

Bill No. SB 1110

Barcode 134704

601-1951C-07

Proposed Committee Substitute by the Committee on General  
Government Appropriations

1                                   A bill to be entitled

2           An act implementing the 2007-2008 General

3           Appropriations Act; providing legislative

4           intent; authorizing the Executive Office of the

5           Governor to transfer funds between departments

6           for purposes of aligning amounts paid for risk

7           management premiums and for purposes of

8           aligning amounts paid for human resource

9           management services; reenacting s. 287.17(3)(a)

10          and (6), F.S.; authorizing the use of state

11          aircraft for commuting; providing for the

12          future expiration of certain amendments to such

13          provisions; amending s. 255.249, F.S.;

14          requiring the Department of Management Services

15          to annually publish and furnish to the Governor

16          and the Legislature a master leasing report;

17          deleting provisions requiring the department to

18          submit a report of leases that are due to

19          expire and amendments and supplements to and

20          waivers of the terms and conditions of lease

21          agreements; requiring state agencies to provide

22          information concerning space needs to the

23          Department of Management Services; delaying the

24          expiration of provisions requiring that

25          specified clauses, which may not be amended,

26          supplemented, or waived, be included in the

27          terms and conditions of a lease; authorizing

28          the Department of Management Services to

29          contract for services in carrying out the

30          strategic leasing plan; providing for future

31          expiration of such provisions; amending s.

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1           255.25, F.S.; authorizing state agencies to use  
2           the services of a tenant broker; authorizing  
3           the department to procure a term contract for  
4           real estate consulting and brokerage services;  
5           providing requirements for such contract;  
6           providing for future expiration of such  
7           provisions; requiring an annual report to the  
8           Legislature and the Governor; amending s.  
9           255.503, F.S.; requiring that the department  
10          provide an analysis to the Legislature, the  
11          Governor, and the Division of Bond Finance of  
12          the State Board of Administration relating to  
13          the disposition of a facility within the  
14          Florida Facilities Pool; directing the  
15          Department of Environmental Protection to make  
16          specified awards of grant moneys for  
17          pollution-control purposes; amending s.  
18          320.08058, F.S.; revising requirements for  
19          distributing the proceeds from the annual use  
20          fee for the Florida panther license plate;  
21          providing for future expiration of such  
22          revision; amending s. 550.135, F.S.; revising  
23          the distribution of revenues deposited into the  
24          Pari-mutuel Wagering Trust Fund; providing for  
25          such funds to be used for additional purposes  
26          relating to the regulation of slot machine  
27          gaming; requiring that certain unappropriated  
28          funds be deposited into the General Revenue  
29          Fund; providing for future expiration of such  
30          provisions; amending s. 581.031, F.S.;

31          authorizing the Department of Agriculture and

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1           Consumer Services to conduct research projects  
2           concerning citrus disease; providing for future  
3           expiration of such authorization; amending s.  
4           570.20, F.S.; authorizing moneys in the General  
5           Inspection Trust Fund to be appropriated for  
6           certain programs operated by the Department of  
7           Agriculture and Consumer Services; providing a  
8           finding that the authorization and issuance of  
9           certain debt is in the best interest of the  
10          state; providing for the effect of a veto of a  
11          specific appropriation or proviso to which  
12          implementing language refers; providing for the  
13          continued operation of certain provisions  
14          notwithstanding a future repeal or expiration  
15          provided by the act; providing for  
16          severability; providing effective dates.

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

20           Section 1. It is the intent of the Legislature that  
21 the implementing and administering provisions of this act  
22 apply to the General Appropriations Act for the 2007-2008  
23 fiscal year.

24           Section 2. In order to implement the appropriation of  
25 funds in Special Categories-Risk Management Insurance of the  
26 2007-2008 General Appropriations Act, and pursuant to the  
27 notice, review, and objection procedures of s. 216.177,  
28 Florida Statutes, the Executive Office of the Governor is  
29 authorized to transfer funds appropriated in the appropriation  
30 category "Special Categories-Risk Management Insurance" of the  
31 2007-2008 General Appropriations Act between departments in

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1 order to align the budget authority granted with the premiums  
2 paid by each department for risk management insurance. This  
3 section expires July 1, 2008.

4       Section 3. In order to implement the appropriation of  
5 funds in Special Categories-Transfer to Department of  
6 Management Services-Human Resources Services Purchased Per  
7 Statewide Contract of the 2007-2008 General Appropriations  
8 Act, and pursuant to the notice, review, and objection  
9 procedures of s. 216.177, Florida Statutes, the Executive  
10 Office of the Governor is authorized to transfer funds  
11 appropriated in the appropriation category "Special  
12 Categories-Transfer to Department of Management Services-Human  
13 Resources Services Purchased Per Statewide Contract" of the  
14 2007-2008 General Appropriations Act between departments in  
15 order to align the budget authority granted with the  
16 assessments that must be paid by each agency to the Department  
17 of Management Services for human resource management services.  
18 This section expires July 1, 2008.

19       Section 4. In order to implement Specific  
20 Appropriations 2942-2950 of the 2007-2008 General  
21 Appropriations Act, paragraph (a) of subsection (3) and  
22 subsection (6) of section 287.17, Florida Statutes, are  
23 reenacted to read:

24       287.17 Limitation on use of motor vehicles and  
25 aircraft.--

26       (3)

27       (a) The term "official state business" may not be  
28 construed to permit the use of a motor vehicle for commuting  
29 purposes, unless special assignment of a motor vehicle is  
30 authorized as a prerequisite by the Department of Management  
31 Services, required by an employee after normal duty hours to

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1 perform duties of the position to which assigned, or  
2 authorized for an employee whose home is the official base of  
3 operation.

4 (6) It is the intention of the Legislature that  
5 persons traveling on state aircraft for purposes consistent  
6 with, but not necessarily constituting, official state  
7 business may travel only when accompanying persons who are  
8 traveling on official state business and that such persons  
9 shall pay the state for all costs associated with such travel.  
10 Notwithstanding paragraph (3)(a), a person traveling on state  
11 aircraft for purposes other than official state business shall  
12 pay for any trip not exclusively for state business by paying  
13 a prorated share of all fixed and variable expenses related to  
14 the ownership, operation, and use of such aircraft.

15 Section 5. The amendment of s. 287.17, Florida  
16 Statutes, as carried forward by this act from chapters 2005-71  
17 and 2006-26, Laws of Florida, shall expire July 1, 2008, and  
18 the text of that section shall revert to that in existence on  
19 June 30, 2005, except that any amendments to such text enacted  
20 other than by chapters 2005-71 and 2006-26, Laws of Florida,  
21 shall be preserved and continue to operate to the extent that  
22 such amendments are not dependent upon the portions of such  
23 text which expire pursuant to this section.

24 Section 6. In order to implement Specific  
25 Appropriations 2915-2928 of the 2007-2008 General  
26 Appropriations Act, subsections (3) and (4) of section  
27 255.249, Florida Statutes, are amended, and subsection (6) is  
28 added to that section, to read:

29 255.249 Department of Management Services;  
30 responsibility; department rules.--

31 (3)(a) The department shall, to the extent feasible,

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1 coordinate the vacation of privately owned leased space with  
2 the expiration of the lease on that space and, when a lease is  
3 terminated before expiration of its base term, will make a  
4 reasonable effort to place another state agency in the space  
5 vacated. Any state agency may lease the space in any building  
6 that was subject to a lease terminated by a state agency for a  
7 period of time equal to the remainder of the base term without  
8 the requirement of competitive bidding.

9 (b) The department shall annually publish a master  
10 leasing report ~~that lists, by agency, all leases that are due~~  
11 ~~to expire within 24 months. The annual report must include the~~  
12 ~~following information for each lease: location; size of leased~~  
13 ~~space; current cost per leased square foot; lease expiration~~  
14 ~~date; and a determination of whether sufficient state-owned~~  
15 ~~office space will be available at the expiration of the lease~~  
16 ~~to house affected employees. The report must also include a~~  
17 ~~list of amendments and supplements to and waivers of terms and~~  
18 ~~conditions in lease agreements that have been approved~~  
19 ~~pursuant to s. 255.25(2)(a) during the previous 12 months and~~  
20 ~~an associated comprehensive analysis, including financial~~  
21 ~~implications, showing that any amendment, supplement, or~~  
22 ~~waiver is in the state's long-term best interest. The~~  
23 department shall furnish the master leasing ~~this~~ report to the  
24 Executive Office of the Governor and the Legislature by  
25 September 15 of each year which provides the following  
26 information: ~~This paragraph expires July 1, 2007.~~

27 1. A list, by agency and by geographic market, of all  
28 leases that are due to expire within 24 months.

29 2. Details of each lease, including location, size,  
30 cost per leased square foot, lease-expiration date, and a  
31 determination of whether sufficient state-owned office space

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1 will be available at the expiration of the lease to  
2 accommodate affected employees.

3 3. A list of amendments and supplements to and waivers  
4 of terms and conditions in lease agreements that have been  
5 approved pursuant to s. 255.25(2)(a) during the previous 12  
6 months and an associated comprehensive analysis, including  
7 financial implications, showing that any amendment,  
8 supplement, or waiver is in the state's long-term best  
9 interest.

10 4. Financial impacts to the pool rental rate due to  
11 the sale, removal, acquisition, or construction of pool  
12 facilities.

13 5. Changes in occupancy rate, maintenance costs, and  
14 efficiency costs of leases in the state portfolio. Changes to  
15 occupancy costs in leased space by market and changes to space  
16 consumption by agency and by market.

17 6. An analysis of portfolio supply and demand.

18 7. Cost-benefit analyses of acquisition, build, and  
19 consolidation opportunities, recommendations for strategic  
20 consolidation, and strategic recommendations for disposition,  
21 acquisition, and building.

22 8. The updated plan required by s. 255.25(4)(c).

23 (c) By June 30 of each year, each state agency shall  
24 annually provide to the department all information regarding  
25 agency programs affecting the need for or use of space by that  
26 agency, reviews of lease-expiration schedules for each  
27 geographic area, active and planned full-time equivalent data,  
28 business case analyses related to consolidation plans by an  
29 agency, and current occupancy and relocation costs, inclusive  
30 of furnishings, fixtures and equipment, data, and  
31 communications.

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1 (4) The department shall adopt ~~promulgate~~ rules  
2 pursuant to chapter 120 providing:

3 (a) Methods for accomplishing the duties outlined in  
4 subsection (1).

5 (b) Procedures for soliciting and accepting  
6 competitive proposals for leased space of 5,000 square feet or  
7 more in privately owned buildings, for evaluating the  
8 proposals received, for exemption from competitive bidding  
9 requirements of any lease the purpose of which is the  
10 provision of care and living space for persons or emergency  
11 space needs as provided in s. 255.25(10), and for the securing  
12 of at least three documented quotes for a lease that is not  
13 required to be competitively bid.

14 (c) A standard method for determining square footage  
15 or any other measurement used as the basis for lease payments  
16 or other charges.

17 (d) Methods of allocating space in both state-owned  
18 office buildings and privately owned buildings leased by the  
19 state based on use, personnel, and office equipment.

20 (e)1. Acceptable terms and conditions for inclusion in  
21 lease agreements.

22 2. Such terms and conditions shall include, at a  
23 minimum, the following clauses, which may not be amended,  
24 supplemented, or waived:

25 a. As provided in s. 255.2502, "The State of Florida's  
26 performance and obligation to pay under this contract is  
27 contingent upon an annual appropriation by the Legislature."

28 b. "The Lessee shall have the right to terminate,  
29 without penalty, this lease in the event a State-owned  
30 building becomes available to the Lessee for occupancy ~~in the~~  
31 ~~County of ....., Florida, during the term of said lease for~~

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1 ~~the purposes for which this space is being leased~~ upon giving  
2 6 months' advance written notice to the Lessor by Certified  
3 Mail, Return Receipt Requested."

4  
5 This subparagraph expires July 1, 2008 ~~2007~~.

6 (f) Maximum rental rates, by geographic areas or by  
7 county, for leasing privately owned space.

8 (g) A standard method for the assessment of rent to  
9 state agencies and other authorized occupants of state-owned  
10 office space, notwithstanding the source of funds.

11 (h) For full disclosure of the names and the extent of  
12 interest of the owners holding a 4-percent or more interest in  
13 any privately owned property leased to the state or in the  
14 entity holding title to the property, for exemption from such  
15 disclosure of any beneficial interest which is represented by  
16 stock in any corporation registered with the Securities and  
17 Exchange Commission or registered pursuant to chapter 517,  
18 which stock is for sale to the general public, and for  
19 exemption from such disclosure of any leasehold interest in  
20 property located outside the territorial boundaries of the  
21 United States.

22 (i) For full disclosure of the names of all public  
23 officials, agents, or employees holding any interest in any  
24 privately owned property leased to the state or in the entity  
25 holding title to the property, and the nature and extent of  
26 their interest, for exemption from such disclosure of any  
27 beneficial interest which is represented by stock in any  
28 corporation registered with the Securities and Exchange  
29 Commission or registered pursuant to chapter 517, which stock  
30 is for sale to the general public, and for exemption from such  
31 disclosure of any leasehold interest in property located

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1 outside the territorial boundaries of the United States.

2 (j) A method for reporting leases for nominal or no  
3 consideration.

4 (k) For a lease of less than 5,000 square feet, a  
5 method for certification by the agency head or the agency  
6 head's designated representative that all criteria for leasing  
7 have been fully complied with and for the filing of a copy of  
8 such lease and all supporting documents with the department  
9 for its review and approval as to technical sufficiency.

10 (6) The department may contract for real estate  
11 consulting or tenant brokerage services in order to carry out  
12 its duties relating to the strategic leasing plan. The  
13 contract shall be procured pursuant to s. 287.057. The vendor  
14 that is awarded the contract shall be compensated by the  
15 department, subject to the provisions of the contract, and  
16 such compensation is subject to appropriation by the  
17 Legislature. The real estate consultant or tenant broker may  
18 not receive compensation directly from a lessor for services  
19 that are rendered pursuant to the contract. Moneys paid to the  
20 real estate consultant or tenant broker are exempt from any  
21 charge imposed under s. 287.1345. Moneys paid by a lessor to  
22 the department under a facility-leasing arrangement are not  
23 subject to the charges imposed under s. 215.20.

24 Section 7. The amendments to s. 255.249, Florida  
25 Statutes, made by this act shall expire July 1, 2008, and the  
26 text of that section shall revert to that in existence on June  
27 29, 2007, except that any amendments to such text enacted  
28 other than by this act shall be preserved and continue to  
29 operate to the extent that such amendments are not dependent  
30 upon the portions of such text which expire pursuant to this  
31 section.

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1           Section 8. In order to implement Specific  
 2 Appropriations 2915-2928 of the 2007-2008 General  
 3 Appropriations Act, paragraph (d) of subsection (2) and  
 4 paragraph (c) of subsection (4) of section 255.25, Florida  
 5 Statutes, are amended, and paragraphs (f) and (g) are added to  
 6 subsection (3) of that section, to read:

7           255.25 Approval required prior to construction or  
 8 lease of buildings.--

9           (2)

10           (d) Notwithstanding paragraph (a) and except as  
 11 provided in ss. 255.249 and 255.2501, a state agency may not  
 12 lease a building or any part thereof unless prior approval of  
 13 the lease terms and conditions and of the need therefor is  
 14 first obtained from the Department of Management Services. The  
 15 department may not approve any term or condition in a lease  
 16 agreement which has been amended, supplemented, or waived  
 17 unless a comprehensive analysis, including financial  
 18 implications, demonstrates that such amendment, supplement, or  
 19 waiver is in the state's long-term best interest. Any approved  
 20 lease may include an option to purchase or an option to renew  
 21 the lease, or both, upon such terms and conditions as are  
 22 established by the department subject to final approval by the  
 23 head of the Department of Management Services and the  
 24 provisions of s. 255.2502. This paragraph expires July 1, 2008  
 25 ~~2007~~.

26           (3)

27           (f) Notwithstanding s. 287.056(1), a state agency may,  
 28 at the sole discretion of the agency head or his or her  
 29 designee, use the services of a tenant broker to assist with a  
 30 competitive solicitation undertaken by the agency. In making  
 31 its determination whether to use a tenant broker, a state

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1 agency shall consult with the department. A state agency may  
 2 not use the services of a tenant broker unless the tenant  
 3 broker is under a term contract with the state which complies  
 4 with paragraph (g). If a state agency uses the services of a  
 5 tenant broker with respect to a transaction, the agency may  
 6 not enter into a lease with any landlord to which the tenant  
 7 broker is providing brokerage services for that transaction.

8 (g) The Department of Management Services may,  
 9 pursuant to s. 287.042(2)(a), procure a term contract for real  
 10 estate consulting and brokerage services. A state agency may  
 11 not purchase services from the contract unless the contract  
 12 has been procured under s. 287.057(1), (2), or (3) after March  
 13 1, 2007, and contains the following provisions or  
 14 requirements:

15 1. Awarded brokers must maintain an office or presence  
 16 in the market served. In awarding the contract, preference  
 17 must be given to brokers that are licensed in this state under  
 18 chapter 475 and that have 3 or more years of experience in the  
 19 market served. The contract may be made with up to three  
 20 tenant brokers in order to serve the marketplace in the north,  
 21 central, and south areas of the state.

22 2. Each contracted tenant broker shall work under the  
 23 direction, supervision, and authority of the state agency,  
 24 subject to the rules governing lease procurements.

25 3. The department shall provide training for the  
 26 awarded tenant brokers concerning the rules governing the  
 27 procurement of leases.

28 4. Tenant brokers must comply with all applicable  
 29 provisions of s. 475.278.

30 5. Real estate consultants and tenant brokers shall be  
 31 compensated by the state agency, subject to the provisions of

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1 the term contract, and such compensation is subject to  
 2 appropriation by the Legislature. A real estate consultant or  
 3 tenant broker may not receive compensation directly from a  
 4 lessor for services that are rendered under the term contract.  
 5 Moneys paid to a real estate consultant or tenant broker are  
 6 exempt from any charge imposed under s. 287.1345. Moneys paid  
 7 by a lessor to the state agency under a facility leasing  
 8 arrangement are not subject to the charges imposed under s.  
 9 215.20. All terms relating to the compensation of the real  
 10 estate consultant or tenant broker shall be specified in the  
 11 term contract and may not be supplemented or modified by the  
 12 state agency using the contract.

13 6. The department shall conduct periodic  
 14 customer-satisfaction surveys.

15 7. Each state agency shall report the following  
 16 information to the department:

17 a. The number of leases that adhere to the goal of the  
 18 workspace-management initiative of 180 square feet per FTE.

19 b. The quality of space leased and the adequacy of  
 20 tenant-improvement funds.

21 c. The timeliness of lease procurement, measured from  
 22 the date of the agency's request to the finalization of the  
 23 lease.

24 d. Whether cost-benefit analyses were performed before  
 25 execution of the lease in order to ensure that the lease is in  
 26 the best interest of the state.

27 e. The lease costs compared to market rates for  
 28 similar types and classifications of space according to the  
 29 official classifications of the Building Owners and Managers  
 30 Association.

31 (4)

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1           (c) Because the state has a substantial financial  
2 investment in state-owned buildings, it is legislative policy  
3 and intent that when state-owned buildings meet the needs of  
4 state agencies, agencies must fully use such buildings before  
5 leasing privately owned buildings. By September 15, 2006, the  
6 Department of Management Services shall create a 5-year plan  
7 for implementing this policy. The department shall update this  
8 plan annually, detailing proposed departmental actions to meet  
9 the plan's goals and shall furnish this plan annually as part  
10 of the master leasing report. ~~The department shall furnish~~  
11 ~~this plan to the President of the Senate, the Speaker of the~~  
12 ~~House of Representatives, and the Executive Office of the~~  
13 ~~Governor by September 15 of each year.~~ This paragraph expires  
14 July 1, 2008 ~~2007~~.

15           Section 9. The amendments to s. 255.25, Florida  
16 Statutes, made by this act shall expire July 1, 2008, and the  
17 text of that section shall revert to that in existence on June  
18 29, 2007, except that any amendments to such text enacted  
19 other than by this act shall be preserved and continue to  
20 operate to the extent that such amendments are not dependent  
21 upon the portions of such text which expire pursuant to this  
22 section.

23           Section 10. In order to implement Specific  
24 Appropriations 2915-2928 of the 2007-2008 General  
25 Appropriations Act, subsection (7) of section 255.503, Florida  
26 Statutes, is amended to read:

27           255.503 Powers of the Department of Management  
28 Services.--The Department of Management Services shall have  
29 all the authority necessary to carry out and effectuate the  
30 purposes and provisions of this act, including, but not  
31 limited to, the authority to:

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1           (7)(a) Sell, lease, release, or otherwise dispose of  
2 facilities in the pool in accordance with applicable law.

3           (b) No later than the date upon which the department  
4 recommends to the Division of State Lands of the Department of  
5 Environmental Protection the disposition of any facility  
6 within the Florida Facilities Pool, the department shall  
7 provide to the President of the Senate, the Speaker of the  
8 House of Representatives, the Executive Office of the  
9 Governor, and the Division of Bond Finance of the State Board  
10 of Administration an analysis that includes:

11           1. The cost benefit of the proposed facility  
12 disposition, including the facility's current operating  
13 expenses, condition, and market value, and viable alternatives  
14 for work space for impacted state employees.

15           2. The effect of the proposed facility disposition on  
16 the financial status of the Florida Facilities Pool, including  
17 the effect on rental rates and coverage requirement for the  
18 bonds.

19  
20 This paragraph expires July 1, 2008 ~~2007~~.

21           Section 11. Notwithstanding s. 403.7095, Florida  
22 Statutes, in order to implement Specific Appropriation 1907 of  
23 the 2007-2008 General Appropriations Act, the Department of  
24 Environmental Protection shall award:

25           (1) \$6,500,000 in grants equally to counties having  
26 populations of fewer than 100,000 for waste tire, litter  
27 prevention, recycling and education, and general solid waste  
28 programs.

29           (2) \$2,941,932 to be used for Innovative Grants.

30  
31 This section expires July 1, 2008.

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1           Section 12. Subsection (5) of section 320.08058,  
2 Florida Statutes, is amended to read:

3           320.08058 Specialty license plates.--

4           (5) FLORIDA PANTHER LICENSE PLATES.--

5           (a) The department shall develop a Florida panther  
6 license plate as provided in this section. Florida panther  
7 license plates must bear the design of a Florida panther and  
8 the colors that department approves. In small letters, the  
9 word "Florida" must appear at the bottom of the plate.

10           (b) The department shall distribute the Florida  
11 panther license plate annual use fee to ~~in the following~~  
12 ~~manner:~~

13           ~~1. Eighty-five percent must be deposited in the~~  
14 Florida Panther Research and Management Trust Fund in the Fish  
15 and Wildlife Conservation Commission to be used for education  
16 and programs to protect the endangered Florida panther.

17           ~~2. Fifteen percent, but no less than \$300,000, must be~~  
18 ~~deposited in the Florida Communities Trust Fund to be used~~  
19 ~~pursuant to the Florida Communities Trust Act.~~

20           (c) A person or corporation that purchases 10,000 or  
21 more panther license plates shall pay an annual use fee of \$5  
22 per plate and an annual processing fee of \$2 per plate, in  
23 addition to the applicable license tax required under s.  
24 320.08.

25           Section 13. The amendments to s. 320.08058, Florida  
26 Statutes, made by this act shall expire July 1, 2008, and the  
27 text of that section shall revert to that in existence on June  
28 29, 2007, except that any amendments to such text enacted  
29 other than by this act shall be preserved and continue to  
30 operate to the extent that such amendments are not dependent  
31 upon the portions of the text which expire pursuant to this

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1 section.

2 Section 14. Section 550.135, Florida Statutes, is  
3 amended to read:

4 550.135 Division of moneys derived under this  
5 law.--All moneys that are deposited with the Chief Financial  
6 Officer to the credit of the Pari-mutuel Wagering Trust Fund  
7 shall be distributed as follows:

8 (1)(a) The daily license fee revenues collected  
9 pursuant to this chapter ~~s. 550.0951(1)~~ shall be used to fund  
10 the operating cost of the division and to provide a  
11 proportionate share for ~~of~~ the operation of the office of the  
12 secretary and the Division of Administration of the Department  
13 of Business and Professional Regulation; however, other  
14 collections in the Pari-mutuel Wagering Trust Fund may also be  
15 used to fund the operation of the division in accordance with  
16 authorized appropriations.

17 (b) The revenues collected pursuant to chapter 551  
18 shall be used to fund the operating costs of the division and  
19 the Department of Law Enforcement in carrying out regulation  
20 and enforcement activities with respect to slot machine gaming  
21 and to provide a proportionate share for the operation of the  
22 office of the secretary and the Division of Administration of  
23 the Department of Business and Professional Regulation.

24 (2)(a) On June 30 of each year, all unappropriated  
25 funds collected pursuant to this chapter in excess of \$1.5  
26 million ~~in the Pari-mutuel Wagering Trust Fund~~ shall be  
27 deposited with the Chief Financial Officer to the credit of  
28 the General Revenue Fund.

29 (b) On June 30 of each year, all unappropriated funds  
30 collected pursuant to chapter 551 in excess of the sum of the  
31 amounts appropriated in the General Appropriations Act for the

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1 following fiscal year for the uses permitted in subsection (1)  
2 shall be deposited with the Chief Financial Officer to the  
3 credit of the General Revenue Fund.

4 Section 15. The amendments to s. 550.135, Florida  
5 Statutes, made by this act shall expire July 1, 2008, and the  
6 text of that section shall revert to that in existence on June  
7 29, 2007, except that any amendments to such text enacted  
8 other than by this act shall be preserved and continue to  
9 operate to the extent that such amendments are not dependent  
10 upon the portions of the text which expire pursuant to this  
11 section.

12 Section 16. Subsection (32) is added to section  
13 581.031, Florida Statutes, to read:

14 581.031 Department; powers and duties.--The department  
15 has the following powers and duties:

16 (32) To conduct or cause to be conducted those  
17 research projects on citrus disease, including, but not  
18 limited to, citrus canker and citrus greening, which are  
19 recommended by the Florida Citrus Production Research Advisory  
20 Council, within the limits of appropriations made specifically  
21 for such purpose. This subsection expires July 1, 2008.

22 Section 17. In order to implement Specific  
23 Appropriations 1426-1600 of the 2007-2008 General  
24 Appropriations Act, section 570.20, Florida Statutes, is  
25 amended to read:

26 570.20 General Inspection Trust Fund.--

27 (1) All donations and all inspection fees and other  
28 funds authorized and received from whatever source in the  
29 enforcement of the inspection laws administered by the  
30 department shall be paid into the General Inspection Trust  
31 Fund of Florida, which is created in the office of the Chief

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1 Financial Officer. All expenses incurred in carrying out the  
 2 provisions of the inspection laws shall be paid from this fund  
 3 as other funds are paid from the State Treasury. A percentage  
 4 of all revenue deposited in this fund, including transfers  
 5 from any subsidiary accounts, shall be deposited in the  
 6 General Revenue Fund pursuant to chapter 215, except that  
 7 funds collected for marketing orders shall pay at the rate of  
 8 3 percent.

9 (2) For the 2007-2008 fiscal year only and  
 10 notwithstanding any other provision of law to the contrary, in  
 11 addition to the spending authorized in subsection (1), moneys  
 12 in the General Inspection Trust Fund may be appropriated for  
 13 programs operated by the department which are related to the  
 14 programs authorized by this chapter. This subsection expires  
 15 July 1, 2008.

16 Section 18. In order to implement the issuance of new  
 17 debt authorized in the 2007-2008 General Appropriations Act,  
 18 and pursuant to the requirements of s. 215.98, Florida  
 19 Statutes, the Legislature determines that the authorization  
 20 and issuance of debt for the 2007-2008 fiscal year is in the  
 21 best interest of the state and should be implemented.

22 Section 19. A section of this act that implements more  
 23 than one specific appropriation or more than one portion of  
 24 specifically identified proviso language in the 2007-2008  
 25 General Appropriations Act is void if all the specific  
 26 appropriations or portions of specifically identified proviso  
 27 language are vetoed.

28 Section 20. If any other act passed in 2007 contains a  
 29 provision that is substantively the same as a provision in  
 30 this act, but that removes or is otherwise not subject to the  
 31 future repeal applied to such provision by this act, the

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1 Legislature intends that the provision in the other act shall  
2 take precedence and shall continue to operate, notwithstanding  
3 the future repeal provided by this act.

4       Section 21. If any provision of this act or its  
5 application to any person or circumstance is held invalid, the  
6 invalidity does not affect other provisions or applications of  
7 the act which can be given effect without the invalid  
8 provision or application, and to this end the provisions of  
9 this act are severable.

10       Section 22. Except as otherwise expressly provided in  
11 this act, this act shall take effect June 30, 2007; or, if  
12 this act fails to become a law until after that date, it shall  
13 take effect upon becoming a law and shall operate  
14 retroactively to June 30, 2007.

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