



CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 4-A

Amendment No.      Barcode 124994

1 pursuant to section 216.351, Florida Statutes, funds  
2 appropriated or reappropriated to the state universities in  
3 the 2003-2004 General Appropriations Act, or any other act  
4 passed by the 2003 Legislature containing appropriations,  
5 shall be distributed to each university according to the  
6 2003-2004 fiscal year operating budget approved by the  
7 university board of trustees. Each university board of  
8 trustees shall have authority to amend the operating budget as  
9 circumstances warrant. The operating budget may utilize  
10 traditional appropriation categories or it may consolidate the  
11 appropriations into a special category appropriation account.  
12 The Chief Financial Officer, upon the request of the  
13 university board of trustees, shall record by journal transfer  
14 the distribution of the appropriated funds and releases  
15 according to the approved operating budget to the  
16 appropriation accounts established for disbursement purposes  
17 for each university within the state accounting system  
18 (FLAIR).

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

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

7       (4) Notwithstanding those provisions of sections  
8 216.181, 216.292, and 1011.4105, Florida Statutes, which are  
9 inconsistent with the provisions of this subsection and  
10 pursuant to section 216.351, Florida Statutes, fixed capital  
11 outlay funds appropriated or reappropriated in the 2003-2004  
12 General Appropriations Act, or any other act passed by the  
13 2003 Legislature containing fixed capital outlay  
14 appropriations, for universities that have made the  
15 transition, effective July 1, 2003, from the state accounting  
16 system (FLAIR) shall be administered by the Department of  
17 Education and shall be distributed to the universities as  
18 needed for projects based upon estimated invoices to be paid  
19 during the following 30 days or as required by bond documents.  
20 For undisbursed fixed capital outlay appropriations from prior  
21 fiscal years for universities that have made the transition,  
22 effective July 1, 2003, from the state accounting system  
23 (FLAIR), the Executive Office of the Governor and the Chief  
24 Financial Officer shall have authority to transfer such  
25 undisbursed fixed capital outlay appropriations into  
26 appropriations under the Department of Education for  
27 distribution to the universities as needed for projects based  
28 on estimated invoices to be paid during the following 30 days  
29 or as required by bond documents. Expenditure of fixed capital  
30 outlay appropriations shall be consistent with legislative  
31 policy and intent.

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

2           Section 3. In order to implement Specific  
3 Appropriation 62 of the 2003-2004 General Appropriations Act,  
4 notwithstanding the provisions of sections 206.41(4)(e) and  
5 206.625(2), Florida Statutes, for the 2003-2004 fiscal year  
6 only, a district school board that has completely addressed  
7 district needs associated with the construction,  
8 reconstruction, and maintenance of roads and has a fund  
9 balance remaining may expend such balance for student  
10 transportation services. Funds transferred pursuant to this  
11 section for student transportation services shall not exceed  
12 the actual amount expended for such services. This section  
13 expires July 1, 2004.

14           Section 4. In order to implement Specific  
15 Appropriation 60 of the 2003-2004 General Appropriations Act,  
16 notwithstanding the provisions of section 1006.37, Florida  
17 Statutes, for the 2003-2004 fiscal year only, the Department  
18 of Education may conduct a pilot program to enable selected  
19 school districts to realize cost savings without loss of  
20 quality or availability for individual students in the  
21 purchase of used instructional materials. The school districts  
22 of Hernando County, Pasco County, Seminole County, and Polk  
23 County may participate in the pilot program. Charter schools  
24 in such school districts shall be eligible to participate in  
25 the pilot program. When a secondhand book dealer or other  
26 third-party book vendor provides used adopted instructional  
27 materials to a school district, the dealer or vendor must  
28 certify the availability of the used instructional material,  
29 provide the International Standard Book Number of each of the  
30 used instructional materials, and certify that such materials  
31 are not samples or first printings, are the most currently

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1 adopted, Florida-specific instructional materials, and conform  
2 to the Sunshine State Standards. The state is not responsible  
3 for financial loss caused by the school district's deviating  
4 from the requirements of section 1006.37, Florida Statutes.  
5 The Department of Education shall submit to the President of  
6 the Senate and the Speaker of the House of Representatives for  
7 consideration during the 2004 Regular Session a report of the  
8 cost savings to school districts based on results of the pilot  
9 program. This section expires July 1, 2004.

10 Section 5. In order to implement Specific  
11 Appropriations 123-130 of the 2003-2004 General Appropriations  
12 Act, subsection (5) of section 17.076, Florida Statutes, is  
13 amended to read:

14 17.076 Direct deposit of funds.--

15 (5) All direct deposit records made prior to October  
16 1, 1986, are exempt from the provisions of s. 119.07(1). With  
17 respect to direct deposit records made on or after October 1,  
18 1986, the names of the authorized financial institutions and  
19 the account numbers of the beneficiaries are confidential and  
20 exempt from the provisions of s. 119.07(1) and s. 24(a), Art.  
21 I of the State Constitution. Notwithstanding this exemption  
22 and the provisions of s. 119.07(3)(dd), the department may  
23 provide a state university, upon request, with that  
24 university's employee or vendor direct deposit authorization  
25 information on file with the department in order to  
26 accommodate the transition to the university accounting  
27 system. The state university shall maintain the  
28 confidentiality of all such information provided by the  
29 department.

30 Section 6. The amendment of section 17.076, Florida  
31 Statutes, by this act shall expire on July 1, 2004, and the

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1 text of that section shall revert to that in existence on June  
2 30, 2003, except that any amendments to such text enacted  
3 other than by this act shall be preserved and continue to  
4 operate to the extent that such amendments are not dependent  
5 upon the portions of such text which expire pursuant to the  
6 provisions of this act.

7 Section 7. In order to implement Specific  
8 Appropriations 123-130 of the 2003-2004 General Appropriations  
9 Act, subsection (2) of section 112.215, Florida Statutes, is  
10 amended to read:

11 112.215 Government employees; deferred compensation  
12 program.--

13 (2) For the purposes of this section, the term  
14 "employee" means any person, whether appointed, elected, or  
15 under contract, providing services for the state; any state  
16 agency or county or other political subdivision of the state;  
17 any municipality; any state university board of trustees; or  
18 any constitutional county officer under s. 1(d), Art. VIII of  
19 the State Constitution for which compensation or statutory  
20 fees are paid.

21 Section 8. The amendment of section 112.215, Florida  
22 Statutes, by this act shall expire on July 1, 2004, and the  
23 text of that section shall revert to that in existence on June  
24 30, 2003, except that any amendments to such text enacted  
25 other than by this act shall be preserved and continue to  
26 operate to the extent that such amendments are not dependent  
27 upon the portions of such text which expire pursuant to the  
28 provisions of this act.

29 Section 9. In order to implement Specific  
30 Appropriations 123-130 of the 2003-2004 General Appropriations  
31 Act, subsections (1) through (6) of section 287.064, Florida

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1 Statutes, are amended to read:

2           287.064 Consolidated financing of deferred-payment  
3 purchases.--

4           (1) The Division of Bond Finance of the State Board of  
5 Administration and the Comptroller shall plan and coordinate  
6 deferred-payment purchases made by or on behalf of the state  
7 or its agencies or by or on behalf of state universities or  
8 state community colleges participating under this section  
9 pursuant to s. 1001.74(5) or s. 1001.64(26), respectively. The  
10 Division of Bond Finance shall negotiate and the Comptroller  
11 shall execute agreements and contracts to establish master  
12 equipment financing agreements for consolidated financing of  
13 deferred-payment, installment sale, or lease purchases with a  
14 financial institution or a consortium of financial  
15 institutions. As used in this act, the term "deferred-payment"  
16 includes installment sale and lease-purchase.

17           (a) The period during which equipment may be acquired  
18 under any one master equipment financing agreement shall be  
19 limited to not more than 3 years.

20           (b) Repayment of the whole or a part of the funds  
21 drawn pursuant to the master equipment financing agreement may  
22 continue beyond the period established pursuant to paragraph

23 (a).

24           (c) The interest rate component of any master  
25 equipment financing agreement shall be deemed to comply with  
26 the interest rate limitation imposed in s. 287.063 so long as  
27 the interest rate component of every interagency, state  
28 university, or community college agreement entered into under  
29 such master equipment financing agreement complies with the  
30 interest rate limitation imposed in s. 287.063. Such interest  
31 rate limitation does not apply when the payment obligation

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1 under the master equipment financing agreement is rated by a  
2 nationally recognized rating service in any one of the three  
3 highest classifications, which rating services and  
4 classifications are determined pursuant to rules adopted by  
5 the Comptroller.

6 (2) Unless specifically exempted by the Comptroller,  
7 all deferred-payment purchases, including those made by a  
8 state university or community college that is participating  
9 under this section, shall be acquired by funding through  
10 master equipment financing agreements. The Comptroller is  
11 authorized to exempt any purchases from consolidated financing  
12 when, in his or her judgment, alternative financing would be  
13 cost-effective or otherwise beneficial to the state.

14 (3) The Comptroller may require agencies to enter into  
15 interagency agreements and may require participating state  
16 universities or community colleges to enter into systemwide  
17 agreements for the purpose of carrying out the provisions of  
18 this act.

19 (a) The term of any interagency or systemwide  
20 agreement shall expire on June 30 of each fiscal year but  
21 shall automatically be renewed annually subject to  
22 appropriations and deferred-payment schedules. The period of  
23 any interagency or systemwide agreement shall not exceed the  
24 useful life of the equipment for which the agreement was made  
25 as determined by the Comptroller.

26 (b) The interagency or systemwide agreements may  
27 include, but are not limited to, equipment costs, terms, and a  
28 pro rata share of program and issuance expenses.

29 (4) Each state university or community college may  
30 choose to have its purchasing agreements involving  
31 administrative and instructional materials consolidated under



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1 this section.

2 (5) The Comptroller is authorized to automatically  
3 debit each agency's or state university's funds and each  
4 community college's portion of the Community College Program  
5 Fund consistently with the deferred-payment schedules.

6 (6) There is created the Consolidated Payment Trust  
7 Fund in the Comptroller's office for the purpose of  
8 implementing the provisions of this act. All funds debited  
9 from each agency, state university, and ~~each~~ community college  
10 may be deposited in the trust fund and shall be used to meet  
11 the financial obligations incurred pursuant to this act. Any  
12 income from the investment of funds may be used to fund  
13 administrative costs associated with this program.

14 Section 10. The amendment of section 287.064, Florida  
15 Statutes, by this act shall expire on July 1, 2004, and the  
16 text of that section shall revert to that in existence on June  
17 30, 2003, except that any amendments to such text enacted  
18 other than by this act shall be preserved and continue to  
19 operate to the extent that such amendments are not dependent  
20 upon the portions of such text which expire pursuant to the  
21 provisions of this act.

22 Section 11. In order to implement specific  
23 Appropriations 123-130 of the 2003-2004 General Appropriations  
24 Act, subsection (6) of section 440.38, Florida Statutes, is  
25 amended to read:

26 440.38 Security for compensation; insurance carriers  
27 and self-insurers.--

28 (6) The state and its boards, bureaus, departments,  
29 and agencies and all of its political subdivisions which  
30 employ labor, and the state universities, shall be deemed  
31 self-insurers under the terms of this chapter, unless they

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1 elect to procure and maintain insurance to secure the benefits  
2 of this chapter to their employees; and they are hereby  
3 authorized to pay the premiums for such insurance.

4 Section 12. The amendment of section 440.38, Florida  
5 Statutes, by this act shall expire on July 1, 2004, and the  
6 text of that section shall revert to that in existence on June  
7 30, 2003, except that any amendments to such text enacted  
8 other than by this act shall be preserved and continue to  
9 operate to the extent that such amendments are not dependent  
10 upon the portions of such text which expire pursuant to the  
11 provisions of this act.

12 Section 13. In order to implement Specific  
13 Appropriations 123-130 of the 2003-2004 General Appropriations  
14 Act, effective upon this act becoming a law and applicable  
15 retroactive to January 7, 2003, section 1010.10, Florida  
16 Statutes, is created to read:

17 1010.10 Florida Uniform Management of Institutional  
18 Funds Act.--

19 (1) SHORT TITLE.--This section may be cited as the  
20 "Florida Uniform Management of Institutional Funds Act."

21 (2) DEFINITIONS.--As used in this section, the term:

22 (a) "Endowment fund" means an institutional fund, or  
23 any part thereof, not wholly expendable by the institution on  
24 a current basis under the terms of the applicable gift  
25 instrument.

26 (b) "Governing board" means the body responsible for  
27 the management of an institution or of an institutional fund.

28 (c) "Institution" means an incorporated or  
29 unincorporated organization organized and operated exclusively  
30 for the advancement of educational purposes, or a governmental  
31 entity to the extent that it holds funds exclusively for

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1 educational purposes.

2 (d) "Institutional fund" means a fund held by an  
3 institution for its exclusive use, benefit, or purposes. The  
4 term excludes a fund held for an institution by a trustee that  
5 is not an institution. The term also excludes a fund in which  
6 a beneficiary that is not an institution has an interest,  
7 other than possible rights that could arise upon violation or  
8 failure of the purposes of the fund.

9 (e) "Instrument" means a will; deed; grant;  
10 conveyance; agreement; memorandum; electronic record; writing;  
11 or other governing document, including the terms of any  
12 institutional solicitations from which an institutional fund  
13 resulted, under which property is transferred to or held by an  
14 institution as an institutional fund.

15 (3) EXPENDITURE OF ENDOWMENT FUNDS.--

16 (a) A governing board may expend so much of an  
17 endowment fund as the governing board determines to be prudent  
18 for the uses and purposes for which the endowment fund is  
19 established, consistent with the goal of conserving the  
20 purchasing power of the endowment fund. In making its  
21 determination the governing board shall use reasonable care,  
22 skill, and caution in considering the following:

- 23 1. The purposes of the institution;
- 24 2. The intent of the donors of the endowment fund;
- 25 3. The terms of the applicable instrument;
- 26 4. The long-term and short-term needs of the  
27 institution in carrying out its purposes;
- 28 5. The general economic conditions;
- 29 6. The possible effect of inflation or deflation;
- 30 7. The other resources of the institution; and
- 31 8. Perpetuation of the endowment.

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1  
2 Expenditures made under this paragraph will be considered  
3 prudent if the amount expended is consistent with the goal of  
4 preserving the purchasing power of the endowment fund.

5 (b) A restriction upon the expenditure of an endowment  
6 fund may not be implied from a designation of a gift as an  
7 endowment or from a direction or authorization in the  
8 instrument to use only "income," "interest," "dividends," or  
9 "rents, issues or profits," or "to preserve the principal  
10 intact," or words of similar import.

11 (c) The provisions of paragraph (a) shall not apply to  
12 instruments if the instrument so indicates by stating, "I  
13 direct that the expenditure provision of paragraph (a) of  
14 subsection (3) of the Florida Uniform Management of  
15 Institutional Funds Act not apply to this gift" or words of  
16 similar import.

17 (d) This subsection does not limit the authority of a  
18 governing board to expend funds as permitted under other law,  
19 the terms of the instrument, or the charter of the  
20 institution.

21 (e) Except as otherwise provided, this subsection  
22 applies to instruments executed or in effect before or after  
23 the effective date of this section.

24 (4) STANDARD OF CONDUCT.--

25 (a) Members of a governing board shall invest and  
26 manage an institutional fund as a prudent investor would, by  
27 considering the purposes, distribution requirements, and other  
28 circumstances of the fund. In satisfying this standard, the  
29 governing board shall exercise reasonable care, skill, and  
30 caution.

31 (b) A governing board's investment and management

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1 decisions about individual assets shall be made not in  
2 isolation but in the context of the institutional fund's  
3 portfolio of investments as a whole and as a part of an  
4 overall investment strategy that provides risk and return  
5 objectives reasonably suited to the fund and to the  
6 institution.

7 (c) Among circumstances that a governing board shall  
8 consider are:

- 9 1. Long-term and short-term needs of the institution  
10 in carrying out its purposes;  
11 2. Its present and anticipated financial resources;  
12 3. General economic conditions;  
13 4. The possible effect of inflation or deflation;  
14 5. The expected tax consequences, if any, of  
15 investment decisions or strategies;  
16 6. The role that each investment or course of action  
17 plays within the overall investment portfolio of the  
18 institutional fund;  
19 7. The expected total return from income and the  
20 appreciation of its investments;  
21 8. Other resources of the institution;  
22 9. The needs of the institution and the institutional  
23 fund for liquidity, regularity of income, and preservation or  
24 appreciation of capital; and  
25 10. An asset's special relationship or special value,  
26 if any, to the purposes of the applicable gift instrument or  
27 to the institution.

28 (d) A governing board shall make a reasonable effort  
29 to verify the facts relevant to the investment and management  
30 of institutional fund assets.

31 (e) A governing board shall diversify the investments

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1 of an institutional fund unless the board reasonably  
2 determines that, because of special circumstances, the  
3 purposes of the fund are better served without diversifying.

4 (f) A governing board shall invest and manage the  
5 assets of an institutional fund solely in the interest of the  
6 institution.

7 (5) INVESTMENT AUTHORITY.--In addition to an  
8 investment otherwise authorized by law or by the applicable  
9 gift instrument, and without restriction to investments a  
10 fiduciary may make, the governing board, subject to any  
11 specific limitations in the applicable gift instrument or in  
12 the applicable law, other than law relating to investments by  
13 a fiduciary:

14 (a) Within a reasonable time after receiving property,  
15 shall review the property and make and implement decisions  
16 concerning the retention and disposition of the assets, in  
17 order to bring the portfolio of the institutional fund into  
18 compliance with the purposes, terms, distribution  
19 requirements, and other circumstances of the institution, and  
20 with the requirements of this section;

21 (b) May invest in any kind of property or type of  
22 investment consistent with the standards of this section;

23 (c) May include all or any part of an institutional  
24 fund in any pooled or common fund maintained by the  
25 institution; and

26 (d) May invest all or any part of the institutional  
27 fund in any other pooled or common fund available for  
28 investment, including shares or interests in regulated  
29 investment companies, mutual funds, common trust funds,  
30 investment partnerships, real estate investment trusts, or  
31 similar organizations in which funds are commingled and

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1 investment determinations are made by persons other than the  
2 governing board.

3 (6) DELEGATION OF INVESTMENT MANAGEMENT.--

4 (a) Except as otherwise provided by applicable law  
5 relating to governmental institutions or funds, a governing  
6 board may delegate investment and management functions that a  
7 prudent governing body could properly delegate under the  
8 circumstances. A governing board shall exercise reasonable  
9 care, skill, and caution in:

10 1. Selecting an agent;

11 2. Establishing the scope and terms of the delegation,  
12 consistent with the purposes of the institutional fund; and

13 3. Periodically reviewing the agent's actions to  
14 monitor the agent's performance and the agent's compliance  
15 with the terms of the delegation.

16 (b) In performing a delegated function, an agent owes  
17 a duty to the governing board to exercise reasonable care to  
18 comply with the terms of the delegation.

19 (c) The members of a governing board who comply with  
20 the requirements of paragraph (a) are not liable for the  
21 decisions or actions of the agent to whom the function was  
22 delegated.

23 (d) By accepting the delegation of an investment or  
24 management function from a governing board of an institution  
25 that is subject to the laws of this state, an agent submits to  
26 the jurisdiction of the courts of this state in all actions  
27 arising from the delegation.

28 (7) INVESTMENT COSTS.--In investing and managing trust  
29 assets, a governing board may only incur costs that are  
30 appropriate and reasonable in relation to the assets and the  
31 purposes of the institution.

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1           (8) RELEASE OF RESTRICTIONS ON USE OR INVESTMENT.--

2           (a) With the written consent of the donor, a governing  
 3 board may release, in whole or in part, a restriction imposed  
 4 by the applicable instrument on the use or investment of an  
 5 institutional fund.

6           (b) If written consent of the donor cannot be obtained  
 7 by reason of the donor's death, disability, unavailability, or  
 8 impossibility of identification, a governing board may  
 9 release, in whole or in part, a restriction imposed by the  
 10 applicable instrument on the use or investment of an  
 11 institutional fund if the fund has a total value of less than  
 12 \$100,000 and if the governing board, in its fiduciary  
 13 judgment, concludes that the value of the fund is insufficient  
 14 to justify the cost of administration as a separate  
 15 institutional fund.

16           (c) If written consent of the donor cannot be obtained  
 17 by reason of the donor's death, disability, unavailability, or  
 18 impossibility of identification, a governing board may apply  
 19 in the name of the institution to the circuit court of the  
 20 county in which the institution is located for release of a  
 21 restriction imposed by the applicable instrument on the use or  
 22 investment of an institutional fund. The Attorney General  
 23 shall be notified of the application and shall be given an  
 24 opportunity to be heard. If the court finds that the  
 25 restriction is unlawful, impracticable, impossible to achieve,  
 26 or wasteful, it may by order release the restriction in whole  
 27 or in part. A release under this subsection may not change an  
 28 endowment fund to a fund that is not an endowment fund.

29           (d) A release under this subsection may not allow a  
 30 fund to be used for purposes other than the educational  
 31 purposes of the institution affected.



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1       (e) This subsection does not limit the application of  
2 the doctrine of cy pres.

3       (9) UNIFORMITY OF APPLICATION AND CONSTRUCTION.--This  
4 act shall be applied and construed so as to effectuate its  
5 general purpose to make uniform the law with respect to the  
6 subject of this act among those states which enact it.

7       (10) This section expires July 1, 2004.

8       Section 14. In order to implement Specific  
9 Appropriation 123 of the 2003-2004 General Appropriations Act  
10 and notwithstanding any provision of law to the contrary,  
11 Florida Agricultural and Mechanical University (FAMU) may  
12 implement a demonstration project that uses one or more  
13 private developers to finance, construct, and lease to FAMU a  
14 replacement building for the Commons Building located on the  
15 FAMU campus. Florida Agricultural and Mechanical University  
16 may use plant operations and maintenance appropriations  
17 included in the 2003-2004 General Appropriations Act for the  
18 Commons Building, to make lease payments for the replacement  
19 building. Selection of developers shall comply with all  
20 applicable provisions of law. This section expires July 1,  
21 2004.

22       Section 15. In order to implement Specific  
23 Appropriation 6 of the 2003-2004 General Appropriations Act,  
24 in order to meet SACS requirements for baccalaureate degree  
25 programs, Chipola Junior College and Miami-Dade Community  
26 College shall also be known as Chipola College and Miami-Dade  
27 College when awarding baccalaureate degrees to students in  
28 those programs approved by the State Board of Education on May  
29 15, 2002, pursuant to section 1007.33, Florida Statutes. This  
30 section expires July 1, 2004.

31       Section 16. In order to implement Specific

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1 Appropriation 124 of the 2003-2004 General Appropriations Act  
2 and notwithstanding any provision of law to the contrary, the  
3 Board of Trustees of the University of Florida shall transfer  
4 the leasehold interest of 25 acres of land in Davie, Florida,  
5 used by the University of Florida Institute of Food and  
6 Agricultural Sciences (UF IFAS) to the Board of Trustees of  
7 the Florida Atlantic University (FAU). This land shall be used  
8 by FAU for the expansion of academic programs in Broward  
9 County according to the FAU Master Plan. Florida Atlantic  
10 University shall make available to the UF IFAS at least 10,000  
11 square feet of space from any facilities constructed on this  
12 land, pursuant to plans agreed to by both institutions.

13           Section 17. In order to implement Specific  
14 Appropriation 62 of the 2003-2004 General Appropriations Act,  
15 paragraph (i) is added to subsection (2) of section 1011.71,  
16 Florida Statutes, to read:

17           1011.71 District school tax.--

18           (2) In addition to the maximum millage levy as  
19 provided in subsection (1), each school board may levy not  
20 more than 2 mills against the taxable value for school  
21 purposes to fund:

22           (i) For the 2003-2004 fiscal year only, the payment of  
23 the cost of school buses when a school district contracts with  
24 a private entity to provide student transportation services if  
25 the district meets the requirements of this paragraph. This  
26 paragraph expires July 1, 2004.

27           1. The district's contract must require that the  
28 private entity purchase, own, operate, and maintain one or  
29 more school buses of a specific type and size that meet the  
30 requirements of s. 1006.25.

31           2. Each such school bus shall be used for the daily

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1 transportation of public school students in the manner  
2 required by the school district.

3 3. Payment for each such school bus shall not exceed  
4 10 percent of the purchase price of the state pool bid.

5 4. The proposed expenditure of the funds for this  
6 purpose must have been included in the district school board's  
7 notice of proposed tax for school capital outlay as provided  
8 in s. 200.065(9).

9  
10 Violations of these expenditure provisions shall result in an  
11 equal dollar reduction in the Florida Education Finance  
12 Program (FEFP) funds for the violating district in the fiscal  
13 year following the audit citation.

14 Section 18. The amendment of section 1011.71, Florida  
15 Statutes, by this act shall expire on July 1, 2004, and the  
16 text of that section shall revert to that in existence on June  
17 30, 2003, except that any amendments to such text enacted  
18 other than by this act shall be preserved and continued to  
19 operate to the extent that such amendments are not dependent  
20 upon the portions of such text which expire pursuant to the  
21 provisions of this act.

22 Section 19. (1) In order to implement Section 19 of  
23 the 2003-2004 General Appropriations Act, grant funds provided  
24 by that section may only be used to construct new student  
25 stations. In order to qualify for a grant from the funds from  
26 that section, a school district must meet the following  
27 criteria:

28 (a) The district must have levied the full 2 mills of  
29 nonvoted discretionary capital outlay authorized in section  
30 235.25(2), Florida Statutes, for each of the past 4 years;

31 (b) Fifty percent of the revenue derived from the

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1 2-mill nonvoted capital outlay levy for the past 4 years, when  
2 divided by the district's growth in capital outlay FTE  
3 students over this period, produces a value that is less than  
4 the average cost per student station calculated pursuant to  
5 section 235.216(2), Florida Statutes, for the 2000-2001 fiscal  
6 year, and weighted by statewide enrollment in elementary,  
7 middle, and high school;

8 (c) The Commissioner of Education has released all  
9 funds allocated to the district from the Classrooms First  
10 Program authorized in section 235.187, Florida Statutes, and  
11 these funds were fully expended by the district as of February  
12 1, 2002; and

13 (d) The total capital outlay FTE of the district is  
14 greater than 15,000 students.

15 (2) These funds shall be allocated pursuant to the  
16 following methodology:

17 (a) For each eligible district, the Department of  
18 Education shall calculate the value of 50 percent of the  
19 revenue derived from the 2-mill nonvoted discretionary capital  
20 outlay tax for the past 4 fiscal years divided by the increase  
21 in capital outlay FTE for the same period.

22 (b) The Department of Education shall determine, for  
23 each eligible district, the amount that must be added to the  
24 value calculated in paragraph (a) to produce the weighted  
25 average value per student station calculated in paragraph  
26 (1)(b) for fiscal year 2000-2001.

27 (c) The value calculated for each eligible district in  
28 paragraph (b) shall be multiplied by the total increase in  
29 capital outlay FTE for the past 4 years to determine the  
30 maximum amount of a grant that may be awarded to a district  
31 pursuant to this section.

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1           (d) In the event the funds provided in Section 19 of  
2 the 2003-2004 General Appropriations Act are insufficient to  
3 fully fund the maximum grants calculated in paragraph (c), the  
4 Department of Education shall allocate the funds based on each  
5 district's prorated share of the total maximum award amount  
6 calculated for all eligible districts.

7           Section 20. In order to implement Specific  
8 Appropriations 426-441 of the 2003-2004 General Appropriations  
9 Act, paragraph (b) of subsection (1) of section 430.204,  
10 Florida Statutes, is amended to read:

11           430.204 Community-care-for-the-elderly core services;  
12 departmental powers and duties.--

13           (1)

14           (b) For fiscal year 2003-2004 ~~2002-2003~~ only, the  
15 department shall fund, through each area agency on aging in  
16 each county as defined in s. 125.011(1), more than one  
17 community care service system the primary purpose of which is  
18 the prevention of unnecessary institutionalization of  
19 functionally impaired elderly persons through the provision of  
20 community-based core services. This paragraph expires July 1,  
21 2004 ~~2003~~.

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

26           430.205 Community care service system.--

27           (1)

28           (b) For fiscal year 2003-2004 ~~2002-2003~~ only, the  
29 department shall fund, through the area agency on aging in  
30 each county as defined in s. 125.011(1), more than one  
31 community care service system that provides case management

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1 and other in-home and community services as needed to help  
 2 elderly persons maintain independence and prevent or delay  
 3 more costly institutional care. This paragraph expires July 1,  
 4 2004 ~~2003~~.

5 Section 22. In order to implement Specific  
 6 Appropriations 271, 274, and 276 of the 2003-2004 General  
 7 Appropriations Act, subsection (12) of section 216.292,  
 8 Florida Statutes, is amended to read:

9 216.292 Appropriations nontransferable; exceptions.--

10 (12) For the 2003-2004 ~~2002-2003~~ fiscal year only and  
 11 notwithstanding the other provisions of this section, the  
 12 Department of Children and Family Services may transfer funds  
 13 within the family safety program identified in the General  
 14 Appropriations Act from identical funding sources between the  
 15 following appropriation categories without limitation as long  
 16 as such a transfer does not result in an increase to the total  
 17 recurring general revenue or trust fund cost of the agency in  
 18 the subsequent fiscal year: adoption services and subsidy;  
 19 family foster care; and emergency shelter care. Such transfers  
 20 must be consistent with legislative policy and intent and must  
 21 not adversely affect achievement of approved performance  
 22 outcomes or outputs in the family safety program. Notice of  
 23 proposed transfers under this authority must be provided to  
 24 the Executive Office of the Governor and the chairs of the  
 25 legislative appropriations committees at least 5 working days  
 26 before their implementation. This subsection expires July 1,  
 27 2004 ~~2003~~.

28 Section 23. In order to implement Sections 353 and 357  
 29 of the 2003-2004 General Appropriations Act, subsection (4) of  
 30 section 561.121, Florida Statutes, is amended to read:

31 561.121 Deposit of revenue.--

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1           (4)(a) State funds collected pursuant to s. 561.501  
2 shall be paid into the State Treasury and credited to the  
3 following accounts:

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

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

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

20           Section 24. In order to implement Specific  
21 Appropriation 519 of the 2003-2004 General Appropriations Act,  
22 paragraph (k) of subsection (2) of section 381.0066, Florida  
23 Statutes, is amended to read:

24           381.0066 Onsite sewage treatment and disposal systems;  
25 fees.--

26           (2) The minimum fees in the following fee schedule  
27 apply until changed by rule by the department within the  
28 following limits:

29           (k) Research: An additional \$5 fee shall be added to  
30 each new system construction permit issued during fiscal years  
31 1996-2004 ~~1996-2003~~ to be used for onsite sewage treatment and

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1 disposal system research, demonstration, and training  
2 projects. Five dollars from any repair permit fee collected  
3 under this section shall be used for funding the hands-on  
4 training centers described in s. 381.0065(3)(j).

5  
6 The funds collected pursuant to this subsection must be  
7 deposited in a trust fund administered by the department, to  
8 be used for the purposes stated in this section and ss.  
9 381.0065 and 381.00655.

10 Section 25. In order to implement Specific  
11 Appropriation 477 of the 2003-2004 General Appropriations Act,  
12 subsection (6) of section 385.207, Florida Statutes, is  
13 amended to read:

14 385.207 Care and assistance of persons with epilepsy;  
15 establishment of programs in epilepsy control.--

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

20 Section 26. In order to implement Specific  
21 Appropriation 269A of the 2003-2004 General Appropriations  
22 Act, subsection (7) of section 409.1671, Florida Statutes, is  
23 amended to read:

24 409.1671 Foster care and related services;  
25 privatization.--

26 (7) The department, in consultation with existing lead  
27 agencies, shall develop a proposal regarding the long-term use  
28 and structure of a statewide shared earnings program which  
29 addresses the financial risk to eligible lead community-based  
30 providers resulting from unanticipated caseload growth or from  
31 significant changes in client mixes or services eligible for



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1 federal reimbursement. The recommendations in the statewide  
 2 proposal must also be available to entities of the department  
 3 until the conversion to community-based care takes place. At a  
 4 minimum, the proposal must allow for use of federal earnings  
 5 received from child welfare programs, which earnings are  
 6 determined by the department to be in excess of the amount  
 7 appropriated in the General Appropriations Act, to be used for  
 8 specific purposes. These purposes include, but are not limited  
 9 to:

- 10 (a) Significant changes in the number or composition
- 11 of clients eligible to receive services.
- 12 (b) Significant changes in the services that are
- 13 eligible for reimbursement.
- 14 (c) Significant changes in the availability of federal
- 15 funds.
- 16 (d) Shortfalls in state funds available for eligible
- 17 or ineligible services.
- 18 (e) Significant changes in the mix of available funds.
- 19 (f) Scheduled or unanticipated, but necessary,
- 20 advances to providers or other cash-flow issues.
- 21 (g) Proposals to participate in optional Medicaid
- 22 services or other federal grant opportunities.
- 23 (h) Appropriate incentive structures.
- 24 (i) Continuity of care in the event of lead agency
- 25 failure, discontinuance of service, or financial misconduct.

26  
 27 The department shall further specify the necessary steps to  
 28 ensure the financial integrity of these dollars and their  
 29 continued availability on an ongoing basis. The final proposal  
 30 shall be submitted to the Legislative Budget Commission for  
 31 formal adoption before December 31, 2002. If the Legislative

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1 Budget Commission refuses to concur with the adoption of the  
2 proposal, the department shall present its proposal in the  
3 form of recommended legislation to the President of the Senate  
4 and the Speaker of the House of Representatives before the  
5 commencement of the next legislative session. For fiscal year  
6 2003-2004 and annually thereafter, the department ~~of Children~~  
7 ~~and Family Services~~ may request in its legislative budget  
8 request, and the Governor may recommend, the funding necessary  
9 to carry out paragraph (i) from excess federal earnings. The  
10 General Appropriations Act shall include any funds  
11 appropriated for this purpose in a lump sum in the department  
12 ~~Administered Funds Program~~, which funds constitute partial  
13 security for lead agency contract performance. The department  
14 shall use this appropriation to offset the need for a  
15 performance bond for that year after a comparison of risk to  
16 the funds available. In no event shall this performance bond  
17 exceed 2.5 percent of the annual contract value. The  
18 department may separately require a bond to mitigate the  
19 financial consequences of potential acts of malfeasance,  
20 misfeasance, or criminal violations by the provider. Prior to  
21 the release of any funds in the lump sum, the department shall  
22 submit a detailed operational plan, which must identify the  
23 sources of specific trust funds to be used. The release of the  
24 trust fund shall be subject to the notice and review  
25 provisions of s. 216.177. However, the release shall not  
26 require approval of the Legislative Budget Commission.

27 Section 27. The amendment of subsection (7) of section  
28 409.1671, Florida Statutes, by this act shall expire on July  
29 1, 2004, and the text of that subsection shall revert to that  
30 in existence on June 30, 2003, except that any amendments to  
31 such text enacted other than by this act shall be preserved

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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 28. In order to implement Specific  
 5 Appropriations 324-357 of the 2003-2004 General Appropriations  
 6 Act, subsection (8) of section 394.908, Florida Statutes, is  
 7 amended to read:

8 394.908 Substance abuse and mental health funding  
 9 equity; distribution of appropriations.--In recognition of the  
 10 historical inequity among service districts of the former  
 11 Department of Health and Rehabilitative Services in the  
 12 funding of substance abuse and mental health services, and in  
 13 order to rectify this inequity and provide for equitable  
 14 funding in the future throughout the state, the following  
 15 funding process shall be adhered to:

16 (8) For fiscal year 2003-2004 ~~2002-2003~~ only, and  
 17 notwithstanding the provisions of this section, all new funds  
 18 received in excess of fiscal year 2002-2003 ~~2001-2002~~  
 19 recurring appropriations shall be allocated in accordance with  
 20 the provisions of the General Appropriations Act; however, no  
 21 district shall receive an allocation of recurring funds less  
 22 than its initial approved operating budget, plus any  
 23 distributions of lump sum appropriations or reductions in  
 24 unfunded budget, for fiscal year 2002-2003 ~~2001-2002~~. This  
 25 subsection expires July 1, 2004 ~~2003~~.

26 Section 29. In order to implement Specific  
 27 Appropriation 242 of the 2003-2004 General Appropriations Act,  
 28 paragraph (b) of subsection (5) of section 20.19, Florida  
 29 Statutes, is amended to read:

30 20.19 Department of Children and Family  
 31 Services.--There is created a Department of Children and

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1 Family Services.

2 (5) SERVICE DISTRICTS.--

3 (b)1. The secretary shall appoint a district  
4 administrator for each of the service districts. The district  
5 administrator shall serve at the pleasure of the secretary and  
6 shall perform such duties as assigned by the secretary.

7 Subject to the approval of the secretary, such duties shall  
8 include transferring up to 10 percent of the total district  
9 budget, the provisions of ss. 216.292 and 216.351  
10 notwithstanding.

11 2. For the 2003-2004 fiscal year only, the transfer  
12 authority provided in this subsection must be specifically  
13 appropriated in the 2003-2004 General Appropriations Act and  
14 shall be pursuant to the requirements of s. 216.292. This  
15 subparagraph expires July 1, 2004.

16 Section 30. In order to implement Specific  
17 Appropriation 598A of the 2003-2004 General Appropriations  
18 Act, subsection (7) is added to section 381.79, Florida  
19 Statutes, to read:

20 381.79 Brain and Spinal Cord Injury Program Trust  
21 Fund.--

22 (7) For the 2003-2004 fiscal year and notwithstanding  
23 the provisions of this section, the department shall disburse  
24 all funds appropriated for brain and spinal cord injury  
25 research in Specific Appropriation 598A of the 2003-2004  
26 General Appropriations Act in equal payments at the end of  
27 each quarter. This subsection expires July 1, 2004.

28 Section 31. In order to implement Specific  
29 Appropriations 1118-1201 of the 2003-2004 General  
30 Appropriations Act, subsection (17) of section 216.181,  
31 Florida Statutes, is amended to read:

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1           216.181 Approved budgets for operations and fixed  
2 capital outlay.--

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

17           Section 32. In order to implement proviso language  
18 following Specific Appropriation 1103 of the 2003-2004 General  
19 Appropriations Act, the Correctional Privatization Commission  
20 may expend appropriated funds to assist in defraying the costs  
21 of impacts that are incurred by a municipality or county and  
22 associated with opening or operating a facility under the  
23 authority of the Correctional Privatization Commission or a  
24 facility under the authority of the Department of Juvenile  
25 Justice which is located within that municipality or county.  
26 The amount that is to be paid under this section for any  
27 facility may not exceed 1 percent of the facility construction  
28 cost, less building impact fees imposed by the municipality or  
29 by the county if the facility is located in the unincorporated  
30 portion of the county. This section expires July 1, 2004.

31           Section 33. In order to implement Specific

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1 Appropriation 1218 of the 2003-2004 General Appropriations  
2 Act, paragraph (b) of subsection (3) of section 16.555,  
3 Florida Statutes, is amended to read:

4           16.555 Crime Stoppers Trust Fund; rulemaking.--  
5           (3)

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

11           Section 34. In order to implement Specific  
12 Appropriations 1045-1117 of the 2003-2004 General  
13 Appropriations Act, subsection (2) of section 985.4075,  
14 Florida Statutes, is amended to read:

15           985.4075 One-time startup funding for juvenile justice  
16 purposes.--

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

21           Section 35. In order to implement Specific  
22 Appropriations 643-739 and 775-789 of the 2003-2004 General  
23 Appropriations Act, subsection (4) of section 216.262, Florida  
24 Statutes, is amended to read:

25           216.262 Authorized positions.--

26           (4) Notwithstanding the provisions of this chapter on  
27 increasing the number of authorized positions, and for the  
28 2003-2004 ~~2002-2003~~ fiscal year only, if the actual inmate  
29 population of the Department of Corrections exceeds by 2  
30 percent for 2 consecutive months or more the inmate population  
31 projected by the most recent Criminal Justice Estimating

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1 Conference, the Executive Office of the Governor, with the  
2 approval of the Legislative Budget Commission, may request  
3 positions in excess of the number authorized by the  
4 Legislature and sufficient funding from the Working number  
5 authorized by the Legislature and sufficient funding from the  
6 Working Capital Fund to operate the additional prison bed  
7 capacity necessary to accommodate the actual inmate  
8 population. This subsection expires July 1, 2004 ~~2003~~.

9 Section 36. Consistent with the provisions of section  
10 216.163, Florida Statutes, in accordance with  
11 performance-based program budgeting requirements, and  
12 notwithstanding the provisions of section 216.181, Florida  
13 Statutes, the Department of Law Enforcement may transfer up to  
14 one-half of 1 percent of the funds in Specific Appropriations  
15 1118, 1139, 1148, 1156, 1168, 1170, 1175, 1181, 1190, and 1195  
16 of the 2003-2004 General Appropriations Act for salary bonuses  
17 for departmental employees at the discretion of the executive  
18 director, provided that such bonuses are given only to  
19 selected employees for meritorious performance, instead of  
20 being given as across-the-board bonuses for all employees. The  
21 department, after consultation with the Executive Office of  
22 the Governor, shall provide a plan to the chairs of the  
23 legislative appropriations committees responsible for  
24 producing the General Appropriations Act for review before  
25 awarding such bonuses. This section expires July 1, 2004.

26 Section 37. In order to implement Specific  
27 Appropriation 1164 of the 2003-2004 General Appropriations  
28 Act, paragraph (d) of subsection (4) of section 932.7055,  
29 Florida Statutes, is amended to read:

30 932.7055 Disposition of liens and forfeited  
31 property.--

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1 (4)  
 2 (d) Notwithstanding any other provision of this  
 3 subsection, and for the 2003-2004 ~~2002-2003~~ fiscal year only,  
 4 the funds in a special law enforcement trust fund established  
 5 by the governing body of a municipality may be expended to  
 6 reimburse the general fund of the municipality for moneys  
 7 advanced from the general fund to the special law enforcement  
 8 trust fund prior to October 1, 2001. This paragraph expires  
 9 July 1, 2004 ~~2003~~.

10 Section 38. In order to implement Specific  
 11 Appropriations 2592-2598A of the 2003-2004 General  
 12 Appropriations Act, subsection (4) of section 287.161, Florida  
 13 Statutes, is amended to read:

14 287.161 Executive aircraft pool; assignment of  
 15 aircraft; charge for transportation.--

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

29 Section 39. In order to implement Section 8 of the  
 30 2003-2004 General Appropriations Act, subsection (7) of  
 31 section 110.12315, Florida Statutes, is amended to read:



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1           110.12315 Prescription drug program.--The state  
2 employees' prescription drug program is established. This  
3 program shall be administered by the Department of Management  
4 Services, according to the terms and conditions of the plan as  
5 established by the relevant provisions of the annual General  
6 Appropriations Act and implementing legislation, subject to  
7 the following conditions:

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

10           (a) Effective January 1, 2001, through December 31,  
11 2003:

- 12           1. For generic drug with card.....\$7.
- 13           2. For preferred brand name drug with card.....\$20.
- 14           3. For nonpreferred brand name drug with card.....\$35.
- 15           4. For generic mail order drug.....\$10.50.
- 16           5. For preferred brand name mail order drug.....\$30.
- 17           6. For nonpreferred brand name drug.....\$52.50.

18           **(b) Effective January 1, 2004:**

- 19           **1. For generic drug with card.....\$10.**
- 20           **2. For preferred brand name drug with card.....\$25.**
- 21           **3. For nonpreferred brand name drug with card.....\$40.**
- 22           **4. For generic mail order drug.....\$20.**
- 23           **5. For preferred brand name mail order drug.....\$50.**
- 24           **6. For nonpreferred brand name drug.....\$80.**

25           **(c)(b)** The Department of Management Services shall  
26 create a preferred brand name drug list to be used in the  
27 administration of the state employees' prescription drug  
28 program.

29  
30 This subsection expires July 1, 2004 ~~2003~~.

31           Section 40. In order to implement Sections 2-7 of the

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1 2003-2004 General Appropriations Act and for the 2003-2004  
2 fiscal year only, paragraph (c) of subsection (1) of section  
3 121.1115, Florida Statutes, is amended to read:

4           121.1115 Purchase of retirement credit for  
5 out-of-state and federal service.--Effective January 1, 1995,  
6 a member of the Florida Retirement System may purchase  
7 creditable service for periods of public employment in another  
8 state and receive creditable service for such periods of  
9 employment. Service with the Federal Government, including any  
10 military service, may be claimed. Upon completion of each year  
11 of service earned under the Florida Retirement System, a  
12 member may purchase up to 1 year of retirement credit for his  
13 or her out-of-state service, subject to the following  
14 provisions:

15           (1) LIMITATIONS AND CONDITIONS.--To receive credit for  
16 the out-of-state service:

17           (c) Not more than 10 5 years of creditable service may  
18 be claimed for creditable service aggregated under the  
19 provisions of this section ~~and s. 121.1122.~~

20           Section 41. The amendment of section 121.1115, Florida  
21 Statutes, by this act shall expire on July 1, 2004, and the  
22 text of that section shall revert to that in existence on June  
23 30, 2003, except that any amendments to such text enacted  
24 other than by this act shall be preserved and continue to  
25 operate to the extent that such amendments are not dependent  
26 upon the portions of such text which expire pursuant to the  
27 provisions of this act.

28           Section 42. In order to implement Sections 2-7 of the  
29 2003-2004 General Appropriations Act and for the 2003-2004  
30 fiscal year only, paragraph (b) of subsection (2) of section  
31 121.1122, Florida Statutes, is amended to read:

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1           21.1122 Purchase of retirement credit for in-state  
2 public service and in-state service in accredited nonpublic  
3 schools and colleges, including charter schools and charter  
4 technical career centers.--Effective January 1, 1998, a member  
5 of the Florida Retirement System may purchase creditable  
6 service for periods of certain public or nonpublic employment  
7 performed in this state, as provided in this section.

8           (2) LIMITATIONS AND CONDITIONS.--

9           (b) A member may not purchase and receive credit for  
10 more than 5 years of creditable service ~~aggregated~~ under the  
11 provisions of this section ~~and s. 121.1115~~.

12           Section 43. The amendment of section 121.1122, Florida  
13 Statutes, by this act shall expire on July 1, 2004, and the  
14 text of that section shall revert to that in existence on June  
15 30, 2003, except that any amendments to such text enacted  
16 other than by this act shall be preserved and continue to  
17 operate to the extent that such amendments are not dependent  
18 upon the portions of such text which expire pursuant to the  
19 provisions of this act.

20           Section 44. In order to implement Specific  
21 Appropriations 2526 and 2527 of the 2003-2004 General  
22 Appropriations Act, and notwithstanding section 11.13(1)(b),  
23 Florida Statutes, or any other law, the salary of members of  
24 the Senate and the House of Representatives shall not be  
25 calculated according to that paragraph; instead, the annual  
26 salaries of these members for the 2002-2003 fiscal year shall  
27 be increased 2 percent for the 2003-2004 fiscal year. This  
28 section expires June 30, 2004.

29           Section 45. In order to implement Specific  
30 Appropriation 2545 of the 2003-2004 General Appropriations  
31 Act, effective July 1, 2003, and notwithstanding the

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1 provisions of section 1008.51, Florida Statutes, the budget  
 2 for the Council for Education Policy Research and Improvement  
 3 shall be administered by the Auditor General. However, the  
 4 Council for Education Policy Research and Improvement shall  
 5 remain independent of the Auditor General for all programmatic  
 6 purposes, serving as a citizen board for conducting and  
 7 reviewing education research, providing independent analysis  
 8 on education progress, and providing independent evaluation of  
 9 education issues of statewide concern, as prescribed in  
 10 section 1008.51, Florida Statutes. All work products of the  
 11 Council for Education Policy Research and Improvement are  
 12 advisory in nature. This section expires July 1, 2004.

13       Section 46. In order to implement the appropriation of  
 14 funds in Special Categories-Risk Management Insurance of the  
 15 2003-2004 General Appropriations Act, and pursuant to the  
 16 notice, review, and objection procedures of section 216.177,  
 17 Florida Statutes, the Executive Office of the Governor is  
 18 authorized to transfer funds appropriated in the appropriation  
 19 category "Special Categories-Risk Management Insurance" of the  
 20 2003-2004 General Appropriations Act between departments in  
 21 order to align the budget authority granted with the premiums  
 22 paid by each department for risk management insurance. This  
 23 section expires July 1, 2004.

24       Section 47. In order to implement the appropriation of  
 25 funds in Special Categories-Transfer to Department of  
 26 Management Services-Human Resources Services Purchased Per  
 27 Statewide Contract of the 2003-2004 General Appropriations  
 28 Act, and pursuant to the notice, review, and objection  
 29 procedures of section 216.177, Florida Statutes, the Executive  
 30 Office of the Governor is authorized to transfer funds  
 31 appropriated in the appropriation category "Special

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1 Categories-Transfer to Department of Management Services-Human  
2 Resources Services Purchased Per Statewide Contract" of the  
3 2003-2004 General Appropriations Act between departments in  
4 order to align the budget authority granted with the  
5 assessments that must be paid by each agency to the Department  
6 of Management Services for human resource management services.  
7 This section expires July 1, 2004.

8 Section 48. In order to implement Section 8 of the  
9 2003-2004 General Appropriations Act, section 110.1239,  
10 Florida Statutes, is amended to read:

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

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

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

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

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

6           Section 49. In order to implement Sections 2-7 of the  
7 2003-2004 General Appropriations Act, paragraph (c) of  
8 subsection (5) and paragraph (d) of subsection (6) of section  
9 112.061, Florida Statutes, are amended to read:

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

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

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

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

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

30           Section 50. In order to implement Specific  
31 Appropriations 2132-2155 of the 2003-2004 General

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1 Appropriations Act, subsection (1) of section 468.404, Florida  
2 Statutes, is amended to read:

3 468.404 License; fees; renewals.--

4 (1)(a) The department by rule shall establish biennial  
5 fees for initial licensing, renewal of license, and  
6 reinstatement of license, none of which fees shall exceed  
7 \$400. The department may by rule establish a delinquency fee  
8 of no more than \$50. The fees shall be adequate to  
9 proportionately fund the expenses of the department which are  
10 allocated to the regulation of talent agencies and shall be  
11 based on the department's estimate of the revenue required to  
12 administer this part.

13 (b) For the 2003-2004 fiscal year only,  
14 notwithstanding the provisions of paragraph (a), the  
15 department shall assess talent agency license fees at a level  
16 sufficient to cover the cost of regulation appropriated in the  
17 2003-2004 General Appropriations Act, or any other act passed  
18 by the 2003 Legislature containing appropriations for such  
19 purpose. This paragraph expires July 1, 2004.

20 Section 51. In order to implement Specific  
21 Appropriations 1617, 1618, 1619, 1622, 1630, 1635, and 1637A  
22 of the 2003-2004 General Appropriations Act, subsection (10)  
23 is added to section 378.035, Florida Statutes, to read:

24 378.035 Department responsibilities and duties with  
25 respect to Nonmandatory Land Reclamation Trust Fund.--

26 (10) For the 2003-2004 fiscal year only,  
27 notwithstanding the provisions of subsections (5) and (6), the  
28 department is authorized to expend the moneys appropriated in  
29 the General Appropriations Act for the abatement of imminent  
30 hazards caused by, and for the closure of, abandoned  
31 phosphogypsum stack systems as provided in subsections

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1 403.4154(3) and (5), respectively. This subsection expires  
 2 July 1, 2004.

3           Section 52. In order to implement Specific  
 4 Appropriation 2286AT of the 2003-2004 General Appropriations  
 5 Act, subsection (4) is added to section 215.96, Florida  
 6 Statutes, to read:

7           215.96 Coordinating council and design and  
 8 coordination staff.--

9           (4) The Financial Management Information Board,  
 10 through the coordinating council, shall provide the necessary  
 11 planning, implementation, and integration policies,  
 12 coordination procedures, and reporting processes to facilitate  
 13 the successful and efficient integration of the central  
 14 administrative and financial management information systems,  
 15 including the Florida Accounting Information Resource system  
 16 (FLAIR), Cash Management System (CMS), and FLAIR/CMS  
 17 replacement project, the payroll system in the Department of  
 18 Financial Services, the Legislative Appropriations  
 19 System/Planning and Budgeting Subsystem (LAS/PBS), the State  
 20 Purchasing System (SPURS) and MyFlorida Marketplace project,  
 21 the Cooperative Personnel Employment Subsystem (COPES) and the  
 22 PeopleFirst Outsourcing project, and the State Unified Tax  
 23 system (SUNTAX).

24           (a) To fulfill this role, the coordinating council  
 25 shall establish an Enterprise Resource Planning Integration  
 26 Task Force, which shall consist of the coordinating council  
 27 members plus the Chief Information Officer in the State  
 28 Technology Office and the Executive Director or designee in  
 29 the Department of Revenue, who shall serve with voting rights  
 30 on the task force. The nonvoting ex officio members of the  
 31 coordinating council shall be nonvoting members of the task



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1 force.

2       (b) The task force shall be established by August 1,  
3 2003, and shall remain in existence until the integration  
4 goals have been achieved among the FLAIR/CMS Replacement  
5 project, SPURS and MyFlorida Marketplace project, COPES and  
6 PeopleFirst project, payroll system, LAS/PBS, and SUNTAX  
7 system, or until June 30, 2005, whichever is later. The task  
8 force shall hold its initial meeting no later than September  
9 1, 2003, and shall meet at the call of the chair or at least  
10 once every 60 days. In its initial meeting, task force members  
11 shall:

12           1. Adopt a task force charter that identifies major  
13 objectives, activities, milestones and deliverables,  
14 significant assumptions, and constraints on the task force  
15 functions and major stakeholder groups interested in the  
16 outcome of the task force.

17           2. Consider and adopt processes by which information  
18 will be collected and business process and technical  
19 integration issues will be raised for analysis and  
20 recommendation by the task force.

21           3. Elect a member to serve as vice chair. Any vacancy  
22 in the vice chair position shall be filled by similar election  
23 within 30 days after the date the vacancy is effective.

24       (c) The coordinating council shall provide  
25 administrative and technical support to the task force as is  
26 reasonably necessary for the task force to effectively and  
27 timely carry out its duties and responsibilities. The cost of  
28 providing such support may be paid from funds appropriated for  
29 the operation of the council or the FLAIR/CMS Replacement  
30 project. The task force also may contract for services to  
31 obtain specific expertise to analyze, facilitate, and

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1 formulate recommendations to address process and technical  
2 integration problems that need to be resolved.

3 (d) Using information and input from project teams and  
4 stakeholders responsible for the FLAIR/CMS Replacement  
5 project, SPURS and MyFlorida Marketplace project, COPES and  
6 PeopleFirst project, payroll system, LAS/PBS, and SUNTAX  
7 system, the responsibilities of the task force shall include,  
8 but not be limited to:

9 1. Identifying and documenting central administrative  
10 and financial management policies, procedures, and processes  
11 that need to be integrated and recommending steps for  
12 implementation.

13 2. Collecting information from the subsystem owners  
14 and project teams and developing and publishing a consolidated  
15 list of enterprise resource planning functional and technical  
16 integration requirements.

17 3. Publishing integration plans and timelines based on  
18 information collected from task force members.

19 4. Forming committees, workgroups, and teams as  
20 provided in subsection (3).

21 5. Developing recommendations for the Financial  
22 Management Information Board which clearly describe any  
23 business or technical problems that need to be addressed, the  
24 options for resolving the problem, and the recommended  
25 actions.

26 6. Developing and implementing plans for reporting  
27 status of integration efforts.

28 (e) The task force shall provide recommendations to  
29 the Financial Management Information Board for review and  
30 approval regarding the technical, procedural, policy, and  
31 process requirements and changes that are needed to

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1 successfully integrate, implement, and realize the benefits of  
2 the enterprise resource planning initiatives associated with  
3 the FLAIR/CMS Replacement project, SPURS and MyFlorida  
4 Marketplace project, COPEs and PeopleFirst project, payroll  
5 system, LAS/PBS, and SUNTAX system. The first of these reports  
6 should be provided no later than October 3, 2003.

7       (f) The task force shall monitor, review, and evaluate  
8 the progress of the FLAIR/CMS Replacement project, SPURS and  
9 MyFlorida Marketplace project, COPEs and PeopleFirst project,  
10 payroll system, LAS/PBS and SUNTAX system, in implementing the  
11 process and technical integration requirements and changes  
12 approved by the Financial Management Information Board and in  
13 achieving the necessary integration among the central  
14 administrative and financial management information systems  
15 represented on the task force. The task force shall prepare  
16 and submit quarterly reports to the Executive Office of the  
17 Governor, the chairs of the Senate Appropriations Committee  
18 and the House Appropriations Committee, and the Financial  
19 Management Information Board. Each quarterly report shall  
20 identify and describe the technical, procedural, policy, and  
21 process requirements and changes proposed and adopted by the  
22 board and shall describe the status of the implementation of  
23 these integration efforts, identify any problems, issues, or  
24 risks that require executive-level action, and report actual  
25 costs related to the Enterprise Resource Planning Integration  
26 Task Force.

27       (g) By January 15, 2004, and annually thereafter,  
28 until it is disbanded, the Enterprise Resource Planning  
29 Integration Task Force shall report to the Financial  
30 Management Information Board, the Speaker of the House of  
31 Representatives, and the President of the Senate the results

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1 of the task force's monitoring, review, and evaluation of  
2 enterprise resource planning integration activities and  
3 requirements, and any recommendations for statutory changes to  
4 be considered by the Legislature.

5 (h) This subsection expires July 1, 2004.

6 Section 53. In order to implement Specific  
7 Appropriation 2285 of the 2003-2004 General Appropriations  
8 Act, paragraph (f) is added to subsection (3) of section  
9 601.15, Florida Statutes, to read:

10 601.15 Advertising campaign; methods of conducting;  
11 excise tax; emergency reserve fund; citrus research.--

12 (3)

13 (f) For the 2003-2004 fiscal year only and  
14 notwithstanding the provisions of paragraph (e), the  
15 commission, upon a majority vote, may reduce the tax rates  
16 specified in this subsection. This paragraph expires July 1,  
17 2004.

18 Section 54. In order to implement Specific  
19 Appropriations 1782 and 1783 of the 2003-2004 General  
20 Appropriations Act, subsection (9) is added to section  
21 372.561, Florida Statutes, to read:

22 372.561 Recreational licenses, permits, and  
23 authorization numbers to take wild animal life, freshwater  
24 aquatic life, and marine life; issuance; costs; reporting.--

25 (9) Effective July 1, 2003, the license and permit  
26 fees, reporting, and recordkeeping requirements of subsection  
27 (6) shall not take effect for any county until the Fish and  
28 Wildlife Conservation Commission has implemented an automated  
29 licensing system that incorporates the county. Until such  
30 system is implemented for each county, the provisions of  
31 subsection (6) which were law on June 30, 2003, shall apply.

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1 This subsection expires July 1, 2004.

2           Section 55. In order to implement Specific  
3 Appropriation 1637A of the 2003-2004 General Appropriations  
4 Act, subsections (3) and (8) of section 376.86, Florida  
5 Statutes, are amended to read:

6           376.86 Brownfield Areas Loan Guarantee Program.--

7           (3) The council may enter into an investment agreement  
8 with the Department of Environmental Protection and the State  
9 Board of Administration concerning the ~~investment of the~~  
10 ~~earnings accrued and collected upon the~~ investment of the  
11 balance of funds maintained in the Nonmandatory Land  
12 Reclamation Trust Fund. The investment must be limited as  
13 follows:

14           (a) Not more than ~~\$1.5~~<sup>\$5</sup> million of the ~~investment~~  
15 ~~earnings earned on the investment of the~~ minimum balance of  
16 the Nonmandatory Land Reclamation Trust Fund in a fiscal year  
17 may be at risk at any time on loan guarantees or as loan loss  
18 reserves. Of that amount, 15 percent shall be reserved for  
19 investment agreements involving predominantly minority-owned  
20 businesses which meet the requirements of subsection (4).

21           (b) Such funds at risk at any time ~~The investment~~  
22 ~~earnings~~ may not be used to guarantee any loan guaranty or  
23 loan loss reserve agreement for a period longer than 5 years.

24           (8) The council shall provide an annual report to the  
25 Legislature by February 1 of each year describing its  
26 activities and agreements approved relating to redevelopment  
27 of brownfield areas. This section shall be reviewed by the  
28 Legislature by June 30, 2004 ~~October 1, 2003~~, and a  
29 determination made related to the need to continue or modify  
30 this section. New loan guarantees may not be approved in 2004  
31 ~~2003~~ until the review by the Legislature has been completed

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1 and a determination has been made as to the feasibility of  
2 continuing the use of the Nonmandatory Land Reclamation Trust  
3 Fund to guarantee portions of loans under this section.

4       Section 56. The amendment of section 376.86, Florida  
5 Statutes, by this act shall expire on July 1, 2004, and the  
6 text of that section shall revert to that in existence on June  
7 30, 2003, except that any amendments to such text enacted  
8 other than by this act shall be preserved and continue to  
9 operate to the extent that such amendments are not dependent  
10 upon the portions of such text which expire pursuant to the  
11 provisions of this act.

12       Section 57. In order to implement Specific  
13 Appropriation 1394A of the 2003-2004 General Appropriations  
14 Act, paragraph (b) of subsection (2) of section 581.184,  
15 Florida Statutes, is amended to read:

16       581.184 Adoption of rules; citrus canker eradication;  
17 voluntary destruction agreements.--

18       (2)

19       (b) Notwithstanding the provisions of paragraph (a),  
20 and for the 2003-2004 ~~2002-2003~~ fiscal year only, notice of  
21 the removal of infected citrus trees and citrus trees exposed  
22 to infection, by immediate final order, shall be provided to  
23 the owner of the property on which such trees are located.  
24 This paragraph expires July 1, 2004 ~~2003~~.

25       Section 58. In order to implement Specific  
26 Appropriation 1396A of the 2003-2004 General Appropriations  
27 Act, paragraph (b) of subsection (2) and subsection (6) of  
28 section 581.1845, Florida Statutes, are amended to read:

29       581.1845 Citrus canker eradication; compensation to  
30 homeowners whose trees have been removed.--

31       (2)

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1 (b) Notwithstanding subparagraph (a)1., and for  
2 compensation during the 2003-2004 ~~2002-2003~~ fiscal year only,  
3 to be eligible to receive compensation under the program for  
4 residential property where one or more citrus trees have been  
5 removed on or after July 1, 2001, as part of a citrus canker  
6 eradication program, a homeowner must be the homeowner of  
7 record on the date the trees were removed. This paragraph  
8 expires July 1, 2004 ~~2003~~.

9 (6) For the 2003-2004 ~~2002-2003~~ fiscal year only, and  
10 notwithstanding the \$100-compensation amount specified in  
11 subsection (3), the amount of compensation for each tree  
12 removed from residential property by the citrus canker  
13 eradication program shall be \$55. This subsection expires July  
14 1, 2004 ~~2003~~.

15 Section 59. In order to implement Specific  
16 Appropriation 1303A of the 2003-2004 General Appropriations  
17 Act, paragraph (e) is added to subsection (13) of section  
18 253.025, Florida Statutes, to read:

19 253.025 Acquisition of state lands for purposes other  
20 than preservation, conservation, and recreation.--

21 (13)

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

26 Section 60. In order to implement Specific  
27 Appropriations 1335-1339 of the 2003-2004 General  
28 Appropriations Act, section 570.544, Florida Statutes, is  
29 amended to read:

30 570.544 Division of Consumer Services; director;  
31 powers; ~~processing of complaints;~~ records.--

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

4           (2) The Division of Consumer Services may:

5           (a) Conduct studies and make analyses of matters  
6 affecting the interests of consumers.

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

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

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

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

16           (f) Report to the appropriate law enforcement officers  
17 any information concerning violation of consumer protection  
18 laws.

19           (g) Assist, develop, and conduct programs of consumer  
20 education and consumer information through publications and  
21 other informational and educational material prepared for  
22 dissemination to the public, in order to increase the  
23 competence of consumers.

24           (h) Organize and hold conferences on problems  
25 affecting consumers.

26           (i) Recommend programs to encourage business and  
27 industry to maintain high standards of honesty, fair business  
28 practices, and public responsibility in the production,  
29 promotion, and sale of consumer goods and services.

30           ~~(3) In addition to the powers, duties, and~~  
31 ~~responsibilities authorized by this or any other chapter, the~~



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1 ~~Division of Consumer Services shall serve as a clearinghouse~~  
2 ~~for matters relating to consumer protection, consumer~~  
3 ~~information, and consumer services generally. It shall receive~~  
4 ~~complaints and grievances from consumers and promptly transmit~~  
5 ~~them to that agency most directly concerned in order that the~~  
6 ~~complaint or grievance may be expeditiously handled in the~~  
7 ~~best interests of the complaining consumer. If no agency~~  
8 ~~exists, the Division of Consumer Services shall seek a~~  
9 ~~settlement of the complaint using formal or informal methods~~  
10 ~~of mediation and conciliation and may seek any other~~  
11 ~~resolution of the matter in accordance with its jurisdiction.~~

12 ~~(4) If any complaint received by the Division of~~  
13 ~~Consumer Services concerns matters which involve concurrent~~  
14 ~~jurisdiction in more than one agency, duplicate copies of the~~  
15 ~~complaint shall be referred to those offices deemed to have~~  
16 ~~concurrent jurisdiction.~~

17 ~~(3)(5)(a)~~ Any agency, office, bureau, division, or  
18 board of state government receiving a complaint which deals  
19 with consumer fraud or consumer protection and which is not  
20 within the jurisdiction of the receiving agency, office,  
21 bureau, division, or board originally receiving it, shall  
22 immediately refer the complaint to the Division of Consumer  
23 Services.

24 (b) Upon receipt of such a complaint, the Division of  
25 Consumer Services shall make a determination of the proper  
26 jurisdiction to which the complaint relates and shall  
27 immediately refer the complaint to the agency, office, bureau,  
28 division, or board which does have the proper regulatory or  
29 enforcement authority to deal with it.

30 ~~(6)(a) The office or agency to which a complaint has~~  
31 ~~been referred shall within 30 days acknowledge receipt of the~~

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1 ~~complaint and report on the disposition made of the complaint.~~  
2 ~~In the event a complaint has not been disposed of within 30~~  
3 ~~days, the receiving office or agency shall file progress~~  
4 ~~reports with the Division of Consumer Services no less~~  
5 ~~frequently than 30 days until final disposition.~~

6 ~~(b) The report shall contain at least the following~~  
7 ~~information:~~

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

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

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

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

18 ~~(7)(a) If the office or agency receiving a complaint~~  
19 ~~fails to file a report as contemplated in this section, that~~  
20 ~~failure shall be construed as a denial by the receiving office~~  
21 ~~or agency that it has jurisdiction of the subject matter~~  
22 ~~contained in the complaint.~~

23 ~~(b) If an office or agency receiving a complaint~~  
24 ~~determines that the matter presents a prima facie case for~~  
25 ~~criminal prosecution or if the complaint cannot be settled at~~  
26 ~~the administrative level, the complaint together with all~~  
27 ~~supporting evidence shall be transmitted to the Department of~~  
28 ~~Legal Affairs or other appropriate enforcement agency with a~~  
29 ~~recommendation for civil or criminal action warranted by the~~  
30 ~~evidence.~~

31 ~~(4)(8) The records of the Division of Consumer~~

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1 Services are public records. However, customer lists, customer  
2 names, and trade secrets are confidential and exempt from the  
3 provisions of s. 119.07(1). Disclosure necessary to  
4 enforcement procedures shall not be construed as violative of  
5 this prohibition.

6 ~~(5)(9)~~ It shall be the duty of the Division of  
7 Consumer Services to maintain records and compile summaries  
8 and analyses of consumer complaints under its jurisdiction and  
9 their eventual disposition, which data may serve as a basis  
10 for recommendations to the Legislature and to state regulatory  
11 agencies.

12 Section 61. The amendment of section 570.544, Florida  
13 Statutes, by this act shall expire on July 1, 2004, and the  
14 text of that section shall revert to that in existence on June  
15 30, 2003, except that any amendments to such text enacted  
16 other than by this act shall be preserved and continue to  
17 operate to the extent that such amendments are not dependent  
18 upon the portions of such text which expire pursuant to the  
19 provisions of this act.

20 Section 62. In order to implement Specific  
21 Appropriations 1335-1339 of the 2003-2004 General  
22 Appropriations Act, section 526.3135, Florida Statutes, is  
23 amended to read:

24 526.3135 Reports by the Division of Standards.--The  
25 Division of Standards is directed to compile a report pursuant  
26 to s. 570.544 of all complaints received by the Department of  
27 Agriculture and Consumer Services pursuant to this act. Such  
28 report shall ~~contain at least the information required by s.~~  
29 ~~570.544(6)(b)2.-4. and shall~~ be presented to the Speaker of  
30 the House of Representatives and the President of the Senate  
31 no later than January 1 of each year.

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1           Section 63. The amendment of section 526.3135, Florida  
2 Statutes, by this act shall expire on July 1, 2004, and the  
3 text of that section shall revert to that in existence on June  
4 30, 2003, except that any amendments to such text enacted  
5 other than by this act shall be preserved and continue to  
6 operate to the extent that such amendments are not dependent  
7 upon the portions of such text which expire pursuant to the  
8 provisions of this act.

9           Section 64. In order to implement Specific  
10 Appropriations 1335-1339 of the 2003-2004 General  
11 Appropriations Act, subsection (2) of section 559.921, Florida  
12 Statutes, is amended to read:

13           559.921 Remedies.--

14           (2) The department shall refer ~~process~~ consumer  
15 complaints to the Division of Consumer Services ~~according to~~  
16 ~~ss. 570.07 and 570.544.~~

17           Section 65. The amendment of subsection (2) of section  
18 559.921, Florida Statutes, by this act shall expire on July 1,  
19 2004, and the text of that subsection shall revert to that in  
20 existence on June 30, 2003, except that any amendments to such  
21 text enacted other than by this act shall be preserved and  
22 continue to operate to the extent that such amendments are not  
23 dependent upon the portions of such text which expire pursuant  
24 to the provisions of this act.

25           Section 66. In order to implement Section 63 of the  
26 2003-2004 General Appropriations Act, subsection (21) is added  
27 to section 259.105, Florida Statutes, to read:

28           259.105 The Florida Forever Act.--

29           (21) For the 2003-2004 fiscal year only and  
30 notwithstanding the provisions of subsection (11), the  
31 distribution of funds to water management districts for the

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1 purposes of funding projects pursuant to paragraph (3)(a)  
2 shall include the additional amount appropriated in the  
3 2003-2004 General Appropriations Act to the South Florida  
4 Water Management District to offset the amount vetoed in  
5 chapter 2002-394, Laws of Florida. This subsection expires  
6 July 1, 2004.

7           Section 67. Notwithstanding the provisions of section  
8 403.7095, Florida Statutes, in order to implement Specific  
9 Appropriation 1677A of the 2003-2004 General Appropriations  
10 Act, the Department of Environmental Protection shall award:

11           (1) \$4,000,000 in grants equally to counties with  
12 populations of fewer than 100,000 for waste tire, litter  
13 prevention, recycling and education, and general solid waste  
14 programs.

15           (2) \$1,750,000 in waste tire grants to counties, on a  
16 per capita basis, with populations of 100,000 or more.

17           (3) \$750,000 in competitive innovative grants to  
18 cities and counties on the prioritized list of projects  
19 submitted by the Department of Environmental Protection to the  
20 Legislature.

21           Section 68. In order to implement Specific  
22 Appropriation 1379A of the 2003-2004 General Appropriations  
23 Act and notwithstanding any provision of chapter 287 or  
24 chapter 337, Florida Statutes, from the funds appropriated to  
25 the Department of Agriculture and Consumer Services for the  
26 2002-2003 and 2003-2004 fiscal years for the purpose of  
27 constructing an agricultural interdiction station on  
28 Interstate 10 in Escambia County, the Department of  
29 Agriculture and Consumer Services shall enter into an  
30 agreement with the Department of Transportation wherein the  
31 Department of Transportation, on behalf of the Department of

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1 Agriculture and Consumer Services, shall proceed with the  
2 construction of the station under the authority established in  
3 chapter 337, Florida Statutes. The Department of Agriculture  
4 and Consumer Services shall be authorized to execute all  
5 contracts resulting from such Department of Transportation  
6 selection of contractors in compliance with chapter 337,  
7 Florida Statutes. This section expires July 1, 2004.

8           Section 69. In order to implement Specific  
9 Appropriations 2132 through 2169 of the 2003-2004 General  
10 Appropriations Act and notwithstanding the provisions of  
11 section 471.003, Florida Statutes, neither the Department of  
12 Business and Professional Regulation nor the Florida Engineers  
13 Management Corporation may utilize any funds to investigate,  
14 prosecute, or maintain any action against any employee or  
15 contractor of a sole proprietorship, firm, limited liability  
16 company, partnership, joint stock association, corporation, or  
17 other business entity that:

18           (1) Provides products, services, or a project  
19 described in section 288.1045(1)(i), Florida Statutes, to an  
20 agency or department of the United States or the government of  
21 a foreign country which involves the design, development,  
22 production, sale, or provision of defense or aerospace  
23 products or services;

24           (2) Consists of or supports commercial aircraft and  
25 the entity holds a certificate issued by the Federal Aviation  
26 Administration under Chapter 21, Title 14, Code of Federal  
27 Regulations;

28           (3) Consists of space vehicles or space services that  
29 are subject to licensing or regulation by an agency or  
30 department of the United States under Title 14, Title 47, or  
31 Title 48 of the Code of Federal Regulations or for sale or use

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1 outside the United States;

2       (4) Allows the use of the term "engineer" or  
3 "engineering" in a job title or personnel classification by an  
4 employee or contractor to the extent that the use of the title  
5 or classification is related to activities described in  
6 subsections (1)-(3) and such employee or contractor is  
7 authorized under the terms of a contract described in  
8 subsections (1)-(3) to provide such services; or

9       (5) Is employed by an entity not offering engineering  
10 services to either the public or providing services described  
11 in subsections (1)-(3). Such employee or contractor may use  
12 the title "engineer" or any title listed in paragraph  
13 471.031(1)(b), Florida Statutes, except "professional  
14 engineer," "licensed engineer," or "registered engineer," so  
15 long as such use does not indicate that the person is duly  
16 licensed and is authorized to practice engineering beyond the  
17 scope of the exemptions set forth in section 471.003(2),  
18 Florida Statutes. Provided, however, that a person described  
19 in this subsection shall have obtained a baccalaureate degree  
20 in engineering.

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

22       Section 70. In order to implement Specific  
23 Appropriations 2776 and 2783 of the 2003-2004 General  
24 Appropriations Act, section 195.022, Florida Statutes, is  
25 amended to read:

26       195.022 Forms to be prescribed by Department of  
27 Revenue.--The Department of Revenue shall prescribe ~~and~~  
28 ~~furnish~~ all forms to be used by property appraisers, tax  
29 collectors, clerks of the circuit court, and value adjustment  
30 boards in administering and collecting ad valorem taxes. The  
31 department shall prescribe a form for each purpose. For

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1 counties with a population of 100,000 or fewer, the Department  
2 of Revenue shall furnish the forms. For counties with a  
3 population greater than 100,000, the county officer shall  
4 reproduce forms for distribution at the expense of his or her  
5 office. A county officer may use a form other than the form  
6 prescribed by the department, ~~but only at the expense of his~~  
7 ~~or her office and~~ upon obtaining written permission from the  
8 executive director of the department; however, provided that  
9 no county officer shall use a form the substantive content of  
10 which is at variance with the form prescribed by the  
11 department for the same or a similar purpose. If the executive  
12 director finds good cause to grant such permission he or she  
13 may do so. The county officer may continue to use such  
14 approved form until the law which specifies the form is  
15 amended or repealed or until the officer receives written  
16 disapproval from the executive director. Otherwise, all such  
17 officers and their employees shall use the forms, and follow  
18 the instructions applicable to the forms, which are prescribed  
19 ~~furnished to them~~ by the department. The department, upon  
20 request of any property appraiser or, in any event, at least  
21 once every 3 years, shall prescribe and furnish such aerial  
22 photographs and nonproperty ownership maps to the property  
23 appraisers as are necessary to ensure that all real property  
24 within the state is properly listed on the roll. All forms  
25 and maps furnished by the department shall be paid for by the  
26 department as provided by law. All forms and maps and  
27 instructions relating to their use shall be substantially  
28 uniform throughout the state. An officer may employ  
29 supplemental forms and maps, at the expense of his or her  
30 office, which he or she deems expedient for the purpose of  
31 administering and collecting ad valorem taxes. The forms



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1 required in ss. 193.461(3)(a) and 196.011(1) for renewal  
 2 purposes shall require sufficient information for the property  
 3 appraiser to evaluate the changes in use since the prior year.  
 4 If the property appraiser determines, in the case of a  
 5 taxpayer, that he or she has insufficient current information  
 6 upon which to approve the exemption, or if the information on  
 7 the renewal form is inadequate for him or her to evaluate the  
 8 taxable status of the property, he or she may require the  
 9 resubmission of an original application.

10           Section 71. The amendment of section 195.022, Florida  
 11 Statutes, by this act shall expire on July 1, 2004, and the  
 12 text of that section shall revert to that in existence on June  
 13 30, 2003, except that any amendments to such text enacted  
 14 other than by this act shall be preserved and continue to  
 15 operate to the extent that such amendments are not dependent  
 16 upon the portions of such text which expire pursuant to the  
 17 provisions of this act.

18           Section 72. In order to implement Specific  
 19 Appropriation 1439K of the 2003-2004 General Appropriations  
 20 Act, paragraphs (b) and (c) of subsection (1) of section  
 21 252.373, Florida Statutes, are amended to read:

22           252.373 Allocation of funds; rules.--

23           (1)

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

29           (c) Notwithstanding the provisions of paragraph (a),  
 30 and for the 2003-2004 ~~2002-2003~~ fiscal year only, the  
 31 Department of Community Affairs shall conduct a review of

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1 funds available in the Emergency Management, Preparedness, and  
2 Assistance Trust Fund. By December 31 ~~1~~, 2003 ~~2002~~, when  
3 actual receipts for the 2002-2003 ~~2001-2002~~ fiscal year are  
4 determined, the Department of Community Affairs may identify  
5 any funds that were unspent or unencumbered in the 2002-2003  
6 ~~2001-2002~~ fiscal year ~~that are not required to implement~~  
7 ~~appropriations for the 2002-2003 fiscal year from the~~  
8 ~~Emergency Management, Preparedness, and Assistance Trust Fund,~~  
9 and such funds may be transferred to the Grants and Donations  
10 Trust Fund to be used for the state portion of the match  
11 requirements for federally approved disaster ~~Hazard Mitigation~~  
12 ~~Grant Program~~ projects. This paragraph expires July 1, 2004  
13 ~~2003~~.

14 Section 73. In order to implement proviso language in  
15 Specific Appropriation 2014A of the 2003-2004 General  
16 Appropriations Act, section 402.3017, Florida Statutes, is  
17 amended to read:

18 402.3017 Teacher Education and Compensation Helps  
19 (TEACH) scholarship program.--

20 (1) The Legislature finds that the level of early  
21 child care teacher education and training is a key predictor  
22 for determining program quality. The Legislature also finds  
23 that low wages for child care workers prevent many from  
24 obtaining increased training and education and contribute to  
25 high turnover rates. The Legislature therefore intends to  
26 help fund a program which links teacher training and education  
27 to compensation and commitment to the field of early childhood  
28 education.

29 (2) The Department of Children and Family Services is  
30 authorized to contract for the administration of the Teacher  
31 Education and Compensation Helps (TEACH) scholarship program,

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1 which provides educational scholarships to caregivers and  
 2 administrators of early childhood programs, family day care  
 3 homes, and large family child care homes.

4 (3) The department shall adopt rules as necessary to  
 5 implement this section.

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

9 Section 74. In order to implement Specific  
 10 Appropriation 2014A of the 2003-2004 General Appropriations  
 11 Act, subsection (13) of section 411.01, Florida Statutes, is  
 12 amended to read:

13 411.01 Florida Partnership for School Readiness;  
 14 school readiness coalitions.--

15 (13) PLACEMENTS.--Notwithstanding any other provision  
 16 of this section to the contrary, and for fiscal year 2003-2004  
 17 ~~2002-2003~~ only, the first children to be placed in the school  
 18 readiness program shall be those from families receiving  
 19 temporary cash assistance and subject to federal work  
 20 requirements. Subsequent placements shall be pursuant to the  
 21 provisions of this section. This subsection expires July 1,  
 22 2004 ~~2003~~.

23 Section 75. In order to implement Section 40 of the  
 24 2003-2004 General Appropriations Act, subsection (10) of  
 25 section 288.063, Florida Statutes, is amended to read:

26 288.063 Contracts for transportation projects.--

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

30 (b) For the 2003-2004 fiscal year only and  
 31 notwithstanding paragraph (a), funds appropriated for this

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1 purpose in previous years are subject to the reversion  
2 requirements of s. 216.301. This paragraph expires July 1,  
3 2004.

4 Section 76. In order to implement Specific  
5 Appropriation 2315D of the 2003-2004 General Appropriations  
6 Act, paragraph (b) of subsection (9) of section 320.08058,  
7 Florida Statutes, is amended to read:

8 320.08058 Specialty license plates.--

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

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

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

27 2. The remaining proceeds of the Florida Professional  
28 Sports Team license plate must be allocated to the Florida  
29 Sports Foundation, a direct-support organization of the Office  
30 of Tourism, Trade, and Economic Development. These funds must  
31 be deposited into the Professional Sports Development Trust

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1 Fund within the Office of Tourism, Trade, and Economic  
2 Development. These funds must be used by the Florida Sports  
3 Foundation to promote the economic development of the sports  
4 industry; to distribute licensing and royalty fees to  
5 participating professional sports teams; to institute a grant  
6 program for communities bidding on minor sporting events that  
7 create an economic impact for the state; to distribute funds  
8 to Florida-based charities designated by the Florida Sports  
9 Foundation and the participating professional sports teams;  
10 and to fulfill the sports promotion responsibilities of the  
11 Office of Tourism, Trade, and Economic Development.

12         3. The Florida Sports Foundation shall provide an  
13 annual financial audit in accordance with s. 215.981 of its  
14 financial accounts and records by an independent certified  
15 public accountant pursuant to the contract established by the  
16 Office of Tourism, Trade, and Economic Development as  
17 specified in s. 288.1229(5). The auditor shall submit the  
18 audit report to the Office of Tourism, Trade, and Economic  
19 Development for review and approval. If the audit report is  
20 approved, the office shall certify the audit report to the  
21 Auditor General for review.

22         4. For the 2003-2004 fiscal year only and  
23 notwithstanding the provisions of subparagraphs 1. and 2.,  
24 proceeds from the Professional Sports Development Trust Fund  
25 may also be used for operational expenses of the Florida  
26 Sports Foundation and financial support of the Sunshine State  
27 Games. This subparagraph expires July 1, 2004.

28         Section 77. In order to implement Section 62 of the  
29 2003-2004 General Appropriations Act, subsection (5) is added  
30 to section 339.08, Florida Statutes, to read:

31         339.08 Use of moneys in State Transportation Trust

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1 Fund.--

2       (5) For the 2003-2004 fiscal year only and  
3 notwithstanding the provisions of this section and s.  
4 339.09(1), \$200 million may be transferred from the State  
5 Transportation Trust Fund to the General Revenue Fund in the  
6 2003-2004 General Appropriations Act. Such transfer may be  
7 comprised of several smaller transfers made during the  
8 2003-2004 fiscal year. Notwithstanding ss. 206.46(3) and  
9 206.606(2), the total amount transferred shall be reduced from  
10 total state revenues deposited into the State Transportation  
11 Trust Fund for the calculation requirements of ss. 206.46(3)  
12 and 206.606(2). This subsection expires July 1, 2004.

13           Section 78. In order to implement Specific  
14 Appropriation 1979A of the 2003-2004 General Appropriations  
15 Act, section 445.048, Florida Statutes, is amended to read:  
16           445.048 Passport to Economic Progress demonstration  
17 program.--

18           (1) AUTHORIZATION.--Notwithstanding any law to the  
19 contrary, Workforce Florida, Inc., in conjunction with the  
20 Department of Children and Family Services and the Agency for  
21 Workforce Innovation, shall implement a Passport to Economic  
22 Progress demonstration program ~~by November 1, 2001,~~ consistent  
23 with the provisions of this section in Hillsborough, ~~and~~  
24 ~~Manatee, and Sarasota~~ counties. Workforce Florida, Inc., must  
25 consult with the applicable regional workforce boards and the  
26 applicable local offices of the department which serve the  
27 demonstration areas and must encourage community input into  
28 the implementation process.

29           (2) WAIVERS.--If Workforce Florida, Inc., in  
30 consultation with the Department of Children and Family  
31 Services, finds that federal waivers would facilitate

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1 implementation of the demonstration program, the department  
 2 shall immediately request such waivers, and Workforce Florida,  
 3 Inc., shall report to the Governor, the President of the  
 4 Senate, and the Speaker of the House of Representatives if any  
 5 refusal of the federal government to grant such waivers  
 6 prevents the implementation of the demonstration program. If  
 7 Workforce Florida, Inc., finds that federal waivers to  
 8 provisions of the Food Stamp Program would facilitate  
 9 implementation of the demonstration program, the Department of  
 10 Children and Family Services shall immediately request such  
 11 waivers in accordance with s. 414.175.

12 ~~(3) INCOME DISREGARD.--In order to provide an~~  
 13 ~~additional incentive for employment, and notwithstanding the~~  
 14 ~~amount specified in s. 414.095(12), for individuals residing~~  
 15 ~~in the areas designated for this demonstration program, the~~  
 16 ~~first \$300 plus one-half of the remainder of earned income~~  
 17 ~~shall be disregarded in determining eligibility for temporary~~  
 18 ~~cash assistance. All other conditions and requirements of s.~~  
 19 ~~414.095(12) shall continue to apply to such individuals.~~

20 (3)(4) TRANSITIONAL BENEFITS AND SERVICES.--In order  
 21 to assist them in making the transition to economic  
 22 self-sufficiency, former recipients of temporary cash  
 23 assistance residing within the areas designated for this  
 24 demonstration program shall be eligible for the following  
 25 benefits and services:

26 (a) Notwithstanding the time period specified in s.  
 27 445.030, transitional education and training support services  
 28 as specified in s. 445.030 for up to 4 years after the family  
 29 is no longer receiving temporary cash assistance;

30 (b) Notwithstanding the time period specified in s.  
 31 445.031, transitional transportation support services as

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1 specified in s. 445.031 for up to 4 years after the family is  
 2 no longer receiving temporary cash assistance; and

3 (c) Notwithstanding the time period specified in s.  
 4 445.032, transitional child care as specified in s. 445.032  
 5 for up to 4 years after the family is no longer receiving  
 6 temporary cash assistance.

7  
 8 All other provisions of ss. 445.030, 445.031, and 445.032  
 9 shall apply to such individuals, as appropriate. This  
 10 subsection does not constitute an entitlement to transitional  
 11 benefits and services. If funds are insufficient to provide  
 12 benefits and services under this subsection, the board of  
 13 directors of Workforce Florida, Inc., may limit such benefits  
 14 and services or otherwise establish priorities for the  
 15 provisions of such benefits and services.

16 (4) INCENTIVES TO ECONOMIC SELF-SUFFICIENCY.--

17 (a) The Legislature finds that:

18 1. There are former recipients of temporary cash  
 19 assistance who are working full time but whose incomes are  
 20 below the poverty level.

21 2. Having incomes below the federal poverty level  
 22 makes such individuals particularly vulnerable to reliance on  
 23 public assistance despite their best efforts to achieve or  
 24 maintain economic independence through employment.

25 3. It is necessary to implement a performance-based  
 26 program that defines economic incentives for achieving  
 27 specific benchmarks toward self-sufficiency while the  
 28 individual is working full time.

29 (b) Workforce Florida, Inc., in cooperation with the  
 30 Department of Children and Family Services and the Agency for  
 31 Workforce Innovation, shall offer performance-based incentive



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1 bonuses as a component of the Passport to Economic Progress  
2 demonstration program in the areas of the state which are  
3 designated for the demonstration program. The bonuses do not  
4 represent a program entitlement and shall be contingent on  
5 achieving specific benchmarks prescribed in the  
6 self-sufficiency plan. If the funds appropriated for this  
7 purpose are insufficient to provide this financial incentive,  
8 the board of directors of Workforce Florida, Inc., shall  
9 reduce or suspend the bonuses in order not to exceed the  
10 appropriation.

11 ~~(5) WAGE SUPPLEMENTATION.--~~

12 ~~(a) The Legislature finds that:~~

13 ~~1. There are former recipients of temporary cash~~  
14 ~~assistance who are working full time but whose incomes are~~  
15 ~~below the federal poverty level.~~

16 ~~2. Having incomes below the federal poverty level~~  
17 ~~makes such individuals particularly vulnerable to reliance on~~  
18 ~~public assistance despite their best efforts to achieve or~~  
19 ~~maintain economic independence through employment.~~

20 ~~3. It is necessary to supplement the wages of such~~  
21 ~~individuals for a limited period of time in order to assist~~  
22 ~~them in fulfilling the transition to economic~~  
23 ~~self-sufficiency.~~

24 ~~(b) Workforce Florida, Inc., in cooperation with the~~  
25 ~~Department of Children and Family Services and the Agency for~~  
26 ~~Workforce Innovation, shall create a transitional wage~~  
27 ~~supplementation program by November 1, 2001, as a component of~~  
28 ~~the Passport to Economic Progress demonstration program in the~~  
29 ~~areas designated for the demonstration program. This wage~~  
30 ~~supplementation program does not constitute an entitlement to~~  
31 ~~wage supplementation. If funds appropriated are insufficient~~

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1 ~~to provide wage supplementation, the board of directors of~~  
2 ~~Workforce Florida, Inc., may limit wage supplementation or~~  
3 ~~otherwise establish priorities for wage supplementation.~~

4 (c) To be eligible for an incentive bonus wage  
5 ~~supplementation~~ under this subsection, an individual must:

6 1. Be a former recipient of temporary cash assistance  
7 who last received such assistance on or after January 1, 2000;

8 2. Be employed full time, which for the purposes of  
9 this subsection means employment averaging at least 32 hours  
10 per week, until the United States Congress enacts legislation  
11 reauthorizing the Temporary Assistance for Needy Families  
12 block grant and, after the reauthorization, means employment  
13 complying with the employment requirements of the reauthorized  
14 law; and

15 3. Have an average family income for the 6 months  
16 preceding the date of application for an incentive bonus wage  
17 ~~supplementation~~ which is less than 100 percent of the federal  
18 poverty level.

19 ~~(d) Workforce Florida, Inc., shall determine the~~  
20 ~~schedule for the payment of wage supplementation under this~~  
21 ~~subsection. An individual eligible for wage supplementation~~  
22 ~~under this subsection may receive a payment that equals the~~  
23 ~~amount necessary to bring the individual's total family income~~  
24 ~~for the period covered by the payment to 100 percent of the~~  
25 ~~federal poverty level. An individual may not receive wage~~  
26 ~~supplementation payments for more than a total of 12 months.~~

27 ~~(e) The wage supplementation program authorized by~~  
28 ~~this subsection shall be administered through the regional~~  
29 ~~workforce boards and the one-stop delivery system, under~~  
30 ~~policy guidelines, criteria, and applications developed by~~  
31 ~~Workforce Florida, Inc., in cooperation with the Department of~~

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1 ~~Children and Family Services and the Agency for Workforce~~  
 2 ~~Innovation. To the maximum extent possible, the regional~~  
 3 ~~workforce boards shall use electronic debit card technologies~~  
 4 ~~to provide wage supplementation payments under this program.~~

5       ~~(5)(6)~~ EVALUATIONS AND RECOMMENDATIONS.--Workforce  
 6 Florida, Inc., in conjunction with the Department of Children  
 7 and Family Services, the Agency for Workforce Innovation, and  
 8 the regional workforce boards in the areas designated for this  
 9 demonstration program, shall conduct a comprehensive  
 10 evaluation of the effectiveness of the demonstration program  
 11 operated under this section. By January 1, 2005 ~~2003~~,  
 12 Workforce Florida, Inc., shall submit a report on such  
 13 evaluation to the Governor, the President of the Senate, and  
 14 the Speaker of the House of Representatives. The report must  
 15 include recommendations as to whether the demonstration  
 16 program should be expanded to other service areas or statewide  
 17 and whether the program should be revised to enhance its  
 18 administration or effectiveness.

19       ~~(6)(7)~~ CONFLICTS.--If there is a conflict between the  
 20 implementation procedures described in this section and  
 21 federal requirements and regulations, federal requirements and  
 22 regulations shall control.

23       Section 79. The amendment of section 445.048, Florida  
 24 Statutes, by this act shall expire on July 1, 2004, and the  
 25 text of that section shall revert to that in existence on June  
 26 30, 2003, except that any amendments to such text enacted  
 27 other than by this act shall be preserved and continue to  
 28 operate to the extent that such amendments are not dependent  
 29 upon the portions of such text which expire pursuant to the  
 30 provisions of this act.

31       Section 80. In order to implement Specific

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1 Appropriation 2315E of the 2003-2004 General Appropriations  
2 Act, and notwithstanding section 14 of chapter 93-187, Laws of  
3 Florida, sections 288.9511, 288.9515, and 288.9517, Florida  
4 Statutes, relating to technology development activities of  
5 Enterprise Florida, Inc., shall not stand repealed on December  
6 31, 2003, as scheduled by such chapter law, but are repealed  
7 on July 1, 2004.

8 Section 81. In order to implement Specific  
9 Appropriations 2315F, 2315L, and 2315M of the 2003-2004  
10 General Appropriations Act, subsection (6) is added to section  
11 376.875, Florida Statutes, to read:

12 376.875 Brownfield Property Ownership Clearance  
13 Assistance Revolving Loan Trust Fund.--

14 (6) For the 2003-2004 fiscal year only, and  
15 notwithstanding the provisions of subsection (1), moneys in  
16 the Brownfield Property Ownership Clearance Assistance  
17 Revolving Loan Trust Fund may also be used for the purpose of  
18 funding military base protection activities or rural defense  
19 fixed capital outlay infrastructure grants as provided in the  
20 General Appropriations Act. This subsection expires July 1,  
21 2004.

22 Section 82. In order to implement Specific  
23 Appropriation 2286AP, of the 2003-2004 General Appropriations  
24 Act:

25 (1) The Chief Financial Officer shall provide to the  
26 Legislature detailed information on all costs of court-related  
27 services provided by the counties for the county fiscal year  
28 that ended September 30, 2002. The required information must  
29 be provided to the Chief Financial Officer by the clerks of  
30 the court, or the appropriate county officer in counties where  
31 the clerk of the court is not the county's chief financial

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1 officer, in such manner as is prescribed by the Chief  
 2 Financial Officer and subject to reporting deadlines  
 3 prescribed by the Chief Financial Officer. The clerks of the  
 4 court, state attorneys, public defenders, court  
 5 administrators, boards of county commissioners, and sheriffs  
 6 must provide such assistance to the Chief Financial Officer in  
 7 gathering the necessary cost data as is requested by the Chief  
 8 Financial Officer. The Legislative Committee on  
 9 Intergovernmental Relations also shall assist in gathering and  
 10 assessing the cost data and provide technical assistance as  
 11 requested by the Chief Financial Officer. The Auditor General  
 12 shall provide technical advice with respect to the gathering  
 13 and analysis of the cost data.

14 (2) Cost information shall be reported to the Chief  
 15 Financial Officer at the transaction code level and, for  
 16 specific transaction codes specified by the Chief Financial  
 17 Officer, object and sub-object level, as set forth in the  
 18 Uniform Accounting System Manual developed by the Chief  
 19 Financial Officer pursuant to section 218.33, Florida  
 20 Statutes. In addition, costs must be reported for such  
 21 specific programs or purposes categories as are determined  
 22 necessary by the Chief Financial Officer. Cost information  
 23 provided for such programs or purposes includes identification  
 24 of the specific account classifications within the Uniform  
 25 Accounting System Manual to which the costs were recorded. The  
 26 clerks of the court, or the appropriate county officer in  
 27 counties where the clerk of the court is not the county's  
 28 chief financial officer, must reconcile the cost information  
 29 provided to the Chief Financial Officer with the Annual  
 30 Financial Report, which is required by section 218.32, Florida  
 31 Statutes. The clerks of the court must provide the Chief

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1 Financial Officer with written certification, signed by the  
2 clerks of the court, state attorneys, public defenders, court  
3 administrators, boards of county commissions' chairpersons,  
4 and sheriffs attesting to the accuracy of the cost  
5 information.

6 (3) The Chief Financial Officer shall reimburse  
7 individuals for travel costs incurred as a result of  
8 participation in the gathering and analysis of the cost data  
9 from funds specifically appropriated for such purpose.

10 (4) The Chief Financial Officer shall provide a report  
11 to the chairs of the Senate and House of Representatives  
12 appropriations committees no later than November 1, 2003,  
13 summarizing the court-related cost information submitted by  
14 the clerks of the court.

15 Section 83. In order to implement Specific  
16 Appropriations 835, 836, 870, 872, 880, 882, 890, 900, and 902  
17 of the 2003-2004 General Appropriations Act, subsection (4) is  
18 added to section 413.4021, Florida Statutes, to read:

19 413.4021 Pilot program participant county selection;  
20 tax collection enforcement diversion program.--The Department  
21 of Revenue, in coordination with the Florida Association of  
22 Centers for Independent Living and the Florida Prosecuting  
23 Attorneys Association, shall select four counties in which to  
24 operate the pilot program. The association and the state  
25 attorneys' offices in Duval County and the four pilot program  
26 counties shall develop and implement a tax collection  
27 enforcement diversion program, which shall collect revenue due  
28 from persons who have not remitted their collected sales tax.  
29 The criteria for referral to the tax collection enforcement  
30 diversion program shall be determined cooperatively between  
31 the state attorneys' offices in those counties and the

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1 Department of Revenue.

2       (4) For the 2003-2004 fiscal year only and  
3 notwithstanding the provisions of subsection (1), 50 percent  
4 of the revenues collected from the tax collection enforcement  
5 diversion program shall be deposited into the operating  
6 account of the Florida Endowment Foundation for Vocational  
7 Rehabilitation, to be used to implement the personal care  
8 attendant pilot program and to contract with the state  
9 attorneys participating in the tax collection enforcement  
10 diversion program in an amount of not more than \$50,000 for  
11 each state attorney. This subsection expires July 1, 2004.

12           Section 84. In order to implement Specific  
13 Appropriation 818 of the 2003-2004 General Appropriations Act,  
14 section 27.701, Florida Statutes, is amended to read:

15           27.701 Capital collateral regional counsels.--

16           (1) There are created three regional offices of  
17 capital collateral counsel, which shall be located in a  
18 northern, middle, and southern region of the state. The  
19 northern region shall consist of the First, Second, Third,  
20 Fourth, Eighth, and Fourteenth Judicial Circuits; the middle  
21 region shall consist of the Fifth, Sixth, Seventh, Ninth,  
22 Tenth, Twelfth, Thirteenth, and Eighteenth Judicial Circuits;  
23 and the southern region shall consist of the Eleventh,  
24 Fifteenth, Sixteenth, Seventeenth, Nineteenth, and Twentieth  
25 Judicial Circuits. Each regional office shall be administered  
26 by a regional counsel. A regional counsel must be, and must  
27 have been for the preceding 5 years, a member in good standing  
28 of The Florida Bar or a similar organization in another state.  
29 Each capital collateral regional counsel shall be appointed by  
30 the Governor, and is subject to confirmation by the Senate.  
31 The Supreme Court Judicial Nominating Commission shall

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1 recommend to the Governor three qualified candidates for each  
2 appointment as regional counsel. The Governor shall appoint a  
3 regional counsel for each region from among the  
4 recommendations, or, if it is in the best interest of the fair  
5 administration of justice in capital cases, the Governor may  
6 reject the nominations and request submission of three new  
7 nominees by the Supreme Court Judicial Nominating Commission.  
8 Each capital collateral regional counsel shall be appointed to  
9 a term of 3 years. Vacancies in the office of capital  
10 collateral regional counsel shall be filled in the same manner  
11 as appointments. A person appointed as a regional counsel may  
12 not run for or accept appointment to any state office for 2  
13 years following vacation of office.

14 (2) For the 2003-2004 fiscal year only and  
15 notwithstanding the provisions of subsection (1), the  
16 responsibilities of the regional office of capital collateral  
17 counsel for the northern region of the state shall be met  
18 through a pilot program using only attorneys from the registry  
19 of attorneys maintained pursuant to s. 27.710. Each attorney  
20 participating in the pilot must be qualified to provide  
21 representation in federal court. The Auditor General shall  
22 present a status report on the implementation of the pilot  
23 program to the President of the Senate and the Speaker of the  
24 House of Representatives by February 27, 2004. The Auditor  
25 General shall also schedule a performance review of the pilot  
26 program to determine the effectiveness and efficiency of using  
27 attorneys from the registry compared to the capital collateral  
28 regional counsels. The review, at a minimum, shall include  
29 comparisons of the timeliness and costs of the pilot and the  
30 counsels and shall be submitted to the President of the Senate  
31 and the Speaker of the House of Representatives by January 30,



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1 2007. This subsection expires July 1, 2004.

2           Section 85. In order to implement Specific  
3 Appropriation 818 of the 2003-2004 General Appropriations Act,  
4 paragraphs (a) and (c) of subsection (2) of section 27.709,  
5 Florida Statutes, are amended to read:

6           27.709 Commission on Capital Cases.--

7           (2)(a) The commission shall review the administration  
8 of justice in capital collateral cases, receive relevant  
9 public input, review the operation of the capital collateral  
10 regional counsel and private counsel appointed pursuant to ss.  
11 27.710 and 27.711, and advise and make recommendations to the  
12 Governor, Legislature, and Supreme Court.

13           (c) In addition, the commission shall receive  
14 complaints regarding the practice of any office of regional  
15 counsel and private counsel appointed pursuant to ss. 27.710  
16 and 27.711 and shall refer any complaint to The Florida Bar,  
17 the State Supreme Court, or the Commission on Ethics, as  
18 appropriate.

19           Section 86. The amendment of section 27.709, Florida  
20 Statutes, by this act shall expire on July 1, 2004, and the  
21 text of that section shall revert to that in existence on June  
22 30, 2003, except that any amendments to such text enacted  
23 other than by this act shall be preserved and continue to  
24 operate to the extent that such amendments are not dependent  
25 upon the portions of such text which expire pursuant to the  
26 provisions of this act.

27           Section 87. In order to implement Specific  
28 Appropriation 818 of the 2003-2004 General Appropriations Act,  
29 subsections (3) and (9) of section 27.711, Florida Statutes,  
30 are amended, and subsection (14) is added to that section, to  
31 read:

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1           27.711 Terms and conditions of appointment of  
2 attorneys as counsel in postconviction capital collateral  
3 proceedings.--

4           (3) An attorney appointed to represent a capital  
5 defendant is entitled to payment of the fees set forth in this  
6 section only upon full performance by the attorney of the  
7 duties specified in this section and approval of payment by  
8 the trial court, and the submission of a payment request by  
9 the attorney, subject to the availability of sufficient  
10 funding specifically appropriated for this purpose. An  
11 attorney may not be compensated under this section for work  
12 performed by the attorney before July 1, 2003, while employed  
13 by the northern regional office of the capital collateral  
14 counsel. The Comptroller shall notify the executive director  
15 and the court if it appears that sufficient funding has not  
16 been specifically appropriated for this purpose to pay any  
17 fees which may be incurred. The attorney shall maintain  
18 appropriate documentation, including a current and detailed  
19 hourly accounting of time spent representing the capital  
20 defendant. The fee and payment schedule in this section is the  
21 exclusive means of compensating a court-appointed attorney who  
22 represents a capital defendant. When appropriate, a  
23 court-appointed attorney must seek further compensation from  
24 the Federal Government, as provided in 18 U.S.C. s. 3006A or  
25 other federal law, in habeas corpus litigation in the federal  
26 courts.

27           (9) An attorney may not represent more than five  
28 ~~capital~~ defendants in capital postconviction litigation at any  
29 one time.

30           (14) Each attorney participating in the pilot program  
31 in the northern region pursuant to s. 27.701(2), as a

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1 condition of payment pursuant to this section, shall report on  
2 the performance measures adopted by the Legislature for the  
3 capital collateral regional counsels.

4 Section 88. The amendment of section 27.711, Florida  
5 Statutes, by this act shall expire on July 1, 2004, and the  
6 text of that section shall revert to that in existence on June  
7 30, 2003, except that any amendments to such text enacted  
8 other than by this act shall be preserved and continue to  
9 operate to the extent that such amendments are not dependent  
10 upon the portions of such text which expire pursuant to the  
11 provisions of this act.

12 Section 89. In order to implement Specific  
13 Appropriation 818 of the 2003-2004 General Appropriations Act,  
14 paragraph (b) of subsection (4) of section 27.702, Florida  
15 Statutes, is amended to read:

16 27.702 Duties of the capital collateral regional  
17 counsel; reports.--

18 (4)

19 (b) Each capital collateral regional counsel and each  
20 attorney participating in the pilot program in the northern  
21 region pursuant to s. 27.701(2) shall provide a quarterly  
22 report to the President of the Senate, the Speaker of the  
23 House of Representatives, and the Commission on Capital Cases  
24 which details the number of hours worked by investigators and  
25 legal counsel per case and the amounts per case expended  
26 during the preceding quarter in investigating and litigating  
27 capital collateral cases.

28 Section 90. The amendment of section 27.702, Florida  
29 Statutes, by this act shall expire on July 1, 2004, and the  
30 text of that section shall revert to that in existence on June  
31 30, 2003, except that any amendments to such text enacted

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

5 Section 91. In order to implement Specific  
 6 Appropriations 819A-819D of the 2003-2004 General  
 7 Appropriations Act, paragraph (b) of subsection (2) of section  
 8 1 of enrolled House Bill 439 from the 2003 regular legislative  
 9 session and subsection (2) of section 2 of that bill are  
 10 amended to read:

11 Section 1. Statewide Guardian Ad Litem Office;  
 12 legislative findings and intent; creation; appointment of  
 13 executive director; duties of office.--

14 (2) STATEWIDE GUARDIAN AD LITEM OFFICE.--There is  
 15 created a Statewide Guardian Ad Litem Office within the  
 16 Justice Administrative Commission. The Justice Administrative  
 17 Commission shall provide administrative support and service to  
 18 the office to the extent requested by the executive director  
 19 within the available resources of the commission. The  
 20 Statewide Guardian Ad Litem Office shall not be subject to  
 21 control, supervision, or direction by the Justice  
 22 Administrative Commission in the performance of its duties.

23 (b) The Statewide Guardian Ad Litem Office shall,  
 24 within available resources, have oversight responsibilities  
 25 for and provide technical assistance to all guardian ad litem  
 26 and attorney ad litem programs located within the judicial  
 27 circuits.

28 1. The office shall identify the resources required to  
 29 implement methods of collecting, reporting, and tracking  
 30 reliable and consistent case data.

31 2. The office shall review the current guardian ad

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1 litem programs in Florida and other states.

2           3. The office, in consultation with local guardian ad  
3 litem offices, shall develop statewide performance measures  
4 and standards.

5           4. The office shall develop a guardian ad litem  
6 training program. The office shall establish a curriculum  
7 committee to develop the training program specified in this  
8 subparagraph. The curriculum committee shall include, but not  
9 be limited to, dependency judges, directors of circuit  
10 guardian ad litem programs, active certified guardians ad  
11 litem, a mental health professional who specializes in the  
12 treatment of children, a member of a child advocacy group, a  
13 representative of the Florida Coalition Against Domestic  
14 Violence, and a social worker experienced in working with  
15 victims and perpetrators of child abuse.

16           5. The office shall review the various methods of  
17 funding guardian ad litem programs, shall maximize the use of  
18 those funding sources to the extent possible, and shall review  
19 the kinds of services being provided by circuit guardian ad  
20 litem programs.

21           6. The office shall ~~continue the attorney ad litem~~  
22 ~~demonstration projects through at least October 1, 2004, and~~  
23 ~~may conduct or contract for other demonstration projects,~~  
24 ~~within funds appropriated or through gifts, grants, or~~  
25 ~~contributions for such purposes, to determine the feasibility~~  
26 or desirability of new concepts of organization,  
27 administration, financing, or service delivery designed to  
28 preserve the civil and constitutional rights and fulfill other  
29 needs of dependent children.

30           7. No later than October 1, 2004, the office shall  
31 submit to the Governor, the President of the Senate, the

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1 Speaker of the House of Representatives, and the Chief Justice  
2 of the Supreme Court an interim report describing the progress  
3 of the office in meeting the goals as described in this  
4 section. No later than October 1, 2004, the office shall  
5 submit to the Governor, the President of the Senate, the  
6 Speaker of the House of Representatives, and the Chief Justice  
7 of the Supreme Court a proposed plan including alternatives  
8 for meeting the state's guardian ad litem and attorney ad  
9 litem needs. This plan may include recommendations for less  
10 than the entire state, may include a phase-in system, and  
11 shall include estimates of the cost of each of the  
12 alternatives. Each year thereafter, the office shall provide a  
13 status report and provide further recommendations to address  
14 the need for guardian ad litem services and related issues.

15 Section 2. Transfer of existing programs.--

16 (1) The pilot program for attorneys ad litem for  
17 dependent children established in s. 39.4086, Florida  
18 Statutes, shall be transferred from the State Courts System to  
19 the Statewide Guardian Ad Litem Office within the Justice  
20 Administrative Commission. The Statewide Guardian Ad Litem  
21 Office shall submit the final report required by s.  
22 39.4086(2)(h), Florida Statutes, by October 1, 2004.

23 (2) All funds and positions associated with the  
24 Guardian Ad Litem Program within the State Courts System are  
25 transferred by a type two transfer, pursuant to s. 20.06(2),  
26 Florida Statutes, to the Statewide Guardian Ad Litem Office  
27 within the Justice Administrative Commission on January 1,  
28 2004, except that up to \$35,000 and one full-time equivalent  
29 position shall be transferred to the Justice Administrative  
30 Commission effective October 1, 2003 ~~2004~~, to pay for the  
31 salary and expenses of an executive director.

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1           Section 92. 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 93. 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 94. (1) 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 May 12, 2003, and filed with the Secretary of  
 22 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           (2) For the Department of Environmental Protection,  
 31 the approved performance measures incorporated by reference

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1 for the 2003-2004 Fiscal Year shall be those revised  
 2 activity-based measures developed by the department pursuant  
 3 to its Fiscal Year 2002-2003 review of approved activities and  
 4 measures. Such revised activities and measures shall be  
 5 incorporated into the department's Long-Range Program Plan for  
 6 Fiscal Years 2004-2005 to 2008-2009 and shall be used as the  
 7 basis for all activity references and performance measurement  
 8 exhibits required in the department's Legislative Budget  
 9 Request for the Fiscal Year 2004-2005. Current performance  
 10 standards shall be retained where applicable. Standards shall  
 11 be proposed in June 2004 and adopted for Fiscal Year  
 12 2004-2005, based upon Fiscal Year 2003-2004 performance data  
 13 for measures without current performance standards. As of July  
 14 1, 2003, expenditure data will be entered into the Florida  
 15 Accounting Information Resource system at the revised activity  
 16 level.

17       Section 95. If any law that is amended by this act was  
 18 also amended by a law enacted at the 2003 Regular Session of  
 19 the Legislature, such laws shall be construed as if they had  
 20 been enacted during the same session of the Legislature, and  
 21 full effect should be given to each if that is possible.

22       Section 96. If any provision of this act or its  
 23 application to any person or circumstance is held invalid, the  
 24 invalidity does not affect other provisions or applications of  
 25 the act which can be given effect without the invalid  
 26 provision or application, and to this end the provisions of  
 27 this act are severable.

28       Section 97. Except as otherwise expressly provided in  
 29 this act, this act shall take effect July 1, 2003; or, if this  
 30 act fails to become a law until after that date, it shall take  
 31 effect upon becoming a law and shall operate retroactively to



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1 July 1, 2003.

2

3

4 ===== T I T L E A M E N D M E N T =====

5 And the title is amended as follows:

6 Delete everything before the enacting clause

7

8 and insert:

9

A bill to be entitled

10

An act implementing the 2003-2004 General

11

Appropriations Act; providing legislative

12

intent; providing accounting requirements for

13

the state universities for the 2003-2004 fiscal

14

year; authorizing school districts to use funds

15

received pursuant to ss. 206.41(4)(e) and

16

206.625, F.S., for student transportation

17

services; authorizing the Department of

18

Education to conduct a pilot program for school

19

districts to purchase used instructional

20

materials from third-party vendors; amending s.

21

17.076, F.S.; providing an exception to a

22

public records exemption; amending s. 112.215,

23

F.S.; including employees of state university

24

boards of trustees in the definition of

25

"employee" for purposes of the deferred

26

compensation program; amending s. 287.064,

27

F.S.; authorizing state universities to

28

continue to participate in the consolidated

29

equipment financing program; amending s.

30

440.38, F.S.; including state universities as

31

self-insurers for purposes of workers'

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1 compensation; creating s. 1010.10, F.S.;

2 creating the Florida Uniform Management of

3 Institutional Funds Act; providing definitions;

4 providing for expenditure of endowment funds by

5 a governing board; providing for a standard of

6 conduct; providing investment authority;

7 providing for delegation of investment

8 management; providing for investment costs;

9 providing for uniformity of application and

10 construction; providing for a demonstration

11 project at Florida Agricultural and Mechanical

12 University; renaming Chipola Junior College and

13 Miami-Dade Community College; providing for a

14 transfer of certain lands from the University

15 of Florida to Florida Atlantic University;

16 amending s. 1011.71, F.S.; allowing school

17 boards to make payments toward the cost of

18 school buses owned by certain student

19 transportation contract providers; providing

20 requirements; requiring grant funds

21 appropriated for districts with high growth in

22 student enrollment to be awarded to districts

23 that meet specified criteria; providing a

24 methodology for calculating grants; amending

25 ss. 430.204 and 430.205, F.S.; requiring the

26 Department of Elderly Affairs to fund certain

27 community care services and core services for

28 the elderly; amending s. 216.292, F.S.;

29 authorizing the Department of Children and

30 Family Services to transfer funds within the

31 family safety program; amending s. 561.121,

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1 F.S.; providing that moneys in the Children and  
2 Adolescents Substance Abuse Trust Fund may also  
3 be used for the purpose of funding programs  
4 directed at reducing and eliminating substance  
5 abuse problems among adults; amending s.  
6 381.0066, F.S.; continuing the additional fee  
7 on new construction permits for onsite sewage  
8 treatment and disposal systems the proceeds of  
9 which are used for system research,  
10 demonstration, and training projects; amending  
11 s. 385.207, F.S.; authorizing appropriation of  
12 funds in the Epilepsy Services Trust Fund for  
13 epilepsy case management services; amending s.  
14 409.1671, F.S.; requiring that funds for  
15 privatized foster care and related services be  
16 allocated in accordance with a methodology  
17 adopted by the Department of Children and  
18 Family Services by rule and granting rulemaking  
19 authority for such purpose; providing for lump  
20 sum funding in the Department of Children and  
21 Family Services to provide for continuity of  
22 foster care under certain circumstances;  
23 amending s. 394.908, F.S.; providing for  
24 substance abuse and mental health funding  
25 equity as provided in the General  
26 Appropriations Act; amending s. 20.19, F.S.;  
27 requiring specific authority for transfer of  
28 funds by the Department of Children and Family  
29 Services; amending s. 381.79, F.S.; providing  
30 conditions for disbursement of funds  
31 appropriated for brain and spinal cord injury

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1 research; amending s. 216.181, F.S.;

2 authorizing the Department of Law Enforcement

3 to transfer positions and associated budgets

4 and a certain percentage of salary rate between

5 budget entities and providing requirements with

6 respect thereto; authorizing the Correctional

7 Privatization Commission to make certain

8 expenditures to defray costs incurred by a

9 municipality or county as a result of opening

10 or operating a facility under authority of the

11 commission or the Department of Juvenile

12 Justice; amending s. 16.555, F.S.; authorizing

13 use of the Crime Stoppers Trust Fund to pay for

14 salaries and benefits and other expenses of the

15 Department of Legal Affairs; amending s.

16 985.4075, F.S.; prohibiting the use of juvenile

17 justice appropriations made for operations as

18 one-time startup funding for fixed capital

19 outlay; amending s. 216.262, F.S.; providing

20 for additional positions to operate additional

21 prison bed capacity under certain

22 circumstances; authorizing the Department of

23 Law Enforcement to use certain moneys to

24 provide bonuses to employees for meritorious

25 performance, subject to review; amending s.

26 932.7055, F.S.; allowing municipal special law

27 enforcement trust funds to be used to reimburse

28 certain loans from municipalities; amending s.

29 287.161, F.S.; requiring the Department of

30 Management Services to charge all persons

31 receiving transportation from the executive

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1 aircraft pool a specified rate; amending s.  
2 110.12315, F.S.; providing copayment  
3 requirements for the state employees'  
4 prescription drug program; amending ss.  
5 121.1115, 121.1122, F.S., relating to purchase  
6 of retirement credits; permitting purchase of  
7 additional years of out-of-state and federal  
8 service not aggregated with certain in-state  
9 service; establishing the rate of increase for  
10 legislative salaries; providing for the budget  
11 of the Council for Education Policy Research  
12 and Improvement to be administered by the  
13 Auditor General; providing that the council is  
14 otherwise independent; authorizing the  
15 Executive Office of the Governor to transfer  
16 funds between departments for purposes of  
17 aligning amounts paid for risk management  
18 premiums and for purposes of aligning amounts  
19 paid for human resource management services;  
20 amending s. 110.1239, F.S.; providing  
21 requirements for the funding of the state group  
22 health insurance program; amending s. 112.061,  
23 F.S.; providing for computation of travel time  
24 and reimbursement for public officers' and  
25 employees' travel; amending s. 468.404, F.S.;  
26 requiring talent agency license fees equal to  
27 costs of regulation; amending s. 378.035, F.S.;  
28 permitting expenditure of moneys appropriated  
29 for abatement of imminent hazards caused by,  
30 and for closure of, abandoned phosphogypsum  
31 stacks; amending s. 215.96, F.S.; requiring the

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1 Financial Management Information Board to  
2 provide certain policies, procedures, and  
3 processes for integration of central  
4 administrative and financial information  
5 systems; requiring a task force; specifying  
6 membership and responsibilities; requiring  
7 recommendations on specific information systems  
8 and projects; amending s. 601.15, F.S.;  
9 permitting the Florida Citrus Commission to  
10 reduce certain statutory citrus tax rates by  
11 majority vote; amending s. 372.561, F.S.;  
12 permitting counties to retain certain hunting  
13 and fishing fees until the Fish and Wildlife  
14 Conservation Commission implements an automated  
15 licensing system; amending s. 376.86, F.S.;  
16 revising certain restrictions on investing  
17 funds maintained in the Nonmandatory Land  
18 Reclamation Trust Fund; providing for a  
19 schedule for legislative review of the  
20 Brownfield Areas Loan Guarantee Program;  
21 providing for future repeal or expiration;  
22 amending s. 581.184, F.S.; requiring notice to  
23 the property owner of the removal of infected  
24 citrus trees or citrus trees exposed to  
25 infection; amending s. 581.1845, F.S.; revising  
26 eligibility for compensation of homeowners  
27 under the citrus canker eradication program;  
28 prescribing the amount of compensation for  
29 trees taken in the citrus canker eradication  
30 program; amending s. 253.025, F.S.; providing  
31 that the use of funds allocated to the

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 4-A

Amendment No. \_\_\_ Barcode 124994

1 Relocation and Construction Trust Fund shall be  
2 as provided in the General Appropriations Act;  
3 amending s. 570.544, F.S.; reducing consumer  
4 complaint processing responsibilities of the  
5 Division of Consumer Services of the Department  
6 of Agriculture and Consumer Services; amending  
7 ss. 526.3135, 559.921, F.S., to conform;  
8 amending s. 259.105, F.S.; permitting an  
9 additional allocation of Florida Forever moneys  
10 appropriated for water management districts;  
11 directing the Department of Environmental  
12 Protection to make specified awards of grant  
13 moneys for pollution control purposes;  
14 providing for an agreement between the  
15 Department of Agriculture and Consumer Services  
16 and the Department of Transportation for the  
17 construction of an agricultural interdiction  
18 station in Escambia County; prohibiting the  
19 Department of Business and Professional  
20 Regulation and the Florida Engineers Management  
21 Corporation from taking actions against certain  
22 persons; amending s. 195.022, F.S.; limiting  
23 the responsibility of the Department of Revenue  
24 to furnish certain ad valorem tax forms to  
25 specified local officials; requiring certain  
26 counties to reproduce the forms; amending s.  
27 252.373, F.S.; providing for use of funds of  
28 the Emergency Management, Preparedness, and  
29 Assistance Trust Fund, including the use of  
30 certain funds as state matching funds for  
31 federally approved Hazard Mitigation Grant

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 4-A

Amendment No. \_\_\_ Barcode 124994

1 Program projects; amending s. 402.3017, F.S.;

2 providing for administration of the Teacher

3 Education and Compensation Helps (TEACH)

4 scholarship program by the Agency for Workforce

5 Innovation; amending s. 411.01, F.S.; providing

6 priority for placement of children in the

7 school readiness program; amending s. 288.063,

8 F.S.; providing for funds for certain

9 transportation projects approved by the Office

10 of Tourism, Trade, and Economic Development to

11 be subject to reversion; amending s. 320.08058,

12 F.S.; authorizing proceeds from the

13 Professional Sports Development Trust Fund to

14 be used for operational expenses of the Florida

15 Sports Foundation and financial support of the

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

17 transferring \$200 million from the State

18 Transportation Trust Fund to the General

19 Revenue Fund; reducing the amount transferred

20 from certain transportation calculation

21 requirements; amending s. 445.048, F.S.;

22 continuing and expanding the Passport to

23 Economic Progress demonstration project;

24 postponing the repeal of ss. 288.9511,

25 288.9515, 288.9517, F.S., relating to

26 technology development activities of Enterprise

27 Florida, Inc.; amending s. 376.875, F.S.;

28 providing additional uses of the Brownfield

29 Property Ownership Clearance Assistance

30 Revolving Loan Trust Fund; requiring the Chief

31 Financial Officer to report on costs of



CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 4-A

Amendment No. \_\_\_ Barcode 124994

1 court-related services provided by the  
2 counties; providing specific requirements;  
3 providing for reimbursement of certain  
4 expenses; amending s. 413.4021, F.S.; requiring  
5 additional revenues from the tax collection  
6 enforcement diversion program to be used for  
7 the personal care attendant pilot program and  
8 for state attorney contracts; amending s.  
9 27.701, F.S.; providing for a pilot program  
10 using a registry of attorneys instead of the  
11 capital collateral regional counsel in the  
12 northern region of the state; requiring certain  
13 qualification; requiring a report; amending s.  
14 27.709, F.S.; expanding the jurisdiction of the  
15 Commission on Capital Cases; amending s.  
16 27.711, F.S.; providing for compensation of  
17 counsel in the pilot program; providing for  
18 limitations on such counsel; amending s.  
19 27.702, F.S.; requiring reports from attorneys  
20 participating in the pilot program; amending  
21 enrolled House Bill 439 from the 2003 Regular  
22 Session; repealing certain authority for  
23 attorney ad litem demonstration projects;  
24 transferring a position on an earlier date;  
25 providing for the effect of a veto of a  
26 specific appropriation or proviso to which  
27 implementing provisions refer; providing  
28 applicability to other legislation;  
29 incorporating by reference specified  
30 performance measures and standards directly  
31 linked to the appropriations made in the

CONFERENCE COMMITTEE AMENDMENT

Bill No. SB 4-A

Amendment No. \_\_\_ Barcode 124994

1           2003-2004 General Appropriations Act, as  
2           required by the Government Performance and  
3           Accountability Act of 1994, including measures  
4           and standards specifically applicable to the  
5           Department of Environmental Protection;  
6           providing for construction of the act in pari  
7           materia with laws enacted during the Regular  
8           Session of the Legislature; providing for  
9           severability; providing for retroactive  
10          application; providing effective dates.

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