

**SB 2502 — Appropriations Implementing**

by Fiscal Policy Committee

This bill provides additional and more detailed instructions to agencies of government for which funds have been appropriated so that those agencies will be better able to carry out and to implement the intentions of the legislature which have been manifested in the General Appropriations Act.

This bill amends the following sections of the Florida Statutes: 394.908, 409.9115, 409.9116, 216.181, 402.3015, 39.3065, 409.912, 287.084, 212.20, 403.7095, 110.1239, 373.59, 259.032, 110.205, 287.161, 403.1826, 110.12315, 15.09, 253.034, 334.0445, 240.3341, 240.2605, and 235.014.

**Section 1.** Legislative intent.

**Section 2.** Administers funds to the Department of Children and Family Services, which are to be used to increase the adult mental health equity funding in districts 4, 7, and 11. (Implements Specific Appropriation 345 through 356 of the 1999-2000 General Appropriations Act.)

**Section 3.** Continue the current mental health disproportionate share formula. (Implements Specific Appropriation 268 of the 1999-2000 General Appropriations Act, and amends s. 409.9115(3), F.S., 1998 Supp.)

**Section 4.** Requires the Agency for Health Care Administration to use the 1992-1993 disproportionate share formula, 1989 audited financial data, and the Medicaid per diem rate as of January 1, 1992, for those hospitals that qualify for the hospital disproportionate share program. (Implements Specific Appropriation 243 of the 1999-2000 General Appropriations Act.)

**Section 5.** Continues the current formula for rural hospital disproportionate share payments. (Implements Specific Appropriation 236 of the 1999-2000 General Appropriations Act, s. 409.9116 (6), F.S., 1998 Supp.)

**Section 6.** Authorizes the Department of Children and Family Services and the Department of Health to advance money to contract providers. (Implements Specific Appropriations 292 through 425, and 445 through 540 of the 1999-2000 General Appropriations Act, and amends s. 216.181 (15)(c), F.S., 1998 Supp.)

**Section 7.** Requires the Agency for Health Care Administration to include health maintenance organization recipients in the county billing for inpatient hospital stays. (Implements Specific Appropriation 243 of the 1999-2000 General Appropriations Act.)

**Section 8.** Allows the Departments of Children and Family Services, Revenue, Labor and Employment Security, Health and the Agency for Health Care Administration to transfer positions and general revenue funds as necessary to comply with any provision of the 1999-2000 General Appropriations Act or WAGES Act which requires or specifically authorizes the transfer of positions and general revenue funds between these agencies.

**Section 9.** Expands eligibility for subsidized child care to children up to 200 percent of poverty who are enrolled in the Child Care Executive Partnership Program. (Implements Specific Appropriation 372 of the 1999-2000 General Appropriations Act, and amends s. 402.3015, F.S.)

**Section 10.** Authorizes the Department of Children and Family Services to use operating funds from developmental services institutions for fixed capital improvements necessary to bring unlicensed beds up to federal ICF/DD standards. (Implements Specific Appropriations 420 through 425 of the 1999-2000 General Appropriations Act, and amends s. 216.181(16), F.S., 1998 Supp.)

**Section 11.** Requires the Agency for Health Care Administration to take any necessary lawfully authorized action to ensure that total expenditures for Medicaid transportation remain within the amount budgeted in the 1999-2000 General Appropriations Act. (Implements Specific Appropriation 255 of the 1999-2000 General Appropriations Act.)

**Section 12.** Amends s. 39.3065, F.S., to require the Broward, Pasco, Manatee, and Pinellas County Sheriffs to conduct all child protective investigations in those counties. (Implements Specific Appropriations 359E of the 1999-2000 General Appropriations Act, and amends s. 39.3065, F.S., 1998 Supp.)

**Section 13.** Establishes guidelines for all contracted Healthy Family Florida service providers. (Implements Specific Appropriations 363B of the 1999-2000 General Appropriations Act.)

**Section 14.** Until March 1, 2000, exempts from HMO licensure requirements, federally qualified health center or owned by one or more federally qualified health centers or an entity owned by other migrant and community health centers receiving non-Medicaid financial support from the federal government. (Implements Specific Appropriations 260, of the 1999-2000 General Appropriations Act, and amends s. 409.912(3)(c), F.S.)

**Section 15.** Amends s. 409.912, F.S. to require Agency for Health Care Administration to develop prescription practice pattern guidelines, sanction abusers, educate patients and providers, and detect fraud. (Implements Specific Appropriations 261 of the 1999-2000 General Appropriations Act, and amends s. 409.912(13), F.S.)

**Section 16.** Gives consideration to in-state vendors for RFP for telemedicine pilot in Glades School District. (Implements Specific Appropriation 490 of the 1999-2000 General Appropriations Act and amends s. 287.084(3), F.S. )

**Section 17.** Requires a study for removal of outpatient reimbursement and individual provider reimbursement caps for teaching and specialty hospitals. A report, considering all direct ancillary costs associated with out-patient services, is to be submitted to the President of the Senate and Speaker of the House of Representatives no later than September 1, 1999. (Implements Specific Appropriation 243 of the 1999-2000 General Appropriations Act.)

**Section 18.** Clarifies definition of billing agent services; requires Agency for Health Care Administration to develop a cost-based reimbursement schedule for school-based Medicaid services . (Implements Specific Appropriation 276 of the 1999-2000 General Appropriations Act and amends s. 409.971, F.S.)

**Section 19.** Allows for implementation of specific appropriations for the Florida Department of Law Enforcement for the 1999-2000 General Appropriations Act. (Implements Specific Appropriation 973, 982, 987, and 993 of the 1999-2000 General Appropriations Act, s. 216.181, (17), F.S., 1998 Supp.)

**Section 20.** Allows the Department of Law Enforcement to transfer up to 0.5 percent of certain appropriations to provide meritorious performance bonuses for employees, subject to approval. (Implements Specific Appropriations 973, 982, 987, and 993 of the 1999-2000 General Appropriations Act.)

**Section 21.** Authorizes the Correctional Privatization Commission and the Department of Juvenile Justice to make expenditures to defray costs incurred by a municipality or county for privatized facilities. (Implements Specific Appropriation 573, of the 1999-2000 General Appropriations Act.)

**Section 22.** Allows for the transfer of \$15.5 million for surface water improvement and management projects and \$10 million for aquatic weed control. (Implements Specific Appropriation 1185 and 1189 of the 1999-2000 General Appropriations Act and amends s. 212.20 (7), F.S.,)

**Section 23.** Authorizes counties receiving funds for aquatic weed control as provided by s. 212.20 (7), F.S., to use these funds for recycling purposes. (Implements Specific Appropriation 1274 and 1276, of the 1999-2000 General Appropriations Act.)

**Section 24.** Provide solid waste and recycling grants (Implements Specific Appropriation 1274 and 1276, of the 1999-2000 General Appropriations Act and amends s. 403.7095(8) & (9), F.S., 1998 Supp.)

**Section 25.** Requires the Division of State Group Insurance to determine premium level to fully fund the program for 1999-2000. The Governor must include rates in his budget. Increased appropriations are state contribution, i.e. an increase in state premiums. (Implements Specific Appropriation 1535A of the 1999-2000 General Appropriations Act and amends s. 110.1239, F.S., Florida Supp.)

**Section 26.** Allows the Department of Environmental Protection to release funds to water management district for Surface Water Improvement (SWIM) and water resource planning purposes. Limits such releases until after debt service obligations and payments in lieu of taxes are met. (Implements Specific Appropriation 1205 of the 1999-2000 General Appropriations Act and amends s. 373.59, (17) F.S.)

**Section 27.** Allows the Administration Commission to approve exemptions from specified personnel, payroll, and benefit rules and laws in order to implement the Florida Financial Management and Information System pilot.

**Section 28.** Authorizes the appropriation of funds from the Conservation and Receptions Lands (CARL) Trust Fund for outdoor-recreation grants. (Implements Specific Appropriation 1326 of the 1999-2000 General Appropriations Act and amends s. 259.032 (15) F.S.)

**Section 29.** Repeals the requirement for repayment of a loan from the Pollution Recovery Trust Fund by the Department of Environmental Protection. (Implements Specific Appropriations 1210, 1212, 1222, 1223B and amends s. 86 of Chapter 93-213, Laws of Florida.)

**Section 30.** Grants select supervisors in the governor's office senior management service retirement benefits and grants all governor office employees benefits comparable to legislative staff. (Implements Specific Appropriation 1656 of the 1999-2000 General Appropriations Act and amends s. 110.205(2), F.S.)

**Section 31.** Provides parimutuel lab employees with the job protections they would have had if they had not been transferred from Department of Business and Professional

Regulation to the University of Florida. (Implements Specific Appropriation 1617 of the 1999-2000 General Appropriations Act.)

**Section 32.** Amends s. 287.161, F.S., relating to charges for the executive aircraft pool. Specifies the intent that the pool be operated on a full cost recovery basis, less available funds. (Implements Specific Appropriation 1928 of the 1999-2000 General Appropriations Act and amends s. 287.161 (4) F.S., 1998 Supp.)

**Section 33.** Allows CARL funds to manage additional state conservation and recreation lands. (Implements Specific Appropriation 1038D, 1038E, 1038F, 1038K, 1038L, 1368A, 1368D, 1370, 1368A, 1379, 1382B, 1382C, 1382D, 1382E, 1383, 1384, and 1379D of the 1999-2000 General Appropriations Act and amends s. 259.032 (11)(b) F.S., 1998 Supp.)

**Section 34.** Allows the Department of Environmental Protection to waive requirements for local government to accumulate funds needed in the future as a requirement for water pollution control and sewage treatment grants. (Implements Specific Appropriation 1243 of the 1999-2000 General Appropriations Act and amends s. 403.1826 (6) F.S.)

**Section 35.** Allows the Department of Agriculture and Consumer Services General Inspection Trust Fund to be used for any legal duty of the department. (Implements Specific Appropriation 1038A of the 1999-2000 General Appropriations Act.)

**Section 36.** Deeds to the Department of Agriculture and Consumer Services property in Orange County to be sold. Proceeds may be appropriated for Agriculture Regional Office Center in Polk County. (Implements Specific Appropriation 1038A of the 1999-2000 General Appropriations Act.)

**Section 37.** Increase in state employee health insurance prescription copayment levels. (Implements Specific Appropriation 1535A of the 1999-2000 General Appropriations Act and amends s. 110.12315(4), F.S.)

**Section 38.** Increase in state employee health insurance premium and copayment levels. (Implements Specific Appropriation 1535A of the 1999-2000 General Appropriations Act.)

**Section 39.** Authorizes the use of funds in the Public Access Data Systems Trust Fund for Department of State Operations. (Implements Specific Appropriation 1326 of the 1999-2000 General Appropriations Act and amends s. 15.09 (5) F.S.)

**Section 40.** Allows property owned by Department of Transportation, and used by Highway Safety & Motor Vehicles, to be sold with the proceeds to be deposited in the

State Transportation Trust Fund. (Implements Specific Appropriation 1412-1529 of the 1999-2000 General Appropriations Act and amends s. 253.034 (9) F.S., 1998 Supp.)

**Section 41.** Extends the Department of Transportation pilot on model career service classification and compensation system. (Implements Specific Appropriation 1412-1529 of the 1999-2000 General Appropriations Act and amends s. 334.0445, F.S.)

**Section 42.** Relieves the City of Milton of its obligation to repay the Department of Transportation for the relocation of water, gas, and sewer utilities under the agreements between the city and the department. (Implements Specific Appropriation 1509 of the 1999-2000 General Appropriations Act.)

**Section 43.** Amends s. 216.181, F.S., to allow transfer of salary rate to implement transfer of personnel to the new turnpike headquarters in Orange County. Requires report to Executive Office of the Governor and Legislature. (Implements Specific Appropriation 1412-1529 of the 1999-2000 General Appropriations Act and amends s. 216.181 (17) F.S.)

**Section 44.** Requires the funds provided in the General Appropriations Act for workforce development be allocated to the school district or community college as designated. (Implements Specific Appropriation 1326 of the 1999-2000 General Appropriations Act.)

**Section 45.** Military base job retention; limited transportation funding flexibility for the Governor. (Implements Specific Appropriation 1673 of the 1999-2000 General Appropriations Act and amends s. 288.063, F.S.)

**Section 46.** Allows community colleges to have leased (rather than owned) incubator facilities. (Implements Specific Appropriation 154 of the 1999-2000 General Appropriations Act and amends s. 240.3341, F.S.)

**Section 47.** Requires the Board of Regents to rank donations for challenge grants, new donations, major gifts and eminent scholars, that qualify for match, limiting match. (Implements Specific Appropriation 8E, 193A, and 195 of the 1999-2000 General Appropriations Act and amends s. 240.2605 (8) F.S.)

**Section 48.** Requires the Board of Regents to rank facility enhancement challenge grant donations that qualify for match, limiting match. (Implements Specific Appropriation 209A of the 1999-2000 General Appropriations Act.)

**Section 49.** Allows University of South Florida to use funds for the University of South Florida Engineering III project and the USF Psychology/CSD/Lab Building as match for private funds or USF Foundation funds previously expended for planning/design costs

related to the projects. (Implements Specific Appropriation 1326 of the 1999-2000 General Appropriations Act and amends s. 259.032 (15) F.S.)

**Section 50.** Permits up to \$3,000,000 to be used for updates to 5-year campus master plans.

**Section 51.** Estimates required for 3-year FCO plan from Board of Regents and Board of Community Colleges. (Implements Specific Appropriation 35, 36, 37, 38, 39, 42, 42A, and 43 of the 1999-2000 General Appropriations Act and amends s. 235.014, F.S., 1998 Supp.)

**Section 52.** Specifies that no Section shall take effect if the appropriations and proviso to which it relates are vetoed.

**Section 53.** Provides for a related act to take precedence.

**Section 54.** Identifies Performance-Base Program Budgeting outcome and output measures and associated standards for education: (Public Schools, Community Colleges, State University System, Workforce Development.)

For the Community College System, performance measures and standards will be used in 1999-2000 for two programs: the Associate of Arts (AA) degree program and the College Preparatory program. The AA degree program provides freshman and sophomore classes that enable transfers to a university primarily, and secondarily, improve job skills. The College Preparatory program provides underprepared students with communication and computation skills so they are prepared to enter college level courses.

For the State University System, performance measures and standards will be used for three programs in 1999-2000: Instruction, Research, and Public Service. The Instruction program transmits knowledge, skills, and competencies that allow eligible individuals to become practicing professionals or to pursue further academic endeavors. The Research program directs research toward solving technical, social, and economic problems facing the state and the nation. The Public Service program applies the expertise of university personnel in solving public problems.

For the Public School System, performance measures and standards will be used for the Pre-Kindergarten program and for Kindergarten through Twelfth Grade programs in 1999-2000. The purpose of the Pre-Kindergarten program is to prepare children for success in school. The purpose of the K-12 program is to provide children and youth with the sound education needed to grow to a satisfying and productive adulthood.

Both community colleges and public schools will be using performance measures and standards in 1999-00 for Workforce Development programs and Adult General Education programs. The purpose of the Workforce Development program is to respond to emerging local and statewide economic development needs. The purpose of the Adult General Education program is to provide the basic skills necessary to attain basic and functional literacy.

**Section 55.** Identifies performance-Base Program Budgeting outcome and output measures for programs in Health and Human Services: (Agency for Health Care Administration, Department of Children and Family Services, Department of Elderly Affairs).

The Agency for Health Care Administration began performance-based program budgeting in FY 1997-98 and has two programs with performance measures and standards. The Medicaid Health Services Program seeks to ensure that health services are provided to Medicaid eligible pregnant women, children, disabled adults and the elderly. The Health Services Quality Assurance Program seeks to ensure that all Floridians have access to quality health care and services through the licensure and certification of facilities, and in responding to consumer complaints about facilities, services, and practitioners.

The Department of Children and Family Services (formerly the Department of Health and Rehabilitative Services) began performance-based program budgeting in FY 1996-97 with the Alcohol, Drug Abuse and Mental Health Program. The department subsequently brought the majority of their remaining programs on line in FY 1998-99. Their last program, Economic Self-Sufficiency, will come on line in FY 1999-00. The approved programs are: Florida Abuse Hotline Program; Aging and Adult Services Program; People with Mental Health and Substance Abuse Problems Program; Families in Need of Child Care Program; People in Need of Family Safety and Preservation Services Program; People with Developmental Disabilities; Economic Self-Sufficiency Program; Mental Health Institutions Program; and Developmental Services Institutions Program.

The Department of Elder Affairs begins performance-based program budgeting in FY 1999-00. This agency has one program, Service to Elders Program, whose purpose is to assist elders to live in the least restrictive and most appropriate community settings and maintain independence.

**Section 56.** Identifies Performance-Base Budgeting outcome and output measures and associated standards for programs in Public Safety and Judiciary: (Department of Corrections, Department of Juvenile Justice, Florida Department of Law Enforcement, and the Department of Legal Affairs.)

The Department of Corrections began performance-based program budgeting in FY 1998-99 and has four programs with approved performance measures and standards. The Custody & Control Program seeks to protect the public and provide a safe secure environment for incarcerated offenders and the staff maintaining custody of them. The Community Corrections Program seeks to assist sentenced felony offenders to become productive law-abiding citizens by applying supervision in the community. The Offender Work & Training Program seeks to use the labor of incarcerated offenders to benefit the state, local communities, and victims of crime and provide educational, vocational and life management opportunities to inmates. The Health Services Program seeks to protect the public and maintain a humane environment in correctional institutions for incarcerated offenders.

The Department of Juvenile Justice began performance-based program budgeting in FY 1998-99 and has two programs operational for FY 1999-2000. The Juvenile Detention Program seeks to maintain, develop, and implement a comprehensive range of detention services to protect the community, hold youths accountable, and ensure the appearance of youths for court proceedings. The Juvenile Offender Program seeks to protect the public from juvenile crime by reducing juvenile delinquency through the development and implementation of an effective continuum of services and commitment programs including secure residential programs.

The Department of Law Enforcement began performance-based program budgeting in FY 1996-97. The Criminal Justice Investigations and Forensic Science Program seeks to manage, coordinate and provide investigative, forensic, prevention and protection services and to improve the state's capacity to prevent crime and detect, capture and prosecute criminal suspects. The Criminal Justice Information Program seeks to provide criminal justice information needed to prevent crime, solve cases, recover property and identify and apprehend criminals and to provide statistical analysis information about crime to policy makers and the public. The Criminal Justice Professionalism Program seeks to promote and facilitate the competency and professional conduct of criminal justice officers by providing entry-level and in-service officer training and maintain disciplinary procedures.

The Department of Legal Affairs began performance-based program budgeting in FY 1998-99. This agency has two programs with approved performance measures and standards. The Office of the Attorney General Program seeks to provide civil representation and legal services on behalf of the State of Florida, and to assist crime victims and law enforcement agencies through associated support services. The Statewide Prosecution Program seeks to investigate and prosecute criminal offenses when they have been part of an organized crime conspiracy affecting two or more judicial circuits, including assistance to federal state attorneys and local law enforcement offices in their efforts against organized crime.

**Section 57.** Identifies Performance-Base program Budgeting outcome and output measures and associated standards for programs in Natural Resources, etc. (Department of Agriculture and Consumer Services, Department of Environmental Protection, and the Department of Transportation.)

Department of Agriculture and Consumer Services - The Legislature adopted four programs for the department to implement performance-based program budgeting beginning in 1999-00. The Food Safety and Quality Program seeks to ensure the safety, wholesomeness, quality and accurate labeling of food products. The Consumer Protection Program aims to protect consumers from deceptive and unfair business and trade practices and services. The Agricultural Economic Development Program is to maintain and enhance Florida agriculture in the national and international marketplace. The Forest and Resource Protection seeks to promote and use sound management practices for forestry and other agricultural activities.

Department of Environmental Protection - The Legislature adopted the first four programs in the department in 1998-99. These programs included the State Lands, Marine Resources, Recreation and Parks, and Law Enforcement. The Legislature implemented the agency's remaining three programs for 1999-00. The Water Resources Management Program is to regulate, manage, conserve, and protect drinking water, surface and groundwater, wetlands, beaches, and reclaimed lands. The Waste Management Program seeks to protect the public and environment through sound waste management practices. The Air Resources Management Program aims to maintain and improve the air quality through air-pollution mitigation and prevention.

Game and Fresh Water Fish Commission - The Legislature adopted three programs for the commission beginning in 1997-98. These programs continue and include the Law Enforcement Program, whose purpose is to provide patrol and protection activities to safeguard boating, camping, fishing, hunting, wildlife viewing, and other natural resource related activities. The Wildlife Management Program aims to maintain or enhance the diverse wildlife and provide for the responsible use of these resources. The Fisheries Management Program seeks to maintain, enhance, and provide for the responsible use of freshwater fisheries.

The Department of Transportation began performance-based program budgeting in FY 1997-98 and has three approved programs with performance measures and standards. The purpose of the District Operations Program is to develop and implement the State Highway System, to acquire rights of way necessary to support the DOT's work program, to promote all forms of public transportation including transit, aviation, intermodal/rail, and seaport development, and to provide routine and uniform maintenance of the State Highway System. The purpose of the Planning and Engineering Program is to reduce occurrences of overweight commercial motor vehicles on the State Highway System and

eliminate hazards caused by defective or unsafe commercial motor vehicles. The purpose of the Finance and Administration Program is to efficiently operate and maintain state toll facilities.

**Section 58.** Performance-Base Program Budgeting measures for programs in General Government Agencies. (Department of Banking and Finance, Executive Office of the Governor, Department of Highway Safety and Motor Vehicles, Department of Insurance, Department of Labor and Employment Security, Lottery Department of Management Services, Department of Military Affairs, Department of Revenue, and the Department of State.)

Department of Banking and Finance - The Legislature implemented the Financial Accountability for Public Funds program in this department in 1998-99 and the remaining three programs were adopted this year. The Financial Institutions Regulatory Program seeks to ensure the safety and soundness of the state financial institutions. The Unclaimed Property Program aims to find, locate, collect and return unclaimed property to the owners. The Consumer Protection and Industry Authorization Program protects consumers of the securities and finance industry.

The Executive Office of the Governor began performance-based program budgeting in FY 1998-99 and has one program with performance measures and standards. The purpose of the Economic Improvement Program is to maintain and improve the economic health of Florida by increasing jobs, income and investments through promoting targeted businesses, tourism, professional and amateur sports and entertainment, and by assisting communities, residents, and businesses.

The Department of Highway Safety and Motor Vehicles began performance-based program budgeting in FY 1997-98 and has three programs with performance measures and standards. The Highway Patrol Program's purpose is to increase highway safety in Florida through law enforcement, preventive patrol and public education. The Driver Licenses Program seeks to maintain an efficient and effective driver licensing program assuring that only drivers demonstrating the necessary knowledge, skills and abilities are licensed to operate motor vehicles on Florida roads. The purpose of the Motor Vehicles Program is to increase consumer protection, health, and public safety through efficient license systems that register and title motor vehicles, vessels, and mobile homes, regulate vehicle and motor home dealers, manufacturers, and central emission inspection stations.

Department of Insurance - The Legislature previously adopted the Fire Marshal program, whose purpose is to enhance public safety, increase the solvability of criminal cases, and maintain the safest possible environment. The Legislature implemented two new programs for 1999-00. The State Property and Casualty Claims program intends to ensure that state agencies are provided quality workers' compensation, liability, federal civil rights, auto

liability, and the property insurance coverage at reasonable rates. Functions relating to the regulation of insurance companies are still to be implemented under performance-based program budgeting.

The Department of Labor and Employment Security began performance-based program budgeting in FY 1996-97. The eight approved programs are: Disability Determination Program; Rehabilitation Program; Safety/Workers' Compensation Program; Employment Security Program; Public Employees Relations Commission Program; Workers' Compensation Hearings Program; Unemployment Appeals Commission Program; and the Information Management Center Program.

Department of Lottery - The Legislature adopted one program to encompass the activities of the department entitled the Sale of Lottery Products. The purpose of the program is to maximize revenues for public education in a manner consistent with the dignity of the state and the welfare of its citizens.

Department of Management Services - The Legislature began implementing department programs under performance-based program budgeting in 1995-96. These programs include the State Group Insurance, Facilities, Support, Workforce, Retirement benefits, and Information Technology.

The Department of Military Affairs will begin performance-based program budgeting in FY 1999-2000. The purpose of the Readiness and Response Program is to provide military units and personnel (at the Governor's request) that are ready to protect life and property, preserve peace, order and public safety, and to contribute to such state and local programs that add value to the State of Florida.

Department of Revenue - The department went under performance-based program budgeting beginning in 1995-96. The Property Tax Administration Program aims to enhance the equity in property assessments and taxation and facilitate the distribution of the required local effort millage. The Child Support Program seeks to establish paternity and child support orders to collect and distribute child support in a timely manner. The General Tax Administration Program is intended to administer the revenue laws of the state in a fair and equitable manner and collect all the money owed.

The Department of State began performance-based program budgeting in FY 1997-98 and has four approved programs with performance measures and standards. The purpose of the Historical, Archaeological, and Folklife Appreciation Program is to encourage identification, evaluation, protection, preservation, collection, conservation, interpretation, and public access to information about Florida's historic sites, properties, and objects. The purpose of the Libraries, Archives, and Information Services Program, is to ensure access to information of past, present, and future value for the educational and cultural

benefit of the people of Florida. The Cultural Grants Program seeks to foster development of a receptive climate for cultural programs to enrich culturally and benefit the citizens of this state in their daily lives. The purpose of the Licensing Program is to protect the public's health, safety, and welfare through the licensing, regulation, and enforcement of the private security, private investigative, and recovery industries, the regulation of game promotions conducted in Florida, and the issuance of licenses to citizens wishing to carry concealed weapons.

**Section 59.** Adopts Performance- Base Program Budgeting measures for agencies scheduled for 2000-2001.

The Department of Health will begin performance-based program budgeting in FY 2000-2001 and will be working on the standards for the outcome and output measures adopted by the 1999 Legislature. The following programs have been approved: Children's Medical Services Program; Health Care Practitioner and Access Program; and the Community Public Health Program.

The Florida Parole Commission will begin performance-based program budgeting in FY 2000-2001. There is one approved program whose purpose is to provide public safety and protect the rights of victims by administering effective post-incarceration services including offender releases, offender revocation, clemency, and victim assistance.

Department of Business and Professional Regulation - The Legislature adopted programs and measures for the department to use in developing its budget request for the 2000-2001 year. The programs include: Professional Regulation; Pari-mutuel Wagering Program; Hotels and Restaurants Program; Alcoholic Beverages and Tobacco; Florida Land Sales, and Condominiums, and Mobile Homes.

Department of Management Services - The Legislature approved the Administrative Hearing Program, with associated performance measures, for implementation in the 2000-2001 year.

**Section 60.** Provides a severability clause.

**Section 61.** Provides an effective date.

If approved by the Governor, these provisions take effect July 1, 1999.

*Vote: Senate 40-0; House 119-0*

## TRUST FUNDS

### *Executive Office of the Governor*

The following trust funds are recreated within the Executive Office of the Governor to fund administrative functions and transportation projects, and to support economic development, capitol investments, and major support events:

H 1149	Black Contractors Bond Trust Fund	Ch. 99-14
H 1151	Professional Sports Development Trust Fund	Ch. 99-15
H 1153	Economic Development Trust Fund	Ch. 99-16
H 1155	Florida Investment Incentive Trust Fund	Ch. 99-17
H 1157	Grants and Donations Trust Fund	Ch. 99-18
H 1159	Planning & Budgeting System Trust Fund	Ch. 99-19
H 1161	Florida International Trade & Promotion Trust Fund	Ch. 99-20
H 1163	Economic Development Transportation Trust Fund	Ch. 99-21
H 1165	Tourism Promotion Trust Fund	Ch. 99-22

These provisions were approved by the Governor and take effect November 4, 2000.

*Vote: Senate 36-0; House 116-0*

### *Department of Education*

The following trust funds are recreated within the Department of Education for the deposit of certain fees, to provide matching funds, to account for revenue for particular services, to support research and to provide for the segregation of funds generated by specified activities:

H 1167	Displaced Homemaker Trust Fund	Ch. 99-23
H 1171	Educational Media & Technology Trust Fund	Ch. 99-25
H 1173	Sophomore Level Test Trust Fund	Ch. 99-26
H 1175	Educational Aids Trust Fund	Ch. 99-27
H 1177	Teacher Certification Exam Trust Fund	Ch. 99-28
H 1179	Knott Data Center Working Capital Trust	Ch. 99-29
H 1181	Projects, Contracts & Grants Trust Fund	Ch. 99-30
H 1183	Education Certification & Service Trust Funds	Ch. 99-31
H 1185	Institutional Assessment Trust Fund	Ch. 99-32
H 1187	Facility Construction Admin. Trust Fund	Ch. 99-33
H 1189	Nursing Student Loan Forgiveness Program Trust Fund	Ch. 99-34
H 1191	Student Loan Guaranty Reserve	Ch. 99-35
H 1193	Textbook Bid Trust Fund	Ch. 99-36
H 1195	Food & Nutrition Trust Fund	Ch. 99-37
H 1197	Deaf & Blind School Grants Trust Fund	Ch. 99-38
H 1199	Capital Facilities Matching Trust Fund	Ch. 99-39
H 1201	SUS Concurrency Trust Fund	Ch. 99-40
H 1203	SUS Replacement Trust Fund	Ch. 99-41

H 1205	UF Health Center Incidental Trust Fund .....	Ch. 99-42
H 1207	UF Agric. Extension Service Trust Fund .....	Ch. 99-43
H 1209	UF Agric. Experiment Station Trust Fund .....	Ch. 99-44
H 1211	Phosphate Research Trust Fund .....	Ch. 99-45
H 1215	UF Institute of Food & Agric. Trust Fund .....	Ch. 99-47
H 1219	UF Agric. Experiment Station Trust Fund .....	Ch. 99-49
H 1221	UF Agric. Experiment Station Trust Fund .....	Ch. 99-50
H 1223	Trust Fund for Major Gifts/DOE .....	Ch. 99-51
H 1225	BOR Operations & Maintenance Trust Fund .....	Ch. 99-52
H 1227	Facility Construction Admin. Trust Fund .....	Ch. 99-53
H 1229	USF Medical Center Student Fee/DOE .....	Ch. 99-54

These provisions were approved by the Governor and take effect November 4, 2000.  
*Vote: Senate 36-0; House 116-0*

H 1169	State Student Financial Assistance Trust Fund .....	Ch. 99-24
H 1213	UF Health Center Operations Trust Fund .....	Ch. 99-46
H 1217	Education & General Student Trust Fund .....	Ch. 99-48

These provisions were approved by the Governor and take effect July 1, 1999.  
*Vote: Senate 36-0; House 116-0*

H 1231	Student Financial Assistance Trust Fund	
H 1233	UF Health Center Operation Trust Fund	
H 1235	Education & Student Trust Fund	

If approved by the Governor, these provisions take effect upon becoming a law.  
*Vote: Senate 40-0; House 116-0*

***Department of Agriculture and Consumer Services***

The following trust funds are recreated within the Department of Agriculture and Consumer Services to fund and support administrative functions and to control and account for proceeds from the sale of land or property, donations, federal funds or inspection fees and all other related enforcement funds.

H 1239	Relocation & Construction Trust Fund .....	Ch. 99-55
H 1241	Plant Industry Trust Fund .....	Ch. 99-56
H 1243	Market Trade Show Trust Fund .....	Ch. 99-57
H 1245	Incidental Trust Fund .....	Ch. 99-58
H 1247	General Inspection Trust Fund .....	Ch. 99-59
H 1249	Contracts and Grants Trust Fund .....	Ch. 99-60
H 1251	Citrus Inspection Trust Fund .....	Ch. 99-61
H 1253	Agricultural Law Enforcement Trust Fund .....	Ch. 99-62
H 1255	Administrative Trust Fund .....	Ch. 99-63
H 1257	Working Capital Trust Fund .....	Ch. 99-64

H 1259	Saltwater Products Promotion Trust Fund	Ch. 99-65
H 1261	Florida Agricultural Promotion Campaign Trust Fund	Ch. 99-66
H 1263	Viticulture Trust Fund	Ch. 99-67
H 1265	Florida Quarter Horse Racing Promotion Trust Fund	Ch. 99-68
H 1267	Pest Control Trust Fund	Ch. 99-69
H 1269	Market Improvements Working Capital Trust Fund	Ch. 99-70
H 1271	Agricultural Emergency Eradication Trust Fund	Ch. 99-71
H 1273	Federal Law Enforcement Trust Fund	Ch. 99-72

These provisions were approved by the Governor and take effect November 4, 2000.

*Vote: Senate 36-0; House 116-0*

### ***Department of Banking and Finance***

The following trust funds are recreated within the Department of Banking and Finance to support administrative functions of the department, to provide for the deposit of revenues, and to account for contracts and services:

H 1275	Trust Funds/No title	Ch. 99-73
H 1277	Anti-Fraud Trust Fund	Ch. 99-74
H 1281	Consolidated Payment Trust Fund	Ch. 99-75
H 1283	Working Capital Trust Fund	Ch. 99-76
H 1285	Financial Institutions' Regulatory Trust Fund	Ch. 99-77
H 1287	Regulatory Trust Fund	Ch. 99-78
H 1289	Administrative Trust Fund	Ch. 99-79
H 1291	Funeral Contract Consumer Trust Fund	Ch. 99-80
H 1293	Securities Guaranty Fund	Ch. 99-81
H 1295	Mortgage Brokerage Guaranty Trust Fund	Ch. 99-82
H 1297	Miscellaneous Deduction Restoration Trust Fund	Ch. 99-83
H 1299	Comptroller's Federal Equitable Trust Fund	Ch. 99-84

These provisions were approved by the Governor and take effect November 4, 2000.

*Vote: Senate 36-0; House 116-0*

H 1279	National Forest Trust Fund
H 1301	Abandoned Property Trust Fund

If approved by the Governor, these provisions take effect upon becoming a law.

*Vote: Senate 36-0; House 117-0*

### ***Department of Business and Professional Regulation***

The following trust funds are recreated within the Department of Business and Professional Regulation for the collection of fees and taxes and to support administrative functions provided to the department:

H 1303	Pari-mutuel Wagering Trust Fund . . . . .	Ch. 99-85
H 1305	Professional Regulation Trust Fund . . . . .	Ch. 99-86
H 1307	Cigarette Tax Collection Trust Fund . . . . .	Ch. 99-87
H 1309	Alcoholic Beverage & Tobacco Trust Fund . . . . .	Ch. 99-88
H 1311	Fla. Land Sales, Condominiums & Mobile Homes Trust Fund . . . . .	Ch. 99-89
H 1313	Administrative Trust Fund . . . . .	Ch. 99-90
H 1315	Hotel and Restaurant Trust Fund . . . . .	Ch. 99-91

These provisions were approved by the Governor and take effect November 4, 2000.  
*Vote: Senate 36-0; House 116-0*

***Department of Citrus***

The following trust fund is recreated within the Department of Citrus:

H 1319	Citrus Advertising Trust Fund . . . . .	Ch. 99-92
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These provisions were approved by the Governor and take effect November 4, 2000.  
*Vote: Senate 36-0; House 116-0*

***Department of Environmental Protection***

The following trust funds are recreated within the Department of Environmental Protection to support administrative functions of the department, to fund various regulatory, research and law enforcement activities of the department, relating to solid waste and contaminations:

H 1321	Florida Permit Fee Trust Fund . . . . .	Ch. 99-93
H 1323	Water Management Lands Trust Fund . . . . .	Ch. 99-94
H 1325	Inland Protection Trust Fund . . . . .	Ch. 99-95
H 1327	Air Pollution Control Trust Fund . . . . .	Ch. 99-96
H 1329	Administrative Trust Fund . . . . .	Ch. 99-97
H 1331	Internal Improvement Trust Fund . . . . .	Ch. 99-98
H 1333	Nonmandatory Land Reclamation Trust Fund . . . . .	Ch. 99-99
H 1335	Marine Resources Conservation Trust Fund . . . . .	Ch. 99-100
H 1337	Solid Waste Management Trust Fund . . . . .	Ch. 99-101
H 1339	Water Quality Assurance Trust Fund . . . . .	Ch. 99-102
H 1341	Working Capital Trust Fund . . . . .	Ch. 99-103
H 1343	Save the Manatee Trust Fund . . . . .	Ch. 99-104
H 1345	Environmental Laboratory Trust Fund . . . . .	Ch. 99-105
H 1347	Ecosystem Management & Restoration Trust . . . . .	Ch. 99-106
H 1349	Florida Coastal Protection Trust Fund . . . . .	Ch. 99-107
H 1351	Drinking Water Revolving Loan Trust Fund . . . . .	Ch. 99-108
H 1355	Federal Law Enforcement Trust Fund . . . . .	Ch. 99-109
H 1357	Forfeited Property Trust Fund . . . . .	Ch. 99-110
H 1359	Grants & Donations Trust Fund . . . . .	Ch. 99-111

H 1361	State Park Trust Fund .....	Ch. 99-112
H 1363	Minerals Trust Fund .....	Ch. 99-113
H 1367	Conservation & Recreation Lands Trust Fund .....	Ch. 99-114

These provisions were approved by the Governor and take effect November 4, 2000.

*Vote: Senate 36-0; House 116-0*

H 1353	Sewage Treatment Revolving Loan Trust Fund
H 1365	Aquatic Plant Control Trust Fund

If approved by the Governor, these provisions take effect upon becoming a law.

*Vote: Senate 36-0; House 117-0*

***Department of Insurance***

The following trust funds are recreated within the Department of Insurance for administrative and operational functions and to fund the self-insurance pool:

H 1369	State Property Insurance Trust Fund .....	Ch. 99-115
H 1371	Rehabilitation Administrative Expense Fund .....	Ch. 99-116
H 1373	Treasurer's Administrative and Investment Fund .....	Ch. 99-117
H 1375	Insurance Commissioner's Regulatory Trust Fund .....	Ch. 99-118
H 1377	Florida Casualty Insurance Risk Management Trust Fund .....	Ch. 99-119
H 1379	Public Deposits Trust Fund .....	Ch. 99-120

These provisions were approved by the Governor and take effect November 4, 2000.

*Vote: Senate 36-0; House 116-0*

***Department of Revenue***

The following trust funds are recreated within the Department of Revenue for administrative functions, drug and child support enforcement services, and to account for intangible tax proceeds and taxes levied upon corporations:

H 1381	Clerk of Court Child Support Trust Fund .....	Ch. 99-121
H 1385	Working Capital Trust Fund .....	Ch. 99-123
H 1387	Intangible Tax Trust Fund .....	Ch. 99-124
H 1389	Drug Enforcement Trust Fund .....	Ch. 99-125
H 1391	Corporation Tax Administration Trust Fund .....	Ch. 99-126
H 1393	Child Support Enforcement Trust Fund .....	Ch. 99-127
H 1395	Firefighters' Supplemental Compensation Trust Fund .....	Ch. 99-128
H 1397	Certification Program Trust Fund .....	Ch. 99-129
H 1399	Grants and Donations Trust Fund .....	Ch. 99-130

These provisions were approved by the Governor and take effect November 4, 2000.  
*Vote: Senate 36-0; House 116-0*

H 1383 Child Support Incentive Trust Fund ..... Ch. 99-122

These provisions were approved by the Governor and take effect July 1, 1999.  
*Vote: Senate 36-0; House 116-0*

H 1401 Revenue Audit Division Administrative Trust Fund

If approved by the Governor, these provisions take effect upon becoming a law.  
*Vote: Senate 36-0; House 114-0*

H 1403 Child Support Incentive Trust Fund

If approved by the Governor, these provisions take effect upon becoming a law.  
*Vote: Senate 40-0; House 116-0*

***Other Trust Fund Bills***

**Senate Bill 602** terminates five trust funds within the Department of Education and eight trust funds within the State University System, and transfers current balances to the General Revenue Fund, unless otherwise specified. In addition, this bill identifies five trust funds within the Department of Education and twelve trust funds within the State University System that have been determined to be exempt from the automatic termination provisions of s. 19(f), Art. III, State Constitution.

If approved by the Governor, these provisions take effect upon becoming a law.  
*Vote: Senate 39-0; House 118-0*

**Senate Bill 656** addresses trust funds that are administered by the Department of Revenue, Department of Insurance, Department of Agriculture and Consumer Services, Department of Banking and Finance, and the Department of Environmental Protection. This bill amends or repeals numerous statutes in order to conform with the provisions of the bill. It terminates ten trust funds that have been identified as no longer necessary, lists 47 trust funds that have been determined exempt and renames four trust funds that are recreated in separate bills.

If approved by the Governor, these provisions take effect upon becoming a law.  
*Vote: Senate 39-0; House 117-0*

***Education***

The following trust fund was created in the Department of Education for the purpose of separating the operating funds of the department from the federal funds used as a reserve for defaulted student loans:

S 1670 Student Loan Operating Trust Fund

If approved by the Governor, these provisions take effect July 1, 1999.

*Vote: Senate 39-0; House 118-0*

***Juvenile Justice***

The following two trust funds were created in the Department of Juvenile Justice for the benefit of juvenile offenders.

S 1648 Juvenile Welfare Trust Fund

If approved by the Governor, these provisions take effect July 1, 2000, except as otherwise provided.

*Vote: Senate 40-0; House 118-0*

S 1650 Juvenile Care and Maintenance Trust Fund

If approved by the Governor, these provisions take effect upon becoming a law.

*Vote: Senate 40-0; House 116-0*

***Tobacco Settlement***

The following trust funds were created in several state agencies to separately account for tobacco settlement funds:

S 1734 Department of Veterans' Affairs Tobacco Settlement Trust Fund

S 1960 Department of Health Tobacco Settlement Trust Fund

S 1962 Department of Banking and Finance Tobacco Settlement Clearing Trust Fund

S 1964 Department of Business and Professional Reg Tobacco Settlement Trust Fund

S 1966 Department of Children and Family Services Tobacco Settlement Trust Fund

S 1968 Department of Elderly Affairs Tobacco Settlement Trust Fund

If approved by the Governor, these provisions take effect July 1, 1999 or upon becoming a law.

*Vote: Senate 39-0; House 117-0*

**CS/HB 1885 — Lawton Chiles Endowment Fund**

by Rep. Maygarden and others (CS/SB's 2422 & 1952 by Fiscal Policy Committee, Senators Latvala, Casas and Hargrett)

This bill establishes the Lawton Chiles Endowment Fund, through which the state will use funds received as a result of its settlement with the tobacco industry to enhance or support expansions in children's health care programs, child welfare programs, community-based health and human service initiatives, and biomedical research.

As stated in the bill, it is the intent of the Legislature that endowment funds are to be used to:

- (1) Provide a perpetual source of funding for the future of children's health programs, child welfare, community-based health and human service initiatives and biomedical research.
- (2) Ensure that enhancement revenues will be available to finance these important initiatives.
- (3) Use tobacco settlement moneys to ensure the financial security of vital health and human services programs.
- (4) Encourage the development of community-based solutions to strengthen and improve the quality of life for Florida's most vulnerable citizens.
- (5) Provide funds for cancer research and public health research for diseases linked to tobacco use.

Over four years beginning with fiscal year 1999-2000, a total of \$1.7 billion will be deposited into the endowment. In fiscal year 1999-2000, the amount deposited will be \$1.1 billion, with \$200 million being deposited in each of the next three years.

Endowment funds will be invested by the State Board of Administration (SBA), in accordance with an approved investment plan, as an annuity to protect the real value of the endowment principal and to provide a predictable source of non-recurring revenue. SBA will provide a report on financial status of the Endowment to Governor, Senate President, House Speaker, other appropriate legislative entities, and the Revenue Estimating Conference on February 15 and August 15 of each year.

The only funds available for distribution will be the earnings received on the endowment. No funds will be available for distribution until July 1, 2000. For FY 2000-2001, no more than a level of spending representing earnings of 3 percent; for FY 2001-2002, no more

than a level of spending representing earnings of 4 percent; for FY 2002-2003, no more than a level of spending representing earnings of 5 percent; for FY 2003-2004 and thereafter, no more than a level of spending representing earnings of 6 percent.

The Secretaries of Health, Children and Family Services, Elderly Affairs and the Director of the Agency for Health Care Administration will coordinate funding requests related to endowment revenue.

The bill also creates the Florida Biomedical Research Program within the endowment and provides that funds appropriated to the program will be devoted to competitive grants and fellowships in research relating to diagnosis and treatment of tobacco-related illnesses including cancer, cardiovascular disease, stroke and pulmonary disease.

The Biomedical Research Advisory Council is established in the Department of Health to assist the Secretary in establishing criteria and guidelines for the competitive grant program. Grants and fellowships are to be awarded on the basis of scientific merit, as determined by an open, objective peer-review process. The council is required to submit an annual progress report to the Governor, Secretary of the Department of Health, President of the Senate and Speaker of the House by February 1 of each year.

If approved by the Governor, these provisions take effect July 1, 1999.

*Vote: Senate 39-0; House 117-0*