

1 A bill to be entitled
2 An act implementing the 2002-2003 General
3 Appropriations Act; providing legislative
4 intent; providing accounting requirements for
5 the state universities for the 2002-2003 fiscal
6 year; amending s. 229.085, F.S.; exempting
7 personnel employed to plan and administer
8 grants or contracts for specific educational
9 projects from requirements for positions in
10 excess of those authorized; amending s.
11 236.7011, F.S.; deferring application of a
12 restriction on the expenditure of funds
13 received from the indirect cost allowance on
14 federal grants; providing limitation on state
15 appropriations for Knott Data Center and
16 Projects, Contracts, and Grants Programs;
17 amending s. 240.4015, F.S.; extending the time
18 initial award recipients have to complete
19 certain examinations under the Florida Bright
20 Futures Scholarship Testing Program; increasing
21 the percentage of funds from the financial aid
22 fee to be used for need-based financial aid;
23 amending s. 230.23024, F.S.; providing for Land
24 Acquisition and Facilities Maintenance
25 Operations Advisory Boards to assist district
26 school boards with deficiencies related to
27 growth in student population; amending ss.
28 430.204 and 430.205, F.S.; requiring the
29 Department of Elderly Affairs to fund certain
30 community care services and core services for
31 the elderly; amending s. 216.292, F.S.;

1 authorizing the Department of Children and
2 Family Services to transfer funds within the
3 family safety program; amending s. 401.113,
4 F.S.; providing that moneys in the Emergency
5 Medical Services Trust Fund may also be used
6 for the purpose of funding the rural hospital
7 capital improvement grant program; amending s.
8 295.182, F.S.; authorizing contributions to the
9 Florida World War II Veterans Memorial Matching
10 Trust Fund from public bodies; amending s.
11 561.121, F.S.; providing that moneys in the
12 Children and Adolescents Substance Abuse Trust
13 Fund may also be used for the purpose of
14 funding programs directed at reducing and
15 eliminating substance abuse problems among
16 adults; amending s. 381.0066, F.S.; continuing
17 the additional fee on new construction permits
18 for onsite sewage treatment and disposal
19 systems the proceeds of which are used for
20 system research, demonstration, and training
21 projects; amending s. 409.1671, F.S.;
22 authorizing the Department of Children and
23 Family Services to combine current
24 community-based care lead agency contracts for
25 Sarasota, Manatee, and DeSoto Counties into a
26 single contract; amending s. 385.207, F.S.;
27 authorizing appropriation of funds in the
28 Epilepsy Services Trust Fund for epilepsy case
29 management services; authorizing the Department
30 of Law Enforcement to use certain moneys to
31 provide bonuses to employees for meritorious

1 performance, subject to review; amending s.
 2 216.181, F.S.; authorizing the Department of
 3 Law Enforcement to transfer positions and
 4 associated budget and a certain percentage of
 5 salary rate between budget entities and
 6 providing requirements with respect thereto;
 7 authorizing the Correctional Privatization
 8 Commission to make certain expenditures to
 9 defray costs incurred by a municipality or
 10 county as a result of opening or operating a
 11 facility under authority of the commission or
 12 the Department of Juvenile Justice; amending s.
 13 16.555, F.S.; authorizing use of the Crime
 14 Stoppers Trust Fund to pay for salaries and
 15 benefits and other expenses of the Department
 16 of Legal Affairs; amending s. 860.158, F.S.;
 17 providing directives for the use of moneys in
 18 the Florida Motor Vehicle Theft Prevention
 19 Trust Fund; amending s. 985.4075, F.S.;
 20 prohibiting the use of juvenile justice
 21 appropriations made for operations as one-time
 22 startup funding for fixed capital outlay;
 23 amending s. 216.262, F.S.; providing for
 24 additional positions to operate additional
 25 prison bed capacity under certain
 26 circumstances; amending s. 932.7055, F.S.;
 27 allowing municipal special law enforcement
 28 trust funds to be used to reimburse certain
 29 loans from municipalities; amending s. 375.041,
 30 F.S.; providing for use of moneys allocated to
 31 the Land Acquisition Trust Fund as provided in

1 the General Appropriations Act; amending s.
 2 259.032, F.S.; providing for additional uses of
 3 funds of the Conservation and Recreation Lands
 4 Trust Fund; amending s. 215.555, F.S.;
 5 providing for disbursement of certain funds in
 6 the Florida Hurricane Catastrophe Fund to the
 7 Ecosystem Management and Restoration Trust
 8 Fund; amending s. 581.184, F.S.; requiring
 9 notice to the property owner of the removal of
 10 infected citrus trees or citrus trees exposed
 11 to infection; amending s. 581.1845, F.S.;
 12 revising eligibility for compensation of
 13 homeowners under the citrus canker eradication
 14 program; prescribing the amount of compensation
 15 for trees taken in the citrus canker
 16 eradication program; amending s. 373.470, F.S.;
 17 removing a requirement to deposit certain funds
 18 into the Save Our Everglades Trust Fund;
 19 amending s. 403.7095, F.S.; prescribing
 20 conditions on solid waste management and
 21 recycling grants; amending s. 215.981, F.S.;
 22 exempting certain citizen support organizations
 23 for the Department of Environmental Protection
 24 from the requirement to have an independent
 25 audit; amending s. 287.161, F.S.; requiring the
 26 Department of Management Services to charge all
 27 persons receiving transportation from the
 28 executive aircraft pool a specified rate;
 29 amending s. 403.1838, F.S.; authorizing waiver
 30 of certain reserve requirements for state
 31 grants to small communities for construction of

1 wastewater facilities; amending s. 550.09515,
2 F.S.; exempting thoroughbred permitholders from
3 certain tax requirements; amending s. 550.5251,
4 F.S.; exempting thoroughbred permitholders from
5 certain performance requirements; amending s.
6 110.116, F.S.; authorizing the Department of
7 Management Services to contract with a vendor
8 to provide a personnel information system;
9 amending s. 110.152, F.S.; authorizing the
10 Department of Management Services to make
11 lump-sum payments for adoption benefits for
12 state employees; amending s. 110.2035, F.S.;
13 revising provisions governing the
14 classification and compensation program for
15 state employees; requiring the Department of
16 Management Services to adopt rules, including
17 emergency rules, necessary to implement such
18 program; amending s. 110.12315, F.S.; providing
19 copayment requirements for the state employees'
20 prescription drug program; providing for a
21 preferred brand name drug list to be used in
22 the administration of such program; amending s.
23 110.1239, F.S.; providing requirements for the
24 funding of the state group health insurance
25 program; amending s. 112.061, F.S.; providing
26 for computation of travel time and
27 reimbursement for public officers' and
28 employees' travel; amending s. 121.71, F.S.;
29 providing for recognition and usage of current
30 available excess assets of the Florida
31 Retirement System Trust Fund to offset employer

1 contribution rates for the Florida Retirement
2 System; amending s. 489.118, F.S.; providing
3 for issuance of certification to certain
4 applicant contractors upon successful
5 completion of an oral examination; authorizing
6 the Department of Business and Professional
7 Regulation to transfer positions and resources
8 to begin implementation of certain
9 reengineering issues; providing for retention
10 of knowledge experts within the Division of
11 Florida Land Sales, Condominiums, and Mobile
12 Homes and the Division of Alcoholic Beverages
13 and Tobacco; revising a trust fund assessment
14 methodology applicable to those divisions;
15 providing for maintenance of sanitation and
16 safety inspectors in the field offices;
17 providing for roles and responsibilities of the
18 Division of Hotels and Restaurants and the
19 compliance entity; delineating the authority to
20 submit certain legislative acts for
21 preclearance under the federal Voting Rights
22 Act; authorizing the payment of certain
23 executive activities from legislative
24 appropriations; providing for retroactive
25 application; amending s. 252.373, F.S.;
26 providing for use of funds of the Emergency
27 Management, Preparedness, and Assistance Trust
28 Fund, including use of certain funds as state
29 match for federally approved Hazard Mitigation
30 Grant Program projects; amending s. 288.063,
31 F.S.; providing that certain transportation

1 projects may be designated and funded by the
 2 Legislature as necessary for economic
 3 development; amending s. 402.3017, F.S.;
 4 providing for administration of the Teacher
 5 Education and Compensation Helps (TEACH)
 6 scholarship program; amending s. 125.35, F.S.;
 7 authorizing counties to lease certain property
 8 in empowerment zones for certain public
 9 purposes; amending s. 338.2216, F.S.; providing
 10 that certain positions under the Florida
 11 Turnpike Enterprise remain in the career
 12 service; amending s. 339.12, F.S.; deferring
 13 application of a provision granting preference
 14 to certain counties for transportation grants
 15 under specified circumstances; amending s.
 16 411.01, F.S.; providing priority for placement
 17 of children in the school readiness program;
 18 amending s. 215.20, F.S.; appropriating the
 19 service charges on certain income and trust
 20 funds to the General Revenue Fund; amending s.
 21 215.22, F.S.; exempting certain income and
 22 trust funds from such appropriation; amending
 23 s. 18.10, F.S.; appropriating certain
 24 investment earnings to the General Revenue
 25 Fund; amending s. 18.125, F.S.; revising
 26 investment requirements for certain trust
 27 funds; amending ss. 14.2015, 240.4075, 385.207,
 28 860.158, and 938.01, F.S., to conform;
 29 prohibiting expenditure of certain state funds
 30 for advertising in support of or in opposition
 31 to any candidate or ballot issue and providing

1 for enforcement and penalties; providing for
2 future repeal or expiration of various
3 provisions; providing for reversion of certain
4 provisions; providing effect of veto of
5 specific appropriation or proviso to which
6 implementing language refers; providing
7 applicability to other legislation;
8 incorporating by reference specified
9 performance measures and standards directly
10 linked to the appropriations made in the
11 2002-2003 General Appropriations Act, as
12 required by the Government Performance and
13 Accountability Act of 1994; providing
14 severability; providing effective dates.
15

16 Be It Enacted by the Legislature of the State of Florida:
17

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

22 Section 2. In order to implement Specific
23 Appropriations 7C-7H, 11A, and 166S-181A and Section 9 of the
24 2002-2003 General Appropriations Act:

25 (1) Universities in the State University System shall
26 utilize the state accounting system (FLAIR) for fiscal year
27 2002-2003 but are not required to provide funds to the
28 Department of Banking and Finance for its utilization.

29 (2) Notwithstanding the provisions of ss. 216.181,
30 216.292, and 240.2094, Florida Statutes, and pursuant to s.
31 216.351, Florida Statutes, funds appropriated or

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

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

1 distribution of the trust fund spending authority and releases
2 according to the approved operating budget to the
3 appropriation accounts established for disbursement purposes
4 for each university within the state accounting system
5 (FLAIR).

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

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

12 229.085 Custody of educational funds.--

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

25 (b) If, in executing the terms of such grants or
26 contracts for specific projects, the employment of personnel
27 shall be required, such personnel shall not be subject to the
28 requirements of s. 216.262(1)(a). This paragraph expires July
29 1, 2003.

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

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

12 Section 5. In order to implement Specific
13 Appropriations 71-166R of the 2002-2003 General Appropriations
14 Act:

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

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

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

2 Section 6. In order to implement Specific
3 Appropriation 7B of the 2002-2003 General Appropriations Act,
4 subsection (3) of section 240.4015, Florida Statutes, is
5 amended to read:

6 240.4015 Florida Bright Futures Scholarship Testing
7 Program.--

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

24 (b) Notwithstanding the provisions of paragraph (a),
25 and for the 2002-2003 fiscal year only, initial award
26 recipients for the 2002-2003 academic year who are eligible
27 for a Florida Academic Scholars award or a Florida Merit
28 Scholars award and who are admitted to and enroll in a
29 community college or state university shall, prior to
30 registering for courses that may be earned through a CLEP
31 examination and no later than the end of the 2002-2003

1 academic year, complete at least five examinations from those
2 specified in subsection (1) in the following areas: English;
3 humanities; mathematics; natural sciences; and social
4 sciences. Successful completion of dual enrollment courses,
5 Advanced Placement examinations, and International
6 Baccalaureate examinations taken prior to high school
7 graduation satisfy this requirement. The Articulation
8 Coordinating Committee shall identify the examinations that
9 satisfy each component of this requirement. This paragraph
10 expires July 1, 2003.

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

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

25 230.23024 Land Acquisition and Facilities Maintenance
26 Operations Advisory Board.--

27 (1) The Legislature recognizes that effective land
28 acquisition and facilities maintenance operations are
29 essential components of Florida district school boards'
30 ~~ability to provide facilities~~ to accommodate the growing
31 student population in the state. To support and assist the

1 school districts, it is appropriate for the Legislature to
2 make advisory resources available to aid districts in meeting
3 those needs. For the purposes of this section, facilities
4 maintenance operations include transportation and procurement.

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

16 (3) After receipt of that certification, the President
17 of the Senate, the Speaker of the House of Representatives,
18 and the Governor may name a Land Acquisition and Facilities
19 Maintenance Operations Advisory Board for any district that
20 has not previously had such a board and shall name or continue
21 a Land Acquisition and Facilities Maintenance Operations
22 Advisory Board to provide expert advice and assist in
23 improving the district's land acquisition and facilities
24 maintenance operational processes. Each Land Acquisition and
25 Facilities Maintenance Operations Advisory Board shall consist
26 of seven members and shall possess specific expertise needed
27 to assist the school district in improving its deficient
28 processes. The President of the Senate and the Speaker of the
29 House of Representatives shall each appoint two members, and
30 the Governor shall appoint three members of the advisory
31 board. Membership of each advisory board may be different for

1 each district. Members shall serve without compensation but
2 may be reimbursed for travel and per diem expenses in
3 accordance with s. 112.061.

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

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

30 (6) Upon certification by the advisory board that
31 corrective action has been taken, or June 30, 2003, whichever

1 is later, each Land Acquisition and Facilities Maintenance
2 Operations Advisory Board shall be disbanded.

3 Section 9. The amendment of section 230.23024, Florida
4 Statutes, by this act shall expire on July 1, 2003, and the
5 text of that section shall revert to that in existence on June
6 30, 2002, except that any amendments to such text enacted
7 other than by this act shall be preserved and continue to
8 operate to the extent that such amendments are not dependent
9 upon the portions of such text which expire pursuant to the
10 provisions of this act.

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

15 430.204 Community-care-for-the-elderly core services;
16 departmental powers and duties.--

17 (1)

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

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

30 430.205 Community care service system.--

31 (1)

1 (b) For fiscal year 2002-2003 ~~2001-2002~~ only, ~~in each~~
2 ~~county having a population over 2 million,~~ the department
3 shall fund, through the area agency on aging in each county as
4 defined in s. 125.011(1), ~~shall fund in each planning and~~
5 ~~service area~~ more than one community care service system that
6 provides case management and other in-home and community
7 services as needed to help elderly persons maintain
8 independence and prevent or delay more costly institutional
9 care. This paragraph expires July 1, 2003 ~~2002~~.

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

14 216.292 Appropriations nontransferable; exceptions.--

15 (12) For the 2002-2003 ~~2001-2002~~ fiscal year only and
16 notwithstanding the other provisions of this section, the
17 Department of Children and Family Services may transfer funds
18 within the family safety program identified in the General
19 Appropriations Act from identical funding sources between the
20 following appropriation categories without limitation as long
21 as such a transfer does not result in an increase to the total
22 recurring general revenue or trust fund cost of the agency in
23 the subsequent fiscal year: adoption services and subsidy;
24 family foster care; and emergency shelter care. Such transfers
25 must be consistent with legislative policy and intent and must
26 not adversely affect achievement of approved performance
27 outcomes or outputs in the family safety program. Notice of
28 proposed transfers under this authority must be provided to
29 the Executive Office of the Governor and the chairs of the
30 legislative appropriations committees at least 5 working days
31

1 before their implementation. This subsection expires July 1,
2 2003 ~~2002~~.

3 Section 13. In order to implement Specific
4 Appropriation 644A of the 2002-2003 General Appropriations
5 Act, subsection (4) of section 401.113, Florida Statutes, as
6 created by section 6 of chapter 2001-380, Laws of Florida, is
7 amended to read:

8 401.113 Department; powers and duties.--

9 (4) For the 2002-2003 ~~2001-2002~~ state fiscal year
10 only, and notwithstanding the provisions of subsections (1)
11 and (2), moneys in the Emergency Medical Services Trust Fund
12 may also be used for the purpose of funding the rural hospital
13 capital improvement grant program in accordance with the
14 provisions of s. 395.6061. This subsection expires July 1,
15 2003 ~~2002~~.

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

19 295.182 Florida World War II Veterans Memorial
20 Matching Trust Fund; contributions; use.--

21 (1) The Florida World War II Veterans Memorial
22 Matching Trust Fund, if created by law, within the Department
23 of Veterans' Affairs shall receive private contributions and
24 matching state funds specifically appropriated by the
25 Legislature for the purpose of matching private donations
26 deposited into the trust fund to build a Florida World War II
27 Veterans Memorial as provided by this act. The department is
28 authorized to use moneys in the trust fund, if created by law,
29 in a manner which will generate increased funding for the
30 Florida World War II Veterans Memorial. Contributions to the
31 Florida World War II Veterans Memorial Matching Trust Fund

1 must be returned to those entities or individuals contributing
2 to the trust fund if the Florida World War II Veterans
3 Memorial is not constructed as provided for in s. 295.183.

4 (2) For the 2002-2003 fiscal year only, the department
5 may receive contributions from public bodies as defined in s.
6 1.01(8). Public bodies are authorized to appropriate funds, in
7 lump sum or otherwise, for the purpose of making contributions
8 to the trust fund. This subsection expires July 1, 2003.

9 Section 15. In order to implement Section 29 of the
10 2002-2003 General Appropriations Act, subsection (4) of
11 section 561.121, Florida Statutes, as amended by section 4 of
12 chapter 2001-380, Laws of Florida, is amended to read:

13 561.121 Deposit of revenue.--

14 (4)(a) State funds collected pursuant to s. 561.501
15 shall be paid into the State Treasury and credited to the
16 following accounts:

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

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

27 (b) For the 2002-2003 state fiscal year only, and
28 notwithstanding the provisions of subparagraph (a)1., moneys
29 in the Children and Adolescents Substance Abuse Trust Fund may
30 also be used for the purpose of funding programs directed at
31

1 reducing and eliminating substance abuse problems among
2 adults. This paragraph expires July 1, 2003.

3 (c) Notwithstanding paragraph (a), the Legislature may
4 authorize the Department of Children and Family Services to
5 transfer moneys in the Children and Adolescents Substance
6 Abuse Trust Fund to the Administrative Trust Fund, as provided
7 in Senate Bill 2-C. This paragraph expires July 1, 2002.

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

12 381.0066 Onsite sewage treatment and disposal systems;
13 fees.--

14 (2) The minimum fees in the following fee schedule
15 apply until changed by rule by the department within the
16 following limits:

17 (k) Research: An additional \$5 fee shall be added to
18 each new system construction permit issued during fiscal years
19 1996-2003 ~~1996-2002~~ to be used for onsite sewage treatment and
20 disposal system research, demonstration, and training
21 projects. Five dollars from any repair permit fee collected
22 under this section shall be used for funding the hands-on
23 training centers described in s. 381.0065(3)(j).

24
25 The funds collected pursuant to this subsection must be
26 deposited in a trust fund administered by the department, to
27 be used for the purposes stated in this section and ss.
28 381.0065 and 381.00655.

29 Section 17. In order to implement Specific
30 Appropriations 321-325A of the 2002-2003 General
31 Appropriations Act, paragraph (k) is added to subsection (1)

1 of section 409.1671, Florida Statutes, as amended by section 4
2 of chapter 2002-219, Laws of Florida, to read:

3 409.1671 Foster care and related services;
4 privatization.--

5 (1)

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

12 Section 18. In order to implement Specific
13 Appropriation 517 of the 2002-2003 General Appropriations Act,
14 subsection (6) is added to section 385.207, Florida Statutes,
15 to read:

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

18 (6) For the 2002-2003 fiscal year only, funds in the
19 Epilepsy Services Trust Fund may be appropriated for epilepsy
20 case management services. This subsection expires July 1,
21 2003.

22 Section 19. Consistent with the provisions of s.
23 216.163, Florida Statutes, in accordance with
24 performance-based program budgeting requirements, and
25 notwithstanding the provisions of s. 216.181, Florida
26 Statutes, the Department of Law Enforcement may transfer up to
27 one-half of 1 percent of the funds in Specific Appropriations
28 1195, 1215A, 1216, 1225, 1237, 1240, 1245, 1252, 1260, and
29 1266 of the 2002-2003 General Appropriations Act for salary
30 bonuses for departmental employees at the discretion of the
31 executive director, provided that such bonuses are given only

1 to selected employees for meritorious performance, instead of
2 being given as across-the-board bonuses for all employees.
3 The department, after consultation with the Executive Office
4 of the Governor, shall provide a plan to the chairs of the
5 legislative appropriations committees responsible for
6 producing the General Appropriations Act for review before
7 awarding such bonuses. This section expires July 1, 2003.

8 Section 20. In order to implement Specific
9 Appropriations 1195-1272 of the 2002-2003 General
10 Appropriations Act, subsection (17) of section 216.181,
11 Florida Statutes, is amended to read:

12 216.181 Approved budgets for operations and fixed
13 capital outlay.--

14 (17) Notwithstanding any other provision of this
15 section to the contrary, and for the 2002-2003 ~~2001-2002~~
16 fiscal year only, the Department of Law Enforcement may
17 transfer up to 20 positions and associated budget between
18 budget entities, provided the same funding source is used
19 throughout each transfer. The department may also transfer up
20 to 10 percent of the initial approved salary rate between
21 budget entities, provided the same funding source is used
22 throughout each transfer. The department must provide notice
23 to the Executive Office of the Governor, the chair of the
24 Senate Budget Committee, and the chair of the House Committee
25 on Criminal Justice Appropriations for all transfers of
26 positions or salary rate. This subsection expires July 1, 2003
27 ~~2002~~.

28 Section 21. In order to implement proviso language
29 following Specific Appropriation 1178 of the 2002-2003 General
30 Appropriations Act, the Correctional Privatization Commission
31 may expend appropriated funds to assist in defraying the costs

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

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

16 16.555 Crime Stoppers Trust Fund; rulemaking.--

17 (3)

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

23 Section 23. In order to implement Specific
24 Appropriations 1291 and 1322 of the 2002-2003 General
25 Appropriations Act, paragraph (b) of subsection (2) of section
26 860.158, Florida Statutes, as created by section 9 of chapter
27 2001-380, Laws of Florida, is amended to read:

28 860.158 Florida Motor Vehicle Theft Prevention Trust
29 Fund.--

30 (2)

31

1 (b) For the 2002-2003 ~~2001-2002~~ fiscal year only, and
2 notwithstanding s. 320.08046, the use of funds allocated to
3 the Florida Motor Vehicle Theft Prevention Trust Fund may also
4 be as provided in the General Appropriations Act ~~Senate Bill~~
5 ~~2-E~~. This paragraph expires July 1, 2003 ~~2002~~.

6 Section 24. In order to implement Specific
7 Appropriations 1112-1194A of the 2002-2003 General
8 Appropriations Act, section 985.4075, Florida Statutes, is
9 amended to read:

10 985.4075 One-time startup funding for juvenile justice
11 purposes.--

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

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

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

27 216.262 Authorized positions.--

28 (4) Notwithstanding the provisions of this chapter on
29 increasing the number of authorized positions, and for the
30 2002-2003 ~~2001-2002~~ fiscal year only,†

31

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

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

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

27
28 ~~Such requests are subject to the budget amendment and~~
29 ~~consultation provisions of this chapter.~~This subsection
30 expires July 1, 2003 ~~2002~~.

31

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

5 932.7055 Disposition of liens and forfeited
6 property.--

7 (4)

8 (d) Notwithstanding any other provision of this
9 subsection, and for the 2002-2003 fiscal year only, the funds
10 in a special law enforcement trust fund established by the
11 governing body of a municipality may be expended to reimburse
12 the general fund of the municipality for moneys advanced from
13 the general fund to the special law enforcement trust fund
14 prior to October 1, 2001. This paragraph expires July 1,
15 2003.

16 Section 27. In order to implement Specific
17 Appropriations 1760A and 1798A of the 2002-2003 General
18 Appropriations Act, subsection (6) is added to section
19 375.041, Florida Statutes, to read:

20 375.041 Land Acquisition Trust Fund.--

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

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

30 259.032 Conservation and Recreation Lands Trust Fund;
31 purpose.--

1 (16) Notwithstanding other provisions of law relating
2 to the purpose of the Conservation and Recreation Lands Trust
3 Fund, and for the 2002-2003 fiscal year only, the purposes of
4 the trust fund shall include funding issues provided in the
5 General Appropriations Act. This subsection expires July 1,
6 2003.

7 Section 29. In order to implement Specific
8 Appropriation 1769 of the 2002-2003 General Appropriations
9 Act, subsection (16) is added to section 215.555, Florida
10 Statutes, to read:

11 215.555 Florida Hurricane Catastrophe Fund.--

12 (16) For the 2002-2003 fiscal year only, the State
13 Board of Administration shall disburse funds, by nonoperating
14 transfer, from the Florida Hurricane Catastrophe Fund to the
15 Ecosystem Management and Restoration Trust Fund of the
16 Department of Environmental Protection in an amount equal to
17 8.47 percent of the appropriation made from the Ecosystem
18 Management and Restoration Trust Fund for "Grants and Aids to
19 Local Governments and Non-State Entities - Fixed Capital
20 Outlay, Statewide Restoration Projects" in the 2002-2003
21 General Appropriations Act. This subsection expires July 1,
22 2003.

23 Section 30. In order to implement Specific
24 Appropriation 1478 of the 2002-2003 General Appropriations
25 Act, subsection (2) of section 581.184, Florida Statutes, as
26 created by section 1 of chapter 2002-11, Laws of Florida, is
27 amended to read:

28 581.184 Adoption of rules; citrus canker eradication;
29 voluntary destruction agreements.--

30 (2)(a) The department shall remove and destroy all
31 infected citrus trees and all citrus trees exposed to

1 infection. Notice of the removal of such trees, by immediate
 2 final order, may be provided to the owner of the property on
 3 which such trees are located. An immediate final order issued
 4 by the department pursuant to this section shall notify the
 5 property owner that the citrus trees that are the subject of
 6 the immediate final order will be removed and destroyed unless
 7 the property owner, no later than 10 days after delivery of
 8 the immediate final order pursuant to subsection (3), requests
 9 and obtains a stay of the immediate final order from the
 10 district court of appeal with jurisdiction to review such
 11 requests. The property owner shall not be required to seek a
 12 stay of the immediate final order by the department prior to
 13 seeking the stay from the district court of appeal.

14 (b) Notwithstanding the provisions of paragraph (a),
 15 and for the 2002-2003 fiscal year only, notice of the removal
 16 of infected citrus trees and citrus trees exposed to
 17 infection, by immediate final order, shall be provided to the
 18 owner of the property on which such trees are located. This
 19 paragraph expires July 1, 2003.

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

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

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

29 1.(a) Be the homeowner of record on the effective date
 30 of this act for residential property where one or more citrus
 31

1 trees have been removed as part of a citrus canker eradication
2 program;

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

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

10 (b) Notwithstanding subparagraph (a)1., and for
11 compensation during the 2002-2003 fiscal year only, to be
12 eligible to receive compensation under the program for
13 residential property where one or more citrus trees have been
14 removed on or after July 1, 2001, as part of a citrus canker
15 eradication program, a homeowner must be the homeowner of
16 record on the date the trees were removed. This paragraph
17 expires July 1, 2003.

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

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

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

6 373.470 Everglades restoration.--

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

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

13 2. For fiscal year 2002-2003 only, the provisions of
14 subparagraph 1. shall not apply. This subparagraph expires
15 July 1, 2003.

16 Section 33. If Council Substitute for House Bill 851,
17 Enrolled, 2002 Regular Session, does not become law, in order
18 to implement Specific Appropriation 1819 of the 2002-2003
19 General Appropriations Act, subsection (8) of section
20 403.7095, Florida Statutes, is amended to read:

21 403.7095 Solid waste management grant program.--

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

29 Section 34. If Council Substitute for House Bill 851,
30 Enrolled, 2002 Regular Session, becomes law, in order to
31 implement Specific Appropriation 1819 of the 2002-2003 General

1 Appropriations Act, subsection (7) is added to section
2 403.7095, Florida Statutes, as amended by section 8 of said
3 bill, to read:

4 403.7095 Solid waste management grant program.--

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

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

14 215.981 Audits of state agency direct-support
15 organizations and citizen support organizations.--

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

1 Government Accountability shall have the authority to require
2 and receive from the organization or from the independent
3 auditor any records relative to the operation of the
4 organization.

5 (2) Notwithstanding the provisions of subsection (1),
6 and for the 2002-2003 fiscal year only, citizen support
7 organizations for the Department of Environmental Protection
8 that are not for profit and that have annual expenditures of
9 less than \$100,000 are not required to have an independent
10 audit. This subsection expires July 1, 2003.

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

15 287.161 Executive aircraft pool; assignment of
16 aircraft; charge for transportation.--

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

30 Section 37. In order to implement Specific
31 Appropriation 1771 of the 2002-2003 General Appropriations

1 Act, subsection (4) is added to section 403.1838, Florida
2 Statutes, to read:

3 403.1838 Small Community Sewer Construction Assistance
4 Act.--

5 (4) The department may waive the requirement in a
6 funding agreement on a grant for construction of wastewater
7 facilities under this section that a grantee must accumulate,
8 during the design life of the grant-funded project, moneys in
9 an amount equivalent to the grant amount, adjusted for
10 inflationary cost increases, if the grantee certifies to the
11 department's satisfaction that an equivalent amount of money
12 will be used to pay outstanding obligations resulting from
13 improvements to its sewer system. This subsection expires July
14 1, 2003.

15 Section 38. In order to implement Specific
16 Appropriations 2359-2382 of the 2002-2003 General
17 Appropriations Act, subsection (7) is added to section
18 550.09515, Florida Statutes, as amended by section 12 of
19 chapter 2002-2, Laws of Florida, to read:

20 550.09515 Thoroughbred horse taxes; abandoned interest
21 in a permit for nonpayment of taxes.--

22 (7) If a thoroughbred permitholder fails to operate
23 all performances on its 2001-2002 license, failure to pay tax
24 on handle for a full schedule of live races for those
25 performances in the 2001-2002 fiscal year does not constitute
26 failure to pay taxes on handle for a full schedule of live
27 races in a fiscal year for the purposes of subsection (3).
28 This subsection may not be construed as forgiving a
29 thoroughbred permitholder from paying taxes on performances
30 conducted at its facility pursuant to its 2001-2002 license
31

1 other than for failure to operate all performances on its
2 2001-2002 license. This subsection expires July 1, 2003.

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

7 550.5251 Florida thoroughbred racing; certain permits;
8 operating days.--

9 (6) Notwithstanding the provisions of subsection (2),
10 a thoroughbred permitholder who fails to operate all
11 performances on its 2001-2002 license does not lose its right
12 to retain its permit. Such thoroughbred permitholder is
13 eligible for issuance of an annual license pursuant to s.
14 550.0115 for subsequent thoroughbred racing seasons. The
15 division shall take no disciplinary action against such
16 thoroughbred permitholder for failure to operate all licensed
17 performances for the 2001-2002 license pursuant to this
18 section or s. 550.01215. This section may not be interpreted
19 to prohibit the division from taking disciplinary action
20 against a thoroughbred permitholder for failure to pay taxes
21 on performances operated pursuant to its 2001-2002 license.
22 This subsection expires July 1, 2003.

23 (7) A thoroughbred permitholder shall file an
24 amendment with the division no later than July 1, 2002, that
25 indicates that it will not be able to operate the performances
26 scheduled on its 2002-2003 license without imposition of any
27 penalty for failure to operate all licensed performances
28 provided in this chapter. This subsection expires July 1,
29 2003.

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

4 110.116 Personnel information system; payroll
5 procedures.--

6 (1) The Department of Management Services shall
7 establish and maintain, in coordination with the payroll
8 system of the Department of Banking and Finance, a complete
9 personnel information system for all authorized and
10 established positions in the state service, with the exception
11 of employees of the Legislature. The specifications shall be
12 developed in conjunction with the payroll system of the
13 Department of Banking and Finance and in coordination with the
14 Auditor General. The Department of Banking and Finance shall
15 determine that the position occupied by each employee has been
16 authorized and established in accordance with the provisions
17 of s. 216.251. The Department of Management Services shall
18 develop and maintain a position numbering system that will
19 identify each established position, and such information shall
20 be a part of the payroll system of the Department of Banking
21 and Finance. With the exception of employees of the
22 Legislature, this system shall include all career service
23 positions and those positions exempted from career service
24 provisions, notwithstanding the funding source of the salary
25 payments, and information regarding persons receiving payments
26 from other sources. Necessary revisions shall be made in the
27 personnel and payroll procedures of the state to avoid
28 duplication insofar as is feasible. A list shall be organized
29 by budget entity to show the employees or vacant positions
30 within each budget entity. This list shall be available to
31

1 the Speaker of the House of Representatives and the President
2 of the Senate upon request.

3 (2) For the 2002-2003 fiscal year only, and
4 notwithstanding the requirements of s. 215.94(5) that the
5 department design, implement, and operate the system and of s.
6 110.201(1)(e) that the individual employing agencies maintain
7 records and reports, the department is authorized to contract
8 with a vendor to provide the personnel information system for
9 state agencies. The vendor may assist the department in
10 compiling and reporting personnel data and may assist the
11 employing agencies in maintaining personnel records. This
12 subsection expires July 1, 2003.

13 Section 41. In order to implement Specific
14 Appropriation 2815A of the 2002-2003 General Appropriations
15 Act, paragraph (a) of subsection (1) of section 110.152,
16 Florida Statutes, is amended to read:

17 110.152 Adoption benefits for state employees;
18 parental leave.--

19 (1)(a)1. Any full-time or part-time employee of the
20 state who is paid from regular salary appropriations and who
21 adopts a special-needs child, as defined in paragraph (b), is
22 eligible to receive a monetary benefit in the amount of
23 \$10,000 per child, \$5,000 of which is payable in equal monthly
24 installments over a 2-year period. Any employee of the state
25 who adopts a child whose permanent custody has been awarded to
26 the Department of Children and Family Services or to a
27 Florida-licensed child-placing agency, other than a
28 special-needs child as defined in paragraph (b), shall be
29 eligible to receive a monetary benefit in the amount of \$5,000
30 per child, \$2,000 of which is payable in equal monthly
31 installments over a 2-year period. Benefits paid under this

1 subsection to a part-time employee must be prorated based on
2 the employee's full-time-equivalency status at the time of
3 applying for the benefits.

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

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

12 110.2035 Classification and compensation program.--

13 (1) The Department of Management Services, ~~in~~
14 ~~consultation with the Executive Office of the Governor and the~~
15 ~~legislature, shall establish and maintain~~ develop a
16 classification and compensation program addressing. ~~This~~
17 ~~program shall be developed for use by all state agencies and~~
18 ~~shall address~~ Career Service, Selected Exempt Service, and
19 Senior Management Service positions ~~classes~~.

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

21 (a) A position classification system using no more
22 than 38 ~~50~~ occupational groups and up to a 6-class series
23 structure for each occupation within an occupational group.
24 Additional occupational groups may be established only by the
25 Executive Office of the Governor after consultation with the
26 Legislature.

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

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

1 (a) The classification system must significantly
2 reduce the need to reclassify positions due to work assignment
3 and organizational changes by decreasing the number of
4 classification changes required.

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

8 (c) The classification system and pay plan must
9 emphasize pay administration and job-performance evaluation by
10 management rather than emphasize use of the classification
11 system to award salary increases.

12 (d) The pay administration system must contain
13 provisions to allow managers the flexibility to move employees
14 through the pay ranges and provide for salary increase
15 additives and lump-sum bonuses if authorized by the
16 Legislature.

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

21 ~~(5) The Department of Management Services shall submit~~
22 ~~the proposed design of the classification and compensation~~
23 ~~program to the Executive Office of the Governor, the presiding~~
24 ~~officers of the Legislature, and the appropriate legislative~~
25 ~~fiscal and substantive standing committees on or before~~
26 ~~December 1, 2001.~~

27 (5)(6) The department shall establish, by rule,
28 guidelines with respect to, and shall delegate to the
29 employing agencies, where appropriate, the authority to
30 administer the following:

31 (a) Shift differentials.

- 1 (b) On-call fees.
- 2 (c) Hazardous-duty pay.
- 3 (d) Advanced appointment rates.
- 4 (e) Salary increase and decrease corrections.
- 5 (f) Lead-worker pay.
- 6 (g) Temporary special duties pay.
- 7 (h) Trainer-additive pay.
- 8 (i) Competitive area differentials.
- 9 (j) Coordinator pay.
- 10 (k) Critical market pay.

11
 12 The employing agency must use such pay additives as are
 13 appropriate within the guidelines established by the
 14 department and shall advise the department in writing of the
 15 plan for implementing such pay additives prior to the
 16 implementation date. Any action by an employing agency to
 17 implement temporary special duties pay, competitive area
 18 differentials, or critical market pay may be implemented only
 19 after the department has reviewed and recommended such action;
 20 however, an employing agency may use temporary special duties
 21 pay for up to 3 months without prior review by the department.
 22 The department shall annually provide a summary report of the
 23 pay additives implemented pursuant to this section.

24 (6) The department shall adopt any rules necessary to
 25 implement the classification and compensation program to
 26 include Career Service, Selected Exempt Service, and Senior
 27 Management Service positions consistent with the plan
 28 submitted to the Legislature on December 1, 2001; however, the
 29 adopted plan shall include pay bandwidths of 150 percent for
 30 each occupational group except the manager and executive

1 occupational groups. The department may adopt emergency rules
2 if necessary to implement this program by July 1, 2002.

3 Section 43. The amendment of section 110.2035, Florida
4 Statutes, by this act shall expire on July 1, 2003, and the
5 text of that section shall revert to that in existence on June
6 30, 2002, except that any amendments to such text enacted
7 other than by this act shall be preserved and continue to
8 operate to the extent that such amendments are not dependent
9 upon the portions of such text which expire pursuant to the
10 provisions of this act.

11 Section 44. In order to implement Section 8 of the
12 2002-2003 General Appropriations Act, subsection (7) of
13 section 110.12315, Florida Statutes, is amended to read:

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

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

24 (a) Effective January 1, 2001:

- 25 1. For generic drug with card.....\$7.
- 26 2. For preferred brand name drug with card.....\$20.
- 27 3. For nonpreferred brand name drug with card.....\$35.
- 28 4. For generic mail order drug.....\$10.50.
- 29 5. For preferred brand name mail order drug.....\$30.
- 30 6. For nonpreferred brand name drug.....\$52.50.

31

1 (b) The Department of Management Services shall create
2 a preferred brand name drug list to be used in the
3 administration of the state employees' prescription drug
4 program.

5
6 This subsection expires July 1, 2003 ~~2002~~.

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

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

19 (1) The division shall determine the level of premiums
20 necessary to fully fund the state group health insurance
21 program for the next fiscal year. Such determination shall be
22 made after each Self-Insurance revenue ~~revenue~~ Estimating Conference
23 ~~on health insurance~~ as provided in s. 216.136(11)(~~1~~), but not
24 later than December 1 and April 1 of each fiscal year.

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

31

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

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

6 Section 46. In order to implement Sections 2-7 of the
7 2002-2003 General Appropriations Act, paragraph (c) of
8 subsection (5) and paragraph (d) of subsection (6) of section
9 112.061, Florida Statutes, are amended to read:

10 112.061 Per diem and travel expenses of public
11 officers, employees, and authorized persons.--

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

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

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

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

30 Section 47. In order to implement Specific
31 Appropriation 2169 of the 2002-2003 General Appropriations

1 Act, subsection (4) is added to section 121.71, Florida
2 Statutes, as created by section 1 of chapter 2002-177, Laws of
3 Florida, to read:

4 121.71 Uniform rates; process; calculations; levy.--

5 (4) Notwithstanding the provisions of subsection (3),
6 and for the fiscal year 2002-2003 only, the state actuary
7 shall recognize and use an appropriate level of available
8 excess assets of the Florida Retirement System Trust Fund to
9 offset the difference between the normal costs of the Florida
10 Retirement System and the statutorily prescribed contribution
11 rates. This subsection expires July 1, 2003.

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

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

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

1 or make any requirements regarding the nature or content of
2 these cited examinations.

3 (b) Has, for the 2002-2003 fiscal year only and in
4 lieu of passing the written examination required by paragraph
5 (a), successfully passed an oral examination that the board
6 finds to be substantially similar to the examination required
7 to be licensed as a certified contractor under this part. This
8 paragraph applies only to applicants who are disabled. This
9 paragraph expires July 1, 2003.

10

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

13 Section 49. In order to implement Specific
14 Appropriations 2396-2417A of the 2002-2003 General
15 Appropriations Act:

16 (1) The Department of Business and Professional
17 Regulation is authorized to transfer no more than 34 positions
18 and the resources identified in the reengineering issues from
19 Compliance and Enforcement, no more than 12 positions and the
20 resources identified in the reengineering issues from
21 Standards and Licensure, and no more than 20 positions and the
22 resources identified in the reengineering issues from Tax
23 Collection to begin implementation of the on-line licensing
24 and reengineering project. To ensure current service delivery
25 levels pertaining to regulation, licensing, compliance,
26 enforcement, and tax collection, the department shall retain
27 positions in the current programs to facilitate migration to
28 the new business process. The transfer must be completed prior
29 to June 30, 2003. The Executive Office of the Governor is
30 authorized to establish positions in excess of the current

31

1 programs to meet these requirements, subject to the provisions
2 of s. 216.177, Florida Statutes.

3 (2) In completing the reengineering and technology
4 project, the department shall retain sufficient numbers of
5 knowledge experts within the Division of Alcoholic Beverages
6 and Tobacco to handle specialized and complex inquiries,
7 document filings, and statutory duties within the subject
8 areas of licensing, auditing, and law enforcement. A
9 dedicated corps of knowledge experts shall be retained within
10 each of these three areas. The reengineering and technology
11 project shall be structured so as to direct specialized
12 inquiries to these knowledge experts in the most efficient and
13 customer-friendly manner possible.

14 (3) The methodology used for the Administrative Trust
15 Fund assessment charged to the division shall be based on the
16 number of positions, number of transactions, and
17 administrative activities directly related to the support of
18 division activities. The assessment shall be reconciled
19 quarterly and available for public inspection.

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

21 Section 50. In order to implement the provisions of
22 Specific Appropriations 2418-2433 of the 2002-2003 General
23 Appropriations Act:

24 (1) The Department of Business and Professional
25 Regulation is authorized to transfer positions and resources
26 identified in the reengineering issues to begin implementation
27 of the on-line reengineering and technology project. To ensure
28 current service delivery levels pertaining to regulation,
29 licensing, compliance, and enforcement, the department shall
30 retain positions in the current programs to facilitate
31 migration to the new business process. The transfer must be

1 completed prior to June 30, 2003. The Executive Office of the
2 Governor is authorized to establish positions in excess of the
3 current programs to meet these requirements subject to the
4 provisions of s. 216.177, Florida Statutes.

5 (2) In completing the reengineering and technology
6 project, the department shall retain sufficient numbers of
7 knowledge experts within the Division of Florida Land Sales,
8 Condominiums, and Mobile Homes to handle specialized and
9 complex inquiries, document filings, and statutory duties
10 within the subject areas of condominiums, mobile homes, and
11 timeshares. A dedicated corps of knowledge experts shall be
12 retained within each of these three areas. The reengineering
13 and technology project shall be structured so as to direct
14 specialized inquiries to these knowledge experts in the most
15 efficient and customer-friendly manner possible.

16 (3) The methodology used for the Administrative Trust
17 Fund assessment charged to the division shall be based on the
18 number of positions, number of transactions, and
19 administrative activities directly related to the support of
20 division activities. The assessment shall be reconciled
21 quarterly and available for public inspection.

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

23 Section 51. In order to implement the provisions of
24 Specific Appropriations 2383-2395 of the 2002-2003 General
25 Appropriations Act:

26 (1) The Department of Business and Professional
27 Regulation is authorized to transfer positions and resources
28 identified in the reengineering issues to begin implementation
29 of the on-line licensing and reengineering project. To ensure
30 current service delivery levels pertaining to regulation,
31 licensing, compliance, and enforcement, the department shall

1 retain positions in the current programs to facilitate
2 migration to the new business process. The transfer must be
3 completed prior to June 30, 2003. The Executive Office of the
4 Governor is authorized to establish positions in excess of the
5 current programs to meet these requirements, subject to the
6 provisions of s. 216.177, Florida Statutes.

7 (2) The department shall maintain in each field office
8 a dedicated corps of sanitation and safety inspectors in the
9 compliance entity who shall perform only inspections of public
10 food service and public lodging establishments regulated under
11 chapter 509, Florida Statutes, and the rules adopted pursuant
12 thereto, and who shall be the only inspectors performing
13 public food service and public lodging establishment
14 inspections. In addition, each field office shall have a
15 designated lead public food service and public lodging
16 establishment inspector supervising these dedicated corps
17 inspectors.

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

22 (b) The responsibilities of the director of the
23 Division of Hotels and Restaurants shall include, but not be
24 limited to:

25 1. All statutory powers currently assigned to the
26 division.

27 2. Final authority over resolution of adverse
28 incidents involving licenses.

29 3. Final authority regarding license fines and
30 disciplinary actions.

31

1 4. Final authority regarding hiring and firing of
2 inspectors by the compliance entity.

3 5. The Hospitality Education Program, which shall
4 remain in the division.

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

6 Section 52. (1) In order to implement Specific
7 Appropriations 2454-2458 and 2699-2701 of the 2002-2003
8 General Appropriations Act and to avoid the unnecessary
9 duplication of expenses during the 2002-2003 fiscal year, with
10 respect to changes in congressional districting plans the
11 appropriate state officials who shall continue to be
12 responsible for the submission of information relating to the
13 preclearance under Section 5 of the federal Voting Rights Act
14 of such plans shall be the Governor, the President of the
15 Senate, and the Speaker of the House of Representatives,
16 jointly. To the extent determined necessary by the President
17 of the Senate or the Speaker of the House of Representatives,
18 the presiding officer of either house may provide to the
19 Executive Office of the Governor, from the funds appropriated
20 to such house, the payment of salaries, fees, and expenses
21 related to the preclearance process or to the defense of any
22 judicial challenge to any such apportionment or districting
23 plan.

24 (2) In order to implement Specific Appropriations
25 2699-2701 of the 2002-2003 General Appropriations Act and to
26 avoid the unnecessary duplication of expenses during the
27 2002-2003 fiscal year, with respect to changes in state
28 legislative apportionment or districting plans the appropriate
29 state officials who shall continue to be responsible for the
30 submission of information relating to the preclearance under
31 Section 5 of the federal Voting Rights Act of such plans shall

1 be the President of the Senate and the Speaker of the House of
2 Representatives, jointly.

3 (3) Effective upon this act becoming a law, and
4 retroactive to the date of any submission made to the United
5 States Department of Justice by the Governor, the President of
6 the Senate, or the Speaker of the House of Representatives,
7 relating to the federal preclearance of any congressional or
8 state legislative apportionment or districting plans adopted
9 by the Florida Legislature during 2002, such submission to the
10 United States Department of Justice regarding such plans made
11 by such officials is hereby confirmed as having been made by
12 the appropriate state officials.

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

14 Section 53. In order to implement Specific
15 Appropriations 1511, 1523, and 1523A of the 2002-2003 General
16 Appropriations Act, paragraph (b) of subsection (1) of section
17 252.373, Florida Statutes, is amended, and paragraph (c) is
18 added to said subsection, to read:

19 252.373 Allocation of funds; rules.--

20 (1)

21 (b) Notwithstanding the provisions of paragraph (a),
22 and for the 2002-2003 ~~2001-2002~~ fiscal year only, the use up
23 to \$2.2 million of the unencumbered balance of the Emergency
24 Management, Preparedness, and Assistance Trust Fund shall be
25 as provided in the General Appropriations Act ~~utilized to~~
26 ~~improve, and increase the number of, disaster shelters within~~
27 ~~the state and improve local disaster preparedness.~~ This
28 paragraph expires on July 1, 2003 ~~2002~~.

29 (c) Notwithstanding the provisions of paragraph (a),
30 and for the 2002-2003 fiscal year only, the Department of
31 Community Affairs shall conduct a review of funds available in

1 the Emergency Management, Preparedness, and Assistance Trust
2 Fund. By December 1, 2002, when actual receipts for the
3 2001-2002 fiscal year are determined, the Department of
4 Community Affairs may identify any funds that were unspent or
5 unencumbered in the 2001-2002 fiscal year that are not
6 required to implement appropriations for the 2002-2003 fiscal
7 year from the Emergency Management, Preparedness, and
8 Assistance Trust Fund, and such funds may be transferred to
9 the Grants and Donations Trust Fund to be used for the state
10 portion of the match requirements for federally approved
11 Hazard Mitigation Grant Program projects. This paragraph
12 expires July 1, 2003.

13 Section 54. In order to implement Specific
14 Appropriation 2486 of the 2002-2003 General Appropriations
15 Act, subsection (11) is added to section 288.063, Florida
16 Statutes, to read:

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

30 Section 55. In order to implement proviso language in
31 Specific Appropriation 2236E of the 2002-2003 General

1 Appropriations Act, section 402.3017, Florida Statutes, is
2 amended to read:

3 402.3017 Teacher Education and Compensation Helps
4 (TEACH) scholarship program.--

5 (1) The Legislature finds that the level of early
6 child care teacher education and training is a key predictor
7 for determining program quality. The Legislature also finds
8 that low wages for child care workers prevent many from
9 obtaining increased training and education and contribute to
10 high turnover rates. The Legislature therefore intends to
11 help fund a program which links teacher training and education
12 to compensation and commitment to the field of early childhood
13 education.

14 (2) The Department of Children and Family Services is
15 authorized to contract for the administration of the Teacher
16 Education and Compensation Helps (TEACH) scholarship program,
17 which provides educational scholarships to caregivers and
18 administrators of early childhood programs, family day care
19 homes, and large family child care homes.

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

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

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

29 125.35 County authorized to sell real and personal
30 property and to lease real property.--

31

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

7 (a) Enhancement, promotion, or improvement of economic
8 activity or revitalization;

9 (b) Urban development or redevelopment;

10 (c) Tourism;

11 (d) Transportation; or

12 (e) Opportunities for gainful employment.

13
14 Such purposes are hereby found and declared to be public
15 purposes. This subsection expires July 1, 2003.

16 Section 57. In order to implement Specific
17 Appropriations 2161A and 2161G of the 2002-2003 General
18 Appropriations Act, subsection (5) is added to section
19 338.2216, Florida Statutes, as created by section 18 of
20 chapter 2002-20, Laws of Florida, to read:

21 338.2216 Florida Turnpike Enterprise; powers and
22 authority.--

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

29 Section 58. In order to implement Specific
30 Appropriation 2075 of the 2002-2003 General Appropriations
31 Act, subsection (10) of section 339.12, Florida Statutes, as

1 created by section 83 of chapter 2002-20, Laws of Florida, is
2 amended to read:

3 339.12 Aid and contributions by governmental entities
4 for department projects; federal aid.--

5 (10) Beginning with the 2003-2004 fiscal year, any
6 county with a population greater than 50,000 that levies the
7 full 6 cents of local option fuel tax pursuant to ss.
8 206.41(1)(e) and 206.87(1)(c), or that dedicates 35 percent or
9 more of its discretionary sales surtax, pursuant to s.
10 212.055, for improvements to the state transportation system
11 or to local projects directly upgrading the state
12 transportation system within the county's boundaries shall
13 receive preference for receipt of any transportation grant for
14 which the county applies. This subsection shall not apply to
15 loans or nonhighway grant programs.

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

20 411.01 Florida Partnership for School Readiness;
21 school readiness coalitions.--

22 (13) Notwithstanding any other provision of this
23 section to the contrary, and for fiscal year 2002-2003 only,
24 the first children to be placed in the school readiness
25 program shall be those from families receiving temporary cash
26 assistance and subject to federal work requirements.
27 Subsequent placements shall be pursuant to the provisions of
28 this section. This subsection expires July 1, 2003.

29 Section 60. In order to implement Specific
30 Appropriations 349, 1170, 2877, and 3119 of the 2002-2003
31 General Appropriations Act, section 215.20, Florida Statutes,

1 as amended by section 2 of chapter 2002-46, Laws of Florida,
2 and by section 920 of Senate Bill 20-E, Enrolled, 2002 Special
3 Session E, is amended to read:

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

6 215.20 Certain income and certain trust funds to
7 contribute to the General Revenue Fund.--

8 (1) A service charge of 7 percent, representing the
9 estimated pro rata share of the cost of general government
10 paid from the General Revenue Fund, is hereby appropriated
11 from all income of a revenue nature deposited in all trust
12 funds except those enumerated in s. 215.22. Income of a
13 revenue nature shall include all earnings received or credited
14 by such trust funds, including the interest or benefit
15 received from the investment of the principal of such trust
16 funds as may be permitted by law. This provision shall be
17 construed in favor of the General Revenue Fund in each
18 instance. All such appropriations shall be deposited in the
19 General Revenue Fund.

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

21 (a) The trust funds of the Department of Citrus and
22 the Department of Agriculture and Consumer Services, including
23 funds collected in the General Inspection Trust Fund for
24 marketing orders and in the Florida Citrus Advertising Trust
25 Fund, shall be subject to a 3-percent service charge, which is
26 hereby appropriated to the General Revenue Fund. This
27 paragraph does not apply to the Conservation and Recreation
28 Lands Program Trust Fund, the Florida Quarter Horse Racing
29 Promotion Trust Fund, the Citrus Inspection Trust Fund, the
30 Florida Forever Program Trust Fund, the Florida Preservation
31 2000 Trust Fund, the Market Improvements Working Capital Trust

1 Fund, the Pest Control Trust Fund, the Plant Industry Trust
2 Fund, or other funds collected in the General Inspection Trust
3 Fund in the Department of Agriculture and Consumer Services.

4 (b) The Save the Manatee Trust Fund in the Fish and
5 Wildlife Conservation Commission shall be subject to a
6 3-percent service charge, which is hereby appropriated to the
7 General Revenue Fund.

8 (3) A service charge of 0.3 percent is hereby
9 appropriated from income of a revenue nature deposited in the
10 trust funds enumerated in subsection (4). Income of a revenue
11 nature shall include all earnings received or credited by such
12 trust funds, including the interest or benefit received from
13 the investment of the principal of such trust funds as may be
14 permitted by law. This provision shall be construed in favor
15 of the General Revenue Fund in each instance. All such
16 appropriations shall be deposited in the General Revenue Fund.

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

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

22 1. The Florida Organ and Tissue Donor Education and
23 Procurement Trust Fund.

24 2. The Health Care Trust Fund.

25 3. The Resident Protection Trust Fund.

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

28 (c) Within the Department of Agriculture and Consumer
29 Services:

30 1. The Conservation and Recreation Lands Program Trust
31 Fund.

1 2. The Florida Quarter Horse Racing Promotion Trust
2 Fund.

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

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

7 1. The Administrative Trust Fund.

8 2. The Anti-Fraud Trust Fund.

9 3. The Financial Institutions' Regulatory Trust Fund.

10 4. The Mortgage Brokerage Guaranty Fund.

11 5. The Regulatory Trust Fund.

12 (e) Within the Department of Business and Professional
13 Regulation:

14 1. The Administrative Trust Fund.

15 2. The Alcoholic Beverage and Tobacco Trust Fund.

16 3. The Cigarette Tax Collection Trust Fund.

17 4. The Division of Florida Land Sales, Condominiums,
18 and Mobile Homes Trust Fund.

19 5. The Hotel and Restaurant Trust Fund, with the
20 exception of those fees collected for the purpose of funding
21 of the hospitality education program as stated in s. 509.302.

22 6. The Professional Regulation Trust Fund.

23 7. The trust funds administered by the Division of
24 Pari-mutuel Wagering.

25 (f) Within the Department of Children and Family
26 Services:

27 1. The Administrative Trust Fund.

28 2. The Child Welfare Training Trust Fund.

29 3. The Children and Adolescents Substance Abuse Trust
30 Fund.

31 4. The Domestic Violence Trust Fund.

- 1 5. The Grants and Donations Trust Fund.
2 6. The Operations and Maintenance Trust Fund.
3 (g) Within the Department of Citrus, the Florida
4 Citrus Advertising Trust Fund, including transfers from any
5 subsidiary accounts thereof, unless a different percentage is
6 authorized in s. 601.15(7).
7 (h) Within the Department of Community Affairs, the
8 Operating Trust Fund.
9 (i) Within the Department of Education:
10 1. The Educational Certification and Service Trust
11 Fund.
12 2. The Phosphate Research Trust Fund.
13 (j) Within the Department of Elderly Affairs:
14 1. The Administrative Trust Fund.
15 2. The Federal Grants Trust Fund.
16 3. The Grants and Donations Trust Fund.
17 4. The Operations and Maintenance Trust Fund.
18 (k) Within the Department of Environmental Protection:
19 1. The Administrative Trust Fund.
20 2. The Air Pollution Control Trust Fund.
21 3. The Conservation and Recreation Lands Trust Fund.
22 4. The Ecosystem Management and Restoration Trust
23 Fund.
24 5. The Environmental Laboratory Trust Fund.
25 6. The Florida Coastal Protection Trust Fund.
26 7. The Florida Permit Fee Trust Fund.
27 8. The Forfeited Property Trust Fund.
28 9. The Grants and Donations Trust Fund.
29 10. The Inland Protection Trust Fund.
30 11. The Internal Improvement Trust Fund.
31 12. The Land Acquisition Trust Fund.

- 1 13. The Minerals Trust Fund.
2 14. The Nonmandatory Land Reclamation Trust Fund.
3 15. The State Park Trust Fund.
4 16. The Water Quality Assurance Trust Fund.
5 17. The Working Capital Trust Fund.
6 (l) Within the Department of Health:
7 1. The Administrative Trust Fund.
8 2. The Brain and Spinal Cord Injury Program Trust
9 Fund.
10 3. The Donations Trust Fund.
11 4. The Emergency Medical Services Trust Fund.
12 5. The Epilepsy Services Trust Fund.
13 6. The Florida Drug, Device, and Cosmetic Trust Fund.
14 7. The Grants and Donations Trust Fund.
15 8. The Medical Quality Assurance Trust Fund.
16 9. The Nursing Student Loan Forgiveness Trust Fund.
17 10. The Planning and Evaluation Trust Fund.
18 11. The Radiation Protection Trust Fund.
19 (m) Within the Department of Highway Safety and Motor
20 Vehicles, the DUI Programs Coordination Trust Fund.
21 (n) Within the Department of Insurance:
22 1. The Agents and Solicitors County Tax Trust Fund.
23 2. The Insurance Commissioner's Regulatory Trust Fund.
24 (o) Within the Department of Labor and Employment
25 Security or, if such department is terminated, within the
26 agency or department to which the named trust fund has been
27 transferred:
28 1. The Special Disability Trust Fund.
29 2. The Special Employment Security Administration
30 Trust Fund.
31

- 1 3. The Workers' Compensation Administration Trust
2 Fund.
3 (p) Within the Department of Legal Affairs, the Crimes
4 Compensation Trust Fund.
5 (q) Within the Department of Management Services:
6 1. The Administrative Trust Fund.
7 2. The Architects Incidental Trust Fund.
8 3. The Bureau of Aircraft Trust Fund.
9 4. The Florida Facilities Pool Working Capital Trust
10 Fund.
11 5. The Grants and Donations Trust Fund.
12 6. The Motor Vehicle Operating Trust Fund.
13 7. The Police and Firefighters' Premium Tax Trust
14 Fund.
15 8. The Public Employees Relations Commission Trust
16 Fund.
17 9. The State Personnel System Trust Fund.
18 10. The Supervision Trust Fund.
19 11. The Working Capital Trust Fund.
20 (r) Within the Department of Revenue:
21 1. The Additional Court Cost Clearing Trust Fund.
22 2. The Administrative Trust Fund.
23 3. The Apalachicola Bay Oyster Surcharge Clearing
24 Trust Fund.
25 4. The Certification Program Trust Fund.
26 5. The Fuel Tax Collection Trust Fund.
27 6. The Land Reclamation Trust Fund.
28 7. The Local Alternative Fuel User Fee Clearing Trust
29 Fund.
30 8. The Local Option Fuel Tax Trust Fund.
31

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

1 2. The Florida Panther Research and Management Trust
2 Fund.

3 3. The Land Acquisition Trust Fund.

4 4. The Marine Resources Conservation Trust Fund, with
5 the exception of those fees collected for recreational
6 saltwater fishing licenses as provided in s. 372.57.

7 (x) Within the Florida Public Service Commission, the
8 Florida Public Service Regulatory Trust Fund.

9 (y) Within the Justice Administrative Commission, the
10 Indigent Criminal Defense Trust Fund.

11
12 The enumeration of the foregoing moneys or trust funds shall
13 not prohibit the applicability thereto of s. 215.24 should the
14 Governor determine that for the reasons mentioned in s. 215.24
15 the money or trust funds should be exempt herefrom, as it is
16 the purpose of this law to exempt income from its force and
17 effect when, by the operation of this law, federal matching
18 funds or contributions or private grants to any trust fund
19 would be lost to the state.

20 (5) There is appropriated from the proper respective
21 trust funds from time to time such sums as may be necessary to
22 pay to the General Revenue Fund the service charges imposed by
23 this section.

24 Section 61. The amendment of section 215.20, Florida
25 Statutes, by this act shall expire on July 1, 2003, and the
26 text of that section shall revert to that in existence on June
27 30, 2002, except that any amendments to such text enacted
28 other than by this act shall be preserved and continue to
29 operate to the extent that such amendments are not dependent
30 upon the portions of such text which expire pursuant to the
31 provisions of this act.

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

5 215.22 Certain income and certain trust funds
6 exempt.--

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

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

11 (b) Trust funds administered by the Department of the
12 Lottery.

13 (c) Departmental administrative assessments for
14 administrative divisions.

15 (d) Funds charged by a state agency for services
16 provided to another state agency, by a state agency for
17 services provided to the judicial branch, or by the judicial
18 branch for services provided to a state agency.

19 (e) State, agency, or political subdivision
20 investments by the Treasurer.

21 (f) Retirement or employee benefit funds.

22 (g) Self-insurance programs administered by the
23 Treasurer.

24 (h) Funds held for the payment of citrus canker
25 eradication and compensation.

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

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

31

1 (k) Trust funds administered by the Department of
2 Education.

3 (l) Trust funds administered by the Department of
4 Transportation.

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

7 1. The Citrus Inspection Trust Fund.

8 2. The Florida Forever Program Trust Fund.

9 3. The Florida Preservation 2000 Trust Fund.

10 4. The Market Improvements Working Capital Trust Fund.

11 5. The Pest Control Trust Fund.

12 6. The Plant Industry Trust Fund.

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

14 (o) The Solid Waste Management Trust Fund.

15 (p) The Coconut Grove Playhouse Trust Fund.

16 (q) The Communications Working Capital Trust Fund of
17 the Department of Management Services.

18 (r) The Camp Blanding Management Trust Fund.

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

20 ~~(s)(t)~~ That portion of the Highway Safety Operating
21 Trust Fund funded by the motorcycle safety education fee
22 collected pursuant to s. 320.08(1)(c).

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

24 ~~(t)(v)~~ Tobacco Settlement Trust Funds administered by
25 any agency.

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

27 Section 63. The amendment of subsection (1) of section
28 215.22, 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 64. In order to implement Specific
5 Appropriations 349, 1170, and 3119 of the 2002-2003 General
6 Appropriations Act, subsection (4) of section 18.10, Florida
7 Statutes, is amended to read:

8 18.10 Deposits and investments of state money.--

9 (4) All earnings on any investments made pursuant to
10 this section are hereby appropriated ~~shall be credited~~ to the
11 General Revenue Fund, except that earnings attributable to
12 moneys made available pursuant to s. 18.125(3)(a) and (b)
13 shall be credited pro rata to the funds from which such moneys
14 were made available.

15 Section 65. The amendment of subsection (4) of section
16 18.10, Florida Statutes, by this act shall expire on July 1,
17 2003, and the text of that subsection shall revert to that in
18 existence on June 30, 2002, except that any amendments to such
19 text enacted other than by this act shall be preserved and
20 continue to operate to the extent that such amendments are not
21 dependent upon the portions of such text which expire pursuant
22 to the provisions of this act.

23 Section 66. In order to implement Specific
24 Appropriations 349, 1170, and 3119 of the 2002-2003 General
25 Appropriations Act, subsection (3) of section 18.125, Florida
26 Statutes, is amended to read:

27 18.125 Treasurer; powers and duties in the investment
28 of certain funds.--

29 (3)(a) Except as otherwise provided in this
30 subsection, it is the duty of each state agency, and of the
31 judicial branch, now or hereafter charged with the

1 administration of the funds referred to in subsection (1) to
2 make such moneys available for investment as fully as is
3 consistent with the cash requirements of the particular fund
4 and to authorize investment of such moneys by the Treasurer.

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

15 (c) Except as provided in this paragraph and except
16 for moneys described in paragraph (d), the following agencies
17 shall not invest trust fund moneys as provided in this
18 section, but shall retain such moneys in their respective
19 trust funds for investment, with interest appropriated to the
20 General Revenue Fund, pursuant to s. 18.10:

21 1. The Agency for Health Care Administration, except
22 for the Tobacco Settlement Trust Fund.

23 2. The Department of Children and Family Services,
24 except for:

25 a. The Alcohol, Drug Abuse, and Mental Health Trust
26 Fund.

27 b. The Community Resources Development Trust Fund.

28 c. The Refugee Assistance Trust Fund.

29 d. The Social Services Block Grant Trust Fund.

30 e. The Tobacco Settlement Trust Fund.

31 f. The Working Capital Trust Fund.

- 1 3. The Department of Community Affairs, only for the
2 Operating Trust Fund.
- 3 4. The Department of Corrections.
- 4 5. The Department of Elderly Affairs, except for:
- 5 a. The Federal Grants Trust Fund.
- 6 b. The Tobacco Settlement Trust Fund.
- 7 6. The Department of Health, except for:
- 8 a. The Federal Grants Trust Fund.
- 9 b. The Grants and Donations Trust Fund.
- 10 c. The Maternal and Child Health Block Grant Trust
11 Fund.
- 12 d. The Tobacco Settlement Trust Fund.
- 13 7. The Department of Highway Safety and Motor
14 Vehicles, only for:
- 15 a. The DUI Programs Coordination Trust Fund.
- 16 b. The Security Deposits Trust Fund.
- 17 8. The Department of Juvenile Justice.
- 18 9. The Department of Labor and Employment Security,
19 only for the Administrative Trust Fund.
- 20 10. The Department of Law Enforcement.
- 21 11. The Department of Legal Affairs.
- 22 12. The Department of State, only for:
- 23 a. The Grants and Donations Trust Fund.
- 24 b. The Records Management Trust Fund.
- 25 13. The Executive Office of the Governor, only for:
- 26 a. The Economic Development Transportation Trust Fund.
- 27 b. The Economic Development Trust Fund.
- 28 14. The Florida Public Service Commission, only for
29 the Florida Public Service Regulatory Trust Fund.
- 30 15. The Justice Administrative Commission.
- 31 16. The state courts system.

1 (d) Moneys in any trust funds of the agencies in
2 paragraph (c) may be invested pursuant to the provisions of
3 this section if:

4 1. Investment of such moneys and the retention of
5 interest is required by federal programs or mandates;

6 2. Investment of such moneys and the retention of
7 interest is required by bond covenants, indentures, or
8 resolutions;

9 3. Such moneys are held by the state in a trustee
10 capacity as an agent or fiduciary for individuals, private
11 organizations, or other governmental units; or

12 4. The Executive Office of the Governor determines,
13 after consultation with the Legislature pursuant to the
14 procedures of s. 216.177, that federal matching funds or
15 contributions or private grants to any trust fund would be
16 lost to the state.

17 Section 67. The amendment of subsection (3) of section
18 18.125, Florida Statutes, by this act shall expire on July 1,
19 2003, and the text of that subsection shall revert to that in
20 existence on June 30, 2002, except that any amendments to such
21 text enacted other than by this act shall be preserved and
22 continue to operate to the extent that such amendments are not
23 dependent upon the portions of such text which expire pursuant
24 to the provisions of this act.

25 Section 68. Effective July 30, 2002, in order to
26 implement Specific Appropriation 3119 of the 2002-2003 General
27 Appropriations Act, paragraph (f) of subsection (2) of section
28 14.2015, Florida Statutes, is amended to read:

29 14.2015 Office of Tourism, Trade, and Economic
30 Development; creation; powers and duties.--

31

1 (2) The purpose of the Office of Tourism, Trade, and
 2 Economic Development is to assist the Governor in working with
 3 the Legislature, state agencies, business leaders, and
 4 economic development professionals to formulate and implement
 5 coherent and consistent policies and strategies designed to
 6 provide economic opportunities for all Floridians. To
 7 accomplish such purposes, the Office of Tourism, Trade, and
 8 Economic Development shall:

9 (f)1. Administer the Florida Enterprise Zone Act under
 10 ss. 290.001-290.016, the community contribution tax credit
 11 program under ss. 220.183 and 624.5105, the tax refund program
 12 for qualified target industry businesses under s. 288.106, the
 13 tax-refund program for qualified defense contractors under s.
 14 288.1045, contracts for transportation projects under s.
 15 288.063, the sports franchise facility program under s.
 16 288.1162, the professional golf hall of fame facility program
 17 under s. 288.1168, the expedited permitting process under s.
 18 403.973, the Rural Community Development Revolving Loan Fund
 19 under s. 288.065, the Regional Rural Development Grants
 20 Program under s. 288.018, the Certified Capital Company Act
 21 under s. 288.99, the Florida State Rural Development Council,
 22 the Rural Economic Development Initiative, and other programs
 23 that are specifically assigned to the office by law, by the
 24 appropriations process, or by the Governor. Notwithstanding
 25 any other provisions of law, the office may expend interest
 26 earned from the investment of program funds deposited in the
 27 ~~Economic Development Trust Fund, the Grants and Donations~~
 28 ~~Trust Fund~~ and the Brownfield Property Ownership Clearance
 29 Assistance Revolving Loan Trust Fund, ~~and the Economic~~
 30 ~~Development Transportation Trust Fund~~ to contract for the
 31 administration of the programs, or portions of the programs,

1 enumerated in this paragraph or assigned to the office by law,
2 by the appropriations process, or by the Governor. Such
3 expenditures shall be subject to review under chapter 216.

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

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

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

30 240.4075 Nursing Student Loan Forgiveness Program.--
31

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

22 ~~(b) All Nursing Student Loan Forgiveness Trust Fund~~
 23 ~~moneys shall be invested pursuant to s. 18.125. Interest~~
 24 ~~income accruing to that portion of the trust fund not matched~~
 25 ~~shall increase the total funds available for loan forgiveness~~
 26 ~~and scholarships. Pledged contributions shall not be eligible~~
 27 ~~for matching prior to the actual collection of the total~~
 28 ~~private contribution for the year.~~

29 Section 71. The amendment of subsection (8) of section
 30 240.4075, Florida Statutes, by this act shall expire on July
 31 1, 2003, and the text of that subsection shall revert to that

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

6 Section 72. In order to implement Specific
7 Appropriation 349 of the 2002-2003 General Appropriations Act,
8 subsection (3) of section 385.207, Florida Statutes, is
9 amended to read:

10 385.207 Care and assistance of persons with epilepsy;
11 establishment of programs in epilepsy control.--

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

21 Section 73. The amendment of subsection (3) of section
22 385.207, Florida Statutes, by this act shall expire on July 1,
23 2003, and the text of that subsection shall revert to that in
24 existence on June 30, 2002, except that any amendments to such
25 text enacted other than by this act shall be preserved and
26 continue to operate to the extent that such amendments are not
27 dependent upon the portions of such text which expire pursuant
28 to the provisions of this act.

29 Section 74. In order to implement Specific
30 Appropriation 1170 of the 2002-2003 General Appropriations
31

1 Act, subsection (1) of section 860.158, Florida Statutes, is
2 amended to read:

3 860.158 Florida Motor Vehicle Theft Prevention Trust
4 Fund.--

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

13 Section 75. The amendment of subsection (1) of section
14 860.158, Florida Statutes, by this act shall expire on July 1,
15 2003, and the text of that subsection shall revert to that in
16 existence on June 30, 2002, except that any amendments to such
17 text enacted other than by this act shall be preserved and
18 continue to operate to the extent that such amendments are not
19 dependent upon the portions of such text which expire pursuant
20 to the provisions of this act.

21 Section 76. In order to implement Specific
22 Appropriation 1170 of the 2002-2003 General Appropriations
23 Act, subsection (1) of section 938.01, Florida Statutes, as
24 amended by section 18 of chapter 2002-55, Laws of Florida, is
25 amended to read:

26 938.01 Additional Court Cost Clearing Trust Fund.--

27 (1) All courts created by Art. V of the State
28 Constitution shall, in addition to any fine or other penalty,
29 assess \$3 as a court cost against every person convicted for
30 violation of a state penal or criminal statute or convicted
31 for violation of a municipal or county ordinance. Any person

1 whose adjudication is withheld pursuant to the provisions of
2 s. 318.14(9) or (10) shall also be assessed such cost. In
3 addition, \$3 from every bond estreature or forfeited bail bond
4 related to such penal statutes or penal ordinances shall be
5 remitted to the Department of Revenue as described in this
6 subsection. However, no such assessment may be made against
7 any person convicted for violation of any state statute,
8 municipal ordinance, or county ordinance relating to the
9 parking of vehicles.

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

18 1. Ninety-two percent to the Department of Law
19 Enforcement Criminal Justice Standards and Training Trust
20 Fund.

21 2. Six and three-tenths percent to the Department of
22 Law Enforcement Operating Trust Fund for the Criminal Justice
23 Grant Program.

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

27 ~~(b) The funds deposited in the Department of Law~~
28 ~~Enforcement Criminal Justice Standards and Training Trust~~
29 ~~Fund, the Department of Law Enforcement Operating Trust Fund,~~
30 ~~and the Department of Children and Family Services Domestic~~
31 ~~Violence Trust Fund may be invested. Any interest earned from~~

1 ~~investing such funds and any unencumbered funds remaining at~~
2 ~~the end of the budget cycle shall remain in the respective~~
3 ~~trust fund.~~

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

7 Section 77. The amendment of subsection (1) of section
8 938.01, Florida Statutes, by this act shall expire on July 1,
9 2003, and the text of that subsection shall revert to that in
10 existence on June 30, 2002, except that any amendments to such
11 text enacted other than by this act shall be preserved and
12 continue to operate to the extent that such amendments are not
13 dependent upon the portions of such text which expire pursuant
14 to the provisions of this act.

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

26 Section 79. A section of this act that implements a
27 specific appropriation or specifically identified proviso
28 language in the 2002-2003 General Appropriations Act is void
29 if the specific appropriation or specifically identified
30 proviso language is vetoed. A section of this act that
31 implements more than one specific appropriation or more than

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

5 Section 80. If any other act passed in 2002 contains a
6 provision that is substantively the same as a provision in
7 this act, but that removes or is otherwise not subject to the
8 future repeal applied to such provision by this act, the
9 Legislature intends that the provision in the other act shall
10 take precedence and shall continue to operate, notwithstanding
11 the future repeal provided by this act.

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

25 Section 82. If any provision of this act or its
26 application to any person or circumstance is held invalid, the
27 invalidity shall not affect other provisions or applications
28 of the act which can be given effect without the invalid
29 provision or application, and to this end the provisions of
30 this act are declared severable.

31

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

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