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1 A bill to be entitled

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



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31 research, demonstration, and training projects; amending
32 s. 385.207, F.S.; authorizing appropriation of funds in
33 the Epilepsy Services Trust Fund for epilepsy case
34 management services; authorizing the Department of Law
35 Enforcement to use certain moneys to provide bonuses to
36 employees for meritorious performance, subject to review;
37 amending s. 216.181, F.S.; authorizing the Department of
38 Law Enforcement to transfer positions and associated
39 budget and a certain percentage of salary rate between
40 budget entities and providing requirements with respect
41 thereto; authorizing the Correctional Privatization
42 Commission to make certain expenditures to defray costs
43 incurred by a municipality or county as a result of
44 opening or operating a facility under authority of the
45 commission or the Department of Juvenile Justice; amending
46 s. 16.555, F.S.; authorizing use of the Crime Stoppers
47 Trust Fund to pay for salaries and benefits and other
48 expenses of the Department of Legal Affairs; amending s.
49 932.7055, F.S.; allowing municipal special law enforcement
50 trust funds to be used to reimburse certain loans from
51 municipalities; amending s. 581.184, F.S.; requiring
52 notice to the property owner of the removal of infected
53 citrus trees or citrus trees exposed to infection;
54 amending s. 581.1845, F.S.; revising eligibility for
55 compensation of homeowners under the citrus canker
56 eradication program; prescribing the amount of
57 compensation for trees taken in the citrus canker
58 eradication program; amending s. 61.1826, F.S.; revising
59 provisions relating to the special master to resolve
60 disputes involving cooperative agreement and contract



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61 terms for certain state and federal child support
62 provisions; amending s. 287.161, F.S.; requiring the
63 Department of Management Services to charge all persons
64 receiving transportation from the executive aircraft pool
65 a specified rate; amending s. 110.12315, F.S.; providing
66 copayment requirements for the state employees'
67 prescription drug program; amending s. 110.1239, F.S. ;
68 providing requirements for the funding of the state group
69 health insurance program; amending s. 112.061, F.S. ;
70 providing for computation of travel time and reimbursement
71 for public officers' and employees' travel; amending s.
72 252.373, F.S. ; providing for use of funds of the Emergency
73 Management, Preparedness, and Assistance Trust Fund,
74 including use of certain funds as state match for current
75 federally approved disaster projects; amending s. 215.559,
76 F.S. ; providing that use of the Florida Hurricane
77 Catastrophe Fund shall be as provided in the General
78 Appropriations Act; amending s. 253.025, F.S. ; providing
79 that the use of funds allocated to the Relocation and
80 Construction Trust Fund shall be as provided in the
81 General Appropriations Act; amending s. 290.044, F.S. ;
82 eliminating required distribution percentages for program
83 categories from the Florida Small Cities Community
84 Development Block Grant Program Fund and authorizing the
85 set-aside of a certain amount of such funds for certain
86 emergency-related activities; amending s. 402.3017, F.S. ;
87 providing for administration of the Teacher Education and
88 Compensation Helps (TEACH) scholarship program by the
89 Agency for Workforce Innovation; amending s. 411.01, F.S. ;
90 providing priority for placement of children in the school



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91 | readiness program; amending s. 1013.62, F.S.; providing
92 | that funds for charter school capital outlay funding shall
93 | be distributed by the Department of Education as provided
94 | in the General Appropriations Act; amending s. 1009.66,
95 | F.S.; deleting certain provisions relating to investment
96 | and use of interest income of the Nursing Student Loan
97 | Forgiveness Trust Fund; amending s. 385.207, F.S.;
98 | deleting certain provisions relating to investment and use
99 | of interest income of the Epilepsy Services Trust Fund;
100 | amending s. 570.544, F.S.; reducing consumer complaint
101 | processing responsibilities of the Division of Consumer
102 | Services of the Department of Agriculture and Consumer
103 | Services; amending ss. 526.3135 and 559.921, F.S., to
104 | conform; amending s. 288.063, F.S.; providing for funds
105 | for certain transportation projects approved by the Office
106 | of Tourism, Trade, and Economic Development to be subject
107 | to reversion; amending s. 339.08, F.S.; transferring \$200
108 | million from the State Transportation Trust Fund to the
109 | General Revenue Fund; reducing the amount transferred from
110 | certain transportation calculation requirements; providing
111 | for transfer pursuant to law or a type two transfer of all
112 | powers, duties, functions, records, personnel, property,
113 | and unexpended balances of appropriations, allocations,
114 | and other funds of the Office of Program Policy Analysis
115 | and Government Accountability to the Office of the Auditor
116 | General; providing for a type two transfer of all powers,
117 | duties, functions, records, personnel, property, and
118 | unexpended balances of appropriations, allocations, and
119 | other funds of the Council for Education Policy Research
120 | and Improvement to the Office of the Auditor General;



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121 providing for future repeal or expiration of various
 122 provisions; providing for reversion of certain provisions;
 123 providing effect of veto of specific appropriation or
 124 proviso to which implementing language refers; providing
 125 applicability to other legislation; incorporating by
 126 reference specified performance measures and standards
 127 directly linked to the appropriations made in the 2003-
 128 2004 General Appropriations Act, as required by the
 129 Government Performance and Accountability Act of 1994;
 130 providing severability; providing for construction of the
 131 act in pari materia with laws enacted during the 2003
 132 Regular Session of the Legislature; providing an effective
 133 date.

134

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

136

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

140 Section 2. In order to implement Specific Appropriations
 141 7-11, 123-128, and 130 of the 2003-2004 General Appropriations
 142 Act:

143 (1) Effective July 1, 2003, each university that has not
 144 made the transition from the state accounting system (FLAIR)
 145 shall utilize the state accounting system for fiscal year 2003-
 146 2004 but is not required to provide funds to the Department of
 147 Financial Services for its utilization.

148 (2) Notwithstanding the provisions of ss. 216.181,
 149 216.292, and 1011.4105, Florida Statutes, and pursuant to s.
 150 216.351, Florida Statutes, funds appropriated or reappropriated



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151 to the state universities in the 2003-2004 General
152 Appropriations Act, or any other act passed by the 2003
153 Legislature containing appropriations, shall be distributed to
154 each university according to the 2003-2004 fiscal year operating
155 budget approved by the university board of trustees. Each
156 university board of trustees shall have authority to amend the
157 operating budget as circumstances warrant. The operating budget
158 may utilize traditional appropriation categories or it may
159 consolidate the appropriations into a special category
160 appropriation account. The Chief Financial Officer, upon the
161 request of the university board of trustees, shall record by
162 journal transfer the distribution of the appropriated funds and
163 releases according to the approved operating budget to the
164 appropriation accounts established for disbursement purposes for
165 each university within the state accounting system (FLAIR).

166 (3) Notwithstanding the provisions of ss. 216.181,
167 216.292, 1004.22, and 1011.4105, Florida Statutes, and pursuant
168 to s. 216.351, Florida Statutes, each university board of
169 trustees shall include in an approved operating budget the
170 revenue in trust funds supported by student and other fees as
171 well as the trust funds within the Contract, Grants, and
172 Donations, Auxiliary Enterprises, and Sponsored Research budget
173 entities. The university board of trustees shall have the
174 authority to amend the operating budget as circumstances
175 warrant. The operating budget may utilize traditional
176 appropriation categories or it may consolidate the trust fund
177 spending authority into a special category appropriation
178 account. The Chief Financial Officer, upon the request of the
179 university board of trustees, shall record the distribution of
180 the trust fund spending authority and releases according to the



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181 approved operating budget to the appropriation accounts
 182 established for disbursement purposes for each university within
 183 the state accounting system (FLAIR).

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

185 Section 3. In order to implement Specific Appropriations
 186 426-441 of the 2003-2004 General Appropriations Act, paragraph
 187 (b) of subsection (1) of section 430.204, Florida Statutes, is
 188 amended to read:

189 430.204 Community-care-for-the-elderly core services;
 190 departmental powers and duties.--

191 (1)

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

199 Section 4. In order to implement Specific Appropriations
 200 426-441 of the 2003-2004 General Appropriations Act, paragraph
 201 (b) of subsection (1) of section 430.205, Florida Statutes, is
 202 amended to read:

203 430.205 Community care service system.--

204 (1)

205 (b) For fiscal year 2003-2004 ~~2002-2003~~ only, the
 206 department shall fund, through the area agency on aging in each
 207 county as defined in s. 125.011(1), more than one community care
 208 service system that provides case management and other in-home
 209 and community services as needed to help elderly persons



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210 maintain independence and prevent or delay more costly
 211 institutional care. This paragraph expires July 1, 2004 ~~2003~~.

212 Section 5. In order to implement Specific Appropriations
 213 274-276 of the 2003-2004 General Appropriations Act, subsection
 214 (12) of section 216.292, Florida Statutes, is amended to read:

215 216.292 Appropriations nontransferable; exceptions.--

216 (12) For the 2003-2004 ~~2002-2003~~ fiscal year only, and
 217 notwithstanding the other provisions of this section, the
 218 Department of Children and Family Services may transfer funds
 219 within the family safety program identified in the General
 220 Appropriations Act from identical funding sources between the
 221 following appropriation categories without limitation as long as
 222 such a transfer does not result in an increase to the total
 223 recurring general revenue or trust fund cost of the agency in
 224 the subsequent fiscal year: adoption services and subsidy;
 225 family foster care; and emergency shelter care. Such transfers
 226 must be consistent with legislative policy and intent and must
 227 not adversely affect achievement of approved performance
 228 outcomes or outputs in the family safety program. Notice of
 229 proposed transfers under this authority must be provided to the
 230 Executive Office of the Governor and the chairs of the
 231 legislative appropriations committees at least 5 working days
 232 before their implementation. This subsection expires July 1,
 233 2004 ~~2003~~.

234 Section 6. In order to implement Specific Appropriation
 235 357 of the 2003-2004 General Appropriations Act, subsection (4)
 236 of section 561.121, Florida Statutes, is amended to read:

237 561.121 Deposit of revenue.--



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238 (4)(a) State funds collected pursuant to s. 561.501 shall
 239 be paid into the State Treasury and credited to the following
 240 accounts:

241 1.(a) Twenty-seven and two-tenths percent of the surcharge
 242 on the sale of alcoholic beverages for consumption on premises
 243 shall be transferred to the Children and Adolescents Substance
 244 Abuse Trust Fund, which shall remain with the Department of
 245 Children and Family Services for the purpose of funding programs
 246 directed at reducing and eliminating substance abuse problems
 247 among children and adolescents.

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

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

256 Section 7. In order to implement Specific Appropriations
 257 265-268, 268B, 270A-272, and 274-277, paragraph (b) of
 258 subsection (1) of section 409.1671, Florida Statutes, is amended
 259 to read:

260 409.1671 Foster care and related services;
 261 privatization.--

262 (1)

263 (b) It is the intent of the Legislature that the
 264 department will continue to work towards full privatization by
 265 initiating the competitive procurement process in each county by
 266 January 1, 2003. In order to provide for an adequate transition
 267 period to develop the necessary administrative and service



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268 delivery capacity in each community, the full transfer of all
269 foster care and related services must be completed statewide by
270 December 31, 2004. The department shall adopt by rule pursuant
271 to ss. 120.536(1) and 120.54 a methodology for determining and
272 transferring all available funds currently associated with the
273 services that are being furnished under contract. This
274 methodology must provide for the transfer of funds appropriated
275 and budgeted for all services and programs that have been
276 incorporated into this program, including furniture, equipment,
277 and administrative funds, to accomplish the transfer of these
278 programs. The funds appropriated for this program that are
279 distributed between the counties and the districts and to
280 community-based care providers in the state to provide child
281 protective services as contemplated in this subsection shall be
282 allocated pursuant to the terms of the rule. The rule shall
283 provide for a phased implementation of its provisions, and until
284 such time as the rule is finalized and adopted the department
285 shall allocate funds in the same proportion as the annualized
286 distribution of funds at the end of fiscal year 2002-2003.

287 Section 8. The amendment of paragraph (b) of subsection
288 (1) of s. 409.1671, Florida Statutes, by this act shall expire
289 on July 1, 2004, and the text of that paragraph shall revert to
290 that in existence on June 30, 2003, except that any amendments
291 to such text enacted other than by this act shall be preserved
292 and continue to operate to the extent that such amendments are
293 not dependent upon the portions of such text which expire
294 pursuant to the provisions of this act.

295 Section 9. In order to implement Specific Appropriation
296 269A of the 2003-2004 General Appropriations Act, subsection (7)
297 of section 409.1671, Florida Statutes, is amended to read:



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298 409.1671 Foster care and related services;
299 privatization.--

300 (7) The department, in consultation with existing lead
301 agencies, shall develop a proposal regarding the long-term use
302 and structure of a statewide shared earnings program which
303 addresses the financial risk to eligible lead community-based
304 providers resulting from unanticipated caseload growth or from
305 significant changes in client mixes or services eligible for
306 federal reimbursement. The recommendations in the statewide
307 proposal must also be available to entities of the department
308 until the conversion to community-based care takes place. At a
309 minimum, the proposal must allow for use of federal earnings
310 received from child welfare programs, which earnings are
311 determined by the department to be in excess of the amount
312 appropriated in the General Appropriations Act, to be used for
313 specific purposes. These purposes include, but are not limited
314 to:

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

317 (b) Significant changes in the services that are eligible
318 for reimbursement.

319 (c) Significant changes in the availability of federal
320 funds.

321 (d) Shortfalls in state funds available for eligible or
322 ineligible services.

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

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

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



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328 (h) Appropriate incentive structures.

329 (i) Continuity of care in the event of lead agency
330 failure, discontinuance of service, or financial misconduct.
331

332 The department shall further specify the necessary steps to
333 ensure the financial integrity of these dollars and their
334 continued availability on an ongoing basis. The final proposal
335 shall be submitted to the Legislative Budget Commission for
336 formal adoption before December 31, 2002. If the Legislative
337 Budget Commission refuses to concur with the adoption of the
338 proposal, the department shall present its proposal in the form
339 of recommended legislation to the President of the Senate and
340 the Speaker of the House of Representatives before the
341 commencement of the next legislative session. For fiscal year
342 2003-2004 and annually thereafter, the department ~~of Children~~
343 ~~and Family Services~~ may request in its legislative budget
344 request, and the Governor may recommend, the funding necessary
345 to carry out paragraph (i) from excess federal earnings. The
346 General Appropriations Act shall include any funds appropriated
347 for this purpose in a lump sum in the department Administered
348 ~~Funds Program~~, which funds constitute partial security for lead
349 agency contract performance. The department shall use this
350 appropriation to offset the need for a performance bond for that
351 year after a comparison of risk to the funds available. In no
352 event shall this performance bond exceed 2.5 percent of the
353 annual contract value. The department may separately require a
354 bond to mitigate the financial consequences of potential acts of
355 malfeasance, misfeasance, or criminal violations by the
356 provider. Prior to the release of any funds in the lump sum, the
357 department shall submit a detailed operational plan, which must



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358 identify the sources of specific trust funds to be used. The
 359 release of the trust fund shall be subject to the notice and
 360 review provisions of s. 216.177. However, the release shall not
 361 require approval of the Legislative Budget Commission.

362 Section 10. The amendment of subsection (7) of s.
 363 409.1671, Florida Statutes, by this act shall expire on July 1,
 364 2004, and the text of that subsection shall revert to that in
 365 existence on June 30, 2003, except that any amendments to such
 366 text enacted other than by this act shall be preserved and
 367 continue to operate to the extent that such amendments are not
 368 dependent upon the portions of such text which expire pursuant
 369 to the provisions of this act.

370 Section 11. In order to implement Specific Appropriations
 371 324-357A of the 2003-2004 General Appropriations Act, subsection
 372 (8) of section 394.908, Florida Statutes, is amended to read:

373 394.908 Substance abuse and mental health funding equity;
 374 distribution of appropriations.--In recognition of the
 375 historical inequity among service districts of the former
 376 Department of Health and Rehabilitative Services in the funding
 377 of substance abuse and mental health services, and in order to
 378 rectify this inequity and provide for equitable funding in the
 379 future throughout the state, the following funding process shall
 380 be adhered to:

381 (8) For fiscal year 2003-2004 ~~2002-2003~~ only, and
 382 notwithstanding the provisions of this section, all new funds
 383 received in excess of fiscal year 2002-2003 ~~2001-2002~~ recurring
 384 appropriations shall be allocated in accordance with the
 385 provisions of the General Appropriations Act; however, no
 386 district shall receive an allocation of recurring funds less
 387 than its initial approved operating budget, plus any



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388 distributions of lump sum appropriations or reductions in
 389 unfunded budget, for fiscal year 2002-2003 ~~2001-2002~~. This
 390 subsection expires July 1, 2004 ~~2003~~.

391 Section 12. In order to implement Specific Appropriation
 392 415 of the 2003-2004 General Appropriations Act, for the 2003-
 393 2004 fiscal year only, and notwithstanding the provisions of s.
 394 287.057, Florida Statutes, the Department of Children and Family
 395 Services is authorized to procure contractual services to
 396 outsource the operation of the Northeast Florida State Hospital
 397 with a qualified vendor with experience in operating a mental
 398 health treatment facility in this state. This section expires
 399 July 1, 2004.

400 Section 13. In order to implement Specific Appropriation
 401 519 of the 2003-2004 General Appropriations Act, paragraph (k)
 402 of subsection (2) of section 381.0066, Florida Statutes, is
 403 amended to read:

404 381.0066 Onsite sewage treatment and disposal systems;
 405 fees.--

406 (2) The minimum fees in the following fee schedule apply
 407 until changed by rule by the department within the following
 408 limits:

409 (k) Research: An additional \$5 fee shall be added to each
 410 new system construction permit issued during fiscal years 1996-
 411 2004 ~~1996-2003~~ to be used for onsite sewage treatment and
 412 disposal system research, demonstration, and training projects.
 413 Five dollars from any repair permit fee collected under this
 414 section shall be used for funding the hands-on training centers
 415 described in s. 381.0065(3)(j).

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417 The funds collected pursuant to this subsection must be
418 deposited in a trust fund administered by the department, to be
419 used for the purposes stated in this section and ss. 381.0065
420 and 381.00655.

421 Section 14. In order to implement Specific Appropriation
422 477 of the 2003-2004 General Appropriations Act, subsection (6)
423 of section 385.207, Florida Statutes, is amended to read:

424 385.207 Care and assistance of persons with epilepsy;
425 establishment of programs in epilepsy control.--

426 (6) For the 2003-2004 ~~2002-2003~~ fiscal year only, funds in
427 the Epilepsy Services Trust Fund may be appropriated for
428 epilepsy case management services. This subsection expires July
429 1, 2004 ~~2003~~.

430 Section 15. Consistent with the provisions of s. 216.163,
431 Florida Statutes, in accordance with performance-based program
432 budgeting requirements, and notwithstanding the provisions of s.
433 216.181, Florida Statutes, the Department of Law Enforcement may
434 transfer up to one-half of 1 percent of the funds in Specific
435 Appropriations 1118, 1139, 1148, 1156, 1168, 1170, 1175, 1181,
436 1190, and 1195 of the 2002-2003 General Appropriations Act for
437 salary bonuses for departmental employees at the discretion of
438 the executive director, provided that such bonuses are given
439 only to selected employees for meritorious performance, instead
440 of being given as across-the-board bonuses for all employees.
441 The department, after consultation with the Executive Office of
442 the Governor, shall provide a plan to the chairs of the
443 legislative appropriations committees responsible for producing
444 the General Appropriations Act for review before awarding such
445 bonuses. This section expires July 1, 2004.



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446 Section 16. In order to implement Specific Appropriations
 447 1118-1201 of the 2003-2004 General Appropriations Act,
 448 subsection (17) of section 216.181, Florida Statutes, is amended
 449 to read:

450 216.181 Approved budgets for operations and fixed capital
 451 outlay.--

452 (17) Notwithstanding any other provision of this section
 453 to the contrary, and for the 2003-2004 ~~2002-2003~~ fiscal year
 454 only, the Department of Law Enforcement may transfer up to 20
 455 positions and associated budget between budget entities,
 456 provided the same funding source is used throughout each
 457 transfer. The department may also transfer up to 10 percent of
 458 the initial approved salary rate between budget entities,
 459 provided the same funding source is used throughout each
 460 transfer. The department must provide notice to the Executive
 461 Office of the Governor, the chair of the Senate Budget
 462 Committee, and the chair of the House Committee on Criminal
 463 Justice Appropriations for all transfers of positions or salary
 464 rate. This subsection expires July 1, 2004 ~~2003~~.

465 Section 17. In order to implement proviso language
 466 following Specific Appropriation 642 of the 2003-2004 General
 467 Appropriations Act, the Correctional Privatization Commission
 468 may expend appropriated funds to assist in defraying the costs
 469 of impacts that are incurred by a municipality or county and
 470 associated with opening or operating a facility under the
 471 authority of the Correctional Privatization Commission or a
 472 facility under the authority of the Department of Juvenile
 473 Justice which is located within that municipality or county. The
 474 amount that is to be paid under this section for any facility
 475 may not exceed 1 percent of the facility construction cost, less



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476 building impact fees imposed by the municipality or by the
 477 county if the facility is located in the unincorporated portion
 478 of the county. This section expires July 1, 2004.

479 Section 18. In order to implement Specific Appropriations
 480 1202-1256 of the 2003-2004 General Appropriations Act, paragraph
 481 (b) of subsection (3) of section 16.555, Florida Statutes, is
 482 amended to read:

483 16.555 Crime Stoppers Trust Fund; rulemaking.--

484 (3)

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

490 Section 19. In order to implement Specific Appropriation
 491 1164 of the 2003-2004 General Appropriations Act, paragraph (d)
 492 of subsection (4) of section 932.7055, Florida Statutes, is
 493 amended to read:

494 932.7055 Disposition of liens and forfeited property.--

495 (4)

496 (d) Notwithstanding any other provision of this
 497 subsection, and for the 2003-2004 ~~2002-2003~~ fiscal year only,
 498 the funds in a special law enforcement trust fund established by
 499 the governing body of a municipality may be expended to
 500 reimburse the general fund of the municipality for moneys
 501 advanced from the general fund to the special law enforcement
 502 trust fund prior to October 1, 2001. This paragraph expires July
 503 1, 2004 ~~2003~~.

504 Section 20. In order to implement Specific Appropriation
 505 1394A of the 2003-2004 General Appropriations Act, paragraph (b)



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506 of subsection (2) of section 581.184, Florida Statutes, is
 507 amended to read:

508 581.184 Adoption of rules; citrus canker eradication;
 509 voluntary destruction agreements.--

510 (2)

511 (b) Notwithstanding the provisions of paragraph (a), and
 512 for the 2003-2004 ~~2002-2003~~ fiscal year only, notice of the
 513 removal of infected citrus trees and citrus trees exposed to
 514 infection, by immediate final order, shall be provided to the
 515 owner of the property on which such trees are located. This
 516 paragraph expires July 1, 2004 ~~2003~~.

517 Section 21. In order to implement section 23 of the 2003-
 518 2004 General Appropriations Act, paragraph (b) of subsection (2)
 519 and subsection (6) of section 581.1845, Florida Statutes, are
 520 amended to read:

521 581.1845 Citrus canker eradication; compensation to
 522 homeowners whose trees have been removed.--

523 (2)

524 (b) Notwithstanding subparagraph (a)1., and for
 525 compensation during the 2003-2004 ~~2002-2003~~ fiscal year only, to
 526 be eligible to receive compensation under the program for
 527 residential property where one or more citrus trees have been
 528 removed on or after July 1, 2001, as part of a citrus canker
 529 eradication program, a homeowner must be the homeowner of record
 530 on the date the trees were removed. This paragraph expires July
 531 1, 2004 ~~2003~~.

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



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

537 Section 22. In order to implement Specific Appropriations
538 2804 and 2819 of the 2003-2004 General Appropriations Act,
539 subsection (4) of section 61.1826, Florida Statutes, is amended
540 to read:

541 61.1826 Procurement of services for State Disbursement
542 Unit and the non-Title IV-D component of the State Case
543 Registry; contracts and cooperative agreements; penalties;
544 withholding payment.--

545 (4) COOPERATIVE AGREEMENT AND CONTRACT TERMS.--The
546 contract between the Florida Association of Court Clerks and the
547 department, and cooperative agreements entered into by the
548 depositories and the department, must contain, but are not
549 limited to, the following terms:

550 (a) The initial term of the contract and cooperative
551 agreements is for 5 years. The subsequent term of the contract
552 and cooperative agreements is for 3 years, with the option of
553 two 1-year renewal periods, at the sole discretion of the
554 department.

555 (b) The duties and responsibilities of the Florida
556 Association of Court Clerks, the depositories, and the
557 department.

558 (c) Under s. 287.058(1)(a), all providers and
559 subcontractors shall submit to the department directly, or
560 through the Florida Association of Court Clerks, a report of
561 monthly expenditures in a format prescribed by the department
562 and in sufficient detail for a proper preaudit and postaudit
563 thereof.



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564 (d) All providers and subcontractors shall submit to the
565 department directly, or through the Florida Association of Court
566 Clerks, management reports in a format prescribed by the
567 department.

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

570 (f) Federal financial participation for eligible Title IV-
571 D expenditures incurred by the Florida Association of Court
572 Clerks and the depositories shall be at the maximum level
573 permitted by federal law for expenditures incurred for the
574 provision of services in support of child support enforcement in
575 accordance with 45 C.F.R. part 74 and Federal Office of
576 Management and Budget Circulars A-87 and A-122 and based on an
577 annual cost allocation study of each depository. The
578 depositories shall submit directly, or through the Florida
579 Association of Court Clerks, claims for Title IV-D expenditures
580 monthly to the department in a standardized format as prescribed
581 by the department. The Florida Association of Court Clerks shall
582 contract with a certified public accounting firm, selected by
583 the Florida Association of Court Clerks and the department, to
584 audit and certify quarterly to the department all claims for
585 expenditures submitted by the depositories for Title IV-D
586 reimbursement.

587 (g) Upon termination of the contracts between the
588 department and the Florida Association of Court Clerks or the
589 depositories, the Florida Association of Court Clerks, its
590 agents, and the depositories shall assist the department in
591 making an orderly transition to a private vendor.

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



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594
595 If either the department or the Florida Association of Court
596 Clerks objects to a term of the standard cooperative agreement
597 or contract specified in subsections (2) and (3), the Chief
598 Financial Officer, with approval from the Governor and Cabinet,
599 shall appoint a third party to ~~disputed term or terms shall be~~
600 ~~presented jointly by the parties to the Attorney General or the~~
601 ~~Attorney General's designee, who shall act as special master.~~
602 The special master shall resolve disputes between the department
603 and the Florida Association of Court Clerks related to
604 negotiation for and performance under the current contract and
605 any extended contract or subsequent contract. Additionally, the
606 special master shall resolve disputes relating to the
607 conformance of the state disbursement unit operations to the
608 recommendations in the audit performed by the chief financial
609 officer, or to any other audit duly conducted pursuant to state
610 or federal law. The special master shall resolve the dispute in
611 writing within 10 days. The resolution of a dispute by the
612 special master is binding on the department and the Florida
613 Association of Court Clerks.

614 Section 23. The amendment of subsection (4) of s. 61.1826,
615 Florida Statutes, by this act shall expire on July 1, 2004, and
616 the text of that subsection shall revert to that in existence on
617 June 30, 2003, except that any amendments to such text enacted
618 other than by this act shall be preserved and continue to
619 operate to the extent that such amendments are not dependent
620 upon the portions of such text which expire pursuant to the
621 provisions of this act.

622 Section 24. In order to implement Specific Appropriations
623 2592-2598A of the 2003-2004 General Appropriations Act,



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624 subsection (4) of section 287.161, Florida Statutes, is amended
 625 to read:

626 287.161 Executive aircraft pool; assignment of aircraft;
 627 charge for transportation.--

628 (4) Notwithstanding the requirements of subsections (2)
 629 and (3), and for the 2003-2004 ~~2002-2003~~ fiscal year only, the
 630 Department of Management Services shall charge all persons
 631 receiving transportation from the executive aircraft pool a rate
 632 not less than the mileage allowance fixed by the Legislature for
 633 the use of privately owned vehicles. Fees collected for persons
 634 traveling by aircraft in the executive aircraft pool shall be
 635 deposited into the Bureau of Aircraft Trust Fund and shall be
 636 expended for costs incurred to operate the aircraft management
 637 activities of the department. It is the intent of the
 638 Legislature that the executive aircraft pool be operated on a
 639 full cost recovery basis, less available funds. This subsection
 640 expires July 1, 2004 ~~2003~~.

641 Section 25. In order to implement Specific Appropriation
 642 1949B of the 2003-2004 General Appropriations Act, subsection
 643 (7) of section 110.12315, Florida Statutes, is amended to read:

644 110.12315 Prescription drug program.--The state employees'
 645 prescription drug program is established. This program shall be
 646 administered by the Department of Management Services, according
 647 to the terms and conditions of the plan as established by the
 648 relevant provisions of the annual General Appropriations Act and
 649 implementing legislation, subject to the following conditions:

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

652 (a) Effective January 1, 2001:



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- 653 1. For generic drug with
 654 card.....\$7.
 655 2. For preferred brand name drug with
 656 card.....\$20.
 657 3. For nonpreferred brand name drug with
 658 card.....\$35.
 659 4. For generic mail order
 660 drug.....\$10.50.
 661 5. For preferred brand name mail order
 662 drug.....\$30.
 663 6. For nonpreferred brand name
 664 drug.....\$52.50.
- 665 (b) The Department of Management Services shall create a
 666 preferred brand name drug list to be used in the administration
 667 of the state employees' prescription drug program.
 668
- 669 This subsection expires July 1, 2004 ~~2003~~.
- 670 Section 26. In order to implement Specific Appropriation
 671 1949B of the 2003-2004 General Appropriations Act, section
 672 110.1239, Florida Statutes, is amended to read:
 673 110.1239 State group health insurance program
 674 funding.--For the 2003-2004 ~~2002-2003~~ fiscal year only, it is
 675 the intent of the Legislature that the state group health
 676 insurance program be managed, administered, operated, and funded
 677 in such a manner as to maximize the protection of state employee
 678 health insurance benefits. Inherent in this intent is the
 679 recognition that the health insurance liabilities attributable
 680 to the benefits offered state employees should be fairly,
 681 orderly, and equitably funded. Accordingly:



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682 (1) The division shall determine the level of premiums
 683 necessary to fully fund the state group health insurance program
 684 for the next fiscal year. Such determination shall be made after
 685 each Self-Insurance Estimating Conference as provided in s.
 686 216.136(11), but not later than December 1 and April 1 of each
 687 fiscal year.

688 (2) The Governor, in the Governor's recommended budget,
 689 shall provide premium rates necessary for full funding of the
 690 state group health insurance program, and the Legislature shall
 691 provide in the General Appropriations Act for a premium level
 692 necessary for full funding of the state group health insurance
 693 program.

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

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

699 Section 27. In order to implement sections 2-7 of the
 700 2003-2004 General Appropriations Act, paragraph (c) of
 701 subsection (5) and paragraph (d) of subsection (6) of section
 702 112.061, Florida Statutes, are amended to read:

703 112.061 Per diem and travel expenses of public officers,
 704 employees, and authorized persons.--

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

708 (c) For the 2003-2004 ~~2002-2003~~ fiscal year only, and
 709 notwithstanding the other provisions of this subsection, for
 710 Class C travel, a state traveler shall not be reimbursed on a



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

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

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

722 Section 28. In order to implement Specific Appropriations
 723 1417-1419, 1421-1424, 1426, 1427, 1430, 1432, 1434, 1436-1438,
 724 1439, 1439K-1443, and 1446-1450 of the 2003-2004 General
 725 Appropriations Act, paragraphs (b) and (c) of subsection (1) of
 726 section 252.373, Florida Statutes, are amended to read:

727 252.373 Allocation of funds; rules.--

728 (1)

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

734 (c) Notwithstanding the provisions of paragraph (a), and
 735 for the 2003-2004 ~~2002-2003~~ fiscal year only, the Department of
 736 Community Affairs shall conduct a review of funds available in
 737 the Emergency Management, Preparedness, and Assistance Trust
 738 Fund. By December 31 ~~±~~, 2003 ~~2002~~, when actual receipts for the
 739 2002-2003 ~~2001-2002~~ fiscal year are determined, the Department
 740 of Community Affairs may identify any funds that were unspent or



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741 unencumbered in the 2002-2003 ~~2001-2002~~ fiscal year ~~that are not~~
 742 ~~required to implement appropriations for the 2002-2003 fiscal~~
 743 ~~year from the Emergency Management, Preparedness, and Assistance~~
 744 ~~Trust Fund~~, and such funds may be transferred to the Grants and
 745 Donations Trust Fund to be used for the state portion of the
 746 match requirements for current federally approved disaster
 747 ~~Hazard Mitigation Grant Program~~ projects. This paragraph expires
 748 July 1, 2004 ~~2003~~.

749 Section 29. In order to implement Specific Appropriations
 750 1432A, 1438A-1438I, 1438K, 1438L, 1438N, and 1439E-1439J of the
 751 2003-2004 General Appropriations Act, subsection (8) of section
 752 215.559, Florida Statutes, is renumbered as subsection (9), and
 753 a new subsection (8) is added to said section to read:

754 215.559 Hurricane Loss Mitigation Program.--

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

759 Section 30. In order to implement Specific Appropriation
 760 1303A of the 2003-2004 General Appropriations Act, paragraph (e)
 761 is added to subsection (13) of section 253.025, Florida
 762 Statutes, to read:

763 253.025 Acquisition of state lands for purposes other than
 764 preservation, conservation, and recreation.--

765 (13)

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



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770 Section 31. In order to implement Specific Appropriations
771 1452-1459A of the 2003-2004 General Appropriations Act,
772 subsection (4) of section 290.044, Florida Statutes, is amended
773 to read:

774 290.044 Florida Small Cities Community Development Block
775 Grant Program Fund; administration; distribution.--

776 (4) ~~The percentage of funds distributed in each of the~~
777 ~~grant program categories from federal funds for federal fiscal~~
778 ~~year 1985 shall be established by the Legislature in the~~
779 ~~appropriation process for the 1984 regular session and shall be~~
780 ~~established annually thereafter in the same manner. The~~
781 ~~department shall submit its recommendation on the distribution~~
782 ~~percentages to the Governor and Legislature as part of its~~
783 ~~regular budget proposals. The department may set aside shall~~
784 ~~provide for the set-aside of~~ an amount of up to 5 ~~10~~ percent of
785 the funds allocated to the neighborhood revitalization category
786 ~~in its distribution percentages~~ for use in any eligible local
787 government jurisdiction for which an emergency or natural
788 disaster has been declared by executive order. Such funds may
789 only be provided to a local government to fund eligible
790 emergency-related activities for which no other source of
791 federal, state, or local disaster funds is available. The
792 department may ~~shall~~ provide for such set-aside by rule. In the
793 last quarter of the state fiscal year, any funds not allocated
794 under the emergency-related set-aside shall be used to fully
795 fund any applications which were partially funded due to
796 inadequate funds in the most recently completed neighborhood
797 revitalization category funding cycle, and then any remaining
798 funds shall be distributed to the next unfunded applications.



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799 Section 32. The amendment of subsection (4) of s. 290.044,
800 Florida Statutes, by this act shall expire on July 1, 2004, and
801 the text of that subsection shall revert to that in existence on
802 June 30, 2003, except that any amendments to such text enacted
803 other than by this act shall be preserved and continue to
804 operate to the extent that such amendments are not dependent
805 upon the portions of such text which expire pursuant to the
806 provisions of this act.

807 Section 33. In order to implement Specific Appropriation
808 2014 of the 2003-2004 General Appropriations Act, section
809 402.3017, Florida Statutes, is amended to read:

810 402.3017 Teacher Education and Compensation Helps (TEACH)
811 scholarship program.--

812 (1) The Legislature finds that the level of early child
813 care teacher education and training is a key predictor for
814 determining program quality. The Legislature also finds that low
815 wages for child care workers prevent many from obtaining
816 increased training and education and contribute to high turnover
817 rates. The Legislature therefore intends to help fund a program
818 which links teacher training and education to compensation and
819 commitment to the field of early childhood education.

820 (2) The Department of Children and Family Services is
821 authorized to contract for the administration of the Teacher
822 Education and Compensation Helps (TEACH) scholarship program,
823 which provides educational scholarships to caregivers and
824 administrators of early childhood programs, family day care
825 homes, and large family child care homes.

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



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

831 Section 34. In order to implement Specific Appropriation
 832 2014 of the 2003-2004 General Appropriations Act, subsection
 833 (13) of section 411.01, Florida Statutes, is amended to read:

834 411.01 Florida Partnership for School Readiness; school
 835 readiness coalitions.--

836 (13) PLACEMENTS.--Notwithstanding any other provision of
 837 this section to the contrary, and for fiscal year 2003-2004
 838 ~~2002-2003~~ only, the first children to be placed in the school
 839 readiness program shall be those from families receiving
 840 temporary cash assistance and subject to federal work
 841 requirements. Subsequent placements shall be pursuant to the
 842 provisions of this section. This subsection expires July 1, 2004
 843 ~~2003~~.

844 Section 35. In order to implement Specific Appropriation
 845 12C of the 2003-2004 General Appropriations Act, subsection (7)
 846 is added to section 1013.62, Florida Statutes, to read:

847 1013.62 Charter schools capital outlay funding.--

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

852 Section 36. In order to implement Specific Appropriations
 853 584-601A of the 2003-2004 General Appropriations Act, subsection
 854 (7) of section 1009.66, Florida Statutes, as amended by section
 855 71 of chapter 2002-402, Laws of Florida, and section 3 of
 856 chapter 2002-400, Laws of Florida, is amended to read:

857 1009.66 Nursing Student Loan Forgiveness Program.--



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858 (7)(a) Funds contained in the Nursing Student Loan
859 Forgiveness Trust Fund which are to be used for loan forgiveness
860 for those nurses employed by hospitals, birth centers, and
861 nursing homes must be matched on a dollar-for-dollar basis by
862 contributions from the employing institutions, except that this
863 provision shall not apply to state-operated medical and health
864 care facilities, public schools, county health departments,
865 federally sponsored community health centers, teaching hospitals
866 as defined in s. 408.07, family practice teaching hospitals as
867 defined in s. 395.805, or specialty hospitals for children as
868 used in s. 409.9119. An estimate of the annual trust fund
869 dollars shall be made at the beginning of the fiscal year based
870 on historic expenditures from the trust fund. Applicant requests
871 shall be reviewed on a quarterly basis, and applicant awards
872 shall be based on the following priority of employer until all
873 such estimated trust funds are awarded: state-operated medical
874 and health care facilities; public schools; county health
875 departments; federally sponsored community health centers;
876 teaching hospitals as defined in s. 408.07; family practice
877 teaching hospitals as defined in s. 395.805; specialty hospitals
878 for children as used in s. 409.9119; and other hospitals, birth
879 centers, and nursing homes.

880 ~~(b) All Nursing Student Loan Forgiveness Trust Fund moneys~~
881 ~~shall be invested pursuant to s. 18.125. Interest income~~
882 ~~accruing to that portion of the trust fund not matched shall~~
883 ~~increase the total funds available for loan forgiveness and~~
884 ~~scholarships. Pledged contributions shall not be eligible for~~
885 ~~matching prior to the actual collection of the total private~~
886 ~~contribution for the year.~~



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887 Section 37. The amendment of subsection (7) of s. 1009.66,
888 Florida Statutes, by this act shall expire on July 1, 2004, and
889 the text of that subsection shall revert to that in existence on
890 June 30, 2003, except that any amendments to such text enacted
891 other than by this act shall be preserved and continue to
892 operate to the extent that such amendments are not dependent
893 upon the portions of such text which expire pursuant to the
894 provisions of this act.

895 Section 38. In order to implement Specific Appropriation
896 477 of the 2003-2004 General Appropriations Act, subsection (3)
897 of section 385.207, Florida Statutes, as amended by section 73
898 of chapter 2002-402, Laws of Florida, is amended to read:

899 385.207 Care and assistance of persons with epilepsy;
900 establishment of programs in epilepsy control.--

901 (3) Revenue for statewide implementation of programs for
902 epilepsy prevention and education pursuant to this section shall
903 be derived pursuant to the provisions of s. 318.21(6) and shall
904 be deposited in the Epilepsy Services Trust Fund, which is
905 hereby established to be administered by the Department of
906 Health. ~~All funds deposited into the trust fund shall be~~
907 ~~invested pursuant to the provisions of s. 18.125. Interest~~
908 ~~income accruing to such invested funds shall increase the total~~
909 ~~funds available under this subsection.~~

910 Section 39. The amendment of subsection (3) of s. 385.207,
911 Florida Statutes, by this act shall expire on July 1, 2004, and
912 the text of that subsection shall revert to that in existence on
913 June 30, 2003, except that any amendments to such text enacted
914 other than by this act shall be preserved and continue to
915 operate to the extent that such amendments are not dependent



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916 upon the portions of such text which expire pursuant to the
917 provisions of this act.

918 Section 40. In order to implement Specific Appropriations
919 1335-1339 of the 2003-2004 General Appropriations Act, section
920 570.544, Florida Statutes, is amended to read:

921 570.544 Division of Consumer Services; director; powers;
922 ~~processing of complaints;~~ records.--

923 (1) The director of the Division of Consumer Services
924 shall be appointed by and serve at the pleasure of the
925 commissioner.

926 (2) The Division of Consumer Services may:

927 (a) Conduct studies and make analyses of matters affecting
928 the interests of consumers.

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

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

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

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

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

939 (g) Assist, develop, and conduct programs of consumer
940 education and consumer information through publications and
941 other informational and educational material prepared for
942 dissemination to the public, in order to increase the competence
943 of consumers.

944 (h) Organize and hold conferences on problems affecting
945 consumers.



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946 (i) Recommend programs to encourage business and industry
947 to maintain high standards of honesty, fair business practices,
948 and public responsibility in the production, promotion, and sale
949 of consumer goods and services.

950 ~~(3) In addition to the powers, duties, and~~
951 ~~responsibilities authorized by this or any other chapter, the~~
952 ~~Division of Consumer Services shall serve as a clearinghouse for~~
953 ~~matters relating to consumer protection, consumer information,~~
954 ~~and consumer services generally. It shall receive complaints and~~
955 ~~grievances from consumers and promptly transmit them to that~~
956 ~~agency most directly concerned in order that the complaint or~~
957 ~~grievance may be expeditiously handled in the best interests of~~
958 ~~the complaining consumer. If no agency exists, the Division of~~
959 ~~Consumer Services shall seek a settlement of the complaint using~~
960 ~~formal or informal methods of mediation and conciliation and may~~
961 ~~seek any other resolution of the matter in accordance with its~~
962 ~~jurisdiction.~~

963 ~~(4) If any complaint received by the Division of Consumer~~
964 ~~Services concerns matters which involve concurrent jurisdiction~~
965 ~~in more than one agency, duplicate copies of the complaint shall~~
966 ~~be referred to those offices deemed to have concurrent~~
967 ~~jurisdiction.~~

968 (3)~~(5)~~(a) Any agency, office, bureau, division, or board
969 of state government receiving a complaint which deals with
970 consumer fraud or consumer protection and which is not within
971 the jurisdiction of the receiving agency, office, bureau,
972 division, or board originally receiving it, shall immediately
973 refer the complaint to the Division of Consumer Services.

974 (b) Upon receipt of such a complaint, the Division of
975 Consumer Services shall make a determination of the proper



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976 jurisdiction to which the complaint relates and shall
977 immediately refer the complaint to the agency, office, bureau,
978 division, or board which does have the proper regulatory or
979 enforcement authority to deal with it.

980 ~~(6)(a) The office or agency to which a complaint has been~~
981 ~~referred shall within 30 days acknowledge receipt of the~~
982 ~~complaint and report on the disposition made of the complaint.~~
983 ~~In the event a complaint has not been disposed of within 30~~
984 ~~days, the receiving office or agency shall file progress reports~~
985 ~~with the Division of Consumer Services no less frequently than~~
986 ~~30 days until final disposition.~~

987 ~~(b) The report shall contain at least the following~~
988 ~~information:~~

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

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

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

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

998 ~~(7)(a) If the office or agency receiving a complaint fails~~
999 ~~to file a report as contemplated in this section, that failure~~
1000 ~~shall be construed as a denial by the receiving office or agency~~
1001 ~~that it has jurisdiction of the subject matter contained in the~~
1002 ~~complaint.~~

1003 ~~(b) If an office or agency receiving a complaint~~
1004 ~~determines that the matter presents a prima facie case for~~
1005 ~~criminal prosecution or if the complaint cannot be settled at~~



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1006 ~~the administrative level, the complaint together with all~~
1007 ~~supporting evidence shall be transmitted to the Department of~~
1008 ~~Legal Affairs or other appropriate enforcement agency with a~~
1009 ~~recommendation for civil or criminal action warranted by the~~
1010 ~~evidence.~~

1011 ~~(4)(8)~~ The records of the Division of Consumer Services
1012 are public records. However, customer lists, customer names, and
1013 trade secrets are confidential and exempt from the provisions of
1014 s. 119.07(1). Disclosure necessary to enforcement procedures
1015 shall not be construed as violative of this prohibition.

1016 ~~(5)(9)~~ It shall be the duty of the Division of Consumer
1017 Services to maintain records and compile summaries and analyses
1018 of consumer complaints under its jurisdiction and their eventual
1019 disposition, which data may serve as a basis for recommendations
1020 to the Legislature and to state regulatory agencies.

1021 Section 41. The amendment of s. 570.544, Florida Statutes,
1022 by this act shall expire on July 1, 2004, and the text of that
1023 section shall revert to that in existence on June 30, 2003,
1024 except that any amendments to such text enacted other than by
1025 this act shall be preserved and continue to operate to the
1026 extent that such amendments are not dependent upon the portions
1027 of such text which expire pursuant to the provisions of this
1028 act.

1029 Section 42. In order to implement Specific Appropriations
1030 1335-1339 of the 2003-2004 General Appropriations Act, section
1031 526.3135, Florida Statutes, is amended to read:

1032 526.3135 Reports by the Division of Standards.--The
1033 Division of Standards is directed to compile a report pursuant
1034 to s. 570.544 of all complaints received by the Department of
1035 Agriculture and Consumer Services pursuant to this act. Such



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1036 report shall ~~contain at least the information required by s.~~
 1037 ~~570.544(6)(b)2. 4. and shall~~ be presented to the Speaker of the
 1038 House of Representatives and the President of the Senate no
 1039 later than January 1 of each year.

1040 Section 43. The amendment of s. 526.3135, Florida
 1041 Statutes, by this act shall expire on July 1, 2004, and the text
 1042 of that section shall revert to that in existence on June 30,
 1043 2003, except that any amendments to such text enacted other than
 1044 by this act shall be preserved and continue to operate to the
 1045 extent that such amendments are not dependent upon the portions
 1046 of such text which expire pursuant to the provisions of this
 1047 act.

1048 Section 44. In order to implement Specific Appropriations
 1049 1335-1339 of the 2003-2004 General Appropriations Act,
 1050 subsection (2) of section 559.921, Florida Statutes, is amended
 1051 to read:

1052 559.921 Remedies.--

1053 (2) The department shall refer ~~process~~ consumer complaints
 1054 to the Division of Consumer Services according to ss. 570.07 and
 1055 570.544.

1056 Section 45. The amendment of subsection (2) of s. 559.921,
 1057 Florida Statutes, by this act shall expire on July 1, 2004, and
 1058 the text of that subsection shall revert to that in existence on
 1059 June 30, 2003, except that any amendments to such text enacted
 1060 other than by this act shall be preserved and continue to
 1061 operate to the extent that such amendments are not dependent
 1062 upon the portions of such text which expire pursuant to the
 1063 provisions of this act.



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1064 Section 46. In order to implement Section 24 of the 2003-
 1065 2004 General Appropriations Act, subsection (10) of section
 1066 288.063, Florida Statutes, is amended to read:

1067 288.063 Contracts for transportation projects.--

1068 (10)(a) Notwithstanding the provisions of s. 216.301,
 1069 funds appropriated for this purpose shall not be subject to
 1070 reversion.

1071 (b) For the 2003-2004 fiscal year only and notwithstanding
 1072 paragraph (a), funds appropriated for this purpose in previous
 1073 years are subject to the reversion requirements of s. 216.301.
 1074 This paragraph expires July 1, 2004.

1075 Section 47. In order to implement Section 30 of the 2003-
 1076 2004 General Appropriations Act, subsection (5) is added to
 1077 section 339.08, Florida Statutes, to read:

1078 339.08 Use of moneys in State Transportation Trust Fund.--

1079 (5) For the 2003-2004 fiscal year only and notwithstanding
 1080 the provisions of this section and s. 339.09(1), \$200 million
 1081 may be transferred from the State Transportation Trust Fund to
 1082 the General Revenue Fund in the 2003-2004 General Appropriations
 1083 Act. Such transfer may be comprised of several smaller transfers
 1084 made during the 2003-2004 fiscal year. Notwithstanding ss.
 1085 206.46(3) and 206.606(2), the total amount transferred shall be
 1086 reduced from total state revenues deposited into the State
 1087 Transportation Trust Fund for the calculation requirements of
 1088 ss. 206.46(3) and 206.606(2). This subsection expires July 1,
 1089 2004.

1090 Section 48. In order to implement Specific Appropriation
 1091 2545 of the 2003-2004 General Appropriations Act, effective July
 1092 1, 2003, transfers shall occur as described in legislation that
 1093 becomes law reorganizing the Office of the Auditor General and



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1094 the Office of Program Policy Analysis and Government
1095 Accountability into the Office of Government Accountability. If
1096 such legislation does not become law, all powers, duties,
1097 functions, records, personnel, property, and unexpended balances
1098 of appropriations, allocations, and other funds of the Office of
1099 Program Policy Analysis and Government Accountability are
1100 transferred by a type two transfer, as defined in s. 20.06,
1101 Florida Statutes, to the Office of the Auditor General.
1102 Consistent with the provisions of s. 11.45(4)(a), Florida
1103 Statutes, and notwithstanding any other provision of law to the
1104 contrary, the Auditor General shall, within the funding
1105 provided, determine which duties and responsibilities assigned
1106 by law to the Office of Program Policy Analysis and Government
1107 Accountability shall be provided during the 2003-2004 fiscal
1108 year. This section expires July 1, 2004.

1109 Section 49. In order to implement Specific Appropriation
1110 2545 of the 2003-2004 General Appropriations Act, effective July
1111 1, 2003, all powers, duties, functions, records, personnel,
1112 property, and unexpended balances of appropriations,
1113 allocations, and other funds of the Council for Education Policy
1114 Research and Improvement are transferred by a type two transfer,
1115 as defined in s. 20.06, Florida Statutes, to the Office of the
1116 Auditor General. Notwithstanding the provisions of s. 1008.51,
1117 Florida Statutes, all powers, duties, funding, and functions of
1118 the Council for Education Policy Research and Improvement are
1119 suspended for the 2003-2004 fiscal year. The Auditor General
1120 may, within the funding provided, provide policy research and
1121 analysis of education issues. This section expires July 1, 2004.

1122 Section 50. A section of this act that implements a
1123 specific appropriation or specifically identified proviso



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1124 language in the 2003-2004 General Appropriations Act is void if
 1125 the specific appropriation or specifically identified proviso
 1126 language is vetoed. A section of this act that implements more
 1127 than one specific appropriation or more than one portion of
 1128 specifically identified proviso language in the 2003-2004
 1129 General Appropriations Act is void if all the specific
 1130 appropriations or portions of specifically identified proviso
 1131 language are vetoed.

1132 Section 51. If any other act passed in 2003 contains a
 1133 provision that is substantively the same as a provision in this
 1134 act, but that removes or is otherwise not subject to the future
 1135 repeal applied to such provision by this act, the Legislature
 1136 intends that the provision in the other act shall take
 1137 precedence and shall continue to operate, notwithstanding the
 1138 future repeal provided by this act.

1139 Section 52. The agency performance measures and standards
 1140 in the document entitled "Florida's Budget 2003 Agency
 1141 Performance Measures and Standards Approved by the Legislature
 1142 for Fiscal Year 2003-04" dated March 24, 2003, and filed with
 1143 the Clerk of the House of Representatives are incorporated by
 1144 reference. Such performance measures and standards are directly
 1145 linked to the appropriations made in the General Appropriations
 1146 Act for fiscal year 2003-2004, as required by the Government
 1147 Performance and Accountability Act of 1994. State agencies are
 1148 directed to revise their long-range program plans required under
 1149 s. 216.013, Florida Statutes, to be consistent with these
 1150 performance measures and standards.

1151 Section 53. If any provision of this act or its
 1152 application to any person or circumstance is held invalid, the
 1153 invalidity shall not affect other provisions or applications of



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1154 the act which can be given effect without the invalid provision
1155 or application, and to this end the provisions of this act are
1156 declared severable.

1157 Section 54. If any law amended by this act was also
1158 amended by a law enacted at the 2003 Regular Session of the
1159 Legislature, such laws shall be construed as if they had been
1160 enacted at the same session of the Legislature, and full effect
1161 shall be given to each if possible.

1162 Section 55. Except as otherwise provided in this act, this
1163 act shall take effect July 1, 2003; or, in the event this act
1164 fails to become a law until after that date, it shall take
1165 effect upon becoming a law and shall operate retroactively to
1166 July 1, 2003.