



1 A bill to be entitled

2 An act implementing the 2003-2004 General Appropriations
3 Act; providing legislative intent; providing accounting
4 requirements for the state universities for the 2003-2004
5 fiscal year; amending ss. 430.204 and 430.205, F.S.;
6 requiring the Department of Elderly Affairs to fund
7 certain community care services and core services for the
8 elderly; amending s. 216.292, F.S.; authorizing the
9 Department of Children and Family Services to transfer
10 funds within the family safety program; amending s.
11 561.121, F.S.; providing that moneys in the Children and
12 Adolescents Substance Abuse Trust Fund may also be used
13 for the purpose of funding programs directed at reducing
14 and eliminating substance abuse problems among adults;
15 amending s. 409.1671, F.S.; requiring that funds for
16 privatized foster care and related services be allocated
17 in accordance with a methodology adopted by the Department
18 of Children and Family Services by rule and granting
19 rulemaking authority for such purpose; providing for lump
20 sum funding in the Department of Children and Family
21 Services to provide for continuity of foster care under
22 certain circumstances; amending s. 394.908, F.S.;
23 providing for substance abuse and mental health funding
24 equity as provided in the General Appropriations Act;
25 authorizing the Department of Children and Family Services
26 to procure contractual services to outsource the operation
27 of the Northeast Florida State Hospital; amending s.
28 381.0066, F.S.; continuing the additional fee on new
29 construction permits for onsite sewage treatment and
30 disposal systems the proceeds of which are used for system



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31 research, demonstration, and training projects; amending
32 s. 385.207, F.S.; authorizing appropriation of funds in
33 the Epilepsy Services Trust Fund for epilepsy case
34 management services; authorizing the Department of Law
35 Enforcement to use certain moneys to provide bonuses to
36 employees for meritorious performance, subject to review;
37 amending s. 216.181, F.S.; authorizing the Department of
38 Law Enforcement to transfer positions and associated
39 budget and a certain percentage of salary rate between
40 budget entities and providing requirements with respect
41 thereto; authorizing the Correctional Privatization
42 Commission to make certain expenditures to defray costs
43 incurred by a municipality or county as a result of
44 opening or operating a facility under authority of the
45 commission or the Department of Juvenile Justice; amending
46 s. 16.555, F.S.; authorizing use of the Crime Stoppers
47 Trust Fund to pay for salaries and benefits and other
48 expenses of the Department of Legal Affairs; amending s.
49 860.158, F.S.; providing directives for the use of moneys
50 in the Florida Motor Vehicle Theft Prevention Trust Fund;
51 amending s. 932.7055, F.S.; allowing municipal special law
52 enforcement trust funds to be used to reimburse certain
53 loans from municipalities; amending s. 581.184, F.S.;
54 requiring notice to the property owner of the removal of
55 infected citrus trees or citrus trees exposed to
56 infection; amending s. 581.1845, F.S.; revising
57 eligibility for compensation of homeowners under the
58 citrus canker eradication program; prescribing the amount
59 of compensation for trees taken in the citrus canker
60 eradication program; amending s. 215.981, F.S.; exempting



61 certain citizen support organizations for the Department
62 of Environmental Protection from the requirement to have
63 an independent audit; amending s. 61.1826, F.S.; revising
64 provisions relating to the special master to resolve
65 disputes involving cooperative agreement and contract
66 terms for certain state and federal child support
67 provisions; amending s. 287.161, F.S.; requiring the
68 Department of Management Services to charge all persons
69 receiving transportation from the executive aircraft pool
70 a specified rate; amending s. 110.116, F.S.; authorizing
71 the Department of Management Services to contract with a
72 vendor to provide a personnel information system; amending
73 s. 110.152, F.S.; authorizing the Department of Management
74 Services to make lump-sum payments for adoption benefits
75 for state employees; amending s. 110.2035, F.S.; revising
76 provisions governing the classification and compensation
77 program for state employees; requiring the Department of
78 Management Services to adopt rules, including emergency
79 rules, necessary to implement such program; amending s.
80 110.12315, F.S.; providing copayment requirements for the
81 state employees' prescription drug program; amending s.
82 110.1239, F.S.; providing requirements for the funding of
83 the state group health insurance program; amending s.
84 112.061, F.S.; providing for computation of travel time
85 and reimbursement for public officers' and employees'
86 travel; amending s. 121.091, F.S.; authorizing certain
87 school administrative personnel to participate in the
88 DROP; amending s. 252.373, F.S.; providing for use of
89 funds of the Emergency Management, Preparedness, and
90 Assistance Trust Fund, including use of certain funds as



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91 state match for current federally approved disaster
92 projects; amending s. 215.559, F.S.; providing that use of
93 the Florida Hurricane Catastrophe Fund shall be as
94 provided in the General Appropriations Act; amending s.
95 253.025, F.S.; providing that the use of funds allocated
96 to the Relocation and Construction Trust Fund shall be as
97 provided in the General Appropriations Act; amending s.
98 373.4145, F.S.; extending the period for the interim
99 permitting program for the management and storage of
100 surface waters within the geographical jurisdiction of the
101 Northwest Florida Water Management District; amending s.
102 290.044, F.S.; eliminating required distribution
103 percentages for program categories from the Florida Small
104 Cities Community Development Block Grant Program Fund and
105 authorizing the set-aside of a certain amount of such
106 funds for certain emergency-related activities; amending
107 s. 15.09, F.S.; deleting provisions relating to creation
108 and use of the Public Access Data Systems Trust Fund;
109 amending s. 265.2861, F.S.; removing funding of specified
110 programs through the Cultural Institutions Trust Fund;
111 amending s. 267.0617, F.S.; deleting a funding source for
112 the Historic Preservation Grant Program; amending s.
113 607.1901, F.S.; eliminating transfers of specified funds
114 from the Corporations Trust Fund; amending s. 607.19011,
115 F.S.; providing for use of the Corporations Trust Fund as
116 directed by the Legislature; amending s. 402.3017, F.S.;
117 providing for administration of the Teacher Education and
118 Compensation Helps (TEACH) scholarship program by the
119 Agency for Workforce Innovation; amending s. 411.01, F.S.;
120 providing priority for placement of children in the school



121 readiness program; amending s. 1013.62, F.S.; providing
 122 that funds for charter school capital outlay funding shall
 123 be distributed by the Department of Education as provided
 124 in the General Appropriations Act; amending s. 1009.66,
 125 F.S.; deleting certain provisions relating to investment
 126 and use of interest income of the Nursing Student Loan
 127 Forgiveness Trust Fund; amending s. 385.207, F.S.;

128 deleting certain provisions relating to investment and use
 129 of interest income of the Epilepsy Services Trust Fund;
 130 amending s. 570.544, F.S.; reducing consumer complaint
 131 processing responsibilities of the Division of Consumer
 132 Services of the Department of Agriculture and Consumer
 133 Services; amending ss. 526.3135 and 559.921, F.S., to
 134 conform; providing for transfer pursuant to law or a type
 135 two transfer of all powers, duties, functions, records,
 136 personnel, property, and unexpended balances of
 137 appropriations, allocations, and other funds of the Office
 138 of Program Policy Analysis and Government Accountability
 139 to the Office of the Auditor General; providing for a type
 140 two transfer of all powers, duties, functions, records,
 141 personnel, property, and unexpended balances of
 142 appropriations, allocations, and other funds of the
 143 Council for Education Policy Research and Improvement to
 144 the Office of the Auditor General; providing for future
 145 repeal or expiration of various provisions; providing for
 146 reversion of certain provisions; providing effect of veto
 147 of specific appropriation or proviso to which implementing
 148 language refers; providing applicability to other
 149 legislation; incorporating by reference specified
 150 performance measures and standards directly linked to the



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151 appropriations made in the 2003-2004 General
152 Appropriations Act, as required by the Government
153 Performance and Accountability Act of 1994; providing
154 severability; providing an effective date.

155

156 Be It Enacted by the Legislature of the State of Florida:

157

158 Section 1. It is the intent of the Legislature that the
159 implementing and administering provisions of this act apply to
160 the General Appropriations Act for fiscal year 2003-2004.

161 Section 2. In order to implement Specific Appropriations
162 7-11, 123-128, and 130 of the 2003-2004 General Appropriations
163 Act:

164 (1) Effective July 1, 2003, each university that has not
165 made the transition from the state accounting system (FLAIR)
166 shall utilize the state accounting system for fiscal year 2003-
167 2004 but is not required to provide funds to the Department of
168 Financial Services for its utilization.

169 (2) Notwithstanding the provisions of ss. 216.181,
170 216.292, and 1011.4105, Florida Statutes, and pursuant to s.
171 216.351, Florida Statutes, funds appropriated or reappropriated
172 to the state universities in the 2003-2004 General
173 Appropriations Act, or any other act passed by the 2003
174 Legislature containing appropriations, shall be distributed to
175 each university according to the 2003-2004 fiscal year operating
176 budget approved by the university board of trustees. Each
177 university board of trustees shall have authority to amend the
178 operating budget as circumstances warrant. The operating budget
179 may utilize traditional appropriation categories or it may
180 consolidate the appropriations into a special category



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181 appropriation account. The Chief Financial Officer, upon the
182 request of the university board of trustees, shall record by
183 journal transfer the distribution of the appropriated funds and
184 releases according to the approved operating budget to the
185 appropriation accounts established for disbursement purposes for
186 each university within the state accounting system (FLAIR).

187 (3) Notwithstanding the provisions of ss. 216.181,
188 216.292, 1004.22, and 1011.4105, Florida Statutes, and pursuant
189 to s. 216.351, Florida Statutes, each university board of
190 trustees shall include in an approved operating budget the
191 revenue in trust funds supported by student and other fees as
192 well as the trust funds within the Contract, Grants, and
193 Donations, Auxiliary Enterprises, and Sponsored Research budget
194 entities. The university board of trustees shall have the
195 authority to amend the operating budget as circumstances
196 warrant. The operating budget may utilize traditional
197 appropriation categories or it may consolidate the trust fund
198 spending authority into a special category appropriation
199 account. The Chief Financial Officer, upon the request of the
200 university board of trustees, shall record the distribution of
201 the trust fund spending authority and releases according to the
202 approved operating budget to the appropriation accounts
203 established for disbursement purposes for each university within
204 the state accounting system (FLAIR).

205 (4) This section expires July 1, 2004.

206 Section 3. In order to implement Specific Appropriations
207 426-441 of the 2003-2004 General Appropriations Act, paragraph
208 (b) of subsection (1) of section 430.204, Florida Statutes, is
209 amended to read:



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210 430.204 Community-care-for-the-elderly core services;
 211 departmental powers and duties.--

212 (1)

213 (b) For fiscal year 2003-2004 ~~2002-2003~~ only, the
 214 department shall fund, through each area agency on aging in each
 215 county as defined in s. 125.011(1), more than one community care
 216 service system the primary purpose of which is the prevention of
 217 unnecessary institutionalization of functionally impaired
 218 elderly persons through the provision of community-based core
 219 services. This paragraph expires July 1, 2004 ~~2003~~.

220 Section 4. In order to implement Specific Appropriations
 221 426-441 of the 2003-2004 General Appropriations Act, paragraph
 222 (b) of subsection (1) of section 430.205, Florida Statutes, is
 223 amended to read:

224 430.205 Community care service system.--

225 (1)

226 (b) For fiscal year 2003-2004 ~~2002-2003~~ only, the
 227 department shall fund, through the area agency on aging in each
 228 county as defined in s. 125.011(1), more than one community care
 229 service system that provides case management and other in-home
 230 and community services as needed to help elderly persons
 231 maintain independence and prevent or delay more costly
 232 institutional care. This paragraph expires July 1, 2004 ~~2003~~.

233 Section 5. In order to implement Specific Appropriations
 234 274-276 of the 2003-2004 General Appropriations Act, subsection
 235 (12) of section 216.292, Florida Statutes, is amended to read:

236 216.292 Appropriations nontransferable; exceptions.--

237 (12) For the 2003-2004 ~~2002-2003~~ fiscal year only, and
 238 notwithstanding the other provisions of this section, the
 239 Department of Children and Family Services may transfer funds



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240 within the family safety program identified in the General
 241 Appropriations Act from identical funding sources between the
 242 following appropriation categories without limitation as long as
 243 such a transfer does not result in an increase to the total
 244 recurring general revenue or trust fund cost of the agency in
 245 the subsequent fiscal year: adoption services and subsidy;
 246 family foster care; and emergency shelter care. Such transfers
 247 must be consistent with legislative policy and intent and must
 248 not adversely affect achievement of approved performance
 249 outcomes or outputs in the family safety program. Notice of
 250 proposed transfers under this authority must be provided to the
 251 Executive Office of the Governor and the chairs of the
 252 legislative appropriations committees at least 5 working days
 253 before their implementation. This subsection expires July 1,
 254 2004 ~~2003~~.

255 Section 6. In order to implement Specific Appropriation
 256 357 of the 2003-2004 General Appropriations Act, subsection (4)
 257 of section 561.121, Florida Statutes, is amended to read:

258 561.121 Deposit of revenue.--

259 (4)(a) State funds collected pursuant to s. 561.501 shall
 260 be paid into the State Treasury and credited to the following
 261 accounts:

262 1.~~(a)~~ Twenty-seven and two-tenths percent of the surcharge
 263 on the sale of alcoholic beverages for consumption on premises
 264 shall be transferred to the Children and Adolescents Substance
 265 Abuse Trust Fund, which shall remain with the Department of
 266 Children and Family Services for the purpose of funding programs
 267 directed at reducing and eliminating substance abuse problems
 268 among children and adolescents.



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269 ~~2.(b)~~ The remainder of collections shall be credited to
 270 the General Revenue Fund.

271 (b) For the 2003-2004 fiscal year only, and
 272 notwithstanding the provisions of subparagraph (a)1., moneys in
 273 the Children and Adolescents Substance Abuse Trust Fund may also
 274 be used for the purpose of funding programs directed at reducing
 275 and eliminating substance abuse problems among adults. This
 276 paragraph expires July 1, 2004.

277 Section 7. In order to implement Specific Appropriations
 278 265-268, 268B, 270A-272, and 274-277, paragraph (b) of
 279 subsection (1) of section 409.1671, Florida Statutes, is amended
 280 to read:

281 409.1671 Foster care and related services;
 282 privatization.--

283 (1)

284 (b) It is the intent of the Legislature that the
 285 department will continue to work towards full privatization by
 286 initiating the competitive procurement process in each county by
 287 January 1, 2003. In order to provide for an adequate transition
 288 period to develop the necessary administrative and service
 289 delivery capacity in each community, the full transfer of all
 290 foster care and related services must be completed statewide by
 291 December 31, 2004. The department shall adopt by rule pursuant
 292 to ss. 120.536(1) and 120.54 a methodology for determining and
 293 transferring all available funds currently associated with the
 294 services that are being furnished under contract. This
 295 methodology must provide for the transfer of funds appropriated
 296 and budgeted for all services and programs that have been
 297 incorporated into this program, including furniture, equipment,
 298 and administrative funds, to accomplish the transfer of these



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299 programs. The funds appropriated for this program that are
300 distributed between the counties and the districts and to
301 community-based care providers in the state to provide child
302 protective services as contemplated in this subsection shall be
303 allocated pursuant to the terms of the rule. The rule shall
304 provide for a phased implementation of its provisions, and until
305 such time as the rule is finalized and adopted the department
306 shall allocate funds in the same proportion as the annualized
307 distribution of funds at the end of fiscal year 2002-2003.

308 Section 8. The amendment of paragraph (b) of subsection
309 (1) of s. 409.1671, Florida Statutes, by this act shall expire
310 on July 1, 2004, and the text of that paragraph shall revert to
311 that in existence on June 30, 2003, except that any amendments
312 to such text enacted other than by this act shall be preserved
313 and continue to operate to the extent that such amendments are
314 not dependent upon the portions of such text which expire
315 pursuant to the provisions of this act.

316 Section 9. In order to implement Specific Appropriation
317 269A of the 2003-2004 General Appropriations Act, subsection (7)
318 of section 409.1671, Florida Statutes, is amended to read:

319 409.1671 Foster care and related services;
320 privatization.--

321 (7) The department, in consultation with existing lead
322 agencies, shall develop a proposal regarding the long-term use
323 and structure of a statewide shared earnings program which
324 addresses the financial risk to eligible lead community-based
325 providers resulting from unanticipated caseload growth or from
326 significant changes in client mixes or services eligible for
327 federal reimbursement. The recommendations in the statewide
328 proposal must also be available to entities of the department



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329 until the conversion to community-based care takes place. At a
330 minimum, the proposal must allow for use of federal earnings
331 received from child welfare programs, which earnings are
332 determined by the department to be in excess of the amount
333 appropriated in the General Appropriations Act, to be used for
334 specific purposes. These purposes include, but are not limited
335 to:

336 (a) Significant changes in the number or composition of
337 clients eligible to receive services.

338 (b) Significant changes in the services that are eligible
339 for reimbursement.

340 (c) Significant changes in the availability of federal
341 funds.

342 (d) Shortfalls in state funds available for eligible or
343 ineligible services.

344 (e) Significant changes in the mix of available funds.

345 (f) Scheduled or unanticipated, but necessary, advances to
346 providers or other cash-flow issues.

347 (g) Proposals to participate in optional Medicaid services
348 or other federal grant opportunities.

349 (h) Appropriate incentive structures.

350 (i) Continuity of care in the event of lead agency
351 failure, discontinuance of service, or financial misconduct.

352

353 The department shall further specify the necessary steps to
354 ensure the financial integrity of these dollars and their
355 continued availability on an ongoing basis. The final proposal
356 shall be submitted to the Legislative Budget Commission for
357 formal adoption before December 31, 2002. If the Legislative
358 Budget Commission refuses to concur with the adoption of the



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359 proposal, the department shall present its proposal in the form
360 of recommended legislation to the President of the Senate and
361 the Speaker of the House of Representatives before the
362 commencement of the next legislative session. For fiscal year
363 2003-2004 and annually thereafter, the department ~~of Children~~
364 ~~and Family Services~~ may request in its legislative budget
365 request, and the Governor may recommend, the funding necessary
366 to carry out paragraph (i) from excess federal earnings. The
367 General Appropriations Act shall include any funds appropriated
368 for this purpose in a lump sum in the department Administered
369 ~~Funds Program~~, which funds constitute partial security for lead
370 agency contract performance. The department shall use this
371 appropriation to offset the need for a performance bond for that
372 year after a comparison of risk to the funds available. In no
373 event shall this performance bond exceed 2.5 percent of the
374 annual contract value. The department may separately require a
375 bond to mitigate the financial consequences of potential acts of
376 malfeasance, misfeasance, or criminal violations by the
377 provider. Prior to the release of any funds in the lump sum, the
378 department shall submit a detailed operational plan, which must
379 identify the sources of specific trust funds to be used. The
380 release of the trust fund shall be subject to the notice and
381 review provisions of s. 216.177. However, the release shall not
382 require approval of the Legislative Budget Commission.

383 Section 10. The amendment of subsection (7) of s.
384 409.1671, Florida Statutes, by this act shall expire on July 1,
385 2004, and the text of that subsection shall revert to that in
386 existence on June 30, 2003, except that any amendments to such
387 text enacted other than by this act shall be preserved and
388 continue to operate to the extent that such amendments are not



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389 dependent upon the portions of such text which expire pursuant
 390 to the provisions of this act.

391 Section 11. In order to implement Specific Appropriations
 392 324-357A of the 2003-2004 General Appropriations Act, subsection
 393 (8) of section 394.908, Florida Statutes, is amended to read:

394 394.908 Substance abuse and mental health funding equity;
 395 distribution of appropriations.--In recognition of the
 396 historical inequity among service districts of the former
 397 Department of Health and Rehabilitative Services in the funding
 398 of substance abuse and mental health services, and in order to
 399 rectify this inequity and provide for equitable funding in the
 400 future throughout the state, the following funding process shall
 401 be adhered to:

402 (8) For fiscal year 2003-2004 ~~2002-2003~~ only, and
 403 notwithstanding the provisions of this section, all new funds
 404 received in excess of fiscal year 2002-2003 ~~2001-2002~~ recurring
 405 appropriations shall be allocated in accordance with the
 406 provisions of the General Appropriations Act; however, no
 407 district shall receive an allocation of recurring funds less
 408 than its initial approved operating budget, plus any
 409 distributions of lump sum appropriations or reductions in
 410 unfunded budget, for fiscal year 2002-2003 ~~2001-2002~~. This
 411 subsection expires July 1, 2004 ~~2003~~.

412 Section 12. In order to implement Specific Appropriation
 413 415 of the 2003-2004 General Appropriations Act, for the 2003-
 414 2004 fiscal year only, and notwithstanding the provisions of s.
 415 287.057, Florida Statutes, the Department of Children and Family
 416 Services is authorized to procure contractual services to
 417 outsource the operation of the Northeast Florida State Hospital
 418 with a qualified vendor with experience in operating a mental



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419 health treatment facility in this state. This section expires
 420 July 1, 2004.

421 Section 13. In order to implement Specific Appropriation
 422 519 of the 2003-2004 General Appropriations Act, paragraph (k)
 423 of subsection (2) of section 381.0066, Florida Statutes, is
 424 amended to read:

425 381.0066 Onsite sewage treatment and disposal systems;
 426 fees.--

427 (2) The minimum fees in the following fee schedule apply
 428 until changed by rule by the department within the following
 429 limits:

430 (k) Research: An additional \$5 fee shall be added to each
 431 new system construction permit issued during fiscal years 1996-
 432 2004 ~~1996-2003~~ to be used for onsite sewage treatment and
 433 disposal system research, demonstration, and training projects.
 434 Five dollars from any repair permit fee collected under this
 435 section shall be used for funding the hands-on training centers
 436 described in s. 381.0065(3)(j).

437
 438 The funds collected pursuant to this subsection must be
 439 deposited in a trust fund administered by the department, to be
 440 used for the purposes stated in this section and ss. 381.0065
 441 and 381.00655.

442 Section 14. In order to implement Specific Appropriation
 443 477 of the 2003-2004 General Appropriations Act, subsection (6)
 444 of section 385.207, Florida Statutes, is amended to read:

445 385.207 Care and assistance of persons with epilepsy;
 446 establishment of programs in epilepsy control.--

447 (6) For the 2003-2004 ~~2002-2003~~ fiscal year only, funds in
 448 the Epilepsy Services Trust Fund may be appropriated for



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449 epilepsy case management services. This subsection expires July
450 1, 2004 ~~2003~~.

451 Section 15. Consistent with the provisions of s. 216.163,
452 Florida Statutes, in accordance with performance-based program
453 budgeting requirements, and notwithstanding the provisions of s.
454 216.181, Florida Statutes, the Department of Law Enforcement may
455 transfer up to one-half of 1 percent of the funds in Specific
456 Appropriations 1118, 1139, 1148, 1156, 1168, 1170, 1175, 1181,
457 1190, and 1195 of the 2002-2003 General Appropriations Act for
458 salary bonuses for departmental employees at the discretion of
459 the executive director, provided that such bonuses are given
460 only to selected employees for meritorious performance, instead
461 of being given as across-the-board bonuses for all employees.
462 The department, after consultation with the Executive Office of
463 the Governor, shall provide a plan to the chairs of the
464 legislative appropriations committees responsible for producing
465 the General Appropriations Act for review before awarding such
466 bonuses. This section expires July 1, 2004.

467 Section 16. In order to implement Specific Appropriations
468 1118-1201 of the 2003-2004 General Appropriations Act,
469 subsection (17) of section 216.181, Florida Statutes, is amended
470 to read:

471 216.181 Approved budgets for operations and fixed capital
472 outlay.--

473 (17) Notwithstanding any other provision of this section
474 to the contrary, and for the 2003-2004 ~~2002-2003~~ fiscal year
475 only, the Department of Law Enforcement may transfer up to 20
476 positions and associated budget between budget entities,
477 provided the same funding source is used throughout each
478 transfer. The department may also transfer up to 10 percent of



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479 the initial approved salary rate between budget entities,
480 provided the same funding source is used throughout each
481 transfer. The department must provide notice to the Executive
482 Office of the Governor, the chair of the Senate Budget
483 Committee, and the chair of the House Committee on Criminal
484 Justice Appropriations for all transfers of positions or salary
485 rate. This subsection expires July 1, 2004 ~~2003~~.

486 Section 17. In order to implement proviso language
487 following Specific Appropriation 642 of the 2003-2004 General
488 Appropriations Act, the Correctional Privatization Commission
489 may expend appropriated funds to assist in defraying the costs
490 of impacts that are incurred by a municipality or county and
491 associated with opening or operating a facility under the
492 authority of the Correctional Privatization Commission or a
493 facility under the authority of the Department of Juvenile
494 Justice which is located within that municipality or county. The
495 amount that is to be paid under this section for any facility
496 may not exceed 1 percent of the facility construction cost, less
497 building impact fees imposed by the municipality or by the
498 county if the facility is located in the unincorporated portion
499 of the county. This section expires July 1, 2004.

500 Section 18. In order to implement Specific Appropriations
501 1202-1256 of the 2003-2004 General Appropriations Act, paragraph
502 (b) of subsection (3) of section 16.555, Florida Statutes, is
503 amended to read:

504 16.555 Crime Stoppers Trust Fund; rulemaking.--

505 (3)

506 (b) For the 2003-2004 ~~2002-2003~~ state fiscal year only,
507 and notwithstanding any provision of this section to the
508 contrary, moneys in the trust fund may also be used to pay for



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509 salaries and benefits and other expenses of the department. This
 510 paragraph expires July 1, 2004 ~~2003~~.

511 Section 19. In order to implement Specific Appropriations
 512 1202-1256 of the 2003-2004 General Appropriations Act, paragraph
 513 (b) of subsection (2) of section 860.158, Florida Statutes, is
 514 amended to read:

515 860.158 Florida Motor Vehicle Theft Prevention Trust
 516 Fund.--

517 (2)

518 (b) For the 2003-2004 ~~2002-2003~~ fiscal year only, and
 519 notwithstanding s. 320.08046, the use of funds allocated to the
 520 Florida Motor Vehicle Theft Prevention Trust Fund may also be as
 521 provided in the General Appropriations Act. This paragraph
 522 expires July 1, 2004 ~~2003~~.

523 Section 20. In order to implement Specific Appropriation
 524 1164 of the 2003-2004 General Appropriations Act, paragraph (d)
 525 of subsection (4) of section 932.7055, Florida Statutes, is
 526 amended to read:

527 932.7055 Disposition of liens and forfeited property.--

528 (4)

529 (d) Notwithstanding any other provision of this
 530 subsection, and for the 2003-2004 ~~2002-2003~~ fiscal year only,
 531 the funds in a special law enforcement trust fund established by
 532 the governing body of a municipality may be expended to
 533 reimburse the general fund of the municipality for moneys
 534 advanced from the general fund to the special law enforcement
 535 trust fund prior to October 1, 2001. This paragraph expires July
 536 1, 2004 ~~2003~~.

537 Section 21. In order to implement Specific Appropriation
 538 1394A of the 2003-2004 General Appropriations Act, paragraph (b)



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539 of subsection (2) of section 581.184, Florida Statutes, is
540 amended to read:

541 581.184 Adoption of rules; citrus canker eradication;
542 voluntary destruction agreements.--

543 (2)

544 (b) Notwithstanding the provisions of paragraph (a), and
545 for the 2003-2004 ~~2002-2003~~ fiscal year only, notice of the
546 removal of infected citrus trees and citrus trees exposed to
547 infection, by immediate final order, shall be provided to the
548 owner of the property on which such trees are located. This
549 paragraph expires July 1, 2004 ~~2003~~.

550 Section 22. In order to implement section 23 of the 2003-
551 2004 General Appropriations Act, paragraph (b) of subsection (2)
552 and subsection (6) of section 581.1845, Florida Statutes, are
553 amended to read:

554 581.1845 Citrus canker eradication; compensation to
555 homeowners whose trees have been removed.--

556 (2)

557 (b) Notwithstanding subparagraph (a)1., and for
558 compensation during the 2003-2004 ~~2002-2003~~ fiscal year only, to
559 be eligible to receive compensation under the program for
560 residential property where one or more citrus trees have been
561 removed on or after July 1, 2001, as part of a citrus canker
562 eradication program, a homeowner must be the homeowner of record
563 on the date the trees were removed. This paragraph expires July
564 1, 2004 ~~2003~~.

565 (6) For the 2003-2004 ~~2002-2003~~ fiscal year only, and
566 notwithstanding the \$100-compensation amount specified in
567 subsection (3), the amount of compensation for each tree removed



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568 from residential property by the citrus canker eradication
 569 program shall be \$55. This subsection expires July 1, 2004 ~~2003~~.

570 Section 23. In order to implement Specific Appropriation
 571 1700 of the 2003-2004 General Appropriations Act, subsection (2)
 572 of section 215.981, Florida Statutes, is amended to read:

573 215.981 Audits of state agency direct-support
 574 organizations and citizen support organizations.--

575 (2) Notwithstanding the provisions of subsection (1), and
 576 for the 2003-2004 ~~2002-2003~~ fiscal year only, citizen support
 577 organizations for the Department of Environmental Protection
 578 that are not for profit and that have annual expenditures of
 579 less than \$100,000 are not required to have an independent
 580 audit. This subsection expires July 1, 2004 ~~2003~~.

581 Section 24. In order to implement Specific Appropriations
 582 2804 and 2819 of the 2003-2004 General Appropriations Act,
 583 subsection (4) of section 61.1826, Florida Statutes, is amended
 584 to read:

585 61.1826 Procurement of services for State Disbursement
 586 Unit and the non-Title IV-D component of the State Case
 587 Registry; contracts and cooperative agreements; penalties;
 588 withholding payment.--

589 (4) COOPERATIVE AGREEMENT AND CONTRACT TERMS.--The
 590 contract between the Florida Association of Court Clerks and the
 591 department, and cooperative agreements entered into by the
 592 depositories and the department, must contain, but are not
 593 limited to, the following terms:

594 (a) The initial term of the contract and cooperative
 595 agreements is for 5 years. The subsequent term of the contract
 596 and cooperative agreements is for 3 years, with the option of



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597 two 1-year renewal periods, at the sole discretion of the
598 department.

599 (b) The duties and responsibilities of the Florida
600 Association of Court Clerks, the depositories, and the
601 department.

602 (c) Under s. 287.058(1)(a), all providers and
603 subcontractors shall submit to the department directly, or
604 through the Florida Association of Court Clerks, a report of
605 monthly expenditures in a format prescribed by the department
606 and in sufficient detail for a proper preaudit and postaudit
607 thereof.

608 (d) All providers and subcontractors shall submit to the
609 department directly, or through the Florida Association of Court
610 Clerks, management reports in a format prescribed by the
611 department.

612 (e) All subcontractors shall comply with chapter 280, as
613 may be required.

614 (f) Federal financial participation for eligible Title IV-
615 D expenditures incurred by the Florida Association of Court
616 Clerks and the depositories shall be at the maximum level
617 permitted by federal law for expenditures incurred for the
618 provision of services in support of child support enforcement in
619 accordance with 45 C.F.R. part 74 and Federal Office of
620 Management and Budget Circulars A-87 and A-122 and based on an
621 annual cost allocation study of each depository. The
622 depositories shall submit directly, or through the Florida
623 Association of Court Clerks, claims for Title IV-D expenditures
624 monthly to the department in a standardized format as prescribed
625 by the department. The Florida Association of Court Clerks shall
626 contract with a certified public accounting firm, selected by



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627 the Florida Association of Court Clerks and the department, to
 628 audit and certify quarterly to the department all claims for
 629 expenditures submitted by the depositories for Title IV-D
 630 reimbursement.

631 (g) Upon termination of the contracts between the
 632 department and the Florida Association of Court Clerks or the
 633 depositories, the Florida Association of Court Clerks, its
 634 agents, and the depositories shall assist the department in
 635 making an orderly transition to a private vendor.

636 (h) Interest on late payment by the department shall be in
 637 accordance with s. 215.422.

638
 639 If either the department or the Florida Association of Court
 640 Clerks objects to a term of the standard cooperative agreement
 641 or contract specified in subsections (2) and (3), the Chief
 642 Financial Officer, with approval from the Governor and Cabinet,
 643 shall appoint a third party to ~~disputed term or terms shall be~~
 644 ~~presented jointly by the parties to the Attorney General or the~~
 645 ~~Attorney General's designee, who shall act as special master.~~
 646 The special master shall resolve disputes between the department
 647 and the Florida Association of Court Clerks related to
 648 negotiation for and performance under the current contract and
 649 any extended contract or subsequent contract. Additionally, the
 650 special master shall resolve disputes relating to the
 651 conformance of the state disbursement unit operations to the
 652 recommendations in the audit performed by the chief financial
 653 officer, or to any other audit duly conducted pursuant to state
 654 or federal law. The special master shall resolve the dispute in
 655 writing within 10 days. The resolution of a dispute by the



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656 special master is binding on the department and the Florida
657 Association of Court Clerks.

658 Section 25. The amendment of subsection (4) of s. 61.1826,
659 Florida Statutes, by this act shall expire on July 1, 2004, and
660 the text of that subsection shall revert to that in existence on
661 June 30, 2003, except that any amendments to such text enacted
662 other than by this act shall be preserved and continue to
663 operate to the extent that such amendments are not dependent
664 upon the portions of such text which expire pursuant to the
665 provisions of this act.

666 Section 26. In order to implement Specific Appropriations
667 2592-2598A of the 2003-2004 General Appropriations Act,
668 subsection (4) of section 287.161, Florida Statutes, is amended
669 to read:

670 287.161 Executive aircraft pool; assignment of aircraft;
671 charge for transportation.--

672 (4) Notwithstanding the requirements of subsections (2)
673 and (3), and for the 2003-2004 ~~2002-2003~~ fiscal year only, the
674 Department of Management Services shall charge all persons
675 receiving transportation from the executive aircraft pool a rate
676 not less than the mileage allowance fixed by the Legislature for
677 the use of privately owned vehicles. Fees collected for persons
678 traveling by aircraft in the executive aircraft pool shall be
679 deposited into the Bureau of Aircraft Trust Fund and shall be
680 expended for costs incurred to operate the aircraft management
681 activities of the department. It is the intent of the
682 Legislature that the executive aircraft pool be operated on a
683 full cost recovery basis, less available funds. This subsection
684 expires July 1, 2004 ~~2003~~.



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685 Section 27. In order to implement Specific Appropriation
 686 2636 of the 2003-2004 General Appropriations Act, subsection (2)
 687 of section 110.116, Florida Statutes, is amended to read:

688 110.116 Personnel information system; payroll
 689 procedures.--

690 (2) For the 2003-2004 ~~2002-2003~~ fiscal year only, and
 691 notwithstanding the requirements of s. 215.94(5) that the
 692 department design, implement, and operate the system and of s.
 693 110.201(1)(e) that the individual employing agencies maintain
 694 records and reports, the department is authorized to contract
 695 with a vendor to provide the personnel information system for
 696 state agencies. The vendor may assist the department in
 697 compiling and reporting personnel data and may assist the
 698 employing agencies in maintaining personnel records. This
 699 subsection expires July 1, 2004 ~~2003~~.

700 Section 28. In order to implement Specific Appropriation
 701 2633A of the 2003-2004 General Appropriations Act, paragraph (a)
 702 of subsection (1) of section 110.152, Florida Statutes, is
 703 amended to read:

704 110.152 Adoption benefits for state employees; parental
 705 leave.--

706 (1)(a)1. Any full-time or part-time employee of the state
 707 who is paid from regular salary appropriations and who adopts a
 708 special-needs child, as defined in paragraph (b), is eligible to
 709 receive a monetary benefit in the amount of \$10,000 per child,
 710 \$5,000 of which is payable in equal monthly installments over a
 711 2-year period. Any employee of the state who adopts a child
 712 whose permanent custody has been awarded to the Department of
 713 Children and Family Services or to a Florida-licensed child-
 714 placing agency, other than a special-needs child as defined in



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715 paragraph (b), shall be eligible to receive a monetary benefit
 716 in the amount of \$5,000 per child, \$2,000 of which is payable in
 717 equal monthly installments over a 2-year period. Benefits paid
 718 under this subsection to a part-time employee must be prorated
 719 based on the employee's full-time-equivalency status at the time
 720 of applying for the benefits.

721 2. For the 2003-2004 ~~2002-2003~~ fiscal year only, the
 722 Department of Management Services is authorized to make lump-sum
 723 payments for adoption benefits awarded during fiscal years 2000-
 724 2001 and 2001-2002. This subparagraph expires July 1, 2004 ~~2003~~.

725 Section 29. In order to implement Specific Appropriations
 726 of funds in Salaries and Benefits categories of the 2003-2004
 727 General Appropriations Act, and effective upon this act becoming
 728 a law, section 110.2035, Florida Statutes, as amended by section
 729 43 of chapter 2002-402, Laws of Florida, is amended to read:

730 110.2035 Classification and compensation program.--

731 (1) The Department of Management Services, ~~in consultation~~
 732 ~~with the Executive Office of the Governor and the Legislature,~~
 733 shall establish and maintain ~~develop~~ a classification and
 734 compensation program addressing. ~~This program shall be developed~~
 735 ~~for use by all state agencies and shall address~~ Career Service,
 736 Selected Exempt Service, and Senior Management Service positions
 737 classes.

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

739 (a) A position classification system using no more than 38
 740 ~~50~~ occupational groups and up to a 6-class series structure for
 741 each occupation within an occupational group. Additional
 742 occupational groups may be established only by the Executive
 743 Office of the Governor after consultation with the Legislature.



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

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

749 (a) The classification system must significantly reduce
750 the need to reclassify positions due to work assignment and
751 organizational changes by decreasing the number of
752 classification changes required.

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

756 (c) The classification system and pay plan must emphasize
757 pay administration and job-performance evaluation by management
758 rather than emphasize use of the classification system to award
759 salary increases.

760 (d) The pay administration system must contain provisions
761 to allow managers the flexibility to move employees through the
762 pay ranges and provide for salary increase additives and lump-
763 sum bonuses, if authorized by the Legislature.

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

768 ~~(5) The Department of Management Services shall submit the~~
769 ~~proposed design of the classification and compensation program~~
770 ~~to the Executive Office of the Governor, the presiding officers~~
771 ~~of the Legislature, and the appropriate legislative fiscal and~~
772 ~~substantive standing committees on or before December 1, 2001.~~



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773 ~~(5)~~⁽⁶⁾ The department shall establish, by rule, guidelines
 774 with respect to, and shall delegate to the employing agencies,
 775 where appropriate, the authority to administer the following:

- 776 (a) Shift differentials.
- 777 (b) On-call fees.
- 778 (c) Hazardous-duty pay.
- 779 (d) Advanced appointment rates.
- 780 (e) Salary increase and decrease corrections.
- 781 (f) Lead-worker pay.
- 782 (g) Temporary special duties pay.
- 783 (h) Trainer-additive pay.
- 784 (i) Competitive area differentials.
- 785 (j) Coordinator pay.
- 786 (k) Critical market pay.

787
 788 The employing agency must use such pay additives as are
 789 appropriate within the guidelines established by the department
 790 and shall advise the department in writing of the plan for
 791 implementing such pay additives prior to the implementation
 792 date. Any action by an employing agency to implement temporary
 793 special duties pay, competitive area differentials, or critical
 794 market pay may be implemented only after the department has
 795 reviewed and recommended such action; however, an employing
 796 agency may use temporary special duties pay for up to 3 months
 797 without prior review by the department. The department shall
 798 annually provide a summary report of the pay additives
 799 implemented pursuant to this section.

800 (6) The department shall adopt any rules necessary to
 801 implement the classification and compensation program to include
 802 Career Service, Selected Exempt Service, and Senior Management



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803 Service positions consistent with the plan submitted to the
 804 Legislature on December 1, 2001; however, the adopted plan shall
 805 include pay bandwidths of 150 percent for each occupational
 806 group except the manager and executive occupational groups. The
 807 department may adopt emergency rules if necessary to implement
 808 this program by July 1, 2003.

809 Section 30. The amendment of s. 110.2035, Florida
 810 Statutes, by this act shall expire on July 1, 2004, and the text
 811 of that section shall revert to that in existence on June 30,
 812 2003, except that any amendments to such text enacted other than
 813 by this act shall be preserved and continue to operate to the
 814 extent that such amendments are not dependent upon the portions
 815 of such text which expire pursuant to the provisions of this
 816 act.

817 Section 31. In order to implement Specific Appropriation
 818 1949B of the 2003-2004 General Appropriations Act, subsection
 819 (7) of section 110.12315, Florida Statutes, is amended to read:

820 110.12315 Prescription drug program.--The state employees'
 821 prescription drug program is established. This program shall be
 822 administered by the Department of Management Services, according
 823 to the terms and conditions of the plan as established by the
 824 relevant provisions of the annual General Appropriations Act and
 825 implementing legislation, subject to the following conditions:

826 (7) Under the state employees' prescription drug program
 827 copayments must be made as follows:

828 (a) Effective January 1, 2001:

- 829 1. For generic drug with card \$7.
- 830 2. For preferred brand name drug with card \$20.
- 831 3. For nonpreferred brand name drug with card \$35.
- 832 4. For generic mail order drug \$10.50.



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833 5. For preferred brand name mail order drug \$30.

834 6. For nonpreferred brand name drug \$52.50.

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

838

839 This subsection expires July 1, 2004 ~~2003~~.

840 Section 32. In order to implement Specific Appropriation
 841 1949B of the 2003-2004 General Appropriations Act, section
 842 110.1239, Florida Statutes, is amended to read:

843 110.1239 State group health insurance program
 844 funding.--For the 2003-2004 ~~2002-2003~~ fiscal year only, it is
 845 the intent of the Legislature that the state group health
 846 insurance program be managed, administered, operated, and funded
 847 in such a manner as to maximize the protection of state employee
 848 health insurance benefits. Inherent in this intent is the
 849 recognition that the health insurance liabilities attributable
 850 to the benefits offered state employees should be fairly,
 851 orderly, and equitably funded. Accordingly:

852 (1) The division shall determine the level of premiums
 853 necessary to fully fund the state group health insurance program
 854 for the next fiscal year. Such determination shall be made after
 855 each Self-Insurance Estimating Conference as provided in s.
 856 216.136(11), but not later than December 1 and April 1 of each
 857 fiscal year.

858 (2) The Governor, in the Governor's recommended budget,
 859 shall provide premium rates necessary for full funding of the
 860 state group health insurance program, and the Legislature shall
 861 provide in the General Appropriations Act for a premium level



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862 necessary for full funding of the state group health insurance
863 program.

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

868 (4) This section expires July 1, 2004 ~~2003~~.

869 Section 33. In order to implement sections 2-7 of the
870 2003-2004 General Appropriations Act, paragraph (c) of
871 subsection (5) and paragraph (d) of subsection (6) of section
872 112.061, Florida Statutes, are amended to read:

873 112.061 Per diem and travel expenses of public officers,
874 employees, and authorized persons.--

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

878 (c) For the 2003-2004 ~~2002-2003~~ fiscal year only, and
879 notwithstanding the other provisions of this subsection, for
880 Class C travel, a state traveler shall not be reimbursed on a
881 per diem basis nor shall a traveler receive subsistence
882 allowance. This paragraph expires July 1, 2004 ~~2003~~.

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

887 (d) For the 2003-2004 ~~2002-2003~~ fiscal year only, and
888 notwithstanding the other provisions of this subsection, for
889 Class C travel, a state traveler shall not be reimbursed on a
890 per diem basis nor shall a traveler receive subsistence
891 allowance. This paragraph expires July 1, 2004 ~~2003~~.



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892 Section 34. In order to implement Specific Appropriation
893 1950B of the 2003-2004 General Appropriations Act, paragraph (a)
894 of subsection (13) of section 121.091, Florida Statutes, is
895 amended to read:

896 121.091 Benefits payable under the system.--Benefits may
897 not be paid under this section unless the member has terminated
898 employment as provided in s. 121.021(39)(a) or begun
899 participation in the Deferred Retirement Option Program as
900 provided in subsection (13), and a proper application has been
901 filed in the manner prescribed by the department. The department
902 may cancel an application for retirement benefits when the
903 member or beneficiary fails to timely provide the information
904 and documents required by this chapter and the department's
905 rules. The department shall adopt rules establishing procedures
906 for application for retirement benefits and for the cancellation
907 of such application when the required information or documents
908 are not received.

909 (13) DEFERRED RETIREMENT OPTION PROGRAM.--In general, and
910 subject to the provisions of this section, the Deferred
911 Retirement Option Program, hereinafter referred to as the DROP,
912 is a program under which an eligible member of the Florida
913 Retirement System may elect to participate, deferring receipt of
914 retirement benefits while continuing employment with his or her
915 Florida Retirement System employer. The deferred monthly
916 benefits shall accrue in the System Trust Fund on behalf of the
917 participant, plus interest compounded monthly, for the specified
918 period of the DROP participation, as provided in paragraph (c).
919 Upon termination of employment, the participant shall receive
920 the total DROP benefits and begin to receive the previously



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921 determined normal retirement benefits. Participation in the DROP
922 does not guarantee employment for the specified period of DROP.

923 (a) Eligibility of member to participate in the DROP.--All
924 active Florida Retirement System members in a regularly
925 established position, and all active members of either the
926 Teachers' Retirement System established in chapter 238 or the
927 State and County Officers' and Employees' Retirement System
928 established in chapter 122 which systems are consolidated within
929 the Florida Retirement System under s. 121.011, are eligible to
930 elect participation in the DROP provided that:

931 1. The member is not a renewed member of the Florida
932 Retirement System under s. 121.122, or a member of the State
933 Community College System Optional Retirement Program under s.
934 121.051, the Senior Management Service Optional Annuity Program
935 under s. 121.055, or the optional retirement program for the
936 State University System under s. 121.35.

937 2. Except as provided in subparagraph 6., election to
938 participate is made within 12 months immediately following the
939 date on which the member first reaches normal retirement date,
940 or, for a member who reaches normal retirement date based on
941 service before he or she reaches age 62, or age 55 for Special
942 Risk Class members, election to participate may be deferred to
943 the 12 months immediately following the date the member attains
944 57, or age 52 for Special Risk Class members. For a member who
945 first reached normal retirement date or the deferred eligibility
946 date described above prior to the effective date of this
947 section, election to participate shall be made within 12 months
948 after the effective date of this section. A member who fails to
949 make an election within such 12-month limitation period shall
950 forfeit all rights to participate in the DROP. The member shall



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951 advise his or her employer and the division in writing of the
952 date on which the DROP shall begin. Such beginning date may be
953 subsequent to the 12-month election period, but must be within
954 the 60-month limitation period as provided in subparagraph (b)1.
955 When establishing eligibility of the member to participate in
956 the DROP for the 60-month maximum participation period, the
957 member may elect to include or exclude any optional service
958 credit purchased by the member from the total service used to
959 establish the normal retirement date. A member with dual normal
960 retirement dates shall be eligible to elect to participate in
961 DROP within 12 months after attaining normal retirement date in
962 either class.

963 3. The employer of a member electing to participate in the
964 DROP, or employers if dually employed, shall acknowledge in
965 writing to the division the date the member's participation in
966 the DROP begins and the date the member's employment and DROP
967 participation will terminate.

968 4. Simultaneous employment of a participant by additional
969 Florida Retirement System employers subsequent to the
970 commencement of participation in the DROP shall be permissible
971 provided such employers acknowledge in writing a DROP
972 termination date no later than the participant's existing
973 termination date or the 60-month limitation period as provided
974 in subparagraph (b)1.

975 5. A DROP participant may change employers while
976 participating in the DROP, subject to the following:

977 a. A change of employment must take place without a break
978 in service so that the member receives salary for each month of
979 continuous DROP participation. If a member receives no salary
980 during a month, DROP participation shall cease unless the



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981 employer verifies a continuation of the employment relationship
982 for such participant pursuant to s. 121.021(39)(b).

983 b. Such participant and new employer shall notify the
984 division on forms required by the division as to the identity of
985 the new employer.

986 c. The new employer shall acknowledge, in writing, the
987 participant's DROP termination date, which may be extended but
988 not beyond the original 60-month period provided in subparagraph
989 (b)1., shall acknowledge liability for any additional retirement
990 contributions and interest required if the participant fails to
991 timely terminate employment, and shall be subject to the
992 adjustment required in sub-subparagraph (c)5.d.

993 6. Effective July 1, 2001, for instructional personnel as
994 defined in s. 1012.01(2), election to participate in the DROP
995 shall be made at any time following the date on which the member
996 first reaches normal retirement date. The member shall advise
997 his or her employer and the division in writing of the date on
998 which the Deferred Retirement Option Program shall begin. When
999 establishing eligibility of the member to participate in the
1000 DROP for the 60-month maximum participation period, as provided
1001 in subparagraph (b)1., the member may elect to include or
1002 exclude any optional service credit purchased by the member from
1003 the total service used to establish the normal retirement date.
1004 A member with dual normal retirement dates shall be eligible to
1005 elect to participate in either class.

1006 7. Beginning July 1, 2003, there shall be a period of 45
1007 days within which administrative personnel as defined in s.
1008 1012.01(3) who have reached normal retirement date, who have not
1009 retired, and who did not elect to participate in the DROP within



1010 1 year of reaching normal retirement date may elect to
 1011 participate in the DROP. This subparagraph expires July 1, 2004.

1012 Section 35. In order to implement Specific Appropriations
 1013 1417-1419, 1421-1424, 1426, 1427, 1430, 1432, 1434, 1436-1438,
 1014 1439, 1439K-1443, and 1446-1450 of the 2003-2004 General
 1015 Appropriations Act, paragraphs (b) and (c) of subsection (1) of
 1016 section 252.373, Florida Statutes, are amended to read:

1017 252.373 Allocation of funds; rules.--

1018 (1)

1019 (b) Notwithstanding the provisions of paragraph (a), and
 1020 for the 2003-2004 ~~2002-2003~~ fiscal year only, the use of the
 1021 Emergency Management, Preparedness, and Assistance Trust Fund
 1022 shall be as provided in the General Appropriations Act. This
 1023 paragraph expires on July 1, 2004 ~~2003~~.

1024 (c) Notwithstanding the provisions of paragraph (a), and
 1025 for the 2003-2004 ~~2002-2003~~ fiscal year only, the Department of
 1026 Community Affairs shall conduct a review of funds available in
 1027 the Emergency Management, Preparedness, and Assistance Trust
 1028 Fund. By December 31 ~~1~~, 2003 ~~2002~~, when actual receipts for the
 1029 2002-2003 ~~2001-2002~~ fiscal year are determined, the Department
 1030 of Community Affairs may identify any funds that were unspent or
 1031 unencumbered in the 2002-2003 ~~2001-2002~~ fiscal year ~~that are not~~
 1032 ~~required to implement appropriations for the 2002-2003 fiscal~~
 1033 ~~year from the Emergency Management, Preparedness, and Assistance~~
 1034 ~~Trust Fund~~, and such funds may be transferred to the Grants and
 1035 Donations Trust Fund to be used for the state portion of the
 1036 match requirements for current federally approved disaster
 1037 ~~Hazard Mitigation Grant Program~~ projects. This paragraph expires
 1038 July 1, 2004 ~~2003~~.



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1039 Section 36. In order to implement Specific Appropriations
1040 1432A, 1438A-1438I, 1438K, 1438L, 1438N, and 1439E-1439J of the
1041 2003-2004 General Appropriations Act, subsection (8) of section
1042 215.559, Florida Statutes, is renumbered as subsection (9), and
1043 a new subsection (8) is added to said section to read:

1044 215.559 Hurricane Loss Mitigation Program.--

1045 (8) Notwithstanding the provisions of subsection (5), and
1046 for the 2003-2004 fiscal year only, the use of the Florida
1047 Hurricane Catastrophe Fund shall be as provided in the General
1048 Appropriations Act. This subsection expires on July 1, 2004.

1049 Section 37. In order to implement Specific Appropriation
1050 1303A of the 2003-2004 General Appropriations Act, paragraph (e)
1051 is added to subsection (13) of section 253.025, Florida
1052 Statutes, to read:

1053 253.025 Acquisition of state lands for purposes other than
1054 preservation, conservation, and recreation.--

1055 (13)

1056 (e) For the 2003-2004 fiscal year only, the use of funds
1057 allocated to the Relocation and Construction Trust Fund shall be
1058 as provided in the General Appropriations Act. This paragraph
1059 expires July 1, 2004.

1060 Section 38. In order to implement Specific Appropriation
1061 1520A of the 2003-2004 General Appropriations Act, section
1062 373.4145, Florida Statutes, is amended to read:

1063 373.4145 Interim part IV permitting program for the
1064 Northwest Florida Water Management District.--

1065 (1) Within the geographical jurisdiction of the Northwest
1066 Florida Water Management District, the permitting authority of
1067 the department under this part shall consist solely of the



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1068 following, notwithstanding the rule adoption deadline in s.
1069 373.414(9):

1070 (a) Chapter 17-25, Florida Administrative Code, shall
1071 remain in full force and effect, and shall be implemented by the
1072 department. Notwithstanding the provisions of this section,
1073 chapter 17-25, Florida Administrative Code, may be amended by
1074 the department as necessary to comply with any requirements of
1075 state or federal laws or regulations, or any condition imposed
1076 by a federal program, or as a requirement for receipt of federal
1077 grant funds.

1078 (b) Rules adopted pursuant to the authority of ss. 403.91-
1079 403.929, 1984 Supplement to the Florida Statutes 1983, as
1080 amended, in effect prior to July 1, 1994, shall remain in full
1081 force and effect, and shall be implemented by the department.
1082 However, the department is authorized to establish additional
1083 exemptions and general permits for dredging and filling, if such
1084 exemptions or general permits do not allow significant adverse
1085 impacts to occur individually or cumulatively. However, for the
1086 purpose of chapter 17-312, Florida Administrative Code, the
1087 landward extent of surface waters of the state identified in
1088 rule 17-312.030(2), Florida Administrative Code, shall be
1089 determined in accordance with the methodology in rules 17-
1090 340.100 through 17-340.600, Florida Administrative Code, as
1091 ratified in s. 373.4211, upon the effective date of such
1092 ratified methodology. In implementing s. 373.421(2), the
1093 department shall determine the extent of those surface waters
1094 and wetlands within the regulatory authority of the department
1095 as described in this paragraph. At the request of the
1096 petitioner, the department shall also determine the extent of
1097 surface waters and wetlands which can be delineated by the



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1098 methodology ratified in s. 373.4211, but which are not subject
1099 to the regulatory authority of the department as described in
1100 this paragraph.

1101 (c) The department may implement chapter 40A-4, Florida
1102 Administrative Code, in effect prior to July 1, 1994, pursuant
1103 to an interagency agreement with the Northwest Florida Water
1104 Management District adopted under s. 373.046(4).

1105 (2) The authority of the Northwest Florida Water
1106 Management District to implement this part or to implement any
1107 authority pursuant to delegation by the department shall not be
1108 affected by this section. The rule adoption deadline in s.
1109 373.414(9) shall not apply to said district.

1110 (3) The division of permitting responsibilities in s.
1111 373.046(4) shall not apply within the geographical jurisdiction
1112 of the Northwest Florida Water Management District.

1113 (4) If the United States Environmental Protection Agency
1114 approves an assumption of the federal program to regulate the
1115 discharge of dredged or fill material by the department or the
1116 water management districts, or both, pursuant to s. 404 of the
1117 Clean Water Act, Pub. L. No. 92-500, as amended, 33 U.S.C. ss.
1118 1251 et seq.; the United States Army Corps of Engineers issues
1119 one or more state programmatic general permits under the
1120 referenced statutes; or the United States Environmental
1121 Protection Agency or the United States Corps of Engineers
1122 approves any other delegation of regulatory authority under the
1123 referenced statutes, then the department may implement any
1124 permitting authority granted in this part within the Northwest
1125 Florida Water Management District which is prescribed as a
1126 condition of granting such assumption, general permit, or
1127 delegation.



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1128 (5) Within the geographical jurisdiction of the Northwest
 1129 Florida Water Management District, the methodology for
 1130 determining the landward extent of surface waters of the state
 1131 under chapter 403 in effect prior to the effective date of the
 1132 methodology ratified in s. 373.4211 shall apply to:

1133 (a) Activities permitted under the rules adopted pursuant
 1134 to ss. 403.91-403.929, 1984 Supplement to the Florida Statutes
 1135 1983, as amended, or which were exempted from regulation under
 1136 such rules, prior to July 1, 1994, and which were permitted
 1137 under chapter 17-25, Florida Administrative Code, or exempt from
 1138 chapter 17-25, Florida Administrative Code, prior to July 1,
 1139 1994, provided:

1140 1. An activity authorized by such permits is conducted in
 1141 accordance with the plans, terms, and conditions of such
 1142 permits.

1143 2. An activity exempted from the permitting requirements
 1144 of the rules adopted pursuant to ss. 403.91-403.929, 1984
 1145 Supplement to the Florida Statutes 1983, as amended, or chapter
 1146 17-25, Florida Administrative Code, is:

1147 a. Commenced prior to July 1, 1994, and completed by July
 1148 1, 1999;

1149 b. Conducted in accordance with a plan depicting the
 1150 activity which has been submitted to and approved for
 1151 construction by the department, the appropriate local
 1152 government, the United States Army Corps of Engineers, or the
 1153 Northwest Florida Water Management District; and

1154 c. Conducted in accordance with the terms of the
 1155 exemption.

1156 (b) An activity within the boundaries of a valid
 1157 jurisdictional declaratory statement issued pursuant to s.



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1158 403.914, 1984 Supplement to the Florida Statutes 1983, as
 1159 amended, or the rules adopted thereunder, in response to a
 1160 petition received prior to June 1, 1994.

1161 (c) Any modification of a permitted or exempt activity as
 1162 described in paragraph (a) which does not constitute a
 1163 substantial modification or which lessens the environmental
 1164 impact of such permitted or exempt activity. For the purposes of
 1165 this section, a substantial modification is one which is
 1166 reasonably expected to lead to substantially different
 1167 environmental impacts.

1168 (d) Applications for activities permitted under the rules
 1169 adopted pursuant to ss. 403.91-403.929, 1984 Supplement to the
 1170 1983 Florida Statutes, as amended, which were pending on June
 1171 15, 1994, unless the application elects to have applied the
 1172 delineation methodology ratified in s. 373.4211.

1173 (6) Subsections (1), (2), (3), and (4) shall be repealed
 1174 effective July 1, 2004 ~~2003~~.

1175 (7)(a) The department and the Northwest Florida Water
 1176 Management District are directed to begin developing a plan by
 1177 which the permitting for activities proposed in surface waters
 1178 and wetlands shall fully comply with the provisions of this
 1179 part, beginning July 1, 2004 ~~2003~~. The plan also shall address
 1180 the division of environmental resource permitting
 1181 responsibilities between the department and the Northwest
 1182 Florida Water Management District; the methodology of
 1183 delineating wetlands in the Northwest Florida Water Management
 1184 District; authority of the Northwest Florida Water Management
 1185 District to implement federal permitting programs related to
 1186 activities in surface waters and wetlands; and the chapter 70
 1187 implications of implementing the provisions of this part within



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1188 the jurisdiction of the Northwest Florida Water Management
1189 District.

1190 (b) The department and Northwest Florida Water Management
1191 District shall jointly prepare an interim report on their
1192 progress in developing the aforementioned plan, to be presented
1193 March 1, 2001 to the Governor, the President of the Senate, the
1194 Speaker of the House of Representatives, and the chairs of the
1195 relevant substantive and fiscal committees. The department and
1196 district shall present a final report on March 1, 2003.

1197 (c) Any jurisdictional declaratory statement issued for a
1198 project within the geographic jurisdiction of the Northwest
1199 Florida Water Management District that is valid on July 1, 1999,
1200 and for which there has been issued a permit pursuant to this
1201 chapter and chapter 403 for a phase of that project and which
1202 identified proposed future development, including mitigation,
1203 that would require an additional permit pursuant to this chapter
1204 and chapter 403 shall not expire until January 1, 2002.

1205 Section 39. In order to implement Specific Appropriations
1206 1452-1459A of the 2003-2004 General Appropriations Act,
1207 subsection (4) of section 290.044, Florida Statutes, is amended
1208 to read:

1209 290.044 Florida Small Cities Community Development Block
1210 Grant Program Fund; administration; distribution.--

1211 ~~(4) The percentage of funds distributed in each of the~~
1212 ~~grant program categories from federal funds for federal fiscal~~
1213 ~~year 1985 shall be established by the Legislature in the~~
1214 ~~appropriation process for the 1984 regular session and shall be~~
1215 ~~established annually thereafter in the same manner. The~~
1216 ~~department shall submit its recommendation on the distribution~~
1217 ~~percentages to the Governor and Legislature as part of its~~



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1218 ~~regular budget proposals.~~ The department may set aside ~~shall~~
1219 ~~provide for the set-aside of~~ an amount of up to 5 ~~10~~ percent of
1220 the funds allocated to the neighborhood revitalization category
1221 ~~in its distribution percentages~~ for use in any eligible local
1222 government jurisdiction for which an emergency or natural
1223 disaster has been declared by executive order. Such funds may
1224 only be provided to a local government to fund eligible
1225 emergency-related activities for which no other source of
1226 federal, state, or local disaster funds is available. The
1227 department may ~~shall~~ provide for such set-aside by rule. In the
1228 last quarter of the state fiscal year, any funds not allocated
1229 under the emergency-related set-aside shall be used to fully
1230 fund any applications which were partially funded due to
1231 inadequate funds in the most recently completed neighborhood
1232 revitalization category funding cycle, and then any remaining
1233 funds shall be distributed to the next unfunded applications.

1234 Section 40. The amendment of subsection (4) of s. 290.044,
1235 Florida Statutes, by this act shall expire on July 1, 2004, and
1236 the text of that subsection shall revert to that in existence on
1237 June 30, 2003, except that any amendments to such text enacted
1238 other than by this act shall be preserved and continue to
1239 operate to the extent that such amendments are not dependent
1240 upon the portions of such text which expire pursuant to the
1241 provisions of this act.

1242 Section 41. In order to implement Specific Appropriations
1243 2863-2931A of the 2003-2004 General Appropriations Act, section
1244 15.09, Florida Statutes, is amended to read:

1245 15.09 Fees.--

1246 (1) The fees, except as provided by law, to be collected
1247 by the Department of State, are:



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1248 (a) For searching of papers or records, \$3.50, except that
 1249 there shall be no charge for telephone requests for general
 1250 corporate information, including the corporation's status, names
 1251 of officers and directors, address of principal place of
 1252 business, and name and address of resident agent.

1253 (b) For providing a certificate with seal, \$8.75; however,
 1254 no fee shall be charged for providing a certificate with seal to
 1255 any officer appointed to an office requiring Senate
 1256 confirmation.

1257 (c) For furnishing statistical information and for copying
 1258 any document not mentioned, \$1 per page or fraction thereof.

1259 (2) The department may in its discretion establish a
 1260 reasonable fee for filing or copying any document or instrument
 1261 not mentioned herein or provided for in other laws.

1262 (3) All fees arising from certificates of election or
 1263 appointment to office and from commissions to officers shall be
 1264 paid to the Treasurer for deposit in the General Revenue Fund.

1265 (4) All funds collected by the Division of Corporations of
 1266 the department shall be deposited in the Corporations Trust
 1267 Fund.

1268 ~~(5)(a) There is created within the Department of State a~~
 1269 ~~Public Access Data Systems Trust Fund, which shall be used by~~
 1270 ~~the department to purchase information systems and equipment~~
 1271 ~~that provide greater public accessibility to the information and~~
 1272 ~~records maintained by it. Notwithstanding any other provision of~~
 1273 ~~law, the Divisions of Licensing, Elections, and Corporations of~~
 1274 ~~the department shall transfer each fiscal year to the Public~~
 1275 ~~Access Data Systems Trust Fund from their respective trust~~
 1276 ~~funds.~~



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1277 ~~1. An amount equal to 2 percent of all revenues received~~
 1278 ~~for the processing of documents, filings, or information~~
 1279 ~~requests.~~

1280 ~~2. All public access network revenues collected pursuant~~
 1281 ~~to s. 15.16 or s. 119.085.~~

1282 ~~(b) Funds from the Public Access Data Systems Trust Fund~~
 1283 ~~may be appropriated for the operations of the department.~~

1284 Section 42. The amendment of s. 15.09, Florida Statutes,
 1285 by this act shall expire on July 1, 2004, and the text of that
 1286 section shall revert to that in existence on June 30, 2003,
 1287 except that any amendments to such text enacted other than by
 1288 this act shall be preserved and continue to operate to the
 1289 extent that such amendments are not dependent upon the portions
 1290 of such text which expire pursuant to the provisions of this
 1291 act.

1292 Section 43. In order to implement Specific Appropriations
 1293 2863-2931A of the 2003-2004 General Appropriations Act,
 1294 subsection (1) of section 265.2861, Florida Statutes, is amended
 1295 to read:

1296 265.2861 Cultural Institutions Program; trust fund.--

1297 (1) CULTURAL INSTITUTIONS TRUST FUND.--There is created a
 1298 Cultural Institutions Trust Fund to be administered by the
 1299 Department of State for the purposes set forth in this section.
 1300 ~~and to support the following programs as follows:~~

1301 ~~(a) For statewide arts grants, \$2.7 million.~~

1302 ~~(b) For arts in education and visiting arts programs,~~
 1303 ~~\$250,000.~~

1304 ~~(c) For the State Touring Program, \$200,000. First~~
 1305 ~~priority for the issuance of State Touring Program grants shall~~



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1306 ~~be given to applicants that reside in counties with a population~~
 1307 ~~of 75,000 or less.~~

1308 ~~(d) For local arts agencies or state service~~
 1309 ~~organizations, \$400,000.~~

1310 ~~(e)1. For the officially designated Art Museum of the~~
 1311 ~~State of Florida described in s. 1004.45, \$2.2 million, and for~~
 1312 ~~state-owned cultural facilities assigned to the Department of~~
 1313 ~~State, which receive a portion of any operating funds from the~~
 1314 ~~Department of State and one of the primary purposes of which is~~
 1315 ~~the presentation of fine arts or performing arts, \$500,000.~~

1316 ~~2. For fiscal year 2001-2002 only, the provisions of~~
 1317 ~~subparagraph 1. relating to state-owned cultural facilities~~
 1318 ~~shall not be applicable. This subparagraph expires July 1, 2002.~~

1319
 1320 ~~The trust fund shall consist of moneys appropriated by the~~
 1321 ~~Legislature, moneys deposited pursuant to s. 607.1901(2), and~~
 1322 ~~moneys contributed to the fund from any other source.~~

1323 Section 44. The amendment of subsection (1) of s.
 1324 265.2861, Florida Statutes, by this act shall expire on July 1,
 1325 2004, and the text of that subsection shall revert to that in
 1326 existence on June 30, 2003, except that any amendments to such
 1327 text enacted other than by this act shall be preserved and
 1328 continue to operate to the extent that such amendments are not
 1329 dependent upon the portions of such text which expire pursuant
 1330 to the provisions of this act.

1331 Section 45. In order to implement Specific Appropriations
 1332 2863-2931A of the 2003-2004 General Appropriations Act,
 1333 subsection (1) of section 267.0617, Florida Statutes, is amended
 1334 to read:

1335 267.0617 Historic Preservation Grant Program.--



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1336 (1) There is hereby created within the division the
1337 Historic Preservation Grant Program, which shall make grants of
1338 moneys appropriated by the Legislature, moneys deposited
1339 pursuant to s. ss. 550.0351(2) and 607.1901(2)(g), and moneys
1340 contributed for that purpose from any other source. The program
1341 funds shall be used by the division for the purpose of financing
1342 grants in furtherance of the purposes of this section.

1343 Section 46. The amendment of subsection (1) of s.
1344 267.0617, Florida Statutes, by this act shall expire on July 1,
1345 2004, and the text of that subsection shall revert to that in
1346 existence on June 30, 2003, except that any amendments to such
1347 text enacted other than by this act shall be preserved and
1348 continue to operate to the extent that such amendments are not
1349 dependent upon the portions of such text which expire pursuant
1350 to the provisions of this act.

1351 Section 47. In order to implement Specific Appropriations
1352 2863-2931A of the 2003-2004 General Appropriations Act,
1353 subsection (2) of section 607.1901, Florida Statutes, is amended
1354 to read:

1355 607.1901 Corporations Trust Fund creation; transfer of
1356 funds.--

1357 (2)(a) The Legislature shall appropriate from the fund
1358 such amounts as it deems necessary for the operation of the
1359 division.

1360 (b) An amount equal to 2.9 percent of all moneys deposited
1361 each month in the fund is transferred to the Corporation Tax
1362 Administration Trust Fund created pursuant to s. 213.31.

1363 ~~(c) In the last six months of any fiscal year, an amount~~
1364 ~~equal to 43 percent of all moneys deposited each month into the~~
1365 ~~fund is transferred to the General Revenue Fund.~~



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1366 ~~(d) The division shall transfer from the trust fund to the~~
1367 ~~Cultural Institutions Trust Fund, quarterly, the amount of \$10~~
1368 ~~from each corporate annual report fee collected by the division~~
1369 ~~and prorations transferring \$8 million each fiscal year, to be~~
1370 ~~used as provided in s. 265.2861. Effective October 1, 2001, an~~
1371 ~~additional \$2 million each fiscal year shall be transferred from~~
1372 ~~the Corporations Trust Fund to the Cultural Institutions Trust~~
1373 ~~Fund to be used as provided in s. 265.2861. The additional \$2~~
1374 ~~million is contingent upon the receipt of corresponding revenues~~
1375 ~~collected under s. 55.209, as created by this act.~~

1376 ~~(e) The division shall transfer from the trust fund to the~~
1377 ~~Cultural Institutions Trust Fund, quarterly, prorations~~
1378 ~~transferring \$250,000 each fiscal year, to be used as provided~~
1379 ~~in s. 265.609.~~

1380 ~~(f) The division shall transfer from the trust fund to the~~
1381 ~~Cultural Institutions Trust Fund, quarterly, prorations~~
1382 ~~transferring \$550,000 each fiscal year, to be used as provided~~
1383 ~~in s. 265.608.~~

1384 ~~(g) The division shall transfer from the trust fund to the~~
1385 ~~Historical Resources Operating Trust Fund, quarterly, prorations~~
1386 ~~transferring \$2 million each fiscal year, to be used as provided~~
1387 ~~in s. 267.0617.~~

1388 ~~(h) The division shall transfer from the trust fund to the~~
1389 ~~Historical Resources Operating Trust Fund, quarterly, prorations~~
1390 ~~transferring \$1.5 million each fiscal year, to be used as~~
1391 ~~provided in s. 267.0619.~~

1392 ~~(i) Effective October 1, 2001, the division shall transfer~~
1393 ~~from the trust fund to the department's Grants and Donations~~
1394 ~~Trust Fund quarterly prorations equaling not more than \$1.6~~
1395 ~~million each fiscal year, to be used in the provision of~~



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1396 ~~services under s. 288.816. The transfer of \$1.6 million is~~
1397 ~~contingent upon the receipt of corresponding revenues collected~~
1398 ~~under s. 55.209, as created by this act.~~

1399 Section 48. The amendment of subsection (2) of s.
1400 607.1901, Florida Statutes, by this act shall expire on July 1,
1401 2004, and the text of that subsection shall revert to that in
1402 existence on June 30, 2003, except that any amendments to such
1403 text enacted other than by this act shall be preserved and
1404 continue to operate to the extent that such amendments are not
1405 dependent upon the portions of such text which expire pursuant
1406 to the provisions of this act.

1407 Section 49. In order to implement Specific Appropriations
1408 2863-2931A of the 2003-2004 General Appropriations Act, section
1409 607.19011, Florida Statutes, is amended to read:

1410 607.19011 Corporations Trust Fund; deposit and use of
1411 revenues collected in accordance with ch. 95-242.--All revenues
1412 collected in accordance with this act shall be deposited into
1413 the Corporations Trust Fund of the Department of State and shall
1414 be used ~~in furtherance of the Department of State's cultural and~~
1415 ~~historic preservation programs and other activities as the~~
1416 Legislature may direct.

1417 Section 50. The amendment of s. 607.19011, Florida
1418 Statutes, by this act shall expire on July 1, 2004, and the text
1419 of that section shall revert to that in existence on June 30,
1420 2003, except that any amendments to such text enacted other than
1421 by this act shall be preserved and continue to operate to the
1422 extent that such amendments are not dependent upon the portions
1423 of such text which expire pursuant to the provisions of this
1424 act.



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1425 Section 51. In order to implement Specific Appropriation
 1426 2014 of the 2003-2004 General Appropriations Act, section
 1427 402.3017, Florida Statutes, is amended to read:

1428 402.3017 Teacher Education and Compensation Helps (TEACH)
 1429 scholarship program.--

1430 (1) The Legislature finds that the level of early child
 1431 care teacher education and training is a key predictor for
 1432 determining program quality. The Legislature also finds that low
 1433 wages for child care workers prevent many from obtaining
 1434 increased training and education and contribute to high turnover
 1435 rates. The Legislature therefore intends to help fund a program
 1436 which links teacher training and education to compensation and
 1437 commitment to the field of early childhood education.

1438 (2) The Department of Children and Family Services is
 1439 authorized to contract for the administration of the Teacher
 1440 Education and Compensation Helps (TEACH) scholarship program,
 1441 which provides educational scholarships to caregivers and
 1442 administrators of early childhood programs, family day care
 1443 homes, and large family child care homes.

1444 (3) The department shall adopt rules as necessary to
 1445 implement this section.

1446 (4) For the 2003-2004 ~~2002-2003~~ fiscal year only, the
 1447 Agency for Workforce Innovation shall administer this section.
 1448 This subsection expires July 1, 2004 ~~2003~~.

1449 Section 52. In order to implement Specific Appropriation
 1450 2014 of the 2003-2004 General Appropriations Act, subsection
 1451 (13) of section 411.01, Florida Statutes, is amended to read:

1452 411.01 Florida Partnership for School Readiness; school
 1453 readiness coalitions.--



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1454 (13) PLACEMENTS.--Notwithstanding any other provision of
 1455 this section to the contrary, and for fiscal year 2003-2004
 1456 ~~2002-2003~~ only, the first children to be placed in the school
 1457 readiness program shall be those from families receiving
 1458 temporary cash assistance and subject to federal work
 1459 requirements. Subsequent placements shall be pursuant to the
 1460 provisions of this section. This subsection expires July 1, 2004
 1461 ~~2003~~.

1462 Section 53. In order to implement Specific Appropriation
 1463 12C of the 2003-2004 General Appropriations Act, subsection (7)
 1464 is added to section 1013.62, Florida Statutes, to read:

1465 1013.62 Charter schools capital outlay funding.--

1466 (7) For the 2003-2004 fiscal year only, and
 1467 notwithstanding subsection (1), funds for charter school capital
 1468 outlay shall be distributed by the Department of Education as
 1469 provided in the General Appropriations Act.

1470 Section 54. In order to implement Specific Appropriations
 1471 584-601A of the 2003-2004 General Appropriations Act, subsection
 1472 (7) of section 1009.66, Florida Statutes, as amended by section
 1473 71 of chapter 2002-402, Laws of Florida, and section 3 of
 1474 chapter 2002-400, Laws of Florida, is amended to read:

1475 1009.66 Nursing Student Loan Forgiveness Program.--

1476 (7)(a) Funds contained in the Nursing Student Loan
 1477 Forgiveness Trust Fund which are to be used for loan forgiveness
 1478 for those nurses employed by hospitals, birth centers, and
 1479 nursing homes must be matched on a dollar-for-dollar basis by
 1480 contributions from the employing institutions, except that this
 1481 provision shall not apply to state-operated medical and health
 1482 care facilities, public schools, county health departments,
 1483 federally sponsored community health centers, teaching hospitals



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1484 as defined in s. 408.07, family practice teaching hospitals as
1485 defined in s. 395.805, or specialty hospitals for children as
1486 used in s. 409.9119. An estimate of the annual trust fund
1487 dollars shall be made at the beginning of the fiscal year based
1488 on historic expenditures from the trust fund. Applicant requests
1489 shall be reviewed on a quarterly basis, and applicant awards
1490 shall be based on the following priority of employer until all
1491 such estimated trust funds are awarded: state-operated medical
1492 and health care facilities; public schools; county health
1493 departments; federally sponsored community health centers;
1494 teaching hospitals as defined in s. 408.07; family practice
1495 teaching hospitals as defined in s. 395.805; specialty hospitals
1496 for children as used in s. 409.9119; and other hospitals, birth
1497 centers, and nursing homes.

1498 ~~(b) All Nursing Student Loan Forgiveness Trust Fund moneys~~
1499 ~~shall be invested pursuant to s. 18.125. Interest income~~
1500 ~~accruing to that portion of the trust fund not matched shall~~
1501 ~~increase the total funds available for loan forgiveness and~~
1502 ~~scholarships. Pledged contributions shall not be eligible for~~
1503 ~~matching prior to the actual collection of the total private~~
1504 ~~contribution for the year.~~

1505 Section 55. The amendment of subsection (7) of s. 1009.66,
1506 Florida Statutes, by this act shall expire on July 1, 2004, and
1507 the text of that subsection shall revert to that in existence on
1508 June 30, 2003, except that any amendments to such text enacted
1509 other than by this act shall be preserved and continue to
1510 operate to the extent that such amendments are not dependent
1511 upon the portions of such text which expire pursuant to the
1512 provisions of this act.



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1513 Section 56. In order to implement Specific Appropriation
1514 477 of the 2003-2004 General Appropriations Act, subsection (3)
1515 of section 385.207, Florida Statutes, as amended by section 73
1516 of chapter 2002-402, Laws of Florida, is amended to read:

1517 385.207 Care and assistance of persons with epilepsy;
1518 establishment of programs in epilepsy control.--

1519 (3) Revenue for statewide implementation of programs for
1520 epilepsy prevention and education pursuant to this section shall
1521 be derived pursuant to the provisions of s. 318.21(6) and shall
1522 be deposited in the Epilepsy Services Trust Fund, which is
1523 hereby established to be administered by the Department of
1524 Health. ~~All funds deposited into the trust fund shall be~~
1525 ~~invested pursuant to the provisions of s. 18.125. Interest~~
1526 ~~income accruing to such invested funds shall increase the total~~
1527 ~~funds available under this subsection.~~

1528 Section 57. The amendment of subsection (3) of s. 385.207,
1529 Florida Statutes, by this act shall expire on July 1, 2004, and
1530 the text of that subsection shall revert to that in existence on
1531 June 30, 2003, except that any amendments to such text enacted
1532 other than by this act shall be preserved and continue to
1533 operate to the extent that such amendments are not dependent
1534 upon the portions of such text which expire pursuant to the
1535 provisions of this act.

1536 Section 58. In order to implement Specific Appropriations
1537 1335-1339 of the 2003-2004 General Appropriations Act, section
1538 570.544, Florida Statutes, is amended to read:

1539 570.544 Division of Consumer Services; director; powers;
1540 ~~processing of complaints;~~ records.--

1541 (1) The director of the Division of Consumer Services
1542 shall be appointed by and serve at the pleasure of the



1543 commissioner.

1544 (2) The Division of Consumer Services may:

1545 (a) Conduct studies and make analyses of matters affecting
1546 the interests of consumers.

1547 (b) Study the operation of laws for consumer protection.

1548 (c) Advise and make recommendations to the various state
1549 agencies concerned with matters affecting consumers.

1550 (d) Assist, advise, and cooperate with local, state, or
1551 federal agencies and officials in order to promote the interests
1552 of consumers.

1553 (e) Make use of the testing and laboratory facilities of
1554 the department for the detection of consumer fraud.

1555 (f) Report to the appropriate law enforcement officers any
1556 information concerning violation of consumer protection laws.

1557 (g) Assist, develop, and conduct programs of consumer
1558 education and consumer information through publications and
1559 other informational and educational material prepared for
1560 dissemination to the public, in order to increase the competence
1561 of consumers.

1562 (h) Organize and hold conferences on problems affecting
1563 consumers.

1564 (i) Recommend programs to encourage business and industry
1565 to maintain high standards of honesty, fair business practices,
1566 and public responsibility in the production, promotion, and sale
1567 of consumer goods and services.

1568 ~~(3) In addition to the powers, duties, and~~
1569 ~~responsibilities authorized by this or any other chapter, the~~
1570 ~~Division of Consumer Services shall serve as a clearinghouse for~~
1571 ~~matters relating to consumer protection, consumer information,~~
1572 ~~and consumer services generally. It shall receive complaints and~~



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1573 ~~grievances from consumers and promptly transmit them to that~~
1574 ~~agency most directly concerned in order that the complaint or~~
1575 ~~grievance may be expeditiously handled in the best interests of~~
1576 ~~the complaining consumer. If no agency exists, the Division of~~
1577 ~~Consumer Services shall seek a settlement of the complaint using~~
1578 ~~formal or informal methods of mediation and conciliation and may~~
1579 ~~seek any other resolution of the matter in accordance with its~~
1580 ~~jurisdiction.~~

1581 ~~(4) If any complaint received by the Division of Consumer~~
1582 ~~Services concerns matters which involve concurrent jurisdiction~~
1583 ~~in more than one agency, duplicate copies of the complaint shall~~
1584 ~~be referred to those offices deemed to have concurrent~~
1585 ~~jurisdiction.~~

1586 (3)~~(5)~~(a) Any agency, office, bureau, division, or board
1587 of state government receiving a complaint which deals with
1588 consumer fraud or consumer protection and which is not within
1589 the jurisdiction of the receiving agency, office, bureau,
1590 division, or board originally receiving it, shall immediately
1591 refer the complaint to the Division of Consumer Services.

1592 (b) Upon receipt of such a complaint, the Division of
1593 Consumer Services shall make a determination of the proper
1594 jurisdiction to which the complaint relates and shall
1595 immediately refer the complaint to the agency, office, bureau,
1596 division, or board which does have the proper regulatory or
1597 enforcement authority to deal with it.

1598 ~~(6)(a) The office or agency to which a complaint has been~~
1599 ~~referred shall within 30 days acknowledge receipt of the~~
1600 ~~complaint and report on the disposition made of the complaint.~~
1601 ~~In the event a complaint has not been disposed of within 30~~
1602 ~~days, the receiving office or agency shall file progress reports~~



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1603 ~~with the Division of Consumer Services no less frequently than~~
1604 ~~30 days until final disposition.~~

1605 ~~(b) The report shall contain at least the following~~
1606 ~~information:~~

1607 ~~1. A finding of whether the receiving agency has~~
1608 ~~jurisdiction of the subject matter involved in the complaint.~~

1609 ~~2. Whether the complaint is deemed to be frivolous, sham,~~
1610 ~~or without basis in fact or law.~~

1611 ~~3. What action has been taken and a report on whether the~~
1612 ~~original complainant was satisfied with the final disposition.~~

1613 ~~4. Any recommendation regarding needed changes in law or~~
1614 ~~procedure which in the opinion of the reporting agency or office~~
1615 ~~will improve consumer protection in the area involved.~~

1616 ~~(7)(a) If the office or agency receiving a complaint fails~~
1617 ~~to file a report as contemplated in this section, that failure~~
1618 ~~shall be construed as a denial by the receiving office or agency~~
1619 ~~that it has jurisdiction of the subject matter contained in the~~
1620 ~~complaint.~~

1621 ~~(b) If an office or agency receiving a complaint~~
1622 ~~determines that the matter presents a prima facie case for~~
1623 ~~criminal prosecution or if the complaint cannot be settled at~~
1624 ~~the administrative level, the complaint together with all~~
1625 ~~supporting evidence shall be transmitted to the Department of~~
1626 ~~Legal Affairs or other appropriate enforcement agency with a~~
1627 ~~recommendation for civil or criminal action warranted by the~~
1628 ~~evidence.~~

1629 ~~(4)(8)~~ The records of the Division of Consumer Services
1630 are public records. However, customer lists, customer names, and
1631 trade secrets are confidential and exempt from the provisions of
1632 s. 119.07(1). Disclosure necessary to enforcement procedures



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1633 shall not be construed as violative of this prohibition.

1634 ~~(5)(9)~~ It shall be the duty of the Division of Consumer
1635 Services to maintain records and compile summaries and analyses
1636 of consumer complaints under its jurisdiction and their eventual
1637 disposition, which data may serve as a basis for recommendations
1638 to the Legislature and to state regulatory agencies.

1639 Section 59. The amendment of s. 570.544, Florida Statutes,
1640 by this act shall expire on July 1, 2004, and the text of that
1641 section shall revert to that in existence on June 30, 2003,
1642 except that any amendments to such text enacted other than by
1643 this act shall be preserved and continue to operate to the
1644 extent that such amendments are not dependent upon the portions
1645 of such text which expire pursuant to the provisions of this
1646 act.

1647 Section 60. In order to implement Specific Appropriations
1648 1335-1339 of the 2003-2004 General Appropriations Act, section
1649 526.3135, Florida Statutes, is amended to read:

1650 526.3135 Reports by the Division of Standards.--The
1651 Division of Standards is directed to compile a report pursuant
1652 to s. 570.544 of all complaints received by the Department of
1653 Agriculture and Consumer Services pursuant to this act. Such
1654 report shall ~~contain at least the information required by s.~~
1655 ~~570.544(6)(b)2. 4. and shall be presented to the Speaker of the~~
1656 ~~House of Representatives and the President of the Senate no~~
1657 ~~later than January 1 of each year.~~

1658 Section 61. The amendment of s. 526.3135, Florida
1659 Statutes, by this act shall expire on July 1, 2004, and the text
1660 of that section shall revert to that in existence on June 30,
1661 2003, except that any amendments to such text enacted other than
1662 by this act shall be preserved and continue to operate to the



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1663 extent that such amendments are not dependent upon the portions
1664 of such text which expire pursuant to the provisions of this
1665 act.

1666 Section 62. In order to implement Specific Appropriations
1667 1335-1339 of the 2003-2004 General Appropriations Act,
1668 subsection (2) of section 559.921, Florida Statutes, is amended
1669 to read:

1670 559.921 Remedies.--

1671 (2) The department shall refer ~~process~~ consumer complaints
1672 to the Division of Consumer Services according to ss. 570.07 and
1673 570.544.

1674 Section 63. The amendment of subsection (2) of s. 559.921,
1675 Florida Statutes, by this act shall expire on July 1, 2004, and
1676 the text of that subsection shall revert to that in existence on
1677 June 30, 2003, except that any amendments to such text enacted
1678 other than by this act shall be preserved and continue to
1679 operate to the extent that such amendments are not dependent
1680 upon the portions of such text which expire pursuant to the
1681 provisions of this act.

1682 Section 64. In order to implement Specific Appropriation
1683 2545 of the 2003-2004 General Appropriations Act, effective July
1684 1, 2003, transfers shall occur as described in legislation that
1685 becomes law reorganizing the Office of the Auditor General and
1686 the Office of Program Policy Analysis and Government
1687 Accountability into the Office of Government Accountability. If
1688 such legislation does not become law, all powers, duties,
1689 functions, records, personnel, property, and unexpended balances
1690 of appropriations, allocations, and other funds of the Office of
1691 Program Policy Analysis and Government Accountability are
1692 transferred by a type two transfer, as defined in s. 20.06,



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1693 Florida Statutes, to the Office of the Auditor General.
1694 Consistent with the provisions of s. 11.45(4)(a), Florida
1695 Statutes, and notwithstanding any other provision of law to the
1696 contrary, the Auditor General shall, within the funding
1697 provided, determine which duties and responsibilities assigned
1698 by law to the Office of Program Policy Analysis and Government
1699 Accountability shall be provided during the 2003-2004 fiscal
1700 year. This section expires July 1, 2004.

1701 Section 65. In order to implement Specific Appropriation
1702 2545 of the 2003-2004 General Appropriations Act, effective July
1703 1, 2003, all powers, duties, functions, records, personnel,
1704 property, and unexpended balances of appropriations,
1705 allocations, and other funds of the Council for Education Policy
1706 Research and Improvement are transferred by a type two transfer,
1707 as defined in s. 20.06, Florida Statutes, to the Office of the
1708 Auditor General. Notwithstanding the provisions of s. 1008.51,
1709 Florida Statutes, all powers, duties, funding, and functions of
1710 the Council for Education Policy Research and Improvement are
1711 suspended for the 2003-2004 fiscal year. The Auditor General
1712 may, within the funding provided, provide policy research and
1713 analysis of education issues. This section expires July 1, 2004.

1714 Section 66. A section of this act that implements a
1715 specific appropriation or specifically identified proviso
1716 language in the 2003-2004 General Appropriations Act is void if
1717 the specific appropriation or specifically identified proviso
1718 language is vetoed. A section of this act that implements more
1719 than one specific appropriation or more than one portion of
1720 specifically identified proviso language in the 2003-2004
1721 General Appropriations Act is void if all the specific



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1722 appropriations or portions of specifically identified proviso
1723 language are vetoed.

1724 Section 67. If any other act passed in 2003 contains a
1725 provision that is substantively the same as a provision in this
1726 act, but that removes or is otherwise not subject to the future
1727 repeal applied to such provision by this act, the Legislature
1728 intends that the provision in the other act shall take
1729 precedence and shall continue to operate, notwithstanding the
1730 future repeal provided by this act.

1731 Section 68. The agency performance measures and standards
1732 in the document entitled "Florida's Budget 2003 Agency
1733 Performance Measures and Standards Approved by the Legislature
1734 for Fiscal Year 2003-04" dated March 24, 2003, and filed with
1735 the Clerk of the House of Representatives are incorporated by
1736 reference. Such performance measures and standards are directly
1737 linked to the appropriations made in the General Appropriations
1738 Act for fiscal year 2003-2004, as required by the Government
1739 Performance and Accountability Act of 1994. State agencies are
1740 directed to revise their long-range program plans required under
1741 s. 216.013, Florida Statutes, to be consistent with these
1742 performance measures and standards.

1743 Section 69. If any provision of this act or its
1744 application to any person or circumstance is held invalid, the
1745 invalidity shall not affect other provisions or applications of
1746 the act which can be given effect without the invalid provision
1747 or application, and to this end the provisions of this act are
1748 declared severable.

1749 Section 70. Except as otherwise provided in this act, this
1750 act shall take effect July 1, 2003; or, in the event this act
1751 fails to become a law until after that date, it shall take



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1752 effect upon becoming a law and shall operate retroactively to

1753 July 1, 2003.