



171672

LEGISLATIVE ACTION

Senate

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House

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The Conference Committee on SB 1996, 1st Eng. recommended the following:

1           **Senate Conference Committee Amendment (with title**  
2 **amendment)**

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4           Delete everything after the enacting clause  
5 and insert:

6           Section 1. Section 49 of chapter 2011-47, Laws of Florida,  
7 is repealed.

8           Section 2. Section 51 of chapter 2011-47, Laws of Florida,  
9 is repealed.

10           Section 3. The Auditor General and the Office of Program  
11 Policy Analysis and Government Accountability shall conduct a  
12 joint audit and review of the programs and operations of the



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13 Florida Housing Finance Corporation, and shall jointly develop a  
14 work plan for such audit and review to be submitted to the  
15 President of the Senate and the Speaker of the House of  
16 Representatives no later than July 1, 2012. The audit and review  
17 shall encompass, at a minimum, a review of the corporation's  
18 assets, liabilities, income, and operating expenses; the  
19 internal management, financial and operational controls  
20 employed, and programmatic decisionmaking processes used; the  
21 governance, direction, and oversight provided by the Florida  
22 Housing Finance Corporation Board of Directors; and the  
23 performance outcomes of the programs administered by the Florida  
24 Housing Finance Corporation. The audit and review shall also  
25 include formulation of recommendations to the Legislature for  
26 changes to the structure, governance, and operational processes  
27 of the Florida Housing Finance Corporation. Unless otherwise  
28 directed in writing jointly by the President of the Senate and  
29 the Speaker of the House of Representatives, a written report on  
30 the audit and review shall be submitted to the President of the  
31 Senate and the Speaker of the House of Representatives no later  
32 than December 1, 2012. This section shall take effect upon this  
33 act becoming a law.

34 Section 4. Subsection (48) is added to section 420.507,  
35 Florida Statutes, to read:

36 420.507 Powers of the corporation.—The corporation shall  
37 have all the powers necessary or convenient to carry out and  
38 effectuate the purposes and provisions of this part, including  
39 the following powers which are in addition to all other powers  
40 granted by other provisions of this part:

41 (48) To use up to 10 percent of its annual allocation of



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42 low-income housing tax credits, nontaxable revenue bonds, and  
43 State Apartment Incentive Loan Program funds appropriated by the  
44 Legislature and available to allocate by request for proposals  
45 or other competitive solicitation funding for high-priority  
46 affordable housing projects, such as housing to support economic  
47 development and job-creation initiatives, housing for veterans  
48 and their families, and other special needs populations in  
49 communities throughout the state as determined by the  
50 corporation on an annual basis.

51 Section 5. Subsections (9) and (10) are added to section  
52 420.5087, Florida Statutes, to read:

53 420.5087 State Apartment Incentive Loan Program.—There is  
54 hereby created the State Apartment Incentive Loan Program for  
55 the purpose of providing first, second, or other subordinated  
56 mortgage loans or loan guarantees to sponsors, including for-  
57 profit, nonprofit, and public entities, to provide housing  
58 affordable to very-low-income persons.

59 (9) The corporation is authorized to accept payment of  
60 deferred program interest at an interest rate that is consistent  
61 with rates currently authorized under this section, if the  
62 deferred interest is paid in not more than five equal annual  
63 installments, subject to the qualifications contained in this  
64 subsection.

65 (10) Funding under this subsection shall be to preserve  
66 existing projects having financing guaranteed under the Florida  
67 Affordable Housing Guarantee Program pursuant to s. 420.5092.

68 (a) A project shall be given priority for funding if:

69 1. It was approved by the corporation board in calendar  
70 year 2011 to provide additional units for extremely-low-income



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71 persons as defined in s. 420.0004;

72 2. The Guarantee Program mortgage note was executed and  
73 recorded not later than September 30, 2003;

74 3. It commits to provide additional units for extremely-  
75 low-income persons; and

76 4. The shareholders, members, or partners of the project  
77 owner have funded deficits in an amount that is not less than 20  
78 percent of the State Apartment Incentive Loan not later than  
79 closing of any financing made under this subsection.

80 (b) The maximum amount that may be funded under this  
81 subsection is \$2.5 million per project.

82 (c) This subsection expires June 30, 2013.

83 Section 6. Subsection (11) of section 445.009, Florida  
84 Statutes, is amended to read:

85 445.009 One-stop delivery system.—

86 (11) A participant in an adult or youth work experience  
87 activity administered under this chapter shall be deemed an  
88 employee of the state for purposes of workers' compensation  
89 coverage. In determining the average weekly wage, all  
90 remuneration received from the employer shall be considered a  
91 gratuity, and the participant is shall not be entitled to any  
92 benefits otherwise payable under s. 440.15, regardless of  
93 whether the participant may be receiving wages and remuneration  
94 from other employment with another employer and regardless of  
95 his or her future wage-earning capacity. ~~This subsection expires~~  
96 ~~July 1, 2012.~~

97 Section 7. The Legislature recognizes that there is a need  
98 to conform the Florida Statutes to the policy decisions  
99 reflected in this act. Therefore, the Department of Economic



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100 Opportunity is directed to prepare draft legislation to conform  
101 the Florida Statutes to the provisions of this act. The  
102 department shall submit the draft legislation to the Governor,  
103 the President of the Senate, and the Speaker of the House of  
104 Representatives on or before October 1, 2012.

105       Section 8. If the governing body of an independent special  
106 district that provides water, wastewater, and sanitation  
107 services in a disproportionately affected county, as defined in  
108 s. 288.106(8), Florida Statutes, determines that a new user or  
109 the expansion of an existing user of one or more of its utility  
110 systems will provide a significant benefit to the community in  
111 terms of increased job opportunities, economies of scale, or  
112 economic development in the area, the governing body may  
113 authorize a reduction of its rates, fees, or charges for that  
114 user for a specified period of time. A governing body that  
115 exercises this power must do so by resolution that states the  
116 anticipated economic benefit justifying the reduction as well as  
117 the period of time that the reduction will remain in place.

118       Section 9. Except as otherwise expressly provided in this  
119 act and except for this section, which shall take effect upon  
120 this act becoming a law, this act shall take effect July 1,  
121 2012.

122  
123 ===== T I T L E   A M E N D M E N T =====

124 And the title is amended as follows:

125       Delete everything before the enacting clause  
126 and insert:

127                               A bill to be entitled

128       An act relating to the Department of Economic



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129 Opportunity; repealing s. 49 of chapter 2011-47, Laws  
130 of Florida; abrogating the future expiration of an  
131 amendment to s. 163.3247(3)(d), F.S., to nullify the  
132 reversion of the text of that paragraph to that in  
133 existence on June 30, 2010; repealing s. 51 of chapter  
134 2011-47, Laws of Florida; abrogating the future  
135 expiration of an amendment to s. 201.15(1)(c)2., F.S.,  
136 to nullify the reversion of the text of that  
137 subparagraph to that in existence on June 30, 2010;  
138 requiring the Auditor General and the Office of  
139 Program Policy Analysis and Government Accountability  
140 to conduct a joint audit and review of the Florida  
141 Housing Finance Corporation; amending s. 420.507,  
142 F.S.; revising powers of the Florida Housing Finance  
143 Corporation; amending s. 420.5087, F.S.; revising  
144 provisions relating to the State Apartment Incentive  
145 Loan Program; authorizing the corporation to accept  
146 payment of deferred program interest under certain  
147 circumstances; providing funding for projects that  
148 meet certain criteria; providing for future  
149 expiration; amending s. 445.009, F.S.; deleting the  
150 future expiration of provisions authorizing workers'  
151 compensation coverage for a participant in an adult or  
152 youth work experience activity; directing the  
153 Department of Economic Opportunity to prepare draft  
154 legislation to conform the Florida Statutes to the  
155 provisions of the act; requiring that the department  
156 submit the draft legislation to the Governor and  
157 Legislature by a specified date; authorizing a local



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158 governmental entity that is an independent special  
159 district providing certain utility services to reduce  
160 its rates by resolution for a specified time for a  
161 user that will provide a community benefit; providing  
162 effective dates.