

Senate Bill No. 2502

An act implementing the 2007-2008 Special Appropriations Act; providing legislative intent; providing for the incorporation by reference of certain calculations used by the Legislature for the 2007-2008 fiscal year; providing for the implementation of specified appropriations; providing legislative intent with respect to reductions in expenditures made by district school boards; providing for moneys in specified trust funds to be expended as directed by the Legislature, notwithstanding certain provisions to the contrary; amending s. 1011.71, F.S.; increasing the amount that certain school districts may expend, per unweighted full-time equivalent student, from the revenue generated by the 2007-2008 district school tax levy; providing for the expiration of such increase; providing for the effect of a veto of one or more specific appropriations or proviso provisions to which implementing language refers; providing for severability; providing an effective date.

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

Section 1. It is the intent of the Legislature that the implementing and administering provisions of this act apply to the act making special appropriations and reductions in appropriations for the 2007-2008 fiscal year adopted during the 2008 Regular Session.

Section 2. In order to implement Specific Appropriations 2 and 29-32 of the 2007-2008 Special Appropriations Act adopted during the 2008 Regular Session, the calculations of the Florida Education Finance Program for the 2007-2008 fiscal year in the document entitled "Public School Funding - The Florida Education Finance Program," dated March 9, 2008, and filed with the Clerk of the House of Representatives are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with requirements of the Florida Statutes, in making appropriations and reductions in appropriations for the Florida Education Finance Program.

Section 3. The 2007-2008 appropriations for the Florida Education Finance Program and categorical funds provide each school district an increase in total potential funds per full-time equivalent student which is greater than the amount provided for the 2006-2007 fiscal year. Therefore, it is the intent of the Legislature that any reductions in expenditures by school districts in response to any of the appropriation reductions in Specific Appropriations 2 and 29-32 of the 2007-2008 Special Appropriations Act adopted during the 2008 Regular Session be made in functions other than classroom instruction.

Section 4. In order to implement Specific Appropriation 953A of the 2007-2008 Special Appropriations Act adopted during the 2008 Regular Session and notwithstanding the provisions of s. 25.384(2), Florida Statutes, to the contrary, funds in the Court Education Trust Fund shall also be expended as directed by the Legislature in the 2007-2008 Special Appropriations Act adopted during the 2008 Regular Session.

Section 5. In order to implement Specific Appropriations 945A and 953A of the 2007-2008 Special Appropriations Act adopted during the 2008 Regular Session, and notwithstanding the provisions of s. 44.108, Florida Statutes, to the contrary, the fees imposed pursuant to s. 44.108(1), Florida Statutes, and deposited in the Mediation and Arbitration Trust Fund shall also be expended as directed by the Legislature in the 2007-2008 Special Appropriations Act adopted during the 2008 Regular Session.

Section 6. Subsection (3) of section 1011.71, Florida Statutes, as amended by section 4 of chapter 2007-328, Laws of Florida, is amended to read:

1011.71 District school tax.—

(3) A school district that has met the reduction requirements regarding class size for the 2007-2008 fiscal year pursuant to s. 1003.03 for K-12 students for whom the school district provides the educational facilities and certifies to the Commissioner of Education that the district does not need all of its discretionary 2-mill capital improvement revenue for capital outlay purposes and all of the district's instructional space needs for the next 5 years can be met from capital outlay sources that the district reasonably expects to receive during the next 5 years from local revenues and from currently appropriated state facilities funding or from alternative scheduling or construction, leasing, rezoning, or technological methodologies that exhibit sound management may expend, subject to the provisions of s. 200.065, up to ~~\$65~~ \$25 per unweighted full-time equivalent student from the revenue generated by the 2007-2008 millage levy authorized by subsection (2) to fund, in addition to expenditures authorized in paragraphs (2)(a)-(j), 2007-2008 expenses for the following:

(a) The purchase, lease-purchase, or lease of driver's education vehicles; motor vehicles used for the maintenance or operation of plants and equipment; security vehicles; or vehicles used in storing or distributing materials and equipment.

(b) Payment of the cost of premiums for property and casualty insurance necessary to insure school district educational and ancillary plants. Operating revenues that are made available through the payment of property and casualty insurance premiums from revenues generated under this subsection may be expended only for nonrecurring operational expenditures of the school district.

Section 7. The amendments to s. 1011.71(3), Florida Statutes, as carried forward by this act from chapter 2007-328, Laws of Florida, and made by this act shall expire July 1, 2008, and the text of that section shall revert to that in existence on the day before the effective date of chapter 2007-328, Laws of Florida, except that any amendments to such text enacted other than by this act and chapter 2007-328, Laws of Florida, shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of such text which expire pursuant to this section.

Section 8. Any section of this act which implements a specific appropriation or specifically identified proviso language in the act making appropria-

tions and reductions in appropriations for the 2007-2008 fiscal year is void if the specific appropriation or specifically identified proviso language is vetoed. Any section of this act which implements more than one specific appropriation or more than one portion of specifically identified proviso language in the act making appropriations and reductions for the 2007-2008 fiscal year is void if all the specific appropriations or portions of specifically identified proviso language are vetoed.

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

Section 10. This act shall take effect upon becoming a law.

Approved by the Governor March 14, 2008.

Filed in Office Secretary of State March 14, 2008.