

1 A bill to be entitled
2 An act implementing the 2002-2003 General
3 Appropriations Act; providing legislative
4 intent; amending s. 240.35, F.S.; increasing
5 the percentage of funds from the financial aid
6 fee to be used for need-based financial aid;
7 revising provisions relating to an annual
8 report; amending s. 240.209, F.S.; prohibiting
9 State University System employees from
10 enrolling in tuition-free courses; providing
11 accounting requirements for the state
12 universities for the 2002-2003 fiscal year;
13 amending s. 216.292, F.S.; authorizing the
14 Department of Children and Family Services to
15 transfer funding between certain services;
16 amending s. 216.262, F.S.; providing for
17 additional positions to operate additional
18 prison bed capacity under certain
19 circumstances; authorizing the Correctional
20 Privatization Commission to make certain
21 expenditures to defray costs incurred by a
22 municipality or county as a result of opening
23 or operating a facility under the authority of
24 the commission or the Department of Juvenile
25 Justice; amending s. 25.402, F.S.; revising
26 uses of the County Article V Trust Fund;
27 amending s. 581.1845, F.S.; prescribing the
28 amount of compensation for trees taken in
29 canker eradication programs; amending s.
30 252.373, F.S.; providing for use of the
31 Emergency Management, Preparedness, and

1 Assistance Trust Fund; amending s. 163.3184,
2 F.S.; prescribing standards for the state land
3 planning agency to use when issuing notice of
4 intent; amending s. 375.041, F.S.; providing
5 for use of moneys in the Land Acquisition Trust
6 Fund; amending s. 403.709, F.S.; providing for
7 use of moneys in the Solid Waste Management
8 Trust Fund; amending s. 403.7095, F.S.;
9 prescribing conditions on solid waste
10 management and recycling grants; providing for
11 extension of time for repayment of specified
12 loans; amending s. 287.161, F.S.; amending s.
13 402.3017, F.S.; providing for administration of
14 the Teacher Education and Compensation Helps
15 scholarship program; amending s. 601.155, F.S.;
16 exempting products made from certain citrus
17 fruit from the equalizing excise tax; requiring
18 the Department of Management Services to charge
19 all persons receiving transportation from the
20 executive aircraft pool a specified rate;
21 amending s. 110.1239, F.S.; providing
22 requirements for the funding of the state group
23 health insurance program; amending s.
24 110.12315, F.S.; providing copayment
25 requirements for the state employees'
26 prescription drug program; amending s. 443.036,
27 F.S.; providing a definition and an application
28 of an alternative base period for unemployment
29 compensation; providing requirements and
30 limitations; requiring employers to respond to
31 requests for information by the Agency for

1 Workforce Innovation; providing a penalty for
2 failure to respond; providing for adjustments
3 in determinations of monetary eligibility;
4 providing effect of veto of specific
5 appropriation or proviso to which implementing
6 language refers; incorporating by reference
7 specified performance measures and standards
8 directly linked to the appropriations made in
9 the 2002-2003 General Appropriations Act, as
10 required by the Government Performance and
11 Accountability Act of 1994; limiting
12 expenditures for noncommercial sustained
13 announcements and public-service announcements;
14 providing effective dates.

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 161 of the 2002-2003 General Appropriations Act,
24 subsection (11) of section 240.35, Florida Statutes, is
25 amended to read:

26 240.35 Student fees.--Unless otherwise provided, the
27 provisions of this section apply only to fees charged for
28 college credit instruction leading to an associate in arts
29 degree, an associate in applied science degree, or an
30 associate in science degree and noncollege credit
31 college-preparatory courses defined in s. 239.105.

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

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

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

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

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

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

1 240.35 Student fees.--Unless otherwise provided, the
2 provisions of this section apply only to fees charged for
3 college credit instruction leading to an associate in arts
4 degree, an associate in applied science degree, or an
5 associate in science degree and noncollege credit
6 college-preparatory courses defined in s. 239.105.

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

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

1 (c) Up to 25 percent or \$300,000, whichever is
2 greater, of the financial aid fees collected may be used to
3 assist students who demonstrate academic merit; who
4 participate in athletics, public service, cultural arts, and
5 other extracurricular programs as determined by the
6 institution; or who are identified as members of a targeted
7 gender or ethnic minority population. The financial aid fee
8 revenues allocated for athletic scholarships and fee
9 exemptions provided pursuant to subsection (17) for athletes
10 shall be distributed equitably as required by s.
11 228.2001(3)(d). A minimum of 50 ~~75~~ percent of the balance of
12 these funds ~~for new awards~~ shall be used to provide financial
13 aid based on absolute need, and the remainder of the funds
14 shall be used for academic merit purposes and other purposes
15 approved by the district boards of trustees. Such other
16 purposes shall include the payment of child care fees for
17 students with financial need. The State Board of Community
18 Colleges shall develop criteria for making financial aid
19 awards. Each college shall report annually to the Department
20 of Education on ~~the revenue collected pursuant to this~~
21 ~~paragraph, the amount carried forward,~~ the criteria used to
22 make awards, the amount and number of awards for each
23 criterion, and a delineation of the distribution of such
24 awards. ~~The report shall include an assessment by category of~~
25 ~~the financial need of every student who receives an award,~~
26 ~~regardless of the purpose for which the award is received.~~
27 Awards which are based on financial need shall be distributed
28 in accordance with a nationally recognized system of need
29 analysis approved by the State Board of Community Colleges. An
30 award for academic merit shall require a minimum overall grade
31

1 point average of 3.0 on a 4.0 scale or the equivalent for both
2 initial receipt of the award and renewal of the award.

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

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

9 240.209 Board of Regents; powers and duties.--

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

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

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

22 (1) Universities in the State University System shall
23 utilize the state accounting system (FLAIR) for fiscal year
24 2002-2003 but are not required to provide funds to the
25 Department of Banking and Finance for its utilization.

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

1 distributed to each university according to the 2002-2003
2 fiscal year operating budget approved by the university board
3 of trustees. Each university board of trustees shall have
4 authority to amend the operating budget as circumstances
5 warrant. The operating budget may utilize traditional
6 appropriation categories or it may consolidate the
7 appropriations into a special category appropriation account.
8 The Comptroller or Chief Financial Officer, upon the request
9 of the university board of trustees, shall record by journal
10 transfer the distribution of the appropriated funds and
11 releases according to the approved operating budget to the
12 appropriation accounts established for disbursement purposes
13 for each university within the state accounting system
14 (FLAIR).

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

1 disbursement purposes for each university within the state
2 accounting system (FLAIR).

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

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

8 216.292 Appropriations nontransferable; exceptions.--

9 (12) For the 2002-2003 ~~2001-2002~~ fiscal year only and
10 notwithstanding the other provisions of this section, the
11 Department of Children and Family Services may transfer funds
12 within the family safety program identified in the General
13 Appropriations Act from identical funding sources between the
14 following appropriation categories without limitation as long
15 as such a transfer does not result in an increase to the total
16 recurring general revenue or trust fund cost of the agency in
17 the subsequent fiscal year: adoption services and subsidy;
18 family foster care; and emergency shelter care. Such transfers
19 must be consistent with legislative policy and intent and must
20 not adversely affect achievement of approved performance
21 outcomes or outputs in the family safety program. Notice of
22 proposed transfers under this authority must be provided to
23 the Executive Office of the Governor and the chairs of the
24 legislative appropriations committees at least 5 working days
25 before their implementation. This subsection expires July 1,
26 2003 ~~2002~~.

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

31 216.262 Authorized positions.--

1 (4) Notwithstanding the provisions of this chapter on
2 increasing the number of authorized positions, and for the
3 2002-2003 ~~2001-2002~~ fiscal year only,†

4 ~~(a)~~ if the actual inmate population of the Department
5 of Corrections exceeds by 2 percent for 2 consecutive months
6 or more the inmate population projected by the most recent
7 Criminal Justice Estimating Conference ~~on February 16, 2001,~~
8 the Executive Office of the Governor may request positions in
9 excess of the number authorized by the Legislature and
10 sufficient funding from the Working Capital Fund to operate
11 the additional prison bed capacity necessary to accommodate
12 the actual inmate population. This subsection expires July 1,
13 2003.

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

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

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1 ~~Such requests are subject to the budget amendment and~~
2 ~~consultation provisions of this chapter. This subsection~~
3 ~~expires July 1, 2002.~~

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

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

22 25.402 County Article V Trust Fund.--

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

29 (b) The Supreme Court shall adopt an allocation and
30 disbursement plan for the operation of the trust fund and the
31 expenditure of moneys deposited in the trust fund. The Supreme

1 Court shall include the plan in its legislative budget
2 request. A committee of 15 people shall develop and recommend
3 the allocation and disbursement plan to the Supreme Court. The
4 committee shall be composed of:

5 1. Six persons appointed by the Florida Association of
6 Counties, as follows:

7 a. Two persons residing in counties with populations
8 fewer than 90,000.

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

11 c. Two persons residing in counties with populations
12 greater than 699,999.

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

15 a. Two persons residing in counties with populations
16 fewer than 90,000.

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

19 c. Two persons residing in counties with populations
20 greater than 699,999.

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

23 a. One person residing in a county with a population
24 fewer than 90,000.

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

27 c. One person residing in a county with a population
28 greater than 699,999.

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1 The allocation and disbursement plan shall include provisions
2 to compensate counties with fewer than 90,000 residents for
3 court facility needs.

4 (c) Amendments to the approved operating budget for
5 expenditures from the County Article V Trust Fund must be
6 approved in accordance with the provisions of s. 216.181. The
7 total amount disbursed from the County Article V Trust Fund
8 may not exceed the amount authorized by the General
9 Appropriations Act.

10 (d) Effective July 1, 2001, moneys generated from
11 civil penalties distributed under s. 318.21(2) and ~~s.~~
12 ~~318.21(2)(h)~~ shall be deposited in the trust fund may be used
13 for the following purposes:

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

27 2. Funds paid to counties with populations exceeding
28 89,999 shall be grants-in-aid to be used, in priority order,
29 for operating expenditures of the offices of the state
30 attorneys and public defenders as appropriated by the
31 Legislature in accordance with Specific Appropriation 2978B,

1 costs paid by the county for expert witness fees in criminal
 2 cases, court reporting and transcribing costs in criminal
 3 cases, and costs associated with the appointment of special
 4 public defenders.

5 3. Funds may be appropriated for the operation of the
 6 trial courts.

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

8 Section 10. 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 11. In order to implement Specific
 30 Appropriations 1505-1569A of the 2002-2003 General

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1 Appropriations Act, subsection (1) of section 252.373, Florida
2 Statutes, is amended to read:

3 252.373 Allocation of funds; rules.--

4 (1)(a) Funds appropriated from the Emergency
5 Management, Preparedness, and Assistance Trust Fund shall be
6 allocated by the Department of Community Affairs as follows:
7 1. Sixty percent to implement and administer state and
8 local emergency management programs, including training, of
9 which 20 percent shall be used by the division and 80 percent
10 shall be allocated to local emergency management agencies and
11 programs. Of this 80 percent, at least 80 percent shall be
12 allocated to counties.

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

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

1 administrative expenses. This competitive criteria must give
2 priority consideration to hurricane evacuation shelter
3 retrofit projects.

4 (b) Notwithstanding the provisions of paragraph (a),
5 and for the 2002-2003 ~~2001-2002~~ fiscal year only, the use up
6 ~~to \$2.2 million of the unencumbered balance~~ of the Emergency
7 Management, Preparedness, and Assistance Trust Fund shall be
8 as provided in the General Appropriations Act ~~utilized to~~
9 ~~improve, and increase the number of, disaster shelters within~~
10 ~~the state and improve local disaster preparedness.~~ This
11 paragraph expires on July 1, 2003 ~~2002~~.

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

16 163.3184 Process for adoption of comprehensive plan or
17 plan amendment.--

18 (8) NOTICE OF INTENT.--

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

31

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

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

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

26 2. For fiscal year 2002-2003 ~~2001-2002~~ only, the
27 provisions of this subparagraph shall supersede the provisions
28 of subparagraph 1. During the time period provided for in this
29 subsection, the state land planning agency shall issue,
30 through a senior administrator or the secretary, as specified
31 in the agency's procedural rules, a notice of intent to find

1 that the plan or plan amendment is in compliance or not in
2 compliance. A notice of intent shall be issued by publication
3 in the manner provided by this paragraph and by mailing a copy
4 to the local government. The advertisement shall be placed in
5 that portion of the newspaper where legal notices appear. The
6 advertisement shall be published in a newspaper that meets the
7 size and circulation requirements set forth in paragraph
8 (15)(c) and that has been designated in writing by the
9 affected local government at the time of transmittal of the
10 amendment. Publication by the state land planning agency of a
11 notice of intent in the newspaper designated by the local
12 government shall be prima facie evidence of compliance with
13 the publication requirements of this section. The state land
14 planning agency shall post a copy of the notice of intent on
15 the agency's Internet site. The agency shall, no later than
16 the date the notice of intent is transmitted to the newspaper,
17 send by regular mail a courtesy informational statement to
18 persons who provide their names and addresses to the local
19 government at the transmittal hearing or at the adoption
20 hearing where the local government has provided the names and
21 addresses of such persons to the department at the time of
22 transmittal of the adopted amendment. The informational
23 statements shall include the name of the newspaper in which
24 the notice of intent will appear, the approximate date of
25 publication, the ordinance number of the plan or plan
26 amendment, and a statement that affected persons have 21 days
27 after the actual date of publication of the notice to file a
28 petition. This subparagraph expires July 1, 2003 ~~2002~~.

29 Section 13. In order to implement Specific
30 Appropriation 1760A of the 2002-2003 General Appropriations
31

1 Act, subsection (6) is added to section 375.041, Florida
2 Statutes, to read:

3 375.041 Land Acquisition Trust Fund.--

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

8 Section 14. In order to implement Specific
9 Appropriations 1760A and 1768A of the 2002-2003 General
10 Appropriations Act, subsection (7) is added to section
11 403.709, Florida Statutes, to read:

12 403.709 Solid Waste Management Trust Fund; use of
13 waste tire fee moneys; waste tire site management.--

14 (7) For the 2002-2003 fiscal year only, the use of
15 funds allocated to the Solid Waste Management Trust Fund shall
16 be as provided in the General Appropriations Act. This
17 subsection expires July 1, 2003.

18 Section 15. In order to implement Specific
19 Appropriation 1819 of the 2002-2003 General Appropriations
20 Act, subsection (8) of section 403.7095, Florida Statutes, is
21 amended to read:

22 403.7095 Solid waste management grant program.--

23 (8) Notwithstanding the provisions of this section,
24 for fiscal year 2002-2003 ~~2001-2002~~ only, the department shall
25 provide solid waste management and recycling grants only to
26 counties with populations under 100,000. Such grants must be
27 at least 80 percent of the level of funding they received in
28 fiscal year 2000-2001. This subsection expires July 1, 2003
29 ~~2002~~.

30
31

1 Section 16. In order to implement Specific
2 Appropriation 2095 of the 2002-2003 General Appropriations
3 Act:

4 (1) Notwithstanding section 332.007, Florida Statutes,
5 any airport with direct intercontinental passenger service,
6 located in a county with a population of under 400,000 as of
7 the effective date of this act, which has a loan from the
8 Department of Transportation due in August of 2002, will have
9 such loan extended until September 18, 2008.

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

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

21 402.3017 Teacher Education and Compensation Helps
22 (TEACH) scholarship program.--

23 (1) The Legislature finds that the level of early
24 child care teacher education and training is a key predictor
25 for determining program quality. The Legislature also finds
26 that low wages for child care workers prevent many from
27 obtaining increased training and education and contribute to
28 high turnover rates. The Legislature therefore intends to
29 help fund a program which links teacher training and education
30 to compensation and commitment to the field of early childhood
31 education.

1 (2) The Department of Children and Family Services is
2 authorized to contract for the administration of the Teacher
3 Education and Compensation Helps (TEACH) scholarship program,
4 which provides educational scholarships to caregivers and
5 administrators of early childhood programs, family day care
6 homes, and large family child care homes.

7 (3) The department shall adopt rules as necessary to
8 implement this section.

9 (4) For the 2002-2003 fiscal year only, the Agency for
10 Workforce Innovation shall administer this section. This
11 subsection expires July 1, 2003.

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

16 601.155 Equalizing excise tax; credit; exemption.--

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

31

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

4 601.155 Equalizing excise tax; credit; exemption.--

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

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

23 287.161 Executive aircraft pool; assignment of
24 aircraft; charge for transportation.--

25 (4) Notwithstanding the requirements of subsections
26 (2) and (3) and for the 2002-2003 ~~2001-2002~~ fiscal year only,
27 the Department of Management Services shall charge all persons
28 receiving transportation from the executive aircraft pool a
29 rate not less than the mileage allowance fixed by the
30 Legislature for the use of privately owned vehicles. Fees
31 collected for persons traveling by aircraft in the executive

1 aircraft pool shall be deposited into the Bureau of Aircraft
2 Trust Fund and shall be expended for costs incurred to operate
3 the aircraft management activities of the department. It is
4 the intent of the Legislature that the executive aircraft pool
5 be operated on a full cost recovery basis, less available
6 funds. This subsection expires July 1, 2003 ~~2002~~.

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

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

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

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

31

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

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

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

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

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

19 (a) Effective January 1, 2001:

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

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

30

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

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

5 443.036 Definitions.--As used in this chapter, unless
6 the context clearly requires otherwise:

7 (7) BASE PERIOD.--

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

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

1 delinquent reports in s. 443.141(1)(b). This paragraph expires
2 July 1, 2003.

3 (c) For the 2002-2003 fiscal year only, for monetary
4 determinations based upon the alternative base period under
5 paragraph (b), if the Agency for Workforce Innovation is
6 unable to access the wage information through its mainframe
7 database, the agency may base the determination of eligibility
8 for benefits on an affidavit submitted by the individual with
9 respect to wages for those calendar quarters. The individual
10 must furnish payroll information, if available, in support of
11 the affidavit. A determination of benefits based upon an
12 alternative base period shall be adjusted when the quarterly
13 report of wage information from the employer is received, if
14 that information causes a change in the determination. This
15 paragraph expires July 1, 2003.

16 Section 24. A section of this act that implements a
17 specific appropriation or specifically identified proviso
18 language in the 2002-2003 General Appropriations Act is void
19 if the specific appropriation or specifically identified
20 proviso language is vetoed. A section of this act that
21 implements more than one specific appropriation or more than
22 one portion of specifically identified proviso language in the
23 2002-2003 General Appropriations Act is void if all the
24 specific appropriations or portions of specifically identified
25 proviso language are vetoed.

26 Section 25. The agency performance measures and
27 standards in the document entitled "Agency Performance
28 Measures and Standards for Fiscal Year 2002-2003" dated
29 February 22, 2002, and filed with the Secretary of the Senate
30 are incorporated by reference. Such performance measures and
31 standards are directly linked to the appropriations made in

1 the General Appropriations Act for fiscal year 2002-2003, as
2 required by the Government Performance and Accountability Act
3 of 1994. State agencies are directed to revise their
4 Long-Range Program Plans required under section 216.013,
5 Florida Statutes, to be consistent with these performance
6 measures and standards.

7 Section 26. It is the policy of the state that funds
8 provided in the 2002-2003 General Appropriations Act may not
9 be expended for contracts in excess of \$5,000 for the radio or
10 broadcast television noncommercial sustained announcements or
11 for public-service announcements unless specifically approved
12 by the Legislative Budget Commission.

13 Section 27. Except as otherwise specifically provided
14 in this act, this act shall take effect July 1, 2002; or, in
15 the event this act fails to become a law until after that
16 date, it shall take effect upon becoming a law and shall
17 operate retroactively to July 1, 2002.