

Bill No. HB 1945, 2nd Eng.

Amendment No.      Barcode 274632

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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Senator Carlton moved the following amendment:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause

and insert:

Section 1. It is the intent of the Legislature that the implementing and administering provisions of this act apply to the General Appropriations Act for fiscal year 2002-2003.

Section 2. In order to implement Specific Appropriation 161 of the 2002-2003 General Appropriations Act, subsection (11) of section 240.35, Florida Statutes, is amended to read:

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

(11)(a) Each community college is authorized to

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1 establish a separate fee for financial aid purposes in an  
 2 additional amount up to, but not to exceed, 5 percent of the  
 3 total student tuition or matriculation fees collected. Each  
 4 community college may collect up to an additional 2 percent if  
 5 the amount generated by the total financial aid fee is less  
 6 than \$250,000. If the amount generated is less than \$250,000,  
 7 a community college that charges tuition and matriculation  
 8 fees at least equal to the average fees established by rule  
 9 may transfer from the general current fund to the scholarship  
 10 fund an amount equal to the difference between \$250,000 and  
 11 the amount generated by the total financial aid fee  
 12 assessment. No other transfer from the general current fund to  
 13 the loan, endowment, or scholarship fund, by whatever name  
 14 known, is authorized.

15 (b) All funds collected under this program shall be  
 16 placed in the loan and endowment fund or scholarship fund of  
 17 the college, by whatever name known. Such funds shall be  
 18 disbursed to students as quickly as possible. An amount not  
 19 greater than 40 percent of the fees collected in a fiscal year  
 20 may be carried forward unexpended to the following fiscal  
 21 year. However, funds collected prior to July 1, 1989, and  
 22 placed in an endowment fund may not be considered part of the  
 23 balance of funds carried forward unexpended to the following  
 24 fiscal year.

25 (c) Up to 25 percent or \$300,000, whichever is  
 26 greater, of the financial aid fees collected may be used to  
 27 assist students who demonstrate academic merit; who  
 28 participate in athletics, public service, cultural arts, and  
 29 other extracurricular programs as determined by the  
 30 institution; or who are identified as members of a targeted  
 31 gender or ethnic minority population. The financial aid fee

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1 revenues allocated for athletic scholarships and fee  
2 exemptions provided pursuant to subsection (17) for athletes  
3 shall be distributed equitably as required by s.  
4 228.2001(3)(d). A minimum of 75 ~~50~~ percent of the balance of  
5 these funds for new awards shall be used to provide financial  
6 aid based on absolute need, and the remainder of the funds  
7 shall be used for academic merit purposes and other purposes  
8 approved by the district boards of trustees. Such other  
9 purposes shall include the payment of child care fees for  
10 students with financial need. The State Board of Community  
11 Colleges shall develop criteria for making financial aid  
12 awards. Each college shall report annually to the Department  
13 of Education on the revenue collected pursuant to this  
14 paragraph, the amount carried forward, the criteria used to  
15 make awards, the amount and number of awards for each  
16 criterion, and a delineation of the distribution of such  
17 awards. The report shall include an assessment by category of  
18 the financial need of every student who receives an award,  
19 regardless of the purpose for which the award is received.  
20 Awards which are based on financial need shall be distributed  
21 in accordance with a nationally recognized system of need  
22 analysis approved by the State Board of Community Colleges. An  
23 award for academic merit shall require a minimum overall grade  
24 point average of 3.0 on a 4.0 scale or the equivalent for both  
25 initial receipt of the award and renewal of the award.

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

28 Section 3. Effective July 1, 2003, subsection (11) of  
29 section 240.35, Florida Statutes, as amended by this act, is  
30 amended to read:

31 240.35 Student fees.--Unless otherwise provided, the

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1 provisions of this section apply only to fees charged for  
2 college credit instruction leading to an associate in arts  
3 degree, an associate in applied science degree, or an  
4 associate in science degree and noncollege credit  
5 college-preparatory courses defined in s. 239.105.

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

21 (b) All funds collected under this program shall be  
22 placed in the loan and endowment fund or scholarship fund of  
23 the college, by whatever name known. Such funds shall be  
24 disbursed to students as quickly as possible. An amount not  
25 greater than 40 percent of the fees collected in a fiscal year  
26 may be carried forward unexpended to the following fiscal  
27 year. However, funds collected prior to July 1, 1989, and  
28 placed in an endowment fund may not be considered part of the  
29 balance of funds carried forward unexpended to the following  
30 fiscal year.

31 (c) Up to 25 percent or \$300,000, whichever is

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1 greater, of the financial aid fees collected may be used to  
2 assist students who demonstrate academic merit; who  
3 participate in athletics, public service, cultural arts, and  
4 other extracurricular programs as determined by the  
5 institution; or who are identified as members of a targeted  
6 gender or ethnic minority population. The financial aid fee  
7 revenues allocated for athletic scholarships and fee  
8 exemptions provided pursuant to subsection (17) for athletes  
9 shall be distributed equitably as required by s.  
10 228.2001(3)(d). A minimum of 50 ~~75~~ percent of the balance of  
11 these funds ~~for new awards~~ shall be used to provide financial  
12 aid based on absolute need, and the remainder of the funds  
13 shall be used for academic merit purposes and other purposes  
14 approved by the district boards of trustees. Such other  
15 purposes shall include the payment of child care fees for  
16 students with financial need. The State Board of Community  
17 Colleges shall develop criteria for making financial aid  
18 awards. Each college shall report annually to the Department  
19 of Education on ~~the revenue collected pursuant to this~~  
20 ~~paragraph, the amount carried forward, the criteria used to~~  
21 ~~make awards, the amount and number of awards for each~~  
22 ~~criterion, and a delineation of the distribution of such~~  
23 ~~awards. The report shall include an assessment by category of~~  
24 ~~the financial need of every student who receives an award,~~  
25 ~~regardless of the purpose for which the award is received.~~  
26 Awards which are based on financial need shall be distributed  
27 in accordance with a nationally recognized system of need  
28 analysis approved by the State Board of Community Colleges. An  
29 award for academic merit shall require a minimum overall grade  
30 point average of 3.0 on a 4.0 scale or the equivalent for both  
31 initial receipt of the award and renewal of the award.

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

3 Section 4. In order to implement Specific  
4 Appropriation 166A of the 2002-2003 General Appropriations  
5 Act, subsection (6) of section 240.209, Florida Statutes, is  
6 amended to read:

7 240.209 Board of Regents; powers and duties.--

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

12 (b) For the 2002-2003 ~~2001-2002~~ fiscal year only and  
13 notwithstanding the provisions of paragraph (a), the Board of  
14 Regents is not authorized to permit State University System  
15 employees to enroll for tuition-free courses. This paragraph  
16 expires July 1, 2003 ~~2002~~.

17 Section 5. In order to implement Specific  
18 Appropriations 166A-181 of the 2002-2003 General  
19 Appropriations Act:

20 (1) Universities in the State University System shall  
21 utilize the state accounting system (FLAIR) for fiscal year  
22 2002-2003 but are not required to provide funds to the  
23 Department of Banking and Finance for its utilization.

24 (2) Notwithstanding the provisions of sections  
25 216.181, 216.292, and 240.2094, Florida Statutes, and pursuant  
26 to section 216.351, Florida Statutes, funds appropriated or  
27 reappropriated to the state universities in the 2002-2003  
28 General Appropriations Act, or any other act passed by the  
29 2002 Legislature containing appropriations, shall be  
30 distributed to each university according to the 2002-2003  
31 fiscal year operating budget approved by the university board

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1 of trustees. Each university board of trustees shall have  
2 authority to amend the operating budget as circumstances  
3 warrant. The operating budget may utilize traditional  
4 appropriation categories or it may consolidate the  
5 appropriations into a special category appropriation account.  
6 The Comptroller or Chief Financial Officer, upon the request  
7 of the university board of trustees, shall record by journal  
8 transfer the distribution of the appropriated funds and  
9 releases according to the approved operating budget to the  
10 appropriation accounts established for disbursement purposes  
11 for each university within the state accounting system  
12 (FLAIR).

13 (3) Notwithstanding the provisions of sections  
14 216.181, 216.292, 240.241, and 240.277, Florida Statutes, and  
15 pursuant to section 216.351, Florida Statutes, each university  
16 board of trustees shall include in an approved operating  
17 budget the revenue in trust funds supported by student and  
18 other fees as well as the trust funds within the Contract,  
19 Grants, and Donations, Auxiliary Enterprises, and Sponsored  
20 Research budget entities. The university board of trustees  
21 shall have the authority to amend the operating budget as  
22 circumstances warrant. The operating budget may utilize  
23 traditional appropriation categories or it may consolidate the  
24 trust fund spending authority into a special category  
25 appropriation account. The Comptroller or Chief Financial  
26 Officer, upon the request of the university board of trustees,  
27 shall record the distribution of the trust fund spending  
28 authority and releases according to the approved operating  
29 budget to the appropriation accounts established for  
30 disbursement purposes for each university within the state  
31 accounting system (FLAIR).

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1           (4) This section expires July 1, 2003.

2           Section 6. In order to implement Specific  
3 Appropriations 303-338 of the 2002-2003 General Appropriations  
4 Act, subsection (12) of section 216.292, Florida Statutes, is  
5 amended to read:

6           216.292 Appropriations nontransferable; exceptions.--

7           (12) For the 2002-2003 ~~2001-2002~~ fiscal year only and  
8 notwithstanding the other provisions of this section, the  
9 Department of Children and Family Services may transfer funds  
10 within the family safety program identified in the General  
11 Appropriations Act from identical funding sources between the  
12 following appropriation categories without limitation as long  
13 as such a transfer does not result in an increase to the total  
14 recurring general revenue or trust fund cost of the agency in  
15 the subsequent fiscal year: adoption services and subsidy;  
16 family foster care; and emergency shelter care. Such transfers  
17 must be consistent with legislative policy and intent and must  
18 not adversely affect achievement of approved performance  
19 outcomes or outputs in the family safety program. Notice of  
20 proposed transfers under this authority must be provided to  
21 the Executive Office of the Governor and the chairs of the  
22 legislative appropriations committees at least 5 working days  
23 before their implementation. This subsection expires July 1,  
24 2003 ~~2002~~.

25           Section 7. In order to implement Specific  
26 Appropriations 691-806 and 843-857 of the 2002-2003 General  
27 Appropriations Act, subsection (4) of section 216.262, Florida  
28 Statutes, is amended to read:

29           216.262 Authorized positions.--

30           (4) Notwithstanding the provisions of this chapter on  
31 increasing the number of authorized positions, and for the



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1 2002-2003 ~~2001-2002~~ fiscal year only,†

2       (a) if the actual inmate population of the Department  
3 of Corrections exceeds by 2 percent for 2 consecutive months  
4 or more the inmate population projected by the most recent  
5 Criminal Justice Estimating Conference ~~on February 16, 2001,~~  
6 the Executive Office of the Governor may request positions in  
7 excess of the number authorized by the Legislature and  
8 sufficient funding from the Working Capital Fund to operate  
9 the additional prison bed capacity necessary to accommodate  
10 the actual inmate population. This subsection expires July 1,  
11 2003.

12       (b) ~~If, by October 1, 2001, a contract with a private~~  
13 ~~vendor or vendors for the delivery of health care services at~~  
14 ~~institutions located in Department of Corrections Region IV~~  
15 ~~has not been executed, up to 97 positions in excess of the~~  
16 ~~number authorized and appropriate salary rate may be approved,~~  
17 ~~provided that sufficient funds are available to pay salaries~~  
18 ~~and benefits. If a contract for the provision of health care~~  
19 ~~services in the Department of Corrections Region IV is~~  
20 ~~subsequently executed, the Executive Office of the Governor~~  
21 ~~shall place these positions and associated salary rate into~~  
22 ~~reserve.~~

23       (c) ~~In order to implement a Close Management~~  
24 ~~Consolidation Plan in the Department of Corrections, positions~~  
25 ~~in excess of the number authorized and appropriate salary rate~~  
26 ~~may be approved provided that the Secretary of Corrections~~  
27 ~~certifies that there are no vacant positions that may be used~~  
28 ~~for this purpose.~~

29  
30 ~~Such requests are subject to the budget amendment and~~  
31 ~~consultation provisions of this chapter. This subsection~~

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1 ~~expires July 1, 2002.~~

2           Section 8. In order to implement proviso language  
 3 following Specific Appropriation 1178 of the 2002-2003 General  
 4 Appropriations Act, the Correctional Privatization Commission  
 5 may expend appropriated funds to assist in defraying the costs  
 6 of impacts which are incurred by a municipality or county and  
 7 associated with opening or operating a facility under the  
 8 authority of the Correctional Privatization Commission or a  
 9 facility under the authority of the Department of Juvenile  
 10 Justice which is located within that municipality or county.  
 11 The amount that is to be paid under this section for any  
 12 facility may not exceed 1 percent of the facility construction  
 13 cost, less building impact fees imposed by the municipality or  
 14 by the county if the facility is located in the unincorporated  
 15 portion of the county. This section expires July 1, 2003.

16           Section 9. In order to implement Specific  
 17 Appropriations 889-1070, 3165, and 3201-3222 of the 2002-2003  
 18 General Appropriations Act, section 25.402, Florida Statutes,  
 19 is amended to read:

20           25.402 County Article V Trust Fund.--

21           (1)(a) The trust fund moneys in the County Article V  
 22 Trust Fund, administered by the Supreme Court, may be used to  
 23 compensate counties for the costs they incur under Article V  
 24 of the State Constitution in operating the state courts  
 25 system, including the costs they incur in providing and  
 26 maintaining court facilities.

27           (b) The Supreme Court shall adopt an allocation and  
 28 disbursement plan for the operation of the trust fund and the  
 29 expenditure of moneys deposited in the trust fund. The Supreme  
 30 Court shall include the plan in its legislative budget  
 31 request. A committee of 15 people shall develop and recommend

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1 the allocation and disbursement plan to the Supreme Court. The  
2 committee shall be composed of:

3 1. Six persons appointed by the Florida Association of  
4 Counties, as follows:

5 a. Two persons residing in counties with populations  
6 fewer than 90,000.

7 b. Two persons residing in counties with populations  
8 greater than 89,999, but fewer than 700,000.

9 c. Two persons residing in counties with populations  
10 greater than 699,999.

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

13 a. Two persons residing in counties with populations  
14 fewer than 90,000.

15 b. Two persons residing in counties with populations  
16 greater than 89,999, but fewer than 700,000.

17 c. Two persons residing in counties with populations  
18 greater than 699,999.

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

21 a. One person residing in a county with a population  
22 fewer than 90,000.

23 b. One person residing in a county with a population  
24 greater than 89,999, but fewer than 700,000.

25 c. One person residing in a county with a population  
26 greater than 699,999.

27  
28 The allocation and disbursement plan shall include provisions  
29 to compensate counties with fewer than 90,000 residents for  
30 court facility needs.

31 (c) Amendments to the approved operating budget for

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1 expenditures from the County Article V Trust Fund must be  
2 approved in accordance with the provisions of s. 216.181. The  
3 total amount disbursed from the County Article V Trust Fund  
4 may not exceed the amount authorized by the General  
5 Appropriations Act.

6 (d) Effective July 1, 2001, moneys generated from  
7 civil penalties distributed under s. 318.21(2) and ~~s.~~  
8 ~~318.21(2)(h)~~ shall be deposited in the trust fund may be used  
9 for the following purposes:

10 1. Funds paid to counties with populations fewer than  
11 90,000 shall be grants-in-aid to be used, in priority order,  
12 for: operating expenditures of the offices of the state  
13 attorneys and public defenders as appropriated by the  
14 Legislature in accordance with Specific Appropriation 2978B;  
15 consulting or architectural studies related to the improvement  
16 of courthouse facilities; improving court facilities to ensure  
17 compliance with the Americans with Disabilities Act and other  
18 federal or state requirements; other renovations in court  
19 facilities; improvements in court security; and expert witness  
20 fees in criminal cases, court reporting and transcribing costs  
21 in criminal cases, and costs associated with the appointment  
22 of special public defenders.

23 2. Funds paid to counties with populations exceeding  
24 89,999 shall be grants-in-aid to be used, in priority order,  
25 for operating expenditures of the offices of the state  
26 attorneys and public defenders as appropriated by the  
27 Legislature in accordance with Specific Appropriation 2978B,  
28 costs paid by the county for expert witness fees in criminal  
29 cases, court reporting and transcribing costs in criminal  
30 cases, and costs associated with the appointment of special  
31 public defenders.

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1           3. Funds may be appropriated for the operation of the  
 2 trial courts.

3           (2) This section expires June 30, 2003 ~~2002~~.

4           Section 10. In order to implement Specific  
 5 Appropriation 1480A of the 2002-2003 General Appropriations  
 6 Act, subsection (6) of section 581.1845, Florida Statutes, as  
 7 created by section 11 of chapter 2001-380, Laws of Florida, is  
 8 amended to read:

9           581.1845 Citrus canker eradication; compensation to  
 10 homeowners whose trees have been removed.--

11           (6)(a) For the 2001-2002 fiscal year only and  
 12 notwithstanding the \$100-compensation amount specified in  
 13 subsection (3); in subsection (3) of section 45 of chapter  
 14 2001-254, Laws of Florida; and in proviso following Specific  
 15 Appropriation 1488A of chapter 2001-253, Laws of Florida, the  
 16 amount of compensation for each tree removed from residential  
 17 property by the citrus canker eradication program shall be  
 18 \$55. This ~~paragraph subsection~~ expires July 1, 2002.

19           (b) For the 2002-2003 fiscal year only and  
 20 notwithstanding the \$100-compensation amount specified in  
 21 subsection (3), the amount of compensation for each tree  
 22 removed from residential property by the citrus canker  
 23 eradication program shall be \$55. This paragraph expires July  
 24 1, 2003.

25           Section 11. In order to implement Specific  
 26 Appropriations 1505-1569A of the 2002-2003 General  
 27 Appropriations Act, subsection (1) of section 252.373, Florida  
 28 Statutes, is amended to read:

29           252.373 Allocation of funds; rules.--

30           (1)(a) Funds appropriated from the Emergency  
 31 Management, Preparedness, and Assistance Trust Fund shall be

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1 allocated by the Department of Community Affairs as follows:

2           1. Sixty percent to implement and administer state and  
3 local emergency management programs, including training, of  
4 which 20 percent shall be used by the division and 80 percent  
5 shall be allocated to local emergency management agencies and  
6 programs. Of this 80 percent, at least 80 percent shall be  
7 allocated to counties.

8           2. Twenty percent to provide for state relief  
9 assistance for nonfederally declared disasters, including but  
10 not limited to grants and below-interest-rate loans to  
11 businesses for uninsured losses resulting from a disaster.

12           3. Twenty percent for grants and loans to state or  
13 regional agencies, local governments, and private  
14 organizations to implement projects that will further state  
15 and local emergency management objectives. These projects  
16 must include, but need not be limited to, projects that will  
17 promote public education on disaster preparedness and recovery  
18 issues, enhance coordination of relief efforts of statewide  
19 private sector organizations, and improve the training and  
20 operations capabilities of agencies assigned lead or support  
21 responsibilities in the state comprehensive emergency  
22 management plan, including the State Fire Marshal's Office for  
23 coordinating the Florida fire services. The division shall  
24 establish criteria and procedures for competitive allocation  
25 of these funds by rule. No more than 5 percent of any award  
26 made pursuant to this subparagraph may be used for  
27 administrative expenses. This competitive criteria must give  
28 priority consideration to hurricane evacuation shelter  
29 retrofit projects.

30           (b) Notwithstanding the provisions of paragraph (a),  
31 and for the 2002-2003 ~~2001-2002~~ fiscal year only, the use of

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1 ~~to \$2.2 million of the unencumbered balance~~ of the Emergency  
2 Management, Preparedness, and Assistance Trust Fund shall be  
3 as provided in the General Appropriations Act ~~utilized to~~  
4 ~~improve, and increase the number of, disaster shelters within~~  
5 ~~the state and improve local disaster preparedness.~~ This  
6 paragraph expires on July 1, 2003 ~~2002~~.

7 Section 12. In order to implement Specific  
8 Appropriation 1498 of the 2002-2003 General Appropriations  
9 Act, subsection (8) of section 163.3184, Florida Statutes, is  
10 amended to read:

11 163.3184 Process for adoption of comprehensive plan or  
12 plan amendment.--

13 (8) NOTICE OF INTENT.--

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

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

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

30 (b)1. During the time period provided for in this  
31 subsection, the state land planning agency shall issue,

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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 and to persons who request notice.  
7 The required advertisement shall be no less than 2 columns  
8 wide by 10 inches long, and the headline in the advertisement  
9 shall be in a type no smaller than 12 point. The advertisement  
10 shall not be placed in that portion of the newspaper where  
11 legal notices and classified advertisements appear. The  
12 advertisement shall be published in a newspaper which meets  
13 the size and circulation requirements set forth in paragraph  
14 (15)(c) and which has been designated in writing by the  
15 affected local government at the time of transmittal of the  
16 amendment. Publication by the state land planning agency of a  
17 notice of intent in the newspaper designated by the local  
18 government shall be prima facie evidence of compliance with  
19 the publication requirements of this section.

20           2. For fiscal year 2002-2003 ~~2001-2002~~ only, the  
21 provisions of this subparagraph shall supersede the provisions  
22 of subparagraph 1. During the time period provided for in this  
23 subsection, the state land planning agency shall issue,  
24 through a senior administrator or the secretary, as specified  
25 in the agency's procedural rules, a notice of intent to find  
26 that the plan or plan amendment is in compliance or not in  
27 compliance. A notice of intent shall be issued by publication  
28 in the manner provided by this paragraph and by mailing a copy  
29 to the local government. The advertisement shall be placed in  
30 that portion of the newspaper where legal notices appear. The  
31 advertisement shall be published in a newspaper that meets the



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1 size and circulation requirements set forth in paragraph  
2 (15)(c) and that has been designated in writing by the  
3 affected local government at the time of transmittal of the  
4 amendment. Publication by the state land planning agency of a  
5 notice of intent in the newspaper designated by the local  
6 government shall be prima facie evidence of compliance with  
7 the publication requirements of this section. The state land  
8 planning agency shall post a copy of the notice of intent on  
9 the agency's Internet site. The agency shall, no later than  
10 the date the notice of intent is transmitted to the newspaper,  
11 send by regular mail a courtesy informational statement to  
12 persons who provide their names and addresses to the local  
13 government at the transmittal hearing or at the adoption  
14 hearing where the local government has provided the names and  
15 addresses of such persons to the department at the time of  
16 transmittal of the adopted amendment. The informational  
17 statements shall include the name of the newspaper in which  
18 the notice of intent will appear, the approximate date of  
19 publication, the ordinance number of the plan or plan  
20 amendment, and a statement that affected persons have 21 days  
21 after the actual date of publication of the notice to file a  
22 petition. This subparagraph expires July 1, 2003 ~~2002~~.

23 Section 13. In order to implement Specific  
24 Appropriation 1760A of the 2002-2003 General Appropriations  
25 Act, subsection (6) is added to section 375.041, Florida  
26 Statutes, to read:

27 375.041 Land Acquisition Trust Fund.--

28 (6) For the 2002-2003 fiscal year only, the use of  
29 funds allocated to the Land Acquisition Trust Fund shall be as  
30 provided in the General Appropriations Act. This subsection  
31 expires July 1, 2003.

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1           Section 14. In order to implement Specific  
2 Appropriations 1760A and 1768A of the 2002-2003 General  
3 Appropriations Act, subsection (7) is added to section  
4 403.709, Florida Statutes, to read:  
5           403.709 Solid Waste Management Trust Fund; use of  
6 waste tire fee moneys; waste tire site management.--  
7           (7) For the 2002-2003 fiscal year only, the use of  
8 funds allocated to the Solid Waste Management Trust Fund shall  
9 be as provided in the General Appropriations Act. This  
10 subsection expires July 1, 2003.  
11           Section 15. In order to implement Specific  
12 Appropriation 1819 of the 2002-2003 General Appropriations  
13 Act, subsection (8) of section 403.7095, Florida Statutes, is  
14 amended to read:  
15           403.7095 Solid waste management grant program.--  
16           (8) Notwithstanding the provisions of this section,  
17 for fiscal year 2002-2003 ~~2001-2002~~ only, the department shall  
18 provide solid waste management and recycling grants only to  
19 counties with populations under 100,000. Such grants must be  
20 at least 80 percent of the level of funding they received in  
21 fiscal year 2000-2001. This subsection expires July 1, 2003  
22 ~~2002~~.  
23           Section 16. In order to implement Specific  
24 Appropriation 2095 of the 2002-2003 General Appropriations  
25 Act:  
26           (1) Notwithstanding section 332.007, Florida Statutes,  
27 any airport with direct intercontinental passenger service,  
28 located in a county with a population of under 400,000 as of  
29 the effective date of this act, which has a loan from the  
30 Department of Transportation due in August of 2002, will have  
31 such loan extended until September 18, 2008.

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1           (2) Notwithstanding section 332.007, Florida Statutes,  
2 any airport with direct intercontinental passenger service,  
3 located in a county with a population of under 400,000 as of  
4 the effective date of this act, which has loans from the  
5 Department of Transportation due in March 2008, July 2009, and  
6 September 2009, will have such loans consolidated and repaid  
7 in full by September 18, 2009.

8           Section 17. In order to implement proviso language in  
9 Specific Appropriation 2235 of the 2002-2003 General  
10 Appropriations Act, section 402.3017, Florida Statutes, is  
11 amended to read:

12           402.3017 Teacher Education and Compensation Helps  
13 (TEACH) scholarship program.--

14           (1) The Legislature finds that the level of early  
15 child care teacher education and training is a key predictor  
16 for determining program quality. The Legislature also finds  
17 that low wages for child care workers prevent many from  
18 obtaining increased training and education and contribute to  
19 high turnover rates. The Legislature therefore intends to  
20 help fund a program which links teacher training and education  
21 to compensation and commitment to the field of early childhood  
22 education.

23           (2) The Department of Children and Family Services is  
24 authorized to contract for the administration of the Teacher  
25 Education and Compensation Helps (TEACH) scholarship program,  
26 which provides educational scholarships to caregivers and  
27 administrators of early childhood programs, family day care  
28 homes, and large family child care homes.

29           (3) The department shall adopt rules as necessary to  
30 implement this section.

31           (4) For the 2002-2003 fiscal year only, the Agency for

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1 Workforce Innovation shall administer this section. This  
 2 subsection expires July 1, 2003.

3 Section 18. In order to implement proviso language  
 4 following Specific Appropriation 2452 of the 2002-2003 General  
 5 Appropriations Act, subsection (5) of section 601.155, Florida  
 6 Statutes, is amended to read:

7 601.155 Equalizing excise tax; credit; exemption.--

8 (5) Products made in whole or in part from citrus  
 9 fruit on which an equivalent tax is levied pursuant to s.  
 10 601.15 is exempt from the tax imposed by this section.~~All~~  
 11 ~~products subject to the taxable privileges under this section,~~  
 12 ~~which products are produced in whole or in part from citrus~~  
 13 ~~fruit grown within the United States, are exempt from the tax~~  
 14 ~~imposed by this section to the extent that the products are~~  
 15 ~~derived from oranges or grapefruit grown within the United~~  
 16 ~~States.~~In the case of products made in part from citrus fruit  
 17 exempt from the tax imposed by this section ~~grown within the~~  
 18 ~~United States~~, it shall be the burden of the persons liable  
 19 for the excise tax to show the Department of Citrus, through  
 20 competent evidence, proof of that part which is not subject to  
 21 a taxable privilege.

22 Section 19. Effective July 1, 2003, subsection (5) of  
 23 section 601.155, Florida Statutes, as amended by this act, is  
 24 amended to read:

25 601.155 Equalizing excise tax; credit; exemption.--

26 (5) All products subject to the taxable privileges  
 27 under this section, which products are produced in whole or in  
 28 part from citrus fruit grown within the United States, are  
 29 exempt from the tax imposed by this section to the extent that  
 30 the products are derived from oranges or grapefruit grown  
 31 within the United States.~~Products made in whole or in part~~

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1 ~~from citrus fruit on which an equivalent tax is levied~~  
2 ~~pursuant to s. 601.15 is exempt from the tax imposed by this~~  
3 ~~section.~~In the case of products made in part from citrus  
4 fruit grown within the United States ~~exempt from the tax~~  
5 ~~imposed by this section~~, it shall be the burden of the persons  
6 liable for the excise tax to show the Department of Citrus,  
7 through competent evidence, proof of that part which is not  
8 subject to a taxable privilege.

9           Section 20. In order to implement Specific  
10 Appropriations 2776-2780 of the 2002-2003 General  
11 Appropriations Act, subsection (4) of section 287.161, Florida  
12 Statutes, is amended to read:

13           287.161 Executive aircraft pool; assignment of  
14 aircraft; charge for transportation.--

15           (4) Notwithstanding the requirements of subsections  
16 (2) and (3) and for the 2002-2003 ~~2001-2002~~ fiscal year only,  
17 the Department of Management Services shall charge all persons  
18 receiving transportation from the executive aircraft pool a  
19 rate not less than the mileage allowance fixed by the  
20 Legislature for the use of privately owned vehicles. Fees  
21 collected for persons traveling by aircraft in the executive  
22 aircraft pool shall be deposited into the Bureau of Aircraft  
23 Trust Fund and shall be expended for costs incurred to operate  
24 the aircraft management activities of the department. It is  
25 the intent of the Legislature that the executive aircraft pool  
26 be operated on a full cost recovery basis, less available  
27 funds. This subsection expires July 1, 2003 ~~2002~~.

28           Section 21. In order to implement section 8 of the  
29 2002-2003 General Appropriations Act, section 110.1239,  
30 Florida Statutes, is amended to read:

31           110.1239 State group health insurance program

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1 funding.--For the 2002-2003 ~~2001-2002~~ fiscal year only, it is  
2 the intent of the Legislature that the state group health  
3 insurance program be managed, administered, operated, and  
4 funded in such a manner as to maximize the protection of state  
5 employee health insurance benefits. Inherent in this intent is  
6 the recognition that the health insurance liabilities  
7 attributable to the benefits offered state employees should be  
8 fairly, orderly, and equitably funded. Accordingly:

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

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

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

25 (4) This section expires July 1, 2003 ~~2002~~.

26 Section 22. In order to implement section 8 of the  
27 2002-2003 General Appropriations Act, subsection (7) of  
28 section 110.12315, Florida Statutes, is amended to read:

29 110.12315 Prescription drug program.--The state  
30 employees' prescription drug program is established. This  
31 program shall be administered by the Department of Management

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1 Services, according to the terms and conditions of the plan as  
2 established by the relevant provisions of the annual General  
3 Appropriations Act and implementing legislation, subject to  
4 the following conditions:

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

8 (a) Effective January 1, 2001:

- 9 1. For generic drug with card.....\$7.
- 10 2. For preferred brand name drug with card.....\$20.
- 11 3. For nonpreferred brand name drug with card.....\$35.
- 12 4. For generic mail order drug.....\$10.50.
- 13 5. For preferred brand name mail order drug.....\$30.
- 14 6. For nonpreferred brand name drug.....\$52.50.

15 (b) The Department of Management Services shall create  
16 a preferred brand name drug list to be used in the  
17 administration of the state employees' prescription drug  
18 program.

19  
20 This subsection expires July 1, 2003 ~~2002~~.

21 Section 23. In order to implement specific  
22 appropriations 2195-2202 of the 2002-2003 General  
23 Appropriations Act, subsection (7) of section 443.036, Florida  
24 Statutes, is amended to read:

25 443.036 Definitions.--As used in this chapter, unless  
26 the context clearly requires otherwise:

27 (7) BASE PERIOD.--

28 (a) "Base period" means the first four of the last  
29 five completed calendar quarters immediately preceding the  
30 first day of an individual's benefit year.

31 (b) For the 2002-2003 fiscal year only, with respect

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1 to a benefit year commencing on or after October 1, 2002, if  
2 an individual is not monetarily eligible in his or her base  
3 period to qualify for benefits, the Agency for Workforce  
4 Innovation must designate his or her base period to be the  
5 alternative base period. As used in this paragraph, the term  
6 "alternative base period" means the last four completed  
7 calendar quarters immediately preceding the first day of an  
8 individual's benefit year. Wages used in a base period to  
9 establish a monetarily eligible benefit year may not be  
10 applied to establish monetary eligibility in any succeeding  
11 benefit year. If information regarding wages for the calendar  
12 quarter or quarters immediately preceding the benefit year has  
13 not been input into the agency's mainframe database from the  
14 regular quarterly reports of wage information or is otherwise  
15 unavailable, the Agency for Workforce Innovation shall request  
16 such information from the employer. An employer must provide  
17 the requested wage information within 10 days after receiving  
18 a request from the Agency for Workforce Innovation. An  
19 employer who fails to provide the requested wage information  
20 within the required time is subject to the penalty for  
21 delinquent reports in s. 443.141(1)(b). This paragraph expires  
22 July 1, 2003.

23 (c) For the 2002-2003 fiscal year only, for monetary  
24 determinations based upon the alternative base period under  
25 paragraph (b), if the Agency for Workforce Innovation is  
26 unable to access the wage information through its mainframe  
27 database, the agency may base the determination of eligibility  
28 for benefits on an affidavit submitted by the individual with  
29 respect to wages for those calendar quarters. The individual  
30 must furnish payroll information, if available, in support of  
31 the affidavit. A determination of benefits based upon an



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1 alternative base period shall be adjusted when the quarterly  
2 report of wage information from the employer is received, if  
3 that information causes a change in the determination. This  
4 paragraph expires July 1, 2003.

5 Section 24. A section of this act that implements a  
6 specific appropriation or specifically identified proviso  
7 language in the 2002-2003 General Appropriations Act is void  
8 if the specific appropriation or specifically identified  
9 proviso language is vetoed. A section of this act that  
10 implements more than one specific appropriation or more than  
11 one portion of specifically identified proviso language in the  
12 2002-2003 General Appropriations Act is void if all the  
13 specific appropriations or portions of specifically identified  
14 proviso language are vetoed.

15 Section 25. The agency performance measures and  
16 standards in the document entitled "Agency Performance  
17 Measures and Standards for Fiscal Year 2002-2003" dated  
18 February 22, 2002, and filed with the Secretary of the Senate  
19 are incorporated by reference. Such performance measures and  
20 standards are directly linked to the appropriations made in  
21 the General Appropriations Act for fiscal year 2002-2003, as  
22 required by the Government Performance and Accountability Act  
23 of 1994. State agencies are directed to revise their  
24 Long-Range Program Plans required under section 216.013,  
25 Florida Statutes, to be consistent with these performance  
26 measures and standards.

27 Section 26. It is the policy of the state that funds  
28 provided in the 2002-2003 General Appropriations Act may not  
29 be expended for contracts in excess of \$5,000 for the radio or  
30 broadcast television noncommercial sustained announcements or  
31 for public-service announcements unless specifically approved

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1 by the Legislative Budget Commission.

2 Section 27. Except as otherwise specifically provided  
3 in this act, this act shall take effect July 1, 2002; or, in  
4 the event this act fails to become a law until after that  
5 date, it shall take effect upon becoming a law and shall  
6 operate retroactively to July 1, 2002.

7  
8

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

10 And the title is amended as follows:

11 Delete everything before the enacting clause

12

13 and insert:

14

A bill to be entitled

15

An act implementing the 2002-2003 General

16

Appropriations Act; providing legislative

17

intent; amending s. 240.35, F.S.; increasing

18

the percentage of funds from the financial aid

19

fee to be used for need-based financial aid;

20

revising provisions relating to an annual

21

report; amending s. 240.209, F.S.; prohibiting

22

State University System employees from

23

enrolling in tuition-free courses; providing

24

accounting requirements for the state

25

universities for the 2002-2003 fiscal year;

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. 216.262, F.S.; providing for

30

additional positions to operate additional

31

prison bed capacity under certain



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1 all persons receiving transportation from the  
2 executive aircraft pool a specified rate;  
3 amending s. 110.1239, F.S.; providing  
4 requirements for the funding of the state group  
5 health insurance program; amending s.  
6 110.12315, F.S.; providing copayment  
7 requirements for the state employees'  
8 prescription drug program; amending s. 443.036,  
9 F.S.; providing a definition and an application  
10 of an alternative base period for unemployment  
11 compensation; providing requirements and  
12 limitations; requiring employers to respond to  
13 requests for information by the Agency for  
14 Workforce Innovation; providing a penalty for  
15 failure to respond; providing for adjustments  
16 in determinations of monetary eligibility;  
17 providing effect of veto of specific  
18 appropriation or proviso to which implementing  
19 language refers; incorporating by reference  
20 specified performance measures and standards  
21 directly linked to the appropriations made in  
22 the 2002-2003 General Appropriations Act, as  
23 required by the Government Performance and  
24 Accountability Act of 1994; limiting  
25 expenditures for noncommercial sustained  
26 announcements and public-service announcements;  
27 providing effective dates.  
28  
29  
30  
31