

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. 236.081, F.S.; deferring
23 application of a method for adjusting a school
24 district's full-time equivalent membership;
25 providing district school boards flexibility in
26 the use of certain categorical appropriations
27 for purposes of academic classroom instruction;
28 amending s. 216.181, F.S.; authorizing the
29 Department of Children and Family Services and
30 the Department of Health to advance certain
31 moneys for certain contract services; amending

1 ss. 430.204 and 430.205, F.S.; requiring the
2 Department of Elderly Affairs to fund certain
3 community care services and core services for
4 the elderly; amending s. 216.292, F.S.;
5 authorizing the Department of Children and
6 Family Services to transfer funds within the
7 family safety program; authorizing the
8 Department of Law Enforcement to use certain
9 moneys to provide bonuses to employees for
10 meritorious performance, subject to review;
11 amending s. 216.181, F.S.; authorizing the
12 Department of Law Enforcement to transfer
13 positions and associated budget and a certain
14 percentage of salary rate between budget
15 entities and providing requirements with
16 respect thereto; authorizing the Correctional
17 Privatization Commission to make certain
18 expenditures to defray costs incurred by a
19 municipality or county as a result of opening
20 or operating a facility under authority of the
21 commission or the Department of Juvenile
22 Justice; amending s. 16.555, F.S.; authorizing
23 use of the Crime Stoppers Trust Fund to pay for
24 salaries and benefits and other expenses of the
25 Department of Legal Affairs; amending s.
26 860.158, F.S.; providing directives for the use
27 of moneys in the Florida Motor Vehicle Theft
28 Prevention Trust Fund; amending s. 375.041,
29 F.S.; providing for use of moneys allocated to
30 the Land Acquisition Trust Fund as provided in
31 the General Appropriations Act; amending s.

1 403.709, F.S.; providing for use of moneys
 2 allocated to the Solid Waste Management Trust
 3 Fund as provided in the General Appropriations
 4 Act; amending s. 373.59, F.S.; requiring
 5 release of certain moneys by the Secretary of
 6 Environmental Protection to water management
 7 districts, upon request; amending s. 581.1845,
 8 F.S.; prescribing the amount of compensation
 9 for trees taken in canker eradication programs;
 10 amending s. 373.470, F.S.; removing a
 11 requirement to deposit certain funds into the
 12 Save Our Everglades Trust Fund; amending s.
 13 216.181, F.S.; allowing transfers of positions
 14 and funds among departments necessary for
 15 implementation of the office of Chief Financial
 16 Officer; requiring approval by the Legislative
 17 Budget Commission; amending s. 259.032, F.S.;

18 allowing Conservation and Recreation Lands
 19 Trust Fund distributions to certain counties to
 20 be used for rural economic development and
 21 infrastructure purposes; amending s. 403.7095,
 22 F.S.; prescribing conditions on solid waste
 23 management and recycling grants; amending s.
 24 110.12315, F.S.; providing copayment
 25 requirements for the state employees'
 26 prescription drug program; providing for a
 27 preferred brand name drug list to be used in
 28 the administration of such program; amending s.
 29 110.1239, F.S.; providing requirements for the
 30 funding of the state group health insurance
 31 program; amending s. 112.061, F.S.; providing

1 for computation of travel time and
2 reimbursement for public officers' and
3 employees' travel; amending s. 163.3184, F.S.;
4 prescribing standards for the state land
5 planning agency to use when issuing notice of
6 intent; amending s. 252.373, F.S.; authorizing
7 the use of certain funds to improve local
8 disaster preparedness; amending s. 288.063,
9 F.S.; providing that certain transportation
10 projects may be designated and funded by the
11 Legislature as necessary for economic
12 development; providing for future repeal or
13 expiration of various provisions; providing
14 effect of veto of specific appropriation or
15 proviso to which implementing language refers;
16 providing applicability to other legislation;
17 incorporating by reference specified
18 performance measures and standards directly
19 linked to the appropriations made in the
20 2001-2002 General Appropriations Act, as
21 required by the Government Performance and
22 Accountability Act of 1994; providing
23 severability; providing an effective date.

24
25 Be It Enacted by the Legislature of the State of Florida:

26
27 Section 1. It is the intent of the Legislature that
28 the implementing and administering provisions of this act
29 apply to the General Appropriations Act for fiscal year
30 2002-2003.
31

1 Section 2. In order to implement Specific
2 Appropriation 105 of the 2002-2003 General Appropriations Act,
3 paragraph (k) of subsection (1) and subsection (8) of section
4 236.081, Florida Statutes, as amended by section 1 of chapter
5 2001-47 and section 4 of chapter 2001-254, Laws of Florida,
6 are amended to read:

7 236.081 Funds for operation of schools.--If the annual
8 allocation from the Florida Education Finance Program to each
9 district for operation of schools is not determined in the
10 annual appropriations act or the substantive bill implementing
11 the annual appropriations act, it shall be determined as
12 follows:

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

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

1 that is equitable to the manner in which students enrolled in
2 the International Baccalaureate Program generate full-time
3 equivalent student membership. ~~During 1997-1998, a maximum of~~
4 ~~40 students in each participating school district is~~
5 ~~authorized to generate full-time equivalent student membership~~
6 ~~in the pilot program, and in 1998-1999 and 1999-2000 a maximum~~
7 ~~of 80 students per year in each participating school district~~
8 ~~is authorized to generate full-time equivalent student~~
9 ~~membership in the pilot program.~~The school district shall
10 distribute to each classroom teacher who provided
11 international baccalaureate instruction:

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

16 2. An additional bonus of \$500 to each International
17 Baccalaureate teacher in a school designated performance grade
18 category "D" or "F" who has at least one student scoring 4 or
19 higher on the international baccalaureate examination,
20 regardless of the number of classes taught or of the number of
21 students scoring a 4 or higher on the international
22 baccalaureate examination.

23
24 Bonuses awarded to a teacher according to this paragraph shall
25 not exceed \$2,000 in any given school year and shall be in
26 addition to any regular wage or other bonus the teacher
27 received or is scheduled to receive.

28 (8) QUALITY ASSURANCE GUARANTEE.--The Legislature may
29 annually in the General Appropriations Act determine a
30 percentage increase in funds per K-12 unweighted ~~weighted~~ FTE
31 as a minimum guarantee to each school district. The guarantee

1 shall be calculated from prior year base funding per
2 unweighted ~~weighted~~ FTE student which shall include the
3 adjusted FTE dollars as provided in subsection (9), quality
4 guarantee funds, and actual nonvoted discretionary local
5 effort from taxes. From the base funding per unweighted
6 ~~weighted~~ FTE, the increase shall be calculated for the current
7 year. The current year funds from which the guarantee shall be
8 determined shall include the adjusted FTE dollars as provided
9 in subsection (9) and potential nonvoted discretionary local
10 effort from taxes. A comparison of current year funds per
11 unweighted ~~weighted~~ FTE to prior year funds per unweighted
12 ~~weighted~~ FTE shall be computed. For those school districts
13 which have less than the legislatively assigned percentage
14 increase, funds shall be provided to guarantee the assigned
15 percentage increase in funds per unweighted ~~weighted~~ FTE
16 student. Should appropriated funds be less than the sum of
17 this calculated amount for all districts, the commissioner
18 shall prorate each district's allocation. This provision shall
19 be implemented to the extent specifically funded.

20 Section 3. The amendment of paragraph (k) of
21 subsection (1) and subsection (8) of section 236.081, Florida
22 Statutes, by this act shall expire on July 1, 2003, and the
23 text of those provisions shall revert to that in existence on
24 June 30, 2002, except that any amendments to such text enacted
25 other than by this act shall be preserved and continue to
26 operate to the extent that such amendments are not dependent
27 upon the portions of such text which expire pursuant to the
28 provisions of this act.

29 Section 4. In order to implement Specific
30 Appropriation 105 of the 2002-2003 General Appropriations Act,
31 subsection (6) of section 240.116, Florida Statutes, as

1 amended by section 6 of chapter 2001-254, Laws of Florida, is
2 amended to read:

3 240.116 Articulated acceleration.--

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

1 ~~Education Program to the International Baccalaureate Program~~
2 ~~and submit the report to the President of the Senate and the~~
3 ~~Speaker of the House of Representatives on or before October~~
4 ~~1, 2000.~~

5 Section 5. The amendment of subsection (6) of section
6 240.116, Florida Statutes, by this act shall expire on July 1,
7 2003, and the text of that subsection shall revert to that in
8 existence on June 30, 2002, except that any amendments to such
9 text enacted other than by this act shall be preserved and
10 continue to operate to the extent that such amendments are not
11 dependent upon the portions of such text which expire pursuant
12 to the provisions of this act.

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

18 229.085 Custody of educational funds.--

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

31

1 **(b) If, in executing the terms of such grants or**
2 **contracts for specific projects, the employment of personnel**
3 **shall be required, such personnel shall not be subject to the**
4 **requirements of s. 216.262(1)(a). This paragraph expires July**
5 **1, 2003.**

6 Section 7. **In order to implement Specific**
7 **Appropriations 7B-7F and 166B-166I and Section 9 of the**
8 **2002-2003 General Appropriations Act:**

9 **(1) Universities in the State University System shall**
10 **utilize the state accounting system (FLAIR) for fiscal year**
11 **2002-2003 but are not required to provide funds to the**
12 **Department of Banking and Finance for its utilization.**

13 **(2) Notwithstanding the provisions of ss. 216.181,**
14 **216.292, and 240.2094 and pursuant to s. 216.351, Florida**
15 **Statutes, funds appropriated or reappropriated to the state**
16 **universities in the 2002-2003 General Appropriations Act, or**
17 **any other act passed by the 2002 Legislature containing**
18 **appropriations, shall be distributed to each university**
19 **according to the 2002-2003 fiscal year operating budget**
20 **approved by the university board of trustees. Each university**
21 **board of trustees shall have authority to amend the operating**
22 **budget as circumstances warrant. The operating budget may**
23 **utilize traditional appropriation categories or it may**
24 **consolidate the appropriations 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 by journal transfer the distribution of the**
28 **appropriated funds and releases according to the approved**
29 **operating budget to the appropriation accounts established for**
30 **disbursement purposes for each university within the state**
31 **accounting system (FLAIR).**

1 (3) Notwithstanding the provisions of ss. 216.181,
2 216.292, 240.241, and 240.277 and pursuant to s. 216.351,
3 Florida Statutes, each university board of trustees shall
4 include in an approved operating budget the revenue in trust
5 funds supported by student and other fees as well as the trust
6 funds within the Contract, Grants, and Donations, Auxiliary
7 Enterprises, and Sponsored Research budget entities. The
8 university board of trustees shall have the authority to amend
9 the operating budget as circumstances warrant. The operating
10 budget may utilize traditional appropriation categories or it
11 may consolidate the trust fund spending authority into a
12 special category appropriation account. The Comptroller or
13 Chief Financial Officer, upon the request of the university
14 board of trustees, shall record the distribution of the trust
15 fund spending authority and releases according to the approved
16 operating budget to the appropriation accounts established for
17 disbursement purposes for each university within the state
18 accounting system (FLAIR).

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

20 Section 8. In order to implement Specific
21 Appropriation 105 of the 2002-2003 General Appropriations Act,
22 paragraph (a) of subsection (1) of section 236.081, Florida
23 Statutes, is amended to read:

24 236.081 Funds for operation of schools.--If the annual
25 allocation from the Florida Education Finance Program to each
26 district for operation of schools is not determined in the
27 annual appropriations act or the substantive bill implementing
28 the annual appropriations act, it shall be determined as
29 follows:

30 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
31 OPERATION.--The following procedure shall be followed in

1 determining the annual allocation to each district for
 2 operation:
 3 (a) Determination of full-time equivalent
 4 membership.--During each of several school weeks, including
 5 scheduled intersessions of a year-round school program during
 6 the fiscal year, a program membership survey of each school
 7 shall be made by each district by aggregating the full-time
 8 equivalent student membership of each program by school and by
 9 district. The department shall establish the number and
 10 interval of membership calculations, except that for basic and
 11 special programs such calculations shall not exceed nine for
 12 any fiscal year. The district's full-time equivalent
 13 membership shall be computed and currently maintained in
 14 accordance with regulations of the commissioner. Beginning
 15 with the 1999-2000 school year, each school district shall
 16 also document the daily attendance of each student in
 17 membership by school and by district. An average daily
 18 attendance factor shall be computed by dividing the total
 19 daily attendance of all students by the total number of
 20 students in membership and then by the number of days in the
 21 regular school year. Beginning with the 2003-2004 ~~2002-2003~~
 22 school year, the district's full-time equivalent membership
 23 shall be adjusted by multiplying by the average daily
 24 attendance factor.

25 Section 9. In order to implement Specific
 26 Appropriations 5, 105, 106A, 107, and 108 of the 2002-2003
 27 General Appropriations Act, for the 2002-2003 state fiscal
 28 year only, and notwithstanding the provisions of ss.
 29 236.081(3), 236.08104, 236.083, and 237.34(3)(b), Florida
 30 Statutes, each district school board may use and shall report
 31

1 the use of funds allocated to the school district from such
2 appropriations as provided below:

3 (1) If a district school board declares in a
4 resolution adopted at a regular meeting of the board that the
5 funds received for any of the following categorical
6 appropriations are urgently needed to maintain academic
7 classroom instruction specified by the board, the board may
8 approve an amendment to the district's operating budget
9 transferring the identified amount of the categorical funds to
10 the appropriate account for expenditure:

11 (a) Student transportation: Specific Appropriation
12 107.

13 (b) Teacher training: Specific Appropriations 5 and
14 108.

15 (c) Safe schools: Specific Appropriation 105.

16 (d) Public school technology: Specific Appropriation
17 106A.

18 (e) Supplemental academic instruction: Specific
19 Appropriation 105.

20 (2) Each district school board shall include in its
21 annual financial report to the Department of Education
22 required pursuant to s. 237.34 the amount of funds the board
23 transferred from each of the categorical appropriations
24 specified in subsection (1) and the specific academic
25 classroom instruction for which the transferred funds were
26 expended. The Department of Education shall provide
27 instructions and specify the format to be used in submitting
28 this required information as a part of such annual financial
29 report.

30 Section 10. In order to implement Specific
31 Appropriations 270-451R and 491-650 of the 2002-2003 General

1 Appropriations Act, paragraph (c) of subsection (16) of
2 section 216.181, Florida Statutes, is amended to read:

3 216.181 Approved budgets for operations and fixed
4 capital outlay.--

5 (16)

6 (c) For the 2002-2003 ~~2001-2002~~ fiscal year only,
7 funds appropriated to the Department of Children and Family
8 Services in Specific Appropriations 270-451R ~~302-466~~ and the
9 Department of Health in Specific Appropriations 491-650
10 ~~503-637~~ of the 2002-2003 ~~2001-2002~~ General Appropriations Act
11 may be advanced, unless specifically prohibited in such
12 General Appropriations Act, for those contracted services that
13 were approved for advancement by the Comptroller in fiscal
14 year 1993-1994, including those services contracted on a
15 fixed-price or unit-cost basis. This paragraph expires July 1,
16 2003 ~~2002~~.

17 Section 11. In order to implement Specific
18 Appropriations 458-474 of the 2002-2003 General Appropriations
19 Act, paragraph (b) of subsection (1) of section 430.204,
20 Florida Statutes, is amended to read:

21 430.204 Community-care-for-the-elderly core services;
22 departmental powers and duties.--

23 (1)

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

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

5 430.205 Community care service system.--

6 (1)

7 (b) For fiscal year 2002-2003 ~~2001-2002~~ only, ~~in each~~
8 ~~county having a population over 2 million,~~ the department,
9 through the area agency on aging in each county as defined in
10 s. 125.01(1), shall fund in each planning and service area
11 more than one community care service system that provides case
12 management and other in-home and community services as needed
13 to help elderly persons maintain independence and prevent or
14 delay more costly institutional care. This paragraph expires
15 July 1, 2003 ~~2002~~.

16 Section 13. In order to implement Specific
17 Appropriations 303-338 of the 2002-2003 General Appropriations
18 Act, subsection (12) of section 216.292, Florida Statutes, is
19 amended to read:

20 216.292 Appropriations nontransferable; exceptions.--

21 (12) For the 2002-2003 ~~2001-2002~~ fiscal year only and
22 notwithstanding the other provisions of this section, the
23 Department of Children and Family Services may transfer funds
24 within the family safety program identified in the General
25 Appropriations Act from identical funding sources between the
26 following appropriation categories without limitation as long
27 as such a transfer does not result in an increase to the total
28 recurring general revenue or trust fund cost of the agency in
29 the subsequent fiscal year: adoption services and subsidy;
30 family foster care; and emergency shelter care. Such transfers
31 must be consistent with legislative policy and intent and must

1 not adversely affect achievement of approved performance
2 outcomes or outputs in the family safety program. Notice of
3 proposed transfers under this authority must be provided to
4 the Executive Office of the Governor and the chairs of the
5 legislative appropriations committees at least 5 working days
6 before their implementation. This subsection expires July 1,
7 2003 ~~2002~~.

8 Section 14. Consistent with the provisions of s.
9 216.163, Florida Statutes, in accordance with
10 performance-based program budgeting requirements, and
11 notwithstanding the provisions of s. 216.181, Florida
12 Statutes, the Department of Law Enforcement may transfer up to
13 one-half of 1 percent of the funds in Specific Appropriations
14 1195, 1216, 1225, 1237, 1240, 1245, 1252, 1260, and 1266 of
15 the 2002-2003 General Appropriations Act for salary bonuses
16 for departmental employees at the discretion of the executive
17 director, provided that such bonuses are given only to
18 selected employees for meritorious performance, instead of
19 being given as across-the-board bonuses for all employees.
20 The department, after consultation with the Executive Office
21 of the Governor, shall provide a plan to the chairs of the
22 legislative appropriations committees responsible for
23 producing the General Appropriations Act for review before
24 awarding such bonuses. This section expires July 1, 2003.

25 Section 15. In order to implement Specific
26 Appropriations 1195-1272 of the 2002-2003 General
27 Appropriations Act, subsection (17) of section 216.181,
28 Florida Statutes, is amended to read:

29 216.181 Approved budgets for operations and fixed
30 capital outlay.--

31

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

15 Section 16. In order to implement proviso language
 16 following Specific Appropriation 1178 of the 2002-2003 General
 17 Appropriations Act, the Correctional Privatization Commission
 18 may expend appropriated funds to assist in defraying the costs
 19 of impacts that are incurred by a municipality or county and
 20 associated with opening or operating a facility under the
 21 authority of the Correctional Privatization Commission or a
 22 facility under the authority of the Department of Juvenile
 23 Justice which is located within that municipality or county.
 24 The amount that is to be paid under this section for any
 25 facility may not exceed 1 percent of the facility construction
 26 cost, less building impact fees imposed by the municipality or
 27 by the county if the facility is located in the unincorporated
 28 portion of the county. This section expires July 1, 2003.

29 Section 17. In order to implement Specific
 30 Appropriation 1291 of the 2002-2003 General Appropriations
 31 Act, paragraph (b) of subsection (3) of section 16.555,

1 Florida Statutes, as created by section 8 of chapter 2001-380,
2 Laws of Florida, is amended to read:

3 16.555 Crime Stoppers Trust Fund; rulemaking.--

4 (3)

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

10 Section 18. In order to implement Specific
11 Appropriations 1291 and 1322 of the 2002-2003 General
12 Appropriations Act, paragraph (b) of subsection (2) of section
13 860.158, Florida Statutes, as created by section 9 of chapter
14 2001-380, Laws of Florida, is amended to read:

15 860.158 Florida Motor Vehicle Theft Prevention Trust
16 Fund.--

17 (2)

18 (b) For the 2002-2003 ~~2001-2002~~ fiscal year only, and
19 notwithstanding s. 320.08046, the use of funds allocated to
20 the Florida Motor Vehicle Theft Prevention Trust Fund may also
21 be as provided in the General Appropriations Act ~~Senate Bill~~
22 ~~2-C~~. This paragraph expires July 1, 2003 ~~2002~~.

23 Section 19. In order to implement Specific
24 Appropriations 1760A and 1769 of the 2002-2003 General
25 Appropriations Act, subsection (6) is added to section
26 375.041, Florida 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.

1 Section 20. In order to implement Specific
2 Appropriations 1760A and 1769 of the 2002-2003 General
3 Appropriations Act, paragraph (d) is added to subsection (1)
4 and paragraph (f) is added to subsection (3) of section
5 403.709, Florida Statutes, to read:

6 403.709 Solid Waste Management Trust Fund; use of
7 waste tire fee moneys; waste tire site management.--

8 (1) There is created the Solid Waste Management Trust
9 Fund, to be administered by the department for the purposes
10 of:

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

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

16 (f) For the 2002-2003 fiscal year only, as provided in
17 the General Appropriations Act. This paragraph expires July
18 1, 2003.

19 Section 21. In order to implement Specific
20 Appropriations 1645 and 1769 of the 2002-2003 General
21 Appropriations Act, subsection (11) of section 373.59, Florida
22 Statutes, as amended by section 23 of chapter 2001-256, Laws
23 of Florida, is amended to read:

24 373.59 Water Management Lands Trust Fund.--

25 (11) Notwithstanding any provision of this section to
26 the contrary, and for the 2002-2003 fiscal year only,the
27 governing board of a water management district may request,
28 and the Secretary of Environmental Protection shall release
29 upon such request, moneys allocated to the districts pursuant
30 to subsection (8) for purposes consistent with the provisions
31 of s. 373.0361, s. 373.0831, s. 373.139, or ss.

1 373.451-373.4595 and for legislatively authorized land
2 acquisition and water restoration initiatives. No funds may be
3 used pursuant to this subsection until necessary debt service
4 obligations, requirements for payments in lieu of taxes, and
5 land management obligations that may be required by this
6 chapter are provided for. This subsection expires July 1,
7 2003.

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

13 581.1845 Citrus canker eradication; compensation to
14 homeowners whose trees have been removed.--

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

23 (b) For the 2002-2003 fiscal year only and
24 notwithstanding the \$100-compensation amount specified in
25 subsection (3), the amount of compensation for each tree
26 removed from residential property by the citrus canker
27 eradication program shall be \$55. This paragraph expires July
28 1, 2003.

29 Section 23. In order to implement Specific
30 Appropriation 1770 of the 2002-2003 General Appropriations
31

1 Act, paragraph (b) of subsection (5) of section 373.470,
2 Florida Statutes, is amended to read:

3 373.470 Everglades restoration.--

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

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

10 2. For fiscal year 2002-2003 only, the provisions of
11 subparagraph 1. shall not apply. This subparagraph expires
12 July 1, 2003.

13 Section 24. Subsection (18) is added to section
14 216.181, Florida Statutes, to read:

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

17 (18) In order to implement Specific Appropriations
18 2237-2314, 2594-2698, and 1195-1272 of the 2002-2003 General
19 Appropriations Act, from July 1, 2002, until January 7, 2003,
20 the Department of Banking and Finance, the Department of
21 Insurance, and the Department of Law Enforcement may transfer
22 positions and general revenue and trust funds as necessary to
23 comply with substantive legislation passed in 2002 at the
24 regular legislative session, any extension thereof, or any
25 special session that amends the statutes to conform to the
26 changes to s. 4, Art. IV of the State Constitution creating
27 the Chief Financial Officer and that requires or specifically
28 authorizes the transfer of positions and funds among these
29 agencies. Further, from January 7, 2003, until July 1, 2003,
30 the Office of Chief Financial Officer, the Department of
31 Insurance and Financial Services, and the Department of Law

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

13 Section 25. In order to implement Specific
14 Appropriation 1798A of the 2002-2003 General Appropriations
15 Act, paragraph (c) is added to subsection (2) of section
16 259.032, Florida Statutes, to read:

17 259.032 Conservation and Recreation Lands Trust Fund;
18 purpose.--

19 (2)

20 (c) For fiscal year 2002-2003 only, moneys in the
21 Conservation and Recreation Lands Trust Fund to be distributed
22 to Hardee, Polk, Hillsborough, Hamilton, and Manatee Counties,
23 as specified in the General Appropriations Act, may be used
24 for rural economic development and infrastructure purposes.
25 This paragraph expires July 1, 2003.

26 Section 26. In order to implement Specific
27 Appropriation 1819 of the 2002-2003 General Appropriations
28 Act, subsection (8) of section 403.7095, Florida Statutes, is
29 amended to read:

30 403.7095 Solid waste management grant program.--

31

1 (8) Notwithstanding the provisions of this section,
2 for fiscal year 2002-2003 ~~2001-2002~~ only, the department shall
3 provide solid waste management and recycling grants only to
4 counties with populations under 100,000. Such grants must be
5 at least 80 percent of the level of funding they received in
6 fiscal year 2000-2001. This subsection expires July 1, 2003
7 ~~2002~~.

8 Section 27. In order to implement Section 8 of the
9 2002-2003 General Appropriations Act, subsection (7) of
10 section 110.12315, Florida Statutes, is amended to read:

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

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

- 21 (a) Effective January 1, 2001:
- 22 1. For generic drug with card.....\$7.
- 23 2. For preferred brand name drug with card.....\$20.
- 24 3. For nonpreferred brand name drug with card.....\$35.
- 25 4. For generic mail order drug.....\$10.50.
- 26 5. For preferred brand name mail order drug.....\$30.
- 27 6. For nonpreferred brand name drug.....\$52.50.

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

1
2 This subsection expires July 1, 2003 ~~2002~~.

3 Section 28. In order to implement Section 8 of the
4 2002-2003 General Appropriations Act, section 110.1239,
5 Florida Statutes, is amended to read:

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

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

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

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

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

1 Section 29. In order to implement Sections 2-7 of the
2 2002-2003 General Appropriations Act, paragraph (c) of
3 subsection (5) and paragraph (d) of subsection (6) of section
4 112.061, Florida Statutes, are amended to read:

5 112.061 Per diem and travel expenses of public
6 officers, employees, and authorized persons.--

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

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

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

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

25 Section 30. In order to implement Specific
26 Appropriation 1498 of the 2002-2003 General Appropriations
27 Act, paragraph (b) of subsection (8) of section 163.3184,
28 Florida Statutes, is amended to read:

29 163.3184 Process for adoption of comprehensive plan or
30 plan amendment.--

31 (8) NOTICE OF INTENT.--

1 (b)1. During the time period provided for in this
 2 subsection, the state land planning agency shall issue,
 3 through a senior administrator or the secretary, as specified
 4 in the agency's procedural rules, a notice of intent to find
 5 that the plan or plan amendment is in compliance or not in
 6 compliance. A notice of intent shall be issued by publication
 7 in the manner provided by this paragraph and by mailing a copy
 8 to the local government and to persons who request notice.
 9 The required advertisement shall be no less than 2 columns
 10 wide by 10 inches long, and the headline in the advertisement
 11 shall be in a type no smaller than 12 point. The advertisement
 12 shall not be placed in that portion of the newspaper where
 13 legal notices and classified advertisements appear. The
 14 advertisement shall be published in a newspaper which meets
 15 the size and circulation requirements set forth in paragraph
 16 (15)(c) and which has been designated in writing by the
 17 affected local government at the time of transmittal of the
 18 amendment. Publication by the state land planning agency of a
 19 notice of intent in the newspaper designated by the local
 20 government shall be prima facie evidence of compliance with
 21 the publication requirements of this section.

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

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

25 Section 31. In order to implement Specific
 26 Appropriations 1517 and 1523A of the 2002-2003 General
 27 Appropriations Act, paragraph (b) of subsection (1) of section
 28 252.373, Florida Statutes, is amended to read:

29 252.373 Allocation of funds; rules.--

30 (1)

31

1 (b) Notwithstanding the provisions of paragraph (a),
2 and for the 2002-2003 ~~2001-2002~~ fiscal year only, up to \$2.2
3 million of the unencumbered balance of the Emergency
4 Management, Preparedness, and Assistance Trust Fund shall be
5 utilized to improve, and increase the number of, disaster
6 shelters within the state and improve local disaster
7 preparedness and up to \$3.4 million may be utilized for the
8 state portion of the match requirements for federally approved
9 Hazard Mitigation Grant Program projects. This paragraph
10 expires on July 1, 2003 ~~2002~~.

11 Section 32. In order to implement Specific
12 Appropriation 2486 of the 2002-2003 General Appropriations
13 Act, subsection (11) is added to section 288.063, Florida
14 Statutes, to read:

15 288.063 Contracts for transportation projects.--

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

28 Section 33. A section of this act that implements a
29 specific appropriation or specifically identified proviso
30 language in the 2002-2003 General Appropriations Act is void
31 if the specific appropriation or specifically identified

1 proviso language is vetoed. A section of this act that
 2 implements more than one specific appropriation or more than
 3 one portion of specifically identified proviso language in the
 4 2002-2003 General Appropriations Act is void if all the
 5 specific appropriations or portions of specifically identified
 6 proviso language are vetoed.

7 Section 34. If any other act passed during the 2002
 8 Regular Session of the Legislature or any extension thereof
 9 contains a provision that is substantively the same as a
 10 provision in this act, but that removes or is otherwise not
 11 subject to the future repeal applied to such provision by this
 12 act, the Legislature intends that the provision in the other
 13 act shall take precedence and shall continue to operate,
 14 notwithstanding the future repeal provided by this act.

15 Section 35. The agency performance measures and
 16 standards in the document entitled "Florida's Budget 2002
 17 Agency Performance Measures and Standards Approved by the
 18 Legislature for Fiscal Year 2002-03" dated February 20, 2002,
 19 and filed with the Clerk of the House of Representatives are
 20 incorporated by reference. Such performance measures and
 21 standards are directly linked to the appropriations made in
 22 the General Appropriations Act for fiscal year 2002-2003, as
 23 required by the Government Performance and Accountability Act
 24 of 1994. State agencies are directed to revise their
 25 long-range program plans required under section 216.013,
 26 Florida Statutes, to be consistent with these performance
 27 measures and standards.

28 Section 36. If any provision of this act or its
 29 application to any person or circumstance is held invalid, the
 30 invalidity shall not affect other provisions or applications
 31 of the act which can be given effect without the invalid

1 provision or application, and to this end the provisions of
2 this act are declared severable.

3 Section 37. This act shall take effect July 1, 2002;
4 or, in the event this act fails to become a law until after
5 that date, it shall take effect upon becoming a law and shall
6 operate retroactively to July 1, 2002.

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