

By the Fiscal Responsibility Council and Representatives
Lacasa, Ball, Murman, Dockery, Wallace, Johnson, Fasano,
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1 A bill to be entitled
2 An act implementing the 2002-2003 General
3 Appropriations Act; providing legislative
4 intent; amending s. 236.081, F.S., relating to
5 the Florida Education Finance Program; revising
6 calculation of additional full-time equivalent
7 membership based on the Advanced International
8 Certificate of Education Program; revising the
9 basis of the quality assurance guarantee;
10 providing for future reversion to current text;
11 amending s. 240.116, F.S.; eliminating
12 restriction of the Advanced International
13 Certificate of Education Program to a pilot
14 program; providing for future reversion to
15 current text; amending s. 229.085, F.S.;
16 exempting personnel employed to plan and
17 administer grants or contracts for specific
18 educational projects from requirements for
19 positions in excess of those authorized;
20 providing accounting requirements for the state
21 universities for the 2002-2003 fiscal year;
22 amending s. 216.181, F.S.; authorizing the
23 Department of Children and Family Services and
24 the Department of Health to advance certain
25 moneys for certain contract services; amending
26 ss. 430.204 and 430.205, F.S.; requiring the
27 Department of Elderly Affairs to fund certain
28 community care services and core services for
29 the elderly; amending s. 216.292, F.S.;
30 authorizing the Department of Children and
31 Family Services to transfer funds within the

1 family safety program; authorizing the
2 Department of Law Enforcement to use certain
3 moneys to provide bonuses to employees for
4 meritorious performance, subject to review;
5 amending s. 216.181, F.S.; authorizing the
6 Department of Law Enforcement to transfer
7 positions and associated budget and a certain
8 percentage of salary rate between budget
9 entities and providing requirements with
10 respect thereto; authorizing the Correctional
11 Privatization Commission to make certain
12 expenditures to defray costs incurred by a
13 municipality or county as a result of opening
14 or operating a facility under authority of the
15 commission or the Department of Juvenile
16 Justice; amending s. 16.555, F.S.; authorizing
17 use of the Crime Stoppers Trust Fund to pay for
18 salaries and benefits and other expenses of the
19 Department of Legal Affairs; amending s.
20 860.158, F.S.; providing directives for the use
21 of moneys in the Florida Motor Vehicle Theft
22 Prevention Trust Fund; amending s. 375.041,
23 F.S.; providing for use of moneys allocated to
24 the Land Acquisition Trust Fund as provided in
25 the General Appropriations Act; amending s.
26 403.709, F.S.; providing for use of moneys
27 allocated to the Solid Waste Management Trust
28 Fund as provided in the General Appropriations
29 Act; amending s. 373.59, F.S.; requiring
30 release of certain moneys by the Secretary of
31 Environmental Protection to water management

1 districts, upon request; amending s. 581.1845,
2 F.S.; prescribing the amount of compensation
3 for trees taken in canker eradication programs;
4 amending s. 373.470, F.S.; removing a
5 requirement to deposit certain funds into the
6 Save Our Everglades Trust Fund; amending s.
7 216.181, F.S.; allowing transfers of positions
8 and funds among departments necessary for
9 implementation of the office of Chief Financial
10 Officer; requiring approval by the Legislative
11 Budget Commission; amending s. 259.032, F.S.;
12 allowing Conservation and Recreation Lands
13 Trust Fund distributions to certain counties to
14 be used for rural economic development and
15 infrastructure purposes; amending s. 110.12315,
16 F.S.; providing copayment requirements for the
17 state employees' prescription drug program;
18 providing for a preferred brand name drug list
19 to be used in the administration of such
20 program; amending s. 110.1239, F.S.; providing
21 requirements for the funding of the state group
22 health insurance program; amending s. 112.061,
23 F.S.; providing for computation of travel time
24 and reimbursement for public officers' and
25 employees' travel; amending s. 163.3184, F.S.;
26 prescribing standards for the state land
27 planning agency to use when issuing notice of
28 intent; amending s. 252.373, F.S.; authorizing
29 the use of certain funds to improve local
30 disaster preparedness; amending s. 288.063,
31 F.S.; providing that certain transportation

1 projects may be designated and funded by the
2 Legislature as necessary for economic
3 development; providing for future repeal or
4 expiration of various provisions; providing
5 effect of veto of specific appropriation or
6 proviso to which implementing language refers;
7 providing applicability to other legislation;
8 incorporating by reference specified
9 performance measures and standards directly
10 linked to the appropriations made in the
11 2001-2002 General Appropriations Act, as
12 required by the Government Performance and
13 Accountability Act of 1994; providing
14 severability; providing an effective date.

15
16 Be It Enacted by the Legislature of the State of Florida:

17
18 Section 1. It is the intent of the Legislature that
19 the implementing and administering provisions of this act
20 apply to the General Appropriations Act for fiscal year
21 2002-2003.

22 Section 2. In order to implement Specific
23 Appropriation 105 of the 2002-2003 General Appropriations Act,
24 paragraph (k) of subsection (1) and subsection (8) of section
25 236.081, Florida Statutes, as amended by section 1 of chapter
26 2001-47 and section 4 of chapter 2001-254, Laws of Florida,
27 are amended to read:

28 236.081 Funds for operation of schools.--If the annual
29 allocation from the Florida Education Finance Program to each
30 district for operation of schools is not determined in the
31 annual appropriations act or the substantive bill implementing

1 the annual appropriations act, it shall be determined as
2 follows:

3 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
4 OPERATION.--The following procedure shall be followed in
5 determining the annual allocation to each district for
6 operation:

7 (k) Calculation of additional full-time equivalent
8 membership based on international baccalaureate examination
9 scores of students.--A value of 0.24 full-time equivalent
10 student membership shall be calculated for each student
11 enrolled in an international baccalaureate course who receives
12 a score of 4 or higher on a subject examination. A value of
13 0.3 full-time equivalent student membership shall be
14 calculated for each student who receives an international
15 baccalaureate diploma. Such value shall be added to the total
16 full-time equivalent student membership in basic programs for
17 grades 9 through 12 in the subsequent fiscal year. ~~During the~~
18 ~~1997-1998, 1998-1999, and 1999-2000 school years of the pilot~~
19 ~~program authorized in s. 240.116, Students enrolled in the~~
20 ~~Advanced International Certificate of Education Program shall~~
21 ~~generate full-time equivalent student membership in a manner~~
22 ~~that is equitable to the manner in which students enrolled in~~
23 ~~the International Baccalaureate Program generate full-time~~
24 ~~equivalent student membership. During 1997-1998, a maximum of~~
25 ~~40 students in each participating school district is~~
26 ~~authorized to generate full-time equivalent student membership~~
27 ~~in the pilot program, and in 1998-1999 and 1999-2000 a maximum~~
28 ~~of 80 students per year in each participating school district~~
29 ~~is authorized to generate full-time equivalent student~~
30 ~~membership in the pilot program.~~The school district shall
31

1 distribute to each classroom teacher who provided
2 international baccalaureate instruction:

3 1. A bonus in the amount of \$50 for each student
4 taught by the International Baccalaureate teacher in each
5 international baccalaureate course who receives a score of 4
6 or higher on the international baccalaureate examination.

7 2. An additional bonus of \$500 to each International
8 Baccalaureate teacher in a school designated performance grade
9 category "D" or "F" who has at least one student scoring 4 or
10 higher on the international baccalaureate examination,
11 regardless of the number of classes taught or of the number of
12 students scoring a 4 or higher on the international
13 baccalaureate examination.

14
15 Bonuses awarded to a teacher according to this paragraph shall
16 not exceed \$2,000 in any given school year and shall be in
17 addition to any regular wage or other bonus the teacher
18 received or is scheduled to receive.

19 (8) QUALITY ASSURANCE GUARANTEE.--The Legislature may
20 annually in the General Appropriations Act determine a
21 percentage increase in funds per K-12 unweighted ~~weighted~~ FTE
22 as a minimum guarantee to each school district. The guarantee
23 shall be calculated from prior year base funding per
24 unweighted ~~weighted~~ FTE student which shall include the
25 adjusted FTE dollars as provided in subsection (9), quality
26 guarantee funds, and actual nonvoted discretionary local
27 effort from taxes. From the base funding per unweighted
28 ~~weighted~~ FTE, the increase shall be calculated for the current
29 year. The current year funds from which the guarantee shall be
30 determined shall include the adjusted FTE dollars as provided
31 in subsection (9) and potential nonvoted discretionary local

1 effort from taxes. A comparison of current year funds per
2 unweighted ~~weighted~~ FTE to prior year funds per unweighted
3 ~~weighted~~ FTE shall be computed. For those school districts
4 which have less than the legislatively assigned percentage
5 increase, funds shall be provided to guarantee the assigned
6 percentage increase in funds per unweighted ~~weighted~~ FTE
7 student. Should appropriated funds be less than the sum of
8 this calculated amount for all districts, the commissioner
9 shall prorate each district's allocation. This provision shall
10 be implemented to the extent specifically funded.

11 Section 3. The amendment of paragraph (k) of
12 subsection (1) and subsection (8) of section 236.081, Florida
13 Statutes, by this act shall expire on July 1, 2003, and the
14 text of those provisions shall revert to that in existence on
15 June 30, 2002, except that any amendments to such text enacted
16 other than by this act shall be preserved and continue to
17 operate to the extent that such amendments are not dependent
18 upon the portions of such text which expire pursuant to the
19 provisions of this act.

20 Section 4. In order to implement Specific
21 Appropriation 105 of the 2002-2003 General Appropriations Act,
22 subsection (6) of section 240.116, Florida Statutes, as
23 amended by section 6 of chapter 2001-254, Laws of Florida, is
24 amended to read:

25 240.116 Articulated acceleration.--

26 (6) The International Baccalaureate Program shall be
27 the curriculum in which eligible secondary students are
28 enrolled in a program of studies offered through the
29 International Baccalaureate Program administered by the
30 International Baccalaureate Office. The State Board of
31 Education shall establish rules which specify the cutoff

1 scores and International Baccalaureate Examinations which will
2 be used to grant postsecondary credit at community colleges
3 and universities. Any such rules, which have the effect of
4 raising the required cutoff score or of changing the
5 International Baccalaureate Examinations which will be used to
6 grant postsecondary credit, shall only apply to students
7 taking International Baccalaureate Examinations after such
8 rules are adopted by the State Board of Education. Students
9 shall be awarded a maximum of 30 semester credit hours
10 pursuant to this subsection. The specific course for which a
11 student receives such credit shall be determined by the
12 community college or university that accepts the student for
13 admission. Students enrolled pursuant to this subsection
14 shall be exempt from the payment of any fees for
15 administration of the examinations. ~~During the 1997-1998,~~
16 ~~1998-1999, and 1999-2000 school years, the Department of~~
17 ~~Education shall assist up to three school districts in~~
18 ~~conducting a pilot of the Advanced International Certificate~~
19 ~~of Education Program administered by the University of~~
20 ~~Cambridge Local Examinations Syndicate. The department shall~~
21 ~~produce an evaluation report and recommendations regarding the~~
22 ~~comparability of the Advanced International Certificate of~~
23 ~~Education Program to the International Baccalaureate Program~~
24 ~~and submit the report to the President of the Senate and the~~
25 ~~Speaker of the House of Representatives on or before October~~
26 ~~1, 2000.~~

27 Section 5. The amendment of subsection (6) of section
28 240.116, Florida Statutes, by this act shall expire on July 1,
29 2003, and the text of that subsection shall revert to that in
30 existence on June 30, 2002, except that any amendments to such
31 text enacted other than by this act shall be preserved and

1 continue to operate to the extent that such amendments are not
2 dependent upon the portions of such text which expire pursuant
3 to the provisions of this act.

4 Section 6. In order to implement Specific
5 Appropriations 60-152 of the 2002-2003 General Appropriations
6 Act, subsection (2) of section 229.085, Florida Statutes, as
7 amended by section 31 of chapter 2001-170, Laws of Florida, is
8 amended to read:

9 229.085 Custody of educational funds.--

10 (2)(a) There is created in the Department of Education
11 the Projects, Contracts, and Grants Trust Fund. The personnel
12 employed to plan and administer grants or contracts for
13 specific projects shall be considered in time-limited
14 employment not to exceed the duration of the grant or until
15 completion of the project, whichever first occurs. Such
16 employees shall not acquire retention rights under the Career
17 Service System. Any employee holding permanent career service
18 status in a Department of Education position who is appointed
19 to a position under the Projects, Contracts, and Grants Trust
20 Fund shall retain such permanent status in the career service
21 position.

22 (b) If, in executing the terms of such grants or
23 contracts for specific projects, the employment of personnel
24 shall be required, such personnel shall not be subject to the
25 requirements of s. 216.262(1)(a). This paragraph expires July
26 1, 2003.

27 Section 7. In order to implement Specific
28 Appropriations 7B-7F and 166B-166I and Section 9 of the
29 2002-2003 General Appropriations Act:

30 (1) Universities in the State University System shall
31 utilize the state accounting system (FLAIR) for fiscal year

1 2002-2003 but are not required to provide funds to the
2 Department of Banking and Finance for its utilization.

3 (2) Notwithstanding the provisions of ss. 216.181,
4 216.292, and 240.2094 and pursuant to s. 216.351, Florida
5 Statutes, funds appropriated or reappropriated to the state
6 universities in the 2002-2003 General Appropriations Act, or
7 any other act passed by the 2002 Legislature containing
8 appropriations, shall be distributed to each university
9 according to the 2002-2003 fiscal year operating budget
10 approved by the university board of trustees. Each university
11 board of trustees shall have authority to amend the operating
12 budget as circumstances warrant. The operating budget may
13 utilize traditional appropriation categories or it may
14 consolidate the appropriations into a special category
15 appropriation account. The Comptroller or Chief Financial
16 Officer, upon the request of the university board of trustees,
17 shall record by journal transfer the distribution of the
18 appropriated funds and releases according to the approved
19 operating budget to the appropriation accounts established for
20 disbursement purposes for each university within the state
21 accounting system (FLAIR).

22 (3) Notwithstanding the provisions of ss. 216.181,
23 216.292, 240.241, and 240.277 and pursuant to s. 216.351,
24 Florida Statutes, each university board of trustees shall
25 include in an approved operating budget the revenue in trust
26 funds supported by student and other fees as well as the trust
27 funds within the Contract, Grants, and Donations, Auxiliary
28 Enterprises, and Sponsored Research budget entities. The
29 university board of trustees shall have the authority to amend
30 the operating budget as circumstances warrant. The operating
31 budget may utilize traditional appropriation categories or it

1 may consolidate the trust fund spending authority into a
2 special category appropriation account. The Comptroller or
3 Chief Financial Officer, upon the request of the university
4 board of trustees, shall record the distribution of the trust
5 fund spending authority and releases according to the approved
6 operating budget to the appropriation accounts established for
7 disbursement purposes for each university within the state
8 accounting system (FLAIR).

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

10 Section 8. In order to implement Specific
11 Appropriations 270-451R and 491-650 of the 2002-2003 General
12 Appropriations Act, paragraph (c) of subsection (16) of
13 section 216.181, Florida Statutes, is amended to read:

14 216.181 Approved budgets for operations and fixed
15 capital outlay.--

16 (16)

17 (c) For the 2002-2003 ~~2001-2002~~ fiscal year only,
18 funds appropriated to the Department of Children and Family
19 Services in Specific Appropriations 270-451R ~~302-466~~ and the
20 Department of Health in Specific Appropriations 491-650
21 ~~503-637~~ of the 2002-2003 ~~2001-2002~~ General Appropriations Act
22 may be advanced, unless specifically prohibited in such
23 General Appropriations Act, for those contracted services that
24 were approved for advancement by the Comptroller in fiscal
25 year 1993-1994, including those services contracted on a
26 fixed-price or unit-cost basis. This paragraph expires July 1,
27 2003 ~~2002~~.

28 Section 9. In order to implement Specific
29 Appropriations 458-474 of the 2002-2003 General Appropriations
30 Act, paragraph (b) of subsection (1) of section 430.204,
31 Florida Statutes, is amended to read:

1 430.204 Community-care-for-the-elderly core services;
2 departmental powers and duties.--

3 (1)

4 (b) For fiscal year 2002-2003 ~~2001-2002~~ only, ~~in each~~
5 ~~county having a population over 2 million,~~the department
6 shall fund, through each area agency on aging in each county
7 as defined in s. 125.01(1), more than one community care
8 service system the primary purpose of which is the prevention
9 of unnecessary institutionalization of functionally impaired
10 elderly persons through the provision of community-based core
11 services. This paragraph expires July 1, 2003 ~~2002~~.

12 Section 10. In order to implement Specific
13 Appropriations 458-474 of the 2002-2003 General Appropriations
14 Act, paragraph (b) of subsection (1) of section 430.205,
15 Florida Statutes, is amended to read:

16 430.205 Community care service system.--

17 (1)

18 (b) For fiscal year 2002-2003 ~~2001-2002~~ only, ~~in each~~
19 ~~county having a population over 2 million,~~the department,
20 through the area agency on aging in each county as defined in
21 s. 125.01(1), shall fund in each planning and service area
22 more than one community care service system that provides case
23 management and other in-home and community services as needed
24 to help elderly persons maintain independence and prevent or
25 delay more costly institutional care. This paragraph expires
26 July 1, 2003 ~~2002~~.

27 Section 11. In order to implement Specific
28 Appropriations 303-338 of the 2002-2003 General Appropriations
29 Act, subsection (12) of section 216.292, Florida Statutes, is
30 amended to read:

31 216.292 Appropriations nontransferable; exceptions.--

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

19 Section 12. Consistent with the provisions of s.
20 216.163, Florida Statutes, in accordance with
21 performance-based program budgeting requirements, and
22 notwithstanding the provisions of s. 216.181, Florida
23 Statutes, the Department of Law Enforcement may transfer up to
24 one-half of 1 percent of the funds in Specific Appropriations
25 1195, 1216, 1225, 1237, 1240, 1245, 1252, 1260, and 1266 of
26 the 2002-2003 General Appropriations Act for salary bonuses
27 for departmental employees at the discretion of the executive
28 director, provided that such bonuses are given only to
29 selected employees for meritorious performance, instead of
30 being given as across-the-board bonuses for all employees.
31 The department, after consultation with the Executive Office

1 of the Governor, shall provide a plan to the chairs of the
2 legislative appropriations committees responsible for
3 producing the General Appropriations Act for review before
4 awarding such bonuses. This section expires July 1, 2003.

5 Section 13. In order to implement Specific
6 Appropriations 1195-1272 of the 2002-2003 General
7 Appropriations Act, subsection (17) of section 216.181,
8 Florida Statutes, is amended to read:

9 216.181 Approved budgets for operations and fixed
10 capital outlay.--

11 (17) Notwithstanding any other provision of this
12 section to the contrary, and for the 2002-2003 ~~2001-2002~~
13 fiscal year only, the Department of Law Enforcement may
14 transfer up to 20 positions and associated budget between
15 budget entities, provided the same funding source is used
16 throughout each transfer. The department may also transfer up
17 to 10 percent of the initial approved salary rate between
18 budget entities, provided the same funding source is used
19 throughout each transfer. The department must provide notice
20 to the Executive Office of the Governor, the chair of the
21 Senate Budget Committee, and the chair of the House Committee
22 on Criminal Justice Appropriations for all transfers of
23 positions or salary rate. This subsection expires July 1, 2003
24 ~~2002~~.

25 Section 14. In order to implement proviso language
26 following Specific Appropriation 1178 of the 2002-2003 General
27 Appropriations Act, the Correctional Privatization Commission
28 may expend appropriated funds to assist in defraying the costs
29 of impacts that are incurred by a municipality or county and
30 associated with opening or operating a facility under the
31 authority of the Correctional Privatization Commission or a

1 facility under the authority of the Department of Juvenile
2 Justice which is located within that municipality or county.
3 The amount that is to be paid under this section for any
4 facility may not exceed 1 percent of the facility construction
5 cost, less building impact fees imposed by the municipality or
6 by the county if the facility is located in the unincorporated
7 portion of the county. This section expires July 1, 2003.

8 Section 15. In order to implement Specific
9 Appropriation 1291 of the 2002-2003 General Appropriations
10 Act, paragraph (b) of subsection (3) of section 16.555,
11 Florida Statutes, as created by section 8 of chapter 2001-380,
12 Laws of Florida, is amended to read:

13 16.555 Crime Stoppers Trust Fund; rulemaking.--

14 (3)

15 (b) For the 2002-2003 ~~2001-2002~~ state fiscal year
16 only, and notwithstanding any provision of this section to the
17 contrary, moneys in the trust fund may also be used to pay for
18 salaries and benefits and other expenses of the department.
19 This paragraph expires July 1, 2003 ~~2002~~.

20 Section 16. In order to implement Specific
21 Appropriations 1291 and 1322 of the 2002-2003 General
22 Appropriations Act, paragraph (b) of subsection (2) of section
23 860.158, Florida Statutes, as created by section 9 of chapter
24 2001-380, Laws of Florida, is amended to read:

25 860.158 Florida Motor Vehicle Theft Prevention Trust
26 Fund.--

27 (2)

28 (b) For the 2002-2003 ~~2001-2002~~ fiscal year only, and
29 notwithstanding s. 320.08046, the use of funds allocated to
30 the Florida Motor Vehicle Theft Prevention Trust Fund may also
31

1 be as provided in the General Appropriations Act ~~Senate Bill~~
2 ~~2-C~~. This paragraph expires July 1, 2003 ~~2002~~.

3 Section 17. In order to implement Specific
4 Appropriations 1760A and 1769 of the 2002-2003 General
5 Appropriations Act, subsection (6) is added to section
6 375.041, Florida Statutes, to read:

7 375.041 Land Acquisition Trust Fund.--

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

12 Section 18. In order to implement Specific
13 Appropriations 1760A and 1769 of the 2002-2003 General
14 Appropriations Act, paragraph (d) is added to subsection (1)
15 and paragraph (f) is added to subsection (3) of section
16 403.709, Florida Statutes, to read:

17 403.709 Solid Waste Management Trust Fund; use of
18 waste tire fee moneys; waste tire site management.--

19 (1) There is created the Solid Waste Management Trust
20 Fund, to be administered by the department for the purposes
21 of:

22 (d) For the 2002-2003 fiscal year only, funding issues
23 provided in the General Appropriations Act. This paragraph
24 expires July 1, 2003.

25 (3) Moneys allocated to the fund from waste tire fees
26 shall be used:

27 (f) For the 2002-2003 fiscal year only, as provided in
28 the General Appropriations Act. This paragraph expires July
29 1, 2003.

30 Section 19. In order to implement Specific
31 Appropriations 1645 and 1769 of the 2002-2003 General

1 Appropriations Act, subsection (11) of section 373.59, Florida
2 Statutes, as amended by section 23 of chapter 2001-256, Laws
3 of Florida, is amended to read:

4 373.59 Water Management Lands Trust Fund.--

5 (11) Notwithstanding any provision of this section to
6 the contrary, and for the 2002-2003 fiscal year only, the
7 governing board of a water management district may request,
8 and the Secretary of Environmental Protection shall release
9 upon such request, moneys allocated to the districts pursuant
10 to subsection (8) for purposes consistent with the provisions
11 of s. 373.0361, s. 373.0831, s. 373.139, or ss.
12 373.451-373.4595 and for legislatively authorized land
13 acquisition and water restoration initiatives. No funds may be
14 used pursuant to this subsection until necessary debt service
15 obligations, requirements for payments in lieu of taxes, and
16 land management obligations that may be required by this
17 chapter are provided for. This subsection expires July 1,
18 2003.

19 Section 20. In order to implement Specific
20 Appropriation 1480A of the 2002-2003 General Appropriations
21 Act, subsection (6) of section 581.1845, Florida Statutes, as
22 created by section 11 of chapter 2001-380, Laws of Florida, is
23 amended to read:

24 581.1845 Citrus canker eradication; compensation to
25 homeowners whose trees have been removed.--

26 (6)(a) For the 2001-2002 fiscal year only and
27 notwithstanding the \$100-compensation amount specified in
28 subsection (3); in subsection (3) of section 45 of chapter
29 2001-254, Laws of Florida; and in proviso following Specific
30 Appropriation 1488A of chapter 2001-253, Laws of Florida, the
31 amount of compensation for each tree removed from residential

1 property by the citrus canker eradication program shall be
2 \$55. This ~~paragraph subsection~~ expires July 1, 2002.

3 (b) For the 2002-2003 fiscal year only and
4 notwithstanding the \$100-compensation amount specified in
5 subsection (3), the amount of compensation for each tree
6 removed from residential property by the citrus canker
7 eradication program shall be \$55. This paragraph expires July
8 1, 2003.

9 Section 21. In order to implement Specific
10 Appropriation 1770 of the 2002-2003 General Appropriations
11 Act, paragraph (b) of subsection (5) of section 373.470,
12 Florida Statutes, is amended to read:

13 373.470 Everglades restoration.--

14 (5) SAVE OUR EVERGLADES TRUST FUND SUPPLEMENTED.--

15 (b)1. For each year of the 10 consecutive years
16 beginning with fiscal year 2000-2001, the department shall
17 deposit \$25 million of the funds allocated to the district by
18 the department under s. 259.105(11)(a) into the Save Our
19 Everglades Trust Fund created by s. 373.472.

20 2. For fiscal year 2002-2003 only, the provisions of
21 subparagraph 1. shall not apply. This subparagraph expires
22 July 1, 2003.

23 Section 22. Subsection (18) is added to section
24 216.181, Florida Statutes, to read:

25 216.181 Approved budgets for operations and fixed
26 capital outlay.--

27 (18) In order to implement Specific Appropriations
28 2237-2314, 2594-2698, and 1195-1272 of the 2002-2003 General
29 Appropriations Act, from July 1, 2002, until January 7, 2003,
30 the Department of Banking and Finance, the Department of
31 Insurance, and the Department of Law Enforcement may transfer

1 positions and general revenue and trust funds as necessary to
2 comply with substantive legislation passed in 2002 at the
3 regular legislative session, any extension thereof, or any
4 special session that amends the statutes to conform to the
5 changes to s. 4, Art. IV of the State Constitution creating
6 the Chief Financial Officer and that requires or specifically
7 authorizes the transfer of positions and funds among these
8 agencies. Further, from January 7, 2003, until July 1, 2003,
9 the Office of Chief Financial Officer, the Department of
10 Insurance and Financial Services, and the Department of Law
11 Enforcement may transfer positions and general revenue and
12 trust funds as necessary to comply with substantive
13 legislation passed in 2002 at the regular legislative session,
14 any extension thereof, or any special session that amends the
15 statutes to conform to the changes in s. 4, Art. IV of the
16 State Constitution creating the Chief Financial Officer and
17 that requires or specifically authorizes the transfer of
18 positions and funds among these agencies. Consistent with the
19 provisions of s. 216.292(11), proposed transfers pursuant to
20 this subsection shall be subject to approval by the
21 Legislative Budget Commission. This subsection expires July
22 1, 2003.

23 Section 23. In order to implement Specific
24 Appropriation 1798A of the 2002-2003 General Appropriations
25 Act, paragraph (c) is added to subsection (2) of section
26 259.032, Florida Statutes, to read:

27 259.032 Conservation and Recreation Lands Trust Fund;
28 purpose.--

29 (2)

30 (c) For fiscal year 2002-2003 only, moneys in the
31 Conservation and Recreation Lands Trust Fund to be distributed

1 to Hardee, Polk, Hillsborough, Hamilton, and Manatee Counties,
2 as specified in the General Appropriations Act, may be used
3 for rural economic development and infrastructure purposes.
4 This paragraph expires July 1, 2003.

5 Section 24. In order to implement Section 8 of the
6 2002-2003 General Appropriations Act, subsection (7) of
7 section 110.12315, Florida Statutes, is amended to read:

8 110.12315 Prescription drug program.--The state
9 employees' prescription drug program is established. This
10 program shall be administered by the Department of Management
11 Services, according to the terms and conditions of the plan as
12 established by the relevant provisions of the annual General
13 Appropriations Act and implementing legislation, subject to
14 the following conditions:

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

18 (a) Effective January 1, 2001:

- 19 1. For generic drug with card.....\$7.
- 20 2. For preferred brand name drug with card.....\$20.
- 21 3. For nonpreferred brand name drug with card.....\$35.
- 22 4. For generic mail order drug.....\$10.50.
- 23 5. For preferred brand name mail order drug.....\$30.
- 24 6. For nonpreferred brand name drug.....\$52.50.

25 (b) The Department of Management Services shall create
26 a preferred brand name drug list to be used in the
27 administration of the state employees' prescription drug
28 program.

29
30 This subsection expires July 1, 2003 ~~2002~~.

31

1 Section 25. In order to implement Section 8 of the
2 2002-2003 General Appropriations Act, section 110.1239,
3 Florida Statutes, is amended to read:

4 110.1239 State group health insurance program
5 funding.--For the 2002-2003 ~~2001-2002~~ fiscal year only, it is
6 the intent of the Legislature that the state group health
7 insurance program be managed, administered, operated, and
8 funded in such a manner as to maximize the protection of state
9 employee health insurance benefits. Inherent in this intent is
10 the recognition that the health insurance liabilities
11 attributable to the benefits offered state employees should be
12 fairly, orderly, and equitably funded. Accordingly:

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

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

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

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

30 Section 26. In order to implement Sections 2-7 of the
31 2002-2003 General Appropriations Act, paragraph (c) of

1 subsection (5) and paragraph (d) of subsection (6) of section
2 112.061, Florida Statutes, are amended to read:

3 112.061 Per diem and travel expenses of public
4 officers, employees, and authorized persons.--

5 (5) COMPUTATION OF TRAVEL TIME FOR REIMBURSEMENT.--For
6 purposes of reimbursement and methods of calculating
7 fractional days of travel, the following principles are
8 prescribed:

9 (c) For the 2002-2003 ~~2001-2002~~ fiscal year only and
10 notwithstanding the other provisions of this subsection, for
11 Class C travel, a state traveler shall not be reimbursed on a
12 per diem basis nor shall a traveler receive subsistence
13 allowance. This paragraph expires July 1, 2003 ~~2002~~.

14 (6) RATES OF PER DIEM AND SUBSISTENCE ALLOWANCE.--For
15 purposes of reimbursement rates and methods of calculation,
16 per diem and subsistence allowances are divided into the
17 following groups and rates:

18 (d) For the 2002-2003 ~~2001-2002~~ fiscal year only and
19 notwithstanding the other provisions of this subsection, for
20 Class C travel, a state traveler shall not be reimbursed on a
21 per diem basis nor shall a traveler receive subsistence
22 allowance. This paragraph expires July 1, 2003 ~~2002~~.

23 Section 27. In order to implement Specific
24 Appropriation 1498 of the 2002-2003 General Appropriations
25 Act, paragraph (b) of subsection (8) of section 163.3184,
26 Florida Statutes, is amended to read:

27 163.3184 Process for adoption of comprehensive plan or
28 plan amendment.--

29 (8) NOTICE OF INTENT.--

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

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

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 28. In order to implement Specific
24 Appropriations 1517 and 1523A of the 2002-2003 General
25 Appropriations Act, paragraph (b) of subsection (1) of section
26 252.373, Florida Statutes, is amended to read:

27 252.373 Allocation of funds; rules.--

28 (1)

29 (b) Notwithstanding the provisions of paragraph (a),
30 and for the 2002-2003 ~~2001-2002~~ fiscal year only, up to \$2.2
31 million of the unencumbered balance of the Emergency

1 Management, Preparedness, and Assistance Trust Fund shall be
2 utilized to improve, and increase the number of, disaster
3 shelters within the state and improve local disaster
4 preparedness and up to \$3.4 million may be utilized for the
5 state portion of the match requirements for federally approved
6 Hazard Mitigation Grant Program projects. This paragraph
7 expires on July 1, 2003 ~~2002~~.

8 Section 29. In order to implement Specific
9 Appropriation 2486 of the 2002-2003 General Appropriations
10 Act, subsection (11) is added to section 288.063, Florida
11 Statutes, to read:

12 288.063 Contracts for transportation projects.--
13 (11) In addition to the other provisions of this
14 section, projects that the Legislature deems necessary to
15 facilitate the economic development and growth of the state
16 may be designated and funded in the General Appropriations
17 Act. Such transportation projects create new employment
18 opportunities, expand transportation infrastructure, improve
19 mobility, or increase transportation innovation. The Office
20 of Tourism, Trade, and Economic Development shall enter into
21 contracts with, and make expenditures to, the appropriate
22 entities for the costs of transportation projects designated
23 in the General Appropriations Act. This subsection expires
24 July 1, 2003.

25 Section 30. A section of this act that implements a
26 specific appropriation or specifically identified proviso
27 language in the 2002-2003 General Appropriations Act is void
28 if the specific appropriation or specifically identified
29 proviso language is vetoed. A section of this act that
30 implements more than one specific appropriation or more than
31 one portion of specifically identified proviso language in the

1 2002-2003 General Appropriations Act is void if all the
2 specific appropriations or portions of specifically identified
3 proviso language are vetoed.

4 Section 31. If any other act passed during the 2002
5 Regular Session of the Legislature or any extension thereof
6 contains a provision that is substantively the same as a
7 provision in this act, but that removes or is otherwise not
8 subject to the future repeal applied to such provision by this
9 act, the Legislature intends that the provision in the other
10 act shall take precedence and shall continue to operate,
11 notwithstanding the future repeal provided by this act.

12 Section 32. The agency performance measures and
13 standards in the document entitled "Florida's Budget 2002
14 Agency Performance Measures and Standards Approved by the
15 Legislature for Fiscal Year 2002-03" dated February 20, 2002,
16 and filed with the Clerk of the House of Representatives are
17 incorporated by reference. Such performance measures and
18 standards are directly linked to the appropriations made in
19 the General Appropriations Act for fiscal year 2002-2003, as
20 required by the Government Performance and Accountability Act
21 of 1994. State agencies are directed to revise their
22 long-range program plans required under section 216.013,
23 Florida Statutes, to be consistent with these performance
24 measures and standards.

25 Section 33. If any provision of this act or its
26 application to any person or circumstance is held invalid, the
27 invalidity shall not affect other provisions or applications
28 of the act which can be given effect without the invalid
29 provision or application, and to this end the provisions of
30 this act are declared severable.

31

1 Section 34. This act shall take effect July 1, 2002;
2 or, in the event this act fails to become a law until after
3 that date, it shall take effect upon becoming a law and shall
4 operate retroactively to July 1, 2002.

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7 HOUSE SUMMARY

8
9 Provides guidelines for implementing the 2002-2003
10 General Appropriations Act. Adopts state agency program
11 performance measures and standards. See bill for
12 details.
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