

1 employees' travel; reenacting s. 287.17(3)(a)
2 and (6), F.S.; authorizing the use of state
3 aircraft for commuting; directing the
4 Department of Environmental Protection to make
5 specified awards of grant moneys for pollution
6 control purposes; directing the Department of
7 Environmental Protection to conduct a pilot
8 program for expedited site evaluation and
9 cleanup of port and airport facilities for
10 redevelopment and expansion; providing
11 guidelines for such program; amending s.
12 375.041, F.S.; authorizing transfer of moneys
13 from the Land Acquisition Trust Fund to the
14 Florida Forever Trust Fund and the Save Our
15 Everglades Trust Fund to support specified
16 programs; amending s. 259.032, F.S.;
17 authorizing transfer of moneys from the
18 Conservation and Recreation Lands Trust Fund to
19 the Florida Forever Trust Fund; amending s.
20 373.59, F.S.; authorizing transfer of moneys
21 from the Water Management Lands Trust Fund to
22 the Florida Forever Trust Fund; amending s.
23 120.551, F.S.; continuing Internet publication
24 of certain notices of the Department of
25 Environmental Protection and the Board of
26 Trustees of the Internal Improvement Trust
27 Fund; amending s. 11.151, F.S.; increasing the
28 contingency fund for the legislative presiding
29 officers; amending s. 320.08058, F.S.;
30 authorizing proceeds from the Professional
31 Sports Development Trust Fund to be used for

1 operational expenses of the Florida Sports
2 Foundation and financial support of the
3 Sunshine State Games; amending s. 253.034,
4 F.S.; authorizing deposit of funds from the
5 sale of property by the Department of Highway
6 Safety and Motor Vehicles located in Palm Beach
7 County; amending s. 402.3017, F.S.; requiring
8 the Agency for Workforce Innovation to
9 administer Teacher Education and Compensation
10 Helps (TEACH) scholarship program; amending s.
11 320.0846, F.S.; providing for free motor
12 vehicle license plates for active members of
13 the Florida National Guard; amending s.
14 216.292, F.S.; authorizing the Governor to
15 recommend fixed capital outlay projects funded
16 by Federal Emergency Management Agency grants;
17 providing for review by the Legislative Budget
18 Commission; amending s. 311.22, F.S.;
19 prescribing the matching fund basis for
20 dredging projects that meet specified
21 conditions; amending s. 411.01, F.S.; requiring
22 the Agency for Workforce Innovation to
23 recommend a formula to allocate funds;
24 providing for changes in the allocation of
25 funds to be specified in the General
26 Appropriations Act; eliminating approval of the
27 allocation formula by the Legislative Budget
28 Commission; eliminating an obsolete provision;
29 reenacting s. 215.32(2)(b), F.S., relating to
30 the source and use of trust funds; providing
31 finding of best interest of the state for

1 authorization and issuance of certain debt;
2 providing effect of veto of specific
3 appropriation or proviso to which implementing
4 language refers; providing for future repeal or
5 expiration of various provisions; providing for
6 reversion of certain provisions; incorporating
7 by reference specified performance measures and
8 standards directly linked to the appropriations
9 made in the 2006-2007 General Appropriations
10 Act, as required by the Government Performance
11 and Accountability Act of 1994; providing
12 severability; providing, conditionally, for
13 retroactive operation; providing effective
14 dates.

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

17
18 Section 1. It is the intent of the Legislature that
19 the implementing and administering provisions of this act
20 apply to the General Appropriations Act for fiscal year
21 2006-2007.

22 Section 2. In order to implement Specific
23 Appropriations 7, 8, and 91-97 of the 2006-2007 General
24 Appropriations Act, the calculations of the Florida Education
25 Finance Program for the 2006-2007 fiscal year in the document
26 entitled "Public School Funding The Florida Education Finance
27 Program" dated March 24, 2006, and filed with the Secretary of
28 the Senate are incorporated by reference for the purpose of
29 displaying the calculations used by the Legislature,
30 consistent with the requirements of the Florida Statutes, in
31

1 making appropriations for the Florida Education Finance
2 Program.

3 Section 3. In order to implement Specific
4 Appropriations 1594 and 1596 of the 2006-2007 General
5 Appropriations Act, subsection (2) of section 215.18, Florida
6 Statutes, is amended to read:

7 215.18 Transfers between funds; limitation.--Whenever
8 there exists in any fund provided for by s. 215.32 a
9 deficiency which would render such fund insufficient to meet
10 its just requirements, and there shall exist in the other
11 funds in the State Treasury moneys which are for the time
12 being or otherwise in excess of the amounts necessary to meet
13 the just requirements of such last-mentioned funds, the
14 Governor may order a temporary transfer of moneys from one
15 fund to another in order to meet temporary deficiencies in a
16 particular fund without resorting to the necessity of
17 borrowing money and paying interest thereon.

18 (2) Notwithstanding subsection (1) and for the
19 2006-2007 ~~2005-2006~~ fiscal year only, the repayment period for
20 funds temporarily transferred in fiscal year 2004-2005 to meet
21 deficiencies resulting from hurricanes striking this state in
22 2004 may be extended until grants awarded by the Federal
23 Emergency Management Agency for FEMA Disaster Declarations
24 1539-DR-FL, 1545-DR-FL, 1551-DR-FL, and 1561-DR-FL are
25 received. This subsection expires July 1, 2007 ~~2006~~.

26 Section 4. In order to fulfill legislative intent
27 regarding the use of funds contained in Specific
28 Appropriations 720, 731, 741, and 1167 of the 2006-2007
29 General Appropriations Act, the Department of Corrections and
30 the Department of Juvenile Justice may expend appropriated
31 funds to assist in defraying the costs of impacts that are

1 incurred by a municipality or county and associated with
2 opening or operating a facility under the authority of the
3 respective department which is located within that
4 municipality or county. The amount that is to be paid under
5 this section for any facility may not exceed 1 percent of the
6 facility construction cost, less building impact fees imposed
7 by the municipality or by the county if the facility is
8 located in the unincorporated portion of the county. This
9 section expires July 1, 2007.

10 Section 5. In order to implement Specific
11 Appropriations 710-805 and 833-847A of the 2006-2007 General
12 Appropriations Act, subsection (4) of section 216.262, Florida
13 Statutes, is amended to read:

14 216.262 Authorized positions.--

15 (4) Notwithstanding the provisions of this chapter on
16 increasing the number of authorized positions, and for the
17 2006-2007 ~~2005-2006~~ fiscal year only, if the actual inmate
18 population of the Department of Corrections exceeds the inmate
19 population projections of the March 21, 2006 ~~February 14,~~
20 ~~2005~~, Criminal Justice Estimating Conference by 1 percent for
21 2 consecutive months or 2 percent for any month, the Executive
22 Office of the Governor, with the approval of the Legislative
23 Budget Commission, shall immediately notify the Criminal
24 Justice Estimating Conference, which shall convene as soon as
25 possible to revise the estimates. The Department of
26 Corrections may then submit a budget amendment requesting the
27 establishment of positions in excess of the number authorized
28 by the Legislature and additional appropriations from
29 unallocated general revenue ~~the General Revenue Fund or the~~
30 ~~Working Capital Fund~~ sufficient to provide for essential
31 staff, fixed capital improvements, and other resources to

1 provide classification, security, food services, health
2 services, and other variable expenses within the institutions
3 to accommodate the estimated increase in the inmate
4 population. All actions taken pursuant to the authority
5 granted in this subsection shall be subject to review and
6 approval by the Legislative Budget Commission. This subsection
7 expires July 1, ~~2007~~ 2006.

8 Section 6. In order to implement Specific
9 Appropriations 875, 876, 878, 879, and 3275 of the 2006-2007
10 General Appropriations Act, if a deficit is projected by the
11 Justice Administrative Commission or the state courts in any
12 specific appropriation provided for due process services, the
13 Governor or the Chief Justice of the Supreme Court,
14 respectively, may submit a budget amendment for consideration
15 by the Legislative Budget Commission to authorize the
16 expenditure of funds from unallocated general revenue to
17 offset such deficiency. Any budget amendment submitted by the
18 Governor to the Legislative Budget Commission shall contain
19 certification by the Justice Administrative Commission that
20 all actions required by s. 29.015, Florida Statutes, have been
21 completed and that no funds exist in any contingency fund
22 appropriation available to the entity projected to experience
23 the deficiency. Any budget amendment submitted by the Supreme
24 Court shall contain certification that the court has completed
25 all actions required by s. 29.016, Florida Statutes, and that
26 no funds exist in any contingency fund available to the state
27 courts system. This section expires July 1, 2007.

28 Section 7. In order to implement Specific
29 Appropriations 1321 and 1325 of the 2006-2007 General
30 Appropriations Act, the Department of Legal Affairs is
31 authorized to expend appropriated funds in Specific

1 Appropriations 1321 and 1325 on the same programs that were
2 funded by the department pursuant to specific appropriations
3 made in general appropriations acts in prior years.

4 Section 8. In order to implement the appropriation of
5 funds in Special Categories-Risk Management Insurance of the
6 2006-2007 General Appropriations Act, and pursuant to the
7 notice, review, and objection procedures of s. 216.177,
8 Florida Statutes, the Executive Office of the Governor is
9 authorized to transfer funds appropriated in the appropriation
10 category "Special Categories-Risk Management Insurance" of the
11 2006-2007 General Appropriations Act between departments in
12 order to align the budget authority granted with the premiums
13 paid by each department for risk management insurance. This
14 section expires July 1, 2007.

15 Section 9. In order to implement the appropriation of
16 funds in Special Categories-Transfer to Department of
17 Management Services-Human Resources Services Purchased Per
18 Statewide Contract of the 2006-2007 General Appropriations
19 Act, and pursuant to the notice, review, and objection
20 procedures of s. 216.177, Florida Statutes, the Executive
21 Office of the Governor is authorized to transfer funds
22 appropriated in the appropriation category "Special
23 Categories-Transfer to Department of Management Services-Human
24 Resources Services Purchased Per Statewide Contract" of the
25 2006-2007 General Appropriations Act between departments in
26 order to align the budget authority granted with the
27 assessments that must be paid by each agency to the Department
28 of Management Services for human resource management services.
29 This section expires July 1, 2007.

30 Section 10. In order to implement sections 2-7 of the
31 2006-2007 General Appropriations Act, paragraph (c) of

1 subsection (5) and paragraph (d) of subsection (6) of section
2 112.061, Florida Statutes, are amended to read:

3 112.061 Per diem and travel expenses of public
4 officers, employees, and authorized persons.--

5 (5) COMPUTATION OF TRAVEL TIME FOR REIMBURSEMENT.--For
6 purposes of reimbursement and methods of calculating
7 fractional days of travel, the following principles are
8 prescribed:

9 (c) For the 2006-2007 ~~2005-2006~~ fiscal year only and
10 notwithstanding the other provisions of this subsection, for
11 Class C travel, a state traveler shall not be reimbursed on a
12 per diem basis nor shall a traveler receive subsistence
13 allowance. This paragraph expires July 1, 2007 ~~2006~~.

14 (6) RATES OF PER DIEM AND SUBSISTENCE ALLOWANCE.--For
15 purposes of reimbursement rates and methods of calculation,
16 per diem and subsistence allowances are divided into the
17 following groups and rates:

18 (d) For the 2006-2007 ~~2005-2006~~ fiscal year only and
19 notwithstanding the other provisions of this subsection, for
20 Class C travel, a state traveler shall not be reimbursed on a
21 per diem basis nor shall a traveler receive subsistence
22 allowance. This paragraph expires July 1, 2007 ~~2006~~.

23 Section 11. In order to implement Specific
24 Appropriations 2231 and 2861-2869 of the 2006-2007 General
25 Appropriations Act, paragraph (a) of subsection (3) and
26 subsection (6) of section 287.17, Florida Statutes, are
27 reenacted to read:

28 287.17 Limitation on use of motor vehicles and
29 aircraft.--

30 (3)

31

1 (a) The term "official state business" may not be
2 construed to permit the use of a motor vehicle for commuting
3 purposes, unless special assignment of a motor vehicle is
4 authorized as a prerequisite by the Department of Management
5 Services, required by an employee after normal duty hours to
6 perform duties of the position to which assigned, or
7 authorized for an employee whose home is the official base of
8 operation.

9 (6) It is the intention of the Legislature that
10 persons traveling on state aircraft for purposes consistent
11 with, but not necessarily constituting, official state
12 business may travel only when accompanying persons who are
13 traveling on official state business and that such persons
14 shall pay the state for all costs associated with such travel.
15 Notwithstanding paragraph (3)(a), a person traveling on state
16 aircraft for purposes other than official state business shall
17 pay for any trip not exclusively for state business by paying
18 a prorated share of all fixed and variable expenses related to
19 the ownership, operation, and use of such aircraft.

20 Section 12. The amendment of s. 287.17, Florida
21 Statutes, by this act shall expire July 1, 2007, and the text
22 of that section shall revert to that in existence on June 30,
23 2005, except that any amendments to such text enacted other
24 than by this act shall be preserved and continue to operate to
25 the extent that such amendments are not dependent upon the
26 portions of such text which expire pursuant to this section.

27 Section 13. Notwithstanding s. 403.7095, Florida
28 Statutes, in order to implement Specific Appropriation 1847 of
29 the 2006-2007 General Appropriations Act, the Department of
30 Environmental Protection shall award:

31

1 (1) The sum of \$6,500,000 in grants equally to
2 counties with populations of fewer than 100,000 for waste
3 tire, litter prevention, recycling and education, and general
4 solid waste programs.

5 (2) The sum of \$1,599,500 in competitive innovative
6 grants to cities and counties on the prioritized list of
7 projects submitted by the Department of Environmental
8 Protection to the Legislature.

9
10 This section expires July 1, 2007.

11 Section 14. In order to implement Specific
12 Appropriation 1847 of the 2006-2007 General Appropriations
13 Act, and for the 2006-2007 fiscal year only, the Department of
14 Environmental Protection shall conduct a pilot program of the
15 efficacy of expedited site evaluation and cleanup of existing
16 public port and airport facility sites that have high
17 redevelopment potential and that serve an immediate and
18 demonstrated public purpose. The department shall conduct the
19 pilot program at sites that will serve as prototypes to
20 evaluate the need for funding in subsequent years.

21 (1) The pilot program sites selected must include:

22 (a) A port facility at which petroleum contamination
23 is a potential threat to marine and estuarine waters and is
24 hindering the tourism, trade, and economic development
25 potential for the facility and the surrounding area; and

26 (b) An airport adjacent to marine or estuarine waters
27 where redevelopment and expansion are likely to be hindered by
28 petroleum contamination issues.

29 (2) The pilot program should focus on:

30 (a) Rapid assessment of the scope of the contamination
31 issues;

1 (b) The effective use of existing site information;

2 (c) For larger, multiyear projects, the development of
3 project phases, schedules, and budget estimates, including
4 appropriate cost sharing components with affected entities;

5 (d) Commitment of one-time funds for petroleum
6 contamination assessment, free product removal, soil removal,
7 and restoration that will render site conditions suitable for
8 immediate redevelopment; and

9 (e) Preparation of an independent oversight report
10 that evaluates the cost-effectiveness of this funding approach
11 with emphasis on the timing of tax benefits that may accrue.

12 (3) The department is directed to implement this pilot
13 program as soon as possible and report its progress to the
14 Legislature by March 1, 2007.

15 (4) This section expires July 1, 2007.

16 Section 15. In order to implement Specific
17 Appropriations 1696A and 1702 and section 26 of the 2006-2007
18 General Appropriations Act, subsection (3) of section 375.041,
19 Florida Statutes, is amended to read:

20 375.041 Land Acquisition Trust Fund.--

21 (3)(a) Any moneys in the Land Acquisition Trust Fund
22 which are not pledged for rentals or debt service as provided
23 in subsection (2) may be expended from time to time to acquire
24 land, water areas, and related resources and to construct,
25 improve, enlarge, extend, operate, and maintain capital
26 improvements and facilities in accordance with the plan.

27 (b) In addition to the uses allowed in paragraph (a),
28 for the 2006-2007 fiscal year, moneys in the Land Acquisition
29 Trust Fund are authorized for transfer to the Florida Forever
30 Trust Fund and the Save Our Everglades Trust Fund to support

31

1 the programs authorized in chapters 259 and 373. This
2 paragraph expires July 1, 2007.

3 Section 16. In order to implement section 26 of the
4 2006-2007 General Appropriations Act, subsection (4) of
5 section 259.032, Florida Statutes, is amended to read:

6 259.032 Conservation and Recreation Lands Trust Fund;
7 purpose.--

8 (4)(a) Lands acquired under this section shall be for
9 use as state-designated parks, recreation areas, preserves,
10 reserves, historic or archaeological sites, geologic or
11 botanical sites, recreational trails, forests, wilderness
12 areas, wildlife management areas, urban open space, or other
13 state-designated recreation or conservation lands; or they
14 shall qualify for such state designation and use if they are
15 to be managed by other governmental agencies or nonstate
16 entities as provided for in this section.

17 (b) In addition to the uses allowed in paragraph (a),
18 moneys may be transferred from the Conservation and Recreation
19 Lands Trust Fund to the Florida Forever Trust Fund. This
20 paragraph expires July 1, 2007.

21 Section 17. In order to implement section 26 of the
22 2006-2007 General Appropriations Act, subsection (12) is added
23 to section 373.59, Florida Statutes, to read:

24 373.59 Water Management Lands Trust Fund.--

25 (12) In addition to the uses allowed in this section,
26 moneys may be transferred from the Water Management Lands
27 Trust Fund to the Florida Forever Trust Fund. This subsection
28 expires July 1, 2007.

29 Section 18. In order to implement Specific
30 Appropriation 1790 of the 2006-2007 General Appropriations

31

1 Act, subsection (3) of section 120.551, Florida Statutes, is
2 amended to read:

3 120.551 Internet publication.--

4 (3) This section is repealed effective July 1, 2007
5 ~~2006~~, unless reviewed and reenacted by the Legislature before
6 that date.

7 Section 19. In order to implement Specific
8 Appropriations 2788 and 2789 of the 2006-2007 General
9 Appropriations Act, subsection (2) of section 11.151, Florida
10 Statutes, is amended to read:

11 11.151 Annual legislative appropriation to contingency
12 fund for use of Senate President and House Speaker.--

13 (2) For the 2006-2007 ~~2005-2006~~ fiscal year only, the
14 contingency fund amounts in subsection (1) are increased to
15 \$20,000. This subsection expires July 1, 2007 ~~2006~~.

16 Section 20. In order to implement Specific
17 Appropriation 2688 of the 2006-2007 General Appropriations
18 Act, paragraph (b) of subsection (9) of section 320.08058,
19 Florida Statutes, is amended to read:

20 320.08058 Specialty license plates.--

21 (9) FLORIDA PROFESSIONAL SPORTS TEAM LICENSE PLATES.--

22 (b) The license plate annual use fees are to be
23 annually distributed as follows:

24 1. Fifty-five percent of the proceeds from the Florida
25 Professional Sports Team plate must be deposited into the
26 Professional Sports Development Trust Fund within the Office
27 of Tourism, Trade, and Economic Development. These funds must
28 be used solely to attract and support major sports events in
29 this state. As used in this subparagraph, the term "major
30 sports events" means, but is not limited to, championship or
31 all-star contests of Major League Baseball, the National

1 Basketball Association, the National Football League, the
2 National Hockey League, the men's and women's National
3 Collegiate Athletic Association Final Four basketball
4 championship, or a horseracing or dogracing Breeders' Cup. All
5 funds must be used to support and promote major sporting
6 events, and the uses must be approved by the Florida Sports
7 Foundation.

8 2. The remaining proceeds of the Florida Professional
9 Sports Team license plate must be allocated to the Florida
10 Sports Foundation, a direct-support organization of the Office
11 of Tourism, Trade, and Economic Development. These funds must
12 be deposited into the Professional Sports Development Trust
13 Fund within the Office of Tourism, Trade, and Economic
14 Development. These funds must be used by the Florida Sports
15 Foundation to promote the economic development of the sports
16 industry; to distribute licensing and royalty fees to
17 participating professional sports teams; to promote education
18 programs in Florida schools that provide an awareness of the
19 benefits of physical activity and nutrition standards; to
20 partner with the Department of Education and the Department of
21 Health to develop a program that recognizes schools whose
22 students demonstrate excellent physical fitness or fitness
23 improvement; to institute a grant program for communities
24 bidding on minor sporting events that create an economic
25 impact for the state; to distribute funds to Florida-based
26 charities designated by the Florida Sports Foundation and the
27 participating professional sports teams; and to fulfill the
28 sports promotion responsibilities of the Office of Tourism,
29 Trade, and Economic Development.

30 3. The Florida Sports Foundation shall provide an
31 annual financial audit in accordance with s. 215.981 of its

1 financial accounts and records by an independent certified
2 public accountant pursuant to the contract established by the
3 Office of Tourism, Trade, and Economic Development as
4 specified in s. 288.1229(5). The auditor shall submit the
5 audit report to the Office of Tourism, Trade, and Economic
6 Development for review and approval. If the audit report is
7 approved, the office shall certify the audit report to the
8 Auditor General for review.

9 4. For the 2006-2007 ~~2005-2006~~ fiscal year only and
10 notwithstanding the provisions of subparagraphs 1. and 2.,
11 proceeds from the Professional Sports Development Trust Fund
12 may also be used for operational expenses of the Florida
13 Sports Foundation and financial support of the Sunshine State
14 Games. This subparagraph expires July 1, 2007 ~~2006~~.

15 Section 21. In order to implement section 31 of the
16 2006-2007 General Appropriations Act, subsection (13) of
17 section 253.034, Florida Statutes, is amended to read:

18 253.034 State-owned lands; uses.--

19 (13) Notwithstanding the provisions of this section,
20 funds from the sale of property by the Department of Highway
21 Safety and Motor Vehicles located in Palm Beach County are
22 authorized to be deposited into the Highway Safety Operating
23 Trust Fund to facilitate the exchange as provided in the
24 General Appropriations Act, provided that at the conclusion of
25 both exchanges the values are equalized. This subsection
26 expires July 1, 2007 ~~2006~~.

27 Section 22. In order to implement proviso language in
28 Specific Appropriation 2304 of the 2006-2007 General
29 Appropriations Act, subsection (4) of section 402.3017,
30 Florida Statutes, is amended to read:

31

1 402.3017 Teacher Education and Compensation Helps
2 (TEACH) scholarship program.--

3 (4) For the 2006-2007 ~~2005-2006~~ fiscal year only, the
4 Agency for Workforce Innovation shall administer this section.
5 This subsection expires July 1, 2007 ~~2006~~.

6 Section 23. In order to implement Specific
7 Appropriation 2772 of the 2006-2007 General Appropriations
8 Act, subsection (3) of section 320.0846, Florida Statutes, is
9 amended to read:

10 320.0846 Free motor vehicle license plates to active
11 members of the Florida National Guard.--

12 (3) This section expires July 1, 2007 ~~2006~~.

13 Section 24. In order to implement Specific
14 Appropriations 1594, 1596, 1598, 1600, 1608, and 1609 of the
15 2006-2007 General Appropriations Act, subsection (5) of
16 section 216.292, Florida Statutes, is amended to read:

17 216.292 Appropriations nontransferable; exceptions.--

18 (5)(a) A transfer of funds may not result in the
19 initiation of a fixed capital outlay project that has not
20 received a specific legislative appropriation, except that
21 federal funds for fixed capital outlay projects for the
22 Department of Military Affairs, which do not carry a
23 continuing commitment on future appropriations by the
24 Legislature, may be approved by the Executive Office of the
25 Governor for the purpose received, subject to the notice,
26 review, and objection procedures set forth in s. 216.177.

27 (b) Notwithstanding paragraph (a), and for the
28 2006-2007 fiscal year only, the Governor may recommend the
29 initiation of fixed capital outlay projects funded by grants
30 awarded by the Federal Emergency Management Agency for FEMA
31 Disaster Declarations 1539-DR-FL, 1545-DR-FL, 1551-DR-FL,

1 1561-DR-FL, 1595-DR-FL, 1602-DR-FL, and 1609-DR-FL. All
2 actions taken pursuant to the authority granted in this
3 paragraph are subject to review and approval by the
4 Legislative Budget Commission. This paragraph expires July 1,
5 2007.

6 Section 25. In order to implement Specific
7 Appropriation 2132 of the 2006-2007 General Appropriations
8 Act, subsection (3) is added to section 311.22, Florida
9 Statutes, to read:

10 311.22 Additional authorization for funding certain
11 dredging projects.--

12 (3) For the 2006-2007 fiscal year only and
13 notwithstanding the matching basis specified in subsection
14 (1), funding for projects in subsection (1) shall require a
15 minimum 25 percent match of funds received pursuant to this
16 section. This subsection expires July 1, 2007.

17 Section 26. In order to implement Specific
18 Appropriation 2304 of the 2006-2007 General Appropriations
19 Act, subsection (9) of section 411.01, Florida Statutes, is
20 amended to read:

21 411.01 School readiness programs; early learning
22 coalitions.--

23 (9) FUNDING; SCHOOL READINESS PROGRAM.--

24 (a) It is the intent of this section to establish an
25 integrated and quality seamless service delivery system for
26 all publicly funded early childhood education and child care
27 programs operating in this state.

28 (b)1. The Agency for Workforce Innovation shall
29 administer school readiness funds, plans, and policies and
30 shall prepare and submit a unified budget request for the
31 school readiness system in accordance with chapter 216.

1 2. All instructions to early learning coalitions for
2 administering this section shall emanate from the Agency for
3 Workforce Innovation in accordance with the policies of the
4 Legislature.

5 (c) The Agency for Workforce Innovation shall
6 recommend ~~adopt~~ a formula for the allocation among the early
7 learning coalitions of all state and federal school readiness
8 funds for children participating in public or private school
9 readiness programs based upon equity and performance. The
10 allocation formula must be submitted to the Governor and the
11 Legislature no later than January 1 of each year. The
12 Legislature shall specify in the annual General Appropriations
13 Act any changes from the allocation methodology for the prior
14 fiscal year which must be used by the Agency for Workforce
15 Innovation in allocating the appropriations provided in the
16 General Appropriations Act ~~Legislative Budget Commission. Upon~~
17 ~~approval, the Legislative Budget Commission shall authorize~~
18 ~~the Agency for Workforce Innovation to distribute funds in~~
19 ~~accordance with the allocation formula. For fiscal year~~
20 ~~2004-2005, the Agency for Workforce Innovation shall allocate~~
21 ~~funds to the early learning coalitions consistent with the~~
22 ~~fiscal year 2003-2004 funding allocations to the school~~
23 ~~readiness coalitions.~~

24 (d) All state, federal, and required local
25 maintenance-of-effort or matching funds provided to an early
26 learning coalition for purposes of this section shall be used
27 by the coalition for implementation of its school readiness
28 plan, including the hiring of staff to effectively operate the
29 coalition's school readiness program. As part of plan approval
30 and periodic plan review, the Agency for Workforce Innovation
31 shall require that administrative costs be kept to the minimum

1 necessary for efficient and effective administration of the
2 school readiness plan, but total administrative expenditures
3 must not exceed 5 percent unless specifically waived by the
4 Agency for Workforce Innovation. The Agency for Workforce
5 Innovation shall annually report to the Legislature any
6 problems relating to administrative costs.

7 (e) The Agency for Workforce Innovation shall annually
8 distribute, to a maximum extent practicable, all eligible
9 funds provided under this section as block grants to the early
10 learning coalitions.

11 (f) State funds appropriated for the school readiness
12 program may not be used for the construction of new facilities
13 or the purchase of buses. The Agency for Workforce Innovation
14 shall present to the Legislature recommendations for providing
15 necessary transportation services for school readiness
16 programs.

17 (g) All cost savings and all revenues received through
18 a mandatory sliding fee scale shall be used to help fund each
19 early learning coalition's school readiness program.

20 Section 27. The amendment of s. 411.01, Florida
21 Statutes, by this act shall expire July 1, 2007, and the text
22 of that section shall revert to that in existence on June 30,
23 2006, except that any amendments to such text enacted other
24 than by this act shall be preserved and continue to operate to
25 the extent that such amendments are not dependent upon the
26 portions of such text which expire pursuant to this section.

27 Section 28. In order to implement the transfer of
28 moneys to the General Revenue Fund in the 2006-2007 General
29 Appropriations Act, paragraph (b) of subsection (2) of section
30 215.32, Florida Statutes, is reenacted to read:

31 215.32 State funds; segregation.--

1 (2) The source and use of each of these funds shall be
2 as follows:

3 (b)1. The trust funds shall consist of moneys received
4 by the state which under law or under trust agreement are
5 segregated for a purpose authorized by law. The state agency
6 or branch of state government receiving or collecting such
7 moneys shall be responsible for their proper expenditure as
8 provided by law. Upon the request of the state agency or
9 branch of state government responsible for the administration
10 of the trust fund, the Chief Financial Officer may establish
11 accounts within the trust fund at a level considered necessary
12 for proper accountability. Once an account is established
13 within a trust fund, the Chief Financial Officer may authorize
14 payment from that account only upon determining that there is
15 sufficient cash and releases at the level of the account.

16 2. In addition to other trust funds created by law, to
17 the extent possible, each agency shall use the following trust
18 funds as described in this subparagraph for day-to-day
19 operations:

20 a. Operations or operating trust fund, for use as a
21 depository for funds to be used for program operations funded
22 by program revenues, with the exception of administrative
23 activities when the operations or operating trust fund is a
24 proprietary fund.

25 b. Operations and maintenance trust fund, for use as a
26 depository for client services funded by third-party payors.

27 c. Administrative trust fund, for use as a depository
28 for funds to be used for management activities that are
29 departmental in nature and funded by indirect cost earnings
30 and assessments against trust funds. Proprietary funds are
31

1 | excluded from the requirement of using an administrative trust
2 | fund.

3 | d. Grants and donations trust fund, for use as a
4 | depository for funds to be used for allowable grant or donor
5 | agreement activities funded by restricted contractual revenue
6 | from private and public nonfederal sources.

7 | e. Agency working capital trust fund, for use as a
8 | depository for funds to be used pursuant to s. 216.272.

9 | f. Clearing funds trust fund, for use as a depository
10 | for funds to account for collections pending distribution to
11 | lawful recipients.

12 | g. Federal grant trust fund, for use as a depository
13 | for funds to be used for allowable grant activities funded by
14 | restricted program revenues from federal sources.

15 |
16 | To the extent possible, each agency must adjust its internal
17 | accounting to use existing trust funds consistent with the
18 | requirements of this subparagraph. If an agency does not have
19 | trust funds listed in this subparagraph and cannot make such
20 | adjustment, the agency must recommend the creation of the
21 | necessary trust funds to the Legislature no later than the
22 | next scheduled review of the agency's trust funds pursuant to
23 | s. 215.3206.

24 | 3. All such moneys are hereby appropriated to be
25 | expended in accordance with the law or trust agreement under
26 | which they were received, subject always to the provisions of
27 | chapter 216 relating to the appropriation of funds and to the
28 | applicable laws relating to the deposit or expenditure of
29 | moneys in the State Treasury.

30 | 4.a. Notwithstanding any provision of law restricting
31 | the use of trust funds to specific purposes, unappropriated

1 cash balances from selected trust funds may be authorized by
2 the Legislature for transfer to the Budget Stabilization Fund
3 and General Revenue Fund in the General Appropriations Act.

4 b. This subparagraph does not apply to trust funds
5 required by federal programs or mandates; trust funds
6 established for bond covenants, indentures, or resolutions
7 whose revenues are legally pledged by the state or public body
8 to meet debt service or other financial requirements of any
9 debt obligations of the state or any public body; the State
10 Transportation Trust Fund; the trust fund containing the net
11 annual proceeds from the Florida Education Lotteries; the
12 Florida Retirement System Trust Fund; trust funds under the
13 management of the State Board of Education, where such trust
14 funds are for auxiliary enterprises, self-insurance, and
15 contracts, grants, and donations, as those terms are defined
16 by general law; trust funds that serve as clearing funds or
17 accounts for the Chief Financial Officer or state agencies;
18 trust funds that account for assets held by the state in a
19 trustee capacity as an agent or fiduciary for individuals,
20 private organizations, or other governmental units; and other
21 trust funds authorized by the State Constitution.

22 Section 29. The amendment of section 215.32, Florida
23 Statutes, by this act shall expire July 1, 2007, and the text
24 of that section shall revert to that in existence on June 30,
25 2006, except that any amendments to such text enacted other
26 than by this act shall be preserved and continue to operate to
27 the extent that such amendments are not dependent upon the
28 portions of such text which expire pursuant to this section.

29 Section 30. In order to implement the issuance of new
30 debt authorized in the 2006-2007 General Appropriations Act,
31 and pursuant to the requirements of s. 215.98, Florida

1 Statutes, the Legislature determines that the authorization
2 and issuance of debt for the 2006-2007 fiscal year is in the
3 best interest of the state and should be implemented.

4 Section 31. A section of this act which implements a
5 specific appropriation or specifically identified proviso
6 language in the 2006-2007 General Appropriations Act is void
7 if the specific appropriation or specifically identified
8 proviso language is vetoed. A section of this act which
9 implements more than one specific appropriation or more than
10 one portion of specifically identified proviso language in the
11 2006-2007 General Appropriations Act is void if all the
12 specific appropriations or portions of specifically identified
13 proviso language are vetoed.

14 Section 32. If any other act passed in 2006 contains a
15 provision that is substantively the same as a provision in
16 this act, but that removes or is otherwise not subject to the
17 future repeal applied to such provision by this act, the
18 Legislature intends that the provision in the other act shall
19 take precedence and shall continue to operate, notwithstanding
20 the future repeal provided by this act.

21 Section 33. The agency performance measures and
22 standards in the document entitled "Performance Measures and
23 Standards Approved by the Legislature for Fiscal Year
24 2006-2007" dated March 24, 2006, and filed with the Secretary
25 of the Senate are incorporated by reference. Such performance
26 measures and standards are directly linked to the
27 appropriations made in the General Appropriations Act for
28 fiscal year 2006-2007, as required by the Government
29 Performance and Accountability Act of 1994. State agencies are
30 directed to revise their long-range program plans required
31

