

CONFERENCE COMMITTEE AMENDMENT

187-958DX-21

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

Amendment No. \_\_\_\_ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

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The Conference Committee on HB 29-E offered the following:

**Conference Committee Amendment (with title amendment)**

Remove everything after the enacting clause

and insert:

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

Section 2. In order to implement Specific Appropriations 7C-7H, 11A, and 166S-181A and Section 9 of the 2002-2003 General Appropriations Act:

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

(2) Notwithstanding the provisions of ss. 216.181, 216.292, and 240.2094, Florida Statutes, and pursuant to s. 216.351, Florida Statutes, funds appropriated or reappropriated to the state universities in the 2002-2003

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

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

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1 according to the approved operating budget to the  
2 appropriation accounts established for disbursement purposes  
3 for each university within the state accounting system  
4 (FLAIR).

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

6 Section 3. In order to implement Specific  
7 Appropriations 71-166R of the 2002-2003 General Appropriations  
8 Act, subsection (2) of section 229.085, Florida Statutes, as  
9 amended by section 31 of chapter 2001-170, Laws of Florida, is  
10 amended to read:

11 229.085 Custody of educational funds.--

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

24 (b) If, in executing the terms of such grants or  
25 contracts for specific projects, the employment of personnel  
26 shall be required, such personnel shall not be subject to the  
27 requirements of s. 216.262(1)(a). This paragraph expires July  
28 1, 2003.

29 Section 4. In order to implement Specific  
30 Appropriations 71-166R of the 2002-2003 General Appropriations  
31 Act, section 236.7011, Florida Statutes, is amended to read:

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1           236.7011 Federal grants; maximization of indirect cost  
 2 allowance.--The Department of Education shall maximize the  
 3 available federal indirect cost allowed on all federal grants.  
 4 Beginning with the 2003-2004 ~~2002-2003~~ fiscal year, none of  
 5 the funds received from indirect cost allowance shall be  
 6 expended by the department without specific appropriation by  
 7 the Legislature. Funds received pursuant to s. 240.241 are  
 8 specifically exempt from this provision.

9           Section 5. In order to implement Specific  
 10 Appropriations 71-166R of the 2002-2003 General Appropriations  
 11 Act:

12           (1) The Knott Data Center and Projects, Contracts, and  
 13 Grants Programs under the management of the Department of  
 14 Education are exempt from the requirements of s. 216.023,  
 15 Florida Statutes. The Department of Education, in consultation  
 16 with the legislative appropriations committees, shall approve  
 17 an estimated level of expenditures, salary rates, and  
 18 positions for the Knott Data Center and for Projects,  
 19 Contracts, and Grants Programs. If such expenditures exceed  
 20 the prior year level by more than 10 percent, the full  
 21 membership of the legislative appropriations committees shall  
 22 be notified of the increase.

23           (2) No new state appropriations shall be obligated as  
 24 a source of matching funds for potential federal or private  
 25 contracts or grants. Upon termination of any federal or  
 26 private contracts or grants, the state shall not be obligated  
 27 to provide continued funding for personnel or project costs  
 28 related to such contracts or grants.

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

30           Section 6. In order to implement Specific  
 31 Appropriation 7B of the 2002-2003 General Appropriations Act,

1 subsection (3) of section 240.4015, Florida Statutes, is  
 2 amended to read:

3           240.4015 Florida Bright Futures Scholarship Testing  
 4 Program.--

5           (3)(a) Beginning with initial award recipients for the  
 6 2002-2003 academic year and continuing thereafter, students  
 7 eligible for a Florida Academic Scholars award or a Florida  
 8 Merit Scholars award who are admitted to and enroll in a  
 9 community college or state university shall, prior to  
 10 registering for courses that may be earned through a CLEP  
 11 examination and no later than registration for their second  
 12 term, complete at least five examinations from those specified  
 13 in subsection (1) in the following areas: English; humanities;  
 14 mathematics; natural sciences; and social sciences. Successful  
 15 completion of dual enrollment courses, Advanced Placement  
 16 examinations, and International Baccalaureate examinations  
 17 taken prior to high school graduation satisfy this  
 18 requirement. The Articulation Coordinating Committee shall  
 19 identify the examinations that satisfy each component of this  
 20 requirement.

21           (b) Notwithstanding the provisions of paragraph (a),  
 22 and for the 2002-2003 fiscal year only, initial award  
 23 recipients for the 2002-2003 academic year who are eligible  
 24 for a Florida Academic Scholars award or a Florida Merit  
 25 Scholars award and who are admitted to and enroll in a  
 26 community college or state university shall, prior to  
 27 registering for courses that may be earned through a CLEP  
 28 examination and no later than the end of the 2002-2003  
 29 academic year, complete at least five examinations from those  
 30 specified in subsection (1) in the following areas: English;  
 31 humanities; mathematics; natural sciences; and social

1 sciences. Successful completion of dual enrollment courses,  
 2 Advanced Placement examinations, and International  
 3 Baccalaureate examinations taken prior to high school  
 4 graduation satisfy this requirement. The Articulation  
 5 Coordinating Committee shall identify the examinations that  
 6 satisfy each component of this requirement. This paragraph  
 7 expires July 1, 2003.

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

18           Section 8. In order to implement Specific  
 19 Appropriations 13 and 14 of the 2002-2003 General  
 20 Appropriations Act, section 230.23024, Florida Statutes, is  
 21 amended to read:

22           230.23024 Land Acquisition and Facilities Maintenance  
 23 Operations Advisory Board.--

24           (1) The Legislature recognizes that effective land  
 25 acquisition and facilities maintenance operations are  
 26 essential components of Florida district school boards'  
 27 ~~ability to provide facilities~~ to accommodate the growing  
 28 student population in the state. To support and assist the  
 29 school districts, it is appropriate for the Legislature to  
 30 make advisory resources available to aid districts in meeting  
 31 those needs. For the purposes of this section, facilities

1 maintenance operations include transportation and procurement.

2 (2) If the director of the Office of Program Policy  
 3 Analysis and Government Accountability (OPPAGA) or the Auditor  
 4 General determines in a review or examination that significant  
 5 deficiencies exist in a school district's land acquisition and  
 6 facilities maintenance operational processes, he or she shall  
 7 certify to the President of Senate, the Speaker of the House  
 8 of Representatives, the Legislative Budget Commission, and the  
 9 Governor that the deficiency exists. The Legislative Budget  
 10 Commission shall determine whether funds for the school  
 11 district will be placed in reserve until the deficiencies are  
 12 corrected.

13 (3) After receipt of that certification, the President  
 14 of the Senate, the Speaker of the House of Representatives,  
 15 and the Governor may name a Land Acquisition and Facilities  
 16 Maintenance Operations Advisory Board for any district that  
 17 has not previously had such a board and shall name or continue  
 18 a Land Acquisition and Facilities Maintenance Operations  
 19 Advisory Board to provide expert advice and assist in  
 20 improving the district's land acquisition and facilities  
 21 maintenance operational processes. Each Land Acquisition and  
 22 Facilities Maintenance Operations Advisory Board shall consist  
 23 of seven members and shall possess specific expertise needed  
 24 to assist the school district in improving its deficient  
 25 processes. The President of the Senate and the Speaker of the  
 26 House of Representatives shall each appoint two members, and  
 27 the Governor shall appoint three members of the advisory  
 28 board. Membership of each advisory board may be different for  
 29 each district. Members shall serve without compensation but  
 30 may be reimbursed for travel and per diem expenses in  
 31 accordance with s. 112.061.

1           (4) Within 30 days of its formation, the Land  
 2 Acquisition and Facilities Maintenance Operations Advisory  
 3 Board shall convene in the district and make all reasonable  
 4 efforts to help the district correct deficiencies noted in the  
 5 examination or audit of the district. The district must  
 6 cooperate with the advisory board and provide information as  
 7 requested.

8           (5) Within 60 days of convening, the Land Acquisition  
 9 and Facilities Maintenance Operations Advisory Board shall  
 10 assess the district's progress and corrective actions and  
 11 report to the Commissioner of Education. The advisory board's  
 12 report must address the release of any funds placed in reserve  
 13 by the Executive Office of the Governor. Any recommendation  
 14 from the advisory board for the release of funds shall include  
 15 a certification that policies established, procedures  
 16 followed, and expenditures made by the school board related to  
 17 site acquisition and facilities planning, ~~and~~ construction,  
 18 and maintenance operations are consistent with recommendations  
 19 of the Land Acquisition and Facilities Maintenance Operations  
 20 Advisory Board and will accomplish corrective action and  
 21 address recommendations made by the Office of Program Policy  
 22 Analysis and Government Accountability and the Auditor  
 23 General. If the advisory board does not recommend release of  
 24 the funds held in reserve, they shall provide additional  
 25 assistance and submit a subsequent report 60 days after the  
 26 previous report.

27           (6) Upon certification by the advisory board that  
 28 corrective action has been taken, or June 30, 2003, whichever  
 29 is later, each Land Acquisition and Facilities Maintenance  
 30 Operations Advisory Board shall be disbanded.

31           Section 9. The amendment of section 230.23024, Florida



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

8           Section 10. In order to implement Specific  
9 Appropriations 458-474 of the 2002-2003 General Appropriations  
10 Act, paragraph (b) of subsection (1) of section 430.204,  
11 Florida Statutes, is amended to read:

12           430.204 Community-care-for-the-elderly core services;  
13 departmental powers and duties.--

14           (1)

15           (b) For fiscal year 2002-2003 ~~2001-2002~~ only, ~~in each~~  
16 ~~county having a population over 2 million,~~ the department  
17 shall fund, through each area agency on aging in each county  
18 as defined in s. 125.011(1), more than one community care  
19 service system the primary purpose of which is the prevention  
20 of unnecessary institutionalization of functionally impaired  
21 elderly persons through the provision of community-based core  
22 services. This paragraph expires July 1, 2003 ~~2002~~.

23           Section 11. In order to implement Specific  
24 Appropriations 458-474 of the 2002-2003 General Appropriations  
25 Act, paragraph (b) of subsection (1) of section 430.205,  
26 Florida Statutes, is amended to read:

27           430.205 Community care service system.--

28           (1)

29           (b) For fiscal year 2002-2003 ~~2001-2002~~ only, ~~in each~~  
30 ~~county having a population over 2 million,~~ the department  
31 shall fund, through the area agency on aging in each county as

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1 defined in s. 125.011(1), shall fund in each planning and  
2 ~~service area~~ more than one community care service system that  
3 provides case management and other in-home and community  
4 services as needed to help elderly persons maintain  
5 independence and prevent or delay more costly institutional  
6 care. This paragraph expires July 1, 2003 ~~2002~~.

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

11 216.292 Appropriations nontransferable; exceptions.--

12 (12) For the 2002-2003 ~~2001-2002~~ fiscal year only and  
13 notwithstanding the other provisions of this section, the  
14 Department of Children and Family Services may transfer funds  
15 within the family safety program identified in the General  
16 Appropriations Act from identical funding sources between the  
17 following appropriation categories without limitation as long  
18 as such a transfer does not result in an increase to the total  
19 recurring general revenue or trust fund cost of the agency in  
20 the subsequent fiscal year: adoption services and subsidy;  
21 family foster care; and emergency shelter care. Such transfers  
22 must be consistent with legislative policy and intent and must  
23 not adversely affect achievement of approved performance  
24 outcomes or outputs in the family safety program. Notice of  
25 proposed transfers under this authority must be provided to  
26 the Executive Office of the Governor and the chairs of the  
27 legislative appropriations committees at least 5 working days  
28 before their implementation. This subsection expires July 1,  
29 2003 ~~2002~~.

30 Section 13. In order to implement Specific  
31 Appropriation 644A of the 2002-2003 General Appropriations

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1 Act, subsection (4) of section 401.113, Florida Statutes, as  
2 created by section 6 of chapter 2001-380, Laws of Florida, is  
3 amended to read:

4 401.113 Department; powers and duties.--  
5 (4) For the 2002-2003 ~~2001-2002~~ state fiscal year  
6 only, and notwithstanding the provisions of subsections (1)  
7 and (2), moneys in the Emergency Medical Services Trust Fund  
8 may also be used for the purpose of funding the rural hospital  
9 capital improvement grant program in accordance with the  
10 provisions of s. 395.6061. This subsection expires July 1,  
11 2003 ~~2002~~.

12 Section 14. In order to implement Specific  
13 Appropriation 672 of the 2002-2003 General Appropriations Act,  
14 section 295.182, Florida Statutes, is amended to read:

15 295.182 Florida World War II Veterans Memorial  
16 Matching Trust Fund; contributions; use.--

17 (1) The Florida World War II Veterans Memorial  
18 Matching Trust Fund, if created by law, within the Department  
19 of Veterans' Affairs shall receive private contributions and  
20 matching state funds specifically appropriated by the  
21 Legislature for the purpose of matching private donations  
22 deposited into the trust fund to build a Florida World War II  
23 Veterans Memorial as provided by this act. The department is  
24 authorized to use moneys in the trust fund, if created by law,  
25 in a manner which will generate increased funding for the  
26 Florida World War II Veterans Memorial. Contributions to the  
27 Florida World War II Veterans Memorial Matching Trust Fund  
28 must be returned to those entities or individuals contributing  
29 to the trust fund if the Florida World War II Veterans  
30 Memorial is not constructed as provided for in s. 295.183.

31 (2) For the 2002-2003 fiscal year only, the department

1 may receive contributions from public bodies as defined in s.  
2 1.01(8). Public bodies are authorized to appropriate funds, in  
3 lump sum or otherwise, for the purpose of making contributions  
4 to the trust fund. This subsection expires July 1, 2003.

5 Section 15. In order to implement Section 29 of the  
6 2002-2003 General Appropriations Act, subsection (4) of  
7 section 561.121, Florida Statutes, as amended by section 4 of  
8 chapter 2001-380, Laws of Florida, is amended to read:

9 561.121 Deposit of revenue.--

10 (4)(a) State funds collected pursuant to s. 561.501  
11 shall be paid into the State Treasury and credited to the  
12 following accounts:

13 1.(a) Twenty-seven and two-tenths percent of the  
14 surcharge on the sale of alcoholic beverages for consumption  
15 on premises shall be transferred to the Children and  
16 Adolescents Substance Abuse Trust Fund, which shall remain  
17 with the Department of Children and Family Services for the  
18 purpose of funding programs directed at reducing and  
19 eliminating substance abuse problems among children and  
20 adolescents.

21 2.(b) The remainder of collections shall be credited  
22 to the General Revenue Fund.

23 (b) For the 2002-2003 state fiscal year only, and  
24 notwithstanding the provisions of subparagraph (a)1., moneys  
25 in the Children and Adolescents Substance Abuse Trust Fund may  
26 also be used for the purpose of funding programs directed at  
27 reducing and eliminating substance abuse problems among  
28 adults. This paragraph expires July 1, 2003.

29 (c) Notwithstanding paragraph (a), the Legislature may  
30 authorize the Department of Children and Family Services to  
31 transfer moneys in the Children and Adolescents Substance

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1 Abuse Trust Fund to the Administrative Trust Fund, as provided  
2 in Senate Bill 2-C. This paragraph expires July 1, 2002.

3 Section 16. In order to implement Specific  
4 Appropriation 558 of the 2002-2003 General Appropriations Act,  
5 paragraph (k) of subsection (2) of section 381.0066, Florida  
6 Statutes, is amended to read:

7 381.0066 Onsite sewage treatment and disposal systems;  
8 fees.--

9 (2) The minimum fees in the following fee schedule  
10 apply until changed by rule by the department within the  
11 following limits:

12 (k) Research: An additional \$5 fee shall be added to  
13 each new system construction permit issued during fiscal years  
14 1996-2003 ~~1996-2002~~ to be used for onsite sewage treatment and  
15 disposal system research, demonstration, and training  
16 projects. Five dollars from any repair permit fee collected  
17 under this section shall be used for funding the hands-on  
18 training centers described in s. 381.0065(3)(j).

19  
20 The funds collected pursuant to this subsection must be  
21 deposited in a trust fund administered by the department, to  
22 be used for the purposes stated in this section and ss.  
23 381.0065 and 381.00655.

24 Section 17. In order to implement Specific  
25 Appropriations 321-325A of the 2002-2003 General  
26 Appropriations Act, paragraph (k) is added to subsection (1)  
27 of section 409.1671, Florida Statutes, as amended by section 4  
28 of chapter 2002-219, Laws of Florida, to read:

29 409.1671 Foster care and related services;  
30 privatization.--

31 (1)

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1           (k) Notwithstanding the provisions of paragraph (a)  
2 and chapter 287, and for the 2002-2003 fiscal year only, the  
3 Department of Children and Family Services may combine the  
4 current community-based care lead agency contracts for  
5 Sarasota, Manatee, and DeSoto Counties into a single contract.  
6 This paragraph expires July 1, 2003.

7           Section 18. In order to implement Specific  
8 Appropriation 517 of the 2002-2003 General Appropriations Act,  
9 subsection (6) is added to section 385.207, Florida Statutes,  
10 to read:

11           385.207 Care and assistance of persons with epilepsy;  
12 establishment of programs in epilepsy control.--

13           (6) For the 2002-2003 fiscal year only, funds in the  
14 Epilepsy Services Trust Fund may be appropriated for epilepsy  
15 case management services. This subsection expires July 1,  
16 2003.

17           Section 19. Consistent with the provisions of s.  
18 216.163, Florida Statutes, in accordance with  
19 performance-based program budgeting requirements, and  
20 notwithstanding the provisions of s. 216.181, Florida  
21 Statutes, the Department of Law Enforcement may transfer up to  
22 one-half of 1 percent of the funds in Specific Appropriations  
23 1195, 1215A, 1216, 1225, 1237, 1240, 1245, 1252, 1260, and  
24 1266 of the 2002-2003 General Appropriations Act for salary  
25 bonuses for departmental employees at the discretion of the  
26 executive director, provided that such bonuses are given only  
27 to selected employees for meritorious performance, instead of  
28 being given as across-the-board bonuses for all employees.  
29 The department, after consultation with the Executive Office  
30 of the Governor, shall provide a plan to the chairs of the  
31 legislative appropriations committees responsible for

1 producing the General Appropriations Act for review before  
2 awarding such bonuses. This section expires July 1, 2003.

3 Section 20. In order to implement Specific  
4 Appropriations 1195-1272 of the 2002-2003 General  
5 Appropriations Act, subsection (17) of section 216.181,  
6 Florida Statutes, is amended to read:

7 216.181 Approved budgets for operations and fixed  
8 capital outlay.--

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

23 Section 21. In order to implement proviso language  
24 following Specific Appropriation 1178 of the 2002-2003 General  
25 Appropriations Act, the Correctional Privatization Commission  
26 may expend appropriated funds to assist in defraying the costs  
27 of impacts that are incurred by a municipality or county and  
28 associated with opening or operating a facility under the  
29 authority of the Correctional Privatization Commission or a  
30 facility under the authority of the Department of Juvenile  
31 Justice which is located within that municipality or county.

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

6 Section 22. In order to implement Specific  
7 Appropriation 1291 of the 2002-2003 General Appropriations  
8 Act, paragraph (b) of subsection (3) of section 16.555,  
9 Florida Statutes, as created by section 8 of chapter 2001-380,  
10 Laws of Florida, is amended to read:

11 16.555 Crime Stoppers Trust Fund; rulemaking.--

12 (3)

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

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

23 860.158 Florida Motor Vehicle Theft Prevention Trust  
24 Fund.--

25 (2)

26 (b) For the 2002-2003 ~~2001-2002~~ fiscal year only, and  
27 notwithstanding s. 320.08046, the use of funds allocated to  
28 the Florida Motor Vehicle Theft Prevention Trust Fund may also  
29 be as provided in the General Appropriations Act ~~Senate Bill~~  
30 ~~2-E~~. This paragraph expires July 1, 2003 ~~2002~~.

31 Section 24. In order to implement Specific



1 Appropriations 1112-1194A of the 2002-2003 General  
2 Appropriations Act, section 985.4075, Florida Statutes, is  
3 amended to read:

4           985.4075 One-time startup funding for juvenile justice  
5 purposes.--

6           (1) Funds from juvenile justice appropriations may be  
7 utilized as one-time startup funding for juvenile justice  
8 purposes that include, but are not limited to, remodeling or  
9 renovation of existing facilities, construction costs, leasing  
10 costs, purchase of equipment and furniture, site development,  
11 and other necessary and reasonable costs associated with the  
12 startup of facilities or programs.

13           (2) The department may not use appropriations made for  
14 operations, pursuant to the provisions of this section, as  
15 one-time startup funding for fixed capital outlay as defined  
16 in s. 216.011. This subsection expires July 1, 2003.

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

21           216.262 Authorized positions.--

22           (4) Notwithstanding the provisions of this chapter on  
23 increasing the number of authorized positions, and for the  
24 2002-2003 2001-2002 fiscal year only,†

25           ~~(a)~~ if the actual inmate population of the Department  
26 of Corrections exceeds by 2 percent for 2 consecutive months  
27 or more the inmate population projected by the most recent  
28 Criminal Justice Estimating Conference ~~on February 16, 2001,~~  
29 the Executive Office of the Governor may request positions in  
30 excess of the number authorized by the Legislature and  
31 sufficient funding from the Working Capital Fund to operate

1 the additional prison bed capacity necessary to accommodate  
2 the actual inmate population.

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

14 ~~(c) In order to implement a Close Management~~  
15 ~~Consolidation Plan in the Department of Corrections, positions~~  
16 ~~in excess of the number authorized and appropriate salary rate~~  
17 ~~may be approved provided that the Secretary of Corrections~~  
18 ~~certifies that there are no vacant positions that may be used~~  
19 ~~for this purpose.~~

20  
21 ~~Such requests are subject to the budget amendment and~~  
22 ~~consultation provisions of this chapter. This subsection~~  
23 ~~expires July 1, 2003 ~~2002~~.~~

24 Section 26. In order to implement Specific  
25 Appropriation 1233 of the 2002-2003 General Appropriations  
26 Act, paragraph (d) is added to subsection (4) of section  
27 932.7055, Florida Statutes, to read:

28 932.7055 Disposition of liens and forfeited  
29 property.--

30 (4)

31 (d) Notwithstanding any other provision of this

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1 subsection, and for the 2002-2003 fiscal year only, the funds  
2 in a special law enforcement trust fund established by the  
3 governing body of a municipality may be expended to reimburse  
4 the general fund of the municipality for moneys advanced from  
5 the general fund to the special law enforcement trust fund  
6 prior to October 1, 2001. This paragraph expires July 1,  
7 2003.

8 Section 27. In order to implement Specific  
9 Appropriations 1760A and 1798A of the 2002-2003 General  
10 Appropriations Act, subsection (6) is added to section  
11 375.041, Florida Statutes, to read:

12 375.041 Land Acquisition Trust Fund.--

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

17 Section 28. In order to implement Specific  
18 Appropriation 1760A of the 2002-2003 General Appropriations  
19 Act, subsection (16) is added to section 259.032, Florida  
20 Statutes, as amended by section 7 of chapter 2002-2, Laws of  
21 Florida, to read:

22 259.032 Conservation and Recreation Lands Trust Fund;  
23 purpose.--

24 (16) Notwithstanding other provisions of law relating  
25 to the purpose of the Conservation and Recreation Lands Trust  
26 Fund, and for the 2002-2003 fiscal year only, the purposes of  
27 the trust fund shall include funding issues provided in the  
28 General Appropriations Act. This subsection expires July 1,  
29 2003.

30 Section 29. In order to implement Specific  
31 Appropriation 1769 of the 2002-2003 General Appropriations

1 Act, subsection (16) is added to section 215.555, Florida  
2 Statutes, to read:

3           215.555 Florida Hurricane Catastrophe Fund.--  
4           (16) For the 2002-2003 fiscal year only, the State  
5 Board of Administration shall disburse funds, by nonoperating  
6 transfer, from the Florida Hurricane Catastrophe Fund to the  
7 Ecosystem Management and Restoration Trust Fund of the  
8 Department of Environmental Protection in an amount equal to  
9 8.47 percent of the appropriation made from the Ecosystem  
10 Management and Restoration Trust Fund for "Grants and Aids to  
11 Local Governments and Non-State Entities - Fixed Capital  
12 Outlay, Statewide Restoration Projects" in the 2002-2003  
13 General Appropriations Act. This subsection expires July 1,  
14 2003.

15           Section 30. In order to implement Specific  
16 Appropriation 1478 of the 2002-2003 General Appropriations  
17 Act, subsection (2) of section 581.184, Florida Statutes, as  
18 created by section 1 of chapter 2002-11, Laws of Florida, is  
19 amended to read:

20           581.184 Adoption of rules; citrus canker eradication;  
21 voluntary destruction agreements.--

22           (2)(a) The department shall remove and destroy all  
23 infected citrus trees and all citrus trees exposed to  
24 infection. Notice of the removal of such trees, by immediate  
25 final order, may be provided to the owner of the property on  
26 which such trees are located. An immediate final order issued  
27 by the department pursuant to this section shall notify the  
28 property owner that the citrus trees that are the subject of  
29 the immediate final order will be removed and destroyed unless  
30 the property owner, no later than 10 days after delivery of  
31 the immediate final order pursuant to subsection (3), requests

1 and obtains a stay of the immediate final order from the  
 2 district court of appeal with jurisdiction to review such  
 3 requests. The property owner shall not be required to seek a  
 4 stay of the immediate final order by the department prior to  
 5 seeking the stay from the district court of appeal.

6 (b) Notwithstanding the provisions of paragraph (a),  
 7 and for the 2002-2003 fiscal year only, notice of the removal  
 8 of infected citrus trees and citrus trees exposed to  
 9 infection, by immediate final order, shall be provided to the  
 10 owner of the property on which such trees are located. This  
 11 paragraph expires July 1, 2003.

12 Section 31. In order to implement Specific  
 13 Appropriation 1480A of the 2002-2003 General Appropriations  
 14 Act, subsection (2) of section 581.1845, Florida Statutes, and  
 15 subsection (6) of said section, as created by section 11 of  
 16 chapter 2001-380, Laws of Florida, are amended to read:

17 581.1845 Citrus canker eradication; compensation to  
 18 homeowners whose trees have been removed.--

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

21 1.(a) Be the homeowner of record on the effective date  
 22 of this act for residential property where one or more citrus  
 23 trees have been removed as part of a citrus canker eradication  
 24 program;

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

28 3.(c) Have received no commercial compensation and is  
 29 not eligible to receive commercial compensation from the  
 30 United States Department of Agriculture for citrus trees  
 31 removed as part of a citrus canker eradication program.

1           (b) Notwithstanding subparagraph (a)1., and for  
 2 compensation during the 2002-2003 fiscal year only, to be  
 3 eligible to receive compensation under the program for  
 4 residential property where one or more citrus trees have been  
 5 removed on or after July 1, 2001, as part of a citrus canker  
 6 eradication program, a homeowner must be the homeowner of  
 7 record on the date the trees were removed. This paragraph  
 8 expires July 1, 2003.

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

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

23           Section 32. If House Bill 813, Enrolled, 2002 Regular  
 24 Session, does not become law, in order to implement Specific  
 25 Appropriation 1645 of the 2002-2003 General Appropriations  
 26 Act, paragraph (b) of subsection (5) of section 373.470,  
 27 Florida Statutes, is amended to read:

28           373.470 Everglades restoration.--

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

30           (b)1. For each year of the 10 consecutive years  
 31 beginning with fiscal year 2000-2001, the department shall

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1 deposit \$25 million of the funds allocated to the district by  
2 the department under s. 259.105(11)(a) into the Save Our  
3 Everglades Trust Fund created by s. 373.472.

4 2. For fiscal year 2002-2003 only, the provisions of  
5 subparagraph 1. shall not apply. This subparagraph expires  
6 July 1, 2003.

7 Section 33. If Council Substitute for House Bill 851,  
8 Enrolled, 2002 Regular Session, does not become law, in order  
9 to implement Specific Appropriation 1819 of the 2002-2003  
10 General Appropriations Act, subsection (8) of section  
11 403.7095, Florida Statutes, is amended to read:

12 403.7095 Solid waste management grant program.--

13 (8) Notwithstanding the provisions of this section,  
14 for fiscal year 2002-2003 ~~2001-2002~~ only, the department shall  
15 provide solid waste management and recycling grants only to  
16 counties with populations under 100,000. Such grants must be  
17 at least 80 percent of the level of funding they received in  
18 fiscal year 2000-2001. This subsection expires July 1, 2003  
19 ~~2002~~.

20 Section 34. If Council Substitute for House Bill 851,  
21 Enrolled, 2002 Regular Session, becomes law, in order to  
22 implement Specific Appropriation 1819 of the 2002-2003 General  
23 Appropriations Act, subsection (7) is added to section  
24 403.7095, Florida Statutes, as amended by section 8 of said  
25 bill, to read:

26 403.7095 Solid waste management grant program.--

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

1 year 2000-2001. This subsection expires July 1, 2003.

2 Section 35. In order to implement Specific  
3 Appropriation 1852 of the 2002-2003 General Appropriations  
4 Act, section 215.981, Florida Statutes, is amended to read:

5 215.981 Audits of state agency direct-support  
6 organizations and citizen support organizations.--

7 (1) Each direct-support organization and each citizen  
8 support organization, created or authorized pursuant to law,  
9 and created, approved, or administered by a state agency,  
10 other than a university, district board of trustees of a  
11 community college, or district school board, shall provide for  
12 an annual financial audit of its accounts and records to be  
13 conducted by an independent certified public accountant in  
14 accordance with rules adopted by the Auditor General pursuant  
15 to s. 11.45(8) and the state agency that created, approved, or  
16 administers the direct-support organization or citizen support  
17 organization. The audit report shall be submitted within 9  
18 months after the end of the fiscal year to the Auditor General  
19 and to the state agency responsible for creation,  
20 administration, or approval of the direct-support organization  
21 or citizen support organization. Such state agency, the  
22 Auditor General, and the Office of Program Policy Analysis and  
23 Government Accountability shall have the authority to require  
24 and receive from the organization or from the independent  
25 auditor any records relative to the operation of the  
26 organization.

27 (2) Notwithstanding the provisions of subsection (1),  
28 and for the 2002-2003 fiscal year only, citizen support  
29 organizations for the Department of Environmental Protection  
30 that are not for profit and that have annual expenditures of  
31 less than \$100,000 are not required to have an independent



1 audit. This subsection expires July 1, 2003.

2 Section 36. In order to implement Specific  
3 Appropriations 2776-2782 of the 2002-2003 General  
4 Appropriations Act, subsection (4) of section 287.161, Florida  
5 Statutes, is amended to read:

6 287.161 Executive aircraft pool; assignment of  
7 aircraft; charge for transportation.--

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

21 Section 37. In order to implement Specific  
22 Appropriation 1771 of the 2002-2003 General Appropriations  
23 Act, subsection (4) is added to section 403.1838, Florida  
24 Statutes, to read:

25 403.1838 Small Community Sewer Construction Assistance  
26 Act.--

27 (4) The department may waive the requirement in a  
28 funding agreement on a grant for construction of wastewater  
29 facilities under this section that a grantee must accumulate,  
30 during the design life of the grant-funded project, moneys in  
31 an amount equivalent to the grant amount, adjusted for

1 inflationary cost increases, if the grantee certifies to the  
2 department's satisfaction that an equivalent amount of money  
3 will be used to pay outstanding obligations resulting from  
4 improvements to its sewer system. This subsection expires July  
5 1, 2003.

6 Section 38. In order to implement Specific  
7 Appropriations 2359-2382 of the 2002-2003 General  
8 Appropriations Act, subsection (7) is added to section  
9 550.09515, Florida Statutes, as amended by section 12 of  
10 chapter 2002-2, Laws of Florida, to read:

11 550.09515 Thoroughbred horse taxes; abandoned interest  
12 in a permit for nonpayment of taxes.--

13 (7) If a thoroughbred permitholder fails to operate  
14 all performances on its 2001-2002 license, failure to pay tax  
15 on handle for a full schedule of live races for those  
16 performances in the 2001-2002 fiscal year does not constitute  
17 failure to pay taxes on handle for a full schedule of live  
18 races in a fiscal year for the purposes of subsection (3).  
19 This subsection may not be construed as forgiving a  
20 thoroughbred permitholder from paying taxes on performances  
21 conducted at its facility pursuant to its 2001-2002 license  
22 other than for failure to operate all performances on its  
23 2001-2002 license. This subsection expires July 1, 2003.

24 Section 39. In order to implement Specific  
25 Appropriations 2359-2382 of the 2002-2003 General  
26 Appropriations Act, subsections (6) and (7) are added to  
27 section 550.5251, Florida Statutes, to read:

28 550.5251 Florida thoroughbred racing; certain permits;  
29 operating days.--

30 (6) Notwithstanding the provisions of subsection (2),  
31 a thoroughbred permitholder who fails to operate all

1 performances on its 2001-2002 license does not lose its right  
 2 to retain its permit. Such thoroughbred permitholder is  
 3 eligible for issuance of an annual license pursuant to s.  
 4 550.0115 for subsequent thoroughbred racing seasons. The  
 5 division shall take no disciplinary action against such  
 6 thoroughbred permitholder for failure to operate all licensed  
 7 performances for the 2001-2002 license pursuant to this  
 8 section or s. 550.01215. This section may not be interpreted  
 9 to prohibit the division from taking disciplinary action  
 10 against a thoroughbred permitholder for failure to pay taxes  
 11 on performances operated pursuant to its 2001-2002 license.  
 12 This subsection expires July 1, 2003.

13 (7) A thoroughbred permitholder shall file an  
 14 amendment with the division no later than July 1, 2002, that  
 15 indicates that it will not be able to operate the performances  
 16 scheduled on its 2002-2003 license without imposition of any  
 17 penalty for failure to operate all licensed performances  
 18 provided in this chapter. This subsection expires July 1,  
 19 2003.

20 Section 40. In order to implement Specific  
 21 Appropriation 2818 of the 2002-2003 General Appropriations  
 22 Act, section 110.116, Florida Statutes, is amended to read:

23 110.116 Personnel information system; payroll  
 24 procedures.--

25 (1) The Department of Management Services shall  
 26 establish and maintain, in coordination with the payroll  
 27 system of the Department of Banking and Finance, a complete  
 28 personnel information system for all authorized and  
 29 established positions in the state service, with the exception  
 30 of employees of the Legislature. The specifications shall be  
 31 developed in conjunction with the payroll system of the

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1 Department of Banking and Finance and in coordination with the  
2 Auditor General. The Department of Banking and Finance shall  
3 determine that the position occupied by each employee has been  
4 authorized and established in accordance with the provisions  
5 of s. 216.251. The Department of Management Services shall  
6 develop and maintain a position numbering system that will  
7 identify each established position, and such information shall  
8 be a part of the payroll system of the Department of Banking  
9 and Finance. With the exception of employees of the  
10 Legislature, this system shall include all career service  
11 positions and those positions exempted from career service  
12 provisions, notwithstanding the funding source of the salary  
13 payments, and information regarding persons receiving payments  
14 from other sources. Necessary revisions shall be made in the  
15 personnel and payroll procedures of the state to avoid  
16 duplication insofar as is feasible. A list shall be organized  
17 by budget entity to show the employees or vacant positions  
18 within each budget entity. This list shall be available to  
19 the Speaker of the House of Representatives and the President  
20 of the Senate upon request.

21 (2) For the 2002-2003 fiscal year only, and  
22 notwithstanding the requirements of s. 215.94(5) that the  
23 department design, implement, and operate the system and of s.  
24 110.201(1)(e) that the individual employing agencies maintain  
25 records and reports, the department is authorized to contract  
26 with a vendor to provide the personnel information system for  
27 state agencies. The vendor may assist the department in  
28 compiling and reporting personnel data and may assist the  
29 employing agencies in maintaining personnel records. This  
30 subsection expires July 1, 2003.

31 Section 41. In order to implement Specific

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1 Appropriation 2815A of the 2002-2003 General Appropriations  
2 Act, paragraph (a) of subsection (1) of section 110.152,  
3 Florida Statutes, is amended to read:

4           110.152 Adoption benefits for state employees;  
5 parental leave.--

6           (1)(a)1. Any full-time or part-time employee of the  
7 state who is paid from regular salary appropriations and who  
8 adopts a special-needs child, as defined in paragraph (b), is  
9 eligible to receive a monetary benefit in the amount of  
10 \$10,000 per child, \$5,000 of which is payable in equal monthly  
11 installments over a 2-year period. Any employee of the state  
12 who adopts a child whose permanent custody has been awarded to  
13 the Department of Children and Family Services or to a  
14 Florida-licensed child-placing agency, other than a  
15 special-needs child as defined in paragraph (b), shall be  
16 eligible to receive a monetary benefit in the amount of \$5,000  
17 per child, \$2,000 of which is payable in equal monthly  
18 installments over a 2-year period. Benefits paid under this  
19 subsection to a part-time employee must be prorated based on  
20 the employee's full-time-equivalency status at the time of  
21 applying for the benefits.

22           2. For the 2002-2003 fiscal year only, the Department  
23 of Management Services is authorized to make lump-sum payments  
24 for adoption benefits awarded during fiscal years 2000-2001  
25 and 2001-2002. This subparagraph expires July 1, 2003.

26           Section 42. In order to implement Specific  
27 Appropriation 2163 and Section 8 of the 2002-2003 General  
28 Appropriations Act, and effective upon this act becoming a  
29 law, section 110.2035, Florida Statutes, is amended to read:

30           110.2035 Classification and compensation program.--

31           (1) The Department of Management Services, ~~in~~

1 ~~consultation with the Executive Office of the Governor and the~~  
2 ~~Legislature, shall establish and maintain develop a~~  
3 ~~classification and compensation program addressing. This~~  
4 ~~program shall be developed for use by all state agencies and~~  
5 ~~shall address~~ Career Service, Selected Exempt Service, and  
6 Senior Management Service positions ~~classes~~.

7 (2) The program shall consist of the following:

8 (a) A position classification system using no more  
9 than 38 ~~50~~ occupational groups and up to a 6-class series  
10 structure for each occupation within an occupational group.  
11 Additional occupational groups may be established only by the  
12 Executive Office of the Governor after consultation with the  
13 Legislature.

14 (b) A pay plan that shall provide broad-based salary  
15 ranges for each occupational group and shall consist of no  
16 more than 25 pay bands.

17 (3) The following goals shall be considered in  
18 ~~designing and implementing~~ and maintaining the program:

19 (a) The classification system must significantly  
20 reduce the need to reclassify positions due to work assignment  
21 and organizational changes by decreasing the number of  
22 classification changes required.

23 (b) The classification system must establish  
24 broad-based classes allowing flexibility in organizational  
25 structure and must reduce the levels of supervisory classes.

26 (c) The classification system and pay plan must  
27 emphasize pay administration and job-performance evaluation by  
28 management rather than emphasize use of the classification  
29 system to award salary increases.

30 (d) The pay administration system must contain  
31 provisions to allow managers the flexibility to move employees

1 through the pay ranges and provide for salary increase  
2 additives and lump-sum bonuses if authorized by the  
3 Legislature.

4 (4) The classification system shall be structured such  
5 that each confidential, managerial, and supervisory employee  
6 shall be included in the Selected Exempt Service, in  
7 accordance with part V of this chapter.

8 ~~(5) The Department of Management Services shall submit~~  
9 ~~the proposed design of the classification and compensation~~  
10 ~~program to the Executive Office of the Governor, the presiding~~  
11 ~~officers of the Legislature, and the appropriate legislative~~  
12 ~~fiscal and substantive standing committees on or before~~  
13 ~~December 1, 2001.~~

14 (5)~~(6)~~ The department shall establish, by rule,  
15 guidelines with respect to, and shall delegate to the  
16 employing agencies, where appropriate, the authority to  
17 administer the following:

- 18 (a) Shift differentials.
- 19 (b) On-call fees.
- 20 (c) Hazardous-duty pay.
- 21 (d) Advanced appointment rates.
- 22 (e) Salary increase and decrease corrections.
- 23 (f) Lead-worker pay.
- 24 (g) Temporary special duties pay.
- 25 (h) Trainer-additive pay.
- 26 (i) Competitive area differentials.
- 27 (j) Coordinator pay.
- 28 (k) Critical market pay.

29  
30 The employing agency must use such pay additives as are  
31 appropriate within the guidelines established by the

1 department and shall advise the department in writing of the  
 2 plan for implementing such pay additives prior to the  
 3 implementation date. Any action by an employing agency to  
 4 implement temporary special duties pay, competitive area  
 5 differentials, or critical market pay may be implemented only  
 6 after the department has reviewed and recommended such action;  
 7 however, an employing agency may use temporary special duties  
 8 pay for up to 3 months without prior review by the department.  
 9 The department shall annually provide a summary report of the  
 10 pay additives implemented pursuant to this section.

11 (6) The department shall adopt any rules necessary to  
 12 implement the classification and compensation program to  
 13 include Career Service, Selected Exempt Service, and Senior  
 14 Management Service positions consistent with the plan  
 15 submitted to the Legislature on December 1, 2001; however, the  
 16 adopted plan shall include pay bandwidths of 150 percent for  
 17 each occupational group except the manager and executive  
 18 occupational groups. The department may adopt emergency rules  
 19 if necessary to implement this program by July 1, 2002.

20 Section 43. The amendment of section 110.2035, Florida  
 21 Statutes, by this act shall expire on July 1, 2003, and the  
 22 text of that section shall revert to that in existence on June  
 23 30, 2002, except that any amendments to such text enacted  
 24 other than by this act shall be preserved and continue to  
 25 operate to the extent that such amendments are not dependent  
 26 upon the portions of such text which expire pursuant to the  
 27 provisions of this act.

28 Section 44. In order to implement Section 8 of the  
 29 2002-2003 General Appropriations Act, subsection (7) of  
 30 section 110.12315, Florida Statutes, is amended to read:

31 110.12315 Prescription drug program.--The state



1 employees' prescription drug program is established. This  
2 program shall be administered by the Department of Management  
3 Services, according to the terms and conditions of the plan as  
4 established by the relevant provisions of the annual General  
5 Appropriations Act and implementing legislation, subject to  
6 the following conditions:

7 (7) ~~Notwithstanding the provisions of subsections (1)~~  
8 ~~and (2),~~ Under the state employees' prescription drug program  
9 copayments must be made as follows:

10 (a) Effective January 1, 2001:

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

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

21  
22 This subsection expires July 1, 2003 ~~2002~~.

23 Section 45. In order to implement Section 8 of the  
24 2002-2003 General Appropriations Act, section 110.1239,  
25 Florida Statutes, is amended to read:

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

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1 the recognition that the health insurance liabilities  
2 attributable to the benefits offered state employees should be  
3 fairly, orderly, and equitably funded. Accordingly:

4 (1) The division shall determine the level of premiums  
5 necessary to fully fund the state group health insurance  
6 program for the next fiscal year. Such determination shall be  
7 made after each Self-Insurance revenue Estimating Conference  
8 ~~on health insurance~~ as provided in s. 216.136(11)(~~1~~), but not  
9 later than December 1 and April 1 of each 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 46. In order to implement Sections 2-7 of the  
22 2002-2003 General Appropriations Act, paragraph (c) of  
23 subsection (5) and paragraph (d) of subsection (6) of section  
24 112.061, Florida Statutes, are amended to read:

25 112.061 Per diem and travel expenses of public  
26 officers, employees, and authorized persons.--

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

31 (c) For the 2002-2003 ~~2001-2002~~ fiscal year only and

1 notwithstanding the other provisions of this subsection, for  
2 Class C travel, a state traveler shall not be reimbursed on a  
3 per diem basis nor shall a traveler receive subsistence  
4 allowance. This paragraph expires July 1, 2003 ~~2002~~.

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

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

14 Section 47. In order to implement Specific  
15 Appropriation 2169 of the 2002-2003 General Appropriations  
16 Act, subsection (4) is added to section 121.71, Florida  
17 Statutes, as created by section 1 of chapter 2002-177, Laws of  
18 Florida, to read:

19 121.71 Uniform rates; process; calculations; levy.--

20 (4) Notwithstanding the provisions of subsection (3),  
21 and for the fiscal year 2002-2003 only, the state actuary  
22 shall recognize and use an appropriate level of available  
23 excess assets of the Florida Retirement System Trust Fund to  
24 offset the difference between the normal costs of the Florida  
25 Retirement System and the statutorily prescribed contribution  
26 rates. This subsection expires July 1, 2003.

27 Section 48. In order to implement Specific  
28 Appropriation 2355I of the 2002-2003 General Appropriations  
29 Act, subsection (2) of section 489.118, Florida Statutes, is  
30 amended to read:

31 489.118 Certification of registered contractors;

1 grandfathering provisions.--The board shall, upon receipt of a  
 2 completed application and appropriate fee, issue a certificate  
 3 in the appropriate category to any contractor registered under  
 4 this part who makes application to the board and can show that  
 5 he or she meets each of the following requirements:

6 (2)(a) Has, for that category, passed a written  
 7 examination that the board finds to be substantially similar  
 8 to the examination required to be licensed as a certified  
 9 contractor under this part. For purposes of this subsection, a  
 10 written, proctored examination such as that produced by the  
 11 National Assessment Institute, Block and Associates,  
 12 NAI/Block, Experior Assessments, Professional Testing, Inc.,  
 13 or Assessment Systems, Inc., shall be considered to be  
 14 substantially similar to the examination required to be  
 15 licensed as a certified contractor. The board may not impose  
 16 or make any requirements regarding the nature or content of  
 17 these cited examinations.

18 (b) Has, for the 2002-2003 fiscal year only and in  
 19 lieu of passing the written examination required by paragraph  
 20 (a), successfully passed an oral examination that the board  
 21 finds to be substantially similar to the examination required  
 22 to be licensed as a certified contractor under this part. This  
 23 paragraph applies only to applicants who are disabled. This  
 24 paragraph expires July 1, 2003.

25  
 26 Applicants wishing to obtain a certificate pursuant to this  
 27 section must make application by November 1, 2004.

28 Section 49. In order to implement Specific  
 29 Appropriations 2396-2417A of the 2002-2003 General  
 30 Appropriations Act:

31 (1) The Department of Business and Professional

1 Regulation is authorized to transfer no more than 34 positions  
 2 and the resources identified in the reengineering issues from  
 3 Compliance and Enforcement, no more than 12 positions and the  
 4 resources identified in the reengineering issues from  
 5 Standards and Licensure, and no more than 20 positions and the  
 6 resources identified in the reengineering issues from Tax  
 7 Collection to begin implementation of the on-line licensing  
 8 and reengineering project. To ensure current service delivery  
 9 levels pertaining to regulation, licensing, compliance,  
 10 enforcement, and tax collection, the department shall retain  
 11 positions in the current programs to facilitate migration to  
 12 the new business process. The transfer must be completed prior  
 13 to June 30, 2003. The Executive Office of the Governor is  
 14 authorized to establish positions in excess of the current  
 15 programs to meet these requirements, subject to the provisions  
 16 of s. 216.177, Florida Statutes.

17 (2) In completing the reengineering and technology  
 18 project, the department shall retain sufficient numbers of  
 19 knowledge experts within the Division of Alcoholic Beverages  
 20 and Tobacco to handle specialized and complex inquiries,  
 21 document filings, and statutory duties within the subject  
 22 areas of licensing, auditing, and law enforcement. A  
 23 dedicated corps of knowledge experts shall be retained within  
 24 each of these three areas. The reengineering and technology  
 25 project shall be structured so as to direct specialized  
 26 inquiries to these knowledge experts in the most efficient and  
 27 customer-friendly manner possible.

28 (3) The methodology used for the Administrative Trust  
 29 Fund assessment charged to the division shall be based on the  
 30 number of positions, number of transactions, and  
 31 administrative activities directly related to the support of

1 division activities. The assessment shall be reconciled  
2 quarterly and available for public inspection.

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

4 Section 50. In order to implement the provisions of  
5 Specific Appropriations 2418-2433 of the 2002-2003 General  
6 Appropriations Act:

7 (1) The Department of Business and Professional  
8 Regulation is authorized to transfer positions and resources  
9 identified in the reengineering issues to begin implementation  
10 of the on-line reengineering and technology project. To ensure  
11 current service delivery levels pertaining to regulation,  
12 licensing, compliance, and enforcement, the department shall  
13 retain positions in the current programs to facilitate  
14 migration to the new business process. The transfer must be  
15 completed prior to June 30, 2003. The Executive Office of the  
16 Governor is authorized to establish positions in excess of the  
17 current programs to meet these requirements subject to the  
18 provisions of s. 216.177, Florida Statutes.

19 (2) In completing the reengineering and technology  
20 project, the department shall retain sufficient numbers of  
21 knowledge experts within the Division of Florida Land Sales,  
22 Condominiums, and Mobile Homes to handle specialized and  
23 complex inquiries, document filings, and statutory duties  
24 within the subject areas of condominiums, mobile homes, and  
25 timeshares. A dedicated corps of knowledge experts shall be  
26 retained within each of these three areas. The reengineering  
27 and technology project shall be structured so as to direct  
28 specialized inquiries to these knowledge experts in the most  
29 efficient and customer-friendly manner possible.

30 (3) The methodology used for the Administrative Trust  
31 Fund assessment charged to the division shall be based on the

1 number of positions, number of transactions, and  
2 administrative activities directly related to the support of  
3 division activities. The assessment shall be reconciled  
4 quarterly and available for public inspection.

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

6 Section 51. In order to implement the provisions of  
7 Specific Appropriations 2383-2395 of the 2002-2003 General  
8 Appropriations Act:

9 (1) The Department of Business and Professional  
10 Regulation is authorized to transfer positions and resources  
11 identified in the reengineering issues to begin implementation  
12 of the on-line licensing and reengineering project. To ensure  
13 current service delivery levels pertaining to regulation,  
14 licensing, compliance, and enforcement, the department shall  
15 retain positions in the current programs to facilitate  
16 migration to the new business process. The transfer must be  
17 completed prior to June 30, 2003. The Executive Office of the  
18 Governor is authorized to establish positions in excess of the  
19 current programs to meet these requirements, subject to the  
20 provisions of s. 216.177, Florida Statutes.

21 (2) The department shall maintain in each field office  
22 a dedicated corps of sanitation and safety inspectors in the  
23 compliance entity who shall perform only inspections of public  
24 food service and public lodging establishments regulated under  
25 chapter 509, Florida Statutes, and the rules adopted pursuant  
26 thereto, and who shall be the only inspectors performing  
27 public food service and public lodging establishment  
28 inspections. In addition, each field office shall have a  
29 designated lead public food service and public lodging  
30 establishment inspector supervising these dedicated corps  
31 inspectors.

1           (3)(a) Prior to implementation, the department shall  
2 draft a service-level agreement identifying the roles and  
3 responsibilities of the Division of Hotels and Restaurants and  
4 the compliance entity for future operations.

5           (b) The responsibilities of the director of the  
6 Division of Hotels and Restaurants shall include, but not be  
7 limited to:

8           1. All statutory powers currently assigned to the  
9 division.

10           2. Final authority over resolution of adverse  
11 incidents involving licenses.

12           3. Final authority regarding license fines and  
13 disciplinary actions.

14           4. Final authority regarding hiring and firing of  
15 inspectors by the compliance entity.

16           5. The Hospitality Education Program, which shall  
17 remain in the division.

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

19           Section 52. (1) In order to implement Specific  
20 Appropriations 2454-2458 and 2699-2701 of the 2002-2003  
21 General Appropriations Act and to avoid the unnecessary  
22 duplication of expenses during the 2002-2003 fiscal year, with  
23 respect to changes in congressional districting plans the  
24 appropriate state officials who shall continue to be  
25 responsible for the submission of information relating to the  
26 preclearance under Section 5 of the federal Voting Rights Act  
27 of such plans shall be the Governor, the President of the  
28 Senate, and the Speaker of the House of Representatives,  
29 jointly. To the extent determined necessary by the President  
30 of the Senate or the Speaker of the House of Representatives,  
31 the presiding officer of either house may provide to the



1 Executive Office of the Governor, from the funds appropriated  
2 to such house, the payment of salaries, fees, and expenses  
3 related to the preclearance process or to the defense of any  
4 judicial challenge to any such apportionment or districting  
5 plan.

6 (2) In order to implement Specific Appropriations  
7 2699-2701 of the 2002-2003 General Appropriations Act and to  
8 avoid the unnecessary duplication of expenses during the  
9 2002-2003 fiscal year, with respect to changes in state  
10 legislative apportionment or districting plans the appropriate  
11 state officials who shall continue to be responsible for the  
12 submission of information relating to the preclearance under  
13 Section 5 of the federal Voting Rights Act of such plans shall  
14 be the President of the Senate and the Speaker of the House of  
15 Representatives, jointly.

16 (3) Effective upon this act becoming a law, and  
17 retroactive to the date of any submission made to the United  
18 States Department of Justice by the Governor, the President of  
19 the Senate, or the Speaker of the House of Representatives,  
20 relating to the federal preclearance of any congressional or  
21 state legislative apportionment or districting plans adopted  
22 by the Florida Legislature during 2002, such submission to the  
23 United States Department of Justice regarding such plans made  
24 by such officials is hereby confirmed as having been made by  
25 the appropriate state officials.

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

27 Section 53. In order to implement Specific  
28 Appropriations 1511, 1523, and 1523A of the 2002-2003 General  
29 Appropriations Act, paragraph (b) of subsection (1) of section  
30 252.373, Florida Statutes, is amended, and paragraph (c) is  
31 added to said subsection, to read:

1           252.373 Allocation of funds; rules.--  
 2           (1)  
 3           (b) Notwithstanding the provisions of paragraph (a),  
 4 and for the 2002-2003 ~~2001-2002~~ fiscal year only, the use up  
 5 to \$2.2 million of the unencumbered balance of the Emergency  
 6 Management, Preparedness, and Assistance Trust Fund shall be  
 7 as provided in the General Appropriations Act ~~utilized to~~  
 8 ~~improve, and increase the number of, disaster shelters within~~  
 9 ~~the state and improve local disaster preparedness.~~ This  
 10 paragraph expires on July 1, 2003 ~~2002~~.

11           (c) Notwithstanding the provisions of paragraph (a),  
 12 and for the 2002-2003 fiscal year only, the Department of  
 13 Community Affairs shall conduct a review of funds available in  
 14 the Emergency Management, Preparedness, and Assistance Trust  
 15 Fund. By December 1, 2002, when actual receipts for the  
 16 2001-2002 fiscal year are determined, the Department of  
 17 Community Affairs may identify any funds that were unspent or  
 18 unencumbered in the 2001-2002 fiscal year that are not  
 19 required to implement appropriations for the 2002-2003 fiscal  
 20 year from the Emergency Management, Preparedness, and  
 21 Assistance Trust Fund, and such funds may be transferred to  
 22 the Grants and Donations Trust Fund to be used for the state  
 23 portion of the match requirements for federally approved  
 24 Hazard Mitigation Grant Program projects. This paragraph  
 25 expires July 1, 2003.

26           Section 54. In order to implement Specific  
 27 Appropriation 2486 of the 2002-2003 General Appropriations  
 28 Act, subsection (11) is added to section 288.063, Florida  
 29 Statutes, to read:

30           288.063 Contracts for transportation projects.--  
 31           (11) In addition to the other provisions of this

1 section, projects that the Legislature deems necessary to  
 2 facilitate the economic development and growth of the state  
 3 may be designated and funded in the General Appropriations  
 4 Act. Such transportation projects create new employment  
 5 opportunities, expand transportation infrastructure, improve  
 6 mobility, or increase transportation innovation. The Office  
 7 of Tourism, Trade, and Economic Development shall enter into  
 8 contracts with, and make expenditures to, the appropriate  
 9 entities for the costs of transportation projects designated  
 10 in the General Appropriations Act. This subsection expires  
 11 July 1, 2003.

12 Section 55. In order to implement proviso language in  
 13 Specific Appropriation 2236E of the 2002-2003 General  
 14 Appropriations Act, section 402.3017, Florida Statutes, is  
 15 amended to read:

16 402.3017 Teacher Education and Compensation Helps  
 17 (TEACH) scholarship program.--

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

27 (2) The Department of Children and Family Services is  
 28 authorized to contract for the administration of the Teacher  
 29 Education and Compensation Helps (TEACH) scholarship program,  
 30 which provides educational scholarships to caregivers and  
 31 administrators of early childhood programs, family day care

1 homes, and large family child care homes.

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

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

7 Section 56. In order to implement Specific  
8 Appropriation 1574B of the 2002-2003 General Appropriations  
9 Act, subsection (4) is added to section 125.35, Florida  
10 Statutes, to read:

11 125.35 County authorized to sell real and personal  
12 property and to lease real property.--

13 (4) For fiscal year 2002-2003 only, the board of  
14 county commissioners is authorized to lease, under terms and  
15 conditions negotiated by the board, a parcel of real property  
16 of 5 acres or less that is located in an area designated as an  
17 empowerment zone under the Taxpayer Relief Act of 1997 for the  
18 purpose of:

19 (a) Enhancement, promotion, or improvement of economic  
20 activity or revitalization;

21 (b) Urban development or redevelopment;

22 (c) Tourism;

23 (d) Transportation; or

24 (e) Opportunities for gainful employment.

25  
26 Such purposes are hereby found and declared to be public  
27 purposes. This subsection expires July 1, 2003.

28 Section 57. In order to implement Specific  
29 Appropriations 2161A and 2161G of the 2002-2003 General  
30 Appropriations Act, subsection (5) is added to section  
31 338.2216, Florida Statutes, as created by section 18 of

1 chapter 2002-20, Laws of Florida, to read:

2 338.2216 Florida Turnpike Enterprise; powers and  
3 authority.--

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

10 Section 58. In order to implement Specific  
11 Appropriation 2075 of the 2002-2003 General Appropriations  
12 Act, subsection (10) of section 339.12, Florida Statutes, as  
13 created by section 83 of chapter 2002-20, Laws of Florida, is  
14 amended to read:

15 339.12 Aid and contributions by governmental entities  
16 for department projects; federal aid.--

17 (10) Beginning with the 2003-2004 fiscal year, any  
18 county with a population greater than 50,000 that levies the  
19 full 6 cents of local option fuel tax pursuant to ss.  
20 206.41(1)(e) and 206.87(1)(c), or that dedicates 35 percent or  
21 more of its discretionary sales surtax, pursuant to s.  
22 212.055, for improvements to the state transportation system  
23 or to local projects directly upgrading the state  
24 transportation system within the county's boundaries shall  
25 receive preference for receipt of any transportation grant for  
26 which the county applies. This subsection shall not apply to  
27 loans or nonhighway grant programs.

28 Section 59. In order to implement Specific  
29 Appropriation 2236E of the 2002-2003 General Appropriations  
30 Act, subsection (13) is added to section 411.01, Florida  
31 Statutes, to read:

1           411.01 Florida Partnership for School Readiness;  
2 school readiness coalitions.--  
3           (13) Notwithstanding any other provision of this  
4 section to the contrary, and for fiscal year 2002-2003 only,  
5 the first children to be placed in the school readiness  
6 program shall be those from families receiving temporary cash  
7 assistance and subject to federal work requirements.  
8 Subsequent placements shall be pursuant to the provisions of  
9 this section. This subsection expires July 1, 2003.

10           Section 60. In order to implement Specific  
11 Appropriations 349, 1170, 2877, and 3119 of the 2002-2003  
12 General Appropriations Act, section 215.20, Florida Statutes,  
13 as amended by section 2 of chapter 2002-46, Laws of Florida,  
14 and by section 920 of Senate Bill 20-E, Enrolled, 2002 Special  
15 Session E, is amended to read:

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

18           215.20 Certain income and certain trust funds to  
19 contribute to the General Revenue Fund.--

20           (1) A service charge of 7 percent, representing the  
21 estimated pro rata share of the cost of general government  
22 paid from the General Revenue Fund, is hereby appropriated  
23 from all income of a revenue nature deposited in all trust  
24 funds except those enumerated in s. 215.22. Income of a  
25 revenue nature shall include all earnings received or credited  
26 by such trust funds, including the interest or benefit  
27 received from the investment of the principal of such trust  
28 funds as may be permitted by law. This provision shall be  
29 construed in favor of the General Revenue Fund in each  
30 instance. All such appropriations shall be deposited in the  
31 General Revenue Fund.

1           (2) Notwithstanding the provisions of subsection (1):  
2           (a) The trust funds of the Department of Citrus and  
3 the Department of Agriculture and Consumer Services, including  
4 funds collected in the General Inspection Trust Fund for  
5 marketing orders and in the Florida Citrus Advertising Trust  
6 Fund, shall be subject to a 3-percent service charge, which is  
7 hereby appropriated to the General Revenue Fund. This  
8 paragraph does not apply to the Conservation and Recreation  
9 Lands Program Trust Fund, the Florida Quarter Horse Racing  
10 Promotion Trust Fund, the Citrus Inspection Trust Fund, the  
11 Florida Forever Program Trust Fund, the Florida Preservation  
12 2000 Trust Fund, the Market Improvements Working Capital Trust  
13 Fund, the Pest Control Trust Fund, the Plant Industry Trust  
14 Fund, or other funds collected in the General Inspection Trust  
15 Fund in the Department of Agriculture and Consumer Services.  
16           (b) The Save the Manatee Trust Fund in the Fish and  
17 Wildlife Conservation Commission shall be subject to a  
18 3-percent service charge, which is hereby appropriated to the  
19 General Revenue Fund.  
20           (3) A service charge of 0.3 percent is hereby  
21 appropriated from income of a revenue nature deposited in the  
22 trust funds enumerated in subsection (4). Income of a revenue  
23 nature shall include all earnings received or credited by such  
24 trust funds, including the interest or benefit received from  
25 the investment of the principal of such trust funds as may be  
26 permitted by law. This provision shall be construed in favor  
27 of the General Revenue Fund in each instance. All such  
28 appropriations shall be deposited in the General Revenue Fund.  
29           (4) The income of a revenue nature deposited in the  
30 following described trust funds, by whatever name designated,  
31 is that from which the appropriations authorized by subsection

1 (3) shall be made:

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

3 1. The Florida Organ and Tissue Donor Education and  
4 Procurement Trust Fund.

5 2. The Health Care Trust Fund.

6 3. The Resident Protection Trust Fund.

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

9 (c) Within the Department of Agriculture and Consumer  
10 Services:

11 1. The Conservation and Recreation Lands Program Trust  
12 Fund.

13 2. The Florida Quarter Horse Racing Promotion Trust  
14 Fund.

15 3. The General Inspection Trust Fund and subsidiary  
16 accounts thereof, unless a different percentage is authorized  
17 by s. 570.20.

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

19 1. The Administrative Trust Fund.

20 2. The Anti-Fraud Trust Fund.

21 3. The Financial Institutions' Regulatory Trust Fund.

22 4. The Mortgage Brokerage Guaranty Fund.

23 5. The Regulatory Trust Fund.

24 (e) Within the Department of Business and Professional  
25 Regulation:

26 1. The Administrative Trust Fund.

27 2. The Alcoholic Beverage and Tobacco Trust Fund.

28 3. The Cigarette Tax Collection Trust Fund.

29 4. The Division of Florida Land Sales, Condominiums,  
30 and Mobile Homes Trust Fund.

31 5. The Hotel and Restaurant Trust Fund, with the



- 1 exception of those fees collected for the purpose of funding  
2 of the hospitality education program as stated in s. 509.302.  
3       6. The Professional Regulation Trust Fund.  
4       7. The trust funds administered by the Division of  
5 Pari-mutuel Wagering.  
6       (f) Within the Department of Children and Family  
7 Services:  
8           1. The Administrative Trust Fund.  
9           2. The Child Welfare Training Trust Fund.  
10          3. The Children and Adolescents Substance Abuse Trust  
11 Fund.  
12           4. The Domestic Violence Trust Fund.  
13           5. The Grants and Donations Trust Fund.  
14           6. The Operations and Maintenance Trust Fund.  
15       (g) Within the Department of Citrus, the Florida  
16 Citrus Advertising Trust Fund, including transfers from any  
17 subsidiary accounts thereof, unless a different percentage is  
18 authorized in s. 601.15(7).  
19       (h) Within the Department of Community Affairs, the  
20 Operating Trust Fund.  
21       (i) Within the Department of Education:  
22           1. The Educational Certification and Service Trust  
23 Fund.  
24           2. The Phosphate Research Trust Fund.  
25       (j) Within the Department of Elderly Affairs:  
26           1. The Administrative Trust Fund.  
27           2. The Federal Grants Trust Fund.  
28           3. The Grants and Donations Trust Fund.  
29           4. The Operations and Maintenance Trust Fund.  
30       (k) Within the Department of Environmental Protection:  
31           1. The Administrative Trust Fund.

CONFERENCE COMMITTEE AMENDMENT

187-958DX-21

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

Amendment No. \_\_\_\_ (for drafter's use only)

- 1           2. The Air Pollution Control Trust Fund.  
2           3. The Conservation and Recreation Lands Trust Fund.  
3           4. The Ecosystem Management and Restoration Trust  
4 Fund.  
5           5. The Environmental Laboratory Trust Fund.  
6           6. The Florida Coastal Protection Trust Fund.  
7           7. The Florida Permit Fee Trust Fund.  
8           8. The Forfeited Property Trust Fund.  
9           9. The Grants and Donations Trust Fund.  
10          10. The Inland Protection Trust Fund.  
11          11. The Internal Improvement Trust Fund.  
12          12. The Land Acquisition Trust Fund.  
13          13. The Minerals Trust Fund.  
14          14. The Nonmandatory Land Reclamation Trust Fund.  
15          15. The State Park Trust Fund.  
16          16. The Water Quality Assurance Trust Fund.  
17          17. The Working Capital Trust Fund.  
18          (1) Within the Department of Health:  
19           1. The Administrative Trust Fund.  
20           2. The Brain and Spinal Cord Injury Program Trust  
21 Fund.  
22           3. The Donations Trust Fund.  
23           4. The Emergency Medical Services Trust Fund.  
24           5. The Epilepsy Services Trust Fund.  
25           6. The Florida Drug, Device, and Cosmetic Trust Fund.  
26           7. The Grants and Donations Trust Fund.  
27           8. The Medical Quality Assurance Trust Fund.  
28           9. The Nursing Student Loan Forgiveness Trust Fund.  
29           10. The Planning and Evaluation Trust Fund.  
30           11. The Radiation Protection Trust Fund.  
31          (m) Within the Department of Highway Safety and Motor

- 1 Vehicles, the DUI Programs Coordination Trust Fund.
- 2     (n) Within the Department of Insurance:
- 3         1. The Agents and Solicitors County Tax Trust Fund.
- 4         2. The Insurance Commissioner's Regulatory Trust Fund.
- 5     (o) Within the Department of Labor and Employment
- 6 Security or, if such department is terminated, within the
- 7 agency or department to which the named trust fund has been
- 8 transferred:
- 9         1. The Special Disability Trust Fund.
- 10        2. The Special Employment Security Administration
- 11 Trust Fund.
- 12         3. The Workers' Compensation Administration Trust
- 13 Fund.
- 14     (p) Within the Department of Legal Affairs, the Crimes
- 15 Compensation Trust Fund.
- 16     (q) Within the Department of Management Services:
- 17         1. The Administrative Trust Fund.
- 18         2. The Architects Incidental Trust Fund.
- 19         3. The Bureau of Aircraft Trust Fund.
- 20         4. The Florida Facilities Pool Working Capital Trust
- 21 Fund.
- 22         5. The Grants and Donations Trust Fund.
- 23         6. The Motor Vehicle Operating Trust Fund.
- 24         7. The Police and Firefighters' Premium Tax Trust
- 25 Fund.
- 26         8. The Public Employees Relations Commission Trust
- 27 Fund.
- 28         9. The State Personnel System Trust Fund.
- 29         10. The Supervision Trust Fund.
- 30         11. The Working Capital Trust Fund.
- 31     (r) Within the Department of Revenue:

- 1           1. The Additional Court Cost Clearing Trust Fund.
- 2           2. The Administrative Trust Fund.
- 3           3. The Apalachicola Bay Oyster Surcharge Clearing
- 4 Trust Fund.
- 5           4. The Certification Program Trust Fund.
- 6           5. The Fuel Tax Collection Trust Fund.
- 7           6. The Land Reclamation Trust Fund.
- 8           7. The Local Alternative Fuel User Fee Clearing Trust
- 9 Fund.
- 10          8. The Local Option Fuel Tax Trust Fund.
- 11          9. The Motor Vehicle Rental Surcharge Clearing Trust
- 12 Fund.
- 13          10. The Motor Vehicle Warranty Trust Fund.
- 14          11. The Oil and Gas Tax Trust Fund.
- 15          12. The Secondhand Dealer and Secondary Metals
- 16 Recycler Clearing Trust Fund.
- 17          13. The Severance Tax Solid Mineral Trust Fund.
- 18          14. The State Alternative Fuel User Fee Clearing Trust
- 19 Fund.
- 20          15. All taxes levied on motor fuels other than
- 21 gasoline levied pursuant to the provisions of s. 206.87(1)(a).
- 22          (s) Within the Department of State:
- 23           1. The Division of Licensing Trust Fund.
- 24           2. The Records Management Trust Fund.
- 25           3. The trust funds administered by the Division of
- 26 Historical Resources.
- 27          (t) Within the Department of Transportation, all
- 28 income derived from outdoor advertising and overweight
- 29 violations which is deposited in the State Transportation
- 30 Trust Fund.
- 31          (u) Within the Department of Veterans' Affairs:

- 1           1. The Grants and Donations Trust Fund.
- 2           2. The Operations and Maintenance Trust Fund.
- 3           3. The State Homes for Veterans Trust Fund.
- 4           (v) Within the Division of Administrative Hearings,
- 5 the Administrative Trust Fund.
- 6           (w) Within the Fish and Wildlife Conservation
- 7 Commission:
- 8           1. The Conservation and Recreation Lands Program Trust
- 9 Fund.
- 10          2. The Florida Panther Research and Management Trust
- 11 Fund.
- 12          3. The Land Acquisition Trust Fund.
- 13          4. The Marine Resources Conservation Trust Fund, with
- 14 the exception of those fees collected for recreational
- 15 saltwater fishing licenses as provided in s. 372.57.
- 16          (x) Within the Florida Public Service Commission, the
- 17 Florida Public Service Regulatory Trust Fund.
- 18          (y) Within the Justice Administrative Commission, the
- 19 Indigent Criminal Defense Trust Fund.
- 20
- 21 The enumeration of the foregoing moneys or trust funds shall
- 22 not prohibit the applicability thereto of s. 215.24 should the
- 23 Governor determine that for the reasons mentioned in s. 215.24
- 24 the money or trust funds should be exempt herefrom, as it is
- 25 the purpose of this law to exempt income from its force and
- 26 effect when, by the operation of this law, federal matching
- 27 funds or contributions or private grants to any trust fund
- 28 would be lost to the state.
- 29          (5) There is appropriated from the proper respective
- 30 trust funds from time to time such sums as may be necessary to
- 31 pay to the General Revenue Fund the service charges imposed by

1 this section.

2           Section 61. The amendment of section 215.20, Florida  
3 Statutes, by this act shall expire on July 1, 2003, and the  
4 text of that section shall revert to that in existence on June  
5 30, 2002, except that any amendments to such text enacted  
6 other than by this act shall be preserved and continue to  
7 operate to the extent that such amendments are not dependent  
8 upon the portions of such text which expire pursuant to the  
9 provisions of this act.

10           Section 62. In order to implement Specific  
11 Appropriations 349, 1170, 2877, and 3119 of the 2002-2003  
12 General Appropriations Act, subsection (1) of section 215.22,  
13 Florida Statutes, is amended to read:

14           215.22 Certain income and certain trust funds  
15 exempt.--

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

19           (a) Student financial aid or prepaid tuition receipts.

20           (b) Trust funds administered by the Department of the  
21 Lottery.

22           (c) Departmental administrative assessments for  
23 administrative divisions.

24           (d) Funds charged by a state agency for services  
25 provided to another state agency, by a state agency for  
26 services provided to the judicial branch, or by the judicial  
27 branch for services provided to a state agency.

28           (e) State, agency, or political subdivision  
29 investments by the Treasurer.

30           (f) Retirement or employee benefit funds.

31           (g) Self-insurance programs administered by the

1 Treasurer.

2 (h) Funds held for the payment of citrus canker  
3 eradication and compensation.

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

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

9 (k) Trust funds administered by the Department of  
10 Education.

11 (l) Trust funds administered by the Department of  
12 Transportation.

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

15 1. The Citrus Inspection Trust Fund.

16 2. The Florida Forever Program Trust Fund.

17 3. The Florida Preservation 2000 Trust Fund.

18 4. The Market Improvements Working Capital Trust Fund.

19 5. The Pest Control Trust Fund.

20 6. The Plant Industry Trust Fund.

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

22 (o) The Solid Waste Management Trust Fund.

23 (p) The Coconut Grove Playhouse Trust Fund.

24 (q) The Communications Working Capital Trust Fund of  
25 the Department of Management Services.

26 (r) The Camp Blanding Management Trust Fund.

27 ~~(s) The Indigent Criminal Defense Trust Fund.~~

28 (s)(t) That portion of the Highway Safety Operating  
29 Trust Fund funded by the motorcycle safety education fee  
30 collected pursuant to s. 320.08(1)(c).

31 ~~(u) The Save the Manatee Trust Fund.~~

1           (t)~~(v)~~ Tobacco Settlement Trust Funds administered by  
2 any agency.

3           (u)~~(w)~~ The Save Our Everglades Trust Fund.

4           Section 63. The amendment of subsection (1) of section  
5 215.22, 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 64. In order to implement Specific  
13 Appropriations 349, 1170, and 3119 of the 2002-2003 General  
14 Appropriations Act, subsection (4) of section 18.10, Florida  
15 Statutes, is amended to read:

16           18.10 Deposits and investments of state money.--

17           (4) All earnings on any investments made pursuant to  
18 this section are hereby appropriated ~~shall be credited~~ to the  
19 General Revenue Fund, except that earnings attributable to  
20 moneys made available pursuant to s. 18.125(3)(a) and (b)  
21 shall be credited pro rata to the funds from which such moneys  
22 were made available.

23           Section 65. The amendment of subsection (4) of section  
24 18.10, Florida Statutes, by this act shall expire on July 1,  
25 2003, and the text of that subsection shall revert to that in  
26 existence on June 30, 2002, except that any amendments to such  
27 text enacted other than by this act shall be preserved and  
28 continue to operate to the extent that such amendments are not  
29 dependent upon the portions of such text which expire pursuant  
30 to the provisions of this act.

31           Section 66. In order to implement Specific



1 Appropriations 349, 1170, and 3119 of the 2002-2003 General  
 2 Appropriations Act, subsection (3) of section 18.125, Florida  
 3 Statutes, is amended to read:

4           18.125 Treasurer; powers and duties in the investment  
 5 of certain funds.--

6           (3)(a) Except as otherwise provided in this  
 7 subsection, it is the duty of each state agency, and of the  
 8 judicial branch, now or hereafter charged with the  
 9 administration of the funds referred to in subsection (1) to  
 10 make such moneys available for investment as fully as is  
 11 consistent with the cash requirements of the particular fund  
 12 and to authorize investment of such moneys by the Treasurer.

13           (b) Monthly, and more often as circumstances require,  
 14 such agency or judicial branch shall notify the Treasurer of  
 15 the amount available for investment; and the moneys shall be  
 16 invested by the Treasurer. Such notification shall include  
 17 the name and number of the fund for which the investments are  
 18 to be made and the life of the investment if the principal sum  
 19 is to be required for meeting obligations. This subsection,  
 20 however, shall not be construed to make available for  
 21 investment any funds other than those referred to in  
 22 subsection (1).

23           (c) Except as provided in this paragraph and except  
 24 for moneys described in paragraph (d), the following agencies  
 25 shall not invest trust fund moneys as provided in this  
 26 section, but shall retain such moneys in their respective  
 27 trust funds for investment, with interest appropriated to the  
 28 General Revenue Fund, pursuant to s. 18.10:

29           1. The Agency for Health Care Administration, except  
 30 for the Tobacco Settlement Trust Fund.

31           2. The Department of Children and Family Services,

- 1 except for:
- 2     a. The Alcohol, Drug Abuse, and Mental Health Trust
- 3 Fund.
- 4     b. The Community Resources Development Trust Fund.
- 5     c. The Refugee Assistance Trust Fund.
- 6     d. The Social Services Block Grant Trust Fund.
- 7     e. The Tobacco Settlement Trust Fund.
- 8     f. The Working Capital Trust Fund.
- 9     3. The Department of Community Affairs, only for the
- 10 Operating Trust Fund.
- 11     4. The Department of Corrections.
- 12     5. The Department of Elderly Affairs, except for:
- 13     a. The Federal Grants Trust Fund.
- 14     b. The Tobacco Settlement Trust Fund.
- 15     6. The Department of Health, except for:
- 16     a. The Federal Grants Trust Fund.
- 17     b. The Grants and Donations Trust Fund.
- 18     c. The Maternal and Child Health Block Grant Trust
- 19 Fund.
- 20     d. The Tobacco Settlement Trust Fund.
- 21     7. The Department of Highway Safety and Motor
- 22 Vehicles, only for:
- 23     a. The DUI Programs Coordination Trust Fund.
- 24     b. The Security Deposits Trust Fund.
- 25     8. The Department of Juvenile Justice.
- 26     9. The Department of Labor and Employment Security,
- 27 only for the Administrative Trust Fund.
- 28     10. The Department of Law Enforcement.
- 29     11. The Department of Legal Affairs.
- 30     12. The Department of State, only for:
- 31     a. The Grants and Donations Trust Fund.

- 1           b. The Records Management Trust Fund.
- 2           13. The Executive Office of the Governor, only for:
- 3           a. The Economic Development Transportation Trust Fund.
- 4           b. The Economic Development Trust Fund.
- 5           14. The Florida Public Service Commission, only for
- 6 the Florida Public Service Regulatory Trust Fund.
- 7           15. The Justice Administrative Commission.
- 8           16. The state courts system.
- 9           (d) Moneys in any trust funds of the agencies in
- 10 paragraph (c) may be invested pursuant to the provisions of
- 11 this section if:
- 12           1. Investment of such moneys and the retention of
- 13 interest is required by federal programs or mandates;
- 14           2. Investment of such moneys and the retention of
- 15 interest is required by bond covenants, indentures, or
- 16 resolutions;
- 17           3. Such moneys are held by the state in a trustee
- 18 capacity as an agent or fiduciary for individuals, private
- 19 organizations, or other governmental units; or
- 20           4. The Executive Office of the Governor determines,
- 21 after consultation with the Legislature pursuant to the
- 22 procedures of s. 216.177, that federal matching funds or
- 23 contributions or private grants to any trust fund would be
- 24 lost to the state.
- 25           Section 67. The amendment of subsection (3) of section
- 26 18.125, Florida Statutes, by this act shall expire on July 1,
- 27 2003, and the text of that subsection shall revert to that in
- 28 existence on June 30, 2002, except that any amendments to such
- 29 text enacted other than by this act shall be preserved and
- 30 continue to operate to the extent that such amendments are not
- 31 dependent upon the portions of such text which expire pursuant

CONFERENCE COMMITTEE AMENDMENT

187-958DX-21

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

Amendment No. \_\_\_\_ (for drafter's use only)

1 to the provisions of this act.

2 Section 68. Effective July 30, 2002, in order to  
3 implement Specific Appropriation 3119 of the 2002-2003 General  
4 Appropriations Act, paragraph (f) of subsection (2) of section  
5 14.2015, Florida Statutes, is amended to read:

6 14.2015 Office of Tourism, Trade, and Economic  
7 Development; creation; powers and duties.--

8 (2) The purpose of the Office of Tourism, Trade, and  
9 Economic Development is to assist the Governor in working with  
10 the Legislature, state agencies, business leaders, and  
11 economic development professionals to formulate and implement  
12 coherent and consistent policies and strategies designed to  
13 provide economic opportunities for all Floridians. To  
14 accomplish such purposes, the Office of Tourism, Trade, and  
15 Economic Development shall:

16 (f)1. Administer the Florida Enterprise Zone Act under  
17 ss. 290.001-290.016, the community contribution tax credit  
18 program under ss. 220.183 and 624.5105, the tax refund program  
19 for qualified target industry businesses under s. 288.106, the  
20 tax-refund program for qualified defense contractors under s.  
21 288.1045, contracts for transportation projects under s.  
22 288.063, the sports franchise facility program under s.  
23 288.1162, the professional golf hall of fame facility program  
24 under s. 288.1168, the expedited permitting process under s.  
25 403.973, the Rural Community Development Revolving Loan Fund  
26 under s. 288.065, the Regional Rural Development Grants  
27 Program under s. 288.018, the Certified Capital Company Act  
28 under s. 288.99, the Florida State Rural Development Council,  
29 the Rural Economic Development Initiative, and other programs  
30 that are specifically assigned to the office by law, by the  
31 appropriations process, or by the Governor. Notwithstanding

187-958DX-21

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

Amendment No. \_\_\_\_ (for drafter's use only)

1 any other provisions of law, the office may expend interest  
 2 earned from the investment of program funds deposited in the  
 3 ~~Economic Development Trust Fund, the Grants and Donations~~  
 4 ~~Trust Fund and the Brownfield Property Ownership Clearance~~  
 5 ~~Assistance Revolving Loan Trust Fund, and the Economic~~  
 6 ~~Development Transportation Trust Fund~~ to contract for the  
 7 administration of the programs, or portions of the programs,  
 8 enumerated in this paragraph or assigned to the office by law,  
 9 by the appropriations process, or by the Governor. Such  
 10 expenditures shall be subject to review under chapter 216.

11 2. The office may enter into contracts in connection  
 12 with the fulfillment of its duties concerning the Florida  
 13 First Business Bond Pool under chapter 159, tax incentives  
 14 under chapters 212 and 220, tax incentives under the Certified  
 15 Capital Company Act in chapter 288, foreign offices under  
 16 chapter 288, the Enterprise Zone program under chapter 290,  
 17 the Seaport Employment Training program under chapter 311, the  
 18 Florida Professional Sports Team License Plates under chapter  
 19 320, Spaceport Florida under chapter 331, Expedited Permitting  
 20 under chapter 403, and in carrying out other functions that  
 21 are specifically assigned to the office by law, by the  
 22 appropriations process, or by the Governor.

23 Section 69. The amendment of paragraph (f) of  
 24 subsection (2) of section 14.2015, Florida Statutes, by this  
 25 act shall expire on July 1, 2003, and the text of that  
 26 paragraph shall revert to that in existence on July 29, 2002,  
 27 except that any amendments to such text enacted other than by  
 28 this act shall be preserved and continue to operate to the  
 29 extent that such amendments are not dependent upon the  
 30 portions of such text which expire pursuant to the provisions  
 31 of this act.

1           Section 70. In order to implement Specific  
 2 Appropriation 349 of the 2002-2003 General Appropriations Act,  
 3 subsection (8) of section 240.4075, Florida Statutes, as  
 4 renumbered by section 2 of chapter 2002-230, Laws of Florida,  
 5 is amended to read:

6           240.4075 Nursing Student Loan Forgiveness Program.--  
 7           (8)~~(a)~~ Funds contained in the Nursing Student Loan  
 8 Forgiveness Trust Fund which are to be used for loan  
 9 forgiveness for those nurses employed by hospitals, birth  
 10 centers, and nursing homes must be matched on a  
 11 dollar-for-dollar basis by contributions from the employing  
 12 institutions, except that this provision shall not apply to  
 13 state-operated medical and health care facilities, public  
 14 schools, county health departments, federally sponsored  
 15 community health centers, teaching hospitals as defined in s.  
 16 408.07, family practice teaching hospitals as defined in s.  
 17 395.805, or specialty hospitals for children as used in s.  
 18 409.9119. If in any given fiscal quarter there are  
 19 insufficient funds in the trust fund to grant all eligible  
 20 applicant requests, awards shall be based on the following  
 21 priority of employer: county health departments; federally  
 22 sponsored community health centers; state-operated medical and  
 23 health care facilities; public schools; teaching hospitals as  
 24 defined in s. 408.07; family practice teaching hospitals as  
 25 defined in s. 395.805; specialty hospitals for children as  
 26 used in s. 409.9119; and other hospitals, birth centers, and  
 27 nursing homes.

28           ~~(b) All Nursing Student Loan Forgiveness Trust Fund~~  
 29 ~~moneys shall be invested pursuant to s. 18.125. Interest~~  
 30 ~~income accruing to that portion of the trust fund not matched~~  
 31 ~~shall increase the total funds available for loan forgiveness~~

~~1 and scholarships. Pledged contributions shall not be eligible  
2 for matching prior to the actual collection of the total  
3 private contribution for the year.~~

4           Section 71. The amendment of subsection (8) of section  
5 240.4075, Florida Statutes, by this act shall expire on July  
6 1, 2003, and the text of that subsection shall revert to that  
7 in existence on June 30, 2002, except that any amendments to  
8 such text enacted other than by this act shall be preserved  
9 and continue to operate to the extent that such amendments are  
10 not dependent upon the portions of such text which expire  
11 pursuant to the provisions of this act.

12           Section 72. In order to implement Specific  
13 Appropriation 349 of the 2002-2003 General Appropriations Act,  
14 subsection (3) of section 385.207, Florida Statutes, is  
15 amended to read:

16           385.207 Care and assistance of persons with epilepsy;  
17 establishment of programs in epilepsy control.--

18           (3) Revenue for statewide implementation of programs  
19 for epilepsy prevention and education pursuant to this section  
20 shall be derived pursuant to the provisions of s. 318.21(6)  
21 and shall be deposited in the Epilepsy Services Trust Fund,  
22 which is hereby established to be administered by the  
23 Department of Health. ~~All funds deposited into the trust fund~~  
24 ~~shall be invested pursuant to the provisions of s. 18.125.~~  
25 ~~Interest income accruing to such invested funds shall increase~~  
26 ~~the total funds available under this subsection.~~

27           Section 73. The amendment of subsection (3) of section  
28 385.207, Florida Statutes, by this act shall expire on July 1,  
29 2003, and the text of that subsection shall revert to that in  
30 existence on June 30, 2002, except that any amendments to such  
31 text enacted other than by this act shall be preserved and

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

4 Section 74. In order to implement Specific  
5 Appropriation 1170 of the 2002-2003 General Appropriations  
6 Act, subsection (1) of section 860.158, Florida Statutes, is  
7 amended to read:

8 860.158 Florida Motor Vehicle Theft Prevention Trust  
9 Fund.--

10 (1) There is hereby established within the Department  
11 of Legal Affairs the Florida Motor Vehicle Theft Prevention  
12 Trust Fund, which shall be administered by the executive  
13 director of the authority at the direction of the board. ~~All~~  
14 ~~interest earned from the investment or deposit of moneys~~  
15 ~~accumulated in the trust fund shall be deposited in the trust~~  
16 ~~fund.~~The trust fund shall be funded from the surcharge  
17 collected under s. 320.08046.

18 Section 75. The amendment of subsection (1) of section  
19 860.158, Florida Statutes, by this act shall expire on July 1,  
20 2003, and the text of that subsection shall revert to that in  
21 existence on June 30, 2002, except that any amendments to such  
22 text enacted other than by this act shall be preserved and  
23 continue to operate to the extent that such amendments are not  
24 dependent upon the portions of such text which expire pursuant  
25 to the provisions of this act.

26 Section 76. In order to implement Specific  
27 Appropriation 1170 of the 2002-2003 General Appropriations  
28 Act, subsection (1) of section 938.01, Florida Statutes, as  
29 amended by section 18 of chapter 2002-55, Laws of Florida, is  
30 amended to read:

31 938.01 Additional Court Cost Clearing Trust Fund.--



1           (1) All courts created by Art. V of the State  
 2 Constitution shall, in addition to any fine or other penalty,  
 3 assess \$3 as a court cost against every person convicted for  
 4 violation of a state penal or criminal statute or convicted  
 5 for violation of a municipal or county ordinance. Any person  
 6 whose adjudication is withheld pursuant to the provisions of  
 7 s. 318.14(9) or (10) shall also be assessed such cost. In  
 8 addition, \$3 from every bond estreature or forfeited bail bond  
 9 related to such penal statutes or penal ordinances shall be  
 10 remitted to the Department of Revenue as described in this  
 11 subsection. However, no such assessment may be made against  
 12 any person convicted for violation of any state statute,  
 13 municipal ordinance, or county ordinance relating to the  
 14 parking of vehicles.

15           (a) All costs collected by the courts pursuant to this  
 16 subsection shall be remitted to the Department of Revenue in  
 17 accordance with administrative rules adopted by the executive  
 18 director of the Department of Revenue for deposit in the  
 19 Additional Court Cost Clearing Trust Fund. These funds and the  
 20 funds deposited in the Additional Court Cost Clearing Trust  
 21 Fund pursuant to s. 318.21(2)(c) shall be distributed as  
 22 follows:

- 23           1. Ninety-two percent to the Department of Law  
 24 Enforcement Criminal Justice Standards and Training Trust  
 25 Fund.
- 26           2. Six and three-tenths percent to the Department of  
 27 Law Enforcement Operating Trust Fund for the Criminal Justice  
 28 Grant Program.
- 29           3. One and seven-tenths percent to the Department of  
 30 Children and Family Services Domestic Violence Trust Fund for  
 31 the domestic violence program pursuant to s. 39.903(3).

1           ~~(b) The funds deposited in the Department of Law~~  
2 ~~Enforcement Criminal Justice Standards and Training Trust~~  
3 ~~Fund, the Department of Law Enforcement Operating Trust Fund,~~  
4 ~~and the Department of Children and Family Services Domestic~~  
5 ~~Violence Trust Fund may be invested. Any interest earned from~~  
6 ~~investing such funds and any unencumbered funds remaining at~~  
7 ~~the end of the budget cycle shall remain in the respective~~  
8 ~~trust fund.~~

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

12           Section 77. The amendment of subsection (1) of section  
13 938.01, Florida Statutes, by this act shall expire on July 1,  
14 2003, and the text of that subsection shall revert to that in  
15 existence on June 30, 2002, except that any amendments to such  
16 text enacted other than by this act shall be preserved and  
17 continue to operate to the extent that such amendments are not  
18 dependent upon the portions of such text which expire pursuant  
19 to the provisions of this act.

20           Section 78. It is the policy of the state that no  
21 state agency or local governmental entity receiving any funds  
22 pursuant to the 2002-2003 General Appropriations Act shall  
23 expend any such funds for newspaper, magazine, direct mail,  
24 radio, television, or outdoor advertising in support of, or in  
25 opposition to, any candidate or issue appearing on the ballot.  
26 Any violation of this policy shall result in the forfeiture  
27 and reversion of 5 percent of state funds appropriated or  
28 distributed to that agency or entity in the 2002-2003 General  
29 Appropriations Act. The Comptroller or Chief Financial Officer  
30 shall be responsible for the enforcement of this section.

31           Section 79. A section of this act that implements a

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 80. If any other act passed in 2002 contains a  
 11 provision that is substantively the same as a provision in  
 12 this act, but that removes or is otherwise not subject to the  
 13 future repeal applied to such provision by this act, the  
 14 Legislature intends that the provision in the other act shall  
 15 take precedence and shall continue to operate, notwithstanding  
 16 the future repeal provided by this act.

17 Section 81. The agency performance measures and  
 18 standards in the document entitled "Florida's Budget 2002  
 19 Agency Performance Measures and Standards Approved by the  
 20 Legislature for Fiscal Year 2002-03" dated May 10, 2002, and  
 21 filed with the Clerk of the House of Representatives are  
 22 incorporated by reference. Such performance measures and  
 23 standards are directly linked to the appropriations made in  
 24 the General Appropriations Act for fiscal year 2002-2003, as  
 25 required by the Government Performance and Accountability Act  
 26 of 1994. State agencies are directed to revise their  
 27 long-range program plans required under s. 216.013, Florida  
 28 Statutes, to be consistent with these performance measures and  
 29 standards.

30 Section 82. If any provision of this act or its  
 31 application to any person or circumstance is held invalid, the

1 invalidity shall not affect other provisions or applications  
2 of the act which can be given effect without the invalid  
3 provision or application, and to this end the provisions of  
4 this act are declared severable.

5 Section 83. Except as otherwise provided in this act,  
6 this act shall take effect July 1, 2002; or, in the event this  
7 act fails to become a law until after that date, it shall take  
8 effect upon becoming a law and shall operate retroactively to  
9 July 1, 2002.

10

11

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

13 And the title is amended as follows:

14 remove everything before the enacting clause

15

16 and insert:

17

A bill to be entitled

18

An act implementing the 2002-2003 General

19

Appropriations Act; providing legislative

20

intent; providing accounting requirements for

21

the state universities for the 2002-2003 fiscal

22

year; amending s. 229.085, F.S.; exempting

23

personnel employed to plan and administer

24

grants or contracts for specific educational

25

projects from requirements for positions in

26

excess of those authorized; amending s.

27

236.7011, F.S.; deferring application of a

28

restriction on the expenditure of funds

29

received from the indirect cost allowance on

30

federal grants; providing limitation on state

31

appropriations for Knott Data Center and

CONFERENCE COMMITTEE AMENDMENT

187-958DX-21

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

Amendment No. \_\_\_\_ (for drafter's use only)

1 Projects, Contracts, and Grants Programs;  
2 amending s. 240.4015, F.S.; extending the time  
3 initial award recipients have to complete  
4 certain examinations under the Florida Bright  
5 Futures Scholarship Testing Program; increasing  
6 the percentage of funds from the financial aid  
7 fee to be used for need-based financial aid;  
8 amending s. 230.23024, F.S.; providing for Land  
9 Acquisition and Facilities Maintenance  
10 Operations Advisory Boards to assist district  
11 school boards with deficiencies related to  
12 growth in student population; amending ss.  
13 430.204 and 430.205, F.S.; requiring the  
14 Department of Elderly Affairs to fund certain  
15 community care services and core services for  
16 the elderly; amending s. 216.292, F.S.;  
17 authorizing the Department of Children and  
18 Family Services to transfer funds within the  
19 family safety program; amending s. 401.113,  
20 F.S.; providing that moneys in the Emergency  
21 Medical Services Trust Fund may also be used  
22 for the purpose of funding the rural hospital  
23 capital improvement grant program; amending s.  
24 295.182, F.S.; authorizing contributions to the  
25 Florida World War II Veterans Memorial Matching  
26 Trust Fund from public bodies; amending s.  
27 561.121, F.S.; providing that moneys in the  
28 Children and Adolescents Substance Abuse Trust  
29 Fund may also be used for the purpose of  
30 funding programs directed at reducing and  
31 eliminating substance abuse problems among

1 adults; amending s. 381.0066, F.S.; continuing  
2 the additional fee on new construction permits  
3 for onsite sewage treatment and disposal  
4 systems the proceeds of which are used for  
5 system research, demonstration, and training  
6 projects; amending s. 409.1671, F.S.;  
7 authorizing the Department of Children and  
8 Family Services to combine current  
9 community-based care lead agency contracts for  
10 Sarasota, Manatee, and DeSoto Counties into a  
11 single contract; amending s. 385.207, F.S.;  
12 authorizing appropriation of funds in the  
13 Epilepsy Services Trust Fund for epilepsy case  
14 management services; authorizing the Department  
15 of Law Enforcement to use certain moneys to  
16 provide bonuses to employees for meritorious  
17 performance, subject to review; amending s.  
18 216.181, F.S.; authorizing the Department of  
19 Law Enforcement to transfer positions and  
20 associated budget and a certain percentage of  
21 salary rate between budget entities and  
22 providing requirements with respect thereto;  
23 authorizing the Correctional Privatization  
24 Commission to make certain expenditures to  
25 defray costs incurred by a municipality or  
26 county as a result of opening or operating a  
27 facility under authority of the commission or  
28 the Department of Juvenile Justice; amending s.  
29 16.555, F.S.; authorizing use of the Crime  
30 Stoppers Trust Fund to pay for salaries and  
31 benefits and other expenses of the Department

1 of Legal Affairs; amending s. 860.158, F.S.;

2 providing directives for the use of moneys in

3 the Florida Motor Vehicle Theft Prevention

4 Trust Fund; amending s. 985.4075, F.S.;

5 prohibiting the use of juvenile justice

6 appropriations made for operations as one-time

7 startup funding for fixed capital outlay;

8 amending s. 216.262, F.S.; providing for

9 additional positions to operate additional

10 prison bed capacity under certain

11 circumstances; amending s. 932.7055, F.S.;

12 allowing municipal special law enforcement

13 trust funds to be used to reimburse certain

14 loans from municipalities; amending s. 375.041,

15 F.S.; providing for use of moneys allocated to

16 the Land Acquisition Trust Fund as provided in

17 the General Appropriations Act; amending s.

18 259.032, F.S.; providing for additional uses of

19 funds of the Conservation and Recreation Lands

20 Trust Fund; amending s. 215.555, F.S.;

21 providing for disbursement of certain funds in

22 the Florida Hurricane Catastrophe Fund to the

23 Ecosystem Management and Restoration Trust

24 Fund; amending s. 581.184, F.S.; requiring

25 notice to the property owner of the removal of

26 infected citrus trees or citrus trees exposed

27 to infection; amending s. 581.1845, F.S.;

28 revising eligibility for compensation of

29 homeowners under the citrus canker eradication

30 program; prescribing the amount of compensation

31 for trees taken in the citrus canker

CONFERENCE COMMITTEE AMENDMENT

187-958DX-21

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

Amendment No. \_\_\_\_ (for drafter's use only)

1 eradication program; amending s. 373.470, F.S.;  
2 removing a requirement to deposit certain funds  
3 into the Save Our Everglades Trust Fund;  
4 amending s. 403.7095, F.S.; prescribing  
5 conditions on solid waste management and  
6 recycling grants; amending s. 215.981, F.S.;  
7 exempting certain citizen support organizations  
8 for the Department of Environmental Protection  
9 from the requirement to have an independent  
10 audit; amending s. 287.161, F.S.; requiring the  
11 Department of Management Services to charge all  
12 persons receiving transportation from the  
13 executive aircraft pool a specified rate;  
14 amending s. 403.1838, F.S.; authorizing waiver  
15 of certain reserve requirements for state  
16 grants to small communities for construction of  
17 wastewater facilities; amending s. 550.09515,  
18 F.S.; exempting thoroughbred permitholders from  
19 certain tax requirements; amending s. 550.5251,  
20 F.S.; exempting thoroughbred permitholders from  
21 certain performance requirements; amending s.  
22 110.116, F.S.; authorizing the Department of  
23 Management Services to contract with a vendor  
24 to provide a personnel information system;  
25 amending s. 110.152, F.S.; authorizing the  
26 Department of Management Services to make  
27 lump-sum payments for adoption benefits for  
28 state employees; amending s. 110.2035, F.S.;  
29 revising provisions governing the  
30 classification and compensation program for  
31 state employees; requiring the Department of



1 Management Services to adopt rules, including  
 2 emergency rules, necessary to implement such  
 3 program; amending s. 110.12315, F.S.; providing  
 4 copayment requirements for the state employees'  
 5 prescription drug program; providing for a  
 6 preferred brand name drug list to be used in  
 7 the administration of such program; amending s.  
 8 110.1239, F.S.; providing requirements for the  
 9 funding of the state group health insurance  
 10 program; amending s. 112.061, F.S.; providing  
 11 for computation of travel time and  
 12 reimbursement for public officers' and  
 13 employees' travel; amending s. 121.71, F.S.;  
 14 providing for recognition and usage of current  
 15 available excess assets of the Florida  
 16 Retirement System Trust Fund to offset employer  
 17 contribution rates for the Florida Retirement  
 18 System; amending s. 489.118, F.S.; providing  
 19 for issuance of certification to certain  
 20 applicant contractors upon successful  
 21 completion of an oral examination; authorizing  
 22 the Department of Business and Professional  
 23 Regulation to transfer positions and resources  
 24 to begin implementation of certain  
 25 reengineering issues; providing for retention  
 26 of knowledge experts within the Division of  
 27 Florida Land Sales, Condominiums, and Mobile  
 28 Homes and the Division of Alcoholic Beverages  
 29 and Tobacco; revising a trust fund assessment  
 30 methodology applicable to those divisions;  
 31 providing for maintenance of sanitation and

1 safety inspectors in the field offices;  
 2 providing for roles and responsibilities of the  
 3 Division of Hotels and Restaurants and the  
 4 compliance entity; delineating the authority to  
 5 submit certain legislative acts for  
 6 preclearance under the federal Voting Rights  
 7 Act; authorizing the payment of certain  
 8 executive activities from legislative  
 9 appropriations; providing for retroactive  
 10 application; amending s. 252.373, F.S.;  
 11 providing for use of funds of the Emergency  
 12 Management, Preparedness, and Assistance Trust  
 13 Fund, including use of certain funds as state  
 14 match for federally approved Hazard Mitigation  
 15 Grant Program projects; amending s. 288.063,  
 16 F.S.; providing that certain transportation  
 17 projects may be designated and funded by the  
 18 Legislature as necessary for economic  
 19 development; amending s. 402.3017, F.S.;  
 20 providing for administration of the Teacher  
 21 Education and Compensation Helps (TEACH)  
 22 scholarship program; amending s. 125.35, F.S.;  
 23 authorizing counties to lease certain property  
 24 in empowerment zones for certain public  
 25 purposes; amending s. 338.2216, F.S.; providing  
 26 that certain positions under the Florida  
 27 Turnpike Enterprise remain in the career  
 28 service; amending s. 339.12, F.S.; deferring  
 29 application of a provision granting preference  
 30 to certain counties for transportation grants  
 31 under specified circumstances; amending s.

1 411.01, F.S.; providing priority for placement  
 2 of children in the school readiness program;  
 3 amending s. 215.20, F.S.; appropriating the  
 4 service charges on certain income and trust  
 5 funds to the General Revenue Fund; amending s.  
 6 215.22, F.S.; exempting certain income and  
 7 trust funds from such appropriation; amending  
 8 s. 18.10, F.S.; appropriating certain  
 9 investment earnings to the General Revenue  
 10 Fund; amending s. 18.125, F.S.; revising  
 11 investment requirements for certain trust  
 12 funds; amending ss. 14.2015, 240.4075, 385.207,  
 13 860.158, and 938.01, F.S., to conform;  
 14 prohibiting expenditure of certain state funds  
 15 for advertising in support of or in opposition  
 16 to any candidate or ballot issue and providing  
 17 for enforcement and penalties; providing for  
 18 future repeal or expiration of various  
 19 provisions; providing for reversion of certain  
 20 provisions; providing effect of veto of  
 21 specific appropriation or proviso to which  
 22 implementing language refers; providing  
 23 applicability to other legislation;  
 24 incorporating by reference specified  
 25 performance measures and standards directly  
 26 linked to the appropriations made in the  
 27 2002-2003 General Appropriations Act, as  
 28 required by the Government Performance and  
 29 Accountability Act of 1994; providing  
 30 severability; providing effective dates.  
 31