

GENERAL APPROPRIATIONS

HB 1835 — General Appropriations

by Appropriations Committee and Rep. Kyle (SB 2500 by Appropriations Committee)

This bill is the General Appropriations Act, which provides moneys for the annual period beginning July 1, 2004 and ending June 30, 2005, to pay salaries, expenses, capital outlay – buildings, and other improvements, and for other specified purposes of the various agencies of state government.

Article V Implementation and Judiciary

- \$131.0 million increased funding for the State Courts for Implementation of Article V and Workload
- \$100.9 million increased funding for State Attorney, Public Defender, and Justice Administrative Commission Implementation of Article V and Workload
- \$4.4 million for State Attorney Workload
- \$2.1 million for Public Defender Workload
- \$1.3 million for Judicial Assistant Pay Equity
- \$2.1 million for Supreme Court and District Courts of Appeal Repairs and Improvements
- \$3.1 million for increased staffing in The Justice Administrative Commission for Article V Funding Transition
- \$10.8 million for Trial Court Courthouse Improvements
- \$1.5 million for Judicial Inquiry System

Criminal Justice

- \$39.1 million to fund Operating Costs for Increased Prison Population
- \$99.6 million to fund the Completion and New Construction of Approximately 11,000 New Prison Beds
- \$3 million for Medicaid Fraud Control, Economic Crimes/Antitrust, Identify Theft, and Health Care Fraud in the Department of Legal Affairs
- \$3 million for Construction and Maintenance of Department of Law Enforcement and Department of Juvenile Justice facilities
- \$5.6 million to increase Substance Abuse Funding in the Department of Corrections
- \$8 million to address a deficit in Inmate Health Care
- \$7.5 million to continue funding the Integrated Criminal History System in the Department of Law Enforcement
- \$4 million to provide for Per Diem Increase to Juvenile Justice Providers

- \$2 million to address Critical Safety and Medical Issues in the Department of Juvenile Justice's detention centers
- \$3.5 million to provide Grant Funding to Small Counties for Detention Services in the Department of Juvenile Justice
- \$1.6 million to continue funding the Florida Crime Information Center Plus (FCIC+) in the Department of Law Enforcement
- \$1.1 million to address the DNA Backlog in the Department of Law Enforcement

Education

- Increased funding from state appropriations and legislatively authorized local revenue sources of \$1.5 billion, or 7 percent
- Fully funds Bright Futures Scholarships - \$33.5 million increase
- Preserves the fiscal integrity of the Florida Prepaid Tuition Program by keeping tuition increases within actuarial limitations (5 percent for Community Colleges and 7.5 percent for SUS resident undergraduate students)
- Increased funding for the FEFP of \$1.02 billion, or 7.3 percent:
 - Fully funds projected Public School Enrollment Growth of 58,896 students (2.3 percent)
 - Provides \$510.6 million in incremental funding to phase in the second year of Class Size Reduction (total Class Size Reduction operating funds for 04/05 - \$978.8 million)
 - Statewide Average Per-Pupil Funding through the FEFP is increased by \$268.56 to \$5,764.40, an increase of 4.89 percent.
 - The District Cost Differential is calculated based on an improved Florida Price Level Index which more accurately reflects varying costs among districts for hiring comparable teachers. \$22.6 million in non-FEFP funds are provided as one-time grants to districts which were adversely impacted as a result of this change
 - \$98.5 million for Governor's Reading Programs
 - \$15.5 million for Mentoring Programs In Public Schools
- Provides State Matching Funds to Eliminate the Backlog of Operating Challenge Grant Donations in Community Colleges (\$50.8 million), and the Major Gifts Program in State Universities (\$94.8 million)
- Provides \$68.7 million for Enrollment Growth and Enhancement Funding in Community Colleges
- Provides \$61.3 million to fund the Board of Governor's Recommended Enrollment Plan for State Universities (an increase of 11,496 full-time equivalent students)

General Government

- \$120 million for Water Projects including \$10 million for Lake Okeechobee and \$10 million for the Florida Keys

- \$25 million for Beach Restoration
- \$300 million cash for Florida Forever
- \$100 million cash for Everglades Restoration
- \$13.5 million GR/\$126.5 million TF for Drinking and Wastewater Revolving Loan Programs – (5 to 1 in federal match)
- \$21.2 million for Florida Recreational Development Assistance Program (FRDAP)
- \$11.2 million for Solid Waste/Recycling Grants (\$6.5 million for Small Counties)
- \$42.7 million for Mulberry/Piney Point Phosphate Clean-Up
- \$1 million for Oceans Initiative
- \$150 million for Petroleum Tanks Cleanup
- \$5 million for Rural and Family Lands Protection Program
- \$2 million for the Agricultural Promotion Campaign “Fresh From Florida”
- \$2.9 million for Firefighting Equipment
- \$19.7 million in GR and \$34.9 million in TF for Citrus Canker Eradication
- \$1 million for Sterile Fly Release Program (state funds return a dollar for dollar federal match)
- \$600,000 for Farm Share and Florida Association of Food Banks (\$300,000 for each organization)
- \$5 million for Agriculture Education and Promotion Facilities
- \$800,000 and 14 positions for the Resolution of Condominium Complaints
- \$15.8 million for Child Support Automated Management System (CAMS)
- \$1.2 million for additional staff and resources to improve Investigations of Fraud and Compliance with Workers’ Compensation Laws
- Transfer Excess Administrative Funds from Lottery to Education - \$38.3 million TF

Health and Human Services

- \$1,799.2 million for Medicaid Workload and Price Level
- \$149.2 million for Florida Kidcare Program
- \$52.7 million for Medical Expenses for Medicaid Nursing Home Residents
- \$56.3 million for Health Maintenance Organization (HMO) Rate Increase
- \$71.7 million for Special Medicaid Payments to Hospitals
- \$68.3 million for Physician Upper Payment Limit
- \$12.2 million for Physician Rate Increase
- \$9.5 million for Restoration of Adult Denture Coverage
- Reduce Florida Healthy Kids Dental Reimbursement Rates (\$17.9 million)
- Implement Medicaid Pharmacy Cost Savings Initiatives, including pricing controls, dosage limits, drug rebate increases and other limitations (\$214.1 million)
- Reduce Hospice Rates due to Nursing Home Rate Changes (\$7.2 million)
- Delay Nursing Home Staffing Increases (\$72.1 million)

- Reduce Nursing Home and Intermediate Care Facility for the Developmentally Disabled (ICF/DD) Reimbursement Rates – Non-Direct Care (\$71.5 million)
- Eliminate Nursing Home and ICF/DD Bed Hold Days in facilities with occupancy levels less than 95 percent (\$14.5 million)
- Establish Home and Community Based Services Utilization Review/Prior Authorization Program (\$7.2 million)
- Reduce Hospital Inpatient/Outpatient Reimbursement Rates (\$83.8 million)
- Establish A Hospitalist Program for Medicaid Recipients (\$19.1 million)
- \$45 million to serve Developmentally Disabled Citizens
- \$5 million for Domestic Violence Programs
- \$18.1 million for Adoption Subsidies
- \$23.6 million Equity Funding for Community-Based Providers
- Home and Community Services Efficiencies (\$14 million)
- Efficiencies in Eligibility Determination of Cash Assistance, Medicaid and Food Stamps (\$22 million)
- Management Reductions in the Department of Children and Families due to Regionalization (\$19.1 million)
- \$12 million for Alzheimer’s Center Construction
- \$3.3 million for Local Services Programs for Elders
- \$3.6 million James and Esther King Biomedical Research Program
- \$2 million for Mayo Clinic Cancer Research Program
- \$1 million for Tobacco Awareness/Use Reduction Program
- \$18.8 million for County Health Department Facility Replacements
- \$8.5 million for Veterans’ Nursing Homes Final Phase Start-Up (Bay, Charlotte Homes)

Transportation and Economic Development

- Over \$672 million for the School Readiness Program
- \$55.9 million for Affordable Housing Programs and \$130.9 million for State Housing Initiatives Partnership (SHIP)
- \$66 million for the Florida Communities Trust Program
- \$130.8 million for Economic Development Programs in the Office of Tourism, Trade and Economic Development (OTTED), including:
 - \$22.3 million for Economic Development Tools
 - \$11 million for Enterprise Florida
 - \$21.7 million for VISIT FLORIDA
 - \$7.4 million for Defense Infrastructure and Reinvestment Grants and Military Base Protection
 - \$35 million for Economic Development Transportation Projects
 - \$10 million for the Quick Action Closing Fund
 - \$2.8 million for the Film and Entertainment Industry

- \$2.9 million for the Florida Space Industry
- \$11.4 million for the Elections Registration Database, \$12.1 million for Voting System Assistance, and \$3 million for Voter Education
- \$11.4 million for Cultural and Historic Operating Grant Programs
- \$4.2 million for Cultural Facilities Capital Grants
- \$10.4 million for Historic Preservation Fixed Capital Outlay
- \$11.9 million for Library Construction Grants priority list
- \$5.5 billion for the Department of Transportation Work Program, including:
 - \$100 million for the Strategic Intermodal System
 - \$25 million for the Small County Resurfacing Assistance Program (SCRAP)
 - \$14 million for Seaport Infrastructure and Security
 - \$9 million to Implement Florida's High Speed Rail System

State Employee and Pay Benefits

Salary Increases and Bonuses

- 5 Percent Increases for Law Enforcement, Security Services, and Fire Service Employees, effective January 1, 2005.
- All Other Eligible Employees will Receive \$1000 Bonuses, effective December 1, 2004.
- Legislators, Judicial Officers, And Executive Branch Officers Are Not Eligible For Bonuses.

Health Insurance

- The overall Health Insurance Premiums will be increased 10 Percent. However, the employing agencies will pay the full amount of the increased premium for all active employees.
- Co-payments and other out-of-pocket expenses are maintained at the current levels.
- The Department of Management Services is directed to offer Preventive Health Care and Immunization Benefits.

Other Pay Issues

- Competitive Area Differentials will be applied by Judicial Circuits for the benefit of Judicial Assistants.
- Career Attorneys with the District Courts of Appeal earning less than \$65,000 will be granted \$5,000 pay increases.
- Community Probation Officers will be Granted a One-Time \$1,200 Payment.

If approved by the Governor, these provisions take effect July 1, 2004, except as otherwise provided.

Vote: Senate 32-6; House 90-28

BILLS IMPLEMENTING GENERAL APPROPRIATIONS

CS/SB 1266 — Water Management Lands Trust Fund

by Appropriations Committee and Senator Clary

The bill expands the uses of the Water Management Lands Trust Fund to include supplemental operational expenditures for the Northwest Florida Water Management District and the Suwannee River Water Management District. Funding of the operational expenditures for these districts will be allocated prior to the distributions authorized in s. 373.59(8), F.S.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 39-0; House 115-1

CS/SB 1250 — Employee Benefits

by Appropriations Committee and Senator Pruitt

The committee substitute is a compilation of law changes regarding employee benefits.

For purposes of the state employee health insurance program, the bill eliminates the expiration dates on the statutory provision setting forth the prescription drug schedule and the statutory provision requiring the Department of Management Services to determine annually the premium necessary to fully fund the state employee health insurance plan. The bill also clarifies that the state employee health insurance plan is not subject to the regulatory provisions applicable to multiple employer welfare arrangements.

The bill addresses three Article V implementation issues. First, those county employees moving to state employment who have 12 months of continuous coverage in the county-sponsored health insurance plan will be deemed to have met the pre-existing condition limitations applicable in the state health insurance plan.

Second, the bill provides that employees moving from county employment to work in state attorney or public defender offices will be permitted to transfer up to 80 hours of annual leave and 320 hours of sick leave. These levels are consistent with the current policies of the state court system.

Third, City of Jacksonville employees moving to state employment as part of the Article V implementation will be permitted to purchase service for purposes of the Florida Retirement System.

The bill also resolves the mandatory collective bargaining issues at impasse, extends the eligibility date for the life insurance program, and clarifies the eligibility for participation in the state's pretax benefits program.

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

Vote: Senate 40-0; House 116-0

CS/SB 1258 — Workforce Development Education Programs

By Appropriations Committee and Senator Carlton

This bill is an appropriations conforming bill which addresses the method of funding Workforce Development Education Programs. To provide for funding of Workforce Development Education through the Community College Program Fund for community colleges, and through a categorical program for the district vocational/technical schools, statutory references to the Workforce Development Education Fund are eliminated.

The Department of Education is required to develop a funding process for school district workforce development education programs that is comparable to the funding of community college workforce programs. If the distribution of workforce education funds is not provided in the General Appropriations Act, the amount of the appropriation shall be allocated as follows: a maximum of 90 percent based on enrollment and at least 10 percent based on performance.

The report also requires the Department of Education to develop a plan for reporting workforce development data that is compatible between community colleges and school districts and includes: program, student FTE, facility, personnel, cost, and financial data.

This bill amends sections 1011.80 and 1011.83 of the Florida Statutes.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 40-0; House 118-0

CS/SB 1270 — Pari-mutuel Wagering Trust Fund

by Appropriations Committee and Senator Clary

This bill decreases the fund balance reserve retained in the Pari-mutuel Wagering Trust Fund in the Department of Business and Professional Regulation from \$3.5 million to \$1.5 million. The decrease in the fund reserve allows the transfer of \$2 million to the General Revenue Fund on a one-time basis.

If approved by the Governor, this provision takes effect July 1, 2004.

Vote: Senate 39-0; House 118-0

CS/SB 1278 — Biomedical Research Trust Fund

by Appropriations Committee and Senator Peaden

The bill provides additional clarification to the Department of Financial Services to specify that the Biomedical Research Trust Fund can receive transfers from the Tobacco Settlement Clearing Trust Fund. Options are provided for the investment of Biomedical Research Trust Fund balances either through the Chief Financial Officer or through the State Board of Administration. The bill allows the balances of appropriations from the Biomedical Research Trust Fund to be expended over a period of three years because of the long term nature of biomedical research.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 39-0; House 117-0

CS/SB 2002 — Health Care Initiatives

by Appropriations Committee and Senators Peaden, Fasano, and Miller

The bill (Chapter 2004-2, L.O.F.) contains the following provisions:

- Authorizes the Department of Health to issue a chiropractic medicine faculty certificate without examination to an individual who meets specified requirements.
- Authorizes a chiropractic medicine degree program at Florida State University.
- Authorizes H. Lee Moffitt Cancer Center and Research Institute to create for-profit subsidiaries; expands the purposes of the not-for-profit corporation and subsidiaries; provides for an exemption to the property insurance trust fund; changes the appointing authority for certain members of the council of scientific advisers; and requires that certain appropriations be paid directly to the board of directors of the governing corporation.
- Renames the Florida Alzheimer's Center and Research Institute to the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute; authorizes the creation of for-profit corporations; expands the purposes of the not-for-profit corporation and subsidiaries; provides for an exemption to the property insurance trust fund; changes the appointing authority for the council of scientific advisers; and requires that certain appropriations be paid directly to the board of the governing corporation.
- Creates the Florida Center for Universal Research to Eradicate Disease (CURED) within the Department of Health to coordinate, improve, monitor, and facilitate funding for biomedical research programs.

- Revises the Lawton Chiles Endowment Fund to include the use of funds to support and expand biomedical research for the cure of specified diseases.
- Expands the long-term goals of the James and Esther King Biomedical Research Program to include the cure of specified diseases.
- Renames the Life Sciences Building at Florida State University as the “James E. ‘Jim’ King, Jr., Building” and authorizes the university to erect markers designating such.
- Creates the Florida Cancer Council, effective July 1, 2004, for the purpose of making Florida a center of excellence for cancer research and provides for its mission and duties.
- Creates the Florida Public Health Foundation, Inc., for the purpose of disseminating innovative findings in biomedical research and promoting health awareness.
- Establishes the Prostate Cancer Awareness Program within the Department of Health for the purpose of providing statewide outreach and health education activities.
- Creates the Cervical Cancer Elimination Task Force, effective July 1, 2004, and dissolves the task force after submission of a final report on or before June 30, 2008.
- Provides the following annual distributions and appropriations from the proceeds of the excise tax on alcoholic beverages, beginning July 1, 2004:
 - \$15 million to the Department of Elderly Affairs to support the Alzheimer’s Center and Research Institute at the University of South Florida;
 - \$6 million to the Department of Health for the James and Esther King Biomedical Research Program; and
 - \$9 million to Florida State University for the School of Chiropractic Medicine.

These provisions became law upon approval by the Governor on March 11, 2004, except as otherwise provided.

Vote: Senate 39-0; House 113-0

CS/SB 2564 — Juvenile Detention

by Appropriations Committee and Senator Crist

The bill makes the following changes to juvenile justice detention centers required to implement the proposed General Appropriations Act for FY 2004-2005.

- Increases the fiscal responsibility of counties for public safety issues related to juvenile detention services.
- Requires each county to budget the cost of pre-adjudication detention of juveniles who reside in that county. Each county will be responsible for setting aside these costs at the beginning of the fiscal year and monthly payments to the state. Counties may collaborate with the state when calculating these expenses by considering the previous fiscal year's cost.
- Requires the Department of Juvenile Justice to publish the costs for which each county will be responsible.
- Requires the state to deposit revenues received from the counties into the Department of Juvenile Justice's Grants and Donations Trust Fund. Reconciliation of costs between each county and the department will occur at the end of the fiscal year to account for differences between the estimated and actual numbers of juveniles detained.
- Requires the Department of Juvenile Justice to ensure that each county is fulfilling its responsibility for these costs. If a county fails to transfer funds, the Chief Financial Officer will withhold state funding to that county, equal to the amount the county has neglected to pay.
- Provides that the state will coordinate with the resident state for the collection of detention costs for the period of time prior to final court disposition for juveniles detained who are not Florida residents. If residency cannot be established, the state will bear financial responsibility for the costs of detention prior to adjudication.
- Recognizes that some counties will be unable to account for such costs and defines them as "fiscally constrained counties." A "fiscally constrained county" is defined as a rural area of critical economic concern under s. 288.0656, F.S., for which the value of a mill in the county is no more than \$3 million, based on the property valuations and tax data annually published by the Department of Revenue under s. 195.052, F.S. Under these economic conditions, and subject to appropriation, the state will provide grant funding to these counties.
- Requires the Department of Juvenile Justice to produce a cost measurement system to forecast the financial responsibility of each county regarded as "fiscally constrained."
- States that the Legislature has determined and declares that this act fulfills an important state interest.
- Provides an effective date of October 1, 2004.

If approved by the Governor, these provisions take effect October 1, 2004.
Vote: Senate 37-3; House 62-55

HB 1837 — Appropriations Implementing

by Appropriations and Rep. Kyle (SB 2502 by Appropriations)

Section 1: Provides legislative intent.

Education Provisions

Section 2: Allows State universities to use the state accounting system without providing funds to Division of Financial Services. Requires all funds appropriated to state universities for FY 2004-2005 to be distributed according to a budget approved by the university board of trustees. Requires university boards of trustees to include certain trust fund revenues within operating budget, including funds supported by student and other fees and funds within the Contracts, Grants and Donations, Auxiliary Enterprises, and Sponsored Research budget entities. Gives each university board control of its operating budget. Provides for journal transfers of appropriations to university accounts.

Section 3: Authorizes FSU to build a new classroom building from funds appropriated.

Health and Human Services

Section 4: Allows Department of Children and Families to transfer funds within the family safety program between specified appropriations without limitation.

Section 5: Allows funds in the Children and Adolescent Substance Abuse Trust Fund to be used for adult substance abuse services.

Sections 6-7: Allows Privatization of foster care and related services.

Section 8: Requires all new funds for substance abuse and mental health services in excess of prior year recurring appropriations to be allocated pursuant to the General Appropriations Act, but no district may receive less than its current budget.

Section 9: Allows the Department of Children and Families to enter into agreements with a private provider to finance, design and construct a treatment facility.

Section 10: Extends for one year the \$5 surcharge on new system construction permits that support onsite sewage treatment and disposal system research, demonstration, and training projects.

Section 11: Authorizes appropriation of funds in the Epilepsy Services Trust Fund for epilepsy case management services.

Section 12: Restores the 10 percent transfer authority of Department of Children and Families to the current law.

Section 13: Requires all Brain and Spinal Cord Injury Program Trust Fund resources in a specific appropriation category to be utilized by the University of Miami.

Section 14: Florida KidCare: Defines the first open enrollment period for FY 2004-2005 to be January 1-30, 2005 and provides that children on the wait list prior to March 12, 2004 are eligible to be enrolled upon this act becoming a law.

Section 15: Child Care Training – Requires the Department of Children and Families must offer the Child Care Competency Exam in Spanish at least once a year.

Section 16: Operations and Maintenance Trust Fund – Repeals restrictions on the use of cash.

Section 17: Economic Self-Sufficiency - Gives guidelines in this trust fund for Department of Children and Families in determining requirements made for the privatization of the Economic Self-Sufficiency program.

Section 18: LifeSaver Rx program: Stipulates that if federal Medicaid and Medicare centers approve the waiver, the Agency for Health Care Administration may submit a budget amendment certifying the amount of funds necessary and request additional appropriations.

Section 19: Amends proviso related to the long term care fixed payment system for Medicaid beneficiaries over age 65. A plan is to be submitted to the Legislative Budget Commission for a phase-in of pilot projects.

Section 20: Requires the Agency for Health Care Administration to evaluate Florida's nursing home reimbursement methodology and to make recommendations.

Section 21: Managed care contracts – Requires a report on provider and client outcomes in order to assess cost effectiveness, quality of care and access to care for impact on mental health service delivery system.

Section 22: Requires the Department of Health to review and examine how state and local fees are charged in the regulation of onsite sewage treatment and disposal systems. Department of Health will work with affected counties, the home building industry, and septic tank contractors.

Criminal Justice

Section 23: Department of Corrections and Department of Juvenile Justice may expend appropriated funds to assist a county or municipality in paying to open or operate a facility, not to exceed 1 percent.

Section 24: Allows Executive Office of the Governor to request additional positions during FY 2004-2005 for the Department of Corrections if the Criminal Justice Estimating Conference projects a certain increase in the inmate population.

Section 25: Allows the Crime Stoppers Trust Fund to be used for Department of Legal Affairs' expenses.

General Government

Section 26: Requires intensive planning for integration of central administrative and financial management information systems (FLAIR, ASPIRE, CMS, LAS/PBS, SPURS, MyFloridaMarketplace, COPEs, PeopleFirst, and SUNTAX).

Section 27: Allows Department of Agriculture and Consumer Services to work with Department of Transportation and use Department of Transportation purchasing to build the northwest agricultural interdiction station in Escambia County.

Section 28: Gives Auditor General responsibility to administer Council for Education Policy and Research Improvement's (CEPRI) budget. CEPRI remains independent.

Section 29: Gives Executive Office of the Governor authority to transfer funds appropriated for Risk Management Insurance in order to align the budget authority granted with the premiums paid by each department.

Section 30: Extends to June 30, 2005, the scheduled expiration of the Department of Management Services duty to determine premiums necessary to fund state employees' health insurance program.

Section 31: Gives Executive Office of the Governor authority to transfer funds appropriated for payment of the statewide Human Resources outsourcing contract between departments.

Section 32: Removes the Class C travel reimbursement for state travelers.

Section 33: Extends the scheduled expiration of the prescription drug co-payment schedule to June 30, 2005.

Section 34: Inhibits a salary increase of members of the Legislature for FY 2004-2005.

Section 35: Directs the Department of Environmental Protection to award solid waste management grants in equal amounts to small counties, waste tire grants to large counties on a per capita basis, and competitive innovative grants.

Section 36: Expands the use of the Land Acquisition Trust Fund in the Department of Environmental Protection to be appropriated for water quality issues.

Section 37: Allows unobligated moneys in the Florida Preservation 2000 Trust Fund resulting from interest earnings and budget reversions to be appropriated to the Florida Forever Trust Fund.

Section 38: Sets a deadline for the State Technology Office to create best practices for agencies regarding acquisition, use, and disposal of Information Technology equipment. Requires agencies to report disposal methods.

Section 39: Allows Surface Water Improvement Management (SWIM) and invasive plant projects to remain available for mitigation for another year. Effectively extends the date for Department Environmental Protection to repay credits due to the Department of Transportation.

Section 40: Requires talent agency license fees to be equal to the costs of regulation in the Department of Business and Professional Regulation.

Section 41: Allows the Department Environmental Protection to continue to publish Florida Administrative Weekly notices on the internet.

Section 42: Expands the use of the Conservation and Recreation Lands Trust Fund interim management funds in the Fish and Wildlife Conservation Commission and the Lake Jesup restoration project.

Sections 43-44: Creates consistency between the Florida Department of Environmental Protection's Drinking Water program and the federal Safe Drinking Water Act.

Section 45: Extends the deadline for Environmental Protection Agency approval of air emissions standards from citrus processing plants.

Section 46: Allows appropriations for mosquito control from the Agricultural Emergency Eradication Trust Fund.

Section 47: Allows appropriations from the Conservation and Recreation Lands Trust Fund in the Department of Agricultural and Consumer Services for conservation easements (Rural Lands).

Transportation and Economic Development

Section 48: Allows the allocation of funds appropriated to the Emergency Management, Preparedness, and Assistance Trust Fund for the implementation of state and local emergency management programs and to meet any matching requirements imposed as a condition of receiving federal disaster relief assistance, to be established in the General Appropriation Act.

Section 49: Specifies that the first children to be placed in the school readiness program shall be those from families receiving temporary cash assistance and subject to federal work requirements.

Section 50: Allows proceeds from the Professional Sports Development Trust Fund to be used for operational expenses of the Florida Sports Foundation and financial support of the Sunshine State Games.

Section 51: Outlines projects that are eligible for funding under the Florida seaport transportation and economic development funding program, including grants to fund vessel tracking, and extends for one year the authority for prior year funds to be moved to new projects.

Sections 52-53: Continue and expand the Passport to Economic Progress demonstration project.

Section 54: Authorizes exchange of real property between the Department of Highway Safety and Motor Vehicles and Department of Environmental Protection in Palm Beach Gardens.

Section 55: Allows the Agency for Workforce Innovation to administer and implement the Teacher Education and Compensation Helps (TEACH) scholarship program. The program provides educational scholarships to caregivers and administrators of early childhood programs, and family day care homes.

Section 56: Allows Department of State cultural facility grants to be funded in the amount specified in the General Appropriations Act.

Section 57: Allows separate appropriations for library construction grants from the 2003-2004 ranked list and from the 2004-2005 ranked list.

Section 58: Exempts voter education activities of the Department of State or the Supervisor of Elections from competitive solicitation requirements.

Section 59: Amends proviso on Streetscape funding to correct name “Streetscape Design and Construction Enhancements - City of Ft. Myers.”

Section 60: Saves the Qualified Defense Contractor (QDC) tax refund from sunset program.

Section 61: Saves the Qualified Target Industry (QTI) tax refund from sunset program.

Article V Implementation and Judiciary

Section 62: Authorizes funds to be transferred from the courts to the Justice Administrative Commission in order to address unanticipated shortfalls in due process appropriations.

Sections 63-69: Specifies the duties of capital collateral regional counsel for the northern region to be met through a pilot program using registry attorneys.

Section 70: Outlines provisions for health insurance and leave time for personnel transferred from county government to the state court system, state attorney, or public defender as part of Article V implementation.

Section 71: Requires the Department of Revenue to pick 4 counties to participate in the pilot program for tax collection enforcement diversion program.

Section 72: States that Justice Administrative Commission and State Court System deficits in due process services require Legislative Budget Commission (LBC) budget amendments.

Section 73: Reenacts s. 215.32, F.S., to allow trust fund balances to be swept to the Working Capital Fund or Budget Stabilization Fund.

Section 74: Makes finding of “best interest of the state” for the issuance of debt (bonds) on 04-05.

Standard Provisions

Section 75: Specifies that no section shall take effect if the appropriations and proviso to which it relates are vetoed.

Section 76: Provides for a permanent change made by another law to any of the same statutes amended by this bill to take precedence over the provision in this bill.

Section 77: Provides that the changes in section 17 on Economic Self-Sufficiency are not subject to the provisions of section 76 and are intended to override similar changes that may be passed during the 2004 legislative session.

Section 78: Provides that the performance measures and standards, filed with the Secretary of the Senate and dated March 21, 2004, are incorporated by reference and will be applied to programs for FY 2003-2004.

Section 79: Provides that a permanent change made by another law in the 2003 Regular Session of the Legislature to any of the same statutes amended by this bill be given equal precedence to the provision in this bill.

Section 80: Provides a severability clause.

Section 81: Provides an effective date.

If approved by the Governor, these provisions take effect July 1, 2004, except as otherwise provided.

Vote: Senate 34-4; House 87-30

HB 1841 — Budget Stabilization Fund

by Appropriations Committee and Rep. Brummer

This bill allows the state to self insure for the first \$40 million in property losses and authorizes access to the Budget Stabilization Fund in the event there is an emergency requiring payment of unanticipated state property losses. Access to the fund is limited to \$38 million annually and is permitted when losses exceed \$2 million per occurrence or \$5 million annual aggregate. It is estimated the state will save \$6 to \$9 million in the cost of insurance for state properties by self insuring for the first \$40 million in property losses.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 38-0; House 115-0

HB 1843 — Health Care

by Appropriations Committee and Rep. Green (CS/SB 1276 by Appropriations Committee and Senator Peadar)

The bill makes the following changes to health care programs that are required in order to implement the proposed General Appropriations Act for FY 2004-2005.

- Delays until July 1, 2005 the nursing home staffing increase to 2.9 hours of direct care per resident from a certified nursing assistant.
- Provides for a Health Flex federal Medicaid demonstration waiver in Palm Beach County or Miami-Dade County.
- Makes changes to the KidCare program to allow for the enrollment of children on the waitlist as of March 11, 2004; requires certain documents for proof of eligibility; clarifies preexisting conditions for eligibility; and provides for continuous eligibility for 12

months.

- Eliminates eligibility for Medicaid pregnant women with incomes above 150 percent of the federal poverty level effective July 1, 2005.
- Provides that individuals in the medically needy program are eligible for prescribed drug services only, effective July 1, 2005.
- Clarifies a recipient's responsibility for the cost of nursing home care in determining Medicaid eligibility.
- Implements a utilization management program for Medicaid private duty nursing services.
- Implements a hospitalist program in certain high-volume Medicaid participating hospitals.
- Implements a comprehensive utilization management program for hospital neonatal intensive care stays in certain high-volume Medicaid participating hospitals.
- Eliminates the payment for nursing home bed hold days in nursing homes with less than a 95 percent occupancy rate.
- Restores adult denture services effective January 1, 2005 and repeals the restoration July 1, 2005.
- Consolidates Medicaid home and community-based services (HCBS) waiver programs and implements utilization management.
- Eliminates payment of Intermediate Care Facilities for the Developmentally Disabled (ICF/DD) bed hold days for ICF/DD facilities with less than a 95 percent occupancy rate.
- Makes the LifeSaver Rx prescription drug program for seniors contingent on an appropriation subsequent to federal approval.
- Limits the Medicaid provider network through provider credentialing.
- Eliminates the exclusion of special hospital payments from HMO rate setting.
- Revises reimbursement of prescribed drugs to the lower of: Average Wholesale Price (AWP) minus 15.4 percent; Wholesaler Acquisition Cost (WAC) plus 5.75 percent; the Federal Upper Limit (FUL); the State Maximum Allowable Cost (SMAC); or the Usual

and Customary (UAC) charge billed the provider. Requires Medicaid providers to dispense generic drugs if available and at a lower cost than branded products, or if the prescriber has received approval to require the branded product.

- Requires the Agency for Health Care Administration (AHCA) to reimburse county health departments per visit based on total reasonable costs of the clinic.
- Amends the Medicaid disproportionate share programs to conform with the decisions in the General Appropriations Act.
- Establishes the Medicaid Disproportionate Share Council and requires a report to the Legislature with recommendations by February 1 of each year.
- Clarifies provisions related to behavioral health care services through managed care organizations.
- Revises the threshold for supplemental drug rebates from pharmaceutical manufacturers to a minimum of 29 percent.
- Eliminates value-added programs as a substitution for supplemental drug rebates, effective July 1, 2004.
- Limits lifestyle drugs to one dose a month.
- Implements a behavioral pharmacy management system for mental-health-related drugs and provides for other restrictions in the event the behavioral management system is not implemented by September 1, 2004.
- Authorizes AHCA to contract for drug rebate administration.
- Allows for the specification of the preferred daily dosing form or strength of specific drugs by AHCA.
- Allows for the prior authorization for the off-label use of Medicaid-covered prescribed drugs.
- Requires implementation of a return and reuse program for drugs.
- Requires AHCA to ensure cost-effective Medicaid managed care plans.
- Clarifies that Medicaid recipients have 90 days to switch their managed care choice and requires enrollees to select a managed care plan or MediPass within 30 days of

enrollment.

- Requires AHCA to include in its calculation of HMO rates special Medicaid payments and disproportionate share hospital payments.
- Requires AHCA to adopt by rule a methodology for reimbursing managed care plans and publish rates annually prior to September 1 each year.
- Makes changes to the Florida Healthy Kids dental contracts to have the remaining compensation be no less than an amount which is 85 percent of the premium.
- Provides for a Program of All-inclusive Care (PACE) contract with a hospice organization in Lee County and in Martin County to serve 100 elderly individuals.
- Requires AHCA to renegotiate the terms and duration of its loan to the Long Term Care Risk Retention Group and reduces the capitalization cost payments.
- Requires the Office of Program Policy Analysis and Government Accountability to perform a review to determine the cost benefit to the state of the optional Medicaid coverage for pregnant women, adult dentures, and the Medically Needy program.
- Clarifies that AHCA may contract on a capitated, prepaid or fixed sum basis with a laboratory services statewide to ensure that it secures laboratory data from laboratories for all tests provided to Medicaid recipients and requires the data to be included in the real-time, web-based reporting system.

If approved by the Governor, these provisions take effect July 1, 2004, except as otherwise noted.

Vote: Senate 32-6; House 83-34

HB 1845 — Children and Family Services Department

by Appropriations Committee and Rep. Murman (CS/SB 1282 by Appropriations Committee and Senator Peaden)

The bill implements provisions in the General Appropriations Act relating to the Department of Children and Family Services (DCF). It amends s. 20.19(5), F.S., and repeals s. 402.33(10), F.S., to accomplish the following:

- Authorizes the creation of six zones to provide administrative support to the districts and region in DCF.

- Provides that any budget transfer authority granted in s. 20.19, F.S., that is beyond the amendment provisions of ch. 216, F.S., must be specifically identified in the General Appropriations Act or its Implementing Bill. The Appropriations Implementing Bill for FY 2004-2005 authorizes DCF districts and the Suncoast Region to transfer up to 10 percent of each of their total budget.
- Repeals current statutory restrictions on the use of excess cash from the Operations and Maintenance Trust Fund.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 38-0; House 81-36

HB 1847 — Capital Collateral Regional Councils

by Appropriations Committee and Rep. Negron

The bill amends various sections of Chapter 27, F.S., to continue a pilot program in which private attorneys, rather than the state capital collateral counsel, represent defendants in capital post conviction litigation in the northern region of the state. The Legislature first established the pilot for one year in ch. 2003-399, L.O.F., in order to implement the 2003-2004 General Appropriations Act.

To participate in the pilot, private attorneys must be listed on the registry of attorneys maintained pursuant to s. 27.710, F.S., and be qualified to provide representation in federal court. The bill prohibits pilot attorneys from being compensated for work previously performed by the regional office of capital collateral counsel for the northern region. The bill limits private attorneys to representing no more than five defendants in capital postconviction litigation at any one time.

The bill provides for monitoring and evaluation of the pilot. The bill requires the Commission on Capital Cases to review the operation of private attorneys participating in the pilot as well as receive and refer to The Florida Bar any complaints regarding their practice. Private attorneys in the pilot must report on their performance using the same performance measures adopted by the Legislature for the remaining two capital collateral regional councils as well as the number of hours worked and the amount expended on cases. Finally, the Office of the Auditor General must conduct a performance review of the pilot program to determine the effectiveness and efficiency of using private attorneys compared to the capital collateral regional councils and submit a report to the Legislature by January 30, 2007.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 38-0; House 115-0

HB 1851 — Cost of Supervision and Care for Juvenile Offenders

by Appropriations Committee and Rep. Bilirakis (CS/SB 2632 by Criminal Justice Committee and Senator Crist)

This bill amends the statutes that provide for the imposition and collection of fees from parents and guardians of youth supervised by the Department of Juvenile Justice (DJJ). If a youth is placed into secure detention or in a commitment program with the DJJ, the parents or guardians must pay an amount of \$5.00 per day for each day the youth is in the DJJ's custody (same as current law). If the youth is placed in home detention, probation, or other supervision status by the DJJ, the parents or guardians must pay an amount of \$1.00 per day for each day the youth remains under supervision.

The court must assess these fees during the detention or disposition hearing. If the court makes a finding that the parents or guardians of the youth are indigent or that paying the fees will cause significant financial hardship, the court must reduce or waive the fee. The court can also waive the fee if it determines that the parent or guardian is the victim of the youth's delinquent act and the parent is cooperating with the investigation of the offense. They will also not be required to pay if the charges are dropped or the youth is found to be not delinquent (same as current law).

The bill requires a youth's parent or guardian to provide personal identification and financial information when the youth is taken into custody, released, or delivered from custody, placed in any form of detention care or in a residential commitment facility in order to determine their ability to pay. The information must include name, address, social security number, date of birth, driver's license number and sufficient financial information for the department to determine the parent's or guardian's ability to pay. Upon refusal to provide this information or the required financial information, the parent or guardian can be held in contempt of court. The DJJ may also employ a collection agency to collect and manage the payment of unpaid and delinquent fees (same as current law).

The bill also provides that for the upcoming fiscal year, the court must reduce these fees for parents or guardians who successfully complete a voluntary parenting course approved by the DJJ in Circuit 9 (Orange County). The reduction will be equivalent to 20 percent of the obligation owed by the parent or guardian; however, the total value of the reduction can not exceed \$450. If the parent or guardian fails to pay the required fees or to successfully complete the parenting course after agreeing to it, the court is required to hold the parent or guardian in contempt of court and require full payment of the fees.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 38-0; House 118-0

HB 1853 — Citrus Canker Tree Compensation

by Appropriations Committee and Rep. Baker

This bill makes it mandatory for the Department of Agriculture and Consumer Services to notify a landowner before removing a tree infected or exposed to citrus canker from the landowner's property. The bill also changes the specified amount a homeowner will recover for the removal of a tree from \$100 to \$55 for the second and subsequent trees removed. For the first tree removed, the homeowner is compensated with a \$100 voucher from the Shade Florida Program. In addition, the bill codifies in statutes the procedures the department shall follow when removing the citrus tree.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 34-4; House 101-17

HB 1855 — Economic Development

by Appropriations Committee and Rep. Waters (CS/SB 1284 by Appropriations Committee and Senator Webster)

The bill provides statutory changes necessary to conform to the General Appropriations Act for FY 2004-2005. Specifically, the bill:

- Transfers certain international programs from the Department of State to the Office of Tourism, Trade, and Economic Development (OTTED) within the Executive Office of the Governor by type two transfer and makes conforming statutory changes. The programs being transferred include: The Florida Intergovernmental Relations Foundation, as authorized and governed by s. 288.809, F.S., International relations functions, as authorized and governed by s. 288.816, F.S., the Organization of American States, as authorized and governed by s. 15.17, F.S., and the International development outreach activities in Latin America and the Caribbean Basin, as authorized and governed by s. 288.0251, F.S.
- Transfers the linkage institutes from the Department of State to the Department of Education by a type two transfer and directs that all associated trust funds remain within the Department of State;
- Modifies the current statutory process for the selection of Economic Development Transportation projects and the associated allocation of appropriations;
- Continues the provision allowing the Legislature to designate and fund Economic Development Transportation projects that facilitate economic development and growth in the General Appropriations Act; and

- Extends the state employee leasing program for employees of the Black Business Investment Board, Inc., until June 30, 2007.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 38-0; House 117-0

HB 1857 — Governmental Reorganization

by Appropriations Committee and Rep. Waters (CS/SB 1286 by Appropriations Committee and Senator Webster)

The bill provides statutory changes necessary to conform to the General Appropriations Act for FY 2004-2005. Specifically, the bill:

- Transfers the Office of Urban Opportunity, which administers the Front Porch Florida initiative, from the Executive Office of the Governor to the Department of Community Affairs;
- Transfers the State Energy Office from the Department of Community Affairs to the Department of Environmental Protection; and
- Transfers the Affordable Housing Catalyst Program from the Department of Community Affairs, Division of Housing and Community Development, to the Florida Housing Finance Corporation.

The bill requires the Florida Housing Finance Corporation to provide resources to the Affordable Housing Study Commission and to develop and administer the Affordable Housing Catalyst Program.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 38-0; House 118-0

HB 1859 — State Executive Aircraft Pool

by Appropriations Committee and Rep. Brummer

This bill codifies in statute the Department of Management Services' current practice of requiring user fees for full-cost recovery of the state executive aircraft pool. Current statute provides that the charge cannot exceed the vehicle mileage allowance (29 cents). This bill allows the department to set a fee that exceeds the vehicle mileage allowance and establish a user fee that cost recovers all expenses related to the operation of the aircraft pool. This practice is currently authorized annually in the Implementing Bill. This bill eliminates the need for having the language in the Implementing Bill.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 37-0; House 118-0

HB 1861 — Ad Valorem Tax Forms

by Appropriations Committee and Rep. Brummer

This bill (Chapter 2004-22, L.O.F.) amends s. 195.022, F.S., modifying the manner in which forms are provided to counties by the Department of Revenue. These forms are used by property appraisers, tax collectors, clerks of the circuit court and value adjustment boards for administration and collection of ad valorem taxes. The department will continue to furnish forms to counties with a population of 100,000 or less. For counties with a population of more than 100,000 the county officer for those offices listed above will be required to reproduce forms for distribution at the county's expense.

These provisions were approved by the Governor and take effect July 1, 2004.

Vote: Senate 39-0; House 118-0

HB 1863 — Health

by Appropriations Committee and Rep. Green (CS/SB 1276 by Appropriations Committee and Senator Peadar)

The bill provides that certain limitations on the number of authorized positions in the Department of Health do not apply to Office of Disability Determinations positions funded by the United States Trust Fund.

The time restrictions are removed for use of the \$5 fee imposed on new system construction permits for funding of onsite sewage treatment and disposal system research, demonstration, and training projects.

The Department of Health is directed to adopt rules relating to charging and collecting fees for administration of the newborn screening program; reduces the fee charged for each live birth from \$20 to \$15; and provides authority for the department to bill third party payers for newborn screening tests.

The bill corrects the title of a Department of Health official from "Deputy Assistant Secretary for Health" to "Deputy State Health Officer."

The bill removes the expiration date on when funds in the Epilepsy Services Trust fund may be appropriated for epilepsy case management services. Administrative expenditures from the Epilepsy Services Trust Fund are limited to 5 percent of annual receipts.

The Florida Infants and Toddlers Early Intervention Program is created. The authorization for the Department of Health to receive federal funds to establish the program has remained in proviso language of the General Appropriations Act since 1987. The purpose of the Infants and Toddlers Early Intervention (EI) Program is to enhance the development of Florida's infants and toddlers with developmental delays or established conditions that put them at risk of developmental delay.

The bill provides that revenues collected from nurses over and above the required fees shall be transferred from the Medical Quality Assurance Trust Fund to the Florida Center for Nursing Trust Fund.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 38-0; House 118-0

HB 1865 — Elderly Affairs Department

by Appropriations Committee, Rep. Anderson, and others (CS/SB 1276 by Appropriations Committee and Senator Peaden)

The bill changes the definition of “stipend” to a maximum hourly rate that shall not exceed an amount equal to the federal minimum wage.

The bill places in statute recurring implementing bill language that requires the Department of Elder Affairs to fund in Miami-Dade County more than one community care service system the primary purpose of which is the prevention of unnecessary institutionalization of functionally impaired elderly persons through the provision of community-based core services.

The bill places in statute recurring implementing bill language that requires the Department of Elder Affairs to fund in Miami-Dade County more than one community care service system that provides case management and other in-home and community services as needed to help elderly persons maintain independence and prevent or delay more costly institutional care.

The bill adds a new memory disorder clinic at Morton Plant Hospital in Pinellas County for a total of 14 clinics.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 38-0; House 118-0

HB 1867 — Education Funding

by Appropriations Committee and Rep. Simmons

This bill is an appropriations conforming bill which addresses education funding. A number of sections codify into statute provisions which have appeared in proviso language for several years.

Section 1: Codifies into statute the following: 1) school districts shall establish policies and procedures that define enhancement prior to the expenditure of lottery funds, and expenditures shall be consistent with that definition; and 2) school district staff are prohibited from overriding expenditure decisions by the school advisory council related to the \$10/FTE of lottery funds received by the school advisory council.

Section 2: In regard to contributions to nonprofit scholarship-funding organizations, the bill revises the total amount of tax credits and the carry forward of tax credits which may be granted for 2004-05 from \$88 million to \$50 million.

Section 3: Provides for the following community college name changes: 1) Chipola Junior College to Chipola College; 2) Edison Community College to Edison College; 3) Miami Dade Community College to Miami Dade College; and 4) Okaloosa - Walton Community College to Okaloosa - Walton College.

Section 4: Codifies into statute the exemption for university lab schools from payment of indirect or overhead costs to the university.

Section 5: Codifies into statute two provisions which affect the Commissioner of Education: 1) the authority to enter into contracts for the continued administration of assessment, testing, and evaluation programs, including the authorization for contracts to be continued from one year to the next and to be paid from appropriations for either or both fiscal years; and 2) authority to negotiate for the sale or lease of tests, test scoring services, scoring protocols, and related materials.

Section 6: Codifies into statute the requirement that identical fees be charged to resident students within an institution for a specific course regardless of the program in which they are enrolled.

Section 7: Codifies into statute for the Florida School for the Deaf and Blind the prohibition of fee waivers for out-of-state students.

Section 8: 1) Codifies into statute that the school accountability performance grade of “C”, based on student FCAT scores, is the school performance standard for eligibility for the Small Isolated High School FTE supplement. Currently the statute references the High School Competency Test, which is no longer used. 2) Prohibits a gain in state funds for audit findings in

which group 2 FTE are reclassified to the basic program and the district weighted FTE are over the weighted enrollment ceiling for group 2 programs, beginning with audit findings in FY 2001-02.

Section 9: Codifies into statute the prohibition of reporting FTE for state FEFP funding in programs in which the direct instructional costs are fully funded by an external agency.

Section 10: Codifies into statute the distribution schedule of FEFP funds. Distributions are to be made on or about the 10th and 26th of each month.

Section 11: Codifies into statute the instructional materials funds distribution schedule. The schedule is as follows: 50% on or about July 10; 35% on or about October 10; 10% on or about January 10; and 5% on or about June 10.

Section 12: Codifies into statute the prohibition of reporting FTE for state workforce development funding in programs in which the direct instructional costs are fully funded by an external agency.

Section 13: In regard to the Community College Program Fund (CCPF), the bill codifies into statute: 1) the requirement that all state inmate education provided by community colleges be reported and projected separately by program, FTE, expenditure, and revenue source; 2) the prohibition from inclusion in the full-time equivalent student enrollment for the CCPF, the FTE generated through the instruction of state inmates; and 3) the prohibition of the reporting of FTE for state funding in programs in which the direct instructional costs are fully funded by an external agency.

Section 14: Codifies into statute the authorization for the Department of Education to collect teacher recruitment job fair registration fees (maximum \$20/person or \$250/booth) and to use the revenue from the fees to purchase promotional items and to operate the job fair.

Section 15: Codifies into statute the authorization for school district payment of the employer's share of social security, Medicare taxes, and retirement system contributions from Dale Hickam Excellent Teaching program funds for teachers who qualify for certification under the National Board of Professional Teaching Standards and who receive bonus awards.

Section 16: Authorizes Florida State University to construct a building using funds provided in the 2004-2005 General Appropriations Act.

Section 17: Provides an effective date of July 1, 2004.

The bill amends the following sections of the Florida Statutes: 24.121, 1000.21, 1002.32, 1008.22; 1008.23, 1011.57, 1011.62; 1011.63, 1011.66; 1011.67, 1011.80, 1011.84, 1012.05; 1012.72, and creates two unnumbered sections of law.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 37-1; House 79-36

HB 1869 — Administrative Hearings Division

by Appropriations Committee and Rep. Brummer

The bill codifies in statute the Division of Administrative Hearing's current practice of providing administrative law judge services to certain entities on a full-cost recovery basis. Entities required to reimburse the division include, for example, water management districts and regional planning councils. This practice is currently authorized annually as proviso language in the General Appropriations Act. This bill eliminates the need for this proviso language. The division is reimbursed approximately \$500,000 annually by these entities.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 38-0; House 117-0

HB 1875 — Correctional Privatization Commission

by Appropriations Committee and Rep. Brummer

The bill reflects the General Appropriations Act which eliminates the Correctional Privatization Commission effective July 1, 2005 and transfers responsibilities to the Department of Management Services. Effective July 1, 2004, the Department of Management Services will conduct the contractual responsibilities for privately operated correctional facilities in Florida.

In addition, the bill authorizes the Department of Corrections to charge a \$6 monthly fee for inmate banking services which were previously provided at no charge. This service was subsidized by general revenue. The General Appropriations Act shifts the administrative cost of providing banking services from general revenue to a trust fund supported by the fee revenue.

If approved by the Governor, these provisions take effect July 1, 2004 except as otherwise provided.

Vote: Senate 37-0; House 117-0

HB 1877 — Florida Crime Laboratory Council

by Appropriations Committee and Rep. Bilirakis

The bill eliminates the Crime Laboratory Council, within the Department of Law Enforcement which is required in order to implement the proposed General Appropriations Act for FY 2004-2005.

- This bill eliminates the Florida Crime Laboratory Council within the Department of Law Enforcement and makes conforming changes.
- The bill reflects savings of \$117,692 as a result of eliminating the Crime Laboratory Council.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 37-0; House 118-0

HB 1879 — Agriculture Equipment/State Purchase

by Appropriations Committee and Rep. Baker

This bill repeals s. 570.195, F.S., which established a program through which the Department of Agriculture and Consumer Services purchased farming equipment used for the production of tobacco between April 1 and October 1, 2000, from persons or entities that signed a letter of intent to halt tobacco production. Activity under this program has ceased and the bill directs the balance remaining in the General Inspection Trust Fund related to the program to revert. The bill directs the funds to be deposited into the Tobacco Settlement Clearing Trust Fund in the Department of Financial Services.

If approved by the Governor, these provisions take effect July, 1, 2004.

Vote: Senate 38-0; House 66-49

KIDCARE

CS/SB 2000 — Children's Health Care

by Appropriations Committee and Senators Dockery, Peaden, Atwater, Fasano, Argenziano, Jones, Pruitt, Bennett, Lynn, and Cowin

The bill (Chapter 2004-1, L.O.F.) makes the following changes to the Florida KidCare program and the Florida Healthy Kids Corporation.

- Clarifies the definition of the Florida KidCare program.
- Limits enrollment in the Medikids program to the open enrollment periods specified in s. 409.8134, F.S., and eliminates special enrollment periods.
- Provides for open enrollment periods based upon a unanimous recommendation from the KidCare administrators after consultation with the Social Services Estimating Conference. An announcement is required at least one month before the open enrollment period begins. Open enrollment is on a first-come, first-served basis and ends when the

enrollment ceiling is reached. Potential open enrollment periods are January 1-30 and September 1-30. Individuals not already enrolled in the program, including those on the wait list after January 30, 2004, must re-apply by submitting a new application in an open enrollment period. Provides for an exception to the open enrollment period for the Children's Medical Services Network to enroll up to 120 additional chronically ill children based on emergency disability criteria.

- Provides that when the Social Services Estimating Conference determines that there are insufficient funds to finance the current enrollment within current appropriations, the program must initiate disenrollment procedures on a last-in first-out basis, except for CMS children who shall not be disenrolled, until expenditure and appropriation levels are balanced.
- Provides that children with access to employer sponsored coverage would be not eligible if the cost to enroll the child would be equal to or less than 5% of the family income. Children who would lose eligibility because of access to affordable employer-sponsored insurance would remain in the program for 6 months after their next redetermination.
- Provides that children whose parents have voluntarily canceled employer-sponsored health benefits in the last 6 months before enrollment are prohibited from enrolling in KidCare. This does not apply to children on the waitlist as of January 30, 2004.
- Provides that children transferring between components must be managed within the program's overall appropriated or authorized level of funding. Reserves shall be established for each component, and these reserves shall be reviewed by the Social Services Estimating Conference to determine their adequacy to meet actual experience.
- Presumptive eligibility is eliminated and applicants are required to provide written proof of income and written proof of applicant's and related parties' employer-sponsored health benefits plan status during the application process and the redetermination process.
- Requires coverage of dental services; provides that dental services may include those dental services provided to children under the Medicaid program; and removes the maximum cap of \$750 per enrollee per year, effective July 1, 2004.
- Provides that state-funded assistance in paying Florida Healthy Kids premiums applies to the following: Title XXI eligible children; non-Title XXI legal aliens enrolled as of January 31, 2004; non-Title XXI individuals who have attained the age of 19 as of March 31, 2004 (eligibility is repealed March 31, 2005); and non-Title XXI state employee dependents enrolled as of January 1, 2004 (eligibility terminates January 1, 2005).

- Provides that voluntary local contributions for additional Title XXI eligible children are subject to the enrollment ceiling.
- Provides that the corporation will no longer establish eligibility for the Florida Healthy Kids Program, but will determine eligibility for the program pursuant to eligibility rules in statute. Also eliminates Florida Healthy Kids' ability to establish a maximum number of participants who may enroll in the program, as well as premiums and cost-sharing requirements.
- Purchasing criteria for Florida Healthy Kids are changed from quality only to quality and cost.
- Eliminates the corporation's ability to enter into contracts with local school boards or other agencies to provide onsite information, enrollment, and other services necessary to the operation of the corporation.
- Clarifies that insurers under contract with Florida Healthy Kids Corporation are the payers of last resort and must coordinate benefits with any other third party payers who may be liable for the enrollee's medical care.
- The Auditor General is required to recommend mechanisms to prevent the enrollment of ineligible children in the program. The report is due to the Governor and Legislature by March 1, 2005.
- The Florida Healthy Kids Corporation is required to contract for an actuarial study on the impact of full pay members on the Florida KidCare program.
- The Auditor General is also required to periodically audit the Florida Healthy Kids Program through FY 2005-06 to ensure that only eligible children are enrolled. It authorizes the Auditor General to access records from the Corporation or any independent auditor or contractor and any books, accounts, records or other documentation relating to the corporation.
- The Office of Program Policy Analysis and Government Accountability is required to perform a study on KidCare premiums and provide a report to the Legislature by January 1, 2005.
- Provides an appropriation of \$25 million for FY 2003-2004 to serve the 90,280 children who submitted an application to the KidCare program as of January 30, 2004 and are determined eligible for Title XXI funding.

These provisions became law upon approval by the Governor on March 11, 2004, except as otherwise provided.

Vote: Senate 25-14; House 80-37

TRUST FUNDS

Agency for Health Care Administration

The following trust funds are recreated within the department:

	<u>Effective Date</u>
S 946 Health Care Trust Fund	11/04/2004
S 948 Administrative Trust Fund	11/04/2004
S 950 AHCA Tobacco Settlement	11/04/2004
S 952 Grants and Donations Trust Fund	11/04/2004
S 954 Medical Care Trust Fund	11/04/2004
S 956 Fla. Organ and Tissue Donor Education Trust Fund.....	11/04/2004
S 958 Resident Protection Trust Fund	11/04/2004
S 960 Public Medical Assistance	11/04/2004
S 962 Refugee Assistance Trust Fund	11/04/2004
S 1434 Quality of Long-Term Care Trust Fund	11/04/2004

Vote: Senate 40-0; House 113-0

Agency for Workforce Innovation

The following trust funds are recreated within the department:

	<u>Effective Date</u>
S 1020 Administrative Trust Fund	11/04/2004
S 1022 Child Care and Development Trust Fund.....	11/04/2004
S 1024 Displaced Homemaker Trust Fund	11/04/2004
S 1026 Employment Security Administration Trust Fund	11/04/2004
S 1028 Welfare Transition Trust Fund.....	11/04/2004
S 1030 Revolving Trust Fund/Workforce Innovation Trust Fund	11/04/2004
S 1032 Special Employment Security Administrative Trust Fund.....	11/04/2004
S 1034 Unemployment Compensation Benefit Trust Fund.....	11/04/2004
S 1036 Unemployment Compensation Trust Fund Clearing Account	11/04/2004

Vote: Senate 40-0; House 113-0

Department of Agriculture and Consumer Services

The following trust funds are recreated within the department:

	<u>Effective Date</u>
S 750 Administrative Trust Fund	11/04/2004
S 752 Agricultural Law Enforcement Trust Fund.....	11/04/2004
S 754 Citrus Inspection Trust Fund.....	11/04/2004
S 756 Contracts and Grants Trust Fund	11/04/2004

		<u>Effective Date</u>
S 758	Division of Licensing Trust Fund	11/04/2004
S 760	General Inspection Trust Fund	11/04/2004
S 764	Florida Forever Program Trust Fund	07/01/2004
S 766	Agricultural Emergency Eradication Trust Fund	11/04/2004
S 768	Incidental Trust Fund	11/04/2004
S 770	Market Trade Show Trust Fund	11/04/2004
S 772	Markets Improvement Working Capital Trust Fund	11/04/2004
S 774	Plant Industry Trust Fund.....	11/04/2004
S 776	Pest Control Trust Fund	11/04/2004
S 778	Quarter Horse Racing Program Trust Fund	11/04/2004
S 780	Relocation and Construction Trust Fund.....	11/04/2004
S 782	Florida Saltwater Products Promotion Trust Fund.....	11/04/2004
S 784	Federal Law Enforcement Trust Fund	11/04/2004
S 786	Viticulture Trust Fund.....	11/04/2004
S 788	Florida Agricultural Promotion Campaign Trust Fund	11/04/2004
S 790	Conservation and Recreation Lands Trust Fund	11/04/2004

Vote: Senate 40-0; House 113-0

Department of Business and Professional Regulation

The following trust funds are recreated within the department:

		<u>Effective Date</u>
S 804	Alcoholic Beverage and Tobacco Trust Fund	11/04/2004
S 806	Cigarette Tax Collection Trust Fund.....	11/04/2004
S 808	Pari-mutuel Wagering Trust Fund.....	11/04/2004

Vote: Senate 40-0; House 113-0

Department of Children and Family Services

The following trust funds are recreated within the department:

		<u>Effective Date</u>
S 874	Administrative Trust Fund	11/04/2004
S 876	Alcohol, Drug Abuse and Mental Health Trust Fund	11/04/2004
S 878	Child Welfare Training Trust Fund.....	11/04/2004
S 880	Children and Adolescents Sub. Abuse Trust Fund.....	11/04/2004
S 884	CFS Department Tobacco Settlement Trust Fund	11/04/2004
S 886	Domestic Violence Trust Fund	11/04/2004
S 888	Federal Grants Trust Fund	11/04/2004
S 890	Grants and Donations Trust Fund	11/04/2004
S 892	Operations and Maintenance Trust Fund	11/04/2004
S 894	Refugee Assistance Trust Fund.....	11/04/2004
S 896	Social Services Block Grant Trust Fund	11/04/2004
S 898	Working Capital Trust Fund	11/04/2004

Vote: Senate 40-0; House 113-0

S 860	Welfare Transition Trust Fund.....	11/04/2004
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Vote: Senate 39-0; House 115-0

Department of Community Affairs

The following trust funds are recreated within the department:

		<u>Effective Date</u>
S 986	Administrative Trust Fund	11/04/2004
S 990	Florida Small Cities Community Development Trust Fund.....	11/04/2004
S 992	Community Services Block Grant Trust Fund	11/04/2004
S 994	Energy Consumption Trust Fund	11/04/2004
S 996	Emergency Management Trust Fund	11/04/2004
S 998	Florida Communities Trust Fund	11/04/2004
S 1006	Grants and Donations Trust Fund	11/04/2004
S 1010	Low-Income Home Energy Assistance Trust Fund	11/04/2004
S 1012	Operating Trust Fund	11/04/2004
S 1014	Federal Emergency Management Program Trust Fund.....	11/04/2004
S 1016	U.S. Contributions Trust Fund	11/04/2004

Vote: Senate 40-0; House 113-0

S 1000	Local Government Housing Trust Fund.....	11/04/2004
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Vote: Senate 40-0; House 115-0

S 1002	State Housing Trust Fund.....	11/04/2004
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Vote: Senate 40-0; House 119-0

Department of Education

The following trust funds are recreated within the department:

		<u>Effective Date</u>
S 1056	Florida Endowment for Vocational Rehabilitation Fund	11/04/2004

Vote: Senate 40-0; House 113-0

Department of Elderly Affairs

The following trust funds are recreated within the department:

		<u>Effective Date</u>
S 936	Administrative Trust Fund	11/04/2004
S 938	Tobacco Settlement Trust Fund	11/04/2004
S 940	Federal Grants Trust Fund	11/04/2004
S 942	Grants and Donations Trust Fund	7/01/2004
S 944	Operations and Maintenance Trust Fund	11/04/2004

Vote: Senate 40-0; House 113-0

Department of Environmental Protection

The following trust funds are recreated within the department:

	<u>Effective Date</u>
S 722 Invasive Plant Control Trust Fund	11/04/2004
S 724 Air Pollution Control Trust Fund	11/04/2004
S 726 Florida Coastal Protection Trust Fund	11/04/2004
S 728 Conservation and Recreation Lands Trust Fund	11/04/2004
S 730 Ecosystem Management and Restoration Trust Fund	07/01/2004
S 732 Inland Protection Trust Fund	11/04/2004
S 736 Internal Improvement Trust Fund	11/04/2004
S 738 Non-mandatory Land Reclamation Trust Fund.....	11/04/2004
S 740 Solid Waste Management Trust Fund	11/04/2004
S 742 State Park Trust Fund.....	11/04/2004
S 744 Water Management Lands Trust Fund.....	11/04/2004
S 746 Water Quality Assurance Trust Fund.....	11/04/2004
S 748 Lake Okeechobee Trust Fund	07/01/2004

Vote: Senate 40-0; House 113-0

Department of Financial Services

The following trust funds are recreated within the department:

	<u>Effective Date</u>
S 816 Unclaimed Property Trust Fund.....	11/04/2004
S 818 Florida Casualty Insurance Risk Management Trust Fund	11/04/2004
S 822 Federal Use of State Lands Trust Fund	11/04/2004
S 824 Insurance Regulatory Trust Fund.....	11/04/2004
S 826 Preneed Funeral Contract Consumer Trust Fund	11/04/2004
S 828 Miscellaneous Deductions Restoration Trust Fund.....	11/04/2004
S 830 Rehabilitation Administrative Trust Fund.....	11/04/2004
S 832 Treasurer's Administrative and Investment Trust Fund.....	11/04/2004
S 834 Trust Funds Trust Fund.....	11/04/2004
S 838 Workers' Compensation Trust Fund	11/04/2004
S 840 Special Disability Trust Fund.....	11/04/2004
S 842 Public Deposits Security Trust Fund.....	11/04/2004
S 1236 Administrative Trust Fund	11/04/2004
S 1692 Financial Institutions' Regulatory Trust Fund	11/04/2004

Vote: Senate 40-0; House 113-0

S 2648 Public Deposits Security Trust Fund.....	11/04/2004
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Vote: Senate 38-0; House 115-0

Financial Services/Office of Financial Regulation

The following trust funds are recreated within the department:

	<u>Effective Date</u>
S 844 Administrative Trust Fund	11/04/2004

		<u>Effective Date</u>
S 846	Anti-Fraud Trust Fund	11/04/2004
S 848	Financial Institutions' Trust Fund	11/04/2004
S 852	Regulatory Trust Fund	11/04/2004
S 854	Securities Guaranty Trust Fund	11/04/2004
S 856	Comptroller's Federal Equitable Sharing Trust Fund	11/04/2004

Vote: Senate 40-0; House 113-0

Financial Services/Office of Insurance Regulation

The following trust funds are recreated within the department:

		<u>Effective Date</u>
S 1240	Insurance Regulatory Trust Fund	11/04/2004
S 1694	Workers' Compensation Administration Trust Fund	11/04/2004

Vote: Senate 40-0; House 113-0

Department of Health

The following trust funds are recreated within the department:

		<u>Effective Date</u>
S 900	Administrative Trust Fund	11/04/2004
S 902	DOH Tobacco Settlement Trust Fund	11/04/2004
S 904	County Health Department Trust Fund	11/04/2004
S 906	Donations Trust Fund	11/04/2004
S 908	Florida Drug, Device and Cosmetic Trust Fund	11/04/2004
S 910	Emergency Medical Services Trust Fund	11/04/2004
S 912	Epilepsy Services Trust Fund	11/04/2004
S 914	Federal Grants Trust Fund	11/04/2004
S 916	Grants and Donations Trust Fund	11/04/2004
S 918	Medical Quality Assurance Trust Fund	11/04/2004
S 920	Brain and Spinal Cord Injury Trust Fund	11/04/2004
S 922	Maternal and Child Health Block Grant Trust Fund	11/04/2004
S 924	Operations and Maintenance Trust Fund	11/04/2004
S 926	Planning and Evaluation Trust Fund	11/04/2004
S 928	Preventive Health Services Trust Fund	11/04/2004
S 930	Radiation Protection Trust Fund	11/04/2004
S 932	Social Services Block Grant Trust Fund	11/04/2004
S 934	United States Trust Fund	11/04/2004
S 1242	Rape Crisis Program Trust Fund	11/04/2004
S 1244	Florida Center for Nursing Trust Fund	11/04/2004
S 1246	Nursing Student Loan Forgiveness Trust Fund	11/04/2004

Vote: Senate 40-0; House 113-0

S 858	Welfare Transition Trust Fund	11/04/2004
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Vote: Senate 39-0; House 118-0

Florida Department of Law Enforcement

The following trust funds are recreated within the department:

	<u>Effective Date</u>
S 1044 Forfeiture and Investigative Support Trust Fund	11/04/2004
S 1046 Operating Trust Fund	11/04/2004

Vote: Senate 40-0; House 113-0

Department of Legal Affairs

The following trust fund is recreated within the department:

	<u>Effective Date</u>
S 1038 Administrative Trust Fund	11/04/2004

Vote: Senate 40-0; House 113-0

Legislature

The following trust funds are recreated within the department:

	<u>Effective Date</u>
S 716 Executive Branch Lobby Registration Trust Fund.....	11/04/2004
S 718 Grants and Donations Trust Fund	11/04/2004
S 720 Legislative Lobbyist Registration Trust Fund.....	11/04/2004

Vote: Senate 40-0; House 113-0

Department of State

The following trust funds are recreated within the department:

	<u>Effective Date</u>
S 966 Florida Fine Arts Trust Fund.....	11/04/2004
S 968 Grants and Donations Trust Fund	11/04/2004
S 974 Library Services Trust Fund.....	11/04/2004
S 976 Cultural Institutions Trust Fund	11/04/2004
S 978 Elections Operating Trust Fund	11/04/2004
S 980 Historical Resources Operating Trust Fund	11/04/2004
S 984 Records Management Trust Fund	11/04/2004

Vote: Senate 40-0; House 113-0

State Board of Administration

The following trust funds are recreated within the board:

	<u>Effective Date</u>
S 796 Administrative Expense Trust Fund.....	11/04/2004

Vote: Senate 40-0; House 113-0

State Board of Administration/Division of Bond Finance

The following trust funds are recreated within the division:

	<u>Effective Date</u>
S 792 Bond Fee Trust Fund.....	11/04/2004
S 794 Arbitrage Compliance Trust Fund.....	11/04/2004

Vote: Senate 40-0; House 113-0

State Courts/Office of the Clerk of the Circuit Court

The following trust fund is recreated within the Office of the Clerk of the Circuit Court:

	<u>Effective Date</u>
S 1054 Public Records Modernization Trust Fund	11/04/2004

Vote: Senate 40-0; House 113-0

Department of Veterans' Affairs

The following trust funds are recreated within the department:

	<u>Effective Date</u>
S 862 Federal Grants Trust Funds	11/04/2004
S 864 Grants and Donations Trust Fund	11/04/2004
S 866 Operations and Maintenance Trust Fund	11/04/2004
S 868 State Homes for Veterans Trust Fund	11/04/2004
S 870 Florida World War II Veterans Memorial Trust Fund	11/04/2004

Vote: Senate 40-0; House 113-0

CS/SB 1050 — Consumer Frauds Trust Fund

by Appropriations Committee and Senator Smith

The bill terminates the Consumer Frauds Trust Fund (FLAIR # 212127) within the Justice Administrative Commission. State attorneys use the trust fund to deposit proceeds from judgments won in consumer fraud cases in order to pay their costs of prosecution. The bill requires that all balances and revenues of the Consumer Frauds Trust Fund be deposited in the Grants and Donations Trust Fund within the Justice Administrative Commission. The Justice Administrative Commission must pay any outstanding obligations of the trust fund with the remaining balance. The Chief Financial Officer must close out the fund using generally accepted accounting principles.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 40-0; House 113-0

SB 1690 — Trust Fund Terminations

by Senator Peadar

This bill terminates the three trust funds listed below; specifies sources to which remaining balances are to be transferred, and instructs the Chief Financial Officer to close out and remove the terminated funds from the various state accounting systems. The bill repeals s. 292.085, F.S.

- Florida Korean Veterans Memorial Matching Trust Fund - Any remaining balance will be transferred to the Florida World War II Memorial Trust Fund.
- Department of Veterans' Affairs Tobacco Settlement Trust Fund - The bill repeals s. 292.085, F.S.
- Design and Construction Trust Fund - Any remaining balance will be transferred to Federal Grants Trust Fund.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 40-0; House 113-0

CS/SB 2644 — Trust Funds Exempt, Modify or Terminate

by Appropriations Committee and Senator Clary

This bill makes changes to certain trust funds pursuant to s. 215.3206(f), F.S., which requires a legislative review of each of the trust funds in an agency subject to the four year review cycle. The bill provides for termination, exemption or modification of specified trust funds within the Department of Environmental Protection, the Department of Financial Services, the Office of Financial Regulation, the Department of Management Services, the Department of Revenue, the Department of Business and Professional Regulation, the Department of Agriculture and Consumer Services, the State Board of Administration, and the Division of Bond Finance. The majority of the terminated trust funds are no longer in use. The exceptions are trust funds which are consolidated with other trust funds to improve management efficiencies.

The following trust funds within the following departments are terminated:

Department of Environmental Protection:

- The Forfeited Property Trust Fund
- The Marine Resources Conservation Trust Fund
- The Federal Law Enforcement Trust Fund
- The Save the Manatee Trust Fund
- The Project Construction Trust Fund upon the maturity of all bonds secured. The bond retirement date is July 1, 2007.

Department of Financial Services:

- The Consolidated Payment Trust Fund
- The Self-Insurance Assessment Trust Fund
- The Working Capital Trust Fund

Office of Financial Regulation:

- Mortgage Brokerage Guaranty Fund

Department of Management Services:

- Motor Vehicle Operating Trust Fund
- The Social Security Contribution Trust Fund
- The State Employee Child Care Revolving Trust Fund
- The State Employees Savings Bond Trust Fund

Department of Revenue:

- The Corporation Tax Administration Trust Fund
- The Drug Enforcement Trust Fund
- The Intangible Tax Trust Fund
- Railroad and Private Car Tax Clearing Trust Fund
- The Sales Tax Security Deposit Trust Fund
- The Working Capital Trust Fund
- The Municipal Financial Assistance Trust Fund

Department of Business and Professional Regulation:

- The Child Labor Law Trust Fund
- The Crew Chief Registration Trust Fund
- The Tobacco Settlement Trust Fund
- The Workers' Compensation Administration

Department of Agriculture and Consumer Services:

- Working Capital Trust Fund

This bill renames four trust funds within the Department of Financial Services and one trust fund within the Office of Financial Regulation.

This bill substantially amends the following sections of the Florida Statutes: 17.43, 199.292, 121.011, 121.031, 121.141, 122.12, 122.26, 122.27, 122.35, 215.20, 215.32, 253.03, 287.064, 450.155, 450.30, 450.31, 494.0017, 494.0041, 494.0072, 501.2101, 650.04, 650.05, 895.09, and 932.7055.

This bill repeals the following sections of the Florida Statutes: 29.2533, 110.151(7), 122.13, 122.30, 122.351, 440.501, 569.205, and 650.06.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 40-0; House 115-1

CS/SB 2646 — Trust Funds/Terminations

by Appropriations Committee and Senator Webster

This bill is the result of the four-year sunset review of trust funds in the Transportation and Economic Development agencies. The bill terminates obsolete and unnecessary funds including: the Publications Revolving Trust Fund, the Ringling Museum Investment Trust Fund, and the Library Construction Trust Fund in the Department of State; the Civil Fines Clearing Trust Fund in the Department of Highway Safety and Motor Vehicles; and the Governor's Council on Criminal Justice Trust Fund, and the Coastal Zone Management Trust Fund in the Department of Community Affairs.

Fee revenue supporting the publication and distribution of the Florida Administrative Weekly currently deposited into the Publications Revolving Trust Fund is redirected to the Records Management Trust Fund.

The bill clarifies the use of the Emergency Management, Preparedness, and Assistance Trust Fund to include implementation of state and local emergency management programs, training, and state match for federal disaster relief assistance; provides an exemption to the Service Charge to General Revenue for specified voluntary contributions held in a fiduciary capacity by the state; and repeals the termination of the Welfare Transition Trust Fund on July 1, 2005, as this trust fund was recreated in Senate Bill 1028.

The following trust funds are exempt from termination pursuant to the criteria in s. 19(f), Art. III, State Constitution:

Executive Office of the Governor

- Administered Funds Trust Fund

Department of Transportation

- Central Florida Beltway Trust Fund
- Everglades Parkway Construction Trust Fund
- Turnpike Renewal and Replacement Trust Fund
- Turnpike General Reserve Trust Fund
- Turnpike Bond Construction Trust Fund
- Jacksonville Transportation Authority Project Construction Trust Fund
- Jefferson County 1992 Project Construction Trust Fund
- State Transportation Trust Fund
- Right-of-Way Acquisition and Bridge Construction Trust Fund

Department of Highway Safety and Motor Vehicles

- International Registration Clearing Trust Fund
- License Tax Collection Trust Fund
- Motor Vehicle License Clearing Trust Fund
- Security Deposits Trust Fund

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 39-0; House 116-1

HB 1881 — Trust Funds; terminates specified trust funds within Justice Administrative Commission, Corrections Department, Legal Affairs Department, and State Courts System

by Appropriations Committee and Rep. Negrón

This bill terminates four trust funds: the Capital Collateral Trust Fund used by the Capital Collateral Regional Counsels; the Consumer Frauds Trust Fund used by the state attorneys; the Family Courts Trust Fund in the state courts; and the Operating Trust Fund within the Department of Corrections. The bill provides for the balances in the trust funds remaining after payment of all outstanding debts to be transferred to the General Revenue Fund, except for the Consumer Frauds Trust Fund balances, which are to be transferred to the Grants and Donations Trust Fund in the Justice Administrative Commission. Changes are also made as appropriate to redirect any statutorily generated revenues of these trust funds to the General Revenue Fund. The bill repeals provisions governing the administration of the Family Courts Trust Fund in the state courts to conform to the termination of that trust fund. The bill amends ss. 27.702, 28.101, 741.01, and 948.09, F.S., and repeals s. 25.388, F.S.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 38-0; House 111-4