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 HB 5003, Engrossed 2

2006 Legislature

1 A bill to be entitled
 2 An act implementing the 2006-2007 General Appropriations
 3 Act; providing legislative intent; providing for use of
 4 specified calculations with respect to the Florida
 5 Education Finance Program; creating the Special Teachers
 6 Are Rewarded performance pay plan; suspending conflicting
 7 rules adopted by the State Board of Education; amending s.
 8 287.057, F.S.; authorizing the Department of Children and
 9 Family Services to contract with a private provider for a
 10 sexually violent predator facility; amending s. 381.0402,
 11 F.S.; prohibiting the Department of Health from using the
 12 annual appropriation to administer and evaluate the area
 13 health education center network; authorizing the
 14 Department of Corrections and the Department of Juvenile
 15 Justice to make certain expenditures to defray costs
 16 incurred by a municipality or county as a result of
 17 opening or operating a facility under authority of the
 18 respective department; amending s. 216.262, F.S.;
 19 providing for additional positions to operate additional
 20 prison bed capacity under certain circumstances; providing
 21 for expenditure of funds from unallocated general revenue
 22 to offset deficiencies in due process services;
 23 authorizing the Department of Legal Affairs to expend
 24 appropriated funds on programs funded in the preceding
 25 fiscal year; increasing the maximum annual budget for the
 26 Clerk of the Circuit Court, Hillsborough County; amending
 27 s. 932.7055, F.S.; providing for the expenditure of funds
 28 in a special law enforcement trust fund established by the

ENROLLED

HB 5003, Engrossed 2

2006 Legislature

29 governing body of a municipality; authorizing the
30 Executive Office of the Governor to transfer funds between
31 departments for purposes of aligning amounts paid for risk
32 management premiums and for purposes of aligning amounts
33 paid for human resource management services; amending s.
34 112.061, F.S.; providing for computation of travel time
35 and reimbursement for public officers' and employees'
36 travel; reenacting s. 287.17(3)(a) and (6), F.S.;
37 authorizing the use of state aircraft for commuting;
38 amending s. 627.311, F.S.; providing for the appointment
39 of a board of governors to supervise the operation of a
40 joint underwriting plan; providing requirements relating
41 to the plan, the board, and the Florida Joint Underwriting
42 Association; amending s. 282.318, F.S.; providing
43 requirements for the Department of Management Services
44 relating to the security of data and information
45 technology resources; requiring the department to
46 establish the Office of Information Security; providing
47 responsibilities for the office; amending s. 255.249,
48 F.S.; requiring that the Department of Management Services
49 annually report to the Executive Office of the Governor
50 and the Legislature certain information concerning leases
51 that are due to expire and any amendments and supplements
52 to and waivers of the terms and conditions of lease
53 agreements; requiring that specified clauses be included
54 in the terms and conditions of a lease which may not be
55 amended, supplemented, or waived; amending s. 255.25,
56 F.S.; requiring that the department approve the terms of

ENROLLED

HB 5003, Engrossed 2

2006 Legislature

57 | any lease by a state agency; requiring an analysis if the
58 | department approves an amendment or supplement to or
59 | waiver of a term or condition of a lease agreement;
60 | providing for approved leases to include an option to
61 | purchase or renew the lease; providing legislative intent
62 | with respect to the use of state-owned buildings;
63 | requiring that the department create a plan for fully
64 | using such buildings before leasing private buildings;
65 | requiring an annual report to the Legislature and the
66 | Governor; amending s. 255.503, F.S.; requiring that the
67 | department provide an analysis to the Legislature, the
68 | Governor, and the Division of Bond Finance of the State
69 | Board of Administration relating to the disposition of a
70 | facility within the Florida Facilities Pool; providing
71 | requirements for the analysis; amending s. 370.13, F.S.;
72 | providing for the waiver of certain stone crab trap tag
73 | fees; amending s. 370.142, F.S.; providing for the waiver
74 | of certain spiny lobster trap tag fees; directing the
75 | Department of Environmental Protection to make specified
76 | awards of grant moneys for pollution control purposes;
77 | directing the Department of Environmental Protection to
78 | conduct a pilot program for expedited site evaluation and
79 | cleanup of port and airport facilities for redevelopment
80 | and expansion; providing guidelines for such program;
81 | creating the Caloosahatchee-St. Lucie Rivers Corridor
82 | Advisory Council; providing a definition; providing for
83 | appointment of members, per diem and travel expenses,
84 | staff, and duties of the advisory council; exempting staff

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

85 | from pt. II of ch. 110, F.S., relating to the Career
 86 | Service System; requiring recommendations to the
 87 | Legislature; requiring a report to the Legislature and
 88 | Governor by a specific date; providing for expiration of
 89 | the advisory council; creating the Retail Fuel Outlet
 90 | Emergency Power Assistance Grant Program within the
 91 | Department of Community Affairs; providing matching grants
 92 | for owners of retail fuel outlets under specified
 93 | circumstances; amending s. 502.015, F.S.; authorizing
 94 | moneys in the General Inspection Trust Fund to be
 95 | appropriated for certain programs operated by the
 96 | Department of Agriculture and Consumer Services; amending
 97 | s. 11.151, F.S.; increasing the contingency fund for the
 98 | legislative presiding officers; amending s. 375.041, F.S.;
 99 | authorizing expenditure or transfer of moneys from the
 100 | Land Acquisition Trust Fund to the Florida Forever Trust
 101 | Fund and the Save Our Everglades Trust Fund to support
 102 | specified programs; amending s. 259.032, F.S.; authorizing
 103 | transfer of moneys from the Conservation and Recreation
 104 | Lands Trust Fund to the Florida Forever Trust Fund or the
 105 | Land Acquisition Trust Fund; amending s. 373.59, F.S.;
 106 | authorizing transfer of moneys from the Water Management
 107 | Lands Trust Fund to the Florida Forever Trust Fund or the
 108 | Land Acquisition Trust Fund; amending s. 373.459, F.S.;
 109 | providing for the use of funds by the Department of
 110 | Environmental Protection for surface water improvement and
 111 | management; amending s. 403.885, F.S.; adding match
 112 | requirements for surfacewater management projects to match

ENROLLED

HB 5003, Engrossed 2

2006 Legislature

113 existing match requirements for stormwater management
114 projects; amending s. 320.08058, F.S.; authorizing
115 proceeds from the Professional Sports Development Trust
116 Fund to be used for operational expenses of the Florida
117 Sports Foundation and financial support of the Sunshine
118 State Games; amending s. 253.034, F.S.; authorizing
119 deposit of funds from the sale of property by the
120 Department of Highway Safety and Motor Vehicles located in
121 Palm Beach County; amending s. 402.3017, F.S.; authorizing
122 the Agency for Workforce Innovation to administer the
123 Teacher Education and Compensation Helps (TEACH)
124 scholarship program; amending s. 216.292, F.S.;
125 authorizing the Governor to recommend fixed capital outlay
126 projects funded by Federal Emergency Management Agency
127 grants; providing for review by the Legislative Budget
128 Commission; amending s. 311.22, F.S.; prescribing the
129 matching fund basis for dredging projects that meet
130 specified conditions; amending s. 411.01, F.S.; requiring
131 the Agency for Workforce Innovation to recommend a formula
132 to allocate funds; providing for changes in the allocation
133 of funds to be specified in the General Appropriations
134 Act; eliminating approval of the allocation formula by the
135 Legislative Budget Commission; eliminating an obsolete
136 provision; amending s. 259.032, F.S.; providing for the
137 appropriation of funds for the construction of replacement
138 museum facilities; amending s. 252.373, F.S.; authorizing
139 expenditure of certain funds in the Emergency Management,
140 Preparedness, and Assistance Trust Fund; amending s.

ENROLLED

HB 5003, Engrossed 2

2006 Legislature

141 420.0004, F.S.; providing a definition; amending s.
 142 420.507, F.S.; revising powers of the Florida Housing
 143 Finance Corporation; amending s. 420.5087, F.S.; revising
 144 requirements relating to the State Apartment Incentive
 145 Loan Program; creating s. 420.5095, F.S.; creating the
 146 Community Workforce Housing Innovation Pilot Program;
 147 providing legislative findings; providing definitions;
 148 providing the Florida Housing Finance Corporation with
 149 certain powers and responsibilities relating to the
 150 program; requiring the program to target certain entities;
 151 providing application requirements; authorizing an
 152 applicant to use a nonprofit or public entity to manage
 153 its housing program; providing incentives for program
 154 applicants; providing rulemaking authority; requiring a
 155 report to the Governor and Legislature; creating s.
 156 420.55, F.S.; authorizing the Florida Housing Finance
 157 Corporation to provide funds for affordable housing
 158 recovery under specified circumstances; authorizing the
 159 corporation to adopt emergency rules to administer
 160 specified disaster response programs; authorizing state
 161 agencies to make cash awards to state employees
 162 demonstrating satisfactory service to the agency or the
 163 state; providing limits on such awards; requiring a report
 164 with respect thereto; providing textual corrections in the
 165 General Appropriations Act; providing finding of best
 166 interest of the state for authorization and issuance of
 167 certain debt; providing effect of veto of specific
 168 appropriation or proviso to which implementing language

ENROLLED

HB 5003, Engrossed 2

2006 Legislature

169 | refers; providing for future repeal or expiration of
 170 | various provisions; providing for reversion of certain
 171 | provisions; incorporating by reference specified
 172 | performance measures and standards directly linked to the
 173 | appropriations made in the 2006-2007 General
 174 | Appropriations Act, as required by the Government
 175 | Performance and Accountability Act of 1994; providing
 176 | severability; providing effective dates.

177 |

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

179 |

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

183 | Section 2. In order to implement Specific Appropriations
 184 | 7, 8, and 91-97 of the 2006-2007 General Appropriations Act, the
 185 | calculations of the Florida Education Finance Program for the
 186 | 2006-2007 fiscal year in the document entitled "Public School
 187 | Funding--The Florida Education Finance Program" dated May 2,
 188 | 2006, and filed with the Clerk of the House of Representatives
 189 | are incorporated by reference for the purpose of displaying the
 190 | calculations used by the Legislature, consistent with the
 191 | requirements of the Florida Statutes, in making appropriations
 192 | for the Florida Education Finance Program.

193 | Section 3. In order to implement section 91 of the 2006-
 194 | 2007 General Appropriations Act, the Special Teachers Are
 195 | Rewarded performance pay plan (STAR Plan) is hereby created for
 196 | the 2006-2007 fiscal year. Funds for the plan shall be expended

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

197 and distributed pursuant to proviso in the General
 198 Appropriations Act. Rules adopted by the State Board of
 199 Education pursuant to s. 1012.22, Florida Statutes, which are in
 200 conflict with the STAR Plan guidelines are hereby suspended.
 201 This section expires July 1, 2007.

202 Section 4. In order to implement Specific Appropriation
 203 375-380 of the 2006-2007 General Appropriations Act, paragraph
 204 (c) is added to subsection (14) of section 287.057, Florida
 205 Statutes, to read:

206 287.057 Procurement of commodities or contractual
 207 services.--

208 (14)

209 (c) Notwithstanding paragraph (a), the Department of
 210 Children and Family Services may enter into agreements, not to
 211 exceed 23 years, with a private contractor to finance, design,
 212 and construct a secure facility, as described in s. 394.917, of
 213 at least 600 beds and to operate all aspects of daily operations
 214 within the secure facility. The contractor may sponsor the
 215 issuance of tax-exempt certificates of participation or other
 216 securities to finance the project, and the state may enter into
 217 a lease-purchase agreement for the secure facility. The
 218 department shall begin the implementation of this privatization
 219 initiative by July 1, 2006. This paragraph expires July 1, 2007.

220 Section 5. In order to implement Specific Appropriation
 221 652 of the 2006-2007 General Appropriations Act, subsection (5)
 222 is added to section 381.0402, Florida Statutes, to read:

223 381.0402 Area health education center network.--The
 224 department, in cooperation with the state-approved medical

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

225 schools in this state, shall organize an area health education
 226 center network based on earlier medically indigent demonstration
 227 projects and shall evaluate the impact of each network on
 228 improving access to services by persons who are medically
 229 underserved. The network shall be a catalyst for the primary
 230 care training of health professionals through increased
 231 opportunities for training in medically underserved areas.

232 (5) Notwithstanding subsection (4), the department may not
 233 use any portion of the annual appropriation to administer and
 234 evaluate the network. This subsection expires July 1, 2007.

235 Section 6. In order to fulfill legislative intent
 236 regarding the use of funds contained in Specific Appropriations
 237 720, 731, 741, and 1171 of the 2006-2007 General Appropriations
 238 Act, the Department of Corrections and the Department of
 239 Juvenile Justice may expend appropriated funds to assist in
 240 defraying the costs of impacts that are incurred by a
 241 municipality or county and associated with opening or operating
 242 a facility under the authority of the respective department
 243 which is located within that municipality or county. The amount
 244 that is to be paid under this section for any facility may not
 245 exceed 1 percent of the facility construction cost, less
 246 building impact fees imposed by the municipality or by the
 247 county if the facility is located in the unincorporated portion
 248 of the county. This section expires July 1, 2007.

249 Section 7. In order to implement Specific Appropriations
 250 710-805 and 833-864 of the 2006-2007 General Appropriations Act,
 251 subsection (4) of section 216.262, Florida Statutes, is amended
 252 to read:

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

253 216.262 Authorized positions.--
 254 (4) Notwithstanding the provisions of this chapter on
 255 increasing the number of authorized positions, and for the 2006-
 256 2007 ~~2005-2006~~ fiscal year only, if the actual inmate population
 257 of the Department of Corrections exceeds the inmate population
 258 projections of the March 21, 2006 ~~February 14, 2005~~, Criminal
 259 Justice Estimating Conference by 1 percent for 2 consecutive
 260 months or 2 percent for any month, the Executive Office of the
 261 Governor, with the approval of the Legislative Budget
 262 Commission, shall immediately notify the Criminal Justice
 263 Estimating Conference, which shall convene as soon as possible
 264 to revise the estimates. The Department of Corrections may then
 265 submit a budget amendment requesting the establishment of
 266 positions in excess of the number authorized by the Legislature
 267 and additional appropriations from unallocated general revenue
 268 ~~the General Revenue Fund or the Working Capital Fund~~ sufficient
 269 to provide for essential staff, fixed capital improvements, and
 270 other resources to provide classification, security, food
 271 services, health services, and other variable expenses within
 272 the institutions to accommodate the estimated increase in the
 273 inmate population. All actions taken pursuant to the authority
 274 granted in this subsection shall be subject to review and
 275 approval by the Legislative Budget Commission. This subsection
 276 expires July 1, 2007 ~~2006~~.

277 Section 8. In order to implement Specific Appropriations
 278 875, 876, 878, 879, 3248, and 3275 of the 2006-2007 General
 279 Appropriations Act, if a deficit is projected by the Justice
 280 Administrative Commission or the state courts in any specific

ENROLLED

HB 5003, Engrossed 2

2006 Legislature

281 appropriation provided for due process services, the Governor or
 282 the Chief Justice of the Supreme Court, respectively, may submit
 283 a budget amendment for consideration by the Legislative Budget
 284 Commission to authorize the expenditure of funds from
 285 unallocated general revenue to offset such deficiency. Any
 286 budget amendment submitted by the Governor to the Legislative
 287 Budget Commission shall contain certification by the Justice
 288 Administrative Commission that all actions required by s.
 289 29.015, Florida Statutes, have been completed and that no funds
 290 exist in any contingency fund appropriation available to the
 291 entity projected to experience the deficiency. Any budget
 292 amendment submitted by the Supreme Court shall contain
 293 certification that the court has completed all actions required
 294 by s. 29.016, Florida Statutes, and that no funds exist in any
 295 contingency fund available to the state courts system. This
 296 section expires July 1, 2007.

297 Section 9. In order to implement Specific Appropriations
 298 1321 and 1325 of the 2006-2007 General Appropriations Act, the
 299 Department of Legal Affairs is authorized to expend appropriated
 300 funds in Specific Appropriations 1321 and 1325 on the same
 301 programs that were funded by the department pursuant to specific
 302 appropriations made in general appropriations acts in prior
 303 years.

304 Section 10. In order to implement Specific Appropriation
 305 3116 of the 2006-2007 General Appropriations Act, and to correct
 306 the inequality caused by the use of estimates of prior year
 307 expenditures to establish maximum annual budgets for the 2004-
 308 2005 county fiscal year that resulted in the maximum annual

ENROLLED

HB 5003, Engrossed 2

2006 Legislature

309 budget for one clerk of court that was substantially less than
 310 the amount that would have been set if actual prior-year
 311 expenditures had been used, the maximum annual budget for the
 312 Clerk of the Circuit Court, Hillsborough County, is increased by
 313 \$908,378 for the 2005-2006 county fiscal year. This section
 314 expires July 1, 2007.

315 Section 11. In order to implement Specific Appropriation
 316 1239 of the 2006-2007 General Appropriations Act, paragraph (d)
 317 of subsection (4) of section 932.7055, Florida Statutes, is
 318 amended to read:

319 932.7055 Disposition of liens and forfeited property.--

320 (4) The proceeds from the sale of forfeited property shall
 321 be disbursed in the following priority:

322 (d) Notwithstanding any other provision of this
 323 subsection, and for the 2006-2007 ~~2005-2006~~ fiscal year only,
 324 the funds in a special law enforcement trust fund established by
 325 the governing body of a municipality may be expended to
 326 reimburse the general fund of the municipality for moneys
 327 advanced from the general fund to the special law enforcement
 328 trust fund prior to October 1, 2001. This paragraph expires July
 329 1, 2007 ~~2006~~.

330 Section 12. In order to implement the appropriation of
 331 funds in Special Categories-Risk Management Insurance of the
 332 2006-2007 General Appropriations Act, and pursuant to the
 333 notice, review, and objection procedures of s. 216.177, Florida
 334 Statutes, the Executive Office of the Governor is authorized to
 335 transfer funds appropriated in the appropriation category
 336 "Special Categories-Risk Management Insurance" of the 2006-2007

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

337 General Appropriations Act between departments in order to align
 338 the budget authority granted with the premiums paid by each
 339 department for risk management insurance. This section expires
 340 July 1, 2007.

341 Section 13. In order to implement the appropriation of
 342 funds in Special Categories-Transfer to Department of Management
 343 Services-Human Resources Services Purchased Per Statewide
 344 Contract of the 2006-2007 General Appropriations Act, and
 345 pursuant to the notice, review, and objection procedures of s.
 346 216.177, Florida Statutes, the Executive Office of the Governor
 347 is authorized to transfer funds appropriated in the
 348 appropriation category "Special Categories-Transfer to
 349 Department of Management Services-Human Resources Services
 350 Purchased Per Statewide Contract" of the 2006-2007 General
 351 Appropriations Act between departments in order to align the
 352 budget authority granted with the assessments that must be paid
 353 by each agency to the Department of Management Services for
 354 human resource management services. This section expires July 1,
 355 2007.

356 Section 14. In order to implement sections 2-7 of the
 357 2006-2007 General Appropriations Act, paragraph (c) of
 358 subsection (5) and paragraph (d) of subsection (6) of section
 359 112.061, Florida Statutes, are amended to read:

360 112.061 Per diem and travel expenses of public officers,
 361 employees, and authorized persons.--

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

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

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

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

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

379 Section 15. In order to implement Specific Appropriations
 380 2231 and 2861-2869 of the 2006-2007 General Appropriations Act,
 381 paragraph (a) of subsection (3) and subsection (6) of section
 382 287.17, Florida Statutes, are reenacted to read:

383 287.17 Limitation on use of motor vehicles and aircraft.--

384 (3)(a) The term "official state business" may not be
 385 construed to permit the use of a motor vehicle for commuting
 386 purposes, unless special assignment of a motor vehicle is
 387 authorized as a perquisite by the Department of Management
 388 Services, required by an employee after normal duty hours to
 389 perform duties of the position to which assigned, or authorized
 390 for an employee whose home is the official base of operation.

391 (6) It is the intention of the Legislature that persons
 392 traveling on state aircraft for purposes consistent with, but

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

393 not necessarily constituting, official state business may travel
 394 only when accompanying persons who are traveling on official
 395 state business and that such persons shall pay the state for all
 396 costs associated with such travel. Notwithstanding paragraph
 397 (3)(a), a person traveling on state aircraft for purposes other
 398 than official state business shall pay for any trip not
 399 exclusively for state business by paying a prorated share of all
 400 fixed and variable expenses related to the ownership, operation,
 401 and use of such aircraft.

402 Section 16. The amendment of s. 287.17, Florida Statutes,
 403 by this act, as carried forward from chapter 2005-71, Laws of
 404 Florida, shall expire July 1, 2007, and the text of that section
 405 shall revert to that in existence on June 30, 2005, except that
 406 any amendments to such text enacted other than by this act shall
 407 be preserved and continue to operate to the extent that such
 408 amendments are not dependent upon the portions of such text
 409 which expire pursuant to this section.

410 Section 17. In order to implement proviso following
 411 Specific Appropriation 2611A of the 2006-2007 General
 412 Appropriations Act, subsection (8) is added to section 627.311,
 413 Florida Statutes, to read:

414 627.311 Joint underwriters and joint reinsurers; public
 415 records and public meetings exemptions.--

416 (8) For the 2006-2007 fiscal year only and notwithstanding
 417 any conflicting requirements of this section or of section 2 of
 418 chapter 2004-266, Laws of Florida:

419 (a) The operation of a joint underwriting plan approved
 420 under this section is subject to the supervision of a nine-

ENROLLED

HB 5003, Engrossed 2

2006 Legislature

421 member board of governors. Each member shall be appointed by the
422 Financial Services Commission and shall serve at the pleasure of
423 the commission.

424 (b) The operation of the joint underwriting plan shall be
425 governed by a plan of operation that is prepared at the
426 direction of the board of governors and approved by order of the
427 office. The plan is subject to continuous review by the office.
428 The office may, by order, withdraw approval of all or part of a
429 plan if the office determines that conditions have changed since
430 approval was granted and that the purposes of the plan require
431 changes in the plan.

432 (c) If the board determines that a deficit exists in Tier
433 One or Tier Two or that there is any deficit remaining
434 attributable to any of the plan's former subplans and that the
435 deficit cannot be fully funded by using policyholder surplus
436 attributable to former subplan "C" or, if the surplus in the
437 former subplan "C" does not fully fund the deficit and the
438 deficit cannot be fully funded by using any remaining funds in
439 the contingency reserve assessments, the board shall request the
440 office to levy, by order, a deficit assessment against premiums
441 charged to insureds for workers' compensation insurance by
442 insurers as defined in s. 631.904(5). The office shall issue the
443 order after verifying the amount of the deficit. The assessment
444 shall be specified as a percentage of future premium
445 collections, as recommended by the board and approved by the
446 office. The same percentage shall apply to premiums on all
447 workers' compensation policies issued or renewed during the 12-
448 month period beginning on the effective date of the assessment,

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

449 as specified in the order.

450 (d) For rates and rating plans effective on or after
 451 January 1, 2007, the plan shall be subject to the same
 452 requirements of this part for the filing and approval of its
 453 rates and rating plans as apply to workers' compensation
 454 insurers, except as otherwise provided.

455 (e) Whenever a deficit exists, the plan shall, within 90
 456 days, provide the office with a program to eliminate the deficit
 457 within a reasonable time. The deficit may be funded through
 458 increased premiums charged to insureds of the plan for
 459 subsequent years, through the use of policyholder surplus
 460 attributable to any year, including policyholder surplus in
 461 former subplan "C" as authorized in subparagraph (5) (d)2.,
 462 through the use of assessments as provided in subparagraph
 463 (5) (d)2., and through assessments on assessable policies as
 464 provided in subparagraph (5) (d)3. Any entity that was a
 465 policyholder of former subplan "C" shall not be subject to any
 466 assessments that are attributable to deficits in former subplan
 467 "C".

468 (f) Upon dissolution, the assets of the plan shall be
 469 applied first to pay all debts, liabilities, and obligations of
 470 the plan, including the establishment of reasonable reserves for
 471 any contingent liabilities or obligations, and all remaining
 472 assets of the plan shall become property of the state and shall
 473 be deposited in the Workers' Compensation Administration Trust
 474 Fund. However, dissolution shall not take effect as long as the
 475 plan has financial obligations outstanding unless adequate
 476 provision has been made for the payment of financial obligations

ENROLLED

HB 5003, Engrossed 2

2006 Legislature

477 pursuant to the documents authorizing the financial obligations.
478 (g) After the contingency reserve is established, whenever
479 the board determines the subplan or the tier does not have a
480 sufficient cash basis to meet a 6-month period of projected cash
481 needs due to any deficit in the subplan or the tier remaining
482 after accessing any policyholder surplus attributable to former
483 subplan "C," the board is authorized to request the department
484 to transfer funds from the contingency reserve fund within the
485 Workers' Compensation Administration Trust Fund to the plan in
486 an amount sufficient to fund the difference between the amount
487 available and the amount needed to meet the subplan's or the
488 tier's projected cash need for the subsequent 6-month period.
489 The board and the office must first certify to the Department of
490 Financial Services that there is not sufficient cash within the
491 subplan or the tier to meet the projected cash needs in the
492 subplan or the tier within the subsequent 6-month period. The
493 amount requested for transfer to the subplan or the tier may not
494 exceed the difference between the amount available within the
495 subplan or the tier and the amount needed to meet the subplan's
496 or the tier's projected cash need for the subsequent 6-month
497 period, as jointly certified by the board and the Office of
498 Insurance Regulation to the Department of Financial Services,
499 attributable to the former subplan or the tier policyholders.
500 The Department of Financial Services may submit a budget
501 amendment to request release of funds from the Workers'
502 Compensation Administration Trust Fund, subject to the approval
503 of the Legislative Budget Commission. The board shall provide,
504 for review of the Legislative Budget Commission, information on

ENROLLED

HB 5003, Engrossed 2

2006 Legislature

505 the reasonableness of the plan's administration, including, but
506 not limited to, the plan of operations and costs, claims costs,
507 claims administration costs, overhead costs, claims reserves,
508 and the latest report submitted on administration cost reduction
509 alternatives as required in subparagraph (5)(c)17.

510 (h) No later than January 1, 2007, the plan shall submit a
511 request to the Internal Revenue Service for a letter ruling or
512 determination on the plan's eligibility as a section 501(c)(3)
513 tax-exempt organization.

514 (i) This subsection expires July 1, 2007.

515 Section 18. In order to implement Specific Appropriation
516 2969A of the 2006-2007 General Appropriations Act, subsections
517 (3) and (4) are added to section 282.318, Florida Statutes, to
518 read:

519 282.318 Security of data and information technology
520 resources.--

521 (3) Notwithstanding subsection (2), the Department of
522 Management Services, hereafter referred to as the "department,"
523 in consultation with each agency head, is responsible for
524 coordinating, assessing, and recommending minimum operating
525 procedures for ensuring an adequate level of security for data
526 and information technology resources. To assist the department
527 in carrying out this responsibility, each agency shall, at a
528 minimum:

529 (a) Designate an information security manager who shall
530 administer the security program of the agency for its data and
531 information technology resources.

532 (b) Conduct, and update every 3 years, a comprehensive

ENROLLED

HB 5003, Engrossed 2

2006 Legislature

533 risk analysis to determine the security threats to the data,
534 information, and information technology resources of the agency.
535 The risk analysis information made confidential and exempt under
536 subparagraph (2)(a)2. shall be available to the Auditor General
537 in performing his or her postauditing duties.

538 (c) Develop, and periodically update, written internal
539 policies and procedures that are consistent with the standard
540 operating procedures recommended by the department to ensure the
541 security of the data and information technology resources of the
542 agency. The internal policies and procedures that, if disclosed,
543 could facilitate the unauthorized modification, disclosure, or
544 destruction of data or information technology resources made
545 confidential and exempt under subparagraph (2)(a)3. shall be
546 available to the Auditor General in performing his or her
547 postauditing duties.

548 (d) Implement appropriate cost-effective safeguards to
549 reduce, eliminate, or recover from the identified risks to the
550 data and information technology resources of the agency.

551 (e) Ensure that periodic internal audits and evaluations
552 of the security program for the data, information, and
553 information technology resources of the agency are conducted.
554 The results of such internal audits and evaluations made
555 confidential and exempt under subparagraph (2)(a)5. shall be
556 available to the Auditor General in performing his or her
557 postauditing duties.

558 (f) Include appropriate security requirements in the
559 written specifications for the solicitation of information
560 technology resources that are consistent with the standard

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

561 security operating procedures as recommended by the department.

562 (g) This subsection expires July 1, 2007.

563
 564 In those instances under this subsection in which the department
 565 develops state contracts for use by state agencies, the
 566 department shall include appropriate security requirements in
 567 the specifications for the solicitation for state contracts for
 568 procuring information technology resources.

569 (4) In order to ensure the security of data, information,
 570 and information technology resources, the department shall
 571 establish the Office of Information Security and shall designate
 572 a Chief Information Security Officer as the head of the office.
 573 The office shall coordinate its activities with the Agency Chief
 574 Information Officers Council as established in s. 282.315. The
 575 office is responsible for developing a strategic plan for
 576 information technology security which shall be submitted by
 577 March 1, 2007, to the Executive Office of the Governor, the
 578 President of the Senate, and the Speaker of the House of
 579 Representatives; developing standards and templates for
 580 conducting comprehensive risk analyses and information security
 581 audits by state agencies; assisting agencies in their compliance
 582 with the provisions of this section; establishing minimum
 583 standards for the recovery of information technology following a
 584 disaster; and conducting training for agency information
 585 security managers. This subsection expires July 1, 2007.

586 Section 19. In order to implement Specific Appropriations
 587 2832-2845 of the 2006-2007 General Appropriations Act,
 588 subsection (3) and paragraph (e) of subsection (4) of section

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

589 255.249, Florida Statutes, are amended to read:

590 255.249 Department of Management Services; responsibility;
 591 department rules.--

592 (3) (a) The department shall, to the extent feasible,
 593 coordinate the vacation of privately owned leased space with the
 594 expiration of the lease on that space and, when a lease is
 595 terminated before expiration of its base term, will make a
 596 reasonable effort to place another state agency in the space
 597 vacated. Any state agency may lease the space in any building
 598 that was subject to a lease terminated by a state agency for a
 599 period of time equal to the remainder of the base term without
 600 the requirement of competitive bidding.

601 (b) The department shall annually publish a report that
 602 lists, by agency, all leases that are due to expire within 24
 603 months. The annual report must include the following information
 604 for each lease: location; size of leased space; current cost per
 605 leased square foot; lease expiration date; and a determination
 606 of whether sufficient state-owned office space will be available
 607 at the expiration of the lease to house affected employees. The
 608 report must also include a list of amendments and supplements to
 609 and waivers of terms and conditions in lease agreements that
 610 have been approved pursuant to s. 255.25(2)(a) during the
 611 previous 12 months and an associated comprehensive analysis,
 612 including financial implications, showing that any amendment,
 613 supplement, or waiver is in the state's long-term best interest.
 614 The department shall furnish this report to the Executive Office
 615 of the Governor and the Legislature by September 15 of each
 616 year. This paragraph expires July 1, 2007.

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

617 (4) The department shall promulgate rules pursuant to
 618 chapter 120 providing:

619 (e)1. Acceptable terms and conditions for inclusion in
 620 lease agreements.

621 2. Such terms and conditions shall include, at a minimum,
 622 the following clauses, which may not be amended, supplemented,
 623 or waived:

624 a. As provided in s. 255.2502, "The State of Florida's
 625 performance and obligation to pay under this contract is
 626 contingent upon an annual appropriation by the Legislature."

627 b. "The Lessee shall have the right to terminate, without
 628 penalty, this lease in the event a State-owned building becomes
 629 available to the Lessee for occupancy in the County of
 630 _____ , Florida, during the term of said lease for the
 631 purposes for which this space is being leased upon giving 6
 632 months' advance written notice to the Lessor by Certified Mail,
 633 Return Receipt Requested."

634
 635 This subparagraph expires July 1, 2007.

636 Section 20. In order to implement Specific Appropriations
 637 2832-2845 of the 2006-2007 General Appropriations Act, paragraph
 638 (d) is added to subsection (2) and paragraph (c) is added to
 639 subsection (4) of section 255.25, Florida Statutes, to read:

640 255.25 Approval required prior to construction or lease of
 641 buildings.--

642 (2)

643 (d) Notwithstanding paragraph (a) and except as provided
 644 in ss. 255.249 and 255.2501, a state agency may not lease a

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

645 building or any part thereof unless prior approval of the lease
 646 terms and conditions and of the need therefor is first obtained
 647 from the Department of Management Services. The department may
 648 not approve any term or condition in a lease agreement which has
 649 been amended, supplemented, or waived unless a comprehensive
 650 analysis, including financial implications, demonstrates that
 651 such amendment, supplement, or waiver is in the state's long-
 652 term best interest. Any approved lease may include an option to
 653 purchase or an option to renew the lease, or both, upon such
 654 terms and conditions as are established by the department
 655 subject to final approval by the head of the Department of
 656 Management Services and the provisions of s. 255.2502. This
 657 paragraph expires July 1, 2007. This paragraph expires July 1,
 658 2007.

659 (4)

660 (c) Because the state has a substantial financial
 661 investment in state-owned buildings, it is legislative policy
 662 and intent that when state-owned buildings meet the needs of
 663 state agencies, agencies must fully use such buildings before
 664 leasing privately owned buildings. By September 15, 2006, the
 665 Department of Management Services shall create a 5-year plan for
 666 implementing this policy. The department shall update this plan
 667 annually, detailing proposed departmental actions to meet the
 668 plan's goals. The department shall furnish this plan to the
 669 President of the Senate, the Speaker of the House of
 670 Representatives, and the Executive Office of the Governor by
 671 September 15 of each year. This paragraph expires July 1, 2007.

672 Section 21. In order to implement Specific Appropriations

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

673 2832-2845 of the 2006-2007 General Appropriations Act,
 674 subsection (7) of section 255.503, Florida Statutes, is amended
 675 to read:

676 255.503 Powers of the Department of Management
 677 Services.--The Department of Management Services shall have all
 678 the authority necessary to carry out and effectuate the purposes
 679 and provisions of this act, including, but not limited to, the
 680 authority to:

681 (7)(a) Sell, lease, release, or otherwise dispose of
 682 facilities in the pool in accordance with applicable law.

683 (b) No later than the date upon which the department
 684 recommends to the Division of State Lands of the Department of
 685 Environmental Protection the disposition of any facility within
 686 the Florida Facilities Pool, the department shall provide to the
 687 President of the Senate, the Speaker of the House of
 688 Representatives, the Executive Office of the Governor, and the
 689 Division of Bond Finance of the State Board of Administration an
 690 analysis that includes:

691 1. The cost benefit of the proposed facility disposition,
 692 including the facility's current operating expenses, condition,
 693 and market value, and viable alternatives for work space for
 694 impacted state employees.

695 2. The effect of the proposed facility disposition on the
 696 financial status of the Florida Facilities Pool, including the
 697 effect on rental rates and coverage requirement for the bonds.

698
 699 This paragraph expires July 1, 2007.

700 Section 22. In order to implement Specific Appropriation

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

701 2096A of the 2006-2007 General Appropriations Act, subsection
 702 (4) is added to section 370.13, Florida Statutes, to read:
 703 370.13 Stone crab; regulation.--
 704 (4) For the 2006-2007 fiscal year only, the trap tag fees
 705 required by this section shall be waived by the commission. This
 706 subsection expires July 1, 2007.

707 Section 23. In order to implement Specific Appropriation
 708 2096A of the 2006-2007 General Appropriations Act, subsection
 709 (7) is added to section 370.142, Florida Statutes, to read:
 710 370.142 Spiny lobster trap certificate program.--
 711 (7) For the 2006-2007 fiscal year only, the trap tag fees
 712 required by this section shall be waived by the commission. This
 713 subsection expires July 1, 2007.

714 Section 24. Notwithstanding s. 403.7095, Florida Statutes,
 715 in order to implement Specific Appropriation 1868 of the 2006-
 716 2007 General Appropriations Act, the Department of Environmental
 717 Protection shall award:

- 718 (1) \$6,500,000 in grants equally to counties with
- 719 populations of fewer than 100,000 for waste tire, litter
- 720 prevention, recycling and education, and general solid waste
- 721 programs.
- 722 (2) \$1,599,500 to be used for Innovative Grants.

723
 724 This section expires July 1, 2007.

725 Section 25. In order to implement Specific Appropriation
 726 1847 of the 2006-2007 General Appropriations Act, and for the
 727 2006-2007 fiscal year only, the Department of Environmental
 728 Protection shall conduct a pilot program of the efficacy of

ENROLLED

HB 5003, Engrossed 2

2006 Legislature

729 expedited site evaluation and cleanup of existing public port
730 and airport facility sites that have high redevelopment
731 potential and that serve an immediate and demonstrated public
732 purpose. The department shall conduct the pilot program at sites
733 that will serve as prototypes to evaluate the need for funding
734 in subsequent years.

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

736 (a) A port facility at which petroleum contamination is a
737 potential threat to marine and estuarine waters and is hindering
738 the tourism, trade, and economic development potential for the
739 facility and the surrounding area; and

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

743 (2) The pilot program should focus on:

744 (a) Rapid assessment of the scope of the contamination
745 issues;

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

747 (c) For larger, multiyear projects, the development of
748 project phases, schedules, and budget estimates, including
749 appropriate cost-sharing components with affected entities;

750 (d) Commitment of one-time funds for petroleum
751 contamination assessment, free product removal, soil removal,
752 and restoration that will render site conditions suitable for
753 immediate redevelopment; and

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

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

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

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

761 Section 26. In order to implement Specific Appropriation
 762 1825 of the 2006-2007 General Appropriations Act, and for the
 763 2006-2007 fiscal year only, there is hereby created the
 764 Caloosahatchee-St. Lucie Rivers Corridor Advisory Council.

765 (1) For purposes of this section, the hydrologic basins of
 766 the Caloosahatchee River and its estuary and the St. Lucie River
 767 and its estuary, including Lake Okeechobee, shall be known as
 768 the "Caloosahatchee-St. Lucie Rivers Corridor."

769 (2) The Caloosahatchee-St. Lucie Rivers Corridor Advisory
 770 Council is under the Department of Environmental Protection and
 771 shall consist of 17 members who shall be appointed as follows:

772 (a) The Governor shall appoint:

773 1. One consumer member.

774 2. One member with hydrologic experience within the
 775 Caloosahatchee-St. Lucie Rivers Corridor and expertise in
 776 engineering.

777 3. One member from the agriculture industry.

778 4. One member from an environmental group.

779 5. One member from the business or tourism community in
 780 Okeechobee County, Martin County, or Palm Beach County.

781 (b) The President of the Senate shall appoint:

782 1. One member representing local government in Lee County.

783 2. One member with hydrologic experience within the
 784 Caloosahatchee-St. Lucie Rivers Corridor and expertise in

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

785 hydrology.
 786 3. One member from the agriculture industry.
 787 4. One member from an environmental group.
 788 5. One member from the business or tourism community in
 789 Lee County or Charlotte County.
 790 6. One member from the Senate.
 791 (c) The Speaker of the House of Representatives shall
 792 appoint:
 793 1. One member representing local government in Martin
 794 County.
 795 2. One member with hydrologic experience within the
 796 Caloosahatchee-St. Lucie Rivers Corridor and expertise in
 797 biology.
 798 3. One member from the agriculture industry.
 799 4. One member from an environmental group.
 800 5. One member from the business or tourism community in
 801 Hendry County or Glades County.
 802 6. One member from the House of Representatives.
 803 (d) The Governor shall appoint the chair of the advisory
 804 council from among its members.
 805 (e) Appointments to the advisory council shall be made no
 806 later than 30 days after the effective date of this act.
 807 (f) Each member of the advisory council may receive per
 808 diem and travel expenses as provided in s. 112.061, Florida
 809 Statutes, while carrying out the business of the advisory
 810 council.
 811 (g) The first meeting of the advisory council shall be
 812 held no later than 60 days after the effective date of this act.

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

813 (h) The records and meetings of the advisory council are
 814 subject to the provisions of chapter 119 and s. 286.011, Florida
 815 Statutes.

816 (i) The advisory council shall be staffed by an executive
 817 director and other personnel selected and hired by the
 818 Department of Environmental Protection who shall be exempt from
 819 part II of chapter 110, Florida Statutes, relating to the Career
 820 Service System. The Department of Environmental Protection may
 821 employ staff and consultants as necessary to assist the advisory
 822 council in fulfilling its responsibilities. The South Florida
 823 Water Management District and the Department of Environmental
 824 Protection shall each appoint a liaison for the respective
 825 agency to work directly with the executive director of the
 826 advisory council and to provide expertise and assistance to the
 827 advisory council.

828 (3) The duties of the Caloosahatchee–St. Lucie Rivers
 829 Corridor Advisory Council are to:

830 (a) Meet at least five times after August 1, 2006.

831 (b) Hold a minimum of five public hearings within the
 832 Caloosahatchee–St. Lucie Rivers Corridor for the purpose of
 833 receiving public comments and information.

834 (c) Review the operation and management of Lake Okeechobee
 835 and the associated discharges from the lake for the purpose of
 836 formulating specific recommendations relating to, but not
 837 limited to:

838 1. Scientifically viable, economically feasible projects,
 839 programs, and regulations that address or mitigate the impacts
 840 of high-level discharges from Lake Okeechobee upon the receiving

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

841 waters of the Caloosahatchee River and the St. Lucie Canal and
 842 St. Lucie River and their respective estuaries.

843 2. Ongoing projects and plans authorized pursuant to the
 844 Lake Okeechobee Protection Program and the Comprehensive
 845 Everglades Restoration Plan under s. 373.4592, Florida Statutes.

846 3. Environmentally and economically feasible projects to
 847 remove accumulated sedimentation from Lake Okeechobee.

848 4. Alternative treatment strategies, projects, best
 849 management practices, and funding sources to manage more
 850 effectively the hydrology of the corridor to minimize adverse
 851 ecological effects upon the receiving waters from Lake
 852 Okeechobee discharge.

853 5. Long-term funding for implementation of the projects
 854 and programs identified in the report.

855 (4) The advisory council shall prepare and submit a report
 856 and recommendations to the President of the Senate and the
 857 Speaker of the House of Representatives prior to the 2007
 858 Regular Session of the Legislature for implementation of
 859 projects and strategies to mitigate the present effects of high
 860 discharges from Lake Okeechobee upon the described basins.

861 (5) The advisory council shall submit to the Governor, the
 862 President of the Senate, and the Speaker of the House of
 863 Representatives by March 1, 2007, a report with specific
 864 recommendations for implementation by the Legislature and the
 865 Governor that will mitigate ecological effects upon the
 866 Caloosahatchee–St. Lucie Rivers Corridor and stabilize the
 867 effect of high discharges from Lake Okeechobee upon the tourist
 868 economy of Southwest and Southeast Florida.

ENROLLED

HB 5003, Engrossed 2

2006 Legislature

869 (6) The advisory council shall expire on April 1, 2007,
870 and this section shall expire July 1, 2007.

871 Section 27. In order to implement Specific Appropriations
872 1857A and 1616A of the 2006-2007 General Appropriations Act,
873 there is hereby created the Retail Fuel Outlet Emergency Power
874 Assistance Grant Program within the Department of Community
875 Affairs to provide assistance to retail fuel outlets in
876 retrofitting their facilities to accommodate portable generators
877 in preparation for major power outages.

878 (1) Any person who is the owner of a retail fuel outlet or
879 outlets may apply for a matching grant for an amount of no more
880 than 50 percent of the actual costs of installation of the
881 wiring and transfer switch necessary to accept an emergency
882 power generating source of sufficient size and power generation
883 capacity for the retail fuel outlet or outlets to maintain the
884 ability to safely dispense fuel to the public in the event of
885 loss of commercial power.

886 (2) The matching grants of up to \$5,000 per retail fuel
887 outlet shall be made as reimbursements for actual costs after
888 the installation is complete. In order to qualify for the
889 matching grant, a completed application shall be made to the
890 department. The department shall provide matching grants to each
891 person on a first-come, first-served basis. The department shall
892 provide application procedures and requirements for
893 documentation of installation and prior payment.

894
895 This section expires July 1, 2007.

896 Section 28. In order to implement Specific Appropriations

ENROLLED

HB 5003, Engrossed 2

2006 Legislature

897 1362-1546A of the 2006-2007 General Appropriations Act, section
898 502.015, Florida Statutes, is amended to read:

899 502.015 General Inspection Trust Fund.--

900 (1) Any moneys collected by the department pursuant to
901 this chapter shall be deposited in the General Inspection Trust
902 Fund and used solely for the programs in this chapter.

903 (2) For the 2006-2007 fiscal year only and notwithstanding
904 any other provision of law to the contrary, in addition to the
905 spending authorized in subsection (1), moneys in the General
906 Inspection Trust Fund may be appropriated for programs operated
907 by the department which are related to the programs authorized
908 by this chapter. This subsection expires July 1, 2007.

909 Section 29. In order to implement Specific Appropriations
910 2788 and 2789 of the 2006-2007 General Appropriations Act,
911 section 11.151, Florida Statutes, is amended to read:

912 11.151 Annual legislative appropriation to contingency
913 fund for use of Senate President and House Speaker.--

914 (1) There is established a legislative contingency fund
915 consisting of \$10,000 for the President of the Senate and
916 \$10,000 for the Speaker of the House of Representatives, which
917 amounts shall be set aside annually from moneys appropriated for
918 legislative expense. These funds shall be disbursed by the Chief
919 Financial Officer upon receipt of vouchers authorized by the
920 President of the Senate or the Speaker of the House of
921 Representatives. Such funds may be expended at the unrestricted
922 discretion of the President of the Senate or the Speaker of the
923 House of Representatives in carrying out their official duties
924 during the entire period between the date of their election as

ENROLLED

HB 5003, Engrossed 2

2006 Legislature

925 such officers at the organizational meeting held pursuant to s.
 926 3(a), Art. III of the State Constitution and the next general
 927 election.

928 (2) For the 2006-2007 ~~2005-2006~~ fiscal year only, the
 929 contingency fund amounts in subsection (1) are increased to
 930 \$20,000. This subsection expires July 1, 2007 ~~2006~~.

931 Section 30. In order to implement Specific Appropriations
 932 1695A and 1696A and section 31 of the 2006-2007 General
 933 Appropriations Act, subsection (3) of section 375.041, Florida
 934 Statutes, is amended to read:

935 375.041 Land Acquisition Trust Fund.--

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

942 (b) In addition to the uses allowed in paragraph (a), for
 943 the 2006-2007 fiscal year, moneys in the Land Acquisition Trust
 944 Fund are authorized for expenditure or transfer to the Florida
 945 Forever Trust Fund and the Save Our Everglades Trust Fund to
 946 support the programs authorized in chapters 259 and 373. This
 947 paragraph expires July 1, 2007.

948 Section 31. In order to implement section 31 of the 2006-
 949 2007 General Appropriations Act, subsection (4) of section
 950 259.032, Florida Statutes, is amended to read:

951 259.032 Conservation and Recreation Lands Trust Fund;
 952 purpose.--

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

953 (4) (a) Lands acquired under this section shall be for use
 954 as state-designated parks, recreation areas, preserves,
 955 reserves, historic or archaeological sites, geologic or
 956 botanical sites, recreational trails, forests, wilderness areas,
 957 wildlife management areas, urban open space, or other state-
 958 designated recreation or conservation lands; or they shall
 959 qualify for such state designation and use if they are to be
 960 managed by other governmental agencies or nonstate entities as
 961 provided for in this section.

962 (b) In addition to the uses allowed in paragraph (a),
 963 moneys may be transferred from the Conservation and Recreation
 964 Lands Trust Fund to the Florida Forever Trust Fund or the Land
 965 Acquisition Trust Fund. This paragraph expires July 1, 2007.

966 Section 32. In order to implement section 31 of the 2006-
 967 2007 General Appropriations Act, subsection (12) is added to
 968 section 373.59, Florida Statutes, to read:

969 373.59 Water Management Lands Trust Fund.--

970 (12) In addition to the uses allowed in this section,
 971 moneys may be transferred from the Water Management Lands Trust
 972 Fund to the Florida Forever Trust Fund or the Land Acquisition
 973 Trust Fund. This subsection expires July 1, 2007.

974 Section 33. In order to implement Specific Appropriations
 975 1820 and 1821 and section 32 of the 2006-2007 General
 976 Appropriations Act, subsection (6) is added to section 373.459,
 977 Florida Statutes, to read:

978 373.459 Funds for surface water improvement and
 979 management.--

980 (6) (a) The match requirement of subsection (2) shall not

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

981 apply to the Suwannee River Water Management District, the
 982 Northwest Florida Water Management District, or a financially
 983 disadvantaged small local government as defined in s.
 984 403.885(5).

985 (b) Notwithstanding the requirements of subsection (3),
 986 the Ecosystem Management and Restoration Trust Fund and the
 987 Water Protection and Sustainability Trust Fund shall be used for
 988 the deposit of funds appropriated by the Legislature for the
 989 purposes of ss. 373.451-373.4595. The department shall
 990 administer all funds appropriated to or received for surface
 991 water improvement and management activities. Expenditure of the
 992 moneys shall be limited to the costs of details planning and
 993 plan and program implementation for priority surface water
 994 bodies. Moneys from the funds shall not be expended for planning
 995 for, construction or expansion of, treatment facilities for
 996 domestic or industrial waste disposal.

997 (c) Notwithstanding the requirements of subsection (4),
 998 the department shall authorize the release of money from the
 999 funds in accordance with the provisions of s. 373.501(2) and
 1000 procedures in s. 373.59(4) and (5).

1001 (d) Notwithstanding the requirements of subsection (5),
 1002 moneys in the Ecosystem Restoration and Management Trust Fund
 1003 that are not needed to meet current obligations incurred under
 1004 this section shall be transferred to the State Board of
 1005 Administration, to the credit of the trust fund, to be invested
 1006 in the manner provided by law. Interest received on such
 1007 investments shall be credited to the trust fund.

1008 (e) This subsection expires July 1, 2007.

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

1009 Section 34. In order to implement Specific Appropriation
 1010 1821 of the 2006-2007 General Appropriations Act, subsection (7)
 1011 is added to section 403.885, Florida Statutes, to read:

1012 403.885 Stormwater management; wastewater management; and
 1013 Water Restoration Grant Program.--

1014 (7) Notwithstanding subsections (1), (3), (5), and (6):

1015 (a) The department shall administer a grant program to use
 1016 funds transferred pursuant to s. 212.20 to the Ecosystem
 1017 Management and Restoration Trust Fund or other moneys as
 1018 appropriated by the Legislature for stormwater management,
 1019 wastewater management, water restoration, and other water
 1020 projects as specifically appropriated by the Legislature.

1021 Eligible recipients of such grants include counties,
 1022 municipalities, water management districts, and special
 1023 districts that have legal responsibilities for water quality
 1024 improvement, storm water management, wastewater management, lake
 1025 and river water restoration projects, and drinking water
 1026 projects pursuant to this section.

1027 (b) All project applicants shall provide local matching
 1028 funds as follows:

1029 1. An applicant for state funding of a stormwater
 1030 management or surfacewater management project shall provide
 1031 local matching funds equal to at least 50 percent of the total
 1032 cost of the project.

1033 2. An applicant for state funding of a wastewater
 1034 management project shall provide matching funds equal to at
 1035 least 25 percent of the total cost of the project.

1036 (c) The requirement in paragraph (b) for matching funds

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

1037 may be waived if the applicant is a financially disadvantaged
 1038 small local government. For purposes of this subsection, the
 1039 term "financially disadvantaged small local government" means a
 1040 municipality having a population of 7,500 or less, a county
 1041 having a population of 35,000 or less, according to the latest
 1042 decennial census, and a per capita annual income less than the
 1043 state per capita annual income as determined by the United
 1044 States Department of Commerce, or a county in an area designated
 1045 by the Governor as a rural area of critical economic concern
 1046 pursuant to s. 288.0656.

1047 (d) This subsection expires July 1, 2007.

1048 Section 35. In order to implement Specific Appropriation
 1049 2688 of the 2006-2007 General Appropriations Act, paragraph (b)
 1050 of subsection (9) of section 320.08058, Florida Statutes, is
 1051 amended to read:

1052 320.08058 Specialty license plates.--

1053 (9) FLORIDA PROFESSIONAL SPORTS TEAM LICENSE PLATES.--

1054 (b) The license plate annual use fees are to be annually
 1055 distributed as follows:

1056 1. Fifty-five percent of the proceeds from the Florida
 1057 Professional Sports Team plate must be deposited into the
 1058 Professional Sports Development Trust Fund within the Office of
 1059 Tourism, Trade, and Economic Development. These funds must be
 1060 used solely to attract and support major sports events in this
 1061 state. As used in this subparagraph, the term "major sports
 1062 events" means, but is not limited to, championship or all-star
 1063 contests of Major League Baseball, the National Basketball
 1064 Association, the National Football League, the National Hockey

ENROLLED

HB 5003, Engrossed 2

2006 Legislature

1065 League, the men's and women's National Collegiate Athletic
 1066 Association Final Four basketball championship, or a horseracing
 1067 or dogracing Breeders' Cup. All funds must be used to support
 1068 and promote major sporting events, and the uses must be approved
 1069 by the Florida Sports Foundation.

1070 2. The remaining proceeds of the Florida Professional
 1071 Sports Team license plate must be allocated to the Florida
 1072 Sports Foundation, a direct-support organization of the Office
 1073 of Tourism, Trade, and Economic Development. These funds must be
 1074 deposited into the Professional Sports Development Trust Fund
 1075 within the Office of Tourism, Trade, and Economic Development.
 1076 These funds must be used by the Florida Sports Foundation to
 1077 promote the economic development of the sports industry; to
 1078 distribute licensing and royalty fees to participating
 1079 professional sports teams; to promote education programs in
 1080 Florida schools that provide an awareness of the benefits of
 1081 physical activity and nutrition standards; to partner with the
 1082 Department of Education and the Department of Health to develop
 1083 a program that recognizes schools whose students demonstrate
 1084 excellent physical fitness or fitness improvement; to institute
 1085 a grant program for communities bidding on minor sporting events
 1086 that create an economic impact for the state; to distribute
 1087 funds to Florida-based charities designated by the Florida
 1088 Sports Foundation and the participating professional sports
 1089 teams; and to fulfill the sports promotion responsibilities of
 1090 the Office of Tourism, Trade, and Economic Development.

1091 3. The Florida Sports Foundation shall provide an annual
 1092 financial audit in accordance with s. 215.981 of its financial

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

1093 accounts and records by an independent certified public
 1094 accountant pursuant to the contract established by the Office of
 1095 Tourism, Trade, and Economic Development as specified in s.
 1096 288.1229(5). The auditor shall submit the audit report to the
 1097 Office of Tourism, Trade, and Economic Development for review
 1098 and approval. If the audit report is approved, the office shall
 1099 certify the audit report to the Auditor General for review.

1100 4. For the 2006-2007 ~~2005-2006~~ fiscal year only and
 1101 notwithstanding the provisions of subparagraphs 1. and 2.,
 1102 proceeds from the Professional Sports Development Trust Fund may
 1103 also be used for operational expenses of the Florida Sports
 1104 Foundation and financial support of the Sunshine State Games.
 1105 This subparagraph expires July 1, 2007 ~~2006~~.

1106 Section 36. In order to implement section 51 of the 2006-
 1107 2007 General Appropriations Act, subsection (13) of section
 1108 253.034, Florida Statutes, is amended to read:

1109 253.034 State-owned lands; uses.--

1110 (13) Notwithstanding the provisions of this section, funds
 1111 from the sale of property by the Department of Highway Safety
 1112 and Motor Vehicles located in Palm Beach County are authorized
 1113 to be deposited into the Highway Safety Operating Trust Fund to
 1114 facilitate the exchange as provided in the General
 1115 Appropriations Act, provided that at the conclusion of both
 1116 exchanges the values are equalized. This subsection expires July
 1117 1, 2007 ~~2006~~.

1118 Section 37. In order to implement proviso language
 1119 following Specific Appropriation 2304 of the 2006-2007 General
 1120 Appropriations Act, section 402.3017, Florida Statutes, is

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

1121 amended to read:
 1122 402.3017 Teacher Education and Compensation Helps (TEACH)
 1123 scholarship program.--
 1124 (1) The Legislature finds that the level of early child
 1125 care teacher education and training is a key predictor for
 1126 determining program quality. The Legislature also finds that low
 1127 wages for child care workers prevent many from obtaining
 1128 increased training and education and contribute to high turnover
 1129 rates. The Legislature therefore intends to help fund a program
 1130 which links teacher training and education to compensation and
 1131 commitment to the field of early childhood education.
 1132 (2) The Department of Children and Family Services is
 1133 authorized to contract for the administration of the Teacher
 1134 Education and Compensation Helps (TEACH) scholarship program,
 1135 which provides educational scholarships to caregivers and
 1136 administrators of early childhood programs, family day care
 1137 homes, and large family child care homes.
 1138 (3) The department shall adopt rules as necessary to
 1139 implement this section.
 1140 (4) For the 2006-2007 ~~2005-2006~~ fiscal year only, the
 1141 Agency for Workforce Innovation may ~~shall~~ administer this
 1142 section. This subsection expires July 1, 2007 ~~2006~~.
 1143 Section 38. In order to implement Specific Appropriations
 1144 1594, 1596, 1598, 1600, 1608, and 1609 of the 2006-2007 General
 1145 Appropriations Act, subsection (5) of section 216.292, Florida
 1146 Statutes, is amended to read:
 1147 216.292 Appropriations nontransferable; exceptions.--
 1148 (5) (a) A transfer of funds may not result in the

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

1149 initiation of a fixed capital outlay project that has not
 1150 received a specific legislative appropriation, except that
 1151 federal funds for fixed capital outlay projects for the
 1152 Department of Military Affairs, which do not carry a continuing
 1153 commitment on future appropriations by the Legislature, may be
 1154 approved by the Executive Office of the Governor for the purpose
 1155 received, subject to the notice, review, and objection
 1156 procedures set forth in s. 216.177.

1157 (b) Notwithstanding paragraph (a), and for the 2006-2007
 1158 fiscal year only, the Governor may recommend the initiation of
 1159 fixed capital outlay projects funded by grants awarded by the
 1160 Federal Emergency Management Agency for FEMA Disaster
 1161 Declarations 1539-DR-FL, 1545-DR-FL, 1551-DR-FL, 1561-DR-FL,
 1162 1595-DR-FL, 1602-DR-FL, and EM3259-FL. All actions taken
 1163 pursuant to the authority granted in this paragraph are subject
 1164 to review and approval by the Legislative Budget Commission.
 1165 This paragraph expires July 1, 2007.

1166 Section 39. In order to implement Specific Appropriation
 1167 2132 of the 2006-2007 General Appropriations Act, subsection (3)
 1168 is added to section 311.22, Florida Statutes, to read:

1169 311.22 Additional authorization for funding certain
 1170 dredging projects.--

1171 (3) For the 2006-2007 fiscal year only and notwithstanding
 1172 the matching basis specified in subsection (1), funding for
 1173 projects in subsection (1) shall require a minimum 25 percent
 1174 match of funds received pursuant to this section. This
 1175 subsection expires July 1, 2007.

1176 Section 40. In order to implement Specific Appropriation

ENROLLED

HB 5003, Engrossed 2

2006 Legislature

1177 2304 of the 2006-2007 General Appropriations Act, subsection (9)
 1178 of section 411.01, Florida Statutes, is amended to read:

1179 411.01 School readiness programs; early learning
 1180 coalitions.--

1181 (9) FUNDING; SCHOOL READINESS PROGRAM.--

1182 (a) It is the intent of this section to establish an
 1183 integrated and quality seamless service delivery system for all
 1184 publicly funded early childhood education and child care
 1185 programs operating in this state.

1186 (b)1. The Agency for Workforce Innovation shall administer
 1187 school readiness funds, plans, and policies and shall prepare
 1188 and submit a unified budget request for the school readiness
 1189 system in accordance with chapter 216.

1190 2. All instructions to early learning coalitions for
 1191 administering this section shall emanate from the Agency for
 1192 Workforce Innovation in accordance with the policies of the
 1193 Legislature.

1194 (c) The Agency for Workforce Innovation shall recommend
 1195 ~~adopt~~ a formula for the allocation among the early learning
 1196 coalitions of all state and federal school readiness funds for
 1197 children participating in public or private school readiness
 1198 programs based upon equity and performance. The allocation
 1199 formula must be submitted to the Governor, ~~and~~ the chair of the
 1200 Senate Ways and Means Committee or its successor, and the chair
 1201 of the House of Representatives Fiscal Council or its successor
 1202 no later than January 1 of each year. The Legislature shall
 1203 specify in the annual General Appropriations Act any changes
 1204 from the allocation methodology for the prior fiscal year which

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

1205 must be used by the Agency for Workforce Innovation in
 1206 allocating the appropriations provided in the General
 1207 Appropriations Act Legislative Budget Commission. Upon approval,
 1208 ~~the Legislative Budget Commission shall authorize the Agency for~~
 1209 ~~Workforce Innovation to distribute funds in accordance with the~~
 1210 ~~allocation formula. For fiscal year 2004-2005, the Agency for~~
 1211 ~~Workforce Innovation shall allocate funds to the early learning~~
 1212 ~~coalitions consistent with the fiscal year 2003-2004 funding~~
 1213 ~~allocations to the school readiness coalitions.~~

1214 (d) All state, federal, and required local maintenance-of-
 1215 effort or matching funds provided to an early learning coalition
 1216 for purposes of this section shall be used by the coalition for
 1217 implementation of its school readiness plan, including the
 1218 hiring of staff to effectively operate the coalition's school
 1219 readiness program. As part of plan approval and periodic plan
 1220 review, the Agency for Workforce Innovation shall require that
 1221 administrative costs be kept to the minimum necessary for
 1222 efficient and effective administration of the school readiness
 1223 plan, but total administrative expenditures must not exceed 5
 1224 percent unless specifically waived by the Agency for Workforce
 1225 Innovation. The Agency for Workforce Innovation shall annually
 1226 report to the Legislature any problems relating to
 1227 administrative costs.

1228 (e) The Agency for Workforce Innovation shall annually
 1229 distribute, to a maximum extent practicable, all eligible funds
 1230 provided under this section as block grants to the early
 1231 learning coalitions.

1232 (f) State funds appropriated for the school readiness

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

1233 program may not be used for the construction of new facilities
 1234 or the purchase of buses. The Agency for Workforce Innovation
 1235 shall present to the Legislature recommendations for providing
 1236 necessary transportation services for school readiness programs.

1237 (g) All cost savings and all revenues received through a
 1238 mandatory sliding fee scale shall be used to help fund each
 1239 early learning coalition's school readiness program.

1240 Section 41. The amendment of s. 411.01, Florida Statutes,
 1241 by this act shall expire July 1, 2007, and the text of that
 1242 section shall revert to that in existence on June 30, 2006,
 1243 except that any amendments to such text enacted other than by
 1244 this act shall be preserved and continue to operate to the
 1245 extent that such amendments are not dependent upon the portions
 1246 of such text which expire pursuant to this section.

1247 Section 42. In order to implement Specific Appropriation
 1248 3225E of the 2006-2007 General Appropriations Act, paragraph (g)
 1249 of subsection (11) of section 259.032, Florida Statutes, is
 1250 amended to read:

1251 259.032 Conservation and Recreation Lands Trust Fund;
 1252 purpose.--

1253 (11)

1254 (g) In addition to the purposes specified in paragraph
 1255 (b), funds from the 1.5 percent of the cumulative total of funds
 1256 ever deposited into the Florida Preservation 2000 Trust Fund and
 1257 the Florida Forever Trust Fund may be appropriated for the 2006-
 1258 2007 ~~2005-2006~~ fiscal year for the construction of replacement
 1259 museum facilities. This paragraph expires July 1, 2007 ~~2006~~.

1260 Section 43. In order to implement Specific Appropriation

ENROLLED

HB 5003, Engrossed 2

2006 Legislature

1261 1566 of the 2006-2007 General Appropriations Act, subsection (4)
 1262 is added to section 252.373, Florida Statutes, to read:

1263 252.373 Allocation of funds; rules.--

1264 (4) In addition to the uses specified in this section,
 1265 funds in the Emergency Management, Preparedness, and Assistance
 1266 Trust Fund that are otherwise unobligated may be authorized for
 1267 expenditure for the purpose of providing assistance to local
 1268 governments for implementing local comprehensive plans,
 1269 innovative planning to help make communities more livable, and
 1270 addressing growth management issues. This subsection expires
 1271 July 1, 2007.

1272 Section 44. In order to implement Specific Appropriation
 1273 1658A of the 2006-2007 General Appropriations Act, subsection
 1274 (15) is added to section 420.0004, Florida Statutes, to read:

1275 420.0004 Definitions.--As used in this part, unless the
 1276 context otherwise indicates:

1277 (15) "Extremely-low-income persons" means one or more
 1278 natural persons or a family whose total annual household income
 1279 does not exceed 30 percent of the median annual adjusted gross
 1280 income for households within the state. The Florida Housing
 1281 Finance Corporation may adjust this amount annually by rule to
 1282 provide that in lower-income counties, extremely low income may
 1283 exceed 30 percent of the median income for the area, and that in
 1284 higher-income counties, extremely low income may be less than 30
 1285 percent of the area median income. This subsection expires July
 1286 1, 2007.

1287 Section 45. In order to implement Specific Appropriation
 1288 1658A of the 2006-2007 General Appropriations Act, paragraphs

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

1289 (h) and (i) are added to subsection (22) of section 420.507,
 1290 Florida Statutes, to read:

1291 420.507 Powers of the corporation.--The corporation shall
 1292 have all the powers necessary or convenient to carry out and
 1293 effectuate the purposes and provisions of this part, including
 1294 the following powers which are in addition to all other powers
 1295 granted by other provisions of this part:

1296 (22) To develop and administer the State Apartment
 1297 Incentive Loan Program. In developing and administering that
 1298 program, the corporation may:

1299 (h) Make loans exceeding 25 percent of project costs if
 1300 the project serves extremely-low-income persons. This paragraph
 1301 expires July 1, 2007.

1302 (i) Waive payments or forgive indebtedness for a pro rata
 1303 share of the loan based on the number of units in a project
 1304 reserved for extremely-low-income persons. This paragraph
 1305 expires July 1, 2007.

1306 Section 46. In order to implement Specific Appropriation
 1307 1658A of the 2006-2007 General Appropriations Act, subsection
 1308 (5) and paragraphs (c) and (k) of subsection (6) of section
 1309 420.5087, Florida Statutes, are amended to read:

1310 420.5087 State Apartment Incentive Loan Program.--There is
 1311 hereby created the State Apartment Incentive Loan Program for
 1312 the purpose of providing first, second, or other subordinated
 1313 mortgage loans or loan guarantees to sponsors, including for-
 1314 profit, nonprofit, and public entities, to provide housing
 1315 affordable to very-low-income persons.

1316 (5) (a) The amount of the mortgage provided under this

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

1317 program combined with any other mortgage in a superior position
 1318 shall be less than the value of the project without the housing
 1319 set-aside required by subsection (2). However, the corporation
 1320 may waive this requirement for projects in rural areas or urban
 1321 infill areas which have market rate rents that are less than the
 1322 allowable rents pursuant to applicable state and federal
 1323 guidelines. In no event shall the mortgage provided under this
 1324 program combined with any other mortgage in a superior position
 1325 exceed total project cost.

1326 (b) Notwithstanding paragraph (a), the amount of the
 1327 mortgage provided under this program combined with any other
 1328 mortgage in a superior position shall be less than the value of
 1329 the project without the housing set-aside required by subsection
 1330 (2). However, the corporation may waive this requirement for
 1331 projects in rural areas or urban infill areas that have market
 1332 rate rents that are less than the allowable rents pursuant to
 1333 applicable state and federal guidelines and for projects that
 1334 reserve units for extremely-low-income persons. A mortgage
 1335 provided under this program may not be combined with any other
 1336 mortgage in a superior position to exceed total project cost.
 1337 This paragraph expires July 1, 2007.

1338 (6) On all state apartment incentive loans, except loans
 1339 made to housing communities for the elderly to provide for
 1340 lifesafety, building preservation, health, sanitation, or
 1341 security-related repairs or improvements, the following
 1342 provisions shall apply:

1343 (c) The corporation shall provide by rule for the
 1344 establishment of a review committee composed of the department

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

1345 and corporation staff and shall establish by rule a scoring
 1346 system for evaluation and competitive ranking of applications
 1347 submitted in this program, including, but not limited to, the
 1348 following criteria:

1349 1. Tenant income and demographic targeting objectives of
 1350 the corporation.

1351 2. Targeting objectives of the corporation which will
 1352 ensure an equitable distribution of loans between rural and
 1353 urban areas.

1354 3. Sponsor's agreement to reserve the units for persons or
 1355 families who have incomes below 50 percent of the state or local
 1356 median income, whichever is higher, for a time period to exceed
 1357 the minimum required by federal law or the provisions of this
 1358 part.

1359 4. Sponsor's agreement to reserve more than:

1360 a. Twenty percent of the units in the project for persons
 1361 or families who have incomes that do not exceed 50 percent of
 1362 the state or local median income, whichever is higher; or

1363 b. Forty percent of the units in the project for persons
 1364 or families who have incomes that do not exceed 60 percent of
 1365 the state or local median income, whichever is higher, without
 1366 requiring a greater amount of the loans as provided in this
 1367 section.

1368 5. Provision for tenant counseling.

1369 6. Sponsor's agreement to accept rental assistance
 1370 certificates or vouchers as payment for rent; however, when
 1371 certificates or vouchers are accepted as payment for rent on
 1372 units set aside pursuant to subsection (2), the benefit must be

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

1373 divided between the corporation and the sponsor, as provided by
 1374 corporation rule.

1375 7. Projects requiring the least amount of a state
 1376 apartment incentive loan compared to overall project cost.

1377 8. Local government contributions and local government
 1378 comprehensive planning and activities that promote affordable
 1379 housing.

1380 9. Project feasibility.

1381 10. Economic viability of the project.

1382 11. Commitment of first mortgage financing.

1383 12. Sponsor's prior experience.

1384 13. Sponsor's ability to proceed with construction.

1385 14. Projects that directly implement or assist welfare-to-
 1386 work transitioning.

1387 15. Notwithstanding subparagraph 7., projects requiring
 1388 the least amount of a state apartment incentive loan compared to
 1389 overall project cost except that the pro rata share of the loan
 1390 attributable to the extremely-low-income units shall be excluded
 1391 from this requirement. This subparagraph expires July 1, 2007.

1392 16. Projects that reserve units for extremely-low-income
 1393 families. This subparagraph expires July 1, 2007.

1394 (k)1. Rent controls shall not be allowed on any project
 1395 except as required in conjunction with the issuance of tax-
 1396 exempt bonds or federal low-income housing tax credits.

1397 2. Notwithstanding subparagraph 1., rent controls shall
 1398 not be allowed on any project except as required in conjunction
 1399 with the issuance of tax-exempt bonds or federal low-income
 1400 housing tax credits, and except when the sponsor has committed

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

1401 to set aside units for extremely-low-income persons, in which
 1402 case rents shall be restricted at the level applicable to
 1403 federal low-income tax credits. This subparagraph expires July
 1404 1, 2007.

1405 Section 47. In order to implement Specific Appropriation
 1406 1658A of the 2006-2007 General Appropriations Act, section
 1407 420.5095, Florida Statutes, is created to read:

1408 420.5095 Community Workforce Housing Innovation Pilot
 1409 Program created.--

1410 (1) The Legislature finds and declares that recent rapid
 1411 increases in the median purchase price of homes and the cost of
 1412 rental housing have far outstripped the increases in median
 1413 income in the state, preventing essential services personnel
 1414 from living in the communities where they serve and thereby
 1415 creating the need for innovative solutions for the provision of
 1416 housing opportunities for essential services personnel.

1417 (2) The Community Workforce Housing Innovation Pilot
 1418 Program is created to provide affordable rental and home
 1419 ownership community workforce housing for essential services
 1420 personnel affected by the high cost of housing, using regulatory
 1421 incentives and state and local funds to promote local public-
 1422 private partnerships and leverage government and private
 1423 resources.

1424 (3) For purposes of this section, the following
 1425 definitions apply:

1426 (a) "Workforce housing" means housing affordable to
 1427 natural persons or families whose total annual household income
 1428 does not exceed 140 percent of the area median income, adjusted

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

1429 for household size, or 150 percent of area median income,
 1430 adjusted for household size, in areas of critical state concern
 1431 designated under s. 380.05, for which the Legislature has
 1432 declared its intent to provide affordable housing, and areas
 1433 that were designated as areas of critical state concern for at
 1434 least 20 consecutive years prior to removal of the designation.

1435 (b) "Essential services personnel" means persons in need
 1436 of affordable housing who are employed in occupations or
 1437 professions in which they are considered essential services
 1438 personnel, as defined by each county and eligible municipality
 1439 within its respective local housing assistance plan. Each
 1440 housing assistance plan shall include a definition of essential
 1441 service personnel for the county or eligible municipality,
 1442 including, but not limited to, teachers and educators; other
 1443 school district, community college, and university employees;
 1444 police and fire personnel; health care personnel; skilled
 1445 building trades personnel; and other job categories.

1446 (c) "Public-private partnership" means any form of
 1447 business entity that includes substantial involvement of at
 1448 least one county, one municipality, or one public sector entity,
 1449 such as a school district or other unit of local government in
 1450 which the project is to be located, and at least one private
 1451 sector for-profit or not-for-profit business or charitable
 1452 entity, and may be any form of business entity, including a
 1453 joint venture or contractual agreement.

1454 (4) The Florida Housing Finance Corporation is authorized
 1455 to provide Community Workforce Housing Innovation Pilot Program
 1456 loans to applicants for construction or rehabilitation of

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

1457 workforce housing in eligible areas. The corporation shall
 1458 establish a funding process and selection criteria by rule or
 1459 request for proposals. This funding is intended to be used with
 1460 other public and private sector resources.

1461 (5) The corporation shall provide incentives for local
 1462 governments in eligible areas to use local affordable housing
 1463 funds, such as those from the State Housing Initiatives
 1464 Partnership Program, to assist in meeting the affordable housing
 1465 needs of persons eligible under this program.

1466 (6) Funding shall be targeted to projects in areas where
 1467 the disparity between the area median income and the median
 1468 sales price for a single-family home is greatest, and for
 1469 projects in areas where population growth as a percentage rate
 1470 of increase is greatest. The corporation may also fund projects
 1471 in areas where innovative regulatory and financial incentives
 1472 are made available. The corporation shall fund at least one
 1473 eligible project in as many counties as possible.

1474 (7) Projects shall receive priority consideration for
 1475 funding where:

1476 (a) The local jurisdiction adopts appropriate regulatory
 1477 incentives, local contributions or financial strategies, or
 1478 other funding sources to promote the development and ongoing
 1479 financial viability of such projects. Local incentives include
 1480 such actions as expediting review of development orders and
 1481 permits, supporting development near transportation hubs and
 1482 major employment centers, and adopting land development
 1483 regulations designed to allow flexibility in densities, use of
 1484 accessory units, mixed-use developments, and flexible lot

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

1485 configurations. Financial strategies include such actions as
 1486 promoting employer-assisted housing programs, providing tax
 1487 increment financing, and providing land.

1488 (b) Projects are innovative and include new construction
 1489 or rehabilitation, mixed-income housing, or commercial and
 1490 housing mixed-use elements and those that promote homeownership.
 1491 The program funding shall not exceed the costs attributable to
 1492 the portion of the project that is set aside to provide housing
 1493 for the targeted population.

1494 (c) Projects that set aside at least 80 percent of units
 1495 for workforce housing and at least 50 percent for essential
 1496 services personnel and for projects that require the least
 1497 amount of program funding compared to the overall housing costs
 1498 for the project.

1499 (8) Notwithstanding s. 163.3184(3)-(6), any local
 1500 government comprehensive plan amendment to implement a Community
 1501 Workforce Housing Innovation Pilot Program project found
 1502 consistent with the provisions of this section shall be
 1503 expedited as provided in this subsection. At least 30 days prior
 1504 to adopting a plan amendment pursuant to this subsection, the
 1505 local government shall notify the state land planning agency of
 1506 its intent to adopt such an amendment, and the notice shall
 1507 include its evaluation related to site suitability and
 1508 availability of facilities and services. The public notice of
 1509 the hearing required by s. 163.3184(15)(e) shall include a
 1510 statement that the local government intends to utilize the
 1511 expedited adoption process authorized by this subsection. Such
 1512 amendments shall require only a single public hearing before the

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

1513 governing board, which shall be an adoption hearing as described
 1514 in s. 163.3184(7), and the state land planning agency shall
 1515 issue its notice of intent pursuant to s. 163.3184(8) within 30
 1516 days after determining that the amendment package is complete.

1517 (9) The corporation shall award loans with interest rates
 1518 set at 1 to 3 percent, which may be made forgivable when long-
 1519 term affordability is provided and when at least 80 percent of
 1520 the units are set aside for workforce housing and at least 50
 1521 percent of the units are set aside for essential services
 1522 personnel.

1523 (10) All eligible applications shall:

1524 (a) For home ownership, limit the sales price of a
 1525 detached unit, townhome, or condominium unit to not more than 80
 1526 percent of the median sales price for that type of unit in that
 1527 county, or the statewide median sales price for that type of
 1528 unit, whichever is higher, and require that all eligible
 1529 purchasers of home ownership units occupy the homes as their
 1530 primary residence.

1531 (b) For rental units, restrict rents for all workforce
 1532 housing serving those with incomes at or below 120 percent of
 1533 area median income at the appropriate income level using the
 1534 restricted rents for the federal low-income housing tax credit
 1535 program and, for workforce housing units serving those with
 1536 incomes above 120 percent of area median income, restrict rents
 1537 to those established by the corporation, not to exceed 30
 1538 percent of the maximum household income adjusted to unit size.

1539 (c) Demonstrate that the applicant is a public-private
 1540 partnership.

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

1541 (d) Have grants, donations of land, or contributions from
 1542 the public-private partnership or other sources collectively
 1543 totaling at least 15 percent of the total development cost. Such
 1544 grants, donations of land, or contributions must be evidenced by
 1545 a letter of commitment only at the time of application. Grants,
 1546 donations of land, or contributions in excess of 15 percent of
 1547 the development cost shall increase the application score.

1548 (e) Demonstrate how the applicant will use the regulatory
 1549 incentives and financial strategies outlined in paragraph (7)(a)
 1550 from the local jurisdiction in which the proposed project is to
 1551 be located. The corporation may consult with the Department of
 1552 Community Affairs in evaluating the use of regulatory incentives
 1553 by applicants.

1554 (f) Demonstrate that the applicant possesses title to or
 1555 site control of land and evidences availability of required
 1556 infrastructure.

1557 (g) Demonstrate the applicant's affordable housing
 1558 development and management experience.

1559 (h) Provide any research or facts available supporting the
 1560 demand and need for rental or home ownership workforce housing
 1561 for eligible persons in the market in which the project is
 1562 proposed.

1563 (11) Projects may include manufactured housing constructed
 1564 after June 1994 and installed in accordance with mobile home
 1565 installation standards of the Department of Highway Safety and
 1566 Motor Vehicles.

1567 (12) The corporation may adopt rules pursuant to ss.
 1568 120.536(1) and 120.54 to implement the provisions of this

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

1569 section.
 1570 (13) The corporation may use a maximum of 2 percent of the
 1571 annual appropriation for administration and compliance
 1572 monitoring.

1573 (14) The corporation shall review the success of the
 1574 Community Workforce Housing Innovation Pilot Program to
 1575 ascertain whether the projects financed by the program are
 1576 useful in meeting the housing needs of eligible areas. The
 1577 corporation shall submit its report and any recommendations
 1578 regarding the program to the Governor, the Speaker of the House
 1579 of Representatives, and the President of the Senate not later
 1580 than 2 months after the end of the corporation's fiscal year.

1581 (15) This section expires July 1, 2007.

1582 Section 48. In order to implement Specific Appropriations
 1583 1631 and 1658A of the 2006-2007 General Appropriations Act,
 1584 section 420.55, Florida Statutes, is created to read:

1585 420.55 Housing; response to disasters.--

1586 (1) The Florida Housing Finance Corporation is authorized
 1587 to provide funds to eligible entities for affordable housing
 1588 recovery in those areas of the state that sustained housing
 1589 damage due to hurricanes during 2004 and 2005. The Florida
 1590 Housing Finance Corporation shall use data provided by the
 1591 Federal Emergency Management Agency to assist in its allocation
 1592 of funds to local jurisdictions. To administer these programs,
 1593 the Florida Housing Finance Corporation shall be guided by the
 1594 "Hurricane Housing Work Group Recommendations to Assist in
 1595 Florida's Long-Term Housing Recovery Efforts" report dated
 1596 February 16, 2005.

ENROLLED

HB 5003, Engrossed 2

2006 Legislature

1597 (2) The Florida Housing Finance Corporation may adopt
1598 emergency rules pursuant to s. 120.54 to administer these
1599 programs. The Legislature finds that emergency rules adopted
1600 under this section meet the health, safety, and welfare
1601 requirements of s. 120.54(4) and that such emergency rulemaking
1602 power is necessary for the preservation of the rights and
1603 welfare of the people to provide additional funds to assist in
1604 those counties that were declared eligible for disaster funding
1605 pursuant to the hurricanes of 2004 and 2005 and that sustained
1606 housing damage due to the storms. Therefore, in adopting the
1607 emergency rules, the corporation need not make the findings
1608 required by s. 120.54(4)(a). Emergency rules adopted under this
1609 section are exempt from s. 120.54(4)(c).

1610 (3) This section expires July 1, 2007.

1611 Section 49. In order to implement specific appropriations
1612 for salaries and benefits in the 2006-2007 General
1613 Appropriations Act, notwithstanding the provisions of s.
1614 110.1245(4), Florida Statutes, and for the 2006-2007 fiscal year
1615 only, agencies may additionally use funds for cash awards to
1616 state employees who demonstrate satisfactory service in the
1617 agency or to the state, in appreciation and recognition of such
1618 service. Awards may not exceed \$100 to any employee and shall be
1619 allocated from an agency's existing budget. An employee may not
1620 receive awards pursuant to this section in excess of \$100 total
1621 during the fiscal year. By March 1, 2007, agencies that elect to
1622 make cash awards shall report to the Governor and Cabinet, the
1623 President of the Senate, and the Speaker of the House of
1624 Representatives the dollar value and number of such awards

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

1625 given. If available, any additional information concerning
 1626 employee satisfaction and feedback should be provided. This
 1627 section expires July 1, 2007.

1628 Section 50. In order to implement Specific Appropriations
 1629 197, 213, 243, 474, and 2233A of the 2006-2007 General
 1630 Appropriations Act, the following textual errors in that act are
 1631 corrected:

1632 (1) The reference in the second paragraph of the proviso
 1633 following Specific Appropriation 197 to "Specific Appropriation
 1634 196" is changed to "Specific Appropriation 197."

1635 (2) The reference in the last paragraph of the proviso
 1636 following Specific Appropriation 213 to "Specific Appropriation
 1637 190" is changed to "Specific Appropriation 213."

1638 (3) (a) The reductions referred to in the fourth paragraph
 1639 of the proviso following Specific Appropriation 243 are changed
 1640 from \$1,741,389 from the General Revenue Fund and \$2,509,581
 1641 from the Medical Care Trust Fund to \$1,780,038 from the General
 1642 Revenue Fund and \$2,564,649 from the Medical Care Trust Fund.

1643 (b) The reductions referred to in the fifth paragraph of
 1644 the proviso following Specific Appropriation 243 are changed
 1645 from \$1,160,926 from the General Revenue Fund and \$1,673,054
 1646 from the Medical Care Trust Fund to \$1,163,610 from the General
 1647 Revenue Fund and \$1,676,879 from the Medical Care Trust Fund.

1648 (4) The phrase "\$3,300,000 from nonrecurring general
 1649 revenue funds" in the proviso immediately following Specific
 1650 Appropriation 474 is changed to "\$300,000 from recurring general
 1651 revenue funds and \$3,000,000 from nonrecurring general revenue
 1652 funds."

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

1653 (5) The second reference to "Orlando" in the last
 1654 paragraph of the proviso following Specific Appropriation 2233A,
 1655 immediately preceding the sum of "21,618,950," is changed to
 1656 "Tampa."

1657 (6) The reference in section 15 to "chapter 2004-269" is
 1658 changed to "chapter 2004-268."

1659 (7) The phrase "Doral Municipal Park Improvement-City of
 1660 Doral" in the proviso immediately following Specific
 1661 Appropriation 1821 is changed to "Doral-Stormwater Drainage
 1662 Improvements."

1663 Section 51. In order to implement the issuance of new debt
 1664 authorized in the 2006-2007 General Appropriations Act, and
 1665 pursuant to the requirements of s. 215.98, Florida Statutes, the
 1666 Legislature determines that the authorization and issuance of
 1667 debt for the 2006-2007 fiscal year is in the best interest of
 1668 the state and should be implemented.

1669 Section 52. A section of this act that implements more
 1670 than one specific appropriation or more than one portion of
 1671 specifically identified proviso language in the 2006-2007
 1672 General Appropriations Act is void if all the specific
 1673 appropriations or portions of specifically identified proviso
 1674 language are vetoed.

1675 Section 53. If any other act passed in 2006 contains a
 1676 provision that is substantively the same as a provision in this
 1677 act, but that removes or is otherwise not subject to the future
 1678 repeal applied to such provision by this act, the Legislature
 1679 intends that the provision in the other act shall take
 1680 precedence and shall continue to operate, notwithstanding the

ENROLLED
 HB 5003, Engrossed 2

2006 Legislature

1681 future repeal provided by this act.

1682 Section 54. The agency performance measures and standards
 1683 in the document entitled "Performance Measures and Standards
 1684 Approved by the Legislature for Fiscal Year 2006-2007" dated May
 1685 2, 2006, and filed with the Clerk of the House of
 1686 Representatives are incorporated by reference. Such performance
 1687 measures and standards are directly linked to the appropriations
 1688 made in the General Appropriations Act for fiscal year 2006-
 1689 2007, as required by the Government Performance and
 1690 Accountability Act of 1994. State agencies are directed to
 1691 revise their long-range program plans required under s. 216.013,
 1692 Florida Statutes, to be consistent with these performance
 1693 measures and standards.

1694 Section 55. If any provision of this act or its
 1695 application to any person or circumstance is held invalid, the
 1696 invalidity does not affect other provisions or applications of
 1697 the act which can be given effect without the invalid provision
 1698 or application, and to this end the provisions of this act are
 1699 declared severable.

1700 Section 56. Except as otherwise expressly provided in this
 1701 act, this act shall take effect July 1, 2006; or, if this act
 1702 fails to become a law until after that date, it shall take
 1703 effect upon becoming a law and shall operate retroactively to
 1704 July 1, 2006.