

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. 443.036, F.S.;
16 providing a definition and an application of an
17 alternative base period for unemployment
18 compensation; providing requirements and
19 limitations; requiring employers to respond to
20 requests for information by the Agency for
21 Workforce Innovation; providing a penalty for
22 failure to respond; providing for adjustments
23 in determinations of monetary eligibility;
24 amending s. 61 of chapter 2002-402, Laws of
25 Florida, delaying the expiration of certain
26 changes to s. 215.20, F.S., relating to the
27 contributions of certain trust funds to the
28 General Revenue Fund; amending s. 63 of chapter
29 2002-402, Laws of Florida; delaying the
30 expiration of certain changes to s. 215.22,
31 F.S., relating to an exemption from

1 appropriation provided for certain trust funds;
2 amending s. 65 of chapter 2002-402, Laws of
3 Florida; delaying the expiration of certain
4 changes to s. 18.10, F.S., relating to deposits
5 and investments of state money; amending s. 67
6 of chapter 2002-402, Laws of Florida; delaying
7 the expiration of certain changes to s. 18.125,
8 F.S., relating to the investment of certain
9 trust funds; amending s. 69 of chapter
10 2002-402, Laws of Florida; delaying the
11 expiration of certain changes to s. 14.2015,
12 F.S., relating to the Economic Development
13 Trust Fund; amending s. 71 of chapter 2002-402,
14 Laws of Florida; delaying the expiration of
15 certain changes to s. 240.4075, F.S., relating
16 to the Nursing Student Loan Forgiveness
17 Program; amending s. 73 of chapter 2002-402,
18 Laws of Florida; delaying the expiration of
19 certain changes to s. 385.207, F.S., relating
20 to care and assistance of persons with
21 epilepsy; amending s. 75 of chapter 2002-402,
22 Laws of Florida; delaying the expiration of
23 certain changes to s. 860.158, F.S., relating
24 to the interest earned on moneys in the Florida
25 Motor Vehicle Theft Prevention Trust Fund;
26 amending s. 77 of chapter 2002-402, Laws of
27 Florida; delaying the expiration of certain
28 changes to s. 938.01, F.S., relating to the
29 interest earned on certain trust funds;
30 reenacting s. 215.32(2)(b), F.S., to implement
31 the transfer of moneys to the Working Capital

1 Fund from certain trust funds; providing for
2 the effect of a veto of a specific
3 appropriation or proviso to which implementing
4 provisions refer; providing applicability to
5 other legislation; incorporating by reference
6 specified performance measures and standards
7 directly linked to the appropriations made in
8 the 2002-2004 General Appropriations Act, as
9 required by the Government Performance and
10 Accountability Act of 1994; providing for
11 severability; providing effective dates.
12

13 Be It Enacted by the Legislature of the State of Florida:
14

15 Section 1. It is the intent of the Legislature that
16 the implementing and administering provisions of this act
17 apply to the General Appropriations Act for fiscal year
18 2003-2004.

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

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

27 (2) Notwithstanding the provisions of sections
28 216.181, 216.292, and 1011.4105, Florida Statutes, and
29 pursuant to section 216.351, Florida Statutes, funds
30 appropriated or reappropriated to the state universities in
31 the 2003-2004 General Appropriations Act, or any other act

1 passed by the 2003 Legislature containing appropriations,
2 shall be distributed to each university according to the
3 2003-2004 fiscal year operating budget approved by the
4 university board of trustees. Each university board of
5 trustees shall have authority to amend the operating budget as
6 circumstances warrant. The operating budget may utilize
7 traditional appropriation categories or it may consolidate the
8 appropriations into a special category appropriation account.
9 The Chief Financial Officer, upon the request of the
10 university board of trustees, shall record by journal transfer
11 the distribution of the appropriated funds and releases
12 according to the approved operating budget to the
13 appropriation accounts established for disbursement purposes
14 for each university within the state accounting system
15 (FLAIR).

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

1 appropriation accounts established for disbursement purposes
2 for each university within the state accounting system
3 (FLAIR).

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

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

9 430.204 Community-care-for-the-elderly core services;
10 departmental powers and duties.--

11 (1)

12 (b) For fiscal year 2003-2004 ~~2002-2003~~ only, the
13 department shall fund, through each area agency on aging in
14 each county as defined in s. 125.011(1), more than one
15 community care service system the primary purpose of which is
16 the prevention of unnecessary institutionalization of
17 functionally impaired elderly persons through the provision of
18 community-based core services. This paragraph expires July 1,
19 2004 ~~2003~~.

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

24 430.205 Community care service system.--

25 (1)

26 (b) For fiscal year 2003-2004 ~~2002-2003~~ only, the
27 department shall fund, through the area agency on aging in
28 each county as defined in s. 125.011(1), more than one
29 community care service system that provides case management
30 and other in-home and community services as needed to help
31 elderly persons maintain independence and prevent or delay

1 more costly institutional care. This paragraph expires July 1,
2 2004 ~~2003~~.

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

7 216.292 Appropriations nontransferable; exceptions.--

8 (12) For the 2003-2004 ~~2002-2003~~ fiscal year only and
9 notwithstanding the other provisions of this section, the
10 Department of Children and Family Services may transfer funds
11 within the family safety program identified in the General
12 Appropriations Act from identical funding sources between the
13 following appropriation categories without limitation as long
14 as such a transfer does not result in an increase to the total
15 recurring general revenue or trust fund cost of the agency in
16 the subsequent fiscal year: adoption services and subsidy;
17 family foster care; and emergency shelter care. Such transfers
18 must be consistent with legislative policy and intent and must
19 not adversely affect achievement of approved performance
20 outcomes or outputs in the family safety program. Notice of
21 proposed transfers under this authority must be provided to
22 the Executive Office of the Governor and the chairs of the
23 legislative appropriations committees at least 5 working days
24 before their implementation. This subsection expires July 1,
25 2004 ~~2003~~.

26 Section 6. In order to implement Specific
27 Appropriation 620 of the 2003-2004 General Appropriations Act,
28 subsection (2) of section 295.182, Florida Statutes, is
29 amended to read:

30 295.182 Florida World War II Veterans Memorial
31 Matching Trust Fund; contributions; use.--

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

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

10 561.121 Deposit of revenue.--

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

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

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

24 (b) For the 2003-2004 state fiscal year only, and
25 notwithstanding the provisions of subparagraph (a)1., moneys
26 in the Children and Adolescents Substance Abuse Trust Fund may
27 also be used for the purpose of funding programs directed at
28 reducing and eliminating substance abuse problems among
29 adults. This paragraph expires July 1, 2004.

30 Section 8. In order to implement Specific
31 Appropriations 265-277 of the 2003-2004 General Appropriations

1 Act, paragraph (k) of subsection (1) of section 409.1671,
2 Florida Statutes, is amended to read:

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

5 (1)

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

12 Section 9. In order to implement Specific
13 Appropriations 410-419 of the 2003-2004 General Appropriations
14 Act:

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

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

25 (3) If a contractor is selected, it is authorized to
26 sponsor the issuance of tax-exempt bonds, certificates of
27 participation, or other securities to finance the project. The
28 state is authorized to enter into a lease-purchase agreement
29 for the replacement facility. The total cost of the new
30 facility, including the debt service, shall not exceed the

31

1 operating budget of the existing institution for the 2002-2003
2 fiscal year.

3 (4) If a contractor is selected, it shall assume
4 operation of the existing facility no later than January 1,
5 2004.

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

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

11 216.181 Approved budgets for operations and fixed
12 capital outlay.--

13 (17) Notwithstanding any other provision of this
14 section to the contrary, and for the 2003-2004 ~~2002-2003~~
15 fiscal year only, the Department of Law Enforcement may
16 transfer up to 20 positions and associated budget between
17 budget entities, provided the same funding source is used
18 throughout each transfer. The department may also transfer up
19 to 10 percent of the initial approved salary rate between
20 budget entities, provided the same funding source is used
21 throughout each transfer. The department must provide notice
22 to the Executive Office of the Governor, the chair of the
23 Senate Budget Committee, and the chair of the House Committee
24 on Criminal Justice Appropriations for all transfers of
25 positions or salary rate. This subsection expires July 1, 2004
26 ~~2003~~.

27 Section 11. In order to implement proviso language
28 following Specific Appropriation 1103 of the 2003-2004 General
29 Appropriations Act, the Correctional Privatization Commission
30 may expend appropriated funds to assist in defraying the costs
31 of impacts that are incurred by a municipality or county and

1 associated with opening or operating a facility under the
2 authority of the Correctional Privatization Commission or a
3 facility under the authority of the Department of Juvenile
4 Justice which is located within that municipality or county.
5 The amount that is to be paid under this section for any
6 facility may not exceed 1 percent of the facility construction
7 cost, less building impact fees imposed by the municipality or
8 by the county if the facility is located in the unincorporated
9 portion of the county. This section expires July 1, 2004.

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

14 16.555 Crime Stoppers Trust Fund; rulemaking.--

15 (3)

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

21 Section 13. In order to implement Specific
22 Appropriations 1045-1117 of the 2003-2004 General
23 Appropriations Act, subsection (2) of section 985.4075,
24 Florida Statutes, is amended to read:

25 985.4075 One-time startup funding for juvenile justice
26 purposes.--

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

31

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

5 216.262 Authorized positions.--

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

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

24 287.161 Executive aircraft pool; assignment of
25 aircraft; charge for transportation.--

26 (4) Notwithstanding the requirements of subsections
27 (2) and (3) and for the 2003-2004 ~~2002-2003~~ fiscal year only,
28 the Department of Management Services shall charge all persons
29 receiving transportation from the executive aircraft pool a
30 rate not less than the mileage allowance fixed by the
31 Legislature for the use of privately owned vehicles. Fees

1 collected for persons traveling by aircraft in the executive
2 aircraft pool shall be deposited into the Bureau of Aircraft
3 Trust Fund and shall be expended for costs incurred to operate
4 the aircraft management activities of the department. It is
5 the intent of the Legislature that the executive aircraft pool
6 be operated on a full cost recovery basis, less available
7 funds. This subsection expires July 1, 2004 ~~2003~~.

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

12 110.116 Personnel information system; payroll
13 procedures.--

14 (2) For the 2003-2004 ~~2002-2003~~ fiscal year only, and
15 notwithstanding the requirements of s. 215.94(5) that the
16 department design, implement, and operate the system and of s.
17 110.201(1)(e) that the individual employing agencies maintain
18 records and reports, the department is authorized to contract
19 with a vendor to provide the personnel information system for
20 state agencies. The vendor may assist the department in
21 compiling and reporting personnel data and may assist the
22 employing agencies in maintaining personnel records. This
23 subsection expires July 1, 2004 ~~2003~~.

24 Section 17. In order to implement appropriations of
25 funds in salaries and benefits categories of the 2003-2004
26 General Appropriations Act, subsection (6) of section
27 110.2035, Florida Statutes, is amended to read:

28 110.2035 Classification and compensation program.--

29 (6) The department shall adopt any rules necessary to
30 implement the classification and compensation program to
31 include Career Service, Selected Exempt Service, and Senior

1 Management Service positions consistent with the plan
 2 submitted to the Legislature on December 1, 2001; however, the
 3 adopted plan shall include pay bandwidths of 150 percent for
 4 each occupational group except the manager and executive
 5 occupational groups. ~~The department may adopt emergency rules~~
 6 ~~if necessary to implement this program by July 1, 2002.~~

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

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

17 Section 19. In order to implement Section 8 of the
 18 2003-2004 General Appropriations Act, subsection (7) of
 19 section 110.12315, Florida Statutes, is amended to read:

20 110.12315 Prescription drug program.--The state
 21 employees' prescription drug program is established. This
 22 program shall be administered by the Department of Management
 23 Services, according to the terms and conditions of the plan as
 24 established by the relevant provisions of the annual General
 25 Appropriations Act and implementing legislation, subject to
 26 the following conditions:

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

29 (a) Effective January 1, 2001:

- 30 1. For generic drug with card.....\$7.
- 31 2. For preferred brand name drug with card.....\$20.

- 1 3. For nonpreferred brand name drug with card.....\$35.
 2 4. For generic mail order drug.....\$10.50.
 3 5. For preferred brand name mail order drug.....\$30.
 4 6. For nonpreferred brand name drug.....\$52.50.

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

9

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

11 Section 20. In order to implement Section 8 of the
 12 2003-2004 General Appropriations Act, section 110.1239,
 13 Florida Statutes, is amended to read:

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

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

29 (2) The Governor, in the Governor's recommended
 30 budget, shall provide premium rates necessary for full funding
 31 of the state group health insurance program, and the

1 Legislature shall provide in the General Appropriations Act
2 for a premium level necessary for full funding of the state
3 group health insurance program.

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

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

9 Section 21. In order to implement Sections 2-7 of the
10 2003-2004 General Appropriations Act, paragraph (c) of
11 subsection (5) and paragraph (d) of subsection (6) of section
12 112.061, Florida Statutes, are amended to read:

13 112.061 Per diem and travel expenses of public
14 officers, employees, and authorized persons.--

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

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

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

28 (d) For the 2003-2004 ~~2002-2003~~ fiscal year only and
29 notwithstanding the other provisions of this subsection, for
30 Class C travel, a state traveler shall not be reimbursed on a
31

1 per diem basis nor shall a traveler receive subsistence
2 allowance. This paragraph expires July 1, 2004 ~~2003~~.

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

7 121.71 Uniform rates; process; calculations; levy.--

8 (4) Notwithstanding the provisions of subsection (3),
9 and for the fiscal year 2003-2004 ~~2002-2003~~ only, the state
10 actuary shall recognize and use an appropriate level of
11 available excess assets of the Florida Retirement System Trust
12 Fund to offset the difference between the normal costs of the
13 Florida Retirement System and the statutorily prescribed
14 contribution rates. This subsection expires July 1, 2004 ~~2003~~.

15 Section 23. In order to implement Specific
16 Appropriations 2132-2155 of the 2003-2004 General
17 Appropriations Act, subsection (1) of section 468.404, Florida
18 Statutes, is amended to read:

19 468.404 License; fees; renewals.--

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

29 (b) For the 2003-2004 fiscal year only,
30 notwithstanding the provisions of paragraph (a), the
31 department shall assess talent agency license fees at a level

1 sufficient to cover the cost of regulation appropriated in the
2 2003-2004 General Appropriations Act, or any other act passed
3 by the 2003 Legislature containing appropriations for such
4 purpose. This paragraph expires July 1, 2004.

5 Section 24. In order to implement Specific
6 Appropriation 1430 of the 2003-2004 General Appropriations
7 Act, paragraphs (b) and (c) of subsection (1) of section
8 252.373, Florida Statutes, are amended to read:

9 252.373 Allocation of funds; rules.--

10 (1)

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

16 (c) Notwithstanding the provisions of paragraph (a),
17 and for the 2003-2004 ~~2002-2003~~ fiscal year only, the
18 Department of Community Affairs shall conduct a review of
19 funds available in the Emergency Management, Preparedness, and
20 Assistance Trust Fund. By December 1, 2003 ~~2002~~, when actual
21 receipts for the 2002-2003 ~~2001-2002~~ fiscal year are
22 determined, the Department of Community Affairs may identify
23 any funds that were unspent or unencumbered in the 2002-2003
24 ~~2001-2002~~ fiscal year that are not required to implement
25 appropriations for the 2003-2004 ~~2002-2003~~ fiscal year from
26 the Emergency Management, Preparedness, and Assistance Trust
27 Fund, and such funds may be transferred to the Grants and
28 Donations Trust Fund to be used for the state portion of the
29 match requirements for federally approved Hazard Mitigation
30 Grant Program projects. This paragraph expires July 1, 2004
31 ~~2003~~.

1 Section 25. In order to implement proviso language in
2 Specific Appropriation 2014 of the 2003-2004 General
3 Appropriations Act, section 402.3017, Florida Statutes, is
4 amended to read:

5 402.3017 Teacher Education and Compensation Helps
6 (TEACH) scholarship program.--

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

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

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

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

27 Section 26. In order to implement Specific
28 Appropriation 2014 of the 2003-2004 General Appropriations
29 Act, subsection (13) of section 411.01, Florida Statutes, is
30 amended to read:

31

1 411.01 Florida Partnership for School Readiness;
2 school readiness coalitions.--

3 (13) PLACEMENTS.--Notwithstanding any other provision
4 of this section to the contrary, and for fiscal year 2003-2004
5 ~~2002-2003~~ only, the first children to be placed in the school
6 readiness program shall be those from families receiving
7 temporary cash assistance and subject to federal work
8 requirements. Subsequent placements shall be pursuant to the
9 provisions of this section. This subsection expires July 1,
10 2004 ~~2003~~.

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

15 288.063 Contracts for transportation projects.--

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

19 (b) For the 2003-2004 fiscal year only and
20 notwithstanding paragraph (a), funds appropriated for this
21 purpose are subject to the reversion requirements of s.
22 216.301. This paragraph expires July 1, 2004.

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

27 320.08058 Specialty license plates.--

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

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

31

1 1. Fifty-five percent of the proceeds from the Florida
2 Professional Sports Team plate must be deposited into the
3 Professional Sports Development Trust Fund within the Office
4 of Tourism, Trade, and Economic Development. These funds must
5 be used solely to attract and support major sports events in
6 this state. As used in this subparagraph, the term "major
7 sports events" means, but is not limited to, championship or
8 all-star contests of Major League Baseball, the National
9 Basketball Association, the National Football League, the
10 National Hockey League, the men's and women's National
11 Collegiate Athletic Association Final Four basketball
12 championship, or a horseracing or dogracing Breeders' Cup. All
13 funds must be used to support and promote major sporting
14 events, and the uses must be approved by the Florida Sports
15 Foundation.

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

1 3. The Florida Sports Foundation shall provide an
2 annual financial audit in accordance with s. 215.981 of its
3 financial accounts and records by an independent certified
4 public accountant pursuant to the contract established by the
5 Office of Tourism, Trade, and Economic Development as
6 specified in s. 288.1229(5). The auditor shall submit the
7 audit report to the Office of Tourism, Trade, and Economic
8 Development for review and approval. If the audit report is
9 approved, the office shall certify the audit report to the
10 Auditor General for review.

11 4. For the 2003-2004 fiscal year only and
12 notwithstanding the provisions of subparagraphs 1. and 2.,
13 proceeds from the Professional Sports Development Trust Fund
14 may also be used for operational expenses of the Florida
15 Sports Foundation and financial support of the Sunshine State
16 Games. This subparagraph expires July 1, 2004.

17 Section 29. In order to implement Section 20 of the
18 2003-2004 General Appropriations Act, subsection (5) is added
19 to section 339.08, Florida Statutes, to read:

20 339.08 Use of moneys in State Transportation Trust
21 Fund.--

22 (5) For the 2003-2004 fiscal year only and
23 notwithstanding the provisions of this section and s.
24 339.09(1), \$200 million may be transferred from the State
25 Transportation Trust Fund to the General Revenue Fund in the
26 2003-2004 General Appropriations Act. Such transfer may be
27 comprised of several smaller transfers made during the
28 2003-2004 fiscal year. Notwithstanding ss. 206.46(3) and
29 206.606(2), the total amount transferred shall be reduced from
30 total state revenues deposited into the State Transportation
31

1 Trust Fund for the calculation requirements of ss. 206.46(3)
2 and 206.606(2). This subsection expires July 1, 2004.

3 Section 30. In order to implement Specific
4 Appropriations 1992 - 1999A of the 2003-2004 General
5 Appropriations Act, subsection (7) of section 443.036, Florida
6 Statutes, is amended to read:

7 443.036 Definitions.--As used in this chapter, unless
8 the context clearly requires otherwise:

9 (7) BASE PERIOD.--

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

13 (b) For the 2003-2004 fiscal year only, with respect
14 to a benefit year commencing on or after October 1, 2003, if
15 an individual is not monetarily eligible in his or her base
16 period to qualify for benefits, the Agency for Workforce
17 Innovation must designate his or her base period to be the
18 alternative base period. As used in this paragraph, the term
19 "alternative base period" means the last four completed
20 calendar quarters immediately preceding the first day of an
21 individual's benefit year. Wages used in a base period to
22 establish a monetarily eligible benefit year may not be
23 applied to establish monetary eligibility in any succeeding
24 benefit year. If information regarding wages for the calendar
25 quarter or quarters immediately preceding the benefit year has
26 not been input into the agency's mainframe database from the
27 regular quarterly reports of wage information or is otherwise
28 unavailable, the Agency for Workforce Innovation shall request
29 such information from the employer. An employer must provide
30 the requested wage information within 10 days after receiving
31 a request from the Agency for Workforce Innovation. An

1 employer who fails to provide the requested wage information
2 within the required time is subject to the penalty for
3 delinquent reports in s. 443.141(1)(b). This paragraph expires
4 July 1, 2004.

5 (c) For the 2003-2004 fiscal year only, for monetary
6 determinations based upon the alternative base period under
7 paragraph (b), if the Agency for Workforce Innovation is
8 unable to access the wage information through its mainframe
9 database, the agency may base the determination of eligibility
10 for benefits on an affidavit submitted by the individual with
11 respect to wages for those calendar quarters. The individual
12 must furnish payroll information, if available, in support of
13 the affidavit. A determination of benefits based upon an
14 alternative base period shall be adjusted when the quarterly
15 report of wage information from the employer is received, if
16 that information causes a change in the determination. This
17 paragraph expires July 1, 2004.

18 Section 31. In order to implement Specific
19 Appropriations 265, 1096, 1390A, and 2909 of the 2003-2004
20 General Appropriations Act, section 61 of chapter 2002-402,
21 Laws of Florida, is amended to read:

22 Section 61. The amendment of section 215.20, Florida
23 Statutes, by this act shall expire on July 1, 2004 ~~2003~~, and
24 the text of that section shall revert to that in existence on
25 June 30, 2002, except that any amendments to such text enacted
26 other than by this act shall be preserved and continue to
27 operate to the extent that such amendments are not dependent
28 upon the portions of such text which expire pursuant to the
29 provisions of this act.

30 Section 32. In order to implement Specific
31 Appropriations 265, 1096, 1390A, and 2909 of the 2003-2004

1 General Appropriations Act, section 63 of chapter 2002-402,
2 Laws of Florida, is amended to read:

3 Section 63. The amendment of subsection (1) of section
4 215.22, 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 33. In order to implement Specific
12 Appropriations 265, 1096, and 2909 of the 2003-2004 General
13 Appropriations Act, section 65 of chapter 2002-402, Laws of
14 Florida, is amended to read:

15 Section 65. The amendment of subsection (4) of section
16 18.10, Florida Statutes, by this act shall expire on July 1,
17 2004 ~~2003~~, and the text of that subsection shall revert to
18 that in existence on June 30, 2002, except that any amendments
19 to such text enacted other than by this act shall be preserved
20 and continue to operate to the extent that such amendments are
21 not dependent upon the portions of such text which expire
22 pursuant to the provisions of this act.

23 Section 34. In order to implement Specific
24 Appropriations 265, 1096, and 2909 of the 2003-2004 General
25 Appropriations Act, section 67 of chapter 2002-402, Laws of
26 Florida, is amended to read:

27 Section 67. The amendment of subsection (3) of section
28 18.125, Florida Statutes, by this act shall expire on July 1,
29 2004 ~~2003~~, and the text of that subsection shall revert to
30 that in existence on June 30, 2002, except that any amendments
31 to such text enacted other than by this act shall be preserved

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

4 Section 35. In order to implement Specific
5 Appropriation 2909 of the 2003-2004 General Appropriations
6 Act, section 69 of chapter 2002-402, Laws of Florida, is
7 amended to read:

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

17 Section 36. In order to implement Specific
18 Appropriation 265 of the 2003-2004 General Appropriations Act,
19 section 71 of chapter 2002-402, Laws of Florida, is amended to
20 read:

21 Section 71. The amendment of subsection (8) of section
22 240.4075, Florida Statutes, by this act shall expire on July
23 1, 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 37. In order to implement Specific
30 Appropriation 265 of the 2003-2004 General Appropriations Act,
31

1 section 73 of chapter 2002-402, Laws of Florida, is amended to
2 read:

3 Section 73. The amendment of subsection (3) of section
4 385.207, 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 38. In order to implement Specific
12 Appropriation 1096 of the 2003-2004 General Appropriations
13 Act, section 75 of chapter 2002-402, Laws of Florida, is
14 amended to read:

15 Section 75. The amendment of subsection (1) of section
16 860.158, Florida Statutes, by this act shall expire on July 1,
17 2004 ~~2003~~, and the text of that subsection shall revert to
18 that in existence on June 30, 2002, except that any amendments
19 to such text enacted other than by this act shall be preserved
20 and continue to operate to the extent that such amendments are
21 not dependent upon the portions of such text which expire
22 pursuant to the provisions of this act.

23 Section 39. In order to implement Specific
24 Appropriation 1096 of the 2003-2004 General Appropriations
25 Act, section 77 of chapter 2002-402, Laws of Florida, is
26 amended to read:

27 Section 77. The amendment of subsection (1) of section
28 938.01, Florida Statutes, by this act shall expire on July 1,
29 2004 ~~2003~~, and the text of that subsection shall revert to
30 that in existence on June 30, 2002, except that any amendments
31 to such text enacted other than by this act shall be preserved

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

4 Section 40. In order to implement Section 21 of the
5 2003-2004 General Appropriations Act, paragraph (b) of
6 subsection (2) of section 215.32, Florida Statutes, is
7 reenacted to read:

8 215.32 State funds; segregation.--

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

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

24 2. In order to maintain a minimum number of trust
25 funds in the State Treasury, each state agency or the judicial
26 branch may consolidate, if permitted under the terms and
27 conditions of their receipt, the trust funds administered by
28 it; provided, however, the agency or judicial branch employs
29 effectively a uniform system of accounts sufficient to
30 preserve the integrity of such trust funds; and provided,
31

1 further, that consolidation of trust funds is approved by the
2 Governor or the Chief Justice.

3 3. All such moneys are hereby appropriated to be
4 expended in accordance with the law or trust agreement under
5 which they were received, subject always to the provisions of
6 chapter 216 relating to the appropriation of funds and to the
7 applicable laws relating to the deposit or expenditure of
8 moneys in the State Treasury.

9 4.a. Notwithstanding any provision of law restricting
10 the use of trust funds to specific purposes, unappropriated
11 cash balances from selected trust funds may be authorized by
12 the Legislature for transfer to the Budget Stabilization Fund
13 and Working Capital Fund in the General Appropriations Act.

14 b. This subparagraph does not apply to trust funds
15 required by federal programs or mandates; trust funds
16 established for bond covenants, indentures, or resolutions
17 whose revenues are legally pledged by the state or public body
18 to meet debt service or other financial requirements of any
19 debt obligations of the state or any public body; the State
20 Transportation Trust Fund; the trust fund containing the net
21 annual proceeds from the Florida Education Lotteries; the
22 Florida Retirement System Trust Fund; trust funds under the
23 management of the Board of Regents, where such trust funds are
24 for auxiliary enterprises, self-insurance, and contracts,
25 grants, and donations, as those terms are defined by general
26 law; trust funds that serve as clearing funds or accounts for
27 the Comptroller or state agencies; trust funds that account
28 for assets held by the state in a trustee capacity as an agent
29 or fiduciary for individuals, private organizations, or other
30 governmental units; and other trust funds authorized by the
31 State Constitution.

1 Section 41. A section of this act that implements a
2 specific appropriation or specifically identified proviso
3 language in the 2003-2004 General Appropriations Act is void
4 if the specific appropriation or specifically identified
5 proviso language is vetoed. A section of this act that
6 implements more than one specific appropriation or more than
7 one portion of specifically identified proviso language in the
8 2003-2004 General Appropriations Act is void if all the
9 specific appropriations or portions of specifically identified
10 proviso language are vetoed.

11 Section 42. If any other act passed in 2003 contains a
12 provision that is substantively the same as a provision in
13 this act, but that removes or is otherwise not subject to the
14 future repeal applied to such provision by this act, the
15 Legislature intends that the provision in the other act shall
16 take precedence and shall continue to operate, notwithstanding
17 the future repeal provided by this act.

18 Section 43. The agency performance measures and
19 standards in the document entitled "Performance Measures and
20 Standards Approved by the Legislature for Fiscal Year
21 2003-2004" dated March 21, 2003, and filed with the Secretary
22 of the Senate are incorporated by reference. Such performance
23 measures and standards are directly linked to the
24 appropriations made in the General Appropriations Act for
25 fiscal year 2003-2004, as required by the Government
26 Performance and Accountability Act of 1994. State agencies are
27 directed to revise their long-range program plans required
28 under section 216.013, Florida Statutes, to be consistent with
29 these performance measures and standards.

30 Section 44. If any provision of this act or its
31 application to any person or circumstance is held invalid, the

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

5 Section 45. Except as otherwise provided in this act,
6 this act shall take effect July 1, 2003; or, if this act fails
7 to become a law until after that date, it shall take effect
8 upon becoming a law and shall operate retroactively to July 1,
9 2003.

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