

23-1931A-06

1 A bill to be entitled  
2 An act implementing the 2006-2007 General  
3 Appropriations Act; providing legislative  
4 intent; providing for use of specified  
5 calculations with respect to the Florida  
6 Education Finance Program; amending s. 215.18,  
7 F.S.; authorizing extension of repayment  
8 periods for moneys transferred between funds as  
9 a result of hurricanes striking the state in  
10 2004; authorizing the Department of Corrections  
11 and the Department of Juvenile Justice to make  
12 certain expenditures to defray costs incurred  
13 by a municipality or county as a result of  
14 opening or operating a facility under authority  
15 of the respective department; amending s.  
16 216.262, F.S.; providing for additional  
17 positions to operate additional prison bed  
18 capacity under certain circumstances; providing  
19 for expenditure of funds from unallocated  
20 general revenue to offset deficiencies in due  
21 process services; authorizing the Department of  
22 Legal Affairs to expend appropriated funds on  
23 programs funded in the preceding fiscal year;  
24 authorizing the Executive Office of the  
25 Governor to transfer funds between departments  
26 for purposes of aligning amounts paid for risk  
27 management premiums and for purposes of  
28 aligning amounts paid for human resource  
29 management services; amending s. 112.061, F.S.;  
30 providing for computation of travel time and  
31 reimbursement for public officers' and

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

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

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

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

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

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

1 making appropriations for the Florida Education Finance  
2 Program.

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

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

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

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

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

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

14 216.262 Authorized positions.--

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

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

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

28       Section 7. In order to implement Specific  
29 Appropriations 1321 and 1323 of the 2006-2007 General  
30 Appropriations Act, the Department of Legal Affairs is  
31 authorized to expend appropriated funds in Specific

1 Appropriations 1321 and 1323 on the same programs that were  
2 funded by the department pursuant to specific appropriations  
3 made in general appropriations acts in prior years.

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

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

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

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

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

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

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

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

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

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

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

30 (3)

31

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

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

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

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

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

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

9  
10 This section expires July 1, 2007.

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

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

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

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

29           (2) The pilot program should focus on:

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

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

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

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

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

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

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

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

20           375.041 Land Acquisition Trust Fund.--

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

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

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

3 Section 16. In order to implement section 32 of the  
4 2006-2007 General Appropriations Act, subsection (4) of  
5 section 259.032, Florida Statutes, is amended to read:

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

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

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

21 Section 17. In order to implement section 32 of the  
22 2006-2007 General Appropriations Act, subsection (12) is added  
23 to section 373.59, Florida Statutes, to read:

24 373.59 Water Management Lands Trust Fund.--

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

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

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

3 120.551 Internet publication.--

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

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

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

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

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

20 320.08058 Specialty license plates.--

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

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

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

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

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

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

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

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

15 Section 21. In order to implement section 37 of the  
16 2006-2007 General Appropriations Act, subsection (13) of  
17 section 253.034, Florida Statutes, is amended to read:

18 253.034 State-owned lands; uses.--

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

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

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

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

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

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

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

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

17 216.292 Appropriations nontransferable; exceptions.--

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

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

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

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

9 311.22 Additional authorization for funding certain  
10 dredging projects.--

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

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

20 411.01 School readiness programs; early learning  
21 coalitions.--

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

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

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

31

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

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

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

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

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

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

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

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

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

31 215.32 State funds; segregation.--

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 under s. 216.013, Florida Statutes, to be consistent with  
2 these performance measures and standards.

3 Section 34. If any provision of this act or its  
4 application to any person or circumstance is held invalid, the  
5 invalidity does not affect other provisions or applications of  
6 the act which can be given effect without the invalid  
7 provision or application, and to this end the provisions of  
8 this act are declared severable.

9 Section 35. Except as otherwise expressly provided in  
10 this act, this act shall take effect July 1, 2006; or, if this  
11 act fails to become a law until after that date, it shall take  
12 effect upon becoming a law and shall operate retroactively to  
13 July 1, 2006.

14  
15 \*\*\*\*\*

16 SENATE SUMMARY

17 Provides direction for implementing the 2006-2007 General  
18 Appropriations Act.  
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