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25 26 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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Section 1. It is the intent of the Legislature that the implementing and administering provisions of this act apply to the General Appropriations Act for the 2009-2010 fiscal year.

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

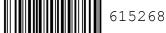
253.034 State-owned lands; uses.-

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

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

339.08 Use of moneys in State Transportation Trust Fund.-

- (1) The department shall expend moneys in the State Transportation Trust Fund accruing to the department, in accordance with its annual budget. The use of such moneys shall be restricted to the following purposes:
- (n) To pay administrative expenses incurred in accordance with applicable laws for a multicounty transportation or expressway authority created under chapter 343 or chapter 348, where jurisdiction for the authority includes a portion of the State Highway System and the administrative expenses are in furtherance of the duties and responsibilities of the authority



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

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

339.135 Work program; legislative budget request; definitions; preparation, adoption, execution, and amendment.-(5)

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



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

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

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



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expires July 1, 2009.

Section 5. A section of this act which implements a specific appropriation or specifically identified proviso language in the 2009-2010 General Appropriations Act is void if the specific appropriation or specifically identified proviso language is vetoed. A section of this act which implements more than one specific appropriation or more than one portion of specifically identified proviso language in the 2009-2010 General Appropriations Act is void if all the specific appropriations or portions of specifically identified proviso language are vetoed.

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

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

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



retroactively to July 1, 2009.

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