

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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Representative Kyle offered the following:

Amendment (with directory and title amendments)

Remove everything after the enacting clause, and insert:

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

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

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

(2) Notwithstanding the provisions of ss. 216.181, 216.292, and 1011.4105, Florida Statutes, and pursuant to s.

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28 216.351, Florida Statutes, funds appropriated or reappropriated
29 to the state universities in the 2003-2004 General
30 Appropriations Act, or any other act passed by the 2003
31 Legislature containing appropriations, shall be distributed to
32 each university according to the 2003-2004 fiscal year operating
33 budget approved by the university board of trustees. Each
34 university board of trustees shall have authority to amend the
35 operating budget as circumstances warrant. The operating budget
36 may utilize traditional appropriation categories or it may
37 consolidate the appropriations into a special category
38 appropriation account. The Chief Financial Officer, upon the
39 request of the university board of trustees, shall record by
40 journal transfer the distribution of the appropriated funds and
41 releases according to the approved operating budget to the
42 appropriation accounts established for disbursement purposes for
43 each university within the state accounting system (FLAIR).

44 (3) Notwithstanding the provisions of ss. 216.181,
45 216.292, 1004.22, and 1011.4105, Florida Statutes, and pursuant
46 to s. 216.351, Florida Statutes, each university board of
47 trustees shall include in an approved operating budget the
48 revenue in trust funds supported by student and other fees as
49 well as the trust funds within the Contract, Grants, and
50 Donations, Auxiliary Enterprises, and Sponsored Research budget
51 entities. The university board of trustees shall have the
52 authority to amend the operating budget as circumstances
53 warrant. The operating budget may utilize traditional
54 appropriation categories or it may consolidate the trust fund
55 spending authority into a special category appropriation
56 account. The Chief Financial Officer, upon the request of the

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57 university board of trustees, shall record the distribution of
58 the trust fund spending authority and releases according to the
59 approved operating budget to the appropriation accounts
60 established for disbursement purposes for each university within
61 the state accounting system (FLAIR).

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

63 Section 3. In order to implement Specific Appropriations
64 426-441 of the 2003-2004 General Appropriations Act, paragraph
65 (b) of subsection (1) of section 430.204, Florida Statutes, is
66 amended to read:

67 430.204 Community-care-for-the-elderly core services;
68 departmental powers and duties.--

69 (1)

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

77 Section 4. In order to implement Specific Appropriations
78 426-441 of the 2003-2004 General Appropriations Act, paragraph
79 (b) of subsection (1) of section 430.205, Florida Statutes, is
80 amended to read:

81 430.205 Community care service system.--

82 (1)

83 (b) For fiscal year 2003-2004 ~~2002-2003~~ only, the
84 department shall fund, through the area agency on aging in each
85 county as defined in s. 125.011(1), more than one community care

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86 service system that provides case management and other in-home
87 and community services as needed to help elderly persons
88 maintain independence and prevent or delay more costly
89 institutional care. This paragraph expires July 1, 2004 ~~2003~~.

90 Section 5. In order to implement Specific Appropriations
91 274-276 of the 2003-2004 General Appropriations Act, subsection
92 (12) of section 216.292, Florida Statutes, is amended to read:

93 216.292 Appropriations nontransferable; exceptions.--

94 (12) For the 2003-2004 ~~2002-2003~~ fiscal year only, and
95 notwithstanding the other provisions of this section, the
96 Department of Children and Family Services may transfer funds
97 within the family safety program identified in the General
98 Appropriations Act from identical funding sources between the
99 following appropriation categories without limitation as long as
100 such a transfer does not result in an increase to the total
101 recurring general revenue or trust fund cost of the agency in
102 the subsequent fiscal year: adoption services and subsidy;
103 family foster care; and emergency shelter care. Such transfers
104 must be consistent with legislative policy and intent and must
105 not adversely affect achievement of approved performance
106 outcomes or outputs in the family safety program. Notice of
107 proposed transfers under this authority must be provided to the
108 Executive Office of the Governor and the chairs of the
109 legislative appropriations committees at least 5 working days
110 before their implementation. This subsection expires July 1,
111 2004 ~~2003~~.

112 Section 6. In order to implement Specific Appropriation
113 357 of the 2003-2004 General Appropriations Act, subsection (4)
114 of section 561.121, Florida Statutes, is amended to read:

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115 561.121 Deposit of revenue.--

116 (4)(a) State funds collected pursuant to s. 561.501 shall
117 be paid into the State Treasury and credited to the following
118 accounts:

119 ~~1.(a)~~ Twenty-seven and two-tenths percent of the surcharge
120 on the sale of alcoholic beverages for consumption on premises
121 shall be transferred to the Children and Adolescents Substance
122 Abuse Trust Fund, which shall remain with the Department of
123 Children and Family Services for the purpose of funding programs
124 directed at reducing and eliminating substance abuse problems
125 among children and adolescents.

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

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

134 Section 7. In order to implement Specific Appropriations
135 265-268, 268B, 270A-272, and 274-277, paragraph (b) of
136 subsection (1) of section 409.1671, Florida Statutes, is amended
137 to read:

138 409.1671 Foster care and related services;
139 privatization.--

140 (1)

141 (b) It is the intent of the Legislature that the
142 department will continue to work towards full privatization by
143 initiating the competitive procurement process in each county by

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144 January 1, 2003. In order to provide for an adequate transition
145 period to develop the necessary administrative and service
146 delivery capacity in each community, the full transfer of all
147 foster care and related services must be completed statewide by
148 December 31, 2004. The department shall adopt by rule pursuant
149 to ss. 120.536(1) and 120.54 a methodology for determining and
150 transferring all available funds currently associated with the
151 services that are being furnished under contract. This
152 methodology must provide for the transfer of funds appropriated
153 and budgeted for all services and programs that have been
154 incorporated into this program, including furniture, equipment,
155 and administrative funds, to accomplish the transfer of these
156 programs. The funds appropriated for this program that are
157 distributed between the counties and the districts and to
158 community-based care providers in the state to provide child
159 protective services as contemplated in this subsection shall be
160 allocated pursuant to the terms of the rule. The rule shall
161 provide for a phased implementation of its provisions, and until
162 such time as the rule is finalized and adopted the department
163 shall allocate funds in the same proportion as the annualized
164 distribution of funds at the end of fiscal year 2002-2003.

165 Section 8. The amendment of paragraph (b) of subsection
166 (1) of s. 409.1671, Florida Statutes, by this act shall expire
167 on July 1, 2004, and the text of that paragraph shall revert to
168 that in existence on June 30, 2003, except that any amendments
169 to such text enacted other than by this act shall be preserved
170 and continue to operate to the extent that such amendments are
171 not dependent upon the portions of such text which expire
172 pursuant to the provisions of this act.

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173 Section 9. In order to implement Specific Appropriation
174 269A of the 2003-2004 General Appropriations Act, subsection (7)
175 of section 409.1671, Florida Statutes, is amended to read:

176 409.1671 Foster care and related services;
177 privatization.--

178 (7) The department, in consultation with existing lead
179 agencies, shall develop a proposal regarding the long-term use
180 and structure of a statewide shared earnings program which
181 addresses the financial risk to eligible lead community-based
182 providers resulting from unanticipated caseload growth or from
183 significant changes in client mixes or services eligible for
184 federal reimbursement. The recommendations in the statewide
185 proposal must also be available to entities of the department
186 until the conversion to community-based care takes place. At a
187 minimum, the proposal must allow for use of federal earnings
188 received from child welfare programs, which earnings are
189 determined by the department to be in excess of the amount
190 appropriated in the General Appropriations Act, to be used for
191 specific purposes. These purposes include, but are not limited
192 to:

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

195 (b) Significant changes in the services that are eligible
196 for reimbursement.

197 (c) Significant changes in the availability of federal
198 funds.

199 (d) Shortfalls in state funds available for eligible or
200 ineligible services.

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

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

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

206 (h) Appropriate incentive structures.

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

209
210 The department shall further specify the necessary steps to
211 ensure the financial integrity of these dollars and their
212 continued availability on an ongoing basis. The final proposal
213 shall be submitted to the Legislative Budget Commission for
214 formal adoption before December 31, 2002. If the Legislative
215 Budget Commission refuses to concur with the adoption of the
216 proposal, the department shall present its proposal in the form
217 of recommended legislation to the President of the Senate and
218 the Speaker of the House of Representatives before the
219 commencement of the next legislative session. For fiscal year
220 2003-2004 and annually thereafter, the department ~~of Children~~
221 ~~and Family Services~~ may request in its legislative budget
222 request, and the Governor may recommend, the funding necessary
223 to carry out paragraph (i) from excess federal earnings. The
224 General Appropriations Act shall include any funds appropriated
225 for this purpose in a lump sum in the department Administered
226 ~~Funds Program~~, which funds constitute partial security for lead
227 agency contract performance. The department shall use this
228 appropriation to offset the need for a performance bond for that
229 year after a comparison of risk to the funds available. In no
230 event shall this performance bond exceed 2.5 percent of the

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231 annual contract value. The department may separately require a
232 bond to mitigate the financial consequences of potential acts of
233 malfeasance, misfeasance, or criminal violations by the
234 provider. Prior to the release of any funds in the lump sum, the
235 department shall submit a detailed operational plan, which must
236 identify the sources of specific trust funds to be used. The
237 release of the trust fund shall be subject to the notice and
238 review provisions of s. 216.177. However, the release shall not
239 require approval of the Legislative Budget Commission.

240 Section 10. The amendment of subsection (7) of s.
241 409.1671, Florida Statutes, by this act shall expire on July 1,
242 2004, and the text of that subsection shall revert to that in
243 existence on June 30, 2003, except that any amendments to such
244 text enacted other than by this act shall be preserved and
245 continue to operate to the extent that such amendments are not
246 dependent upon the portions of such text which expire pursuant
247 to the provisions of this act.

248 Section 11. In order to implement Specific Appropriations
249 324-357A of the 2003-2004 General Appropriations Act, subsection
250 (8) of section 394.908, Florida Statutes, is amended to read:

251 394.908 Substance abuse and mental health funding equity;
252 distribution of appropriations.--In recognition of the
253 historical inequity among service districts of the former
254 Department of Health and Rehabilitative Services in the funding
255 of substance abuse and mental health services, and in order to
256 rectify this inequity and provide for equitable funding in the
257 future throughout the state, the following funding process shall
258 be adhered to:

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259 (8) For fiscal year 2003-2004 ~~2002-2003~~ only, and
260 notwithstanding the provisions of this section, all new funds
261 received in excess of fiscal year 2002-2003 ~~2001-2002~~ recurring
262 appropriations shall be allocated in accordance with the
263 provisions of the General Appropriations Act; however, no
264 district shall receive an allocation of recurring funds less
265 than its initial approved operating budget, plus any
266 distributions of lump sum appropriations or reductions in
267 unfunded budget, for fiscal year 2002-2003 ~~2001-2002~~. This
268 subsection expires July 1, 2004 ~~2003~~.

269 Section 12. In order to implement Specific Appropriation
270 415 of the 2003-2004 General Appropriations Act, for the 2003-
271 2004 fiscal year only, and notwithstanding the provisions of s.
272 287.057, Florida Statutes, the Department of Children and Family
273 Services is authorized to procure contractual services to
274 outsource the operation of the Northeast Florida State Hospital
275 with a qualified vendor with experience in operating a mental
276 health treatment facility in this state. This section expires
277 July 1, 2004.

278 Section 13. In order to implement Specific Appropriation
279 519 of the 2003-2004 General Appropriations Act, paragraph (k)
280 of subsection (2) of section 381.0066, Florida Statutes, is
281 amended to read:

282 381.0066 Onsite sewage treatment and disposal systems;
283 fees.--

284 (2) The minimum fees in the following fee schedule apply
285 until changed by rule by the department within the following
286 limits:

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287 (k) Research: An additional \$5 fee shall be added to each
288 new system construction permit issued during fiscal years 1996-
289 2004 ~~1996-2003~~ to be used for onsite sewage treatment and
290 disposal system research, demonstration, and training projects.
291 Five dollars from any repair permit fee collected under this
292 section shall be used for funding the hands-on training centers
293 described in s. 381.0065(3)(j).

294
295 The funds collected pursuant to this subsection must be
296 deposited in a trust fund administered by the department, to be
297 used for the purposes stated in this section and ss. 381.0065
298 and 381.00655.

299 Section 14. In order to implement Specific Appropriation
300 477 of the 2003-2004 General Appropriations Act, subsection (6)
301 of section 385.207, Florida Statutes, is amended to read:

302 385.207 Care and assistance of persons with epilepsy;
303 establishment of programs in epilepsy control.--

304 (6) For the 2003-2004 ~~2002-2003~~ fiscal year only, funds in
305 the Epilepsy Services Trust Fund may be appropriated for
306 epilepsy case management services. This subsection expires July
307 1, 2004 ~~2003~~.

308 Section 15. Consistent with the provisions of s. 216.163,
309 Florida Statutes, in accordance with performance-based program
310 budgeting requirements, and notwithstanding the provisions of s.
311 216.181, Florida Statutes, the Department of Law Enforcement may
312 transfer up to one-half of 1 percent of the funds in Specific
313 Appropriations 1118, 1139, 1148, 1156, 1168, 1170, 1175, 1181,
314 1190, and 1195 of the 2002-2003 General Appropriations Act for
315 salary bonuses for departmental employees at the discretion of

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316 the executive director, provided that such bonuses are given
317 only to selected employees for meritorious performance, instead
318 of being given as across-the-board bonuses for all employees.
319 The department, after consultation with the Executive Office of
320 the Governor, shall provide a plan to the chairs of the
321 legislative appropriations committees responsible for producing
322 the General Appropriations Act for review before awarding such
323 bonuses. This section expires July 1, 2004.

324 Section 16. In order to implement Specific Appropriations
325 1118-1201 of the 2003-2004 General Appropriations Act,
326 subsection (17) of section 216.181, Florida Statutes, is amended
327 to read:

328 216.181 Approved budgets for operations and fixed capital
329 outlay.--

330 (17) Notwithstanding any other provision of this section
331 to the contrary, and for the 2003-2004 ~~2002-2003~~ fiscal year
332 only, the Department of Law Enforcement may transfer up to 20
333 positions and associated budget between budget entities,
334 provided the same funding source is used throughout each
335 transfer. The department may also transfer up to 10 percent of
336 the initial approved salary rate between budget entities,
337 provided the same funding source is used throughout each
338 transfer. The department must provide notice to the Executive
339 Office of the Governor, the chair of the Senate Budget
340 Committee, and the chair of the House Committee on Criminal
341 Justice Appropriations for all transfers of positions or salary
342 rate. This subsection expires July 1, 2004 ~~2003~~.

343 Section 17. In order to implement proviso language
344 following Specific Appropriation 642 of the 2003-2004 General

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345 Appropriations Act, the Correctional Privatization Commission
346 may expend appropriated funds to assist in defraying the costs
347 of impacts that are incurred by a municipality or county and
348 associated with opening or operating a facility under the
349 authority of the Correctional Privatization Commission or a
350 facility under the authority of the Department of Juvenile
351 Justice which is located within that municipality or county. The
352 amount that is to be paid under this section for any facility
353 may not exceed 1 percent of the facility construction cost, less
354 building impact fees imposed by the municipality or by the
355 county if the facility is located in the unincorporated portion
356 of the county. This section expires July 1, 2004.

357 Section 18. In order to implement Specific Appropriations
358 1202-1256 of the 2003-2004 General Appropriations Act, paragraph
359 (b) of subsection (3) of section 16.555, Florida Statutes, is
360 amended to read:

361 16.555 Crime Stoppers Trust Fund; rulemaking.--

362 (3)

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

368 Section 19. In order to implement Specific Appropriation
369 1164 of the 2003-2004 General Appropriations Act, paragraph (d)
370 of subsection (4) of section 932.7055, Florida Statutes, is
371 amended to read:

372 932.7055 Disposition of liens and forfeited property.--

373 (4)

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374 (d) Notwithstanding any other provision of this
375 subsection, and for the 2003-2004 ~~2002-2003~~ fiscal year only,
376 the funds in a special law enforcement trust fund established by
377 the governing body of a municipality may be expended to
378 reimburse the general fund of the municipality for moneys
379 advanced from the general fund to the special law enforcement
380 trust fund prior to October 1, 2001. This paragraph expires July
381 1, 2004 ~~2003~~.

382 Section 20. In order to implement Specific Appropriation
383 1394A of the 2003-2004 General Appropriations Act, paragraph (b)
384 of subsection (2) of section 581.184, Florida Statutes, is
385 amended to read:

386 581.184 Adoption of rules; citrus canker eradication;
387 voluntary destruction agreements.--

388 (2)

389 (b) Notwithstanding the provisions of paragraph (a), and
390 for the 2003-2004 ~~2002-2003~~ fiscal year only, notice of the
391 removal of infected citrus trees and citrus trees exposed to
392 infection, by immediate final order, shall be provided to the
393 owner of the property on which such trees are located. This
394 paragraph expires July 1, 2004 ~~2003~~.

395 Section 21. In order to implement section 23 of the 2003-
396 2004 General Appropriations Act, paragraph (b) of subsection (2)
397 and subsection (6) of section 581.1845, Florida Statutes, are
398 amended to read:

399 581.1845 Citrus canker eradication; compensation to
400 homeowners whose trees have been removed.--

401 (2)

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402 (b) Notwithstanding subparagraph (a)1., and for
403 compensation during the 2003-2004 ~~2002-2003~~ fiscal year only, to
404 be eligible to receive compensation under the program for
405 residential property where one or more citrus trees have been
406 removed on or after July 1, 2001, as part of a citrus canker
407 eradication program, a homeowner must be the homeowner of record
408 on the date the trees were removed. This paragraph expires July
409 1, 2004 ~~2003~~.

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

415 Section 22. In order to implement Specific Appropriations
416 2804 and 2819 of the 2003-2004 General Appropriations Act,
417 subsection (4) of section 61.1826, Florida Statutes, is amended
418 to read:

419 61.1826 Procurement of services for State Disbursement
420 Unit and the non-Title IV-D component of the State Case
421 Registry; contracts and cooperative agreements; penalties;
422 withholding payment.--

423 (4) COOPERATIVE AGREEMENT AND CONTRACT TERMS.--The
424 contract between the Florida Association of Court Clerks and the
425 department, and cooperative agreements entered into by the
426 depositories and the department, must contain, but are not
427 limited to, the following terms:

428 (a) The initial term of the contract and cooperative
429 agreements is for 5 years. The subsequent term of the contract
430 and cooperative agreements is for 3 years, with the option of

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431 two 1-year renewal periods, at the sole discretion of the
432 department.

433 (b) The duties and responsibilities of the Florida
434 Association of Court Clerks, the depositories, and the
435 department.

436 (c) Under s. 287.058(1)(a), all providers and
437 subcontractors shall submit to the department directly, or
438 through the Florida Association of Court Clerks, a report of
439 monthly expenditures in a format prescribed by the department
440 and in sufficient detail for a proper preaudit and postaudit
441 thereof.

442 (d) All providers and subcontractors shall submit to the
443 department directly, or through the Florida Association of Court
444 Clerks, management reports in a format prescribed by the
445 department.

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

448 (f) Federal financial participation for eligible Title IV-
449 D expenditures incurred by the Florida Association of Court
450 Clerks and the depositories shall be at the maximum level
451 permitted by federal law for expenditures incurred for the
452 provision of services in support of child support enforcement in
453 accordance with 45 C.F.R. part 74 and Federal Office of
454 Management and Budget Circulars A-87 and A-122 and based on an
455 annual cost allocation study of each depository. The
456 depositories shall submit directly, or through the Florida
457 Association of Court Clerks, claims for Title IV-D expenditures
458 monthly to the department in a standardized format as prescribed
459 by the department. The Florida Association of Court Clerks shall

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460 contract with a certified public accounting firm, selected by
461 the Florida Association of Court Clerks and the department, to
462 audit and certify quarterly to the department all claims for
463 expenditures submitted by the depositories for Title IV-D
464 reimbursement.

465 (g) Upon termination of the contracts between the
466 department and the Florida Association of Court Clerks or the
467 depositories, the Florida Association of Court Clerks, its
468 agents, and the depositories shall assist the department in
469 making an orderly transition to a private vendor.

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

472

473 If either the department or the Florida Association of Court
474 Clerks objects to a term of the standard cooperative agreement
475 or contract specified in subsections (2) and (3), the Chief
476 Financial Officer, with approval from the Governor and Cabinet,
477 shall appoint a third party to ~~disputed term or terms shall be~~
478 ~~presented jointly by the parties to the Attorney General or the~~
479 ~~Attorney General's designee, who shall act as special master.~~
480 The special master shall resolve disputes between the department
481 and the Florida Association of Court Clerks related to
482 negotiation for and performance under the current contract and
483 any extended contract or subsequent contract. Additionally, the
484 special master shall resolve disputes relating to the
485 conformance of the state disbursement unit operations to the
486 recommendations in the audit performed by the chief financial
487 officer, or to any other audit duly conducted pursuant to state
488 or federal law. The special master shall resolve the dispute in

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489 writing within 10 days. The resolution of a dispute by the
490 special master is binding on the department and the Florida
491 Association of Court Clerks.

492 Section 23. The amendment of subsection (4) of s. 61.1826,
493 Florida Statutes, by this act shall expire on July 1, 2004, and
494 the text of that subsection shall revert to that in existence on
495 June 30, 2003, except that any amendments to such text enacted
496 other than by this act shall be preserved and continue to
497 operate to the extent that such amendments are not dependent
498 upon the portions of such text which expire pursuant to the
499 provisions of this act.

500 Section 24. In order to implement Specific Appropriations
501 2592-2598A of the 2003-2004 General Appropriations Act,
502 subsection (4) of section 287.161, Florida Statutes, is amended
503 to read:

504 287.161 Executive aircraft pool; assignment of aircraft;
505 charge for transportation.--

506 (4) Notwithstanding the requirements of subsections (2)
507 and (3), and for the 2003-2004 ~~2002-2003~~ fiscal year only, the
508 Department of Management Services shall charge all persons
509 receiving transportation from the executive aircraft pool a rate
510 not less than the mileage allowance fixed by the Legislature for
511 the use of privately owned vehicles. Fees collected for persons
512 traveling by aircraft in the executive aircraft pool shall be
513 deposited into the Bureau of Aircraft Trust Fund and shall be
514 expended for costs incurred to operate the aircraft management
515 activities of the department. It is the intent of the
516 Legislature that the executive aircraft pool be operated on a

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517 full cost recovery basis, less available funds. This subsection
518 expires July 1, 2004 ~~2003~~.

519 Section 25. In order to implement Specific Appropriation
520 1949B of the 2003-2004 General Appropriations Act, subsection
521 (7) of section 110.12315, Florida Statutes, is amended to read:

522 110.12315 Prescription drug program.--The state employees'
523 prescription drug program is established. This program shall be
524 administered by the Department of Management Services, according
525 to the terms and conditions of the plan as established by the
526 relevant provisions of the annual General Appropriations Act and
527 implementing legislation, subject to the following conditions:

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

530 (a) Effective January 1, 2001:

- 531 1. For generic drug with card.....\$7.
- 532 2. For preferred brand name drug with card.....\$20.
- 533 3. For nonpreferred brand name drug with card.....\$35.
- 534 4. For generic mail order drug.....\$10.50.
- 535 5. For preferred brand name mail order drug.....\$30.
- 536 6. For nonpreferred brand name drug.....\$52.50.

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

540
541 This subsection expires July 1, 2004 ~~2003~~.

542 Section 26. In order to implement Specific Appropriation
543 1949B of the 2003-2004 General Appropriations Act, section
544 110.1239, Florida Statutes, is amended to read:

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545 110.1239 State group health insurance program
546 funding.--For the 2003-2004 ~~2002-2003~~ fiscal year only, it is
547 the intent of the Legislature that the state group health
548 insurance program be managed, administered, operated, and funded
549 in such a manner as to maximize the protection of state employee
550 health insurance benefits. Inherent in this intent is the
551 recognition that the health insurance liabilities attributable
552 to the benefits offered state employees should be fairly,
553 orderly, and equitably funded. Accordingly:

554 (1) The division shall determine the level of premiums
555 necessary to fully fund the state group health insurance program
556 for the next fiscal year. Such determination shall be made after
557 each Self-Insurance Estimating Conference as provided in s.
558 216.136(11), but not later than December 1 and April 1 of each
559 fiscal year.

560 (2) The Governor, in the Governor's recommended budget,
561 shall provide premium rates necessary for full funding of the
562 state group health insurance program, and the Legislature shall
563 provide in the General Appropriations Act for a premium level
564 necessary for full funding of the state group health insurance
565 program.

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

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

571 Section 27. In order to implement sections 2-7 of the
572 2003-2004 General Appropriations Act, paragraph (c) of

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573 subsection (5) and paragraph (d) of subsection (6) of section
574 112.061, Florida Statutes, are amended to read:

575 112.061 Per diem and travel expenses of public officers,
576 employees, and authorized persons.--

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

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

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

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

594 Section 28. In order to implement Specific Appropriations
595 1417-1419, 1421-1424, 1426, 1427, 1430, 1432, 1434, 1436-1438,
596 1439, 1439K-1443, and 1446-1450 of the 2003-2004 General
597 Appropriations Act, paragraphs (b) and (c) of subsection (1) of
598 section 252.373, Florida Statutes, are amended to read:

599 252.373 Allocation of funds; rules.--

600 (1)

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

606 (c) Notwithstanding the provisions of paragraph (a), and
607 for the 2003-2004 ~~2002-2003~~ fiscal year only, the Department of
608 Community Affairs shall conduct a review of funds available in
609 the Emergency Management, Preparedness, and Assistance Trust
610 Fund. By December 31 ~~1~~, 2003 ~~2002~~, when actual receipts for the
611 2002-2003 ~~2001-2002~~ fiscal year are determined, the Department
612 of Community Affairs may identify any funds that were unspent or
613 unencumbered in the 2002-2003 ~~2001-2002~~ fiscal year ~~that are not~~
614 ~~required to implement appropriations for the 2002-2003 fiscal~~
615 ~~year from the Emergency Management, Preparedness, and Assistance~~
616 ~~Trust Fund~~, and such funds may be transferred to the Grants and
617 Donations Trust Fund to be used for the state portion of the
618 match requirements for current federally approved disaster
619 ~~Hazard Mitigation Grant Program~~ projects. This paragraph expires
620 July 1, 2004 ~~2003~~.

621 Section 29. In order to implement Specific Appropriations
622 1432A, 1438A-1438I, 1438K, 1438L, 1438N, and 1439E-1439J of the
623 2003-2004 General Appropriations Act, subsection (8) of section
624 215.559, Florida Statutes, is renumbered as subsection (9), and
625 a new subsection (8) is added to said section to read:

626 215.559 Hurricane Loss Mitigation Program.--

627 (8) Notwithstanding the provisions of subsection (5), and
628 for the 2003-2004 fiscal year only, the use of the Florida

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629 Hurricane Catastrophe Fund shall be as provided in the General
630 Appropriations Act. This subsection expires on July 1, 2004.

631 Section 30. In order to implement Specific Appropriation
632 1303A of the 2003-2004 General Appropriations Act, paragraph (e)
633 is added to subsection (13) of section 253.025, Florida
634 Statutes, to read:

635 253.025 Acquisition of state lands for purposes other than
636 preservation, conservation, and recreation.--

637 (13)

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

642 Section 31. In order to implement Specific Appropriations
643 1452-1459A of the 2003-2004 General Appropriations Act,
644 subsection (4) of section 290.044, Florida Statutes, is amended
645 to read:

646 290.044 Florida Small Cities Community Development Block
647 Grant Program Fund; administration; distribution.--

648 ~~(4) The percentage of funds distributed in each of the~~
649 ~~grant program categories from federal funds for federal fiscal~~
650 ~~year 1985 shall be established by the Legislature in the~~
651 ~~appropriation process for the 1984 regular session and shall be~~
652 ~~established annually thereafter in the same manner. The~~
653 ~~department shall submit its recommendation on the distribution~~
654 ~~percentages to the Governor and Legislature as part of its~~
655 ~~regular budget proposals. The department may set aside shall~~
656 ~~provide for the set aside of an amount of up to 5 ~~10~~ percent of~~
657 ~~the funds allocated to the neighborhood revitalization category~~

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658 ~~in its distribution percentages~~ for use in any eligible local
659 government jurisdiction for which an emergency or natural
660 disaster has been declared by executive order. Such funds may
661 only be provided to a local government to fund eligible
662 emergency-related activities for which no other source of
663 federal, state, or local disaster funds is available. The
664 department may ~~shall~~ provide for such set-aside by rule. In the
665 last quarter of the state fiscal year, any funds not allocated
666 under the emergency-related set-aside shall be used to fully
667 fund any applications which were partially funded due to
668 inadequate funds in the most recently completed neighborhood
669 revitalization category funding cycle, and then any remaining
670 funds shall be distributed to the next unfunded applications.

671 Section 32. The amendment of subsection (4) of s. 290.044,
672 Florida Statutes, by this act shall expire on July 1, 2004, and
673 the text of that subsection shall revert to that in existence on
674 June 30, 2003, except that any amendments to such text enacted
675 other than by this act shall be preserved and continue to
676 operate to the extent that such amendments are not dependent
677 upon the portions of such text which expire pursuant to the
678 provisions of this act.

679 Section 33. In order to implement Specific Appropriation
680 2014 of the 2003-2004 General Appropriations Act, section
681 402.3017, Florida Statutes, is amended to read:

682 402.3017 Teacher Education and Compensation Helps (TEACH)
683 scholarship program.--

684 (1) The Legislature finds that the level of early child
685 care teacher education and training is a key predictor for
686 determining program quality. The Legislature also finds that low

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687 wages for child care workers prevent many from obtaining
688 increased training and education and contribute to high turnover
689 rates. The Legislature therefore intends to help fund a program
690 which links teacher training and education to compensation and
691 commitment to the field of early childhood education.

692 (2) The Department of Children and Family Services is
693 authorized to contract for the administration of the Teacher
694 Education and Compensation Helps (TEACH) scholarship program,
695 which provides educational scholarships to caregivers and
696 administrators of early childhood programs, family day care
697 homes, and large family child care homes.

698 (3) The department shall adopt rules as necessary to
699 implement this section.

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

703 Section 34. In order to implement Specific Appropriation
704 2014 of the 2003-2004 General Appropriations Act, subsection
705 (13) of section 411.01, Florida Statutes, is amended to read:

706 411.01 Florida Partnership for School Readiness; school
707 readiness coalitions.--

708 (13) PLACEMENTS.--Notwithstanding any other provision of
709 this section to the contrary, and for fiscal year 2003-2004
710 ~~2002-2003~~ only, the first children to be placed in the school
711 readiness program shall be those from families receiving
712 temporary cash assistance and subject to federal work
713 requirements. Subsequent placements shall be pursuant to the
714 provisions of this section. This subsection expires July 1, 2004
715 ~~2003~~.

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716 Section 35. In order to implement Specific Appropriation
717 12C of the 2003-2004 General Appropriations Act, subsection (7)
718 is added to section 1013.62, Florida Statutes, to read:

719 1013.62 Charter schools capital outlay funding.--

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

724 Section 36. In order to implement Specific Appropriations
725 584-601A of the 2003-2004 General Appropriations Act, subsection
726 (7) of section 1009.66, Florida Statutes, as amended by section
727 71 of chapter 2002-402, Laws of Florida, and section 3 of
728 chapter 2002-400, Laws of Florida, is amended to read:

729 1009.66 Nursing Student Loan Forgiveness Program.--

730 ~~(7)(a)~~ Funds contained in the Nursing Student Loan
731 Forgiveness Trust Fund which are to be used for loan forgiveness
732 for those nurses employed by hospitals, birth centers, and
733 nursing homes must be matched on a dollar-for-dollar basis by
734 contributions from the employing institutions, except that this
735 provision shall not apply to state-operated medical and health
736 care facilities, public schools, county health departments,
737 federally sponsored community health centers, teaching hospitals
738 as defined in s. 408.07, family practice teaching hospitals as
739 defined in s. 395.805, or specialty hospitals for children as
740 used in s. 409.9119. An estimate of the annual trust fund
741 dollars shall be made at the beginning of the fiscal year based
742 on historic expenditures from the trust fund. Applicant requests
743 shall be reviewed on a quarterly basis, and applicant awards
744 shall be based on the following priority of employer until all

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745 such estimated trust funds are awarded: state-operated medical
746 and health care facilities; public schools; county health
747 departments; federally sponsored community health centers;
748 teaching hospitals as defined in s. 408.07; family practice
749 teaching hospitals as defined in s. 395.805; specialty hospitals
750 for children as used in s. 409.9119; and other hospitals, birth
751 centers, and nursing homes.

752 ~~(b) All Nursing Student Loan Forgiveness Trust Fund moneys~~
753 ~~shall be invested pursuant to s. 18.125. Interest income~~
754 ~~accruing to that portion of the trust fund not matched shall~~
755 ~~increase the total funds available for loan forgiveness and~~
756 ~~scholarships. Pledged contributions shall not be eligible for~~
757 ~~matching prior to the actual collection of the total private~~
758 ~~contribution for the year.~~

759 Section 37. The amendment of subsection (7) of s. 1009.66,
760 Florida Statutes, by this act shall expire on July 1, 2004, and
761 the text of that subsection shall revert to that in existence on
762 June 30, 2003, except that any amendments to such text enacted
763 other than by this act shall be preserved and continue to
764 operate to the extent that such amendments are not dependent
765 upon the portions of such text which expire pursuant to the
766 provisions of this act.

767 Section 38. In order to implement Specific Appropriation
768 477 of the 2003-2004 General Appropriations Act, subsection (3)
769 of section 385.207, Florida Statutes, as amended by section 73
770 of chapter 2002-402, Laws of Florida, is amended to read:

771 385.207 Care and assistance of persons with epilepsy;
772 establishment of programs in epilepsy control.--

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773 (3) Revenue for statewide implementation of programs for
774 epilepsy prevention and education pursuant to this section shall
775 be derived pursuant to the provisions of s. 318.21(6) and shall
776 be deposited in the Epilepsy Services Trust Fund, which is
777 hereby established to be administered by the Department of
778 Health. ~~All funds deposited into the trust fund shall be~~
779 ~~invested pursuant to the provisions of s. 18.125. Interest~~
780 ~~income accruing to such invested funds shall increase the total~~
781 ~~funds available under this subsection.~~

782 Section 39. The amendment of subsection (3) of s. 385.207,
783 Florida Statutes, by this act shall expire on July 1, 2004, and
784 the text of that subsection shall revert to that in existence on
785 June 30, 2003, except that any amendments to such text enacted
786 other than by this act shall be preserved and continue to
787 operate to the extent that such amendments are not dependent
788 upon the portions of such text which expire pursuant to the
789 provisions of this act.

790 Section 40. In order to implement Specific Appropriations
791 1335-1339 of the 2003-2004 General Appropriations Act, section
792 570.544, Florida Statutes, is amended to read:

793 570.544 Division of Consumer Services; director; powers;
794 ~~processing of complaints; records.--~~

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

798 (2) The Division of Consumer Services may:

799 (a) Conduct studies and make analyses of matters affecting
800 the interests of consumers.

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

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

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

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

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

811 (g) Assist, develop, and conduct programs of consumer
812 education and consumer information through publications and
813 other informational and educational material prepared for
814 dissemination to the public, in order to increase the competence
815 of consumers.

816 (h) Organize and hold conferences on problems affecting
817 consumers.

818 (i) Recommend programs to encourage business and industry
819 to maintain high standards of honesty, fair business practices,
820 and public responsibility in the production, promotion, and sale
821 of consumer goods and services.

822 ~~(3) In addition to the powers, duties, and~~
823 ~~responsibilities authorized by this or any other chapter, the~~
824 ~~Division of Consumer Services shall serve as a clearinghouse for~~
825 ~~matters relating to consumer protection, consumer information,~~
826 ~~and consumer services generally. It shall receive complaints and~~
827 ~~grievances from consumers and promptly transmit them to that~~
828 ~~agency most directly concerned in order that the complaint or~~
829 ~~grievance may be expeditiously handled in the best interests of~~
830 ~~the complaining consumer. If no agency exists, the Division of~~

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831 ~~Consumer Services shall seek a settlement of the complaint using~~
832 ~~formal or informal methods of mediation and conciliation and may~~
833 ~~seek any other resolution of the matter in accordance with its~~
834 ~~jurisdiction.~~

835 ~~(4) If any complaint received by the Division of Consumer~~
836 ~~Services concerns matters which involve concurrent jurisdiction~~
837 ~~in more than one agency, duplicate copies of the complaint shall~~
838 ~~be referred to those offices deemed to have concurrent~~
839 ~~jurisdiction.~~

840 ~~(3)(5)(a)~~ Any agency, office, bureau, division, or board
841 of state government receiving a complaint which deals with
842 consumer fraud or consumer protection and which is not within
843 the jurisdiction of the receiving agency, office, bureau,
844 division, or board originally receiving it, shall immediately
845 refer the complaint to the Division of Consumer Services.

846 (b) Upon receipt of such a complaint, the Division of
847 Consumer Services shall make a determination of the proper
848 jurisdiction to which the complaint relates and shall
849 immediately refer the complaint to the agency, office, bureau,
850 division, or board which does have the proper regulatory or
851 enforcement authority to deal with it.

852 ~~(6)(a) The office or agency to which a complaint has been~~
853 ~~referred shall within 30 days acknowledge receipt of the~~
854 ~~complaint and report on the disposition made of the complaint.~~
855 ~~In the event a complaint has not been disposed of within 30~~
856 ~~days, the receiving office or agency shall file progress reports~~
857 ~~with the Division of Consumer Services no less frequently than~~
858 ~~30 days until final disposition.~~

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859 ~~(b) The report shall contain at least the following~~
860 ~~information:~~

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

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

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

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

870 ~~(7)(a) If the office or agency receiving a complaint fails~~
871 ~~to file a report as contemplated in this section, that failure~~
872 ~~shall be construed as a denial by the receiving office or agency~~
873 ~~that it has jurisdiction of the subject matter contained in the~~
874 ~~complaint.~~

875 ~~(b) If an office or agency receiving a complaint~~
876 ~~determines that the matter presents a prima facie case for~~
877 ~~criminal prosecution or if the complaint cannot be settled at~~
878 ~~the administrative level, the complaint together with all~~
879 ~~supporting evidence shall be transmitted to the Department of~~
880 ~~Legal Affairs or other appropriate enforcement agency with a~~
881 ~~recommendation for civil or criminal action warranted by the~~
882 ~~evidence.~~

883 ~~(4)(8)~~ The records of the Division of Consumer Services
884 are public records. However, customer lists, customer names, and
885 trade secrets are confidential and exempt from the provisions of
886 s. 119.07(1). Disclosure necessary to enforcement procedures
887 shall not be construed as violative of this prohibition.

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888 ~~(5)(9)~~ It shall be the duty of the Division of Consumer
889 Services to maintain records and compile summaries and analyses
890 of consumer complaints under its jurisdiction and their eventual
891 disposition, which data may serve as a basis for recommendations
892 to the Legislature and to state regulatory agencies.

893 Section 41. The amendment of s. 570.544, Florida Statutes,
894 by this act shall expire on July 1, 2004, and the text of that
895 section shall revert to that in existence on June 30, 2003,
896 except that any amendments to such text enacted other than by
897 this act shall be preserved and continue to operate to the
898 extent that such amendments are not dependent upon the portions
899 of such text which expire pursuant to the provisions of this
900 act.

901 Section 42. In order to implement Specific Appropriations
902 1335-1339 of the 2003-2004 General Appropriations Act, section
903 526.3135, Florida Statutes, is amended to read:

904 526.3135 Reports by the Division of Standards.--The
905 Division of Standards is directed to compile a report pursuant
906 to s. 570.544 of all complaints received by the Department of
907 Agriculture and Consumer Services pursuant to this act. Such
908 report shall ~~contain at least the information required by s.~~
909 ~~570.544(6)(b)2.-4. and shall be presented to the Speaker of the~~
910 ~~House of Representatives and the President of the Senate no~~
911 ~~later than January 1 of each year.~~

912 Section 43. The amendment of s. 526.3135, Florida
913 Statutes, by this act shall expire on July 1, 2004, and the text
914 of that section shall revert to that in existence on June 30,
915 2003, except that any amendments to such text enacted other than
916 by this act shall be preserved and continue to operate to the

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917 extent that such amendments are not dependent upon the portions
918 of such text which expire pursuant to the provisions of this
919 act.

920 Section 44. In order to implement Specific Appropriations
921 1335-1339 of the 2003-2004 General Appropriations Act,
922 subsection (2) of section 559.921, Florida Statutes, is amended
923 to read:

924 559.921 Remedies.--

925 (2) The department shall refer ~~process~~ consumer complaints
926 to the Division of Consumer Services according to ss. 570.07 and
927 570.544.

928 Section 45. The amendment of subsection (2) of s. 559.921,
929 Florida Statutes, by this act shall expire on July 1, 2004, and
930 the text of that subsection shall revert to that in existence on
931 June 30, 2003, except that any amendments to such text enacted
932 other than by this act shall be preserved and continue to
933 operate to the extent that such amendments are not dependent
934 upon the portions of such text which expire pursuant to the
935 provisions of this act.

936 Section 46. In order to implement Section 24 of the 2003-
937 2004 General Appropriations Act, subsection (10) of section
938 288.063, Florida Statutes, is amended to read:

939 288.063 Contracts for transportation projects.--

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

943 (b) For the 2003-2004 fiscal year only and notwithstanding
944 paragraph (a), funds appropriated for this purpose in previous

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945 years are subject to the reversion requirements of s. 216.301.
946 This paragraph expires July 1, 2004.

947 Section 47. In order to implement Section 30 of the 2003-
948 2004 General Appropriations Act, subsection (5) is added to
949 section 339.08, Florida Statutes, to read:

950 339.08 Use of moneys in State Transportation Trust Fund.--

951 (5) For the 2003-2004 fiscal year only and notwithstanding
952 the provisions of this section and s. 339.09(1), \$200 million
953 may be transferred from the State Transportation Trust Fund to
954 the General Revenue Fund in the 2003-2004 General Appropriations
955 Act. Such transfer may be comprised of several smaller transfers
956 made during the 2003-2004 fiscal year. Notwithstanding ss.
957 206.46(3) and 206.606(2), the total amount transferred shall be
958 reduced from total state revenues deposited into the State
959 Transportation Trust Fund for the calculation requirements of
960 ss. 206.46(3) and 206.606(2). This subsection expires July 1,
961 2004.

962 Section 48. In order to implement Specific Appropriation
963 2545 of the 2003-2004 General Appropriations Act, effective July
964 1, 2003, transfers shall occur as described in legislation that
965 becomes law reorganizing the Office of the Auditor General and
966 the Office of Program Policy Analysis and Government
967 Accountability into the Office of Government Accountability. If
968 such legislation does not become law, all powers, duties,
969 functions, records, personnel, property, and unexpended balances
970 of appropriations, allocations, and other funds of the Office of
971 Program Policy Analysis and Government Accountability are
972 transferred by a type two transfer, as defined in s. 20.06,
973 Florida Statutes, to the Office of the Auditor General.

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974 Consistent with the provisions of s. 11.45(4)(a), Florida
975 Statutes, and notwithstanding any other provision of law to the
976 contrary, the Auditor General shall, within the funding
977 provided, determine which duties and responsibilities assigned
978 by law to the Office of Program Policy Analysis and Government
979 Accountability shall be provided during the 2003-2004 fiscal
980 year. This section expires July 1, 2004.

981 Section 49. In order to implement Specific Appropriation
982 2545 of the 2003-2004 General Appropriations Act, effective July
983 1, 2003, all powers, duties, functions, records, personnel,
984 property, and unexpended balances of appropriations,
985 allocations, and other funds of the Council for Education Policy
986 Research and Improvement are transferred by a type two transfer,
987 as defined in s. 20.06, Florida Statutes, to the Office of the
988 Auditor General. Notwithstanding the provisions of s. 1008.51,
989 Florida Statutes, all powers, duties, funding, and functions of
990 the Council for Education Policy Research and Improvement are
991 suspended for the 2003-2004 fiscal year. The Auditor General
992 may, within the funding provided, provide policy research and
993 analysis of education issues. This section expires July 1, 2004.

994 Section 50. A section of this act that implements a
995 specific appropriation or specifically identified proviso
996 language in the 2003-2004 General Appropriations Act is void if
997 the specific appropriation or specifically identified proviso
998 language is vetoed. A section of this act that implements more
999 than one specific appropriation or more than one portion of
1000 specifically identified proviso language in the 2003-2004
1001 General Appropriations Act is void if all the specific

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1002 appropriations or portions of specifically identified proviso
1003 language are vetoed.

1004 Section 51. If any other act passed in 2003 contains a
1005 provision that is substantively the same as a provision in this
1006 act, but that removes or is otherwise not subject to the future
1007 repeal applied to such provision by this act, the Legislature
1008 intends that the provision in the other act shall take
1009 precedence and shall continue to operate, notwithstanding the
1010 future repeal provided by this act.

1011 Section 52. The agency performance measures and standards
1012 in the document entitled "Florida's Budget 2003 Agency
1013 Performance Measures and Standards Approved by the Legislature
1014 for Fiscal Year 2003-04" dated March 24, 2003, and filed with
1015 the Clerk of the House of Representatives are incorporated by
1016 reference. Such performance measures and standards are directly
1017 linked to the appropriations made in the General Appropriations
1018 Act for fiscal year 2003-2004, as required by the Government
1019 Performance and Accountability Act of 1994. State agencies are
1020 directed to revise their long-range program plans required under
1021 s. 216.013, Florida Statutes, to be consistent with these
1022 performance measures and standards.

1023 Section 53. If any provision of this act or its
1024 application to any person or circumstance is held invalid, the
1025 invalidity shall not affect other provisions or applications of
1026 the act which can be given effect without the invalid provision
1027 or application, and to this end the provisions of this act are
1028 declared severable.

1029 Section 54. If any law amended by this act was also
1030 amended by a law enacted at the 2003 Regular Session of the

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1031 Legislature, such laws shall be construed as if they had been
1032 enacted at the same session of the Legislature, and full effect
1033 shall be given to each if possible.

1034 Section 55. Except as otherwise provided in this act, this
1035 act shall take effect July 1, 2003; or, in the event this act
1036 fails to become a law until after that date, it shall take
1037 effect upon becoming a law and shall operate retroactively to
1038 July 1, 2003.

1039
1040 ===== T I T L E A M E N D M E N T =====

1041 Remove the entire title, and insert:

1042 A bill to be entitled
1043 An act implementing the 2003-2004 General Appropriations
1044 Act; providing legislative intent; providing accounting
1045 requirements for the state universities for the 2003-2004
1046 fiscal year; amending ss. 430.204 and 430.205, F.S.;
1047 requiring the Department of Elderly Affairs to fund
1048 certain community care services and core services for the
1049 elderly; amending s. 216.292, F.S.; authorizing the
1050 Department of Children and Family Services to transfer
1051 funds within the family safety program; amending s.
1052 561.121, F.S.; providing that moneys in the Children and
1053 Adolescents Substance Abuse Trust Fund may also be used
1054 for the purpose of funding programs directed at reducing
1055 and eliminating substance abuse problems among adults;
1056 amending s. 409.1671, F.S.; requiring that funds for
1057 privatized foster care and related services be allocated
1058 in accordance with a methodology adopted by the Department
1059 of Children and Family Services by rule and granting

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1060 rulemaking authority for such purpose; providing for lump
1061 sum funding in the Department of Children and Family
1062 Services to provide for continuity of foster care under
1063 certain circumstances; amending s. 394.908, F.S. ;
1064 providing for substance abuse and mental health funding
1065 equity as provided in the General Appropriations Act ;
1066 authorizing the Department of Children and Family Services
1067 to procure contractual services to outsource the operation
1068 of the Northeast Florida State Hospital; amending s.
1069 381.0066, F.S.; continuing the additional fee on new
1070 construction permits for onsite sewage treatment and
1071 disposal systems the proceeds of which are used for system
1072 research, demonstration, and training projects; amending
1073 s. 385.207, F.S.; authorizing appropriation of funds in
1074 the Epilepsy Services Trust Fund for epilepsy case
1075 management services; authorizing the Department of Law
1076 Enforcement to use certain moneys to provide bonuses to
1077 employees for meritorious performance, subject to review;
1078 amending s. 216.181, F.S.; authorizing the Department of
1079 Law Enforcement to transfer positions and associated
1080 budget and a certain percentage of salary rate between
1081 budget entities and providing requirements with respect
1082 thereto; authorizing the Correctional Privatization
1083 Commission to make certain expenditures to defray costs
1084 incurred by a municipality or county as a result of
1085 opening or operating a facility under authority of the
1086 commission or the Department of Juvenile Justice; amending
1087 s. 16.555, F.S.; authorizing use of the Crime Stoppers
1088 Trust Fund to pay for salaries and benefits and other

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1089 expenses of the Department of Legal Affairs; amending s.
1090 932.7055, F.S.; allowing municipal special law enforcement
1091 trust funds to be used to reimburse certain loans from
1092 municipalities; amending s. 581.184, F.S.; requiring
1093 notice to the property owner of the removal of infected
1094 citrus trees or citrus trees exposed to infection;
1095 amending s. 581.1845, F.S.; revising eligibility for
1096 compensation of homeowners under the citrus canker
1097 eradication program; prescribing the amount of
1098 compensation for trees taken in the citrus canker
1099 eradication program; amending s. 61.1826, F.S.; revising
1100 provisions relating to the special master to resolve
1101 disputes involving cooperative agreement and contract
1102 terms for certain state and federal child support
1103 provisions; amending s. 287.161, F.S.; requiring the
1104 Department of Management Services to charge all persons
1105 receiving transportation from the executive aircraft pool
1106 a specified rate; amending s. 110.12315, F.S.; providing
1107 copayment requirements for the state employees'
1108 prescription drug program; amending s. 110.1239, F.S.;
1109 providing requirements for the funding of the state group
1110 health insurance program; amending s. 112.061, F.S.;
1111 providing for computation of travel time and reimbursement
1112 for public officers' and employees' travel; amending s.
1113 252.373, F.S.; providing for use of funds of the Emergency
1114 Management, Preparedness, and Assistance Trust Fund,
1115 including use of certain funds as state match for current
1116 federally approved disaster projects; amending s. 215.559,
1117 F.S.; providing that use of the Florida Hurricane

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1118 Catastrophe Fund shall be as provided in the General
1119 Appropriations Act; amending s. 253.025, F.S.; providing
1120 that the use of funds allocated to the Relocation and
1121 Construction Trust Fund shall be as provided in the
1122 General Appropriations Act; amending s. 290.044, F.S.;
1123 eliminating required distribution percentages for program
1124 categories from the Florida Small Cities Community
1125 Development Block Grant Program Fund and authorizing the
1126 set-aside of a certain amount of such funds for certain
1127 emergency-related activities; amending s. 402.3017, F.S.;
1128 providing for administration of the Teacher Education and
1129 Compensation Helps (TEACH) scholarship program by the
1130 Agency for Workforce Innovation; amending s. 411.01, F.S.;
1131 providing priority for placement of children in the school
1132 readiness program; amending s. 1013.62, F.S.; providing
1133 that funds for charter school capital outlay funding shall
1134 be distributed by the Department of Education as provided
1135 in the General Appropriations Act; amending s. 1009.66,
1136 F.S.; deleting certain provisions relating to investment
1137 and use of interest income of the Nursing Student Loan
1138 Forgiveness Trust Fund; amending s. 385.207, F.S.;
1139 deleting certain provisions relating to investment and use
1140 of interest income of the Epilepsy Services Trust Fund;
1141 amending s. 570.544, F.S.; reducing consumer complaint
1142 processing responsibilities of the Division of Consumer
1143 Services of the Department of Agriculture and Consumer
1144 Services; amending ss. 526.3135 and 559.921, F.S., to
1145 conform; amending s. 288.063, F.S.; providing for funds
1146 for certain transportation projects approved by the Office

Amendment No. (for drafter's use only)

1147 of Tourism, Trade, and Economic Development to be subject
1148 to reversion; amending s. 339.08, F.S.; transferring \$200
1149 million from the State Transportation Trust Fund to the
1150 General Revenue Fund; reducing the amount transferred from
1151 certain transportation calculation requirements; providing
1152 for transfer pursuant to law or a type two transfer of all
1153 powers, duties, functions, records, personnel, property,
1154 and unexpended balances of appropriations, allocations,
1155 and other funds of the Office of Program Policy Analysis
1156 and Government Accountability to the Office of the Auditor
1157 General; providing for a type two transfer of all powers,
1158 duties, functions, records, personnel, property, and
1159 unexpended balances of appropriations, allocations, and
1160 other funds of the Council for Education Policy Research
1161 and Improvement to the Office of the Auditor General;
1162 providing for future repeal or expiration of various
1163 provisions; providing for reversion of certain provisions;
1164 providing effect of veto of specific appropriation or
1165 proviso to which implementing language refers; providing
1166 applicability to other legislation; incorporating by
1167 reference specified performance measures and standards
1168 directly linked to the appropriations made in the 2003-
1169 2004 General Appropriations Act, as required by the
1170 Government Performance and Accountability Act of 1994;
1171 providing severability; providing for construction of the
1172 act in pari materia with laws enacted during the 2003
1173 Regular Session of the Legislature; providing an effective
1174 date.