

Bill No. HB 29-E, 1st Eng.

Amendment No. ____ Barcode 333754

1 positions and appropriations may be transferred from one
2 budget entity to another as required to implement the
3 reorganization. The secretary may not establish, abolish, or
4 consolidate bureaus, sections, or subsections after December
5 31, 2002, unless such action is approved by the Legislative
6 Budget Commission. The secretary shall provide a report on the
7 reorganization to the President of the Senate, the Speaker of
8 the House of Representatives, the minority leaders of the
9 Senate and the House of Representatives, and the chairs of the
10 education appropriations committees of the Legislature by
11 January 1, 2003. This section expires July 1, 2003.

12 Section 3. Effective upon this act becoming a law, in
13 order to implement section 2 of the 2002-2003 General
14 Appropriations Act, sections 29 and 30 of chapter 2001-170,
15 Laws of Florida, are amended to read:

16 Section 29. Effective July 1, 2003,the Department of
17 Education shall maximize the available federal indirect cost
18 allowed on all federal grants. Beginning with the 2003-2004
19 ~~2002-2003~~ fiscal year, none of the funds received from
20 indirect cost allowance shall be expended by the department
21 without specific appropriation by the Legislature. Funds
22 received pursuant to s. 240.241, Florida Statutes, are
23 specifically exempt from this provision.

24 Section 30. Effective July 1, 2003 ~~June 30, 2002,~~
25 section 229.8065, Florida Statutes, is repealed.

26 Section 4. Effective upon this act becoming a law, in
27 order to implement section 2 of the 2002-2003 General
28 Appropriations Act, notwithstanding section 229.085(2),
29 Florida Statutes, or any other law, the employment of
30 personnel to execute the terms of grants or contracts for
31 specific projects under the Department of Education's

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1 Projects, Contracts, and Grants Trust Fund, or any successor
2 fund to that fund, is not subject to the requirements of
3 section 216.262(1)(a), Florida Statutes. This section expires
4 July 1, 2003.

5 Section 5. In order to implement Specific
6 Appropriation 161 of the 2002-2003 General Appropriations Act,
7 notwithstanding paragraph 240.35(11)(c), Florida Statutes, or
8 any other law, a minimum of 75 percent of the balance of the
9 funds for new awards under that paragraph or its successor
10 shall be used to provide financial aid based on absolute need,
11 and the remainder of the funds shall be used for academic
12 merit purposes and other purposes approved by the district
13 boards of trustees. This section expires July 1, 2003.

14 Section 6. In order to implement Specific
15 Appropriations 166A-181 of the 2002-2003 General
16 Appropriations Act:

17 (1) Universities in the State University System shall
18 utilize the state accounting system (FLAIR) for fiscal year
19 2002-2003 but are not required to provide funds to the
20 Department of Banking and Finance for its utilization.

21 (2) Notwithstanding the provisions of sections
22 216.181, 216.292, and 240.2094, Florida Statutes, or any other
23 law, and pursuant to section 216.351, Florida Statutes, funds
24 appropriated or reappropriated to the state universities in
25 the 2002-2003 General Appropriations Act, or any other act
26 passed by the 2002 Legislature containing appropriations,
27 shall be distributed to each university according to the
28 2002-2003 fiscal year operating budget approved by the
29 university board of trustees. Each university board of
30 trustees shall have authority to amend the operating budget as
31 circumstances warrant. The operating budget may utilize

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

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

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

30 Section 7. In order to implement Specific
31 Appropriations 303-338 of the 2002-2003 General Appropriations

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1 Act, subsection (12) of section 216.292, Florida Statutes, is
2 amended to read:

3 216.292 Appropriations nontransferable; exceptions.--
4 (12) For the 2002-2003 ~~2001-2002~~ fiscal year only and
5 notwithstanding the other provisions of this section, the
6 Department of Children and Family Services may transfer funds
7 within the family safety program identified in the General
8 Appropriations Act from identical funding sources between the
9 following appropriation categories without limitation as long
10 as such a transfer does not result in an increase to the total
11 recurring general revenue or trust fund cost of the agency in
12 the subsequent fiscal year: adoption services and subsidy;
13 family foster care; and emergency shelter care. Such transfers
14 must be consistent with legislative policy and intent and must
15 not adversely affect achievement of approved performance
16 outcomes or outputs in the family safety program. Notice of
17 proposed transfers under this authority must be provided to
18 the Executive Office of the Governor and the chairs of the
19 legislative appropriations committees at least 5 working days
20 before their implementation. This subsection expires July 1,
21 2003 ~~2002~~.

22 Section 8. In order to implement Specific
23 Appropriations 349, 1170, 2877, and 3119 of the 2002-2003
24 General Appropriations Act, section 215.20, Florida Statutes,
25 as amended by section 2 of chapter 2002-46, Laws of Florida,
26 is amended to read:

27 (Substantial rewording of section. See
28 s. 215.20, F.S., for present text.)

29 215.20 Certain income and certain trust funds to
30 contribute to the General Revenue Fund.--

31 (1) A service charge of 7 percent, representing the

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1 estimated pro rata share of the cost of general government
2 paid from the General Revenue Fund, is appropriated from all
3 income of a revenue nature deposited in all trust funds except
4 those enumerated in s. 215.22. Income of a revenue nature
5 shall include all earnings received or credited by such trust
6 funds, including the interest or benefit received from the
7 investment of the principal of such trust funds as may be
8 permitted by law. This provision shall be construed in favor
9 of the General Revenue Fund in each instance. All such
10 appropriations shall be deposited in the General Revenue Fund.

11 (2) Notwithstanding the provisions of subsection (1):

12 (a) The trust funds of the Department of Citrus and
13 the Department of Agriculture and Consumer Services, including
14 funds collected in the General Inspection Trust Fund for
15 marketing orders and in the Florida Citrus Advertising Trust
16 Fund, shall be subject to a 3-percent service charge, which is
17 hereby appropriated to the General Revenue Fund. This
18 paragraph does not apply to the Conservation and Recreation
19 Lands Program Trust Fund, the Florida Quarter Horse Racing
20 Promotion Trust Fund, the Citrus Inspection Trust Fund, the
21 Florida Forever Program Trust Fund, the Florida Preservation
22 2000 Trust Fund, the Market Improvements Working Capital Trust
23 Fund, the Pest Control Trust Fund, the Plant Industry Trust
24 Fund, or other funds collected in the General Inspection Trust
25 Fund in the Department of Agriculture and Consumer Services.

26 (b) The Save the Manatee Trust Fund in the Fish and
27 Wildlife Conservation Commission shall be subject to a
28 3-percent service charge, which is appropriated to the General
29 Revenue Fund.

30 (3) A service charge of 0.3 percent is appropriated
31 from income of a revenue nature deposited in the trust funds

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1 enumerated in subsection (4). Income of a revenue nature shall
2 include all earnings received or credited by such trust funds,
3 including the interest or benefit received from the investment
4 of the principal of such trust funds as may be permitted by
5 law. This provision shall be construed in favor of the
6 General Revenue Fund in each instance. All such
7 appropriations shall be deposited in the General Revenue Fund.

8 (4) The income of a revenue nature deposited in the
9 following described trust funds, by whatever name designated,
10 is that from which the appropriations authorized by subsection
11 (3) shall be made:

12 (a) Within the Agency for Health Care Administration:

13 1. The Florida Organ and Tissue Donor Education and
14 Procurement Trust Fund.

15 2. The Health Care Trust Fund.

16 3. The Resident Protection Trust Fund.

17 (b) Within the Agency for Workforce Innovation, the
18 Employment Security Administration Trust Fund.

19 (c) Within the Department of Agriculture and Consumer
20 Services:

21 1. The Conservation and Recreation Lands Program Trust
22 Fund.

23 2. The Florida Quarter Horse Racing Promotion Trust
24 Fund.

25 3. The General Inspection Trust Fund and subsidiary
26 accounts thereof, unless a different percentage is authorized
27 by s. 570.20.

28 (d) Within the Department of Banking and Finance:

29 1. The Administrative Trust Fund.

30 2. The Anti-Fraud Trust Fund.

31 3. The Financial Institutions' Regulatory Trust Fund.

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- 1 4. The Mortgage Brokerage Guaranty Fund.
2 5. The Regulatory Trust Fund.
3 (e) Within the Department of Business and Professional
4 Regulation:
5 1. The Administrative Trust Fund.
6 2. The Alcoholic Beverage and Tobacco Trust Fund.
7 3. The Cigarette Tax Collection Trust Fund.
8 4. The Division of Florida Land Sales, Condominiums,
9 and Mobile Homes Trust Fund.
10 5. The Hotel and Restaurant Trust Fund, with the
11 exception of those fees collected for the purpose of funding
12 of the hospitality education program as stated in s. 509.302.
13 6. The Professional Regulation Trust Fund.
14 7. The trust funds administered by the Division of
15 Pari-mutuel Wagering.
16 (f) Within the Department of Children and Family
17 Services:
18 1. The Administrative Trust Fund.
19 2. The Child Welfare Training Trust Fund.
20 3. The Children and Adolescents Substance Abuse Trust
21 Fund.
22 4. The Domestic Violence Trust Fund.
23 5. The Grants and Donations Trust Fund.
24 6. The Operations and Maintenance Trust Fund.
25 (g) Within the Department of Citrus, the Florida
26 Citrus Advertising Trust Fund, including transfers from any
27 subsidiary accounts thereof, unless a different percentage is
28 authorized in s. 601.15(7).
29 (h) Within the Department of Community Affairs, the
30 Operating Trust Fund.
31 (i) Within the Department of Education:

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- 1 1. The Educational Certification and Service Trust
- 2 Fund.
- 3 2. The Phosphate Research Trust Fund.
- 4 (j) Within the Department of Elderly Affairs:
- 5 1. The Administrative Trust Fund.
- 6 2. The Federal Grants Trust Fund.
- 7 3. The Grants and Donations Trust Fund.
- 8 4. The Operations and Maintenance Trust Fund.
- 9 (k) Within the Department of Environmental Protection:
- 10 1. The Administrative Trust Fund.
- 11 2. The Air Pollution Control Trust Fund.
- 12 3. The Conservation and Recreation Lands Trust Fund.
- 13 4. The Ecosystem Management and Restoration Trust
- 14 Fund.
- 15 5. The Environmental Laboratory Trust Fund.
- 16 6. The Florida Coastal Protection Trust Fund.
- 17 7. The Florida Permit Fee Trust Fund.
- 18 8. The Forfeited Property Trust Fund.
- 19 9. The Grants and Donations Trust Fund.
- 20 10. The Inland Protection Trust Fund.
- 21 11. The Internal Improvement Trust Fund.
- 22 12. The Land Acquisition Trust Fund.
- 23 13. The Minerals Trust Fund.
- 24 14. The Nonmandatory Land Reclamation Trust Fund.
- 25 15. The State Park Trust Fund.
- 26 16. The Water Quality Assurance Trust Fund.
- 27 17. The Working Capital Trust Fund.
- 28 (l) Within the Department of Health:
- 29 1. The Administrative Trust Fund.
- 30 2. The Brain and Spinal Cord Injury Program Trust
- 31 Fund.

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- 1 3. The Donations Trust Fund.
- 2 4. The Emergency Medical Services Trust Fund.
- 3 5. The Epilepsy Services Trust Fund.
- 4 6. The Florida Drug, Device, and Cosmetic Trust Fund.
- 5 7. The Grants and Donations Trust Fund.
- 6 8. The Medical Quality Assurance Trust Fund.
- 7 9. The Nursing Student Loan Forgiveness Trust Fund.
- 8 10. The Planning and Evaluation Trust Fund.
- 9 11. The Radiation Protection Trust Fund.
- 10 (m) Within the Department of Highway Safety and Motor
- 11 Vehicles, the DUI Programs Coordination Trust Fund.
- 12 (n) Within the Department of Insurance:
- 13 1. The Agents and Solicitors County Tax Trust Fund.
- 14 2. The Insurance Commissioner's Regulatory Trust Fund.
- 15 (o) Within the Department of Labor and Employment
- 16 Security or, if such department is terminated, within the
- 17 agency or department to which the named trust fund has been
- 18 transferred:
- 19 1. The Special Disability Trust Fund.
- 20 2. The Special Employment Security Administration
- 21 Trust Fund.
- 22 3. The Workers' Compensation Administration Trust
- 23 Fund.
- 24 (p) Within the Department of Legal Affairs, the Crimes
- 25 Compensation Trust Fund.
- 26 (q) Within the Department of Management Services:
- 27 1. The Administrative Trust Fund.
- 28 2. The Architects Incidental Trust Fund.
- 29 3. The Bureau of Aircraft Trust Fund.
- 30 4. The Florida Facilities Pool Working Capital Trust
- 31 Fund.

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- 1 5. The Grants and Donations Trust Fund.
- 2 6. The Motor Vehicle Operating Trust Fund.
- 3 7. The Police and Firefighters' Premium Tax Trust
- 4 Fund.
- 5 8. The Public Employees Relations Commission Trust
- 6 Fund.
- 7 9. The State Personnel System Trust Fund.
- 8 10. The Supervision Trust Fund.
- 9 11. The Working Capital Trust Fund.
- 10 (r) Within the Department of Revenue:
- 11 1. The Additional Court Cost Clearing Trust Fund.
- 12 2. The Administrative Trust Fund.
- 13 3. The Apalachicola Bay Oyster Surcharge Clearing
- 14 Trust Fund.
- 15 4. The Certification Program Trust Fund.
- 16 5. The Fuel Tax Collection Trust Fund.
- 17 6. The Land Reclamation Trust Fund.
- 18 7. The Local Alternative Fuel User Fee Clearing Trust
- 19 Fund.
- 20 8. The Local Option Fuel Tax Trust Fund.
- 21 9. The Motor Vehicle Rental Surcharge Clearing Trust
- 22 Fund.
- 23 10. The Motor Vehicle Warranty Trust Fund.
- 24 11. The Oil and Gas Tax Trust Fund.
- 25 12. The Secondhand Dealer and Secondary Metals
- 26 Recycler Clearing Trust Fund.
- 27 13. The Severance Tax Solid Mineral Trust Fund.
- 28 14. The State Alternative Fuel User Fee Clearing Trust
- 29 Fund.
- 30 15. All taxes levied on motor fuels other than
- 31 gasoline levied pursuant to the provisions of s. 206.87(1)(a).

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- 1 (s) Within the Department of State:
2 1. The Division of Licensing Trust Fund.
3 2. The Records Management Trust Fund.
4 3. The trust funds administered by the Division of
5 Historical Resources.
6 (t) Within the Department of Transportation, all
7 income derived from outdoor advertising and overweight
8 violations which is deposited in the State Transportation
9 Trust Fund.
10 (u) Within the Department of Veterans' Affairs:
11 1. The Grants and Donations Trust Fund.
12 2. The Operations and Maintenance Trust Fund.
13 3. The State Homes for Veterans Trust Fund.
14 (v) Within the Division of Administrative Hearings,
15 the Administrative Trust Fund.
16 (w) Within the Fish and Wildlife Conservation
17 Commission:
18 1. The Conservation and Recreation Lands Program Trust
19 Fund.
20 2. The Florida Panther Research and Management Trust
21 Fund.
22 3. The Land Acquisition Trust Fund.
23 4. The Marine Resources Conservation Trust Fund, with
24 the exception of those fees collected for recreational
25 saltwater fishing licenses as provided in s. 372.57.
26 (x) Within the Florida Public Service Commission, the
27 Florida Public Service Regulatory Trust Fund.
28 (y) Within the Justice Administrative Commission, the
29 Indigent Criminal Defense Trust Fund.
30
31 The enumeration of the foregoing moneys or trust funds shall

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1 not prohibit the applicability thereto of s. 215.24 should the
2 Governor determine that for the reasons mentioned in s. 215.24
3 the money or trust funds should be exempt herefrom, as it is
4 the purpose of this law to exempt income from its force and
5 effect when, by the operation of this law, federal matching
6 funds or contributions or private grants to any trust fund
7 would be lost to the state.

8 (5) There is appropriated from the proper respective
9 trust funds from time to time such sums as may be necessary to
10 pay to the General Revenue Fund the service charges imposed by
11 this section.

12 Section 9. The amendment of section 215.20, Florida
13 Statutes, by this act shall expire on July 1, 2003, and the
14 text of that section shall revert to that in existence on June
15 30, 2002, except that any amendments to such text enacted
16 other than by this act shall be preserved and continue to
17 operate to the extent that such amendments are not dependent
18 upon the portions of such text which expire pursuant to the
19 provisions of this act.

20 Section 10. In order to implement Specific
21 Appropriations 349, 1170, 2877, and 3119 of the 2002-2003
22 General Appropriations Act, subsection (1) of section 215.22,
23 Florida Statutes, is amended to read:

24 215.22 Certain income and certain trust funds
25 exempt.--

26 (1) The following income of a revenue nature or the
27 following trust funds shall be exempt from the appropriation
28 ~~deduction~~ required by s. 215.20(1):

- 29 (a) Student financial aid or prepaid tuition receipts.
- 30 (b) Trust funds administered by the Department of the
- 31 Lottery.

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1 (c) Departmental administrative assessments for
2 administrative divisions.

3 (d) Funds charged by a state agency for services
4 provided to another state agency, by a state agency for
5 services provided to the judicial branch, or by the judicial
6 branch for services provided to a state agency.

7 (e) State, agency, or political subdivision
8 investments by the Treasurer.

9 (f) Retirement or employee benefit funds.

10 (g) Self-insurance programs administered by the
11 Treasurer.

12 (h) Funds held for the payment of citrus canker
13 eradication and compensation.

14 (i) Medicaid, Medicare, or third-party receipts for
15 client custodial care.

16 (j) Bond proceeds or revenues dedicated for bond
17 repayment, except for the Documentary Stamp Clearing Trust
18 Fund administered by the Department of Revenue.

19 (k) Trust funds administered by the Department of
20 Education.

21 (l) Trust funds administered by the Department of
22 Transportation.

23 (m) The following trust funds administered by the
24 Department of Agriculture and Consumer Services:

- 25 1. The Citrus Inspection Trust Fund.
- 26 2. The Florida Forever Program Trust Fund.
- 27 3. The Florida Preservation 2000 Trust Fund.
- 28 4. The Market Improvements Working Capital Trust Fund.
- 29 5. The Pest Control Trust Fund.
- 30 6. The Plant Industry Trust Fund.

31 (n) The Motor Vehicle License Clearing Trust Fund.

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- 1 (o) The Solid Waste Management Trust Fund.
- 2 (p) The Coconut Grove Playhouse Trust Fund.
- 3 (q) The Communications Working Capital Trust Fund of
- 4 the Department of Management Services.
- 5 (r) The Camp Blanding Management Trust Fund.
- 6 (s) The Indigent Criminal Defense Trust Fund.
- 7 (t) That portion of the Highway Safety Operating Trust
- 8 Fund funded by the motorcycle safety education fee collected
- 9 pursuant to s. 320.08(1)(c).
- 10 ~~(u) The Save the Manatee Trust Fund.~~
- 11 (u)~~(v)~~ Tobacco Settlement Trust Funds administered by
- 12 any agency.
- 13 (v)~~(w)~~ The Save Our Everglades Trust Fund.
- 14 Section 11. The amendment of subsection (1) of section
- 15 215.22, Florida Statutes, by this act shall expire on July 1,
- 16 2003, and the text of that subsection shall revert to that in
- 17 existence on June 30, 2002, except that any amendments to such
- 18 text enacted other than by this act shall be preserved and
- 19 continue to operate to the extent that such amendments are not
- 20 dependent upon the portions of such text which expire pursuant
- 21 to the provisions of this act.
- 22 Section 12. In order to implement Specific
- 23 Appropriations 349, 1170, and 3119 of the 2002-2003 General
- 24 Appropriations Act, subsection (4) of section 18.10, Florida
- 25 Statutes, is amended to read:
- 26 18.10 Deposits and investments of state money.--
- 27 (4) All earnings on any investments made pursuant to
- 28 this section are appropriated ~~shall be credited~~ to the General
- 29 Revenue Fund, except that earnings attributable to moneys made
- 30 available pursuant to s. 18.125(3)(a) and (b) shall be
- 31 credited pro rata to the funds from which such moneys were

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1 made available.

2 Section 13. The amendment of subsection (4) of section
3 18.10, Florida Statutes, by this act shall expire on July 1,
4 2003, and the text of that subsection shall revert to that in
5 existence on June 30, 2002, except that any amendments to such
6 text enacted other than by this act shall be preserved and
7 continue to operate to the extent that such amendments are not
8 dependent upon the portions of such text which expire pursuant
9 to the provisions of this act.

10 Section 14. In order to implement Specific
11 Appropriations 349, 1170, and 3119 of the 2002-2003 General
12 Appropriations Act, subsection (3) of section 18.125, Florida
13 Statutes, is amended to read:

14 18.125 Treasurer; powers and duties in the investment
15 of certain funds.--

16 (3)(a) Except as otherwise provided in this
17 subsection, it is the duty of each state agency, and of the
18 judicial branch, now or hereafter charged with the
19 administration of the funds referred to in subsection (1) to
20 make such moneys available for investment as fully as is
21 consistent with the cash requirements of the particular fund
22 and to authorize investment of such moneys by the Treasurer.

23 (b) Monthly, and more often as circumstances require,
24 such agency or judicial branch shall notify the Treasurer of
25 the amount available for investment; and the moneys shall be
26 invested by the Treasurer. Such notification shall include
27 the name and number of the fund for which the investments are
28 to be made and the life of the investment if the principal sum
29 is to be required for meeting obligations. This subsection,
30 however, shall not be construed to make available for
31 investment any funds other than those referred to in

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1 subsection (1).

2 (c) Except as provided in this paragraph and except
3 for moneys described in paragraph (d), the following agencies
4 shall not invest trust fund moneys as provided in this
5 section, but shall retain such moneys in their respective
6 trust funds for investment, with interest appropriated to the
7 General Revenue Fund, pursuant to s. 18.10:

8 1. The Agency for Health Care Administration, except
9 for the Tobacco Settlement Trust Fund.

10 2. The Department of Children and Family Services,
11 except for:

12 a. The Alcohol, Drug Abuse, and Mental Health Trust
13 Fund.

14 b. The Community Resources Development Trust Fund.

15 c. The Refugee Assistance Trust Fund.

16 d. The Social Services Block Grant Trust Fund.

17 e. The Tobacco Settlement Trust Fund.

18 f. The Working Capital Trust Fund.

19 3. The Department of Community Affairs, only for the
20 Operating Trust Fund.

21 4. The Department of Corrections.

22 5. The Department of Elderly Affairs, except for:

23 a. The Federal Grants Trust Fund.

24 b. The Tobacco Settlement Trust Fund.

25 6. The Department of Health, except for:

26 a. The Federal Grants Trust Fund.

27 b. The Grants and Donations Trust Fund.

28 c. The Maternal and Child Health Block Grant Trust
29 Fund.

30 d. The Tobacco Settlement Trust Fund.

31 7. The Department of Highway Safety and Motor

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- 1 Vehicles, only for:
- 2 a. The DUI Programs Coordination Trust Fund.
- 3 b. The Security Deposits Trust Fund.
- 4 8. The Department of Juvenile Justice.
- 5 9. The Department of Labor and Employment Security,
- 6 only for the Administrative Trust Fund.
- 7 10. The Department of Law Enforcement.
- 8 11. The Department of Legal Affairs.
- 9 12. The Department of State, only for:
- 10 a. The Grants and Donations Trust Fund.
- 11 b. The Records Management Trust Fund.
- 12 13. The Executive Office of the Governor, only for:
- 13 a. The Economic Development Transportation Trust Fund.
- 14 b. The Economic Development Trust Fund.
- 15 14. The Florida Public Service Commission, only for
- 16 the Florida Public Service Regulatory Trust Fund.
- 17 15. The Justice Administrative Commission.
- 18 16. The state courts system.
- 19 (d) Moneys in any trust funds of the agencies in
- 20 paragraph (c) may be invested pursuant to the provisions of
- 21 this section if:
- 22 1. Investment of such moneys and the retention of
- 23 interest is required by federal programs or mandates;
- 24 2. Investment of such moneys and the retention of
- 25 interest is required by bond covenants, indentures, or
- 26 resolutions;
- 27 3. Such moneys are held by the state in a trustee
- 28 capacity as an agent or fiduciary for individuals, private
- 29 organizations, or other governmental units; or
- 30 4. The Executive Office of the Governor determines,
- 31 after consultation with the Legislature pursuant to the

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1 procedures of s. 216.177, that federal matching funds or
2 contributions or private grants to any trust fund would be
3 lost to the state.

4 Section 15. The amendment of subsection (3) of section
5 18.125, Florida Statutes, by this act shall expire on July 1,
6 2003, and the text of that subsection shall revert to that in
7 existence on June 30, 2002, except that any amendments to such
8 text enacted other than by this act shall be preserved and
9 continue to operate to the extent that such amendments are not
10 dependent upon the portions of such text which expire pursuant
11 to the provisions of this act.

12 Section 16. In order to implement Specific
13 Appropriation 3119 of the 2002-2003 General Appropriations
14 Act, paragraph (f) of subsection (2) of section 14.2015,
15 Florida Statutes, is amended to read:

16 14.2015 Office of Tourism, Trade, and Economic
17 Development; creation; powers and duties.--

18 (2) The purpose of the Office of Tourism, Trade, and
19 Economic Development is to assist the Governor in working with
20 the Legislature, state agencies, business leaders, and
21 economic development professionals to formulate and implement
22 coherent and consistent policies and strategies designed to
23 provide economic opportunities for all Floridians. To
24 accomplish such purposes, the Office of Tourism, Trade, and
25 Economic Development shall:

26 (f)1. Administer the Florida Enterprise Zone Act under
27 ss. 290.001-290.016, the community contribution tax credit
28 program under ss. 220.183 and 624.5105, the tax refund program
29 for qualified target industry businesses under s. 288.106, the
30 tax-refund program for qualified defense contractors under s.
31 288.1045, contracts for transportation projects under s.

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1 288.063, the sports franchise facility program under s.
2 288.1162, the professional golf hall of fame facility program
3 under s. 288.1168, the expedited permitting process under s.
4 403.973, the Rural Community Development Revolving Loan Fund
5 under s. 288.065, the Regional Rural Development Grants
6 Program under s. 288.018, the Certified Capital Company Act
7 under s. 288.99, the Florida State Rural Development Council,
8 the Rural Economic Development Initiative, and other programs
9 that are specifically assigned to the office by law, by the
10 appropriations process, or by the Governor. Notwithstanding
11 any other provisions of law, the office may expend interest
12 earned from the investment of program funds deposited in the
13 ~~Economic Development Trust Fund~~, the Grants and Donations
14 Trust Fund and, the Brownfield Property Ownership Clearance
15 Assistance Revolving Loan Trust Fund, ~~and the Economic~~
16 ~~Development Transportation Trust Fund~~ to contract for the
17 administration of the programs, or portions of the programs,
18 enumerated in this paragraph or assigned to the office by law,
19 by the appropriations process, or by the Governor. Such
20 expenditures shall be subject to review under chapter 216.

21 2. The office may enter into contracts in connection
22 with the fulfillment of its duties concerning the Florida
23 First Business Bond Pool under chapter 159, tax incentives
24 under chapters 212 and 220, tax incentives under the Certified
25 Capital Company Act in chapter 288, foreign offices under
26 chapter 288, the Enterprise Zone program under chapter 290,
27 the Seaport Employment Training program under chapter 311, the
28 Florida Professional Sports Team License Plates under chapter
29 320, Spaceport Florida under chapter 331, Expedited Permitting
30 under chapter 403, and in carrying out other functions that
31 are specifically assigned to the office by law, by the

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1 appropriations process, or by the Governor.

2 Section 17. The amendment of paragraph (f) of
3 subsection (2) of section 14.2015, Florida Statutes, by this
4 act shall expire on July 1, 2003, and the text of that
5 paragraph shall revert to that in existence on June 30, 2002,
6 except that any amendments to such text enacted other than by
7 this act shall be preserved and continue to operate to the
8 extent that such amendments are not dependent upon the
9 portions of such text which expire pursuant to the provisions
10 of this act.

11 Section 18. In order to implement Specific
12 Appropriation 349 of the 2002-2003 General Appropriations Act,
13 subsection (7) of section 240.4075, Florida Statutes, is
14 amended to read:

15 240.4075 Nursing Student Loan Forgiveness Program.--

16 (7)~~(a)~~ Funds contained in the Nursing Student Loan
17 Forgiveness Trust Fund which are to be used for loan
18 forgiveness for those nurses employed by hospitals, birth
19 centers, and nursing homes must be matched on a
20 dollar-for-dollar basis by contributions from the employing
21 institutions, except that this provision shall not apply to
22 state-operated medical and health care facilities, public
23 schools, county health departments, federally sponsored
24 community health centers, teaching hospitals as defined in s.
25 408.07, family practice teaching hospitals as defined in s.
26 395.805, or specialty hospitals for children as used in s.
27 409.9119. If in any given fiscal quarter there are
28 insufficient funds in the trust fund to grant all eligible
29 applicant requests, awards shall be based on the following
30 priority of employer: county health departments; federally
31 sponsored community health centers; state-operated medical and

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1 health care facilities; public schools; teaching hospitals as
2 defined in s. 408.07; family practice teaching hospitals as
3 defined in s. 395.805; specialty hospitals for children as
4 used in s. 409.9119; and other hospitals, birth centers, and
5 nursing homes.

6 ~~(b) All Nursing Student Loan Forgiveness Trust Fund~~
7 ~~moneys shall be invested pursuant to s. 18.125. Interest~~
8 ~~income accruing to that portion of the trust fund not matched~~
9 ~~shall increase the total funds available for loan forgiveness~~
10 ~~and scholarships. Pledged contributions shall not be eligible~~
11 ~~for matching prior to the actual collection of the total~~
12 ~~private contribution for the year.~~

13 Section 19. The amendment of subsection (7) of section
14 240.4075, Florida Statutes, by this act shall expire on July
15 1, 2003, and the text of that subsection shall revert to that
16 in existence on June 30, 2002, except that any amendments to
17 such text enacted other than by this act shall be preserved
18 and continue to operate to the extent that such amendments are
19 not dependent upon the portions of such text which expire
20 pursuant to the provisions of this act.

21 Section 20. In order to implement Specific
22 Appropriation 349 of the 2002-2003 General Appropriations Act,
23 subsection (3) of section 385.207, Florida Statutes, is
24 amended to read:

25 385.207 Care and assistance of persons with epilepsy;
26 establishment of programs in epilepsy control.--

27 (3) Revenue for statewide implementation of programs
28 for epilepsy prevention and education pursuant to this section
29 shall be derived pursuant to the provisions of s. 318.21(6)
30 and shall be deposited in the Epilepsy Services Trust Fund,
31 which is hereby established to be administered by the

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1 Department of Health. ~~All funds deposited into the trust fund~~
2 ~~shall be invested pursuant to the provisions of s. 18.125.~~
3 ~~Interest income accruing to such invested funds shall increase~~
4 ~~the total funds available under this subsection.~~

5 Section 21. The amendment of subsection (3) of section
6 385.207, 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 22. In order to implement Specific
14 Appropriation 1170 of the 2002-2003 General Appropriations
15 Act, subsection (1) of section 860.158, Florida Statutes, is
16 amended to read:

17 860.158 Florida Motor Vehicle Theft Prevention Trust
18 Fund.--

19 (1) There is hereby established within the Department
20 of Legal Affairs the Florida Motor Vehicle Theft Prevention
21 Trust Fund, which shall be administered by the executive
22 director of the authority at the direction of the board. ~~All~~
23 ~~interest earned from the investment or deposit of moneys~~
24 ~~accumulated in the trust fund shall be deposited in the trust~~
25 ~~fund.~~The trust fund shall be funded from the surcharge
26 collected under s. 320.08046.

27 Section 23. The amendment of subsection (1) of section
28 860.158, Florida Statutes, by this act shall expire on July 1,
29 2003, and the text of that subsection shall revert to that in
30 existence on June 30, 2002, except that any amendments to such
31 text enacted other than by this act shall be preserved and

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

4 Section 24. In order to implement Specific
5 Appropriation 1170 of the 2002-2003 General Appropriations
6 Act, subsection (1) of section 938.01, Florida Statutes, as
7 amended by section 18 of chapter 2002-55, Laws of Florida, is
8 amended to read:

9 938.01 Additional Court Cost Clearing Trust Fund.--
10 (1) All courts created by Art. V of the State
11 Constitution shall, in addition to any fine or other penalty,
12 assess \$3 as a court cost against every person convicted for
13 violation of a state penal or criminal statute or convicted
14 for violation of a municipal or county ordinance. Any person
15 whose adjudication is withheld pursuant to the provisions of
16 s. 318.14(9) or (10) shall also be assessed such cost. In
17 addition, \$3 from every bond estreature or forfeited bail bond
18 related to such penal statutes or penal ordinances shall be
19 remitted to the Department of Revenue as described in this
20 subsection. However, no such assessment may be made against
21 any person convicted for violation of any state statute,
22 municipal ordinance, or county ordinance relating to the
23 parking of vehicles.

24 (a) All costs collected by the courts pursuant to this
25 subsection shall be remitted to the Department of Revenue in
26 accordance with administrative rules adopted by the executive
27 director of the Department of Revenue for deposit in the
28 Additional Court Cost Clearing Trust Fund. These funds and the
29 funds deposited in the Additional Court Cost Clearing Trust
30 Fund pursuant to s. 318.21(2)(c) shall be distributed as
31 follows:

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1 1. Ninety-two percent to the Department of Law
2 Enforcement Criminal Justice Standards and Training Trust
3 Fund.

4 2. Six and three-tenths percent to the Department of
5 Law Enforcement Operating Trust Fund for the Criminal Justice
6 Grant Program.

7 3. One and seven-tenths percent to the Department of
8 Children and Family Services Domestic Violence Trust Fund for
9 the domestic violence program pursuant to s. 39.903(3).

10 ~~(b) The funds deposited in the Department of Law~~
11 ~~Enforcement Criminal Justice Standards and Training Trust~~
12 ~~Fund, the Department of Law Enforcement Operating Trust Fund,~~
13 ~~and the Department of Children and Family Services Domestic~~
14 ~~Violence Trust Fund may be invested. Any interest earned from~~
15 ~~investing such funds and any unencumbered funds remaining at~~
16 ~~the end of the budget cycle shall remain in the respective~~
17 ~~trust fund.~~

18 ~~(b)(c)~~ All funds in the Department of Law Enforcement
19 Criminal Justice Standards and Training Trust Fund shall be
20 disbursed only in compliance with s. 943.25(9).

21 Section 25. The amendment of subsection (1) of section
22 938.01, Florida Statutes, by this act shall expire on July 1,
23 2003, and the text of that subsection shall revert to that in
24 existence on June 30, 2002, except that any amendments to such
25 text enacted other than by this act shall be preserved and
26 continue to operate to the extent that such amendments are not
27 dependent upon the portions of such text which expire pursuant
28 to the provisions of this act.

29 Section 26. In order to implement Specific
30 Appropriation 672 of the 2002-2003 General Appropriations Act,
31 section 295.182, Florida Statutes, is amended to read:

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1 295.182 Florida World War II Veterans Memorial
2 Matching Trust Fund; contributions; use.--

3 (1) The Florida World War II Veterans Memorial
4 Matching Trust Fund, if created by law, within the Department
5 of Veterans' Affairs shall receive private contributions and
6 matching state funds specifically appropriated by the
7 Legislature for the purpose of matching private donations
8 deposited into the trust fund to build a Florida World War II
9 Veterans Memorial as provided by this act. The department is
10 authorized to use moneys in the trust fund, if created by law,
11 in a manner which will generate increased funding for the
12 Florida World War II Veterans Memorial. Contributions to the
13 Florida World War II Veterans Memorial Matching Trust Fund
14 must be returned to those entities or individuals contributing
15 to the trust fund if the Florida World War II Veterans
16 Memorial is not constructed as provided for in s. 295.183.

17 (2) For the 2002-2003 fiscal year only, the department
18 may receive contributions from public bodies as defined in s.
19 1.01(8). Public bodies are authorized to appropriate funds, in
20 lump sum or otherwise, for the purpose of making contributions
21 to the trust fund. This subsection expires July 1, 2003.

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

26 216.262 Authorized positions.--

27 (4) Notwithstanding the provisions of this chapter on
28 increasing the number of authorized positions, and for the
29 2002-2003 ~~2001-2002~~ fiscal year only, ÷

30 ~~(a)~~ if the actual inmate population of the Department
31 of Corrections exceeds by 2 percent for 2 consecutive months

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

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

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

26
27 ~~Such requests are subject to the budget amendment and~~
28 ~~consultation provisions of this chapter. This subsection~~
29 ~~expires July 1, 2002.~~

30 Section 28. In order to implement proviso language
31 following Specific Appropriation 1178 of the 2002-2003 General

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

13 Section 29. In order to implement Specific
14 Appropriation 1291 of the 2002-2003 General Appropriations
15 Act, paragraph (b) of subsection (3) of section 16.555,
16 Florida Statutes, as created by section 8 of chapter 2001-380,
17 Laws of Florida, is amended to read:

18 16.555 Crime Stoppers Trust Fund; rulemaking.--

19 (3)

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

25 Section 30. In order to implement Specific
26 Appropriations 1291 and 1322 of the 2002-2003 General
27 Appropriations Act, paragraph (b) of subsection (2) of section
28 860.158, Florida Statutes, as created by section 9 of chapter
29 2001-380, Laws of Florida, is amended to read:

30 860.158 Florida Motor Vehicle Theft Prevention Trust
31 Fund.--

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1 greater than 699,999.

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

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

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

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

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

12 a. One person residing in a county with a population
13 fewer than 90,000.

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

16 c. One person residing in a county with a population
17 greater than 699,999.

18

19 The allocation and disbursement plan shall include provisions
20 to compensate counties with fewer than 90,000 residents for
21 court facility needs.

22 (c) Amendments to the approved operating budget for
23 expenditures from the County Article V Trust Fund must be
24 approved in accordance with the provisions of s. 216.181. The
25 total amount disbursed from the County Article V Trust Fund
26 may not exceed the amount authorized by the General
27 Appropriations Act.

28 (d) Effective July 1, 2001, moneys generated from
29 civil penalties distributed under s. 318.21(2) and ~~s.~~
30 ~~318.21(2)(h) shall be~~ deposited in the trust fund may be used
31 for the following purposes:

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1 1. Funds paid to counties with populations fewer than
2 90,000 shall be grants-in-aid to be used, in priority order,
3 for: operating expenditures of the offices of the state
4 attorneys and public defenders as appropriated by the
5 Legislature in accordance with Specific Appropriation 2978B;
6 consulting or architectural studies related to the improvement
7 of courthouse facilities; improving court facilities to ensure
8 compliance with the Americans with Disabilities Act and other
9 federal or state requirements; other renovations in court
10 facilities; improvements in court security; and expert witness
11 fees in criminal cases, court reporting and transcribing costs
12 in criminal cases, and costs associated with the appointment
13 of special public defenders.

14 2. Funds paid to counties with populations exceeding
15 89,999 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 costs paid by the county for expert witness fees in criminal
20 cases, court reporting and transcribing costs in criminal
21 cases, and costs associated with the appointment of special
22 public defenders.

23 3. Funds may be appropriated for the operation of the
24 trial courts.

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

26 Section 32. In order to implement Specific
27 Appropriation 1480A of the 2002-2003 General Appropriations
28 Act, subsections (2) and (6) of section 581.1845, Florida
29 Statutes, as amended by section 11 of chapter 2001-380, Laws
30 of Florida, are amended to read:

31 581.1845 Citrus canker eradication; compensation to

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1 homeowners whose trees have been removed.--

2 (2) To be eligible to receive compensation under the
3 program, a homeowner must:

4 (a) Be the homeowner of record on July 1, 2001, the
5 ~~effective date of this act~~ for residential property where one
6 or more citrus trees have been removed as part of a citrus
7 canker eradication program, except that, for the 2002-2003
8 fiscal year only, a homeowner must be the homeowner of record
9 on the date the trees were removed in order to be eligible to
10 receive compensation;

11 (b) Have had one or more citrus trees removed from the
12 property by a tree-cutting contractor as part of a citrus
13 canker eradication program on or after January 1, 1995; and

14 (c) Have received no commercial compensation and is
15 not eligible to receive commercial compensation from the
16 United States Department of Agriculture for citrus trees
17 removed as part of a citrus canker eradication program.

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

26 (b) For the 2002-2003 fiscal year only and
27 notwithstanding the \$100-compensation amount specified in
28 subsection (3), the amount of compensation for each tree
29 removed from residential property by the citrus canker
30 eradication program shall be \$55. This paragraph expires July
31 1, 2003.

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1 Section 33. In order to implement Specific
2 Appropriations 1517 and 1523 of the 2002-2003 General
3 Appropriations Act, subsection (1) of section 252.373, Florida
4 Statutes, is amended to read:

5 252.373 Allocation of funds; rules.--

6 (1)(a) Funds appropriated from the Emergency
7 Management, Preparedness, and Assistance Trust Fund shall be
8 allocated by the Department of Community Affairs as follows:

9 1. Sixty percent to implement and administer state and
10 local emergency management programs, including training, of
11 which 20 percent shall be used by the division and 80 percent
12 shall be allocated to local emergency management agencies and
13 programs. Of this 80 percent, at least 80 percent shall be
14 allocated to counties.

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

19 3. Twenty percent for grants and loans to state or
20 regional agencies, local governments, and private
21 organizations to implement projects that will further state
22 and local emergency management objectives. These projects
23 must include, but need not be limited to, projects that will
24 promote public education on disaster preparedness and recovery
25 issues, enhance coordination of relief efforts of statewide
26 private sector organizations, and improve the training and
27 operations capabilities of agencies assigned lead or support
28 responsibilities in the state comprehensive emergency
29 management plan, including the State Fire Marshal's Office for
30 coordinating the Florida fire services. The division shall
31 establish criteria and procedures for competitive allocation

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1 of these funds by rule. No more than 5 percent of any award
2 made pursuant to this subparagraph may be used for
3 administrative expenses. This competitive criteria must give
4 priority consideration to hurricane evacuation shelter
5 retrofit projects.

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

14 Section 34. In order to implement Specific
15 Appropriation 1498 of the 2002-2003 General Appropriations
16 Act, subsection (8) of section 163.3184, Florida Statutes, is
17 amended to read:

18 163.3184 Process for adoption of comprehensive plan or
19 plan amendment.--

20 (8) NOTICE OF INTENT.--

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

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1 must be based only upon one or both of the following:

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

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

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

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

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

30 Section 35. In order to implement Specific
31 Appropriation 1760A of the 2002-2003 General Appropriations

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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 36. If Council Substitute for House Bill 851,
9 Enrolled, 2002 Regular Session does not become a law, in order
10 to implement Specific Appropriations 1760A and 1768A of the
11 2002-2003 General Appropriations Act, subsection (7) is added
12 to section 403.709, Florida Statutes, to read:

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

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

19 Section 37. If Council Substitute for House Bill 851,
20 Enrolled, 2002 Regular Session, does not become a law, in
21 order to implement Specific Appropriation 1819 of the
22 2002-2003 General Appropriations Act, subsection (8) of
23 section 403.7095, Florida Statutes, is amended to read:

24 403.7095 Solid waste management grant program.--

25 (8) Notwithstanding the provisions of this section,
26 for fiscal year 2002-2003 ~~2001-2002~~ only, the department shall
27 provide solid waste management and recycling grants only to
28 counties with populations under 100,000. Such grants must be
29 at least 80 percent of the level of funding they received in
30 fiscal year 2000-2001. This subsection expires July 1, 2003
31 ~~2002~~.

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1 Section 38. If Council Substitute for House Bill 851,
2 Enrolled, 2002 Regular Session, becomes a law, in order to
3 implement Specific Appropriation 1819 of the 2002-2003 General
4 Appropriations Act, subsection (7) is added to section
5 403.7095, Florida Statutes, as amended by section 8 of that
6 bill, to read:

7 403.7095 Solid waste management grant program.--

8 (7) Notwithstanding the provisions of this section,
9 for fiscal year 2002-2003 only, the department shall provide
10 solid waste management and recycling grants only to counties
11 with populations under 100,000. Such grants must be at least
12 80 percent of the level of funding they received in fiscal
13 year 2000-2001. This subsection expires July 1, 2003.

14 Section 39. In order to implement Specific
15 Appropriation 2075 of the 2002-2003 General Appropriations
16 Act, subsection (10) of section 339.12, Florida Statutes, as
17 created by section 83 of chapter 2002-20, Laws of Florida, is
18 amended to read:

19 339.12 Aid and contributions by governmental entities
20 for department projects; federal aid.--

21 (10) Effective July 1, 2003,any county with a
22 population greater than 50,000 that levies the full 6 cents of
23 local option fuel tax pursuant to ss. 206.41(1)(e) and
24 206.87(1)(c), or that dedicates 35 percent or more of its
25 discretionary sales surtax, pursuant to s. 212.055, for
26 improvements to the state transportation system or to local
27 projects directly upgrading the state transportation system
28 within the county's boundaries shall receive preference for
29 receipt of any transportation grant for which the county
30 applies. This subsection shall not apply to loans or
31 nonhighway grant programs.

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1 Section 40. In order to implement Specific
2 Appropriations 2161A and 2161G of the 2002-2003 General
3 Appropriations Act, subsection (5) is added to section
4 338.2216, Florida Statutes, as created by chapter 2002-20,
5 Laws of Florida, to read:

6 338.2216 Florida Turnpike Enterprise; powers and
7 authority.--

8 (5) For the 2002-2003 fiscal year only, any toll
9 collector or laborer retained in a position temporarily
10 continued under the authority provided by proviso following
11 Specific Appropriations 2161A and 2161G of the 2002-2003
12 General Appropriations Act shall remain in the Career Service
13 System. This subsection expires July 1, 2003.

14 Section 41. In order to implement proviso language in
15 Specific Appropriation 2235 of the 2002-2003 General
16 Appropriations Act, section 402.3017, Florida Statutes, is
17 amended to read:

18 402.3017 Teacher Education and Compensation Helps
19 (TEACH) scholarship program.--

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

29 (2) The Department of Children and Family Services is
30 authorized to contract for the administration of the Teacher
31 Education and Compensation Helps (TEACH) scholarship program,

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1 which provides educational scholarships to caregivers and
2 administrators of early childhood programs, family day care
3 homes, and large family child care homes.

4 (3) The department shall adopt rules as necessary to
5 implement this section.

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

9 Section 42. In order to implement Specific
10 Appropriation 2352 of the 2002-2003 General Appropriations
11 Act, subsection (2) of section 489.118, Florida Statutes, is
12 amended to read:

13 489.118 Certification of registered contractors;
14 grandfathering provisions.--The board shall, upon receipt of a
15 completed application and appropriate fee, issue a certificate
16 in the appropriate category to any contractor registered under
17 this part who makes application to the board and can show that
18 he or she meets each of the following requirements:

19 (2)(a) Has, for that category, passed a written
20 examination that the board finds to be substantially similar
21 to the examination required to be licensed as a certified
22 contractor under this part. For purposes of this subsection, a
23 written, proctored examination such as that produced by the
24 National Assessment Institute, Block and Associates,
25 NAI/Block, Experior Assessments, Professional Testing, Inc.,
26 or Assessment Systems, Inc., shall be considered to be
27 substantially similar to the examination required to be
28 licensed as a certified contractor. The board may not impose
29 or make any requirements regarding the nature or content of
30 these cited examinations.

31 (b) Has, for the 2002-2003 fiscal year only and in

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1 lieu of passing the written examination required by paragraph
2 (a), successfully passed an oral examination that the board
3 finds to be substantially similar to the examination required
4 to be licensed as a certified contractor under this part. This
5 paragraph applies only to applicants who are disabled. This
6 paragraph expires July 1, 2003.

7

8 Applicants wishing to obtain a certificate pursuant to this
9 section must make application by November 1, 2004.

10 Section 43. In order to implement Specific
11 Appropriations 2396-2416 of the 2002-2003 General
12 Appropriations Act, the Department of Business and
13 Professional Regulation is authorized to transfer no more than
14 34 positions and the resources identified in the reengineering
15 issue from Compliance and Enforcement, no more than 12
16 positions and the resources identified in the reengineering
17 issues from Standards and Licensure, and no more than 20
18 positions and the resources identified in the reengineering
19 issue from tax collection to begin implementation of the
20 on-line licensing and reengineering project. To ensure current
21 service delivery levels pertaining to regulation, licensing,
22 compliance, enforcement, and tax collection, the department is
23 authorized to retain positions in the current programs as
24 necessary to facilitate migration to the new business process.
25 The transfer must be completed prior to June 30, 2003. The
26 Executive Office of the Governor is authorized to establish
27 positions in excess in the current programs to meet these
28 requirements, subject to the provisions of section 216.177,
29 Florida Statutes.

30 Section 44. In order to implement Specific
31 Appropriations 2418-2433 of the 2002-2003 General

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1 Appropriations Act:

2 (1) Any other provision of law to the contrary
3 notwithstanding, the Division of Florida Land Sales,
4 Condominiums, and Mobile Homes shall be organized with at
5 least three bureaus to be known as the Bureau of Condominiums,
6 the Bureau of Mobile Homes, and the Bureau of Time-shares.

7 (2) No more than 10 percent of the moneys deposited in
8 the trust fund of the Division of Florida Land Sales,
9 Condominiums, and Mobile Homes shall be transferred to the
10 office of the Secretary of Business and Professional
11 Regulation or to other parts of the Department of Business and
12 Professional Regulation during any fiscal year without the
13 prior specific authorization by the Legislature in the General
14 Appropriations Act.

15
16 This section expires July 1, 2003.

17 Section 45. In order to implement Specific
18 Appropriations 2396-2416 of the 2002-2003 General
19 Appropriations Act:

20 (1) Any other provision of law to the contrary
21 notwithstanding, the Division of Alcoholic Beverages and
22 Tobacco shall be organized with at least three bureaus to be
23 known as the Bureau of Licensing, the Bureau of Auditing, and
24 the Bureau of Law Enforcement.

25 (2) No more than 10 percent of the moneys deposited in
26 the trust fund of the Division of Alcoholic Beverages and
27 Tobacco shall be transferred to the office of the Secretary of
28 Business and Professional Regulation or to other parts of the
29 Department of Business and Professional Regulation during any
30 fiscal year without the prior specific authorization by the
31 Legislature in the General Appropriations Act.

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2 This section expires July 1, 2003.

3 Section 46. In order to implement Specific
4 Appropriations 2776-2782 of the 2002-2003 General
5 Appropriations Act, subsection (4) of section 287.161, Florida
6 Statutes, is amended to read:

7 287.161 Executive aircraft pool; assignment of
8 aircraft; charge for transportation.--

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

22 Section 47. In order to implement section 8 of the
23 2002-2003 General Appropriations Act, section 110.1239,
24 Florida Statutes, is amended to read:

25 110.1239 State group health insurance program
26 funding.--For the 2002-2003 ~~2001-2002~~ fiscal year only, it is
27 the intent of the Legislature that the state group health
28 insurance program be managed, administered, operated, and
29 funded in such a manner as to maximize the protection of state
30 employee health insurance benefits. Inherent in this intent is
31 the recognition that the health insurance liabilities

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1 attributable to the benefits offered state employees should be
2 fairly, orderly, and equitably funded. Accordingly:

3 (1) The division shall determine the level of premiums
4 necessary to fully fund the state group health insurance
5 program for the next fiscal year. Such determination shall be
6 made after each self-insurance revenue estimating conference
7 ~~on health insurance~~ as provided in s. 216.136(11)~~s.~~
8 ~~216.136(1)~~, but not later than December 1 and April 1 of each
9 fiscal year.

10 (2) The Governor, in the Governor's recommended
11 budget, shall provide premium rates necessary for full funding
12 of the state group health insurance program, and the
13 Legislature shall provide in the General Appropriations Act
14 for a premium level necessary for full funding of the state
15 group health insurance program.

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

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

21 Section 48. In order to implement section 8 of the
22 2002-2003 General Appropriations Act, subsection (7) of
23 section 110.12315, Florida Statutes, is amended to read:

24 110.12315 Prescription drug program.--The state
25 employees' prescription drug program is established. This
26 program shall be administered by the Department of Management
27 Services, according to the terms and conditions of the plan as
28 established by the relevant provisions of the annual General
29 Appropriations Act and implementing legislation, subject to
30 the following conditions:

31 (7) Notwithstanding the provisions of subsections (1)

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1 and (2), under the state employees' prescription drug program
2 copayments must be made as follows:

- 3 (a) Effective January 1, 2001:
- 4 1. For generic drug with card.....\$7.
- 5 2. For preferred brand name drug with card.....\$20.
- 6 3. For nonpreferred brand name drug with card.....\$35.
- 7 4. For generic mail order drug.....\$10.50.
- 8 5. For preferred brand name mail order drug.....\$30.
- 9 6. For nonpreferred brand name drug.....\$52.50.

10 (b) The Department of Management Services shall create
11 a preferred brand name drug list to be used in the
12 administration of the state employees' prescription drug
13 program.

14
15 This subsection expires July 1, 2003 ~~2002~~.

16 Section 49. In order to implement Specific
17 Appropriations 2195-2202 of the 2002-2003 General
18 Appropriations Act, subsection (7) of section 443.036, Florida
19 Statutes, is amended to read:

20 443.036 Definitions.--As used in this chapter, unless
21 the context clearly requires otherwise:

22 (7) BASE PERIOD.--

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

26 (b) For the 2002-2003 fiscal year only, with respect
27 to a benefit year commencing on or after October 1, 2002, if
28 an individual is not monetarily eligible in his or her base
29 period to qualify for benefits, the Agency for Workforce
30 Innovation must designate his or her base period to be the
31 alternative base period. As used in this paragraph, the term

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

18 (c) For the 2002-2003 fiscal year only, for monetary
19 determinations based upon the alternative base period under
20 paragraph (b), if the Agency for Workforce Innovation is
21 unable to access the wage information through its mainframe
22 database, the agency may base the determination of eligibility
23 for benefits on an affidavit submitted by the individual with
24 respect to wages for those calendar quarters. The individual
25 must furnish payroll information, if available, in support of
26 the affidavit. A determination of benefits based upon an
27 alternative base period shall be adjusted when the quarterly
28 report of wage information from the employer is received, if
29 that information causes a change in the determination. This
30 paragraph expires July 1, 2003.

31 Section 50. A section of this act that implements a

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1 specific appropriation or specifically identified proviso
2 language in the 2002-2003 General Appropriations Act is void
3 if the specific appropriation or specifically identified
4 proviso language is vetoed. A section of this act that
5 implements more than one specific appropriation or more than
6 one portion of specifically identified proviso language in the
7 2002-2003 General Appropriations Act is void if all the
8 specific appropriations or portions of specifically identified
9 proviso language are vetoed.

10 Section 51. The agency performance measures and
11 standards in the document entitled "Agency Performance
12 Measures and Standards for Fiscal Year 2002-2003" dated April
13 30, 2002, and filed with the Secretary of the Senate are
14 incorporated by reference. Such performance measures and
15 standards are directly linked to the appropriations made in
16 the General Appropriations Act for fiscal year 2002-2003, as
17 required by the Government Performance and Accountability Act
18 of 1994. State agencies are directed to revise their
19 Long-Range Program Plans required under section 216.013,
20 Florida Statutes, to be consistent with these performance
21 measures and standards.

22 Section 52. It is the policy of the state that funds
23 provided in the 2002-2003 General Appropriations Act may not
24 be expended for contracts in excess of \$5,000 for the radio or
25 broadcast television noncommercial sustained announcements or
26 for public-service announcements unless specifically approved
27 by the Legislative Budget Commission.

28 Section 53. If any law that is amended by this act was
29 also amended by a law enacted at the 2002 Regular Session of
30 the Legislature, such laws shall be construed as if they had
31 been enacted at the same session of the Legislature, and full

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1 effect should be given to each if that is possible.

2 Section 54. Except as otherwise specifically provided
3 in this act, this act shall take effect July 1, 2002; and if
4 this act fails to become a law until after that date, it shall
5 take effect upon becoming a law and shall operate
6 retroactively to July 1, 2002.

7
8

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

10 And the title is amended as follows:

11 Delete everything before the enacting clause

12

13 and insert:

14

A bill to be entitled

15

An act implementing the 2002-2003 General
16 Appropriations Act; prescribing powers and
17 duties of the Secretary of Education with
18 respect to reorganizing the Department of
19 Education; requiring the Department of
20 Education to maximize federal indirect cost
21 allowed on federal grants; requiring
22 appropriation for expenditure of funds received
23 from indirect cost allowance; repealing s.
24 229.8065, F.S., relating to expenditures for
25 the Knott Data Center and projects, contracts,
26 and grant programs; amending s. 229.085, F.S.;
27 removing an exemption for personnel employed by
28 projects funded by contracts and grants;
29 providing legislative intent; amending s.
30 240.35, F.S.; increasing the percentage of
31 funds from the financial aid fee to be used for

31

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1 need-based financial aid; revising provisions
2 relating to an annual report; providing
3 accounting requirements for the state
4 universities for the 2002-2003 fiscal year;
5 amending s. 216.292, F.S.; authorizing the
6 Department of Children and Family Services to
7 transfer funding between certain services;
8 amending s. 215.20, F.S.; appropriating the
9 service charges on certain income and trust
10 funds to the General Revenue Fund; amending s.
11 215.22, F.S.; exempting certain income and
12 trust funds from such appropriation; amending
13 s. 18.10, F.S.; appropriating certain
14 investment earnings to the General Revenue
15 Fund; amending s. 18.125, F.S.; revising
16 investment requirements for certain trust
17 funds; amending ss. 14.2015, 240.4075, 385.207,
18 860.158, and 938.01, F.S., to conform;
19 providing for future repeal or expiration of
20 various provisions; amending s. 295.182, F.S.;
21 authorizing contributions to the Florida World
22 War II Veterans Memorial Matching Trust Fund
23 from public bodies; amending s. 216.262, F.S.;
24 providing for additional positions to operate
25 additional prison bed capacity under certain
26 circumstances; authorizing the Correctional
27 Privatization Commission to make certain
28 expenditures to defray costs incurred by a
29 municipality or county as a result of opening
30 or operating a facility under the authority of
31 the commission or the Department of Juvenile

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1 Justice; amending s. 16.555, F.S.; authorizing
2 use of moneys in the Crime Stoppers Trust Fund
3 to pay for salaries and benefits and other
4 expenses of the Department of Legal Affairs;
5 amending s. 860.158, F.S.; providing directives
6 for the use of moneys in the Florida Motor
7 Vehicle Theft Prevention Trust Fund; amending
8 s. 25.402, F.S.; revising uses of the County
9 Article V Trust Fund; amending s. 581.1845,
10 F.S.; revising eligibility for compensation
11 under the citrus canker eradication program;
12 prescribing the amount of compensation for
13 trees taken in canker eradication programs;
14 amending s. 252.373, F.S.; providing for use of
15 the Emergency Management, Preparedness, and
16 Assistance Trust Fund; amending s. 163.3184,
17 F.S.; prescribing standards for the state land
18 planning agency to use when issuing notice of
19 intent; amending s. 375.041, F.S.; providing
20 for use of moneys in the Land Acquisition Trust
21 Fund; amending s. 403.709, F.S.; providing for
22 use of moneys in the Solid Waste Management
23 Trust Fund; amending s. 403.7095, F.S.;
24 prescribing conditions on solid waste
25 management and recycling grants; amending s.
26 339.12, F.S.; delaying an effective date;
27 amending s. 338.2216, F.S.; providing that
28 certain positions under the Florida Turnpike
29 Enterprise remain in the Career Service System;
30 amending s. 287.161, F.S.; amending s.
31 402.3017, F.S.; providing for administration of

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1 the Teacher Education and Compensation Helps
2 scholarship program; amending s. 489.118, F.S.;
3 providing for issuance of certification to
4 certain applicant contractors upon successful
5 completion of an oral examination; authorizing
6 the Department of Business and Professional
7 Regulation to transfer positions and resources;
8 providing for the organization of the Division
9 of Florida Land Sales, Condominiums, and Mobile
10 Homes and the Division of Alcoholic Beverages
11 and Tobacco; prohibiting the transfer of
12 certain funds without prior authorization of
13 the Legislature; requiring the Department of
14 Management Services to charge all persons
15 receiving transportation from the executive
16 aircraft pool a specified rate; amending s.
17 110.1239, F.S.; providing requirements for the
18 funding of the state group health insurance
19 program; amending s. 110.12315, F.S.; providing
20 copayment requirements for the state employees'
21 prescription drug program; amending s. 443.036,
22 F.S.; providing a definition and an application
23 of an alternative base period for unemployment
24 compensation; providing requirements and
25 limitations; requiring employers to respond to
26 requests for information by the Agency for
27 Workforce Innovation; providing a penalty for
28 failure to respond; providing for adjustments
29 in determinations of monetary eligibility;
30 providing effect of veto of specific
31 appropriation or proviso to which implementing

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1 language refers; incorporating by reference
2 specified performance measures and standards
3 directly linked to the appropriations made in
4 the 2002-2003 General Appropriations Act, as
5 required by the Government Performance and
6 Accountability Act of 1994; limiting
7 expenditures for noncommercial sustained
8 announcements and public-service announcements;
9 providing for construction of laws enacted at
10 the 2002 Regular Session in relation to this
11 act; providing effective dates.

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