

1                   A reviser's bill to be entitled  
 2           An act relating to the Florida Statutes; repealing ss.  
 3           216.292(5)(b), 255.503(7)(b), 288.1088(4),  
 4           339.08(1)(n) and (p), 339.135(7)(a) and (b),  
 5           341.102(1), 403.1651(3), 445.007(10) and (11),  
 6           921.0019, 1001.451(2)(c), and 1004.226, F.S.; and  
 7           amending s. 373.079(4)(a), F.S.; to delete provisions  
 8           which have become inoperative by noncurrent repeal or  
 9           expiration and, pursuant to s. 11.242(5)(b) and (i),  
 10          may be omitted from the 2012 Florida Statutes only  
 11          through a reviser's bill duly enacted by the  
 12          Legislature; amending s. 1004.648(12), F.S., to  
 13          conform a cross-reference; providing an effective  
 14          date.

15  
 16 Be It Enacted by the Legislature of the State of Florida:

17  
 18           Section 1. Paragraph (b) of subsection (5) of section  
 19 216.292, Florida Statutes, is repealed.

20           Reviser's note.—The cited paragraph, which provides  
 21           that, for the 2010-2011 fiscal year only, the Governor  
 22           may recommend the initiation of fixed capital outlay  
 23           projects funded by grants awarded by the Federal  
 24           Government through the American Recovery and  
 25           Reinvestment Act of 2009 or by any other federal  
 26           economic stimulus grant funding received, expired  
 27           pursuant to its own terms, effective July 1, 2011.

28           Section 2. Paragraph (b) of subsection (7) of section

29 | 255.503, Florida Statutes, is repealed.

30 |       Reviser's note.—The cited paragraph, which required  
 31 |       provision of an analysis when disposition of a  
 32 |       facility within the Florida Facilities Pool was  
 33 |       recommended, expired pursuant to its own terms,  
 34 |       effective July 1, 2011.

35 |       Section 3. Subsection (4) of section 288.1088, Florida  
 36 | Statutes, is repealed.

37 |       Reviser's note.—The cited subsection, which relates to  
 38 |       requests for contract renegotiation by a Quick Action  
 39 |       Closing Fund business submitting reports within a  
 40 |       limited timeframe, expired pursuant to its own terms,  
 41 |       effective June 30, 2011.

42 |       Section 4. Paragraphs (n) and (p) of subsection (1) of  
 43 | section 339.08, Florida Statutes, are repealed.

44 |       Reviser's note.—The cited paragraphs, which relate to  
 45 |       expenditure of moneys in the State Transportation  
 46 |       Trust Fund for a multicounty transportation or  
 47 |       expressway authority created under chapter 343 or  
 48 |       chapter 348, where jurisdiction for the authority  
 49 |       includes a portion of the State Highway System and the  
 50 |       administrative expenses are in furtherance of the  
 51 |       duties and responsibilities of the authority in the  
 52 |       development of improvements to the State Highway  
 53 |       System, and to pay for county and school district  
 54 |       transportation infrastructure improvements,  
 55 |       respectively, expired pursuant to their own terms,  
 56 |       effective July 1, 2011.

57           Section 5. Paragraphs (a) and (b) of subsection (7) of  
 58 section 339.135, Florida Statutes, are repealed.

59           Reviser's note.—The cited paragraphs, which relate to  
 60 legislative intent to maintain fiscal solvency, make  
 61 prudent use of fiscal resources to minimize project  
 62 deferral, reduce certain financial projects not  
 63 programmed for contract letting, reduce cash balances  
 64 to a specified level to balance the finance plan and  
 65 cash forecast to the revised funding levels resulting  
 66 from any reduction in the 2010-2011 General  
 67 Appropriations Act, and require provision of a  
 68 specified list of documents to the Legislative Budget  
 69 Commission with submittal of the work program  
 70 amendment, expired pursuant to their own terms,  
 71 effective July 1, 2011.

72           Section 6. Subsection (1) of section 341.102, Florida  
 73 Statutes, is repealed.

74           Reviser's note.—The cited subsection, which provides a  
 75 limited exemption from local government regulation for  
 76 certain nonpublic sector buses engaged solely in  
 77 intercounty transportation, or engaged in intracity  
 78 transportation routes if the owner can establish that  
 79 the bus route has been operated continuously from  
 80 January 1, 1990, through April 1, 1991, and such  
 81 intracity transportation has been conducted in  
 82 compliance with applicable safety rules and  
 83 regulations promulgated under s. 316.70, the partial  
 84 exemption to be limited to routes maintained

85 | continuously from January 1, 1990, through April 1,  
 86 | 1991, expired by its own terms effective April 1,  
 87 | 2011, or 10 years after any change in ownership of  
 88 | such bus, whichever occurs first.

89 | Section 7. Paragraph (a) of subsection (4) of section  
 90 | 373.079, Florida Statutes, is amended to read:

91 | 373.079 Members of governing board; oath of office;  
 92 | staff.—

93 | (4) The governing board of the district shall employ:

94 | (a) An executive director, ombudsman, and such engineers,  
 95 | other professional persons, and other personnel and assistants  
 96 | as it deems necessary and under such terms and conditions as it  
 97 | may determine and to terminate such employment. The appointment  
 98 | of an executive director by the governing board is subject to  
 99 | approval by the Governor and must be initially confirmed by the  
 100 | Senate. The governing board may delegate all or part of its  
 101 | authority under this paragraph to the executive director.  
 102 | However, the governing board shall delegate to the executive  
 103 | director all of its authority to take final action on permit  
 104 | applications under part IV or petitions for variances or waivers  
 105 | of permitting requirements under part IV.

106 | ~~1.~~ The executive director may execute such delegated  
 107 | authority through designated staff members. Such delegations  
 108 | shall not be subject to the rulemaking requirements of chapter  
 109 | 120. The governing board must provide a process for referring a  
 110 | denial of such application or petition to the governing board  
 111 | for the purpose of taking final action. The executive director  
 112 | must be confirmed by the Senate upon employment and must be

113 confirmed or reconfirmed by the Senate during the second regular  
 114 session of the Legislature following a gubernatorial election.

115 ~~2.—The delegation required by this paragraph shall~~  
 116 ~~expressly prohibit governing board members from individually~~  
 117 ~~intervening in any manner during the review of an application~~  
 118 ~~before such application is referred to the governing board for~~  
 119 ~~final action. This subparagraph does not prohibit the governing~~  
 120 ~~board as a collegial body from acting on any permit application~~  
 121 ~~or supervising, overseeing, or directing the activities of~~  
 122 ~~district staff. This subparagraph expires June 1, 2011, unless~~  
 123 ~~reenacted by the Legislature.~~

124 Reviser's note.—The cited paragraph was amended to  
 125 delete subparagraph 2., which expired pursuant to its  
 126 own terms, effective June 1, 2011.

127 Section 8. Subsection (3) of section 403.1651, Florida  
 128 Statutes, is repealed.

129 Reviser's note.—The cited subsection, which relates to  
 130 authorization of transfer of moneys in the Ecosystems  
 131 Management and Restoration Trust Fund to the General  
 132 Inspection Trust Fund in the Department of Agriculture  
 133 and Consumer Services for the Farm Share, Food Banks,  
 134 and Mosquito Control programs, and the Technological  
 135 Research and Development Authority, for the 2010-2011  
 136 fiscal year only, expired pursuant to its own terms,  
 137 effective July 1, 2011.

138 Section 9. Subsections (10) and (11) of section 445.007,  
 139 Florida Statutes, are repealed.

140 Reviser's note.—The cited subsections, which relate to

PCB RCC 12-03

ORIGINAL

2012

141 prohibition on use of state and federal funds for  
142 food, beverages, and entertainment for members, staff,  
143 or employees of regional workforce boards, Workforce  
144 Florida, Inc., or the Agency for Workforce Innovation  
145 except as expressly authorized by state law, and  
146 requires boards to comply with specified section  
147 requirements before contracting with a member of the  
148 regional workforce board and to submit the contracts  
149 and related documentation to the Agency for Workforce  
150 Innovation for review and recommendation, expired  
151 pursuant to their own terms, effective July 1, 2011.

152 Section 10. Section 921.0019, Florida Statutes, is  
153 repealed.

154 Reviser's note.—The cited section creates the  
155 Correctional Policy Advisory Council. Section 2, ch.  
156 2008-54, Laws of Florida, abolished the council,  
157 effective July 1, 2011. Since the section was not  
158 repealed by a "current session" of the Legislature, it  
159 may be omitted from the 2012 Florida Statutes only  
160 through a reviser's bill duly enacted by the  
161 Legislature. See s. 11.242(5)(b) and (i).

162 Section 11. Paragraph (c) of subsection (2) of section  
163 1001.451, Florida Statutes, is repealed.

164 Reviser's note.—The cited paragraph, which authorizes  
165 an appropriation of less than \$50,000 for incentive  
166 grants for regional consortium service organizations  
167 consisting of four or more school districts for the  
168 2010-2011 fiscal year, expired pursuant to its own

PCB RCC 12-03

ORIGINAL

2012

169 terms, effective July 1, 2011.

170 Section 12. Section 1004.226, Florida Statutes, is  
171 repealed.

172 Reviser's note.—The cited section, the 21st Century  
173 Technology, Research, and Scholarship Enhancement Act,  
174 was repealed by s. 6, ch. 2006-58, Laws of Florida,  
175 effective June 30, 2011. Since the section was not  
176 repealed by a "current session" of the Legislature, it  
177 may be omitted from the 2012 Florida Statutes only  
178 through a reviser's bill duly enacted by the  
179 Legislature. See s. 11.242(5)(b) and (i).

180 Section 13. Subsection (12) of section 1004.648, Florida  
181 Statutes, is amended to read:

182 1004.648 Florida Energy Systems Consortium.—

183 (12) The steering committee shall consist of the  
184 university representatives included in the Centers of Excellence  
185 proposals for the Florida Energy Systems Consortium and the  
186 Center of Excellence in Ocean Energy Technology-Phase II which  
187 were reviewed during the 2007-2008 fiscal year by the Florida  
188 Technology, Research, and Scholarship Board created in s.  
189 1004.226(4), Florida Statutes 2006; a university representative  
190 appointed by the President of Florida International University;  
191 and a representative of the Department of Agriculture and  
192 Consumer Services. The steering committee is responsible for  
193 establishing and ensuring the success of the consortium's  
194 mission under subsection (9).

195 Reviser's note.—Amended to conform to the repeal of s.  
196 1004.226 by this act.

PCB RCC 12-03

ORIGINAL

2012

197           Section 14. This act shall take effect on the 60th day  
198 after adjournment sine die of the session of the Legislature in  
199 which enacted.