

Bill No. HB 5003, 1st Eng.

Barcode 194982

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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Senator Carlton moved the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

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

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

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

5 215.18 Transfers between funds; limitation.--Whenever
6 there exists in any fund provided for by s. 215.32 a
7 deficiency which would render such fund insufficient to meet
8 its just requirements, and there shall exist in the other
9 funds in the State Treasury moneys which are for the time
10 being or otherwise in excess of the amounts necessary to meet
11 the just requirements of such last-mentioned funds, the
12 Governor may order a temporary transfer of moneys from one
13 fund to another in order to meet temporary deficiencies in a
14 particular fund without resorting to the necessity of
15 borrowing money and paying interest thereon.

16 (2) Notwithstanding subsection (1) and for the
17 2006-2007 ~~2005-2006~~ fiscal year only, the repayment period for
18 funds temporarily transferred in fiscal year 2004-2005 to meet
19 deficiencies resulting from hurricanes striking this state in
20 2004 may be extended until grants awarded by the Federal
21 Emergency Management Agency for FEMA Disaster Declarations
22 1539-DR-FL, 1545-DR-FL, 1551-DR-FL, and 1561-DR-FL are
23 received. This subsection expires July 1, 2007 ~~2006~~.

24 Section 4. In order to fulfill legislative intent
25 regarding the use of funds contained in Specific
26 Appropriations 720, 731, 741, and 1167 of the 2006-2007
27 General Appropriations Act, the Department of Corrections and
28 the Department of Juvenile Justice may expend appropriated
29 funds to assist in defraying the costs of impacts that are
30 incurred by a municipality or county and associated with
31 opening or operating a facility under the authority of the

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

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

12 216.262 Authorized positions.--

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

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1 to accommodate the estimated increase in the inmate
 2 population. All actions taken pursuant to the authority
 3 granted in this subsection shall be subject to review and
 4 approval by the Legislative Budget Commission. This subsection
 5 expires July 1, 2007 ~~2006~~.

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

26 Section 7. In order to implement Specific
 27 Appropriations 1321 and 1325 of the 2006-2007 General
 28 Appropriations Act, the Department of Legal Affairs is
 29 authorized to expend appropriated funds in Specific
 30 Appropriations 1321 and 1325 on the same programs that were
 31 funded by the department pursuant to specific appropriations

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1 made in general appropriations acts in prior years.

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

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

28 Section 10. In order to implement sections 2-7 of the
29 2006-2007 General Appropriations Act, paragraph (c) of
30 subsection (5) and paragraph (d) of subsection (6) of section
31 112.061, Florida Statutes, are amended to read:

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1 112.061 Per diem and travel expenses of public
2 officers, employees, and authorized persons.--

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

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

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

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

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

26 287.17 Limitation on use of motor vehicles and
27 aircraft.--

28 (3)

29 (a) The term "official state business" may not be
30 construed to permit the use of a motor vehicle for commuting
31 purposes, unless special assignment of a motor vehicle is

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1 authorized as a perquisite by the Department of Management
 2 Services, required by an employee after normal duty hours to
 3 perform duties of the position to which assigned, or
 4 authorized for an employee whose home is the official base of
 5 operation.

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

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

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

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

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

5
 6 This section expires July 1, 2007.

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

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

18 (a) A port facility at which petroleum contamination
 19 is a potential threat to marine and estuarine waters and is
 20 hindering the tourism, trade, and economic development
 21 potential for the facility and the surrounding area; and

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

25 (2) The pilot program should focus on:

26 (a) Rapid assessment of the scope of the contamination
 27 issues;

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

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

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1 (d) Commitment of one-time funds for petroleum
2 contamination assessment, free product removal, soil removal,
3 and restoration that will render site conditions suitable for
4 immediate redevelopment; and

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

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

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

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

16 375.041 Land Acquisition Trust Fund.--

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

23 (b) In addition to the uses allowed in paragraph (a),
24 for the 2006-2007 fiscal year, moneys in the Land Acquisition
25 Trust Fund are authorized for transfer to the Florida Forever
26 Trust Fund and the Save Our Everglades Trust Fund to support
27 the programs authorized in chapters 259 and 373. This
28 paragraph expires July 1, 2007.

29 Section 16. In order to implement section 26 of the
30 2006-2007 General Appropriations Act, subsection (4) of
31 section 259.032, Florida Statutes, is amended to read:

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1 259.032 Conservation and Recreation Lands Trust Fund;
2 purpose.--

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

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

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

19 373.59 Water Management Lands Trust Fund.--

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

24 Section 18. In order to implement Specific
25 Appropriation 1790 of the 2006-2007 General Appropriations
26 Act, subsection (3) of section 120.551, Florida Statutes, is
27 amended to read:

28 120.551 Internet publication.--

29 (3) This section is repealed effective July 1, 2007
30 ~~2006~~, unless reviewed and reenacted by the Legislature before
31 that date.

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

5 11.151 Annual legislative appropriation to contingency
 6 fund for use of Senate President and House Speaker.--

7 (2) For the 2006-2007 ~~2005-2006~~ fiscal year only, the
 8 contingency fund amounts in subsection (1) are increased to
 9 \$20,000. This subsection expires July 1, 2007 ~~2006~~.

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

14 320.08058 Specialty license plates.--

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

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

18 1. Fifty-five percent of the proceeds from the Florida
 19 Professional Sports Team plate must be deposited into the
 20 Professional Sports Development Trust Fund within the Office
 21 of Tourism, Trade, and Economic Development. These funds must
 22 be used solely to attract and support major sports events in
 23 this state. As used in this subparagraph, the term "major
 24 sports events" means, but is not limited to, championship or
 25 all-star contests of Major League Baseball, the National
 26 Basketball Association, the National Football League, the
 27 National Hockey League, the men's and women's National
 28 Collegiate Athletic Association Final Four basketball
 29 championship, or a horseracing or dogracing Breeders' Cup. All
 30 funds must be used to support and promote major sporting
 31 events, and the uses must be approved by the Florida Sports

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1 Foundation.

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

24 3. The Florida Sports Foundation shall provide an
25 annual financial audit in accordance with s. 215.981 of its
26 financial accounts and records by an independent certified
27 public accountant pursuant to the contract established by the
28 Office of Tourism, Trade, and Economic Development as
29 specified in s. 288.1229(5). The auditor shall submit the
30 audit report to the Office of Tourism, Trade, and Economic
31 Development for review and approval. If the audit report is

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1 approved, the office shall certify the audit report to the
2 Auditor General for review.

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

9 Section 21. In order to implement section 31 of the
10 2006-2007 General Appropriations Act, subsection (13) of
11 section 253.034, Florida Statutes, is amended to read:

12 253.034 State-owned lands; uses.--

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

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

25 402.3017 Teacher Education and Compensation Helps
26 (TEACH) scholarship program.--

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

30 Section 23. In order to implement Specific
31 Appropriation 2772 of the 2006-2007 General Appropriations

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1 Act, subsection (3) of section 320.0846, Florida Statutes, is
2 amended to read:

3 320.0846 Free motor vehicle license plates to active
4 members of the Florida National Guard.--

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

6 Section 24. In order to implement Specific
7 Appropriations 1594, 1596, 1598, 1600, 1608, and 1609 of the
8 2006-2007 General Appropriations Act, subsection (5) of
9 section 216.292, Florida Statutes, is amended to read:

10 216.292 Appropriations nontransferable; exceptions.--

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

20 (b) Notwithstanding paragraph (a), and for the
21 2006-2007 fiscal year only, the Governor may recommend the
22 initiation of fixed capital outlay projects funded by grants
23 awarded by the Federal Emergency Management Agency for FEMA
24 Disaster Declarations 1539-DR-FL, 1545-DR-FL, 1551-DR-FL,
25 1561-DR-FL, 1595-DR-FL, 1602-DR-FL, and 1609-DR-FL. All
26 actions taken pursuant to the authority granted in this
27 paragraph are subject to review and approval by the
28 Legislative Budget Commission. This paragraph expires July 1,
29 2007.

30 Section 25. In order to implement Specific
31 Appropriation 2132 of the 2006-2007 General Appropriations

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1 Act, subsection (3) is added to section 311.22, Florida
2 Statutes, to read:

3 311.22 Additional authorization for funding certain
4 dredging projects.--

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

10 Section 26. In order to implement Specific
11 Appropriation 2304 of the 2006-2007 General Appropriations
12 Act, subsection (9) of section 411.01, Florida Statutes, is
13 amended to read:

14 411.01 School readiness programs; early learning
15 coalitions.--

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

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

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

25 2. All instructions to early learning coalitions for
26 administering this section shall emanate from the Agency for
27 Workforce Innovation in accordance with the policies of the
28 Legislature.

29 (c) The Agency for Workforce Innovation shall
30 recommend ~~adopt~~ a formula for the allocation among the early
31 learning coalitions of all state and federal school readiness

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

17 (d) All state, federal, and required local
18 maintenance-of-effort or matching funds provided to an early
19 learning coalition for purposes of this section shall be used
20 by the coalition for implementation of its school readiness
21 plan, including the hiring of staff to effectively operate the
22 coalition's school readiness program. As part of plan approval
23 and periodic plan review, the Agency for Workforce Innovation
24 shall require that administrative costs be kept to the minimum
25 necessary for efficient and effective administration of the
26 school readiness plan, but total administrative expenditures
27 must not exceed 5 percent unless specifically waived by the
28 Agency for Workforce Innovation. The Agency for Workforce
29 Innovation shall annually report to the Legislature any
30 problems relating to administrative costs.

31 (e) The Agency for Workforce Innovation shall annually

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1 distribute, to a maximum extent practicable, all eligible
2 funds provided under this section as block grants to the early
3 learning coalitions.

4 (f) State funds appropriated for the school readiness
5 program may not be used for the construction of new facilities
6 or the purchase of buses. The Agency for Workforce Innovation
7 shall present to the Legislature recommendations for providing
8 necessary transportation services for school readiness
9 programs.

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

13 Section 27. The amendment of s. 411.01, Florida
14 Statutes, by this act shall expire July 1, 2007, and the text
15 of that section shall revert to that in existence on June 30,
16 2006, except that any amendments to such text enacted other
17 than by this act shall be preserved and continue to operate to
18 the extent that such amendments are not dependent upon the
19 portions of such text which expire pursuant to this section.

20 Section 28. In order to implement the transfer of
21 moneys to the General Revenue Fund in the 2006-2007 General
22 Appropriations Act, paragraph (b) of subsection (2) of section
23 215.32, Florida Statutes, is reenacted to read:

24 215.32 State funds; segregation.--

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

27 (b)1. The trust funds shall consist of moneys received
28 by the state which under law or under trust agreement are
29 segregated for a purpose authorized by law. The state agency
30 or branch of state government receiving or collecting such
31 moneys shall be responsible for their proper expenditure as

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1 provided by law. Upon the request of the state agency or
 2 branch of state government responsible for the administration
 3 of the trust fund, the Chief Financial Officer may establish
 4 accounts within the trust fund at a level considered necessary
 5 for proper accountability. Once an account is established
 6 within a trust fund, the Chief Financial Officer may authorize
 7 payment from that account only upon determining that there is
 8 sufficient cash and releases at the level of the account.

9 2. In addition to other trust funds created by law, to
 10 the extent possible, each agency shall use the following trust
 11 funds as described in this subparagraph for day-to-day
 12 operations:

13 a. Operations or operating trust fund, for use as a
 14 depository for funds to be used for program operations funded
 15 by program revenues, with the exception of administrative
 16 activities when the operations or operating trust fund is a
 17 proprietary fund.

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

20 c. Administrative trust fund, for use as a depository
 21 for funds to be used for management activities that are
 22 departmental in nature and funded by indirect cost earnings
 23 and assessments against trust funds. Proprietary funds are
 24 excluded from the requirement of using an administrative trust
 25 fund.

26 d. Grants and donations trust fund, for use as a
 27 depository for funds to be used for allowable grant or donor
 28 agreement activities funded by restricted contractual revenue
 29 from private and public nonfederal sources.

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

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1 f. Clearing funds trust fund, for use as a depository
2 for funds to account for collections pending distribution to
3 lawful recipients.

4 g. Federal grant trust fund, for use as a depository
5 for funds to be used for allowable grant activities funded by
6 restricted program revenues from federal sources.

7
8 To the extent possible, each agency must adjust its internal
9 accounting to use existing trust funds consistent with the
10 requirements of this subparagraph. If an agency does not have
11 trust funds listed in this subparagraph and cannot make such
12 adjustment, the agency must recommend the creation of the
13 necessary trust funds to the Legislature no later than the
14 next scheduled review of the agency's trust funds pursuant to
15 s. 215.3206.

16 3. All such moneys are hereby appropriated to be
17 expended in accordance with the law or trust agreement under
18 which they were received, subject always to the provisions of
19 chapter 216 relating to the appropriation of funds and to the
20 applicable laws relating to the deposit or expenditure of
21 moneys in the State Treasury.

22 4.a. Notwithstanding any provision of law restricting
23 the use of trust funds to specific purposes, unappropriated
24 cash balances from selected trust funds may be authorized by
25 the Legislature for transfer to the Budget Stabilization Fund
26 and General Revenue Fund in the General Appropriations Act.

27 b. This subparagraph does not apply to trust funds
28 required by federal programs or mandates; trust funds
29 established for bond covenants, indentures, or resolutions
30 whose revenues are legally pledged by the state or public body
31 to meet debt service or other financial requirements of any

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1 debt obligations of the state or any public body; the State
 2 Transportation Trust Fund; the trust fund containing the net
 3 annual proceeds from the Florida Education Lotteries; the
 4 Florida Retirement System Trust Fund; trust funds under the
 5 management of the State Board of Education, where such trust
 6 funds are for auxiliary enterprises, self-insurance, and
 7 contracts, grants, and donations, as those terms are defined
 8 by general law; trust funds that serve as clearing funds or
 9 accounts for the Chief Financial Officer or state agencies;
 10 trust funds that account for assets held by the state in a
 11 trustee capacity as an agent or fiduciary for individuals,
 12 private organizations, or other governmental units; and other
 13 trust funds authorized by the State Constitution.

14 Section 29. The amendment of section 215.32, Florida
 15 Statutes, by this act shall expire July 1, 2007, and the text
 16 of that section shall revert to that in existence on June 30,
 17 2006, except that any amendments to such text enacted other
 18 than by this act shall be preserved and continue to operate to
 19 the extent that such amendments are not dependent upon the
 20 portions of such text which expire pursuant to this section.

21 Section 30. In order to implement the issuance of new
 22 debt authorized in the 2006-2007 General Appropriations Act,
 23 and pursuant to the requirements of s. 215.98, Florida
 24 Statutes, the Legislature determines that the authorization
 25 and issuance of debt for the 2006-2007 fiscal year is in the
 26 best interest of the state and should be implemented.

27 Section 31. A section of this act which implements a
 28 specific appropriation or specifically identified proviso
 29 language in the 2006-2007 General Appropriations Act is void
 30 if the specific appropriation or specifically identified
 31 proviso language is vetoed. A section of this act which

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1 implements more than one specific appropriation or more than
 2 one portion of specifically identified proviso language in the
 3 2006-2007 General Appropriations Act is void if all the
 4 specific appropriations or portions of specifically identified
 5 proviso language are vetoed.

6 Section 32. If any other act passed in 2006 contains a
 7 provision that is substantively the same as a provision in
 8 this act, but that removes or is otherwise not subject to the
 9 future repeal applied to such provision by this act, the
 10 Legislature intends that the provision in the other act shall
 11 take precedence and shall continue to operate, notwithstanding
 12 the future repeal provided by this act.

13 Section 33. The agency performance measures and
 14 standards in the document entitled "Performance Measures and
 15 Standards Approved by the Legislature for Fiscal Year
 16 2006-2007" dated March 24, 2006, and filed with the Secretary
 17 of the Senate are incorporated by reference. Such performance
 18 measures and standards are directly linked to the
 19 appropriations made in the General Appropriations Act for
 20 fiscal year 2006-2007, as required by the Government
 21 Performance and Accountability Act of 1994. State agencies are
 22 directed to revise their long-range program plans required
 23 under s. 216.013, Florida Statutes, to be consistent with
 24 these performance measures and standards.

25 Section 34. If any provision of this act or its
 26 application to any person or circumstance is held invalid, the
 27 invalidity does not affect other provisions or applications of
 28 the act which can be given effect without the invalid
 29 provision or application, and to this end the provisions of
 30 this act are declared severable.

31 Section 35. Except as otherwise expressly provided in

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1 | this act, this act shall take effect July 1, 2006; or, if this
 2 | act fails to become a law until after that date, it shall take
 3 | effect upon becoming a law and shall operate retroactively to
 4 | July 1, 2006.

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6

7 | ===== T I T L E A M E N D M E N T =====

8 | And the title is amended as follows:

9 | Delete everything before the enacting clause

10

11 | and insert:

12 | A bill to be entitled
 13 | An act implementing the 2006-2007 General
 14 | Appropriations Act; providing legislative
 15 | intent; providing for use of specified
 16 | calculations with respect to the Florida
 17 | Education Finance Program; amending s. 215.18,
 18 | F.S.; authorizing extension of repayment
 19 | periods for moneys transferred between funds as
 20 | a result of hurricanes striking the state in
 21 | 2004; authorizing the Department of Corrections
 22 | and the Department of Juvenile Justice to make
 23 | certain expenditures to defray costs incurred
 24 | by a municipality or county as a result of
 25 | opening or operating a facility under authority
 26 | of the respective department; amending s.
 27 | 216.262, F.S.; providing for additional
 28 | positions to operate additional prison bed
 29 | capacity under certain circumstances; providing
 30 | for expenditure of funds from unallocated
 31 | general revenue to offset deficiencies in due

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1 process services; authorizing the Department of
2 Legal Affairs to expend appropriated funds on
3 programs funded in the preceding fiscal year;
4 authorizing the Executive Office of the
5 Governor to transfer funds between departments
6 for purposes of aligning amounts paid for risk
7 management premiums and for purposes of
8 aligning amounts paid for human resource
9 management services; amending s. 112.061, F.S.;
10 providing for computation of travel time and
11 reimbursement for public officers' and
12 employees' travel; reenacting s. 287.17(3)(a)
13 and (6), F.S.; authorizing the use of state
14 aircraft for commuting; directing the
15 Department of Environmental Protection to make
16 specified awards of grant moneys for pollution
17 control purposes; directing the Department of
18 Environmental Protection to conduct a pilot
19 program for expedited site evaluation and
20 cleanup of port and airport facilities for
21 redevelopment and expansion; providing
22 guidelines for such program; amending s.
23 375.041, F.S.; authorizing transfer of moneys
24 from the Land Acquisition Trust Fund to the
25 Florida Forever Trust Fund and the Save Our
26 Everglades Trust Fund to support specified
27 programs; amending s. 259.032, F.S.;
28 authorizing transfer of moneys from the
29 Conservation and Recreation Lands Trust Fund to
30 the Florida Forever Trust Fund; amending s.
31 373.59, F.S.; authorizing transfer of moneys

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1 from the Water Management Lands Trust Fund to
2 the Florida Forever Trust Fund; amending s.
3 120.551, F.S.; continuing Internet publication
4 of certain notices of the Department of
5 Environmental Protection and the Board of
6 Trustees of the Internal Improvement Trust
7 Fund; amending s. 11.151, F.S.; increasing the
8 contingency fund for the legislative presiding
9 officers; amending s. 320.08058, F.S.;
10 authorizing proceeds from the Professional
11 Sports Development Trust Fund to be used for
12 operational expenses of the Florida Sports
13 Foundation and financial support of the
14 Sunshine State Games; amending s. 253.034,
15 F.S.; authorizing deposit of funds from the
16 sale of property by the Department of Highway
17 Safety and Motor Vehicles located in Palm Beach
18 County; amending s. 402.3017, F.S.; requiring
19 the Agency for Workforce Innovation to
20 administer Teacher Education and Compensation
21 Helps (TEACH) scholarship program; amending s.
22 320.0846, F.S.; providing for free motor
23 vehicle license plates for active members of
24 the Florida National Guard; amending s.
25 216.292, F.S.; authorizing the Governor to
26 recommend fixed capital outlay projects funded
27 by Federal Emergency Management Agency grants;
28 providing for review by the Legislative Budget
29 Commission; amending s. 311.22, F.S.;
30 prescribing the matching fund basis for
31 dredging projects that meet specified

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1 conditions; amending s. 411.01, F.S.; requiring
2 the Agency for Workforce Innovation to
3 recommend a formula to allocate funds;
4 providing for changes in the allocation of
5 funds to be specified in the General
6 Appropriations Act; eliminating approval of the
7 allocation formula by the Legislative Budget
8 Commission; eliminating an obsolete provision;
9 reenacting s. 215.32(2)(b), F.S., relating to
10 the source and use of trust funds; providing
11 finding of best interest of the state for
12 authorization and issuance of certain debt;
13 providing effect of veto of specific
14 appropriation or proviso to which implementing
15 language refers; providing for future repeal or
16 expiration of various provisions; providing for
17 reversion of certain provisions; incorporating
18 by reference specified performance measures and
19 standards directly linked to the appropriations
20 made in the 2006-2007 General Appropriations
21 Act, as required by the Government Performance
22 and Accountability Act of 1994; providing
23 severability; providing, conditionally, for
24 retroactive operation; providing effective
25 dates.

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