

By Senator Thrasher

8-00867-12

2012898

1                   A reviser's bill to be entitled  
2           An act relating to the Florida Statutes; repealing ss.  
3           216.292(5)(b), 255.503(7)(b), 288.1088(4),  
4           339.08(1)(n) and (p), 339.135(7)(a) and (b),  
5           341.102(1), 403.1651(3), 445.007(10) and (11),  
6           921.0019, 1001.451(2)(c), and 1004.226, F.S.; and  
7           amending s. 373.079(4)(a), F.S.; to delete provisions  
8           which have become inoperative by noncurrent repeal or  
9           expiration and, pursuant to s. 11.242(5)(b) and (i),  
10          may be omitted from the 2012 Florida Statutes only  
11          through a reviser's bill duly enacted by the  
12          Legislature; amending s. 1004.648(12), F.S., to  
13          conform a cross-reference; providing an effective  
14          date.

15  
16 Be It Enacted by the Legislature of the State of Florida:

17  
18           Section 1. Paragraph (b) of subsection (5) of section  
19 216.292, Florida Statutes, is repealed.

20 Reviser's note.—The cited paragraph, which provides that, for  
21           the 2010-2011 fiscal year only, the Governor may recommend  
22           the initiation of fixed capital outlay projects funded by  
23           grants awarded by the Federal Government through the  
24           American Recovery and Reinvestment Act of 2009 or by any  
25           other federal economic stimulus grant funding received,  
26           expired pursuant to its own terms, effective July 1, 2011.

27           Section 2. Paragraph (b) of subsection (7) of section  
28 255.503, Florida Statutes, is repealed.

29 Reviser's note.—The cited paragraph, which required provision of

8-00867-12

2012898

30 an analysis when disposition of a facility within the  
31 Florida Facilities Pool was recommended, expired pursuant  
32 to its own terms, effective July 1, 2011.

33 Section 3. Subsection (4) of section 288.1088, Florida  
34 Statutes, is repealed.

35 Reviser's note.—The cited subsection, which relates to requests  
36 for contract renegotiation by a Quick Action Closing Fund  
37 business submitting reports within a limited timeframe,  
38 expired pursuant to its own terms, effective June 30, 2011.

39 Section 4. Paragraphs (n) and (p) of subsection (1) of  
40 section 339.08, Florida Statutes, are repealed.

41 Reviser's note.—The cited paragraphs, which relate to  
42 expenditure of moneys in the State Transportation Trust  
43 Fund for a multicounty transportation or expressway  
44 authority created under chapter 343 or chapter 348, where  
45 jurisdiction for the authority includes a portion of the  
46 State Highway System and the administrative expenses are in  
47 furtherance of the duties and responsibilities of the  
48 authority in the development of improvements to the State  
49 Highway System, and to pay for county and school district  
50 transportation infrastructure improvements, respectively,  
51 expired pursuant to their own terms, effective July 1,  
52 2011.

53 Section 5. Paragraphs (a) and (b) of subsection (7) of  
54 section 339.135, Florida Statutes, are repealed.

55 Reviser's note.—The cited paragraphs, which relate to  
56 legislative intent to maintain fiscal solvency, make  
57 prudent use of fiscal resources to minimize project  
58 deferral, reduce certain financial projects not programmed

8-00867-12

2012898

59 for contract letting, reduce cash balances to a specified  
60 level to balance the finance plan and cash forecast to the  
61 revised funding levels resulting from any reduction in the  
62 2010-2011 General Appropriations Act, and require provision  
63 of a specified list of documents to the Legislative Budget  
64 Commission with submittal of the work program amendment,  
65 expired pursuant to their own terms, effective July 1,  
66 2011.

67 Section 6. Subsection (1) of section 341.102, Florida  
68 Statutes, is repealed.

69 Reviser's note.—The cited subsection, which provides a limited  
70 exemption from local government regulation for certain  
71 nonpublic sector buses engaged solely in intercounty  
72 transportation, or engaged in intracity transportation  
73 routes if the owner can establish that the bus route has  
74 been operated continuously from January 1, 1990, through  
75 April 1, 1991, and such intracity transportation has been  
76 conducted in compliance with applicable safety rules and  
77 regulations promulgated under s. 316.70, the partial  
78 exemption to be limited to routes maintained continuously  
79 from January 1, 1990, through April 1, 1991, expired by its  
80 own terms effective April 1, 2011, or 10 years after any  
81 change in ownership of such bus, whichever occurs first.

82 Section 7. Paragraph (a) of subsection (4) of section  
83 373.079, Florida Statutes, is amended to read:

84 373.079 Members of governing board; oath of office; staff.—  
85 (4) The governing board of the district shall employ:  
86 (a) An executive director, ombudsman, and such engineers,  
87 other professional persons, and other personnel and assistants

8-00867-12

2012898

88 as it deems necessary and under such terms and conditions as it  
89 may determine and to terminate such employment. The appointment  
90 of an executive director by the governing board is subject to  
91 approval by the Governor and must be initially confirmed by the  
92 Senate. The governing board may delegate all or part of its  
93 authority under this paragraph to the executive director.  
94 However, the governing board shall delegate to the executive  
95 director all of its authority to take final action on permit  
96 applications under part IV or petitions for variances or waivers  
97 of permitting requirements under part IV.

98 ~~1.~~ The executive director may execute such delegated  
99 authority through designated staff members. Such delegations  
100 shall not be subject to the rulemaking requirements of chapter  
101 120. The governing board must provide a process for referring a  
102 denial of such application or petition to the governing board  
103 for the purpose of taking final action. The executive director  
104 must be confirmed by the Senate upon employment and must be  
105 confirmed or reconfirmed by the Senate during the second regular  
106 session of the Legislature following a gubernatorial election.

107 ~~2. The delegation required by this paragraph shall~~  
108 ~~expressly prohibit governing board members from individually~~  
109 ~~intervening in any manner during the review of an application~~  
110 ~~before such application is referred to the governing board for~~  
111 ~~final action. This subparagraph does not prohibit the governing~~  
112 ~~board as a collegial body from acting on any permit application~~  
113 ~~or supervising, overseeing, or directing the activities of~~  
114 ~~district staff. This subparagraph expires June 1, 2011, unless~~  
115 ~~reenacted by the Legislature.~~

116 Reviser's note.—The cited paragraph was amended to delete

8-00867-12

2012898

117 subparagraph 2., which expired pursuant to its own terms,  
118 effective June 1, 2011.

119 Section 8. Subsection (3) of section 403.1651, Florida  
120 Statutes, is repealed.

121 Reviser's note.—The cited subsection, which relates to  
122 authorization of transfer of moneys in the Ecosystems  
123 Management and Restoration Trust Fund to the General  
124 Inspection Trust Fund in the Department of Agriculture and  
125 Consumer Services for the Farm Share, Food Banks, and  
126 Mosquito Control programs, and the Technological Research  
127 and Development Authority, for the 2010-2011 fiscal year  
128 only, expired pursuant to its own terms, effective July 1,  
129 2011.

130 Section 9. Subsections (10) and (11) of section 445.007,  
131 Florida Statutes, are repealed.

132 Reviser's note.—The cited subsections, which relate to  
133 prohibition on use of state and federal funds for food,  
134 beverages, and entertainment for members, staff, or  
135 employees of regional workforce boards, Workforce Florida,  
136 Inc., or the Agency for Workforce Innovation except as  
137 expressly authorized by state law, and requires boards to  
138 comply with specified section requirements before  
139 contracting with a member of the regional workforce board  
140 and to submit the contracts and related documentation to  
141 the Agency for Workforce Innovation for review and  
142 recommendation, expired pursuant to their own terms,  
143 effective July 1, 2011.

144 Section 10. Section 921.0019, Florida Statutes, is  
145 repealed.

8-00867-12

2012898

146 Reviser's note.—The cited section creates the Correctional  
147 Policy Advisory Council. Section 2, ch. 2008-54, Laws of  
148 Florida, abolished the council, effective July 1, 2011.  
149 Since the section was not repealed by a "current session"  
150 of the Legislature, it may be omitted from the 2012 Florida  
151 Statutes only through a reviser's bill duly enacted by the  
152 Legislature. See s. 11.242(5)(b) and (i).

153 Section 11. Paragraph (c) of subsection (2) of section  
154 1001.451, Florida Statutes, is repealed.

155 Reviser's note.—The cited paragraph, which authorizes an  
156 appropriation of less than \$50,000 for incentive grants for  
157 regional consortium service organizations consisting of  
158 four or more school districts for the 2010-2011 fiscal  
159 year, expired pursuant to its own terms, effective July 1,  
160 2011.

161 Section 12. Section 1004.226, Florida Statutes, is  
162 repealed.

163 Reviser's note.—The cited section, the 21st Century Technology,  
164 Research, and Scholarship Enhancement Act, was repealed by  
165 s. 6, ch. 2006-58, Laws of Florida, effective June 30,  
166 2011. Since the section was not repealed by a "current  
167 session" of the Legislature, it may be omitted from the  
168 2012 Florida Statutes only through a reviser's bill duly  
169 enacted by the Legislature. See s. 11.242(5)(b) and (i).

170 Section 13. Subsection (12) of section 1004.648, Florida  
171 Statutes, is amended to read:

172 1004.648 Florida Energy Systems Consortium.—

173 (12) The steering committee shall consist of the university  
174 representatives included in the Centers of Excellence proposals

8-00867-12

2012898

175 for the Florida Energy Systems Consortium and the Center of  
176 Excellence in Ocean Energy Technology-Phase II which were  
177 reviewed during the 2007-2008 fiscal year by the Florida  
178 Technology, Research, and Scholarship Board created in s.  
179 1004.226(4), Florida Statutes 2006; a university representative  
180 appointed by the President of Florida International University;  
181 and a representative of the Department of Agriculture and  
182 Consumer Services. The steering committee is responsible for  
183 establishing and ensuring the success of the consortium's  
184 mission under subsection (9).

185 Reviser's note.—Amended to conform to the repeal of s. 1004.226  
186 by this act.

187 Section 14. This act shall take effect on the 60th day  
188 after adjournment sine die of the session of the Legislature in  
189 which enacted.