

By the Committee on Appropriations

309-1918B-03

1 A bill to be entitled
2 An act implementing the 2003-2004 General
3 Appropriations Act; providing legislative
4 intent; providing accounting requirements for
5 the state universities for the 2003-2004 fiscal
6 year; amending ss. 430.204 and 430.205, F.S.;
7 requiring the Department of Elderly Affairs to
8 fund certain community care services and core
9 services for the elderly; amending s. 216.292,
10 F.S.; authorizing the Department of Children
11 and Family Services to transfer funds within
12 the family safety program; amending s. 295.182,
13 F.S.; authorizing contributions to the Florida
14 World War II Veterans Memorial Matching Trust
15 Fund from public bodies; amending s. 561.121,
16 F.S.; providing that moneys in the Children and
17 Adolescents Substance Abuse Trust Fund may also
18 be used for the purpose of funding programs
19 directed at reducing and eliminating substance
20 abuse problems among adults; amending s.
21 409.1671, F.S.; authorizing the Department of
22 Children and Family Services to combine current
23 community-based care lead agency contracts for
24 Sarasota, Manatee, and DeSoto Counties into a
25 single contract; authorizing the Department of
26 Children and Family Services to enter into a
27 contract to finance, design, construct, and
28 operate the South Florida Evaluation and
29 Treatment Center; providing for an extended
30 contract period; authorizing financing for the
31 project; amending s. 216.181, F.S.; authorizing

1 the Department of Law Enforcement to transfer
2 positions and associated budgets and a certain
3 percentage of salary rate between budget
4 entities and providing requirements with
5 respect thereto; authorizing the Correctional
6 Privatization Commission to make certain
7 expenditures to defray costs incurred by a
8 municipality or county as a result of opening
9 or operating a facility under authority of the
10 commission or the Department of Juvenile
11 Justice; amending s. 16.555, F.S.; authorizing
12 use of the Crime Stoppers Trust Fund to pay for
13 salaries and benefits and other expenses of the
14 Department of Legal Affairs; amending s.
15 985.4075, F.S.; prohibiting the use of juvenile
16 justice appropriations made for operations as
17 one-time startup funding for fixed capital
18 outlay; amending s. 216.262, F.S.; providing
19 for additional positions to operate additional
20 prison bed capacity under certain
21 circumstances; amending s. 287.161, F.S. ;
22 requiring the Department of Management Services
23 to charge all persons receiving transportation
24 from the executive aircraft pool a specified
25 rate; amending s. 110.116, F.S.; authorizing
26 the Department of Management Services to
27 contract with a vendor to provide a personnel
28 information system; amending s. 110.2035, F.S. ;
29 deleting provisions authorizing the Department
30 of Management Services to adopt emergency rules
31 to implement a classification and compensation

1 program; amending s. 43 of chapter 2002-402,
2 Laws of Florida, delaying the expiration of
3 certain changes to s. 110.2035, F.S., relating
4 to the classification and compensation program;
5 amending s. 110.12315, F.S.; providing
6 copayment requirements for the state employees'
7 prescription drug program; amending s.
8 110.1239, F.S.; providing requirements for the
9 funding of the state group health insurance
10 program; amending s. 112.061, F.S.; providing
11 for computation of travel time and
12 reimbursement for public officers' and
13 employees' travel; amending s. 121.71, F.S.;
14 providing for recognition and usage of current
15 available excess assets of the Florida
16 Retirement System Trust Fund to offset employer
17 contribution rates for the Florida Retirement
18 System; amending s. 468.404, F.S.; requiring
19 talent agency license fees equal to costs of
20 regulation; amending s. 252.373, F.S.;
21 providing for use of funds of the Emergency
22 Management, Preparedness, and Assistance Trust
23 Fund, including the use of certain funds as
24 state matching funds for federally approved
25 Hazard Mitigation Grant Program projects;
26 amending s. 402.3017, F.S.; providing for
27 administration of the Teacher Education and
28 Compensation Helps (TEACH) scholarship program
29 by the Agency for Workforce Innovation;
30 amending s. 411.01, F.S.; providing priority
31 for placement of children in the school

1 readiness program; amending s. 288.063, F.S.;

2 providing for funds for certain transportation

3 projects approved by the Office of Tourism,

4 Trade, and Economic Development to be subject

5 to reversion; amending s. 320.08058, F.S.;

6 authorizing proceeds from the Professional

7 Sports Development Trust Fund to be used for

8 operational expenses of the Florida Sports

9 Foundation and financial support of the

10 Sunshine State Games; amending s. 339.08, F.S.;

11 transferring \$200 million from the State

12 Transportation Trust Fund to the General

13 Revenue Fund; reducing the amount transferred

14 from certain transportation calculation

15 requirements; amending s. 61 of chapter

16 2002-402, Laws of Florida, delaying the

17 expiration of certain changes to s. 215.20,

18 F.S., relating to the contributions of certain

19 trust funds to the General Revenue Fund;

20 amending s. 63 of chapter 2002-402, Laws of

21 Florida; delaying the expiration of certain

22 changes to s. 215.22, F.S., relating to an

23 exemption from appropriation provided for

24 certain trust funds; amending s. 65 of chapter

25 2002-402, Laws of Florida; delaying the

26 expiration of certain changes to s. 18.10,

27 F.S., relating to deposits and investments of

28 state money; amending s. 67 of chapter

29 2002-402, Laws of Florida; delaying the

30 expiration of certain changes to s. 18.125,

31 F.S., relating to the investment of certain

1 trust funds; amending s. 69 of chapter
2 2002-402, Laws of Florida; delaying the
3 expiration of certain changes to s. 14.2015,
4 F.S., relating to the Economic Development
5 Trust Fund; amending s. 71 of chapter 2002-402,
6 Laws of Florida; delaying the expiration of
7 certain changes to s. 240.4075, F.S., relating
8 to the Nursing Student Loan Forgiveness
9 Program; amending s. 73 of chapter 2002-402,
10 Laws of Florida; delaying the expiration of
11 certain changes to s. 385.207, F.S., relating
12 to care and assistance of persons with
13 epilepsy; amending s. 75 of chapter 2002-402,
14 Laws of Florida; delaying the expiration of
15 certain changes to s. 860.158, F.S., relating
16 to the interest earned on moneys in the Florida
17 Motor Vehicle Theft Prevention Trust Fund;
18 amending s. 77 of chapter 2002-402, Laws of
19 Florida; delaying the expiration of certain
20 changes to s. 938.01, F.S., relating to the
21 interest earned on certain trust funds;
22 reenacting s. 215.32(2)(b), F.S., to implement
23 the transfer of moneys to the Working Capital
24 Fund from certain trust funds; providing for
25 the effect of a veto of a specific
26 appropriation or proviso to which implementing
27 provisions refer; providing applicability to
28 other legislation; incorporating by reference
29 specified performance measures and standards
30 directly linked to the appropriations made in
31 the 2002-2004 General Appropriations Act, as

1 required by the Government Performance and
2 Accountability Act of 1994; providing for
3 severability; providing effective dates.

4
5 Be It Enacted by the Legislature of the State of Florida:

6
7 Section 1. It is the intent of the Legislature that
8 the implementing and administering provisions of this act
9 apply to the General Appropriations Act for fiscal year
10 2003-2004.

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

14 (1) Each university that has not made the transition,
15 effective July 1, 2003, from the state accounting
16 system (FLAIR) shall utilize the state accounting system for
17 fiscal year 2003-2004 but is not required to provide funds to
18 the Department of Financial Services for its utilization.

19 (2) Notwithstanding the provisions of sections
20 216.181, 216.292, and 1011.4105, Florida Statutes, and
21 pursuant to section 216.351, Florida Statutes, funds
22 appropriated or reappropriated to the state universities in
23 the 2003-2004 General Appropriations Act, or any other act
24 passed by the 2003 Legislature containing appropriations,
25 shall be distributed to each university according to the
26 2003-2004 fiscal year operating budget approved by the
27 university board of trustees. Each university board of
28 trustees shall have authority to amend the operating budget as
29 circumstances warrant. The operating budget may utilize
30 traditional appropriation categories or it may consolidate the
31 appropriations into a special category appropriation account.

1 The Chief Financial Officer, upon the request of the
2 university board of trustees, shall record by journal transfer
3 the distribution of the appropriated funds and releases
4 according to the approved operating budget to the
5 appropriation accounts established for disbursement purposes
6 for each university within the state accounting system
7 (FLAIR).

8 (3) Notwithstanding the provisions of sections
9 216.181, 216.292, and 1011.4105, Florida Statutes, and
10 pursuant to section 216.351, Florida Statutes, each university
11 board of trustees shall include in an approved operating
12 budget the revenue in trust funds supported by student and
13 other fees as well as the trust funds within the Contract,
14 Grants, and Donations, Auxiliary Enterprises, and Sponsored
15 Research budget entities. The university board of trustees
16 shall have the authority to amend the operating budget as
17 circumstances warrant. The operating budget may utilize
18 traditional appropriation categories or it may consolidate the
19 trust fund spending authority into a special category
20 appropriation account. The Chief Financial Officer, upon the
21 request of the university board of trustees, shall record the
22 distribution of the trust fund spending authority and releases
23 according to the approved operating budget to the
24 appropriation accounts established for disbursement purposes
25 for each university within the state accounting system
26 (FLAIR).

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

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

1 430.204 Community-care-for-the-elderly core services;
2 departmental powers and duties.--

3 (1)

4 (b) For fiscal year 2003-2004 ~~2002-2003~~ only, the
5 department shall fund, through each area agency on aging in
6 each county as defined in s. 125.011(1), more than one
7 community care service system the primary purpose of which is
8 the prevention of unnecessary institutionalization of
9 functionally impaired elderly persons through the provision of
10 community-based core services. This paragraph expires July 1,
11 2004 ~~2003~~.

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

16 430.205 Community care service system.--

17 (1)

18 (b) For fiscal year 2003-2004 ~~2002-2003~~ only, the
19 department shall fund, through the area agency on aging in
20 each county as defined in s. 125.011(1), more than one
21 community care service system that provides case management
22 and other in-home and community services as needed to help
23 elderly persons maintain independence and prevent or delay
24 more costly institutional care. This paragraph expires July 1,
25 2004 ~~2003~~.

26 Section 5. In order to implement Specific
27 Appropriations 271, 274, 275, and 276 of the 2003-2004 General
28 Appropriations Act, subsection (12) of section 216.292,
29 Florida Statutes, is amended to read:

30 216.292 Appropriations nontransferable; exceptions.--

31

1 (12) For the 2003-2004 ~~2002-2003~~ fiscal year only and
2 notwithstanding the other provisions of this section, the
3 Department of Children and Family Services may transfer funds
4 within the family safety program identified in the General
5 Appropriations Act from identical funding sources between the
6 following appropriation categories without limitation as long
7 as such a transfer does not result in an increase to the total
8 recurring general revenue or trust fund cost of the agency in
9 the subsequent fiscal year: adoption services and subsidy;
10 family foster care; and emergency shelter care. Such transfers
11 must be consistent with legislative policy and intent and must
12 not adversely affect achievement of approved performance
13 outcomes or outputs in the family safety program. Notice of
14 proposed transfers under this authority must be provided to
15 the Executive Office of the Governor and the chairs of the
16 legislative appropriations committees at least 5 working days
17 before their implementation. This subsection expires July 1,
18 2004 ~~2003~~.

19 Section 6. In order to implement Specific
20 Appropriation 620 of the 2003-2004 General Appropriations Act,
21 subsection (2) of section 295.182, Florida Statutes, is
22 amended to read:

23 295.182 Florida World War II Veterans Memorial
24 Matching Trust Fund; contributions; use.--

25 (2) For the 2003-2004 ~~2002-2003~~ fiscal year only, the
26 department may receive contributions from public bodies as
27 defined in s. 1.01(8). Public bodies are authorized to
28 appropriate funds, in lump sum or otherwise, for the purpose
29 of making contributions to the trust fund. This subsection
30 expires July 1, 2004 ~~2003~~.

31

1 Section 7. In order to implement Sections 353 and 357
2 of the 2003-2004 General Appropriations Act, subsection (4) of
3 section 561.121, Florida Statutes, is amended to read:

4 561.121 Deposit of revenue.--

5 (4)(a) State funds collected pursuant to s. 561.501
6 shall be paid into the State Treasury and credited to the
7 following accounts:

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

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

18 **(b) For the 2003-2004 state fiscal year only, and**
19 **notwithstanding the provisions of subparagraph (a)1., moneys**
20 **in the Children and Adolescents Substance Abuse Trust Fund may**
21 **also be used for the purpose of funding programs directed at**
22 **reducing and eliminating substance abuse problems among**
23 **adults. This paragraph expires July 1, 2004.**

24 Section 8. In order to implement Specific
25 Appropriations 265-277 of the 2003-2004 General Appropriations
26 Act, paragraph (k) of subsection (1) of section 409.1671,
27 Florida Statutes, is amended to read:

28 409.1671 Foster care and related services;
29 privatization.--

30 (1)

31

1 (k) Notwithstanding the provisions of paragraph (a)
2 and chapter 287, and for the 2003-2004 ~~2002-2003~~ fiscal year
3 only, the Department of Children and Family Services may
4 combine the current community-based care lead agency contracts
5 for Sarasota, Manatee, and DeSoto Counties into a single
6 contract. This paragraph expires July 1, 2004 ~~2003~~.

7 Section 9. In order to implement Specific
8 Appropriations 410-419 of the 2003-2004 General Appropriations
9 Act:

10 (1) The Department of Children and Family Services may
11 issue a request for proposals no later than October 1, 2003,
12 for the finance, design, construction, and operation of a
13 replacement facility by a private contractor for the South
14 Florida Evaluation and Treatment Center in Miami, Florida.

15 (2) Notwithstanding section 287.057(14), Florida
16 Statutes, the department may enter into agreements not to
17 exceed 20 years with a private contractor to finance, design,
18 and construct a replacement facility of 200 beds and to
19 operate all aspects of daily operations within the facility.

20 (3) If a contractor is selected, it is authorized to
21 sponsor the issuance of tax-exempt bonds, certificates of
22 participation, or other securities to finance the project. The
23 state is authorized to enter into a lease-purchase agreement
24 for the replacement facility. The total cost of the new
25 facility, including the debt service, shall not exceed the
26 operating budget of the existing institution for the 2002-2003
27 fiscal year.

28 (4) If a contractor is selected, it shall assume
29 operation of the existing facility no later than January 1,
30 2004.

31 (5) This section expires July 1, 2004.

1 Section 10. In order to implement Specific
2 Appropriations 1118-1201 of the 2003-2004 General
3 Appropriations Act, subsection (17) of section 216.181,
4 Florida Statutes, is amended to read:

5 216.181 Approved budgets for operations and fixed
6 capital outlay.--

7 (17) Notwithstanding any other provision of this
8 section to the contrary, and for the 2003-2004 ~~2002-2003~~
9 fiscal year only, the Department of Law Enforcement may
10 transfer up to 20 positions and associated budget between
11 budget entities, provided the same funding source is used
12 throughout each transfer. The department may also transfer up
13 to 10 percent of the initial approved salary rate between
14 budget entities, provided the same funding source is used
15 throughout each transfer. The department must provide notice
16 to the Executive Office of the Governor, the chair of the
17 Senate Budget Committee, and the chair of the House Committee
18 on Criminal Justice Appropriations for all transfers of
19 positions or salary rate. This subsection expires July 1, 2004
20 ~~2003~~.

21 Section 11. In order to implement proviso language
22 following Specific Appropriation 1103 of the 2003-2004 General
23 Appropriations Act, the Correctional Privatization Commission
24 may expend appropriated funds to assist in defraying the costs
25 of impacts that are incurred by a municipality or county and
26 associated with opening or operating a facility under the
27 authority of the Correctional Privatization Commission or a
28 facility under the authority of the Department of Juvenile
29 Justice which is located within that municipality or county.
30 The amount that is to be paid under this section for any
31 facility may not exceed 1 percent of the facility construction

1 cost, less building impact fees imposed by the municipality or
2 by the county if the facility is located in the unincorporated
3 portion of the county. This section expires July 1, 2004.

4 Section 12. In order to implement Specific
5 Appropriation 1218 of the 2003-2004 General Appropriations
6 Act, paragraph (b) of subsection (3) of section 16.555,
7 Florida Statutes, is amended to read:

8 16.555 Crime Stoppers Trust Fund; rulemaking.--

9 (3)

10 (b) For the 2003-2004 ~~2002-2003~~ state fiscal year
11 only, and notwithstanding any provision of this section to the
12 contrary, moneys in the trust fund may also be used to pay for
13 salaries and benefits and other expenses of the department.
14 This paragraph expires July 1, 2004 ~~2003~~.

15 Section 13. In order to implement Specific
16 Appropriations 1045-1117 of the 2003-2004 General
17 Appropriations Act, subsection (2) of section 985.4075,
18 Florida Statutes, is amended to read:

19 985.4075 One-time startup funding for juvenile justice
20 purposes.--

21 (2) The department may not use appropriations made for
22 operations, pursuant to the provisions of this section, as
23 one-time startup funding for fixed capital outlay as defined
24 in s. 216.011. This subsection expires July 1, 2004 ~~2003~~.

25 Section 14. In order to implement Specific
26 Appropriations 643-739 and 775-789 of the 2003-2004 General
27 Appropriations Act, subsection (4) of section 216.262, Florida
28 Statutes, is amended to read:

29 216.262 Authorized positions.--

30 (4) Notwithstanding the provisions of this chapter on
31 increasing the number of authorized positions, and for the

1 2003-2004 ~~2002-2003~~ fiscal year only, if the actual inmate
2 population of the Department of Corrections exceeds by 2
3 percent for 2 consecutive months or more the inmate population
4 projected by the most recent Criminal Justice Estimating
5 Conference, the Executive Office of the Governor, with the
6 approval of the Legislative Budget Commission, may request
7 positions in excess of the number authorized by the
8 Legislature and sufficient funding from the Working number
9 authorized by the Legislature and sufficient funding from the
10 Working Capital Fund to operate the additional prison bed
11 capacity necessary to accommodate the actual inmate
12 population. This subsection expires July 1, 2004 ~~2003~~.

13 Section 15. In order to implement Specific
14 Appropriations 2592-2598 of the 2003-2004 General
15 Appropriations Act, subsection (4) of section 287.161, Florida
16 Statutes, is amended to read:

17 287.161 Executive aircraft pool; assignment of
18 aircraft; charge for transportation.--

19 (4) Notwithstanding the requirements of subsections
20 (2) and (3) and for the 2003-2004 ~~2002-2003~~ fiscal year only,
21 the Department of Management Services shall charge all persons
22 receiving transportation from the executive aircraft pool a
23 rate not less than the mileage allowance fixed by the
24 Legislature for the use of privately owned vehicles. Fees
25 collected for persons traveling by aircraft in the executive
26 aircraft pool shall be deposited into the Bureau of Aircraft
27 Trust Fund and shall be expended for costs incurred to operate
28 the aircraft management activities of the department. It is
29 the intent of the Legislature that the executive aircraft pool
30 be operated on a full cost recovery basis, less available
31 funds. This subsection expires July 1, 2004 ~~2003~~.

1 Section 16. In order to implement Specific
2 Appropriation 2636 of the 2003-2004 General Appropriations
3 Act, subsection (2) of section 110.116, Florida Statutes, is
4 amended to read:

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

7 (2) For the 2003-2004 ~~2002-2003~~ fiscal year only, and
8 notwithstanding the requirements of s. 215.94(5) that the
9 department design, implement, and operate the system and of s.
10 110.201(1)(e) that the individual employing agencies maintain
11 records and reports, the department is authorized to contract
12 with a vendor to provide the personnel information system for
13 state agencies. The vendor may assist the department in
14 compiling and reporting personnel data and may assist the
15 employing agencies in maintaining personnel records. This
16 subsection expires July 1, 2004 ~~2003~~.

17 Section 17. In order to implement appropriations of
18 funds in salaries and benefits categories of the 2003-2004
19 General Appropriations Act, subsection (6) of section
20 110.2035, Florida Statutes, is amended to read:

21 110.2035 Classification and compensation program.--

22 (6) The department shall adopt any rules necessary to
23 implement the classification and compensation program to
24 include Career Service, Selected Exempt Service, and Senior
25 Management Service positions consistent with the plan
26 submitted to the Legislature on December 1, 2001; however, the
27 adopted plan shall include pay bandwidths of 150 percent for
28 each occupational group except the manager and executive
29 occupational groups. ~~The department may adopt emergency rules
30 if necessary to implement this program by July 1, 2002.~~

31

1 Section 18. Section 43 of chapter 2002-402, Laws of
2 Florida, is amended to read:

3 Section 43. The amendment of section 110.2035, Florida
4 Statutes, by this act shall expire on July 1, 2004 ~~2003~~, and
5 the text of that section shall revert to that in existence on
6 June 30, 2002, except that any amendments to such text enacted
7 other than by this act shall be preserved and continue to
8 operate to the extent that such amendments are not dependent
9 upon the portions of such text which expire pursuant to the
10 provisions of this act.

11 Section 19. In order to implement Section 8 of the
12 2003-2004 General Appropriations Act, subsection (7) of
13 section 110.12315, Florida Statutes, is amended to read:

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

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

23 (a) Effective January 1, 2001:

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

30 (b) The Department of Management Services shall create
31 a preferred brand name drug list to be used in the

1 administration of the state employees' prescription drug
2 program.

3
4 This subsection expires July 1, 2004 ~~2003~~.

5 Section 20. In order to implement Section 8 of the
6 2003-2004 General Appropriations Act, section 110.1239,
7 Florida Statutes, is amended to read:

8 110.1239 State group health insurance program
9 funding.--For the 2003-2004 ~~2002-2003~~ fiscal year only, it is
10 the intent of the Legislature that the state group health
11 insurance program be managed, administered, operated, and
12 funded in such a manner as to maximize the protection of state
13 employee health insurance benefits. Inherent in this intent is
14 the recognition that the health insurance liabilities
15 attributable to the benefits offered state employees should be
16 fairly, orderly, and equitably funded. Accordingly:

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

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

29 (3) For purposes of funding, any additional
30 appropriation amounts allocated to the state group health
31

1 insurance program by the Legislature shall be considered as a
2 state contribution and thus an increase in the state premiums.

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

4 Section 21. In order to implement Sections 2-7 of the
5 2003-2004 General Appropriations Act, paragraph (c) of
6 subsection (5) and paragraph (d) of subsection (6) of section
7 112.061, Florida Statutes, are amended to read:

8 112.061 Per diem and travel expenses of public
9 officers, employees, and authorized persons.--

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

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

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

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

28 Section 22. In order to implement appropriations of
29 funds in salaries and benefits categories of the 2003-2004
30 General Appropriations Act, subsection (4) of section 121.71,
31 Florida Statutes, is amended to read:

1 121.71 Uniform rates; process; calculations; levy.--
2 (4) Notwithstanding the provisions of subsection (3),
3 and for the fiscal year 2003-2004 ~~2002-2003~~ only, the state
4 actuary shall recognize and use an appropriate level of
5 available excess assets of the Florida Retirement System Trust
6 Fund to offset the difference between the normal costs of the
7 Florida Retirement System and the statutorily prescribed
8 contribution rates. This subsection expires July 1, 2004 ~~2003~~.

9 Section 23. In order to implement Specific
10 Appropriations 2132-2155 of the 2003-2004 General
11 Appropriations Act, subsection (1) of section 468.404, Florida
12 Statutes, is amended to read:

13 468.404 License; fees; renewals.--

14 (1)(a) The department by rule shall establish biennial
15 fees for initial licensing, renewal of license, and
16 reinstatement of license, none of which fees shall exceed
17 \$400. The department may by rule establish a delinquency fee
18 of no more than \$50. The fees shall be adequate to
19 proportionately fund the expenses of the department which are
20 allocated to the regulation of talent agencies and shall be
21 based on the department's estimate of the revenue required to
22 administer this part.

23 (b) For the 2003-2004 fiscal year only,
24 notwithstanding the provisions of paragraph (a), the
25 department shall assess talent agency license fees at a level
26 sufficient to cover the cost of regulation appropriated in the
27 2003-2004 General Appropriations Act, or any other act passed
28 by the 2003 Legislature containing appropriations for such
29 purpose. This paragraph expires July 1, 2004.

30 Section 24. In order to implement Specific
31 Appropriation 1430 of the 2003-2004 General Appropriations

1 Act, paragraphs (b) and (c) of subsection (1) of section
2 252.373, Florida Statutes, are amended to read:

3 252.373 Allocation of funds; rules.--
4 (1)

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

10 (c) Notwithstanding the provisions of paragraph (a),
11 and for the 2003-2004 ~~2002-2003~~ fiscal year only, the
12 Department of Community Affairs shall conduct a review of
13 funds available in the Emergency Management, Preparedness, and
14 Assistance Trust Fund. By December 1, 2003 ~~2002~~, when actual
15 receipts for the 2002-2003 ~~2001-2002~~ fiscal year are
16 determined, the Department of Community Affairs may identify
17 any funds that were unspent or unencumbered in the 2002-2003
18 ~~2001-2002~~ fiscal year that are not required to implement
19 appropriations for the 2003-2004 ~~2002-2003~~ fiscal year from
20 the Emergency Management, Preparedness, and Assistance Trust
21 Fund, and such funds may be transferred to the Grants and
22 Donations Trust Fund to be used for the state portion of the
23 match requirements for federally approved Hazard Mitigation
24 Grant Program projects. This paragraph expires July 1, 2004
25 ~~2003~~.

26 Section 25. In order to implement proviso language in
27 Specific Appropriation 2014 of the 2003-2004 General
28 Appropriations Act, section 402.3017, Florida Statutes, is
29 amended to read:

30 402.3017 Teacher Education and Compensation Helps
31 (TEACH) scholarship program.--

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

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

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

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

21 Section 26. In order to implement Specific
22 Appropriation 2014 of the 2003-2004 General Appropriations
23 Act, subsection (13) of section 411.01, Florida Statutes, is
24 amended to read:

25 411.01 Florida Partnership for School Readiness;
26 school readiness coalitions.--

27 (13) PLACEMENTS.--Notwithstanding any other provision
28 of this section to the contrary, and for fiscal year 2003-2004
29 ~~2002-2003~~ only, the first children to be placed in the school
30 readiness program shall be those from families receiving
31 temporary cash assistance and subject to federal work

1 requirements. Subsequent placements shall be pursuant to the
2 provisions of this section. This subsection expires July 1,
3 2004 ~~2003~~.

4 Section 27. In order to implement Specific
5 Appropriation 2315M of the 2003-2004 General Appropriations
6 Act, subsection (10) of section 288.063, Florida Statutes, is
7 amended to read:

8 288.063 Contracts for transportation projects.--

9 (10)(a) Notwithstanding the provisions of s. 216.301,
10 funds appropriated for this purpose shall not be subject to
11 reversion.

12 (b) For the 2003-2004 fiscal year only and
13 notwithstanding paragraph (a), funds appropriated for this
14 purpose are subject to the reversion requirements of s.
15 216.301. This paragraph expires July 1, 2004.

16 Section 28. In order to implement Specific
17 Appropriation 2315D of the 2003-2004 General Appropriations
18 Act, paragraph (b) of subsection (9) of section 320.08058,
19 Florida Statutes, is amended to read:

20 320.08058 Specialty license plates.--

21 (9) FLORIDA PROFESSIONAL SPORTS TEAM LICENSE PLATES.--

22 (b) The license plate annual use fees are to be
23 annually distributed as follows:

24 1. Fifty-five percent of the proceeds from the Florida
25 Professional Sports Team plate must be deposited into the
26 Professional Sports Development Trust Fund within the Office
27 of Tourism, Trade, and Economic Development. These funds must
28 be used solely to attract and support major sports events in
29 this state. As used in this subparagraph, the term "major
30 sports events" means, but is not limited to, championship or
31 all-star contests of Major League Baseball, the National

1 Basketball Association, the National Football League, the
2 National Hockey League, the men's and women's National
3 Collegiate Athletic Association Final Four basketball
4 championship, or a horseracing or dogracing Breeders' Cup. All
5 funds must be used to support and promote major sporting
6 events, and the uses must be approved by the Florida Sports
7 Foundation.

8 2. The remaining proceeds of the Florida Professional
9 Sports Team license plate must be allocated to the Florida
10 Sports Foundation, a direct-support organization of the Office
11 of Tourism, Trade, and Economic Development. These funds must
12 be deposited into the Professional Sports Development Trust
13 Fund within the Office of Tourism, Trade, and Economic
14 Development. These funds must be used by the Florida Sports
15 Foundation to promote the economic development of the sports
16 industry; to distribute licensing and royalty fees to
17 participating professional sports teams; to institute a grant
18 program for communities bidding on minor sporting events that
19 create an economic impact for the state; to distribute funds
20 to Florida-based charities designated by the Florida Sports
21 Foundation and the participating professional sports teams;
22 and to fulfill the sports promotion responsibilities of the
23 Office of Tourism, Trade, and Economic Development.

24 3. The Florida Sports Foundation shall provide an
25 annual financial audit in accordance with s. 215.981 of its
26 financial accounts and records by an independent certified
27 public accountant pursuant to the contract established by the
28 Office of Tourism, Trade, and Economic Development as
29 specified in s. 288.1229(5). The auditor shall submit the
30 audit report to the Office of Tourism, Trade, and Economic
31 Development for review and approval. If the audit report is

1 approved, the office shall certify the audit report to the
2 Auditor General for review.

3 4. For the 2003-2004 fiscal year only and
4 notwithstanding the provisions of subparagraphs 1. and 2.,
5 proceeds from the Professional Sports Development Trust Fund
6 may also be used for operational expenses of the Florida
7 Sports Foundation and financial support of the Sunshine State
8 Games. This subparagraph expires July 1, 2004.

9 Section 29. In order to implement Section 20 of the
10 2003-2004 General Appropriations Act, subsection (5) is added
11 to section 339.08, Florida Statutes, to read:

12 339.08 Use of moneys in State Transportation Trust
13 Fund.--

14 (5) For the 2003-2004 fiscal year only and
15 notwithstanding the provisions of this section and s.
16 339.09(1), \$200 million may be transferred from the State
17 Transportation Trust Fund to the General Revenue Fund in the
18 2003-2004 General Appropriations Act. Such transfer may be
19 comprised of several smaller transfers made during the
20 2003-2004 fiscal year. Notwithstanding ss. 206.46(3) and
21 206.606(2), the total amount transferred shall be reduced from
22 total state revenues deposited into the State Transportation
23 Trust Fund for the calculation requirements of ss. 206.46(3)
24 and 206.606(2). This subsection expires July 1, 2004.

25 Section 30. In order to implement Specific
26 Appropriations 265, 1096, 1390A, and 2909 of the 2003-2004
27 General Appropriations Act, section 61 of chapter 2002-402,
28 Laws of Florida, is amended to read:

29 Section 61. The amendment of section 215.20, Florida
30 Statutes, by this act shall expire on July 1, 2004 ~~2003~~, and
31 the text of that section shall revert to that in existence on

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

6 Section 31. In order to implement Specific
7 Appropriations 265, 1096, 1390A, and 2909 of the 2003-2004
8 General Appropriations Act, section 63 of chapter 2002-204,
9 Laws of Florida, is amended to read:

10 Section 63. The amendment of subsection (1) of section
11 215.22, Florida Statutes, by this act shall expire on July 1,
12 2004 ~~2003~~, and the text of that subsection shall revert to
13 that in existence on June 30, 2002, except that any amendments
14 to such text enacted other than by this act shall be preserved
15 and continue to operate to the extent that such amendments are
16 not dependent upon the portions of such text which expire
17 pursuant to the provisions of this act.

18 Section 32. In order to implement Specific
19 Appropriations 265, 1096, and 2909 of the 2003-2004 General
20 Appropriations Act, section 65 of chapter 2002-402, Laws of
21 Florida, is amended to read:

22 Section 65. The amendment of subsection (4) of section
23 18.10, Florida Statutes, by this act shall expire on July 1,
24 2004 ~~2003~~, and the text of that subsection shall revert to
25 that in existence on June 30, 2002, except that any amendments
26 to such text enacted other than by this act shall be preserved
27 and continue to operate to the extent that such amendments are
28 not dependent upon the portions of such text which expire
29 pursuant to the provisions of this act.

30 Section 33. In order to implement Specific
31 Appropriations 265, 1096, and 2909 of the 2003-2004 General

1 Appropriations Act, section 67 of chapter 2002-402, Laws of
2 Florida, is amended to read:

3 Section 67. The amendment of subsection (3) of section
4 18.125, Florida Statutes, by this act shall expire on July 1,
5 2004 ~~2003~~, and the text of that subsection shall revert to
6 that in existence on June 30, 2002, except that any amendments
7 to such text enacted other than by this act shall be preserved
8 and continue to operate to the extent that such amendments are
9 not dependent upon the portions of such text which expire
10 pursuant to the provisions of this act.

11 Section 34. In order to implement Specific
12 Appropriation 2909 of the 2003-2004 General Appropriations
13 Act, section 69 of chapter 2002-402, Laws of Florida, is
14 amended to read:

15 Section 69. The amendment of paragraph (f) of
16 subsection (2) of section 14.2015, Florida Statutes, by this
17 act shall expire on July 1, 2004 ~~2003~~, and the text of that
18 paragraph shall revert to that in existence on July 29, 2002,
19 except that any amendments to such text enacted other than by
20 this act shall be preserved and continue to operate to the
21 extent that such amendments are not dependent upon the
22 portions of such text which expire pursuant to the provisions
23 of this act.

24 Section 35. In order to implement Specific
25 Appropriation 265 of the 2003-2004 General Appropriations Act,
26 section 71 of chapter 2002-402, Laws of Florida, is amended to
27 read:

28 Section 71. The amendment of subsection (8) of section
29 240.4075, Florida Statutes, by this act shall expire on July
30 1, 2004 ~~2003~~, and the text of that subsection shall revert to
31 that in existence on June 30, 2002, except that any amendments

1 to such text enacted other than by this act shall be preserved
2 and continue to operate to the extent that such amendments are
3 not dependent upon the portions of such text which expire
4 pursuant to the provisions of this act.

5 Section 36. In order to implement Specific
6 Appropriation 265 of the 2003-2004 General Appropriations Act,
7 section 73 of chapter 2002-402, Laws of Florida, is amended to
8 read:

9 Section 73. The amendment of subsection (3) of section
10 385.207, Florida Statutes, by this act shall expire on July 1,
11 2004 ~~2003~~, and the text of that subsection shall revert to
12 that in existence on June 30, 2002, except that any amendments
13 to such text enacted other than by this act shall be preserved
14 and continue to operate to the extent that such amendments are
15 not dependent upon the portions of such text which expire
16 pursuant to the provisions of this act.

17 Section 37. In order to implement Specific
18 Appropriation 1096 of the 2003-2004 General Appropriations
19 Act, section 75 of chapter 2002-402, Laws of Florida, is
20 amended to read:

21 Section 75. The amendment of subsection (1) of section
22 860.158, Florida Statutes, by this act shall expire on July 1,
23 2004 ~~2003~~, and the text of that subsection shall revert to
24 that in existence on June 30, 2002, except that any amendments
25 to such text enacted other than by this act shall be preserved
26 and continue to operate to the extent that such amendments are
27 not dependent upon the portions of such text which expire
28 pursuant to the provisions of this act.

29 Section 38. In order to implement Specific
30 Appropriation 1096 of the 2003-2004 General Appropriations
31

1 Act, section 77 of chapter 2002-402, Laws of Florida, is
2 amended to read:

3 Section 77. The amendment of subsection (1) of section
4 938.01, Florida Statutes, by this act shall expire on July 1,
5 2004 ~~2003~~, and the text of that subsection shall revert to
6 that in existence on June 30, 2002, except that any amendments
7 to such text enacted other than by this act shall be preserved
8 and continue to operate to the extent that such amendments are
9 not dependent upon the portions of such text which expire
10 pursuant to the provisions of this act.

11 Section 39. In order to implement Section 21 of the
12 2003-2004 General Appropriations Act, paragraph (b) of
13 subsection (2) of section 215.32, Florida Statutes, is
14 reenacted to read:

15 215.32 State funds; segregation.--

16 (2) The source and use of each of these funds shall be
17 as follows:

18 (b)1. The trust funds shall consist of moneys received
19 by the state which under law or under trust agreement are
20 segregated for a purpose authorized by law. The state agency
21 or branch of state government receiving or collecting such
22 moneys shall be responsible for their proper expenditure as
23 provided by law. Upon the request of the state agency or
24 branch of state government responsible for the administration
25 of the trust fund, the Comptroller may establish accounts
26 within the trust fund at a level considered necessary for
27 proper accountability. Once an account is established within a
28 trust fund, the Comptroller may authorize payment from that
29 account only upon determining that there is sufficient cash
30 and releases at the level of the account.

31

1 2. In order to maintain a minimum number of trust
2 funds in the State Treasury, each state agency or the judicial
3 branch may consolidate, if permitted under the terms and
4 conditions of their receipt, the trust funds administered by
5 it; provided, however, the agency or judicial branch employs
6 effectively a uniform system of accounts sufficient to
7 preserve the integrity of such trust funds; and provided,
8 further, that consolidation of trust funds is approved by the
9 Governor or the Chief Justice.

10 3. All such moneys are hereby appropriated to be
11 expended in accordance with the law or trust agreement under
12 which they were received, subject always to the provisions of
13 chapter 216 relating to the appropriation of funds and to the
14 applicable laws relating to the deposit or expenditure of
15 moneys in the State Treasury.

16 4.a. Notwithstanding any provision of law restricting
17 the use of trust funds to specific purposes, unappropriated
18 cash balances from selected trust funds may be authorized by
19 the Legislature for transfer to the Budget Stabilization Fund
20 and Working Capital Fund in the General Appropriations Act.

21 b. This subparagraph does not apply to trust funds
22 required by federal programs or mandates; trust funds
23 established for bond covenants, indentures, or resolutions
24 whose revenues are legally pledged by the state or public body
25 to meet debt service or other financial requirements of any
26 debt obligations of the state or any public body; the State
27 Transportation Trust Fund; the trust fund containing the net
28 annual proceeds from the Florida Education Lotteries; the
29 Florida Retirement System Trust Fund; trust funds under the
30 management of the Board of Regents, where such trust funds are
31 for auxiliary enterprises, self-insurance, and contracts,

1 grants, and donations, as those terms are defined by general
2 law; trust funds that serve as clearing funds or accounts for
3 the Comptroller or state agencies; trust funds that account
4 for assets held by the state in a trustee capacity as an agent
5 or fiduciary for individuals, private organizations, or other
6 governmental units; and other trust funds authorized by the
7 State Constitution.

8 Section 40. A section of this act that implements a
9 specific appropriation or specifically identified proviso
10 language in the 2003-2004 General Appropriations Act is void
11 if the specific appropriation or specifically identified
12 proviso language is vetoed. A section of this act that
13 implements more than one specific appropriation or more than
14 one portion of specifically identified proviso language in the
15 2003-2004 General Appropriations Act is void if all the
16 specific appropriations or portions of specifically identified
17 proviso language are vetoed.

18 Section 41. If any other act passed in 2003 contains a
19 provision that is substantively the same as a provision in
20 this act, but that removes or is otherwise not subject to the
21 future repeal applied to such provision by this act, the
22 Legislature intends that the provision in the other act shall
23 take precedence and shall continue to operate, notwithstanding
24 the future repeal provided by this act.

25 Section 42. The agency performance measures and
26 standards in the document entitled "Performance Measures and
27 Standards Approved by the Legislature for Fiscal Year
28 2003-2004" dated March 21, 2003, and filed with the Secretary
29 of the Senate are incorporated by reference. Such performance
30 measures and standards are directly linked to the
31 appropriations made in the General Appropriations Act for

1 fiscal year 2003-2004, as required by the Government
2 Performance and Accountability Act of 1994. State agencies are
3 directed to revise their long-range program plans required
4 under section 216.013, Florida Statutes, to be consistent with
5 these performance measures and standards.

6 Section 43. If any provision of this act or its
7 application to any person or circumstance is held invalid, the
8 invalidity does not affect other provisions or applications of
9 the act which can be given effect without the invalid
10 provision or application, and to this end the provisions of
11 this act are severable.

12 Section 44. Except as otherwise provided in this act,
13 this act shall take effect July 1, 2003; or, if this act fails
14 to become a law until after that date, it shall take effect
15 upon becoming a law and shall operate retroactively to July 1,
16 2003.

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18 *****

19 SENATE SUMMARY

20 Implements the 2003-2004 General Appropriations Act.
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