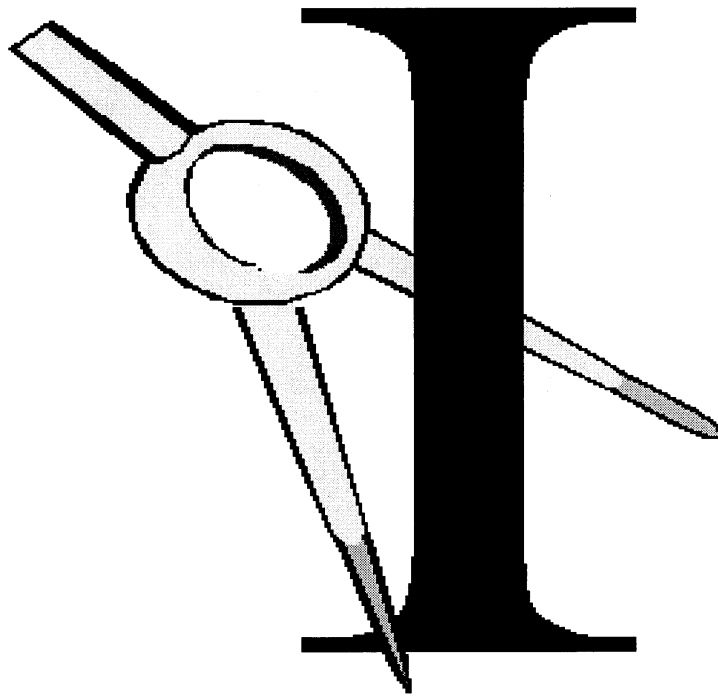


The Florida Senate



Proposed

Implementing Bill

**For General Appropriations
For Fiscal Year 2002-2003**

1 A bill to be entitled
2 An act implementing the 2002-2003 General
3 Appropriations Act; providing legislative
4 intent; amending s. 240.35, F.S.; increasing
5 the percentage of funds from the financial aid
6 fee to be used for need-based financial aid;
7 revising provisions relating to an annual
8 report; amending s. 240.209, F.S.; prohibiting
9 State University System employees from
10 enrolling in tuition-free courses; providing
11 accounting requirements for the state
12 universities for the 2002-2003 fiscal year;
13 amending s. 216.292, F.S.; authorizing the
14 Department of Children and Family Services to
15 transfer funding between certain services;
16 amending s. 216.262, F.S.; providing for
17 additional positions to operate additional
18 prison bed capacity under certain
19 circumstances; authorizing the Correctional
20 Privatization Commission to make certain
21 expenditures to defray costs incurred by a
22 municipality or county as a result of opening
23 or operating a facility under the authority of
24 the commission or the Department of Juvenile
25 Justice; amending s. 25.402, F.S.; revising
26 uses of the County Article V Trust Fund;
27 amending s. 252.373, F.S.; providing for use of
28 the Emergency Management, Preparedness, and
29 Assistance Trust Fund; amending s. 163.3184,
30 F.S.; prescribing standards for the state land
31 planning agency to use when issuing notice of

1 intent; amending s. 375.041, F.S.; providing
2 for use of moneys in the Land Acquisition Trust
3 Fund; amending s. 403.709, F.S.; providing for
4 use of moneys in the Solid Waste Management
5 Trust Fund; amending s. 403.7095, F.S.;
6 prescribing conditions on solid waste
7 management and recycling grants; providing for
8 extension of time for repayment of specified
9 loans; amending s. 287.161, F.S.; requiring the
10 Department of Management Services to charge all
11 persons receiving transportation from the
12 executive aircraft pool a specified rate;
13 amending s. 110.1239, F.S.; providing
14 requirements for the funding of the state group
15 health insurance program; amending s.
16 110.12315, F.S.; providing copayment
17 requirements for the state employees'
18 prescription drug program; providing for future
19 repeal or expiration of various provisions;
20 providing effect of veto of specific
21 appropriation or proviso to which implementing
22 language refers; incorporating by reference
23 specified performance measures and standards
24 directly linked to the appropriations made in
25 the 2002-2003 General Appropriations Act, as
26 required by the Government Performance and
27 Accountability Act of 1994; limiting
28 expenditures for noncommercial sustained
29 announcements and public-service announcements;
30 providing effective dates.
31

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

2
3 Section 1. It is the intent of the Legislature that
4 the implementing and administering provisions of this act
5 apply to the General Appropriations Act for fiscal year
6 2002-2003.

7 Section 2. In order to implement Specific
8 Appropriation 161 of the 2002-2003 General Appropriations Act,
9 subsection (11) of section 240.35, Florida Statutes, is
10 amended to read:

11 240.35 Student fees.--Unless otherwise provided, the
12 provisions of this section apply only to fees charged for
13 college credit instruction leading to an associate in arts
14 degree, an associate in applied science degree, or an
15 associate in science degree and noncollege credit
16 college-preparatory courses defined in s. 239.105.

17 (11)(a) Each community college is authorized to
18 establish a separate fee for financial aid purposes in an
19 additional amount up to, but not to exceed, 5 percent of the
20 total student tuition or matriculation fees collected. Each
21 community college may collect up to an additional 2 percent if
22 the amount generated by the total financial aid fee is less
23 than \$250,000. If the amount generated is less than \$250,000,
24 a community college that charges tuition and matriculation
25 fees at least equal to the average fees established by rule
26 may transfer from the general current fund to the scholarship
27 fund an amount equal to the difference between \$250,000 and
28 the amount generated by the total financial aid fee
29 assessment. No other transfer from the general current fund to
30 the loan, endowment, or scholarship fund, by whatever name
31 known, is authorized.

1 (b) All funds collected under this program shall be
2 placed in the loan and endowment fund or scholarship fund of
3 the college, by whatever name known. Such funds shall be
4 disbursed to students as quickly as possible. An amount not
5 greater than 40 percent of the fees collected in a fiscal year
6 may be carried forward unexpended to the following fiscal
7 year. However, funds collected prior to July 1, 1989, and
8 placed in an endowment fund may not be considered part of the
9 balance of funds carried forward unexpended to the following
10 fiscal year.

11 (c) Up to 25 percent or \$300,000, whichever is
12 greater, of the financial aid fees collected may be used to
13 assist students who demonstrate academic merit; who
14 participate in athletics, public service, cultural arts, and
15 other extracurricular programs as determined by the
16 institution; or who are identified as members of a targeted
17 gender or ethnic minority population. The financial aid fee
18 revenues allocated for athletic scholarships and fee
19 exemptions provided pursuant to subsection (17) for athletes
20 shall be distributed equitably as required by s.
21 228.2001(3)(d). A minimum of 75 ~~50~~ percent of the balance of
22 these funds for new awards shall be used to provide financial
23 aid based on absolute need, and the remainder of the funds
24 shall be used for academic merit purposes and other purposes
25 approved by the district boards of trustees. Such other
26 purposes shall include the payment of child care fees for
27 students with financial need. The State Board of Community
28 Colleges shall develop criteria for making financial aid
29 awards. Each college shall report annually to the Department
30 of Education on the revenue collected pursuant to this
31 paragraph, the amount carried forward, the criteria used to

1 make awards, the amount and number of awards for each
2 criterion, and a delineation of the distribution of such
3 awards. The report shall include an assessment by category of
4 the financial need of every student who receives an award,
5 regardless of the purpose for which the award is received.
6 Awards which are based on financial need shall be distributed
7 in accordance with a nationally recognized system of need
8 analysis approved by the State Board of Community Colleges. An
9 award for academic merit shall require a minimum overall grade
10 point average of 3.0 on a 4.0 scale or the equivalent for both
11 initial receipt of the award and renewal of the award.

12 (d) These funds may not be used for direct or indirect
13 administrative purposes or salaries.

14 Section 3. Effective July 1, 2003, subsection (11) of
15 section 240.35, Florida Statutes, as amended by this act, is
16 amended to read:

17 240.35 Student fees.--Unless otherwise provided, the
18 provisions of this section apply only to fees charged for
19 college credit instruction leading to an associate in arts
20 degree, an associate in applied science degree, or an
21 associate in science degree and noncollege credit
22 college-preparatory courses defined in s. 239.105.

23 (11)(a) Each community college is authorized to
24 establish a separate fee for financial aid purposes in an
25 additional amount up to, but not to exceed, 5 percent of the
26 total student tuition or matriculation fees collected. Each
27 community college may collect up to an additional 2 percent if
28 the amount generated by the total financial aid fee is less
29 than \$250,000. If the amount generated is less than \$250,000,
30 a community college that charges tuition and matriculation
31 fees at least equal to the average fees established by rule

1 may transfer from the general current fund to the scholarship
2 fund an amount equal to the difference between \$250,000 and
3 the amount generated by the total financial aid fee
4 assessment. No other transfer from the general current fund to
5 the loan, endowment, or scholarship fund, by whatever name
6 known, is authorized.

7 (b) All funds collected under this program shall be
8 placed in the loan and endowment fund or scholarship fund of
9 the college, by whatever name known. Such funds shall be
10 disbursed to students as quickly as possible. An amount not
11 greater than 40 percent of the fees collected in a fiscal year
12 may be carried forward unexpended to the following fiscal
13 year. However, funds collected prior to July 1, 1989, and
14 placed in an endowment fund may not be considered part of the
15 balance of funds carried forward unexpended to the following
16 fiscal year.

17 (c) Up to 25 percent or \$300,000, whichever is
18 greater, of the financial aid fees collected may be used to
19 assist students who demonstrate academic merit; who
20 participate in athletics, public service, cultural arts, and
21 other extracurricular programs as determined by the
22 institution; or who are identified as members of a targeted
23 gender or ethnic minority population. The financial aid fee
24 revenues allocated for athletic scholarships and fee
25 exemptions provided pursuant to subsection (17) for athletes
26 shall be distributed equitably as required by s.
27 228.2001(3)(d). A minimum of 50 75 percent of the balance of
28 these funds ~~for-new-awards~~ shall be used to provide financial
29 aid based on absolute need, and the remainder of the funds
30 shall be used for academic merit purposes and other purposes
31 approved by the district boards of trustees. Such other

1 purposes shall include the payment of child care fees for
 2 students with financial need. The State Board of Community
 3 Colleges shall develop criteria for making financial aid
 4 awards. Each college shall report annually to the Department
 5 of Education on ~~the revenue collected pursuant to this~~
 6 ~~paragraph, the amount carried forward,~~ the criteria used to
 7 make awards, the amount and number of awards for each
 8 criterion, and a delineation of the distribution of such
 9 awards. ~~The report shall include an assessment by category of~~
 10 ~~the financial need of every student who receives an award,~~
 11 ~~regardless of the purpose for which the award is received.~~
 12 Awards which are based on financial need shall be distributed
 13 in accordance with a nationally recognized system of need
 14 analysis approved by the State Board of Community Colleges. An
 15 award for academic merit shall require a minimum overall grade
 16 point average of 3.0 on a 4.0 scale or the equivalent for both
 17 initial receipt of the award and renewal of the award.

18 (d) These funds may not be used for direct or indirect
 19 administrative purposes or salaries.

20 Section 4. In order to implement Specific
 21 Appropriation 166A of the 2002-2003 General Appropriations
 22 Act, subsection (6) of section 240.209, Florida Statutes, is
 23 amended to read:

24 240.209 Board of Regents; powers and duties.--

25 (6)(a) The Board of Regents is authorized to permit
 26 full-time State University System employees who meet academic
 27 requirements to enroll for up to 6 credit hours of
 28 tuition-free courses per term on a space-available basis.

29 (b) For the 2002-2003 ~~2001-2002~~ fiscal year only and
 30 notwithstanding the provisions of paragraph (a), the Board of
 31 Regents is not authorized to permit State University System

1 employees to enroll for tuition-free courses. This paragraph
2 expires July 1, 2003 ~~2002~~.

3 Section 5. In order to implement Specific
4 Appropriations 166A-181 of the 2002-2003 General
5 Appropriations Act:

6 (1) Universities in the State University System shall
7 utilize the state accounting system (FLAIR) for fiscal year
8 2002-2003 but are not required to provide funds to the
9 Department of Banking and Finance for its utilization.

10 (2) Notwithstanding the provisions of sections
11 216.181, 216.292, and 240.2094, Florida Statutes, and pursuant
12 to section 216.351, Florida Statutes, funds appropriated or
13 reappropriated to the state universities in the 2002-2003
14 General Appropriations Act, or any other act passed by the
15 2002 Legislature containing appropriations, shall be
16 distributed to each university according to the 2002-2003
17 fiscal year operating budget approved by the university board
18 of trustees. Each university board of trustees shall have
19 authority to amend the operating budget as circumstances
20 warrant. The operating budget may utilize traditional
21 appropriation categories or it may consolidate the
22 appropriations into a special category appropriation account.
23 The Comptroller or Chief Financial Officer, upon the request
24 of the university board of trustees, shall record by journal
25 transfer the distribution of the appropriated funds and
26 releases according to the approved operating budget to the
27 appropriation accounts established for disbursement purposes
28 for each university within the state accounting system
29 (FLAIR).

30 (3) Notwithstanding the provisions of sections
31 216.181, 216.292, 240.241, and 240.277, Florida Statutes, and

1 pursuant to section 216.351, Florida Statutes, each university
 2 board of trustees shall include in an approved operating
 3 budget the revenue in trust funds supported by student and
 4 other fees as well as the trust funds within the Contract,
 5 Grants, and Donations, Auxiliary Enterprises, and Sponsored
 6 Research budget entities. The university board of trustees
 7 shall have the authority to amend the operating budget as
 8 circumstances warrant. The operating budget may utilize
 9 traditional appropriation categories or it may consolidate the
 10 trust fund spending authority into a special category
 11 appropriation account. The Comptroller or Chief Financial
 12 Officer, upon the request of the university board of trustees,
 13 shall record the distribution of the trust fund spending
 14 authority and releases according to the approved operating
 15 budget to the appropriation accounts established for
 16 disbursement purposes for each university within the state
 17 accounting system (FLAIR).

18 (4) This section expires July 1, 2003.

19 Section 6. In order to implement Specific
 20 Appropriations 303-338 of the 2002-2003 General Appropriations
 21 Act, subsection (12) of section 216.292, Florida Statutes, is
 22 amended to read:

23 216.292 Appropriations nontransferable; exceptions.--

24 (12) For the 2002-2003 ~~2001-2002~~ fiscal year only and
 25 notwithstanding the other provisions of this section, the
 26 Department of Children and Family Services may transfer funds
 27 within the family safety program identified in the General
 28 Appropriations Act from identical funding sources between the
 29 following appropriation categories without limitation as long
 30 as such a transfer does not result in an increase to the total
 31 recurring general revenue or trust fund cost of the agency in

1 the subsequent fiscal year: adoption services and subsidy;
 2 family foster care; and emergency shelter care. Such transfers
 3 must be consistent with legislative policy and intent and must
 4 not adversely affect achievement of approved performance
 5 outcomes or outputs in the family safety program. Notice of
 6 proposed transfers under this authority must be provided to
 7 the Executive Office of the Governor and the chairs of the
 8 legislative appropriations committees at least 5 working days
 9 before their implementation. This subsection expires July 1,
 10 2003 2002.

11 Section 7. In order to implement Specific
 12 Appropriations 691-806 and 843-857 of the 2002-2003 General
 13 Appropriations Act, subsection (4) of section 216.262, Florida
 14 Statutes, is amended to read:

15 216.262 Authorized positions.--

16 (4) Notwithstanding the provisions of this chapter on
 17 increasing the number of authorized positions, and for the
 18 2002-2003 ~~2004-2002~~ fiscal year only,⁺

19 {a} if the actual inmate population of the Department
 20 of Corrections exceeds by 2 percent for 2 consecutive months
 21 or more the inmate population projected by the most recent
 22 Criminal Justice Estimating Conference ~~on-February-16-2004~~,
 23 the Executive Office of the Governor may request positions in
 24 excess of the number authorized by the Legislature and
 25 sufficient funding from the Working Capital Fund to operate
 26 the additional prison bed capacity necessary to accommodate
 27 the actual inmate population. This subsection expires July 1,
 28 2003.

29 {b}--~~if, by October 1, 2004, a contract with a private~~
 30 ~~vendor or vendors for the delivery of health care services at~~
 31 ~~institutions located in Department of Corrections Region IV~~

1 ~~has-not-been-executed, up-to-97-positions-in-excess-of-the~~
 2 ~~number-authorized-and-appropriate-salary-rate-may-be-approved,~~
 3 ~~provided-that-sufficient-funds-are-available-to-pay-salaries~~
 4 ~~and-benefits.--If-a-contract-for-the-provision-of-health-care~~
 5 ~~services-in-the-Department-of-Corrections-Region-IV-is~~
 6 ~~subsequently-executed, the-Executive-Office-of-the-Governor~~
 7 ~~shall-place-these-positions-and-associated-salary-rate-into~~
 8 ~~reserve.~~

9 ~~(c)--In-order-to-implement-a-Close-Management~~
 10 ~~Consolidation-Plan-in-the-Department-of-Corrections, positions~~
 11 ~~in-excess-of-the-number-authorized-and-appropriate-salary-rate~~
 12 ~~may-be-approved-provided-that-the-Secretary-of-Corrections~~
 13 ~~certifies-that-there-are-no-vacant-positions-that-may-be-used~~
 14 ~~for-this-purpose.~~

15
 16 ~~Such-requests-are-subject-to-the-budget-amendment-and~~
 17 ~~consultation-provisions-of-this-chapter.--This-subsection~~
 18 ~~expires-July-1, 2002.~~

19 Section 8. In order to implement proviso language
 20 following Specific Appropriation 1178 of the 2002-2003 General
 21 Appropriations Act, the Correctional Privatization Commission
 22 may expend appropriated funds to assist in defraying the costs
 23 of impacts which are incurred by a municipality or county and
 24 associated with opening or operating a facility under the
 25 authority of the Correctional Privatization Commission or a
 26 facility under the authority of the Department of Juvenile
 27 Justice which is located within that municipality or county.
 28 The amount that is to be paid under this section for any
 29 facility may not exceed 1 percent of the facility construction
 30 cost, less building impact fees imposed by the municipality or
 31

1 by the county if the facility is located in the unincorporated
2 portion of the county. This section expires July 1, 2003.

3 Section 9. In order to implement Specific
4 Appropriations 889-1070, 3165, and 3201-3222 of the 2002-2003
5 General Appropriations Act, section 25.402, Florida Statutes,
6 is amended to read:

7 25.402 County Article V Trust Fund.--

8 (1)(a) The trust fund moneys in the County Article V
9 Trust Fund, administered by the Supreme Court, may be used to
10 compensate counties for the costs they incur under Article V
11 of the State Constitution in operating the state courts
12 system, including the costs they incur in providing and
13 maintaining court facilities.

14 (b) The Supreme Court shall adopt an allocation and
15 disbursement plan for the operation of the trust fund and the
16 expenditure of moneys deposited in the trust fund. The Supreme
17 Court shall include the plan in its legislative budget
18 request. A committee of 15 people shall develop and recommend
19 the allocation and disbursement plan to the Supreme Court. The
20 committee shall be composed of:

21 1. Six persons appointed by the Florida Association of
22 Counties, as follows:

23 a. Two persons residing in counties with populations
24 fewer than 90,000.

25 b. Two persons residing in counties with populations
26 greater than 89,999, but fewer than 700,000.

27 c. Two persons residing in counties with populations
28 greater than 699,999.

29 2. Six persons appointed by the Chief Justice of the
30 Supreme Court, as follows:

1 a. Two persons residing in counties with populations
2 fewer than 90,000.

3 b. Two persons residing in counties with populations
4 greater than 89,999, but fewer than 700,000.

5 c. Two persons residing in counties with populations
6 greater than 699,999.

7 3. Three persons appointed by the Florida Association
8 of Court Clerks and Comptrollers, as follows:

9 a. One person residing in a county with a population
10 fewer than 90,000.

11 b. One person residing in a county with a population
12 greater than 89,999, but fewer than 700,000.

13 c. One person residing in a county with a population
14 greater than 699,999.

15
16 The allocation and disbursement plan shall include provisions
17 to compensate counties with fewer than 90,000 residents for
18 court facility needs.

19 (c) Amendments to the approved operating budget for
20 expenditures from the County Article V Trust Fund must be
21 approved in accordance with the provisions of s. 216.181. The
22 total amount disbursed from the County Article V Trust Fund
23 may not exceed the amount authorized by the General
24 Appropriations Act.

25 (d) Effective July 1, 2001, moneys generated from
26 civil penalties distributed under s. 318.21(2) and ~~s-~~
27 ~~318.21(2)(h)-shall-be~~ deposited in the trust fund may be used
28 for the following purposes:

29 1. Funds paid to counties with populations fewer than
30 90,000 shall be grants-in-aid to be used, in priority order,
31 for: operating expenditures of the offices of the state

1 attorneys and public defenders as appropriated by the
 2 Legislature in-accordance-with-Specific-Appropriation-2978B;
 3 consulting or architectural studies related to the improvement
 4 of courthouse facilities; improving court facilities to ensure
 5 compliance with the Americans with Disabilities Act and other
 6 federal or state requirements; other renovations in court
 7 facilities; improvements in court security; and expert witness
 8 fees in criminal cases, court reporting and transcribing costs
 9 in criminal cases, and costs associated with the appointment
 10 of special public defenders.

11 2. Funds paid to counties with populations exceeding
 12 89,999 shall be grants-in-aid to be used, in priority order,
 13 for operating expenditures of the offices of the state
 14 attorneys and public defenders as appropriated by the
 15 Legislature in-accordance-with-Specific-Appropriation-2978B,
 16 costs paid by the county for expert witness fees in criminal
 17 cases, court reporting and transcribing costs in criminal
 18 cases, and costs associated with the appointment of special
 19 public defenders.

20 3. Funds may be appropriated for the operation of the
 21 trial courts.

22 (2) This section expires June 30, 2003 ~~2002~~.

23 Section 10. In order to implement Specific
 24 Appropriations 1505-1569A of the 2002-2003 General
 25 Appropriations Act, subsection (1) of section 252.373, Florida
 26 Statutes, is amended to read:

27 252.373 Allocation of funds; rules.--

28 (1)(a) Funds appropriated from the Emergency
 29 Management, Preparedness, and Assistance Trust Fund shall be
 30 allocated by the Department of Community Affairs as follows:
 31

1 1. Sixty percent to implement and administer state and
2 local emergency management programs, including training, of
3 which 20 percent shall be used by the division and 80 percent
4 shall be allocated to local emergency management agencies and
5 programs. Of this 80 percent, at least 80 percent shall be
6 allocated to counties.

7 2. Twenty percent to provide for state relief
8 assistance for nonfederally declared disasters, including but
9 not limited to grants and below-interest-rate loans to
10 businesses for uninsured losses resulting from a disaster.

11 3. Twenty percent for grants and loans to state or
12 regional agencies, local governments, and private
13 organizations to implement projects that will further state
14 and local emergency management objectives. These projects
15 must include, but need not be limited to, projects that will
16 promote public education on disaster preparedness and recovery
17 issues, enhance coordination of relief efforts of statewide
18 private sector organizations, and improve the training and
19 operations capabilities of agencies assigned lead or support
20 responsibilities in the state comprehensive emergency
21 management plan, including the State Fire Marshal's Office for
22 coordinating the Florida fire services. The division shall
23 establish criteria and procedures for competitive allocation
24 of these funds by rule. No more than 5 percent of any award
25 made pursuant to this subparagraph may be used for
26 administrative expenses. This competitive criteria must give
27 priority consideration to hurricane evacuation shelter
28 retrofit projects.

29 (b) Notwithstanding the provisions of paragraph (a),
30 and for the 2002-2003 ~~2001-2002~~ fiscal year only, the use up
31 ~~to-\$2.2-million-of-the-unencumbered-balance~~ of the Emergency

1 Management, Preparedness, and Assistance Trust Fund shall be
 2 as provided in the General Appropriations Act ~~utilized-to~~
 3 ~~improve, and increase the number of, disaster shelters within~~
 4 ~~the state and improve local disaster preparedness.~~ This
 5 paragraph expires on July 1, 2003 ~~2002~~.

6 Section 11. In order to implement Specific
 7 Appropriation 1498 of the 2002-2003 General Appropriations
 8 Act, subsection (8) of section 163.3184, Florida Statutes, is
 9 amended to read:

10 163.3184 Process for adoption of comprehensive plan or
 11 plan amendment.--

12 (8) NOTICE OF INTENT.--

13 (a) Except as provided in s. 163.3187(3), the state
 14 land planning agency, upon receipt of a local government's
 15 adopted comprehensive plan or plan amendment, shall have 45
 16 days for review and to determine if the plan or plan amendment
 17 is in compliance with this act, unless the amendment is the
 18 result of a compliance agreement entered into under subsection
 19 (16), in which case the time period for review and
 20 determination shall be 30 days. If review was not conducted
 21 under subsection (6), the agency's determination must be based
 22 upon the plan amendment as adopted. If review was conducted
 23 under subsection (6), the agency's determination of compliance
 24 must be based only upon one or both of the following:

25 1. The state land planning agency's written comments
 26 to the local government pursuant to subsection (6); or

27 2. Any changes made by the local government to the
 28 comprehensive plan or plan amendment as adopted.

29 (b)1. During the time period provided for in this
 30 subsection, the state land planning agency shall issue,
 31 through a senior administrator or the secretary, as specified

1 in the agency's procedural rules, a notice of intent to find
2 that the plan or plan amendment is in compliance or not in
3 compliance. A notice of intent shall be issued by publication
4 in the manner provided by this paragraph and by mailing a copy
5 to the local government and to persons who request notice.
6 The required advertisement shall be no less than 2 columns
7 wide by 10 inches long, and the headline in the advertisement
8 shall be in a type no smaller than 12 point. The advertisement
9 shall not be placed in that portion of the newspaper where
10 legal notices and classified advertisements appear. The
11 advertisement shall be published in a newspaper which meets
12 the size and circulation requirements set forth in paragraph
13 (15)(c) and which has been designated in writing by the
14 affected local government at the time of transmittal of the
15 amendment. Publication by the state land planning agency of a
16 notice of intent in the newspaper designated by the local
17 government shall be prima facie evidence of compliance with
18 the publication requirements of this section.

19 2. For fiscal year 2002-2003 ~~2004-2002~~ only, the
20 provisions of this subparagraph shall supersede the provisions
21 of subparagraph 1. During the time period provided for in this
22 subsection, the state land planning agency shall issue,
23 through a senior administrator or the secretary, as specified
24 in the agency's procedural rules, a notice of intent to find
25 that the plan or plan amendment is in compliance or not in
26 compliance. A notice of intent shall be issued by publication
27 in the manner provided by this paragraph and by mailing a copy
28 to the local government. The advertisement shall be placed in
29 that portion of the newspaper where legal notices appear. The
30 advertisement shall be published in a newspaper that meets the
31 size and circulation requirements set forth in paragraph

1 (15)(c) and that has been designated in writing by the
2 affected local government at the time of transmittal of the
3 amendment. Publication by the state land planning agency of a
4 notice of intent in the newspaper designated by the local
5 government shall be prima facie evidence of compliance with
6 the publication requirements of this section. The state land
7 planning agency shall post a copy of the notice of intent on
8 the agency's Internet site. The agency shall, no later than
9 the date the notice of intent is transmitted to the newspaper,
10 send by regular mail a courtesy informational statement to
11 persons who provide their names and addresses to the local
12 government at the transmittal hearing or at the adoption
13 hearing where the local government has provided the names and
14 addresses of such persons to the department at the time of
15 transmittal of the adopted amendment. The informational
16 statements shall include the name of the newspaper in which
17 the notice of intent will appear, the approximate date of
18 publication, the ordinance number of the plan or plan
19 amendment, and a statement that affected persons have 21 days
20 after the actual date of publication of the notice to file a
21 petition. This subparagraph expires July 1, 2003 ~~2002~~.

22 Section 12. In order to implement Specific
23 Appropriation 1760A of the 2002-2003 General Appropriations
24 Act, subsection (6) is added to section 375.041, Florida
25 Statutes, to read:

26 375.041 Land Acquisition Trust Fund.--

27 (6) For the 2002-2003 fiscal year only, the use of
28 funds allocated to the Land Acquisition Trust Fund shall be as
29 provided in the General Appropriations Act. This subsection
30 expires July 1, 2003.
31

1 Section 13. In order to implement Specific
2 Appropriations 1760A and 1768A of the 2002-2003 General
3 Appropriations Act, subsection (7) is added to section
4 403.709, Florida Statutes, to read:

5 403.709 Solid Waste Management Trust Fund; use of
6 waste tire fee moneys; waste tire site management.--

7 (7) For the 2002-2003 fiscal year only, the use of
8 funds allocated to the Solid Waste Management Trust Fund shall
9 be as provided in the General Appropriations Act. This
10 subsection expires July 1, 2003.

11 Section 14. In order to implement Specific
12 Appropriation 1819 of the 2002-2003 General Appropriations
13 Act, subsection (8) of section 403.7095, Florida Statutes, is
14 amended to read:

15 403.7095 Solid waste management grant program.--

16 (8) Notwithstanding the provisions of this section,
17 for fiscal year 2002-2003 ~~2004-2002~~ only, the department shall
18 provide solid waste management and recycling grants only to
19 counties with populations under 100,000. Such grants must be
20 at least 80 percent of the level of funding they received in
21 fiscal year 2000-2001. This subsection expires July 1, 2003
22 ~~2002~~.

23 Section 15. In order to implement Specific
24 Appropriation 2095 of the 2002-2003 General Appropriations
25 Act:

26 (1) Notwithstanding section 332.007, Florida Statutes,
27 any airport with direct intercontinental passenger service,
28 located in a county with a population of under 400,000 as of
29 the effective date of this act, which has a loan from the
30 Department of Transportation due in August of 2002, will have
31 such loan extended until September 18, 2008.

1 (2) Notwithstanding section 332.007, Florida Statutes,
 2 any airport with direct intercontinental passenger service,
 3 located in a county with a population of under 400,000 as of
 4 the effective date of this act, which has loans from the
 5 Department of Transportation due in March 2008, July 2009, and
 6 September 2009, will have such loans consolidated and repaid
 7 in full by September 18, 2009.

8 Section 16. In order to implement Specific
 9 Appropriations 2776-2780 of the 2002-2003 General
 10 Appropriations Act, subsection (4) of section 287.161, Florida
 11 Statutes, is amended to read:

12 287.161 Executive aircraft pool; assignment of
 13 aircraft; charge for transportation.--

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

27 Section 17. In order to implement section 8 of the
 28 2002-2003 General Appropriations Act, section 110.1239,
 29 Florida Statutes, is amended to read:

30 110.1239 State group health insurance program
 31 funding.--For the 2002-2003 ~~2004-2002~~ fiscal year only, it is

1 the intent of the Legislature that the state group health
 2 insurance program be managed, administered, operated, and
 3 funded in such a manner as to maximize the protection of state
 4 employee health insurance benefits. Inherent in this intent is
 5 the recognition that the health insurance liabilities
 6 attributable to the benefits offered state employees should be
 7 fairly, orderly, and equitably funded. Accordingly:

8 (1) The division shall determine the level of premiums
 9 necessary to fully fund the state group health insurance
 10 program for the next fiscal year. Such determination shall be
 11 made after each revenue estimating conference on health
 12 insurance as provided in s. 216.136(1), but not later than
 13 December 1 and April 1 of each fiscal year.

14 (2) The Governor, in the Governor's recommended
 15 budget, shall provide premium rates necessary for full funding
 16 of the state group health insurance program, and the
 17 Legislature shall provide in the General Appropriations Act
 18 for a premium level necessary for full funding of the state
 19 group health insurance program.

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

24 (4) This section expires July 1, 2003 ~~2002~~.

25 Section 18. In order to implement section 8 of the
 26 2002-2003 General Appropriations Act, subsection (7) of
 27 section 110.12315, Florida Statutes, is amended to read:

28 110.12315 Prescription drug program.--The state
 29 employees' prescription drug program is established. This
 30 program shall be administered by the Department of Management
 31 Services, according to the terms and conditions of the plan as

1 established by the relevant provisions of the annual General
2 Appropriations Act and implementing legislation, subject to
3 the following conditions:

4 (7) Notwithstanding the provisions of subsections (1)
5 and (2), under the state employees' prescription drug program
6 copayments must be made as follows:

7 (a) Effective January 1, 2001:

- 8 1. For generic drug with card.....\$7.
- 9 2. For preferred brand name drug with card.....\$20.
- 10 3. For nonpreferred brand name drug with card.....\$35.
- 11 4. For generic mail order drug.....\$10.50.
- 12 5. For preferred brand name mail order drug.....\$30.
- 13 6. For nonpreferred brand name drug.....\$52.50.

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

18
19 This subsection expires July 1, 2003 ~~2002~~.

20 Section 19. A section of this act that implements a
21 specific appropriation or specifically identified proviso
22 language in the 2002-2003 General Appropriations Act is void
23 if the specific appropriation or specifically identified
24 proviso language is vetoed. A section of this act that
25 implements more than one specific appropriation or more than
26 one portion of specifically identified proviso language in the
27 2002-2003 General Appropriations Act is void if all the
28 specific appropriations or portions of specifically identified
29 proviso language are vetoed.

30 Section 20. The agency performance measures and
31 standards in the document entitled "Agency Performance

1 Measures and Standards for Fiscal Year 2002-2003" dated
2 February 22, 2002, and filed with the Secretary of the Senate
3 are incorporated by reference. Such performance measures and
4 standards are directly linked to the appropriations made in
5 the General Appropriations Act for fiscal year 2002-2003, as
6 required by the Government Performance and Accountability Act
7 of 1994. State agencies are directed to revise their
8 Long-Range Program Plans required under section 216.013,
9 Florida Statutes, to be consistent with these performance
10 measures and standards.

11 Section 21. It is the policy of the state that funds
12 provided in the 2002-2003 General Appropriations Act may not
13 be expended for contracts in excess of \$5,000 for
14 noncommercial sustained announcements or for public-service
15 announcements unless specifically approved by the Legislative
16 Budget Commission.

17 Section 22. Except as otherwise specifically provided
18 in this act, this act shall take effect July 1, 2002; or, in
19 the event this act fails to become a law until after that
20 date, it shall take effect upon becoming a law and shall
21 operate retroactively to July 1, 2002.
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SENATE SUMMARY

Implements the 2002-2003 General Appropriations Act.