

CONFERENCE COMMITTEE AMENDMENT

Bill No. HB 5003

Amendment No.

CHAMBER ACTION

Senate

House

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. . .

1 The Conference Committee on HB 5003 offered the following:

2
3 **Conference Committee Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. It is the intent of the Legislature that the
6 implementing and administering provisions of this act apply to
7 the General Appropriations Act for the 2008-2009 fiscal year.

8 Section 2. In order to implement Specific Appropriations
9 6, 7, and 81 through 83 of the 2008-2009 General Appropriations
10 Act, the calculations of the Florida Education Finance Program
11 for the 2008-2009 fiscal year in the document entitled "Public
12 School Funding - The Florida Education Finance Program" dated
13 April 28, 2008, and filed with the Clerk of the House of
14 Representatives are incorporated by reference for the purpose of
15 displaying the calculations used by the Legislature, consistent

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16 with the requirements of the Florida Statutes, in making
17 appropriations for the Florida Education Finance Program.

18 Section 3. In order to implement Specific Appropriations
19 376 through 415 of the 2008-2009 General Appropriations Act,
20 subsection (3) of section 394.908, Florida Statutes, is amended
21 to read:

22 394.908 Substance abuse and mental health funding equity;
23 distribution of appropriations.--In recognition of the
24 historical inequity in the funding of substance abuse and mental
25 health services for the department's districts and regions and
26 to rectify this inequity and provide for equitable funding in
27 the future throughout the state, the following funding process
28 shall be used:

29 (3) (a) Any additional funding beyond the 2005-2006 fiscal
30 year base appropriation for alcohol, drug abuse, and mental
31 health services shall be allocated to districts for substance
32 abuse and mental health services based on:

33 1.(a) Epidemiological estimates of disabilities that apply
34 to the respective target populations.

35 2.(b) A pro rata share distribution that ensures districts
36 below the statewide average funding level per person in each
37 target population of "persons in need" receive funding necessary
38 to achieve equity.

39 (b) Notwithstanding paragraph (a) and for the 2008-2009
40 fiscal year only, funds appropriated for forensic mental health
41 treatment services shall be allocated to the areas of the state
42 having the greatest demand for services and treatment capacity.
43 This paragraph expires July 1, 2009.

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44 (c) Notwithstanding paragraph (a) and for the 2008-2009
45 fiscal year only, additional funds appropriated for mental
46 health services from funds available through the Community-Based
47 Medicaid Administrative Claiming Program shall be allocated as
48 provided in the 2008-2009 General Appropriations Act and in
49 proportion to contributed provider earnings. Where these mental
50 health funds are used in lieu of funds from the General Revenue
51 Fund, the allocation of funds shall be unchanged from the
52 allocation for those funds for the 2007-2008 fiscal year. This
53 paragraph expires July 1, 2009.

54 Section 4. In order to implement Specific Appropriations
55 302 and 314 of the 2008-2009 General Appropriations Act, the
56 Department of Children and Family Services shall ensure that all
57 public and private agencies and institutions participating in
58 child welfare cases enter information specified by rule of the
59 department into the Florida Safe Families Network in order to
60 maintain the accuracy and usefulness of the system. The Florida
61 Safe Families Network is intended to be the department's
62 automated child welfare case-management system designed to
63 provide child welfare workers with a mechanism for managing
64 child welfare cases more efficiently and tracking children and
65 families more effectively. The department shall coordinate with
66 the Office of the State Courts Administrator and the Statewide
67 Guardian Ad Litem Office for the purpose of providing any judge
68 or magistrate and any guardian ad litem assigned to a dependency
69 court case with access to information in the Florida Safe
70 Families Network relating to a child welfare case which is
71 required to be filed with the court pursuant to chapter 39,

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72 Florida Statutes, by the date of the network's release during
73 the 2008-2009 fiscal year. The department shall report to the
74 Governor, the President of the Senate, and the Speaker of the
75 House of Representatives by February 1, 2009, with respect to
76 progress on providing access to the Florida Safe Families
77 Network as provided in this section. This section expires July
78 1, 2009.

79 Section 5. Effective upon this act becoming a law, in
80 order to implement Specific Appropriations 552, 554, 560, 562,
81 and 563 of the 2008-2009 General Appropriations Act, paragraph
82 (c) is added to subsection (14) of section 287.057, Florida
83 Statutes, to read:

84 287.057 Procurement of commodities or contractual
85 services.--

86 (14)

87 (c) The Department of Health shall enter into an
88 agreement, not to exceed 20 years, with a private contractor to
89 finance, design, and construct a hospital, of no more than 50
90 beds, for the treatment of patients with active tuberculosis and
91 to operate all aspects of daily operations within the facility.
92 The contractor may sponsor the issuance of tax-exempt
93 certificates of participation or other securities to finance the
94 project, and the state may enter into a lease-purchase agreement
95 for the facility. The department shall begin the implementation
96 of this initiative by July 1, 2008. This paragraph expires July
97 1, 2009.

98 Section 6. In order to implement Specific Appropriation
99 236 of the 2008-2009 General Appropriations Act, the Agency for
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100 Health Care Administration shall study the effects of the
101 minimum nursing home staffing ratios found in s. 400.23(3),
102 Florida Statutes, and the relationship to Medicaid reimbursement
103 and the quality of care provided to residents. The agency shall
104 report its findings to the Governor, the President of the
105 Senate, and the Speaker of the House of Representatives by
106 February 1, 2009. Until July 1, 2009, the agency shall not
107 impose sanctions against a nursing home for failure to meet the
108 staffing ratios in s. 400.23(3), Florida Statutes, or failure to
109 impose a moratorium on new admissions pursuant to s.
110 400.141(15)(d), Florida Statutes, as long as the certified
111 nursing assistant ratio is not below 2.6 hours per resident per
112 day and the licensed nurse ratio is not below 1.0 hours per
113 resident per day. This section expires July 1, 2009.

114 Section 7. In order to fulfill legislative intent
115 regarding the use of funds contained in Specific Appropriations
116 721K, 721Y, 721AJ, and 1146 of the 2008-2009 General
117 Appropriations Act, the Department of Corrections and the
118 Department of Juvenile Justice may expend appropriated funds to
119 assist in defraying the costs of impacts that are incurred by a
120 municipality or county and associated with opening or operating
121 a facility under the authority of the respective department
122 which is located within that municipality or county. The amount
123 that is to be paid under this section for any facility may not
124 exceed 1 percent of the facility construction cost, less
125 building impact fees imposed by the municipality or by the
126 county if the facility is located in the unincorporated portion
127 of the county. This section expires July 1, 2009.

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128 Section 8. In order to implement Specific Appropriations
129 721A through 760H and 780 through 806A of the 2008-2009 General
130 Appropriations Act, subsection (4) of section 216.262, Florida
131 Statutes, is amended to read:

132 216.262 Authorized positions.--

133 (4) Notwithstanding the provisions of this chapter on
134 increasing the number of authorized positions, and for the 2008-
135 2009 ~~2007-2008~~ fiscal year only, if the actual inmate population
136 of the Department of Corrections exceeds the inmate population
137 projections of the February 15, 2008 ~~February 16, 2007~~, Criminal
138 Justice Estimating Conference by 1 percent for 2 consecutive
139 months or 2 percent for any month, the Executive Office of the
140 Governor, with the approval of the Legislative Budget
141 Commission, shall immediately notify the Criminal Justice
142 Estimating Conference, which shall convene as soon as possible
143 to revise the estimates. The Department of Corrections may then
144 submit a budget amendment requesting the establishment of
145 positions in excess of the number authorized by the Legislature
146 and additional appropriations from unallocated general revenue
147 sufficient to provide for essential staff, fixed capital
148 improvements, and other resources to provide classification,
149 security, food services, health services, and other variable
150 expenses within the institutions to accommodate the estimated
151 increase in the inmate population. All actions taken pursuant to
152 the authority granted in this subsection shall be subject to
153 review and approval by the Legislative Budget Commission. This
154 subsection expires July 1, 2009 ~~2008~~.

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155 Section 9. In order to implement Specific Appropriations
156 1301 and 1302 of the 2008-2009 General Appropriations Act, the
157 Department of Legal Affairs is authorized to expend appropriated
158 funds in those specific appropriations on the same programs that
159 were funded by the department pursuant to specific
160 appropriations made in general appropriations acts in prior
161 years. This section expires July 1, 2009.

162 Section 10. In order to implement Specific Appropriation
163 1210 of the 2008-2009 General Appropriations Act, subsection (4)
164 of section 932.7055, Florida Statutes, is amended to read:

165 932.7055 Disposition of liens and forfeited property.--

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

168 (a) Payment of the balance due on any lien preserved by
169 the court in the forfeiture proceedings.

170 (b) Payment of the cost incurred by the seizing agency in
171 connection with the storage, maintenance, security, and
172 forfeiture of such property.

173 (c) Payment of court costs incurred in the forfeiture
174 proceeding.

175 (d) Notwithstanding any other provision of this
176 subsection, and for the 2008-2009 ~~2007-2008~~ fiscal year only,
177 the funds in a special law enforcement trust fund established by
178 the governing body of a municipality may be expended to
179 reimburse the general fund of the municipality for moneys
180 advanced from the general fund to the special law enforcement
181 trust fund prior to October 1, 2001. This paragraph expires July
182 1, 2009 ~~2008~~.

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183 Section 11. In order to implement Specific Appropriation
 184 786 of the 2008-2009 General Appropriations Act, the Department
 185 of Corrections shall comply with the following reimbursement
 186 limitations:

187 (1) If no contract exists between the Department of
 188 Corrections and a hospital licensed under chapter 395 or a
 189 health care provider providing services at a hospital licensed
 190 under chapter 395 regarding services, payments may not exceed
 191 110 percent of the Medicare allowable rate.

192 (2) If a contract has been executed between the Department
 193 of Corrections and a hospital licensed under chapter 395 or a
 194 health care provider providing services at a hospital licensed
 195 under chapter 395, payments shall continue at the currently
 196 contracted rates through the current term of the contract;
 197 however, if the contract expires or is subject to renewal during
 198 the 2007-2008 fiscal year, the payments may not exceed 110
 199 percent of Medicare allowable rate.

200 (3) If the Department of Corrections enters into a new
 201 contract with a hospital licensed under chapter 395 or a health
 202 care provider providing services at a hospital licensed under
 203 chapter 395, the payments may not exceed 110 percent of the
 204 Medicare allowable rate.

205 (4) Notwithstanding the limitations of subsections (1),
 206 (2), and (3) to the contrary, the Department of Corrections may
 207 pay up to 125 percent of the Medicare allowable rate for
 208 hospitals licensed under chapter 395 that reported to the Agency
 209 for Health Care Administration, through hospital audited

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210 financial data, a negative operating margin for the previous
211 year.

212 (5) This section shall not be applicable to charges for
213 medical services provided at any hospital operated by the
214 Department of Corrections.

215
216 The Department of Corrections may not negotiate contracts for
217 medical services at hospitals licensed under chapter 395 for
218 rates other than rates based on a percentage of the Medicare
219 allowable rate. This section expires July 1, 2009.

220 Section 12. In order to implement Specific Appropriations
221 1266, 1286, 1307, and 1317 of the 2008-2009 General
222 Appropriations Act, the Department of Legal Affairs is
223 authorized to transfer cash remaining after required
224 disbursements from Attorney General case numbers L01-6-1004,
225 L03-6-1002, and L01-6-1009 from FLAIR account 41-74-2-601001-
226 41100100-00-181076-00 to the Operating Trust fund to pay
227 salaries and benefits. This section expires July 1, 2009.

228 Section 13. In order to implement Specific Appropriation
229 3205 of the 2008-2009 General Appropriations Act, subsection
230 (16) is added to section 112.061, Florida Statutes, to read:

231 112.061 Per diem and travel expenses of public officers,
232 employees, and authorized persons.--

233 (16) SUPREME COURT JUSTICES.--Notwithstanding any
234 provision of this section to the contrary, the Chief Justice of
235 the Supreme Court is authorized to reimburse justices of the
236 Supreme Court for travel expenses, including travel, per diem,
237 and subsistence allowances, associated with travel to

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238 Tallahassee on official business for the state from the county
239 in which the justice resides for no more than 36 trips per
240 justice, provided that reimbursement may not be made for travel
241 to Tallahassee if the justice resides within 50 miles of the
242 headquarters of the Supreme Court. This subsection expires July
243 1, 2009.

244 Section 14. In order to implement Specific Appropriations
245 for salaries and benefits in the 2008-2009 General
246 Appropriations Act, paragraph (b) of subsection (3) of section
247 112.24, Florida Statutes, is amended to read:

248 112.24 Intergovernmental interchange of public
249 employees.--To encourage economical and effective utilization of
250 public employees in this state, the temporary assignment of
251 employees among agencies of government, both state and local,
252 and including school districts and public institutions of higher
253 education is authorized under terms and conditions set forth in
254 this section. State agencies, municipalities, and political
255 subdivisions are authorized to enter into employee interchange
256 agreements with other state agencies, the Federal Government,
257 another state, a municipality, or a political subdivision
258 including a school district, or with a public institution of
259 higher education. State agencies are also authorized to enter
260 into employee interchange agreements with private institutions
261 of higher education and other nonprofit organizations under the
262 terms and conditions provided in this section. In addition, the
263 Governor or the Governor and Cabinet may enter into employee
264 interchange agreements with a state agency, the Federal
265 Government, another state, a municipality, or a political

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266 subdivision including a school district, or with a public
267 institution of higher learning to fill, subject to the
268 requirements of chapter 20, appointive offices which are within
269 the executive branch of government and which are filled by
270 appointment by the Governor or the Governor and Cabinet. Under
271 no circumstances shall employee interchange agreements be
272 utilized for the purpose of assigning individuals to participate
273 in political campaigns. Duties and responsibilities of
274 interchange employees shall be limited to the mission and goals
275 of the agencies of government.

276 (3) Salary, leave, travel and transportation, and
277 reimbursements for an employee of a sending party that is
278 participating in an interchange program shall be handled as
279 follows:

280 (b)1. The assignment of an employee of a state agency
281 either on detail or on leave of absence may be made without
282 reimbursement by the receiving party for the travel and
283 transportation expenses to or from the place of the assignment
284 or for the pay and benefits, or a part thereof, of the employee
285 during the assignment.

286 2. For the 2008-2009 fiscal year only, the assignment of
287 an employee of a state agency as provided in subparagraph 1. may
288 be made if recommended by the Governor or Chief Justice, as
289 appropriate, and approved by the chairs of the Senate Fiscal
290 Policy and Calendar Committee and the House Policy and Budget
291 Council. Such actions shall be deemed approved if neither chair
292 provides written notice of objection within 14 days after the

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293 chair's receiving notice of the action pursuant to s. 216.177.

294 This subparagraph expires July 1, 2009.

295 Section 15. In order to implement the appropriation of
296 funds in Special Categories-Risk Management Insurance of the
297 2008-2009 General Appropriations Act, and pursuant to the
298 notice, review, and objection procedures of s. 216.177, Florida
299 Statutes, the Executive Office of the Governor is authorized to
300 transfer funds appropriated in the appropriation category
301 "Special Categories-Risk Management Insurance" of the 2008-2009
302 General Appropriations Act between departments in order to align
303 the budget authority granted with the premiums paid by each
304 department for risk management insurance. This section expires
305 July 1, 2009.

306 Section 16. In order to implement the appropriation of
307 funds in Special Categories-Transfer to Department of Management
308 Services-Human Resources Services Purchased Per Statewide
309 Contract of the 2008-2009 General Appropriations Act, and
310 pursuant to the notice, review, and objection procedures of s.
311 216.177, Florida Statutes, the Executive Office of the Governor
312 is authorized to transfer funds appropriated in the
313 appropriation category "Special Categories-Transfer to
314 Department of Management Services-Human Resources Services
315 Purchased Per Statewide Contract" of the 2008-2009 General
316 Appropriations Act between departments in order to align the
317 budget authority granted with the assessments that must be paid
318 by each agency to the Department of Management Services for
319 human resource management services. This section expires July 1,
320 2009.

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321 Section 17. In order to implement specific appropriations
322 for salaries and benefits in the 2008-2009 General
323 Appropriations Act, paragraph (a) of subsection (12) of section
324 110.123, Florida Statutes, is amended to read:

325 110.123 State group insurance program.--

326 (12) HEALTH SAVINGS ACCOUNTS.--The department is
327 authorized to establish health savings accounts for full-time
328 and part-time state employees in association with a health
329 insurance plan option authorized by the Legislature and
330 conforming to the requirements and limitations of federal
331 provisions relating to the Medicare Prescription Drug,
332 Improvement, and Modernization Act of 2003.

333 (a)1. A member participating in this health insurance plan
334 option shall be eligible to receive an employer contribution
335 into the employee's health savings account from the State
336 Employees Health Insurance Trust Fund in an amount to be
337 determined by the Legislature. A member is not eligible for an
338 employer contribution upon termination of employment. For the
339 2008-2009 ~~2007-2008~~ fiscal year, the state's monthly
340 contribution for employees having individual coverage shall be
341 \$41.66 and the monthly contribution for employees having family
342 coverage shall be \$83.33.

343 2. A member participating in this health insurance plan
344 option shall be eligible to deposit the member's own funds into
345 a health savings account.

346 Section 18. In order to implement Specific Appropriations
347 2801 through 2814 of the 2008-2009 General Appropriations Act,

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348 subsection (7) of section 255.503, Florida Statutes, is amended
349 to read:

350 255.503 Powers of the Department of Management
351 Services.--The Department of Management Services shall have all
352 the authority necessary to carry out and effectuate the purposes
353 and provisions of this act, including, but not limited to, the
354 authority to:

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

357 (b) No later than the date upon which the department
358 recommends to the Division of State Lands of the Department of
359 Environmental Protection the disposition of any facility within
360 the Florida Facilities Pool, the department shall provide to the
361 President of the Senate, the Speaker of the House of
362 Representatives, the Executive Office of the Governor, and the
363 Division of Bond Finance of the State Board of Administration an
364 analysis that includes:

365 1. The cost benefit of the proposed facility disposition,
366 including the facility's current operating expenses, condition,
367 and market value, and viable alternatives for work space for
368 impacted state employees.

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

372

373 This paragraph expires July 1, 2009 ~~2008~~.

374 Section 19. In order to implement Specific Appropriations
375 2826 through 2835 of the 2008-2009 General Appropriations Act,
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376 paragraph (a) of subsection (3) and subsection (6) of section
377 287.17, Florida Statutes, are reenacted to read:

378 287.17 Limitation on use of motor vehicles and aircraft.--

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

386 (6) It is the intention of the Legislature that persons
387 traveling on state aircraft for purposes consistent with, but
388 not necessarily constituting, official state business may travel
389 only when accompanying persons who are traveling on official
390 state business and that such persons shall pay the state for all
391 costs associated with such travel. Notwithstanding paragraph
392 (3)(a), a person traveling on state aircraft for purposes other
393 than official state business shall pay for any trip not
394 exclusively for state business by paying a prorated share of all
395 fixed and variable expenses related to the ownership, operation,
396 and use of such aircraft.

397 Section 20. The amendment of s. 287.17, Florida Statutes,
398 as carried forward by this act from chapters 2005-71, 2006-26,
399 and 2007-73, Laws of Florida, shall expire July 1, 2009, and the
400 text of that section shall revert to that in existence on June
401 30, 2005, except that any amendments to such text enacted other
402 than by chapters 2005-71, 2006-26, and 2007-73, Laws of Florida,
403 shall be preserved and continue to operate to the extent that

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404 such amendments are not dependent upon the portions of such text
 405 which expire pursuant to this section.

406 Section 21. In order to implement Specific Appropriation
 407 3070 of the 2008-2009 General Appropriations Act, paragraph (d)
 408 of subsection (3) of section 61.1824, Florida Statutes, is
 409 amended to read:

410 61.1824 State Disbursement Unit.--

411 (3) The State Disbursement Unit shall perform the
 412 following functions:

413 (d) To the extent feasible, use automated procedures for
 414 the collection and disbursement of support payments, including,
 415 but not limited to, having procedures for:

416 1. Receipt of payments from obligors, employers, other
 417 states and jurisdictions, and other entities.

418 2. Timely disbursement of payments to obligees, the
 419 department, and other state Title IV-D agencies.

420 3. Accurate identification of payment source and amount.

421 4. Furnishing any parent, upon request, timely information
 422 on the current status of support payments under an order
 423 requiring payments to be made by or to the parent, except that
 424 in cases described in paragraph (1)(b), prior to the date the
 425 State Disbursement Unit becomes fully operational, the State
 426 Disbursement Unit shall not be required to convert and maintain
 427 in automated form records of payments kept pursuant to s.

428 61.181.

429 5. Electronic disbursement of support payments to
 430 obligees. The State Disbursement Unit shall notify obligees of
 431 electronic disbursement options ~~and encourage their use through~~

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432 ~~promotional material.~~ Any payments made to the State
433 Disbursement Unit that are owed to the obligee shall be
434 disbursed electronically. The obligee may designate a personal
435 account for deposit of payments. If the obligee does not
436 designate a personal account, the State Disbursement Unit shall
437 deposit any payments into a stored-value account that can be
438 accessed by the obligee.

439 Section 22. The amendment of s. 61.1824(3)(d), Florida
440 Statutes, made by this act shall expire July 1, 2009, and the
441 text of that paragraph shall revert to that in existence on June
442 30, 2008, except that any amendments to such text enacted other
443 than by this act shall be preserved and continue to operate to
444 the extent that such amendments are not dependent upon the
445 portions of such text which expire pursuant to this section.

446 Section 23. In order to implement Specific Appropriation
447 3070 of the 2008-2009 General Appropriations Act, subsections
448 (2) through (8) of section 409.2558, Florida Statutes, are
449 renumbered as subsections (3) through (9), respectively, and a
450 new subsection (2) is added to that section, to read:

451 409.2558 Support distribution and disbursement.--

452 (2) ELECTRONIC DISBURSEMENT OF PAYMENTS.--Any payments
453 made to the State Disbursement Unit that are owed to the obligee
454 in a Title IV-D case shall be disbursed electronically. The
455 obligee may designate a personal account for deposit of
456 payments. If the obligee does not designate a personal account,
457 the State Disbursement Unit shall deposit any payments into a
458 stored-value account that can be accessed by the obligee. This
459 subsection expires July 1, 2009.

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460 Section 24. In order to implement Specific Appropriation
461 3070 of the 2008-2009 General Appropriations Act,
462 notwithstanding ss. 61.1826(4)(a) and 287.057, Florida Statutes,
463 relating to contract extensions and renewals, the Department of
464 Revenue shall extend for 66 months contract C3636 entered into
465 pursuant to s. 61.1826, Florida Statutes. This section expires
466 July 1, 2009.

467 Section 25. (1) In order to implement Specific
468 Appropriation 3056A of the 2008-2009 General Appropriations Act
469 and notwithstanding the provisions of Section 9 of chapter 2007-
470 339, Laws of Florida, the moneys provided in Specific
471 Appropriation 3056A are appropriated to offset the reductions in
472 ad valorem tax revenue experienced by fiscally constrained
473 counties, as defined in s. 218.67(1), Florida Statutes, which
474 occur as a direct result of the implementation of revisions of
475 Article VII of the State Constitution approved in the special
476 election held on January 29, 2008. The moneys appropriated for
477 this purpose shall be distributed in January of 2009 among the
478 fiscally constrained counties based on each county's proportion
479 of the total reduction in ad valorem tax revenue resulting from
480 the implementation of the revision.

481 (2) On or before November 15, 2008, each fiscally
482 constrained county shall apply to the Department of Revenue to
483 participate in the distribution of the appropriation and provide
484 documentation supporting the county's estimated reduction in ad
485 valorem tax revenue in the form and manner prescribed by the
486 Department of Revenue. The documentation must include an
487 estimate of the reduction in taxable value directly attributable

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488 to revisions of Article VII of the State Constitution for all
489 county taxing jurisdictions within the county and shall be
490 prepared by the property appraiser in each fiscally constrained
491 county. The documentation must also include the county millage
492 rates applicable in all such jurisdictions for both the current
493 year and the prior year; rolled-back rates, determined as
494 provided in s. 200.065, Florida Statutes, for each county taxing
495 jurisdiction; and maximum millage rates that could have been
496 levied by majority vote pursuant to s. 200.185, Florida
497 Statutes. For purposes of this section, each fiscally
498 constrained county's reduction in ad valorem tax revenue shall
499 be calculated as 95 percent of the estimated reduction in
500 taxable value times the 2007 applicable millage rate.

501 (3) This section expires July 1, 2009, and shall be
502 superseded if similar provisions contained in Senate Bill 1588,
503 2008 Regular Session, become law.

504 Section 26. In order to implement Specific Appropriation
505 2819 of the 2008-2009 General Appropriations Act, paragraph (b)
506 of subsection (1) of section 255.518, Florida Statutes, is
507 amended to read:

508 255.518 Obligations; purpose, terms, approval,
509 limitations.--

510 (1)

511 (b) Payment of debt service charges ~~and any reserves~~ on
512 obligations during the construction of any facility financed by
513 such obligations shall be made from funds other than proceeds of
514 obligations.

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515 Section 27. The amendment to s. 255.518(1)(b), Florida
516 Statutes, by this act shall expire July 1, 2009, and the text of
517 that paragraph shall revert to that in existence on June 30,
518 2008, except that any amendments to such text enacted other than
519 by this act shall be preserved and continue to operate to the
520 extent that such amendments are not dependent upon the portions
521 of such text which expire pursuant to this section.

522 Section 28. In order to implement Specific Appropriations
523 2536, 2537, 2538, and 2542 of the 2008-2009 General
524 Appropriations Act, for the 2008-2009 fiscal year only and
525 notwithstanding any conflicting requirements of section 4 of
526 chapter 2006-12, Laws of Florida, the Department of Financial
527 Services may expend \$998,820 of the funds appropriated by
528 section 4 of chapter 2006-12, Laws of Florida, for salaries and
529 related expenses. This section expires July 1, 2009.

530 Section 29. In order to implement Specific Appropriation
531 1541 of the 2008-2009 General Appropriations Act, subsection (8)
532 of section 215.559, Florida Statutes, is renumbered as
533 subsection (9), respectively, and a new subsection (8) is added
534 to that section to read:

535 215.559 Hurricane Loss Mitigation Program.--

536 (8)(a) Notwithstanding any other provision of this section
537 and for the 2008-2009 fiscal year only, the \$10 million
538 appropriation provided for in section (1) shall be allocated as
539 follows:

540 1. The sum of \$2.8 million shall be used to inspect and
541 improve tie-downs for mobile homes for the same purpose as
542 specified in paragraph (3)(a).

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543 2. The sum of \$700,000 shall be allocated to the Florida
544 International University for the same purpose as specified in
545 subsection (4).

546 3. The sum of \$6,421,764 shall be used to install
547 emergency power generators in special-needs hurricane evacuation
548 shelters as provided in section 1 of chapter 2006-71, Laws of
549 Florida, except that such funds may not be used for
550 administrative purposes.

551 4. The sum of \$78,236 shall be allocated for operational
552 purposes of the department as specified in the 2008-2009 General
553 Appropriations Act.

554 (b) This subsection expires July 1, 2009.

555 Section 30. In order to implement Section 61 of the 2008-
556 2009 General Appropriations Act, subsection (13) of section
557 253.034, Florida Statutes, is amended to read:

558 253.034 State-owned lands; uses.--

559 (13) Notwithstanding the provisions of this section, funds
560 from the sale of property by the Department of Highway Safety
561 and Motor Vehicles located in Palm Beach County are authorized
562 to be deposited into the Highway Safety Operating Trust Fund to
563 facilitate the exchange as provided in the General
564 Appropriations Act, provided that at the conclusion of both
565 exchanges the values are equalized. This subsection expires July
566 1, 2009 ~~2008~~.

567 Section 31. In order to implement Specific Appropriations
568 2063, 2070 through 2082, 2098, 2099, 2100, 2102 through 2107,
569 2109 through 2119, and 2159 through 2169 of the 2008-2009

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570 General Appropriations Act, subsection (5) of section 339.135,
571 Florida Statutes, is amended to read:

572 339.135 Work program; legislative budget request;
573 definitions; preparation, adoption, execution, and amendment.--

574 (5) (a) ADOPTION OF THE WORK PROGRAM.--The original
575 approved budget for operational and fixed capital expenditures
576 for the department shall be the Governor's budget recommendation
577 and the first year of the tentative work program, as both are
578 amended by the General Appropriations Act and any other act
579 containing appropriations. In accordance with the appropriations
580 act, the department shall, prior to the beginning of the fiscal
581 year, adopt a final work program which shall only include the
582 original approved budget for the department for the ensuing
583 fiscal year together with any roll forwards approved pursuant to
584 paragraph (6) (c) and the portion of the tentative work program
585 for the following 4 fiscal years revised in accordance with the
586 original approved budget for the department for the ensuing
587 fiscal year together with said roll forwards. The adopted work
588 program may include only those projects submitted as part of the
589 tentative work program developed under the provisions of
590 subsection (4) plus any projects which are separately identified
591 by specific appropriation in the General Appropriations Act and
592 any roll forwards approved pursuant to paragraph (6) (c).

593 However, any transportation project of the department which is
594 identified by specific appropriation in the General
595 Appropriations Act shall be deducted from the funds annually
596 distributed to the respective district pursuant to paragraph
597 (4) (a). In addition, the department shall not in any year

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598 include any project or allocate funds to a program in the
599 adopted work program that is contrary to existing law for that
600 particular year. Projects shall not be undertaken unless they
601 are listed in the adopted work program.

602 (b) Notwithstanding paragraph (a), and for the 2008-2009
603 ~~2007-2008~~ fiscal year only, the Department of Transportation
604 shall transfer funds to the Office of Tourism, Trade, and
605 Economic Development in an amount equal to \$36,750,000
606 ~~\$25,400,000~~ for the purpose of funding transportation-related
607 needs of economic development transportation projects, space and
608 aerospace infrastructure, and other economic development
609 projects. This transfer shall not reduce, delete, or defer any
610 existing projects funded, as of July 1, 2008 ~~2007~~, in the
611 Department of Transportation's 5-year work program. This
612 paragraph expires July 1, 2009 ~~2008~~.

613 (c) Notwithstanding paragraph (a) or subparagraph
614 (4)(a)1., and for the 2008-2009 ~~2007-2008~~ fiscal year only, the
615 Department of Transportation shall fund projects in Specific
616 Appropriations 2063, 2071, 2077, 2079, 2102, 2106, 2109, and
617 2116 of the 2008-2009 General Appropriations Act. Funding for
618 these specific appropriations shall be from projects or phases
619 thereof within the department's fiscal year 2008-2009 work
620 program not programmed for contract letting as identified with a
621 work program contract class code 8 and the box code RV. This
622 funding shall not negatively impact safety, preservation,
623 maintenance, or project contingency levels as of July 1, 2008
624 ~~provide funds for the Seaport Strategic Planning and Financing~~
625 ~~Task Force in an amount not to exceed \$75,000; the preliminary~~

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626 ~~engineering and environmental plans and activities for the~~
627 ~~construction of an interchange on Suncoast Parkway and Lutz Fern~~
628 ~~Road in an amount not to exceed \$975,000; the Rehabilitation of~~
629 ~~Local Bridges in an amount not to exceed \$300,000; and the East~~
630 ~~Winterberry Bridge Replacement in an amount not to exceed~~
631 ~~\$500,000. To fund these specific appropriations, the Department~~
632 ~~of Transportation shall not reduce, delete, or defer any~~
633 ~~existing projects funded as of July 1, 2007, in the 5-year work~~
634 ~~program. This paragraph expires July 1, 2009 2008.~~

635 Section 32. In order to implement Specific Appropriations
636 1511, 1586, and 1606A and section 69 of the 2008-2009 General
637 Appropriations Act, section 553.721, Florida Statutes, is
638 amended to read:

639 553.721 Surcharge.--

640 (1) In order for the Department of Community Affairs to
641 administer and carry out the purposes of this part and related
642 activities, there is hereby created a surcharge, to be assessed
643 at the rate of one-half cent per square foot under-roof floor
644 space permitted pursuant to s. 125.56(4) or s. 166.201. However,
645 for additions, alterations, or renovations to existing
646 buildings, the surcharge shall be computed on the basis of the
647 square footage being added, altered, or renovated. The unit of
648 government responsible for collecting a permit fee pursuant to
649 s. 125.56(4) or s. 166.201 shall collect such surcharge and
650 remit the funds collected to the department on a quarterly
651 calendar basis, and such unit of government may retain an amount
652 up to 5 percent of the surcharge collected to cover costs
653 associated with the collection and remittance of such surcharge.

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654 All funds remitted to the department pursuant to this subsection
655 shall be deposited in the Operating Trust Fund. Funds collected
656 from such surcharge shall not be used to fund research on
657 techniques for mitigation of radon in existing buildings. Funds
658 used by the department as well as funds to be transferred to the
659 Department of Health shall be as prescribed in the annual
660 General Appropriations Act. The department shall adopt rules
661 governing the collection and remittance of surcharges in
662 accordance with chapter 120.

663 (2) Notwithstanding subsection (1), and for the 2008-2009
664 fiscal year only, the amount transferred from the Operating
665 Trust Fund to the Grants and Donations Trust Fund of the
666 Department of Community Affairs pursuant to the General
667 Appropriations Act for the 2008-2009 fiscal year shall be used
668 for the regional planning councils, civil legal assistance, and
669 the Front Porch Florida Initiative.

670 Section 33. In order to implement Specific Appropriation
671 2153 of the 2008-2009 General Appropriations Act, subsection (1)
672 of section 339.08, Florida Statutes, is amended to read:

673 339.08 Use of moneys in State Transportation Trust Fund.--

674 (1) The department shall expend moneys in the State
675 Transportation Trust Fund accruing to the department, in
676 accordance with its annual budget. The use of such moneys shall
677 be restricted to the following purposes:

678 (a) To pay administrative expenses of the department,
679 including administrative expenses incurred by the several state
680 transportation districts, but excluding administrative expenses
681 of commuter rail authorities that do not operate rail service.

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682 (b) To pay the cost of construction of the State Highway
683 System.

684 (c) To pay the cost of maintaining the State Highway
685 System.

686 (d) To pay the cost of public transportation projects in
687 accordance with chapter 341 and ss. 332.003-332.007.

688 (e) To reimburse counties or municipalities for
689 expenditures made on projects in the State Highway System as
690 authorized by s. 339.12(4) upon legislative approval.

691 (f) To pay the cost of economic development transportation
692 projects in accordance with s. 288.063.

693 (g) To lend or pay a portion of the operating,
694 maintenance, and capital costs of a revenue-producing
695 transportation project that is located on the State Highway
696 System or that is demonstrated to relieve traffic congestion on
697 the State Highway System.

698 (h) To match any federal-aid funds allocated for any other
699 transportation purpose, including funds allocated to projects
700 not located in the State Highway System.

701 (i) To pay the cost of county road projects selected in
702 accordance with the Small County Road Assistance Program created
703 in s. 339.2816.

704 (j) To pay the cost of county or municipal road projects
705 selected in accordance with the County Incentive Grant Program
706 created in s. 339.2817, the Small County Outreach Program
707 created in s. 339.2818, and the Enhanced Bridge Program for
708 Sustainable Transportation created in s. 339.285.

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709 (k) To provide loans and credit enhancements for use in
710 constructing and improving highway transportation facilities
711 selected in accordance with the state-funded infrastructure bank
712 created in s. 339.55.

713 (l) To pay the cost of projects on the Florida Strategic
714 Intermodal System created in s. 339.61.

715 (m) To pay the cost of transportation projects selected in
716 accordance with the Transportation Regional Incentive Program
717 created in s. 339.2819.

718 (n) To pay administrative expenses incurred in accordance
719 with applicable laws for a multicounty transportation or
720 expressway authority created under chapter 343 or chapter 348,
721 where jurisdiction for the authority includes a portion of the
722 State Highway System and the administrative expenses are in
723 furtherance of the duties and responsibilities of the authority
724 in the development of improvements to the State Highway System.
725 This paragraph expires July 1, 2009.

726 (o) ~~(n)~~ To pay other lawful expenditures of the department.
727 Section 34. In order to implement Specific Appropriation
728 1775 of the 2008-2009 General Appropriations Act, subsection (3)
729 of section 253.01, Florida Statutes, is amended to read:

730 253.01 Internal Improvement Trust Fund established.--

731 (3) In addition to the uses allowed in subsection (2) for
732 the 2008-2009 ~~2007-2008~~ fiscal year, moneys in the Internal
733 Improvement Trust Fund are authorized ~~to be transferred to the~~
734 ~~Ecosystem Management and Restoration Trust Fund~~ for grants and
735 aids to local governments for the drinking water facility
736 construction state revolving loan program, water projects as

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737 provided in the General Appropriations Act. This subsection
738 expires July 1, 2009 ~~2008~~.

739 Section 35. In order to implement Specific Appropriation
740 1615A of the 2008-2009 General Appropriations Act, subsection
741 (1) of section 220.183, Florida Statutes, is amended to read:

742 220.183 Community contribution tax credit.--

743 (1) AUTHORIZATION TO GRANT COMMUNITY CONTRIBUTION TAX
744 CREDITS; LIMITATIONS ON INDIVIDUAL CREDITS AND PROGRAM
745 SPENDING.--

746 (a) There shall be allowed a credit of 50 percent of a
747 community contribution against any tax due for a taxable year
748 under this chapter.

749 (b) No business firm shall receive more than \$200,000 in
750 annual tax credits for all approved community contributions made
751 in any one year.

752 (c) The total amount of tax credit which may be granted
753 for all programs approved under this section, s. 212.08(5)(p),
754 and s. 624.5105 is \$10.5 million annually for projects that
755 provide homeownership opportunities for low-income or very-low-
756 income households as defined in s. 420.9071(19) and (28) and
757 \$3.5 million annually for all other projects.

758 (d) All proposals for the granting of the tax credit shall
759 require the prior approval of the Office of Tourism, Trade, and
760 Economic Development.

761 (e) If the credit granted pursuant to this section is not
762 fully used in any one year because of insufficient tax liability
763 on the part of the business firm, the unused amount may be
764 carried forward for a period not to exceed 5 years. The

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765 carryover credit may be used in a subsequent year when the tax
766 imposed by this chapter for such year exceeds the credit for
767 such year under this section after applying the other credits
768 and unused credit carryovers in the order provided in s.
769 220.02(8).

770 (f) A taxpayer who files a Florida consolidated return as
771 a member of an affiliated group pursuant to s. 220.131(1) may be
772 allowed the credit on a consolidated return basis.

773 (g) A taxpayer who is eligible to receive the credit
774 provided for in s. 624.5105 is not eligible to receive the
775 credit provided by this section.

776 (h) Notwithstanding paragraph (c), and for the 2008-2009
777 fiscal year only, the total amount of tax credit which may be
778 granted for all programs approved under this section, s.
779 212.08(5)(p), and s. 624.5105 is \$13 million annually for
780 projects that provide homeownership opportunities for low-income
781 or very-low-income households as defined in s. 420.9071(19) and
782 (28) and \$3.5 million annually for all other projects. This
783 paragraph expires June 30, 2009.

784 Section 36. In order to implement Specific Appropriation
785 1615A of the 2008-2009 General Appropriations Act, Section
786 624.5105, Florida Statutes, is amended to read:

787 624.5105 Community contribution tax credit; authorization;
788 limitations; eligibility and application requirements;
789 administration; definitions; expiration.--

790 (1) AUTHORIZATION TO GRANT TAX CREDITS; LIMITATIONS.--

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791 (a) There shall be allowed a credit of 50 percent of a
792 community contribution against any tax due for a calendar year
793 under s. 624.509 or s. 624.510.

794 (b) No insurer shall receive more than \$200,000 in annual
795 tax credits for all approved community contributions made in any
796 one year.

797 (c) The total amount of tax credit which may be granted
798 for all programs approved under this section and ss.
799 212.08(5)(p) and 220.183 is \$10.5 million annually for projects
800 that provide homeownership opportunities for low-income or very-
801 low-income households as defined in s. 420.9071(19) and (28) and
802 \$3.5 million annually for all other projects.

803 (d) Each proposal for the granting of such tax credit
804 requires the prior approval of the director.

805 (e) If the credit granted pursuant to this section is not
806 fully used in any one year because of insufficient tax liability
807 on the part of the insurer, the unused amount may be carried
808 forward for a period not to exceed 5 years. The carryover credit
809 may be used in a subsequent year when the tax imposed by s.
810 624.509 or s. 624.510 for such year exceeds the credit under
811 this section for such year.

812 (f) An insurer that claims a credit against premium-tax
813 liability earned by making a community contribution under this
814 section need not pay any additional retaliatory tax levied under
815 s. 624.5091 as a result of claiming such a credit. Section
816 624.5091 does not limit such a credit in any manner.

817 (2) ELIGIBILITY REQUIREMENTS.--

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818 (a) Each community contribution by an insurer must be in a
819 form specified in subsection (5).

820 (b) Each community contribution must be reserved
821 exclusively for use in a project as defined in s. 220.03(1)(t).

822 (c) The project must be undertaken by an "eligible
823 sponsor," as defined in s. 220.183(2)(c). In no event shall a
824 contributing insurer have a financial interest in the eligible
825 sponsor.

826 (d) The project shall be located in an area designated as
827 an enterprise zone or a Front Porch Community pursuant to s.
828 20.18(6). Any project designed to construct or rehabilitate
829 housing for low-income or very-low-income households as defined
830 in s. 420.9071(19) and (28) is exempt from the area requirement
831 of this paragraph.

832 (e)1. If, during the first 10 business days of the state
833 fiscal year, eligible tax credit applications for projects that
834 provide homeownership opportunities for low-income or very-low-
835 income households as defined in s. 420.9071(19) and (28) are
836 received for less than the annual tax credits available for
837 those projects, the Office of Tourism, Trade, and Economic
838 Development shall grant tax credits for those applications and
839 shall grant remaining tax credits on a first-come, first-served
840 basis for any subsequent eligible applications received before
841 the end of the state fiscal year. If, during the first 10
842 business days of the state fiscal year, eligible tax credit
843 applications for projects that provide homeownership
844 opportunities for low-income or very-low-income households as
845 defined in s. 420.9071(19) and (28) are received for more than
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846 the annual tax credits available for those projects, the office
847 shall grant the tax credits for those applications as follows:

848 a. If tax credit applications submitted for approved
849 projects of an eligible sponsor do not exceed \$200,000 in total,
850 the credits shall be granted in full if the tax credit
851 applications are approved.

852 b. If tax credit applications submitted for approved
853 projects of an eligible sponsor exceed \$200,000 in total, the
854 amount of tax credits granted under sub-subparagraph a. shall be
855 subtracted from the amount of available tax credits, and the
856 remaining credits shall be granted to each approved tax credit
857 application on a pro rata basis.

858 2. If, during the first 10 business days of the state
859 fiscal year, eligible tax credit applications for projects other
860 than those that provide homeownership opportunities for low-
861 income or very-low-income households as defined in s.
862 420.9071(19) and (28) are received for less than the annual tax
863 credits available for those projects, the office shall grant tax
864 credits for those applications and shall grant remaining tax
865 credits on a first-come, first-served basis for any subsequent
866 eligible applications received before the end of the state
867 fiscal year. If, during the first 10 business days of the state
868 fiscal year, eligible tax credit applications for projects other
869 than those that provide homeownership opportunities for low-
870 income or very-low-income households as defined in s.
871 420.9071(19) and (28) are received for more than the annual tax
872 credits available for those projects, the office shall grant the
873 tax credits for those applications on a pro rata basis.

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874 (3) APPLICATION REQUIREMENTS.--

875 (a) Any eligible sponsor wishing to participate in this
876 program must submit a proposal to the Office of Tourism, Trade,
877 and Economic Development which sets forth the sponsor, the
878 project, the area in which the project is located, and such
879 supporting information as may be prescribed by rule. The
880 proposal shall also contain a resolution from the local
881 governmental unit in which the proposed project is located
882 certifying that the project is consistent with local plans and
883 regulations.

884 (b)1. Any insurer wishing to participate in this program
885 must submit an application for tax credit to the office which
886 sets forth the sponsor; the project; and the type, value, and
887 purpose of the contribution. The sponsor must verify, in
888 writing, the terms of the application and indicate its
889 willingness to receive the contribution, which verification must
890 accompany the application for tax credit.

891 2. The insurer must submit a separate application for tax
892 credit for each individual contribution which it proposes to
893 contribute to each individual project.

894 (4) ADMINISTRATION.--

895 (a)1. The Office of Tourism, Trade, and Economic
896 Development is authorized to adopt all rules necessary to
897 administer this section, including rules for the approval or
898 disapproval of proposals by insurers.

899 2. The decision of the director shall be in writing, and,
900 if approved, the proposal shall state the maximum credit
901 allowable to the insurer. A copy of the decision shall be

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902 transmitted to the executive director of the Department of
903 Revenue, who shall apply such credit to the tax liability of the
904 insurer.

905 3. The office shall monitor all projects periodically, in
906 a manner consistent with available resources to ensure that
907 resources are utilized in accordance with this section; however,
908 each project shall be reviewed no less frequently than once
909 every 2 years.

910 4. The Office of Tourism, Trade, and Economic Development
911 shall, in consultation with the Department of Community Affairs,
912 the Florida Housing Finance Corporation, and the statewide and
913 regional housing and financial intermediaries, market the
914 availability of the community contribution tax credit program to
915 community-based organizations.

916 (b) The Department of Revenue shall adopt any rules
917 necessary to ensure the orderly implementation and
918 administration of this section.

919 (5) DEFINITIONS.--For the purpose of this section:

920 (a) "Community contribution" means the grant by an insurer
921 of any of the following items:

- 922 1. Cash or other liquid assets.
- 923 2. Real property.
- 924 3. Goods or inventory.
- 925 4. Other physical resources which are identified by the
926 department.

927 (b) "Director" means the director of the Office of
928 Tourism, Trade, and Economic Development.

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929 (c) "Local government" means any county or incorporated
930 municipality in the state.

931 (d) "Office" means the Office of Tourism, Trade, and
932 Economic Development.

933 (e) "Project" means an activity as defined in s.
934 220.03(1)(t).

935 (6) CREDIT ALLOCATIONS.--Notwithstanding paragraph (1)(c),
936 and for the 2008-2009 fiscal year only, the total amount of tax
937 credit which may be granted for all programs approved under this
938 section, s. 212.08(5)(p), and s. 220.183 is \$13 million annually
939 for projects that provide homeownership opportunities for low-
940 income or very-low-income households as defined in s.
941 420.9071(19) and (28) and \$3.5 million annually for all other
942 projects. This subsection expires June 30, 2009.

943 (7)~~(6)~~ EXPIRATION.--The provisions of this section, except
944 paragraph (1)(e), shall expire and be void on June 30, 2015.

945 Section 37. In order to implement Specific Appropriation
946 1615A of the 2008-2009 General Appropriations Act, paragraph (p)
947 of subsection (5) of section 212.08, Florida Statutes, is
948 amended to read:

949 212.08 Sales, rental, use, consumption, distribution, and
950 storage tax; specified exemptions.--The sale at retail, the
951 rental, the use, the consumption, the distribution, and the
952 storage to be used or consumed in this state of the following
953 are hereby specifically exempt from the tax imposed by this
954 chapter.

955 (5) EXEMPTIONS; ACCOUNT OF USE.--

956 (p) Community contribution tax credit for donations.--

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957 1. Authorization.--Persons who are registered with the
958 department under s. 212.18 to collect or remit sales or use tax
959 and who make donations to eligible sponsors are eligible for tax
960 credits against their state sales and use tax liabilities as
961 provided in this paragraph:

962 a. The credit shall be computed as 50 percent of the
963 person's approved annual community contribution.

964 b. The credit shall be granted as a refund against state
965 sales and use taxes reported on returns and remitted in the 12
966 months preceding the date of application to the department for
967 the credit as required in sub-subparagraph 3.c. If the annual
968 credit is not fully used through such refund because of
969 insufficient tax payments during the applicable 12-month period,
970 the unused amount may be included in an application for a refund
971 made pursuant to sub-subparagraph 3.c. in subsequent years
972 against the total tax payments made for such year. Carryover
973 credits may be applied for a 3-year period without regard to any
974 time limitation that would otherwise apply under s. 215.26.

975 c. A person may not receive more than \$200,000 in annual
976 tax credits for all approved community contributions made in any
977 one year.

978 d. All proposals for the granting of the tax credit
979 require the prior approval of the Office of Tourism, Trade, and
980 Economic Development.

981 e. The total amount of tax credits which may be granted
982 for all programs approved under this paragraph, s. 220.183, and
983 s. 624.5105 is \$10.5 million annually for projects that provide
984 homeownership opportunities for low-income or very-low-income

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985 households as defined in s. 420.9071(19) and (28) and \$3.5
986 million annually for all other projects.

987 f. A person who is eligible to receive the credit provided
988 for in this paragraph, s. 220.183, or s. 624.5105 may receive
989 the credit only under the one section of the person's choice.

990 2. Eligibility requirements.--

991 a. A community contribution by a person must be in the
992 following form:

993 (I) Cash or other liquid assets;

994 (II) Real property;

995 (III) Goods or inventory; or

996 (IV) Other physical resources as identified by the Office
997 of Tourism, Trade, and Economic Development.

998 b. All community contributions must be reserved
999 exclusively for use in a project. As used in this sub-
1000 subparagraph, the term "project" means any activity undertaken
1001 by an eligible sponsor which is designed to construct, improve,
1002 or substantially rehabilitate housing that is affordable to low-
1003 income or very-low-income households as defined in s.
1004 420.9071(19) and (28); designed to provide commercial,
1005 industrial, or public resources and facilities; or designed to
1006 improve entrepreneurial and job-development opportunities for
1007 low-income persons. A project may be the investment necessary to
1008 increase access to high-speed broadband capability in rural
1009 communities with enterprise zones, including projects that
1010 result in improvements to communications assets that are owned
1011 by a business. A project may include the provision of museum
1012 educational programs and materials that are directly related to

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1013 any project approved between January 1, 1996, and December 31,
1014 1999, and located in an enterprise zone designated pursuant to
1015 s. 290.0065. This paragraph does not preclude projects that
1016 propose to construct or rehabilitate housing for low-income or
1017 very-low-income households on scattered sites. With respect to
1018 housing, contributions may be used to pay the following eligible
1019 low-income and very-low-income housing-related activities:

1020 (I) Project development impact and management fees for
1021 low-income or very-low-income housing projects;

1022 (II) Down payment and closing costs for eligible persons,
1023 as defined in s. 420.9071(19) and (28);

1024 (III) Administrative costs, including housing counseling
1025 and marketing fees, not to exceed 10 percent of the community
1026 contribution, directly related to low-income or very-low-income
1027 projects; and

1028 (IV) Removal of liens recorded against residential
1029 property by municipal, county, or special district local
1030 governments when satisfaction of the lien is a necessary
1031 precedent to the transfer of the property to an eligible person,
1032 as defined in s. 420.9071(19) and (28), for the purpose of
1033 promoting home ownership. Contributions for lien removal must be
1034 received from a nonrelated third party.

1035 c. The project must be undertaken by an "eligible
1036 sponsor," which includes:

1037 (I) A community action program;

1038 (II) A nonprofit community-based development organization
1039 whose mission is the provision of housing for low-income or

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1040 very-low-income households or increasing entrepreneurial and
1041 job-development opportunities for low-income persons;
1042 (III) A neighborhood housing services corporation;
1043 (IV) A local housing authority created under chapter 421;
1044 (V) A community redevelopment agency created under s.
1045 163.356;
1046 (VI) The Florida Industrial Development Corporation;
1047 (VII) A historic preservation district agency or
1048 organization;
1049 (VIII) A regional workforce board;
1050 (IX) A direct-support organization as provided in s.
1051 1009.983;
1052 (X) An enterprise zone development agency created under s.
1053 290.0056;
1054 (XI) A community-based organization incorporated under
1055 chapter 617 which is recognized as educational, charitable, or
1056 scientific pursuant to s. 501(c)(3) of the Internal Revenue Code
1057 and whose bylaws and articles of incorporation include
1058 affordable housing, economic development, or community
1059 development as the primary mission of the corporation;
1060 (XII) Units of local government;
1061 (XIII) Units of state government; or
1062 (XIV) Any other agency that the Office of Tourism, Trade,
1063 and Economic Development designates by rule.
1064
1065 In no event may a contributing person have a financial interest
1066 in the eligible sponsor.

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1067 d. The project must be located in an area designated an
1068 enterprise zone or a Front Porch Florida Community pursuant to
1069 s. 20.18(6), unless the project increases access to high-speed
1070 broadband capability for rural communities with enterprise zones
1071 but is physically located outside the designated rural zone
1072 boundaries. Any project designed to construct or rehabilitate
1073 housing for low-income or very-low-income households as defined
1074 in s. 420.9071(19) and (28) is exempt from the area requirement
1075 of this sub-subparagraph.

1076 e.(I) If, during the first 10 business days of the state
1077 fiscal year, eligible tax credit applications for projects that
1078 provide homeownership opportunities for low-income or very-low-
1079 income households as defined in s. 420.9071(19) and (28) are
1080 received for less than the annual tax credits available for
1081 those projects, the Office of Tourism, Trade, and Economic
1082 Development shall grant tax credits for those applications and
1083 shall grant remaining tax credits on a first-come, first-served
1084 basis for any subsequent eligible applications received before
1085 the end of the state fiscal year. If, during the first 10
1086 business days of the state fiscal year, eligible tax credit
1087 applications for projects that provide homeownership
1088 opportunities for low-income or very-low-income households as
1089 defined in s. 420.9071(19) and (28) are received for more than
1090 the annual tax credits available for those projects, the office
1091 shall grant the tax credits for those applications as follows:

1092 (A) If tax credit applications submitted for approved
1093 projects of an eligible sponsor do not exceed \$200,000 in total,

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1094 the credits shall be granted in full if the tax credit
1095 applications are approved.

1096 (B) If tax credit applications submitted for approved
1097 projects of an eligible sponsor exceed \$200,000 in total, the
1098 amount of tax credits granted pursuant to sub-sub-sub-
1099 subparagraph (A) shall be subtracted from the amount of
1100 available tax credits, and the remaining credits shall be
1101 granted to each approved tax credit application on a pro rata
1102 basis.

1103 (II) If, during the first 10 business days of the state
1104 fiscal year, eligible tax credit applications for projects other
1105 than those that provide homeownership opportunities for low-
1106 income or very-low-income households as defined in s.
1107 420.9071(19) and (28) are received for less than the annual tax
1108 credits available for those projects, the office shall grant tax
1109 credits for those applications and shall grant remaining tax
1110 credits on a first-come, first-served basis for any subsequent
1111 eligible applications received before the end of the state
1112 fiscal year. If, during the first 10 business days of the state
1113 fiscal year, eligible tax credit applications for projects other
1114 than those that provide homeownership opportunities for low-
1115 income or very-low-income households as defined in s.
1116 420.9071(19) and (28) are received for more than the annual tax
1117 credits available for those projects, the office shall grant the
1118 tax credits for those applications on a pro rata basis.

1119 3. Application requirements.--

1120 a. Any eligible sponsor seeking to participate in this
1121 program must submit a proposal to the Office of Tourism, Trade,
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1122 and Economic Development which sets forth the name of the
1123 sponsor, a description of the project, and the area in which the
1124 project is located, together with such supporting information as
1125 is prescribed by rule. The proposal must also contain a
1126 resolution from the local governmental unit in which the project
1127 is located certifying that the project is consistent with local
1128 plans and regulations.

1129 b. Any person seeking to participate in this program must
1130 submit an application for tax credit to the office which sets
1131 forth the name of the sponsor, a description of the project, and
1132 the type, value, and purpose of the contribution. The sponsor
1133 shall verify the terms of the application and indicate its
1134 receipt of the contribution, which verification must be in
1135 writing and accompany the application for tax credit. The person
1136 must submit a separate tax credit application to the office for
1137 each individual contribution that it makes to each individual
1138 project.

1139 c. Any person who has received notification from the
1140 office that a tax credit has been approved must apply to the
1141 department to receive the refund. Application must be made on
1142 the form prescribed for claiming refunds of sales and use taxes
1143 and be accompanied by a copy of the notification. A person may
1144 submit only one application for refund to the department within
1145 any 12-month period.

1146 4. Administration.--

1147 a. The Office of Tourism, Trade, and Economic Development
1148 may adopt rules pursuant to ss. 120.536(1) and 120.54 necessary

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1149 to administer this paragraph, including rules for the approval
1150 or disapproval of proposals by a person.

1151 b. The decision of the office must be in writing, and, if
1152 approved, the notification shall state the maximum credit
1153 allowable to the person. Upon approval, the office shall
1154 transmit a copy of the decision to the Department of Revenue.

1155 c. The office shall periodically monitor all projects in a
1156 manner consistent with available resources to ensure that
1157 resources are used in accordance with this paragraph; however,
1158 each project must be reviewed at least once every 2 years.

1159 d. The office shall, in consultation with the Department
1160 of Community Affairs and the statewide and regional housing and
1161 financial intermediaries, market the availability of the
1162 community contribution tax credit program to community-based
1163 organizations.

1164 5. Notwithstanding sub-subparagraph 1.e., and for the
1165 2008-2009 fiscal year only, the total amount of tax credit which
1166 may be granted for all programs approved under this section, s.
1167 220.183, and s. 624.5105 is \$13 million annually for projects
1168 that provide homeownership opportunities for low-income or very-
1169 low-income households as defined in s. 420.9071(19) and (28) and
1170 \$3.5 million annually for all other projects. This subparagraph
1171 expires June 30, 2009.

1172 ~~6.5-~~ Expiration.--This paragraph expires June 30, 2015;
1173 however, any accrued credit carryover that is unused on that
1174 date may be used until the expiration of the 3-year carryover
1175 period for such credit.

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1176 Section 38. In order to implement Specific Appropriation
1177 1819 of the 2008-2009 General Appropriations Act, subsection (7)
1178 is added to section 403.7095, Florida Statutes, to read:

1179 403.7095 Solid waste management grant program.--

1180 (7) (a) Notwithstanding any provision of this section to
1181 the contrary, and for the 2008-2009 fiscal year only, the
1182 Department of Environmental Protection shall award:

1183 1. The sum of \$9,428,773 in grants equally to counties
1184 having populations of fewer than 100,000 for waste tire and
1185 litter prevention, recycling education, and general solid waste
1186 programs.

1187 2. The sum of \$2,000,781 to be used for the Innovative
1188 Grant Program.

1189 (b) This subsection expires July 1, 2009.

1190 Section 39. In order to implement Specific Appropriation
1191 1336 through 1496 of the 2008-2009 General Appropriations Act,
1192 section 570.20, Florida Statutes, is amended to read:

1193 570.20 General Inspection Trust Fund.--

1194 (1) All donations and all inspection fees and other funds
1195 authorized and received from whatever source in the enforcement
1196 of the inspection laws administered by the department shall be
1197 paid into the General Inspection Trust Fund of Florida, which is
1198 created in the office of the Chief Financial Officer. All
1199 expenses incurred in carrying out the provisions of the
1200 inspection laws shall be paid from this fund as other funds are
1201 paid from the State Treasury. A percentage of all revenue
1202 deposited in this fund, including transfers from any subsidiary
1203 accounts, shall be deposited in the General Revenue Fund

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1204 pursuant to chapter 215, except that funds collected for
1205 marketing orders shall pay at the rate of 3 percent.

1206 (2) For the 2008-2009 ~~2007-2008~~ fiscal year only and
1207 notwithstanding any other provision of law to the contrary, in
1208 addition to the spending authorized in subsection (1), moneys in
1209 the General Inspection Trust Fund may be appropriated for
1210 programs operated by the department which are related to the
1211 programs authorized by this chapter. This subsection expires
1212 July 1, 2009 ~~2008~~.

1213 Section 40. In order to implement Specific Appropriations
1214 relating to the Florida Forever Act and notwithstanding chapter
1215 216, Florida Statutes, the Executive Office of the Governor is
1216 authorized to transfer funds between fixed capital outlay
1217 categories and between departments and establish new fixed
1218 capital outlay categories contingent upon the distribution
1219 formula as specified in CS/CS/SB 542 or similar legislation, if
1220 such legislation becomes law. This section expires July 1, 2009.

1221 Section 41. In order to implement Specific Appropriation
1222 1778 of the 2008-2009 General Appropriations Act, subsection (5)
1223 is added to section 373.1961, Florida Statutes, to read:

1224 373.1961 Water production; general powers and duties;
1225 identification of needs; funding criteria; economic incentives;
1226 reuse funding.--

1227 (5) FUNDING FOR ALTERNATIVE WATER SUPPLY.--Notwithstanding
1228 subsection (3), and for the 2008-2009 fiscal year only,
1229 \$5,000,000 provided for alternative water supply shall be
1230 allocated as shown in the General Appropriations Act. This
1231 subsection expires July 1, 2009.

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1232 Section 42. In order to implement Specific Appropriations
1233 1767 and 1772C of the 2008-2009 General Appropriations Act,
1234 subsections (3) and (4) of section 403.890, Florida Statutes,
1235 are renumbered as subsections (4) and (5), respectively, and a
1236 subsection (3) is added to that section to read:

1237 403.890 Water Protection and Sustainability Program;
1238 intent; goals; purposes.--

1239 (3) In addition to the uses allowed in subsection (1) for
1240 the 2008-2009 fiscal year, moneys in the Water Protection and
1241 Sustainability Program Trust Fund shall be transferred to the
1242 Ecosystem Management and Restoration Trust Fund for grants and
1243 aids to local governments for water projects as provided in the
1244 General Appropriations Act. This subsection expires July 1,
1245 2009.

1246 Section 43. In order to implement Specific Appropriations
1247 1767 and 1772C of the 2008-2009 General Appropriations Act,
1248 subsection (3) of section 375.041, Florida Statutes, is amended
1249 to read:

1250 375.041 Land Acquisition Trust Fund.--

1251 (3) (a) Any moneys in the Land Acquisition Trust Fund which
1252 are not pledged for rentals or debt service as provided in
1253 subsection (2) may be expended from time to time to acquire
1254 land, water areas, and related resources and to construct,
1255 improve, enlarge, extend, operate, and maintain capital
1256 improvements and facilities in accordance with the plan.

1257 (b) In addition to the uses allowed in paragraph (a), for
1258 the 2008-2009 ~~2006-2007~~ fiscal year, moneys in the Land
1259 Acquisition Trust Fund are authorized for ~~expenditure or~~

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1260 transfer to the Ecosystem Management and Restoration Trust Fund
1261 for grants and aids to local governments for water projects as
1262 provided in the General Appropriations Act ~~Florida Forever Trust~~
1263 ~~Fund and the Save Our Everglades Trust Fund to support the~~
1264 ~~programs authorized in chapters 259 and 373.~~ This paragraph
1265 expires July 1, 2009 2007.

1266 Section 44. In order to implement Specific Appropriation
1267 1799 of the 2008-2009 General Appropriations Act, paragraph (c)
1268 of subsection (5) of section 376.3071, Florida Statutes, is
1269 amended to read:

1270 376.3071 Inland Protection Trust Fund; creation; purposes;
1271 funding.--

1272 (5) SITE SELECTION AND CLEANUP CRITERIA.--

1273 (c) The department shall require source removal, if
1274 warranted and cost-effective, at each site eligible for
1275 restoration funding from the Inland Protection Trust Fund.

1276 1. Funding for free product recovery may be provided in
1277 advance of the order established by the priority ranking system
1278 under paragraph (a) for site cleanup activities. However, a
1279 separate prioritization for free product recovery shall be
1280 established consistent with paragraph (a). No more than \$5
1281 million shall be encumbered from the Inland Protection Trust
1282 Fund in any fiscal year for free product recovery conducted in
1283 advance of the priority order under paragraph (a) established
1284 for site cleanup activities.

1285 2. Funding for limited interim soil-source removals for
1286 sites that will become inaccessible for future remediation due
1287 to road infrastructure and right-of-way restrictions resulting

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1288 from a pending Department of Transportation road construction
1289 project or for secondary containment upgrading of underground
1290 storage tanks required under chapter 62-761, Florida
1291 Administrative Code, may be provided in advance of the order
1292 established by the priority ranking system under paragraph (a)
1293 for site cleanup activities. The department shall provide
1294 written guidance on the limited source removal information and
1295 technical evaluation necessary to justify a request for a
1296 limited source removal in advance of the priority order pursuant
1297 to paragraph (a) established for site cleanup activities.
1298 Prioritization for limited source removal projects associated
1299 with a secondary containment upgrade in any fiscal year shall be
1300 determined on a first-come, first-served basis according to the
1301 approval date issued under s. 376.30711 for the limited source
1302 removal. Funding for limited source removals associated with
1303 secondary containment upgrades shall be limited to 10 sites in
1304 each fiscal year for each facility owner and any related person.
1305 The limited source removal for secondary containment upgrades
1306 shall be completed no later than 6 months after the department
1307 issues its approval of the project, and the approval
1308 automatically expires at the end of the 6 months. Funding for
1309 Department of Transportation and secondary containment upgrade
1310 source removals may not exceed \$50,000 for a single facility
1311 unless the department makes a determination that it is cost-
1312 effective and environmentally beneficial to exceed this amount,
1313 but in no event shall the department authorize costs in excess
1314 of \$100,000 for a single facility. Department funding for
1315 limited interim soil-source removals associated with Department

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1316 of Transportation projects and secondary containment upgrades
1317 shall be limited to supplemental soil assessment, soil
1318 screening, soil removal, backfill material, treatment or
1319 disposal of the contaminated soil, dewatering related to the
1320 contaminated soil removal in an amount of up to 10 percent of
1321 the total interim soil-source removal project costs, treatment,
1322 and disposal of the contaminated groundwater and preparation of
1323 the source removal report. No other costs associated with the
1324 facility upgrade may be paid with department funds. No more than
1325 \$1 million for Department of Transportation limited source
1326 removal projects and \$10 million for secondary containment
1327 upgrade limited source removal projects conducted in advance of
1328 the priority order established under paragraph (a) for site
1329 cleanup activities shall be encumbered from the Inland
1330 Protection Trust Fund in any fiscal year. This subparagraph is
1331 repealed effective June 30, 2009 ~~2008~~.

1332 3. Once free product removal and other source removal
1333 identified in this paragraph are completed at a site, and
1334 notwithstanding the order established by the priority ranking
1335 system under paragraph (a) for site cleanup activities, the
1336 department may reevaluate the site to determine the degree of
1337 active cleanup needed to continue site rehabilitation. Further,
1338 the department shall determine if the reevaluated site qualifies
1339 for natural attenuation monitoring or no further action. If
1340 additional site rehabilitation is necessary to reach no further
1341 action status, the site rehabilitation shall be conducted in the
1342 order established by the priority ranking system under paragraph

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1343 (a) and the department is encouraged to utilize natural
1344 attenuation and monitoring where site conditions warrant.

1345 Section 45. In order to implement section 38 of the 2008-
1346 2009 General Appropriations Act, subsection (1) of section
1347 373.472, Florida Statutes, is amended to read:

1348 373.472 Save Our Everglades Trust Fund.--

1349 (1)(a) There is created within the Department of
1350 Environmental Protection the Save Our Everglades Trust Fund.
1351 Funds in the trust fund shall be expended to implement the
1352 comprehensive plan defined in s. 373.470(2)(a), the Lake
1353 Okeechobee Watershed Protection Plan defined in s. 373.4595(2),
1354 the Caloosahatchee River Watershed Protection Plan defined in s.
1355 373.4595(2), and the St. Lucie River Watershed Protection Plan
1356 defined in s. 373.4595(2), and to pay debt service for
1357 Everglades restoration bonds issued pursuant to s. 215.619. The
1358 trust fund shall serve as the repository for state, local, and
1359 federal project contributions in accordance with s. 373.470(4).

1360 (b) For the 2008-2009 fiscal year only, the uses and
1361 purposes of the trust fund specified in paragraph (a) are not
1362 applicable. This paragraph expires July 1, 2009.

1363 Section 46. In order to implement Specific Appropriation
1364 1448 of the 2008-2009 General Appropriations Act, and
1365 notwithstanding section 287.057, Florida Statutes, the
1366 Department of Agriculture and Consumer Services, at its
1367 discretion, is authorized to extend, revise, and renew current
1368 contracts or agreements created or entered into, pursuant to
1369 chapter 2006-25, Laws of Florida, in order to provide

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1370 consistency and continuity in agriculture promotion throughout
1371 the state. This section expires July 1, 2009.

1372 Section 47. (1) The Governor may recommend to the
1373 Legislative Budget Commission, and the Legislative Budget
1374 Commission may approve, a budget amendment or amendments to
1375 transfer funds from the Budget Stabilization Fund to the General
1376 Revenue Fund.

1377 (2) If the transfers from the Budget Stabilization Fund
1378 authorized in subsection (1) are insufficient to address
1379 deficits in the General Revenue Fund, the Governor may
1380 recommend, and the Legislative Budget Commission may approve, a
1381 budget amendment or amendments to transfer funds from the Lawton
1382 Chiles Endowment Fund to the General Revenue Fund,
1383 notwithstanding the provisions of s. 215.5601, Florida Statutes,
1384 to the contrary. Any expenditure from the Lawton Chiles
1385 Endowment Fund made pursuant to this subsection must be restored
1386 by making five equal annual transfers from the General Revenue
1387 Fund, beginning in the third fiscal year following that in which
1388 the expenditure was made.

1389 (3) This section is intended to implement section 77 of
1390 the 2008-2009 General Appropriations Act relating to the use of
1391 state funds to offset General Revenue Fund deficits certified
1392 pursuant to s. 216.221, Florida Statutes. Actions taken pursuant
1393 to this section shall be in lieu of any other actions taken
1394 pursuant to ss. 216.221 and 216.222, Florida Statutes, to
1395 address such deficits.

1396 (4) This section shall take effect upon becoming a law and
1397 shall expire June 30, 2009.

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1398 Section 48. Effective upon this act becoming a law, in
1399 order to implement Specific Appropriations 640, 656, and 658A of
1400 the 2008-2009 General Appropriations Act, subsection (4) of
1401 section 215.5601, Florida Statutes, is amended to read:

1402 215.5601 Lawton Chiles Endowment Fund.--

1403 (4) ADMINISTRATION.--

1404 (a) The board may invest and reinvest funds of the
1405 endowment in accordance with s. 215.47 and consistent with an
1406 investment policy statement developed by the executive director
1407 and approved by the board.

1408 (b) The endowment shall be managed as an annuity. The
1409 investment objective shall be long-term preservation of the real
1410 value of the net contributed principal and a specified regular
1411 annual cash outflow for appropriation, as nonrecurring revenue.
1412 From the annual cash outflow, a pro rata share shall be used
1413 solely for biomedical research activities as provided in
1414 paragraph (3)(d), until such time as cures are found for
1415 tobacco-related cancer and heart and lung disease. Five percent
1416 of the annual cash outflow dedicated to the biomedical research
1417 portion of the endowment shall be reinvested and applied to that
1418 portion of the endowment's principal, with the remainder to be
1419 spent on biomedical research activities consistent with this
1420 section. The schedule of annual cash outflow shall be included
1421 within the investment plan adopted under paragraph (a).
1422 Withdrawals other than specified regular cash outflow shall be
1423 considered reductions in contributed principal for the purposes
1424 of this subsection.

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1425 (c) In accordance with s. 215.44, the board shall include
1426 separate sections on the financial status of the endowment in
1427 its annual investment report to the Legislature.

1428 (d) Accountability for funds from the endowment which have
1429 been appropriated to a state agency and distributed by the board
1430 shall reside with the state agency. The board is not responsible
1431 for the proper expenditure of or accountability concerning funds
1432 from the endowment after distribution to a state agency.

1433 (e) Costs and fees of the board for investment services
1434 shall be deducted from the earnings accruing to the endowment.
1435 Fees for investment services shall be no greater than fees
1436 charged to the Florida Retirement System.

1437 Section 49. The amendment of s. 215.5601(4), Florida
1438 Statutes, made by this act shall expire July 1, 2009, and the
1439 text of that subsection shall revert to that in existence on
1440 June 30, 2008, except that any amendments to such text enacted
1441 other than by this act shall be preserved and continue to
1442 operate to the extent that such amendments are not dependent
1443 upon the portions of such text which expire pursuant to this
1444 section.

1445 Section 50. In order to implement the issuance of new debt
1446 authorized in the 2008-2009 General Appropriations Act, and
1447 pursuant to the requirements of s. 215.98, Florida Statutes, the
1448 Legislature determines that the authorization and issuance of
1449 debt for the 2008-2009 fiscal year is in the best interest of
1450 the state and should be implemented. This section expires July
1451 1, 2009.

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1452 Section 51. In order to implement the transfer of moneys
1453 to the General Revenue Fund from trust funds in the 2008-2009
1454 General Appropriations Act, paragraph (b) of subsection (2) of
1455 section 215.32, Florida Statutes, is reenacted to read:

1456 215.32 State funds; segregation.--

1457 (2) The source and use of each of these funds shall be as
1458 follows:

1459 (b)1. The trust funds shall consist of moneys received by
1460 the state which under law or under trust agreement are
1461 segregated for a purpose authorized by law. The state agency or
1462 branch of state government receiving or collecting such moneys
1463 shall be responsible for their proper expenditure as provided by
1464 law. Upon the request of the state agency or branch of state
1465 government responsible for the administration of the trust fund,
1466 the Chief Financial Officer may establish accounts within the
1467 trust fund at a level considered necessary for proper
1468 accountability. Once an account is established within a trust
1469 fund, the Chief Financial Officer may authorize payment from
1470 that account only upon determining that there is sufficient cash
1471 and releases at the level of the account.

1472 2. In addition to other trust funds created by law, to the
1473 extent possible, each agency shall use the following trust funds
1474 as described in this subparagraph for day-to-day operations:

1475 a. Operations or operating trust fund, for use as a
1476 depository for funds to be used for program operations funded by
1477 program revenues, with the exception of administrative
1478 activities when the operations or operating trust fund is a
1479 proprietary fund.

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1480 b. Operations and maintenance trust fund, for use as a
1481 depository for client services funded by third-party payors.

1482 c. Administrative trust fund, for use as a depository for
1483 funds to be used for management activities that are departmental
1484 in nature and funded by indirect cost earnings and assessments
1485 against trust funds. Proprietary funds are excluded from the
1486 requirement of using an administrative trust fund.

1487 d. Grants and donations trust fund, for use as a
1488 depository for funds to be used for allowable grant or donor
1489 agreement activities funded by restricted contractual revenue
1490 from private and public nonfederal sources.

1491 e. Agency working capital trust fund, for use as a
1492 depository for funds to be used pursuant to s. 216.272.

1493 f. Clearing funds trust fund, for use as a depository for
1494 funds to account for collections pending distribution to lawful
1495 recipients.

1496 g. Federal grant trust fund, for use as a depository for
1497 funds to be used for allowable grant activities funded by
1498 restricted program revenues from federal sources.

1499
1500 To the extent possible, each agency must adjust its internal
1501 accounting to use existing trust funds consistent with the
1502 requirements of this subparagraph. If an agency does not have
1503 trust funds listed in this subparagraph and cannot make such
1504 adjustment, the agency must recommend the creation of the
1505 necessary trust funds to the Legislature no later than the next
1506 scheduled review of the agency's trust funds pursuant to s.

1507 215.3206.

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1508 3. All such moneys are hereby appropriated to be expended
1509 in accordance with the law or trust agreement under which they
1510 were received, subject always to the provisions of chapter 216
1511 relating to the appropriation of funds and to the applicable
1512 laws relating to the deposit or expenditure of moneys in the
1513 State Treasury.

1514 4.a. Notwithstanding any provision of law restricting the
1515 use of trust funds to specific purposes, unappropriated cash
1516 balances from selected trust funds may be authorized by the
1517 Legislature for transfer to the Budget Stabilization Fund and
1518 General Revenue Fund in the General Appropriations Act.

1519 b. This subparagraph does not apply to trust funds
1520 required by federal programs or mandates; trust funds
1521 established for bond covenants, indentures, or resolutions whose
1522 revenues are legally pledged by the state or public body to meet
1523 debt service or other financial requirements of any debt
1524 obligations of the state or any public body; the State
1525 Transportation Trust Fund; the trust fund containing the net
1526 annual proceeds from the Florida Education Lotteries; the
1527 Florida Retirement System Trust Fund; trust funds under the
1528 management of the State Board of Education or the Board of
1529 Governors of the State University System, where such trust funds
1530 are for auxiliary enterprises, self-insurance, and contracts,
1531 grants, and donations, as those terms are defined by general
1532 law; trust funds that serve as clearing funds or accounts for
1533 the Chief Financial Officer or state agencies; trust funds that
1534 account for assets held by the state in a trustee capacity as an
1535 agent or fiduciary for individuals, private organizations, or

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1536 other governmental units; and other trust funds authorized by
1537 the State Constitution.

1538 Section 52. In order to implement Specific Appropriations
1539 2751 and 2752 of the 2008-2009 General Appropriations Act:

1540 (1) Notwithstanding the provisions of section 11.13(1),
1541 Florida Statutes, relating to the annual adjustment of salaries
1542 for members of the Legislature, to the contrary, for the 2008-
1543 2009 fiscal year only, the authorized salaries of members of the
1544 Legislature in effect on June 30, 2008, shall be reduced by 5
1545 percent.

1546 (2) Effective June 30, 2009, the annual salaries of
1547 members of the Legislature shall be set at the amounts
1548 authorized and in effect on June 30, 2008.

1549 (3) This section expires July 1, 2009.

1550 Section 53. A section of this act that implements a
1551 specific appropriation or specifically identified proviso
1552 language in the 2008-2009 General Appropriations Act is void if
1553 the specific appropriation or specifically identified proviso
1554 language is vetoed. A section of this act that implements more
1555 than one specific appropriation or more than one portion of
1556 specifically identified proviso language in the 2008-2009
1557 General Appropriations Act is void if all the specific
1558 appropriations or portions of specifically identified proviso
1559 language are vetoed.

1560 Section 54. If any other act passed in 2008 contains a
1561 provision that is substantively the same as a provision in this
1562 act, but that removes or is otherwise not subject to the future
1563 repeal applied to such provision by this act, the Legislature

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1564 intends that the provision in the other act shall take
1565 precedence and shall continue to operate, notwithstanding the
1566 future repeal provided by this act.

1567 Section 55. If any provision of this act or its
1568 application to any person or circumstance is held invalid, the
1569 invalidity does not affect other provisions or applications of
1570 the act which can be given effect without the invalid provision
1571 or application, and to this end the provisions of this act are
1572 severable.

1573 Section 56. Except as otherwise expressly provided in this
1574 act and except for this section, which shall take effect upon
1575 this act becoming a law, this act shall take effect July 1,
1576 2008; or, if this act fails to become a law until after that
1577 date, it shall take effect upon becoming a law and shall operate
1578 retroactively to July 1, 2008.

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1581 -----

1582 **T I T L E A M E N D M E N T**

1583 Remove the entire title and insert:

1584 A bill to be entitled

1585 An act implementing the 2008-2009 General Appropriations
1586 Act; providing legislative intent; incorporating by
1587 reference certain calculations of the Florida Education
1588 Finance Program for the 2008-2009 fiscal year; amending s.
1589 394.908, F.S.; requiring that funds appropriated for
1590 forensic mental health treatment services be allocated to
1591 the areas of the state having the greatest demand for

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1592 services and treatment capacity; providing allocation
1593 requirements for specified funds appropriated for mental
1594 health services; requiring the Department of Children and
1595 Family Services to ensure information is entered into the
1596 Florida Safe Families Network; requiring coordination
1597 between the department and the Office of the State Courts
1598 Administrator and the Statewide Guardian Ad Litem Office
1599 to provide information relating to child welfare cases;
1600 requiring a report to the Governor and Legislature;
1601 amending s. 287.057, F.S.; authorizing the Department of
1602 Health to enter into an agreement with a specified private
1603 contractor to finance, design, and construct a hospital
1604 for the treatment of patients with active tuberculosis;
1605 requiring the Agency for Health Care Administration to
1606 study the effects of certain required minimum nursing home
1607 staffing ratios and report to the Governor and
1608 Legislature; prohibiting the agency from imposing
1609 sanctions related to such staffing ratios; authorizing the
1610 Department of Corrections and the Department of Juvenile
1611 Justice to make certain expenditures to defray costs
1612 incurred by a municipality or county as a result of
1613 opening or operating a facility under authority of the
1614 respective department; amending s. 216.262, F.S.;
1615 providing for additional positions to operate additional
1616 prison bed capacity under certain circumstances;
1617 authorizing the Department of Legal Affairs to expend
1618 appropriated funds on programs funded in the preceding
1619 fiscal year; amending s. 932.7055, F.S.; extending the

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1620 expiration date of provisions authorizing the expenditure
1621 of funds in a special law enforcement trust fund
1622 established by the governing body of a municipality;
1623 specifying certain limitations on reimbursements to a
1624 health care provider or hospital by the Department of
1625 Corrections; providing an exception for hospitals that
1626 reported a negative operating margin for the prior year;
1627 requiring that contract rates of the Department of
1628 Corrections be based on a percentage of the Medicare
1629 allowable rate; authorizing the Department of Legal
1630 Affairs to transfer certain funds to pay salaries and
1631 benefits; amending s. 112.061, F.S.; providing for certain
1632 reimbursement for travel expenses of Supreme Court
1633 justices; amending s. 112.24, F.S.; providing conditions
1634 on the assignment of an employee of a state agency without
1635 reimbursement from the receiving agency; authorizing the
1636 Executive Office of the Governor to transfer funds between
1637 departments for purposes of aligning amounts paid for risk
1638 management premiums and for purposes of aligning amounts
1639 paid for human resource management services; amending s.
1640 110.123, F.S.; providing for the state's monthly
1641 contribution for employees under the state group insurance
1642 program; amending s. 255.503, F.S.; delaying the
1643 expiration of provisions authorizing the Department of
1644 Management Services to sell, lease, or otherwise dispose
1645 of facilities within the Florida Facilities Pool and
1646 report to the Legislature, the Governor, and the Division
1647 of Bond Finance; reenacting s. 287.17(3)(a) and (6), F.S.;

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1648 authorizing the use of state aircraft for commuting;
1649 providing for the future expiration of certain amendments
1650 to such provisions; amending s. 61.1824, F.S.; requiring
1651 electronic disbursement of certain payments made to the
1652 State Disbursement Unit; amending s. 409.2558, F.S.;
1653 requiring electronic disbursement of certain payments made
1654 to the State Disbursement Unit; authorizing the Department
1655 of Revenue to extend the length of a specified contract;
1656 offsetting reductions in ad valorem tax revenue
1657 experienced by fiscally constrained counties occurring as
1658 a direct result of the implementation of revisions of
1659 Article VII of the State Constitution approved in the
1660 special election held on January 29, 2008; amending s.
1661 255.518, F.S.; revising provisions relating to payment of
1662 obligations during the construction of any facility
1663 financed by such obligations; authorizing the Department
1664 of Financial Services to expend certain funds for salaries
1665 and related expenses; amending s. 215.559, F.S.; providing
1666 for allocation of funds appropriated to the Hurricane Loss
1667 Mitigation Program for specified purposes; amending s.
1668 253.034, F.S.; delaying the expiration of provisions
1669 authorizing the deposit of funds from the sale of property
1670 located in Palm Beach County into the Highway Safety
1671 Operating Trust Fund by the Department of Highway Safety
1672 and Motor Vehicles; amending s. 339.135, F.S.; delaying
1673 the expiration of provisions requiring the Department of
1674 Transportation to transfer funds to the Office of Tourism,
1675 Trade, and Economic Development for the purpose of funding

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1676 transportation-related needs of economic development
1677 transportation projects, space and aerospace
1678 infrastructure, and other economic development projects;
1679 amending s. 553.721, F.S.; providing for the proceeds from
1680 the surcharge collected by the Department of Community
1681 Affairs on building additions and renovations to be used
1682 to fund regional planning councils, civil legal
1683 assistance, and the Front Porch Florida Initiative;
1684 amending s. 339.08, F.S.; providing for administrative
1685 expenses from the State Transportation Trust Fund;
1686 amending s. 253.01, F.S.; providing for moneys in the
1687 Internal Improvement Trust Fund to be used for grants and
1688 aids to local governments for the drinking water facility
1689 construction state revolving loan program; amending ss.
1690 212.08, 220.183, and 624.5105, F.S.; providing allocations
1691 and limitations on community contribution tax credits;
1692 amending s. 403.7095, F.S.; authorizing the Department of
1693 Environmental Protection to award funds under the solid
1694 waste management grant program for certain purposes;
1695 amending s. 570.20, F.S.; delaying the expiration of
1696 provisions authorizing moneys in the General Inspection
1697 Trust Fund to be appropriated for certain programs
1698 operated by the Department of Agriculture and Consumer
1699 Services; providing fund transfer authority relating to
1700 the Florida Forever Act; amending s. 373.1961, F.S.;
1701 providing that funding for alternative water supply shall
1702 be allocated as shown in the General Appropriations Act;
1703 amending s. 403.890, F.S.; authorizing transfer of moneys

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1704 in the Water Protection and Sustainability Program Trust
1705 Fund to the Ecosystem Management and Restoration Trust
1706 Fund for grants and aids to local governments for water
1707 projects as provided in the General Appropriations Act;
1708 amending s. 375.041, F.S.; authorizing transfer of moneys
1709 in the Land Acquisition Trust Fund to the Ecosystem
1710 Management and Restoration Trust Fund for grants and aids
1711 to local governments for water projects as provided in the
1712 General Appropriations Act; amending s. 376.3071, F.S.;
1713 extending use of funds in the Inland Protection Trust Fund
1714 for certain limited interim soil-source removals;
1715 providing for the authorization and issuance of new debt;
1716 amending s. 373.472, F.S.; suspending certain uses and
1717 purposes of the Save Our Everglades Trust Fund;
1718 authorizing the Department of Agriculture and Consumer
1719 Services, at its discretion, to extend, revise, and renew
1720 certain contracts or agreements in order to provide
1721 consistency and continuity in agriculture promotion
1722 throughout the state; authorizing and providing conditions
1723 for the transfer of funds from the Budget Stabilization
1724 Fund or the Lawton Chiles Endowment Fund to the General
1725 Revenue Fund; amending s. 215.5601, F.S.; revising the
1726 investment objective of the Lawton Chiles Endowment Fund
1727 and providing construction with respect thereto; providing
1728 intent with respect to the issuance of debt; reenacting s.
1729 215.32(2)(b), F.S., relating to the source and use of
1730 certain trust funds in order to implement the transfer of
1731 moneys in the General Revenue Fund from trust funds in the

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Bill No. HB 5003

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1732 2008-2009 General Appropriations Act; providing for
1733 reduction in legislator salaries; providing for future
1734 expiration of various provisions; providing for reversion
1735 of statutory text of certain provisions; providing for the
1736 effect of a veto of one or more specific appropriations or
1737 proviso to which implementing language refers; providing
1738 for the continued operation of certain provisions
1739 notwithstanding a future repeal or expiration provided by
1740 the act; providing for severability; providing effective
1741 dates.

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