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606-03471A-09

Proposed Committee Substitute by the Committee on Transportation
and Economic Development Appropriations

A bill to be entitled

An act implementing the 2009-2010 General
Appropriations Act; providing legislative intent;
amending s. 253.034, F.S.; delaying the expiration of
provisions authorizing the deposit of funds from the
sale of property located in Palm Beach County by the
Department of Highway Safety and Motor Vehicles into
the Highway Safety Operating Trust Fund; amending s.
339.08, F.S.; delaying the expiration of provisions
relating to the use of funds from the State
Transportation Trust Fund; amending s. 339.135, F.S.;
delaying the expiration of provisions relating to the
transfer of funds from the Department of
Transportation to the Office of Tourism, Trade, and
Economic Development for the purpose of funding the
transportation-related needs of certain projects;
revising the amount of such transfer; deleting
obsolete provisions; providing for the effect of a
veto of one or more specific appropriations or proviso
provisions to which implementing language refers;
providing for the continued operation of certain
provisions notwithstanding a future repeal or
expiration provided by the act; providing for
severability; providing effective dates.

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



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28 Section 1. It is the intent of the Legislature that the
29 implementing and administering provisions of this act apply to
30 the General Appropriations Act for the 2009-2010 fiscal year.

31 Section 2. In order to implement section 11 of the 2009-
32 2010 General Appropriations Act, subsection (13) of section
33 253.034, Florida Statutes, is amended to read:

34 253.034 State-owned lands; uses.-

35 (13) Notwithstanding the provisions of this section, funds
36 from the sale of property by the Department of Highway Safety
37 and Motor Vehicles located in Palm Beach County are authorized
38 to be deposited into the Highway Safety Operating Trust Fund to
39 facilitate the exchange as provided in the General
40 Appropriations Act, provided that at the conclusion of both
41 exchanges the values are equalized. This subsection expires July
42 1, 2010 ~~2009~~.

43 Section 3. In order to implement section 10 of the 2009-
44 2010 General Appropriations Act, paragraph (n) of subsection (1)
45 of section 339.08, Florida Statutes, is amended to read:

46 339.08 Use of moneys in State Transportation Trust Fund.-

47 (1) The department shall expend moneys in the State
48 Transportation Trust Fund accruing to the department, in
49 accordance with its annual budget. The use of such moneys shall
50 be restricted to the following purposes:

51 (n) To pay administrative expenses incurred in accordance
52 with applicable laws for a multicounty transportation or
53 expressway authority created under chapter 343 or chapter 348,
54 where jurisdiction for the authority includes a portion of the
55 State Highway System and the administrative expenses are in
56 furtherance of the duties and responsibilities of the authority



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57 in the development of improvements to the State Highway System.
58 This paragraph expires July 1, 2010 ~~2009~~.

59 Section 4. In order to implement Specific Appropriation
60 2042 of the 2009-2010 General Appropriations Act, subsection (5)
61 of section 339.135, Florida Statutes, is amended to read:

62 339.135 Work program; legislative budget request;
63 definitions; preparation, adoption, execution, and amendment.—
64 (5)

65 (a) ADOPTION OF THE WORK PROGRAM.—The original approved
66 budget for operational and fixed capital expenditures for the
67 department shall be the Governor's budget recommendation and the
68 first year of the tentative work program, as both are amended by
69 the General Appropriations Act and any other act containing
70 appropriations. In accordance with the appropriations act, the
71 department shall, prior to the beginning of the fiscal year,
72 adopt a final work program which shall only include the original
73 approved budget for the department for the ensuing fiscal year
74 together with any roll forwards approved pursuant to paragraph
75 (6) (c) and the portion of the tentative work program for the
76 following 4 fiscal years revised in accordance with the original
77 approved budget for the department for the ensuing fiscal year
78 together with said roll forwards. The adopted work program may
79 include only those projects submitted as part of the tentative
80 work program developed under the provisions of subsection (4)
81 plus any projects which are separately identified by specific
82 appropriation in the General Appropriations Act and any roll
83 forwards approved pursuant to paragraph (6) (c). However, any
84 transportation project of the department which is identified by
85 specific appropriation in the General Appropriations Act shall



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86 be deducted from the funds annually distributed to the
87 respective district pursuant to paragraph (4) (a). In addition,
88 the department shall not in any year include any project or
89 allocate funds to a program in the adopted work program that is
90 contrary to existing law for that particular year. Projects
91 shall not be undertaken unless they are listed in the adopted
92 work program.

93 (b) Notwithstanding paragraph (a), and for the 2009-2010
94 ~~2008-2009~~ fiscal year only, the Department of Transportation
95 shall transfer funds to the Office of Tourism, Trade, and
96 Economic Development in an amount equal to \$20 million
97 ~~\$36,750,000~~ for the purpose of funding transportation-related
98 needs of economic development projects, space and aerospace
99 infrastructure, and other economic development projects. This
100 transfer shall not reduce, delete, or defer any existing
101 projects funded, as of July 1, 2009 ~~2008~~, in the Department of
102 Transportation's 5-year work program. This paragraph expires
103 July 1, 2010 ~~2009~~.

104 ~~(c) Notwithstanding paragraph (a) or subparagraph (4) (a)1.,~~
105 ~~and for the 2008-2009 fiscal year only, the Department of~~
106 ~~Transportation shall fund projects in Specific Appropriations~~
107 ~~2063, 2071, 2077, 2079, 2102, 2106, 2109, and 2116 of the 2008-~~
108 ~~2009 General Appropriations Act. Funding for these specific~~
109 ~~appropriations shall be from projects or phases thereof within~~
110 ~~the department's fiscal year 2008-2009 work program not~~
111 ~~programmed for contract letting as identified with a work~~
112 ~~program contract class code 8 and the box code RV. This funding~~
113 ~~shall not negatively impact safety, preservation, maintenance,~~
114 ~~or project contingency levels as of July 1, 2008. This paragraph~~



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115 ~~expires July 1, 2009.~~

116 Section 5. A section of this act which implements a
117 specific appropriation or specifically identified proviso
118 language in the 2009-2010 General Appropriations Act is void if
119 the specific appropriation or specifically identified proviso
120 language is vetoed. A section of this act which implements more
121 than one specific appropriation or more than one portion of
122 specifically identified proviso language in the 2009-2010
123 General Appropriations Act is void if all the specific
124 appropriations or portions of specifically identified proviso
125 language are vetoed.

126 Section 6. If any other act passed in 2009 contains a
127 provision that is substantively the same as a provision in this
128 act, but that removes or is otherwise not subject to the future
129 repeal applied to such provision by this act, the Legislature
130 intends that the provision in the other act shall take
131 precedence and shall continue to operate, notwithstanding the
132 future repeal provided by this act.

133 Section 7. If any provision of this act or its application
134 to any person or circumstance is held invalid, the invalidity
135 does not affect other provisions or applications of the act
136 which can be given effect without the invalid provision or
137 application, and to this end the provisions of this act are
138 severable.

139 Section 8. Except as otherwise expressly provided in this
140 act and except for this section, which shall take effect upon
141 this act becoming a law, this act shall take effect July 1,
142 2009, or if this act fails to become a law until after that
143 date, it shall take effect upon becoming a law and shall operate



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144 retroactively to July 1, 2009.

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