropriation 1235 of chapter
29 2001-253, Laws of Florida, if Federal Title IV-E earnings do
30 not materialize, the Department of Juvenile Justice is
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1 directed not to transfer general revenue funds from Specific
2 Appropriation 1200 to Specific Appropriation 1235.

3 Section 5. In order to implement Specific
4 Appropriation 358 of Senate Bill 2-C, subsection (3) of
5 section 16.555, Florida Statutes, is amended to read:

6 16.555 Crime Stoppers Trust Fund; rulemaking.--

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

11 (b) For the 2001-2002 state fiscal year only, and
12 notwithstanding any provision of this section to the contrary,
13 moneys in the trust fund may also be used to pay for salaries
14 and benefits and other expenses of the department. This
15 paragraph expires July 1, 2002.

16 Section 6. In order to implement Specific
17 Appropriations 358 and 361 of Senate Bill 2-C, subsection (2)
18 of section 860.158, Florida Statutes, is amended to read:

19 860.158 Florida Motor Vehicle Theft Prevention Trust
20 Fund.--

21 (2)(a) Money in the trust fund shall be expended as
22 follows:

23 1.(a) To pay the authority's cost to administer the
24 board and the trust fund.

25 2.(b) To achieve the purposes and objectives of this
26 act, which may include, but not be limited to, the following:

27 a.1. To provide financial support to law enforcement
28 and correctional agencies, prosecutors, and the judiciary for
29 programs designed to reduce motor vehicle theft and to improve
30 the administration of motor vehicle theft laws.

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1 ~~b.2.~~ To provide financial support for federal and
2 state agencies, units of local government, corporations, and
3 neighborhood, community, or business organizations for
4 programs designed to reduce motor vehicle theft and to improve
5 the administration of motor vehicle theft laws.

6 ~~c.3.~~ To provide financial support to conduct programs
7 designed to inform owners of motor vehicles about the
8 financial and social cost of motor vehicle theft and to
9 suggest to those owners methods for preventing motor vehicle
10 theft.

11 ~~d.4.~~ To provide financial support for plans, programs,
12 and projects consistent with the purposes of this act.

13 (b) For the 2001-2002 fiscal year only, and
14 notwithstanding s. 320.08046, the use of funds allocated to
15 the Florida Motor Vehicle Theft Prevention Trust Fund shall be
16 as provided in Senate Bill 2-C. This paragraph expires July 1,
17 2002.

18 Section 7. In order to implement Specific
19 Appropriations 441-446 of Senate Bill 2-C, paragraph (g) is
20 added to subsection (7) of section 339.135, Florida Statutes,
21 to read:

22 339.135 Work program; legislative budget request;
23 definitions; preparation, adoption, execution, and
24 amendment.--

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

26 (g) For the 2001-2002 state fiscal year only, and
27 notwithstanding the provisions of paragraphs (b)-(f), the
28 adopted work program shall be adjusted to include projects
29 approved as economic stimulus projects resulting from
30 additional appropriations made by Senate Bill 2-C, 2001
31 Special Session C, or similar legislation enacted at the same

1 legislative session or an extension thereof. This paragraph
2 expires July 1, 2002.

3 Section 8. In order to implement Specific
4 Appropriation 633 of Senate Bill 2-C, subsection (5) is added
5 to section 44.108, Florida Statutes, to read:

6 44.108 Funding of mediation and
7 arbitration.--Mediation should be accessible to all parties
8 regardless of financial status. Each board of county
9 commissioners may support mediation and arbitration services
10 by appropriating moneys from county revenues and by:

11 (5) For the 2001-2002 fiscal year only, the use of the
12 funds allocated to the state mediation and arbitration trust
13 fund shall be as provided in Senate Bill 2-C. This subsection
14 expires July 1, 2002.

15 Section 9. It is the policy of the state that funds
16 appropriated to state agencies which may be used for
17 state-employee travel be limited, until July 1, 2002, to
18 travel for activities that are critical to the state agency's
19 mission. Funds may not be used to pay for travel by state
20 employees to foreign countries, other states, conferences,
21 staff-training activities, or other administrative functions
22 unless the respective agency head has determined that such
23 activities are critical to the agency mission. Travel for law
24 enforcement, military purposes, emergency management, and
25 public health activities is not covered by this section. The
26 agency head, or his or her designee, must consider
27 teleconferencing and other forms of electronic communication
28 to meet the needs of the proposed activity before approving
29 mission-critical travel.

30 Section 10. For the Governor's recommended budget for
31 the fiscal year 2002-2003 only, the Governor shall furnish to

