

1                                   A bill to be entitled  
2           An act relating to general government; amending  
3           s. 372.672, F.S.; clarifying uses of funds in  
4           the Florida Panther Research and Management  
5           Trust Fund; amending s. 376.11, F.S.;  
6           clarifying uses of funds in the Florida Coastal  
7           Protection Trust Fund; amending s. 253.783,  
8           F.S.; eliminating a provision prohibiting use  
9           of general revenue funds to repay interest owed  
10          to counties of the Cross Florida Barge Canal  
11          Navigation District; amending s. 61.1812, F.S.;  
12          revising funding and uses of the Child Support  
13          Incentive Trust Fund; amending s. 215.3206,  
14          F.S.; prohibiting encumbrance of funds in a  
15          terminated trust fund; authorizing the  
16          Department of Environmental Protection to loan  
17          the South Florida Water Management District a  
18          specified amount from the Water Management  
19          Lands Trust Fund upon certain conditions;  
20          providing guidelines for expenditure of  
21          citizenship outreach grant program funds;  
22          included in the Governor's recommended budget;  
23          amending s. 216.292, F.S.; repealing a  
24          limitation on transfer of moneys to or from  
25          performance-based programs; authorizing funds  
26          for the Uniform Traffic Citation Program;  
27          providing funds for a Legal Immigrant's  
28          Temporary Income Bridge Program, to be  
29          administered by the Department of Children and  
30          Family Services; providing for eligibility,  
31          restrictions, and priorities; providing

1 guidelines for administrative charges;  
2 providing conditions under which the funds  
3 shall not be expended; providing an effective  
4 date.

5

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

7

8 Section 1. Paragraph (a) of subsection (2) of section  
9 372.672, Florida Statutes, is amended to read:

10 372.672 Florida Panther Research and Management Trust  
11 Fund.--

12 (2) Money from the fund shall be spent only for the  
13 following purposes:

14 (a) To manage and protect existing Florida panther  
15 populations by increasing panther food sources where food is a  
16 limiting factor, determining conflicts between public use and  
17 panther survival, ~~and~~ maintaining sufficient genetic  
18 variability in existing populations, and undertaking  
19 management and enforcement activities that protect panther  
20 habitat.

21 Section 2. Paragraph (j) is added to subsection (4) of  
22 section 376.11, Florida Statutes, 1996 Supplement, to read:

23 376.11 Florida Coastal Protection Trust Fund.--

24 (4) Moneys in the Florida Coastal Protection Trust  
25 Fund shall be disbursed for the following purposes and no  
26 others:

27 (j) Funding for marine law enforcement.

28 Section 3. Paragraph (e) of subsection (2) of section  
29 253.783, Florida Statutes, is amended to read:

30

31

1           253.783 Additional powers and duties of the  
2 department; disposition of surplus lands; payments to  
3 counties.--

4           (2) It is declared to be in the public interest that  
5 the department shall do and is hereby authorized to do any and  
6 all things and incur and pay from the Cross Florida Barge  
7 Canal Trust Fund, for the public purposes described herein,  
8 any and all expenses necessary, convenient, and proper to:

9           (e) Refund to the counties of the Cross Florida Canal  
10 Navigation District moneys pursuant to this paragraph from the  
11 funds remaining in the Cross Florida Barge Canal Trust Fund  
12 from the funds derived from the conveyance of lands of the  
13 project to the Federal Government or any agency thereof,  
14 pursuant to s. 253.781, and from the sales of surplus lands  
15 pursuant to this section. Following federal deauthorization of  
16 the project, such refunds shall consist of the \$9,340,720  
17 principal in ad valorem taxes contributed by the counties and  
18 the interest which had accrued on that amount from the time of  
19 payment to June 30, 1985. In no event shall the counties be  
20 paid less than the aggregate sum of \$32 million in cash or the  
21 appraised values of the surplus lands. Such refunds shall be  
22 in proportion to the ad valorem tax share paid to the Cross  
23 Florida Canal Navigation District by the respective counties.  
24 Should the remaining funds in the Cross Florida Barge Canal  
25 Trust Fund and the funds derived from the conveyance of lands  
26 of the project to the Federal Government for payment or from  
27 the sale of surplus land be inadequate to pay the total of the  
28 principal plus interest, first priority shall be given to  
29 repaying the principal and second priority shall be given to  
30 repaying the interest. Interest to be refunded to the counties  
31 shall be compounded annually at the following rates:

1 1937-1950, 4 percent; 1951-1960, 5 percent; 1961-1970, 6  
2 percent; 1971-1975, 7 percent; 1976-June 30, 1985, 8 percent.  
3 In computing interest, amounts already repaid to the counties  
4 shall not be subject to further assessments of interest. Any  
5 partial repayments provided to the counties under this act  
6 shall be considered as contributing to the total repayment  
7 owed to the counties. Should the funds generated by conveyance  
8 to the Federal Government and sales of surplus lands be more  
9 than sufficient to repay said counties in accordance with this  
10 section, such excess funds may be used for the maintenance of  
11 the greenways corridor. ~~In no case shall general revenue funds  
12 be used to repay interest owed to the counties.~~

13 Section 4. Subsection (1) of section 61.1812, Florida  
14 Statutes, is amended to read:

15 61.1812 Child Support Incentive Trust Fund.--

16 (1) The Child Support Incentive Trust Fund is hereby  
17 created, to be administered by the Department of Revenue. All  
18 child support enforcement incentive earnings and that portion  
19 of the state share of Title IV-A public assistance collections  
20 recovered in fiscal year 1996-1997 by the Title IV-D program  
21 of the department which is in excess of the amount estimated  
22 by the February 1997 Social Services Estimating Conference to  
23 be recovered in fiscal year 1996-1997 shall be credited to the  
24 trust fund, and no other receipts, except interest earnings,  
25 shall be credited thereto. For fiscal years beginning with  
26 1997-1998, in addition to incentive earnings and interest  
27 earnings, that portion of the state share of Title IV-A public  
28 assistance collections recovered in each fiscal year by the  
29 Title IV-D program of the department which is in excess of the  
30 amount estimated by the February 1997 Social Services  
31 Estimating Conference to be recovered in fiscal year 1997-1998

1 shall be credited to the trust fund.The purpose of the trust  
2 fund is to account for federal incentive payments to the state  
3 for child support enforcement and to support the activities of  
4 the child support enforcement program under Title IV-D of the  
5 Social Security Act. The department shall invest the money in  
6 the trust fund pursuant to ss. 215.44-215.52, and retain all  
7 interest earnings in the trust fund. The department shall  
8 separately account for receipts credited to the trust fund.  
9 When all general revenue appropriations for the Child Support  
10 Enforcement Program have been shifted to the trust fund, then  
11 annually thereafter, on June 30, if revenues deposited into  
12 the trust fund, including federal child support incentive  
13 earnings, have exceeded state expenditures for the child  
14 support enforcement program administered by the department for  
15 the prior 12-month period, the revenues in excess of cash flow  
16 needs are transferred to the General Revenue Fund.

17 Section 5. Subsection (2) of section 215.3206, Florida  
18 Statutes, is amended to read:

19 215.3206 Trust funds; termination or re-creation.--

20 (2) If the trust fund is terminated and not  
21 immediately re-created, all cash balances and income of the  
22 trust fund shall be deposited into the General Revenue Fund.  
23 The agency or Chief Justice shall pay any outstanding debts of  
24 the trust fund as soon as practicable, and the Comptroller  
25 shall close out and remove the trust fund from the various  
26 state accounting systems, using generally accepted accounting  
27 practices concerning warrants outstanding, assets, and  
28 liabilities. No appropriation or budget amendment shall be  
29 construed to authorize any encumbrance of funds from a trust  
30 fund after the date on which the trust fund is terminated or  
31 is judicially determined to be invalid.

1           Section 6. The Department of Environmental Protection  
2 is authorized to loan the South Florida Water Management  
3 District up to \$23.9 million from the Water Management Lands  
4 Trust Fund, contingent on execution of an agreement among the  
5 Department of Environmental Protection, the South Florida  
6 Water Management District, and the United States Army Corps of  
7 Engineers. These funds shall be used by the district for the  
8 Everglades Construction Project; however, none of these funds  
9 shall be expended on STA-1-E. The South Florida Water  
10 Management District will pursue receiving federal funds by the  
11 end of FY 1999 for the purpose of reimbursing the Water  
12 Management Lands Trust Fund. If this deadline is not met, the  
13 district would be required to repay half of any outstanding  
14 balance by December 31, 1999, with the remaining amount to be  
15 paid by December 31, 2002.

16           Section 7. Notwithstanding the proviso language  
17 following Specific Appropriation 1499B of the 1997-1998  
18 General Appropriations Act, funds provided in that specific  
19 appropriation shall be expended according to the following  
20 guidelines:

21           (1) The Department of State shall provide grants to  
22 community-based organizations, school districts, and local  
23 governments to provide outreach and assistance to legally  
24 immigrated permanent residents seeking citizenship or an  
25 exemption thereto.

26           (2) The program shall be designed to provide services  
27 to legal immigrants, 65 years of age or older, who are  
28 residents of this state and who under the Federal Personal  
29 Responsibility and Work Opportunity Reconciliation Act of 1996  
30 have become ineligible for federal benefits.

31

1           (3) No community-based organization shall be  
2 reimbursed for any costs that exceed \$10 per case (except  
3 those application fees required by the U.S. Immigration and  
4 Naturalization Service to process such applications). No  
5 community-based organization or local governmental entity  
6 shall receive more than \$250,000 from the Department of State  
7 under this program, except any school district offering  
8 citizenship educational classes to legal immigrants.

9           (4) Specific Appropriation 1499B includes funds for  
10 reimbursing any county for auditable and documented direct  
11 cash expenditures incurred prior to May 2, 1997, while  
12 implementing the Immigration Reform Project. A maximum of  
13 \$500,000 is appropriated in Specific Appropriation 1499B for  
14 this purpose. If auditable and documented direct cash  
15 expenditures for all counties exceed \$500,000, these funds  
16 shall be reimbursed to the counties on a prorated basis.

17           Section 8. Subsection (2) of section 216.292, Florida  
18 Statutes, 1996 Supplement, is amended to read:

19           216.292 Appropriations nontransferable; exceptions.--

20           (2) A lump sum appropriated for a performance-based  
21 program must be distributed by the Governor for state agencies  
22 or the Chief Justice for the judicial branch into the  
23 traditional expenditure categories in accordance with s.  
24 216.181(4)(b). At any time during the year, the agency head  
25 or Chief Justice may transfer funds between those categories  
26 with no limit on the amount of the transfer. ~~However, no~~  
27 ~~transfer from any other budget entity may be made into the~~  
28 ~~performance-based program, nor may any funds be transferred~~  
29 ~~from the performance-based program to another budget entity,~~  
30 ~~except pursuant to s. 216.177.~~ Authorized revisions of the  
31 original approved operating budget, together with related

1 changes, if any, must be transmitted by the state agency or by  
 2 the judicial branch to the Comptroller for entry in his or her  
 3 records in the manner and format prescribed by the Executive  
 4 Office of the Governor in consultation with the Comptroller.  
 5 A copy of such revisions shall be furnished, within 7 working  
 6 days, to the Executive Office of the Governor or the Chief  
 7 Justice, the chairs of the legislative appropriations  
 8 committees, the Office of Program Policy Analysis and  
 9 Government Accountability, and the Auditor General. Such  
 10 authorized revisions shall be consistent with the intent of  
 11 the approved operating budget, shall be consistent with  
 12 legislative policy and intent, and shall not conflict with  
 13 specific spending policies specified in the General  
 14 Appropriations Act. Additionally, subsection (3) shall not  
 15 apply to programs operating under program-performance based  
 16 budgets.

17           Section 9. The Executive Office of the Governor is  
 18 authorized to increase the 1997-1998 Approved Operating Budget  
 19 of the Department of Highway Safety and Motor Vehicles  
 20 \$1,500,000 from the Highway Safety Operating Trust Fund,  
 21 effective July 1, 1997, to continue the implementation of the  
 22 Uniform Traffic Citation program.

23           Section 10. Notwithstanding the proviso language  
 24 following Specific Appropriation 1499A of the 1997-1998  
 25 General Appropriations Act, funds are provided to establish  
 26 and implement a Legal Immigrant's Temporary Income Bridge  
 27 Program. The program shall be administered by the Department  
 28 of Children and Family Services. The program will provide  
 29 temporary income assistance to legal immigrants who will lose  
 30 their benefits while they are awaiting completion of the  
 31 citizenship process; or an exemption thereto. All relevant



1 state agencies are instructed to cooperate with the Department  
2 of Children and Family Services to implement this program.

3 (1) The program shall be designed to provide temporary  
4 income assistance to legal immigrants, 65 years of age or  
5 older, who were residents of the State of Florida prior to  
6 February 1, 1997; who, after August 1, 1997, under the Federal  
7 Personal Responsibility and Work Opportunity Reconciliation  
8 Act of 1996, have become ineligible for federal benefits,  
9 specifically Supplemental Security Income (SSI) and/or food  
10 stamp benefits; who will be screened to verify that there  
11 exists no other sustainable means of support or assistance to  
12 make up for these lost benefits; and who can demonstrate that  
13 they are engaged in the process of becoming United States  
14 citizens or are seeking an exemption thereto. The total amount  
15 of temporary income assistance provided to an individual shall  
16 not exceed the Supplemental Security Income (SSI) and/or food  
17 stamps benefits for which they have become ineligible. The  
18 department shall give priority to dually eligible persons,  
19 disabled persons, and persons who as a direct result of losing  
20 their federal benefits may lose their housing, including  
21 long-term-care facilities.

22 (2) The Department of Children and Family Services'  
23 total administrative charges for this program shall not exceed  
24 1 percent of the funds provided. Total administrative charges  
25 for contracted service providers for this program shall not  
26 exceed 3 percent of the funds provided in each service  
27 contract.

28 (3) If the United States Congress acts to extend the  
29 implementation date of portions of the Federal Personal  
30 Responsibility and Work Opportunity Reconciliation Act of 1996  
31 which apply to noncitizens in order to allow states to prepare

1 for said Act, no funds provided in this specific appropriation  
2 will be expended.

3           Section 11. This act shall take effect July 1, 1997.  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31