

Amendment No.

CHAMBER ACTION

Senate

House

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Representatives Rivera and Llorente offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

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 Specific Appropriation 3 of the 2009-2010 General Appropriations Act, subsection (5) is added to section 1009.534, Florida Statutes, to read:

1009.534 Florida Academic Scholars award.--

(5) Notwithstanding subsections (2) and (4), a Florida Academic Scholar is eligible for an award equal to the amount specified in the General Appropriations Act for the 2009-2010 academic year. This subsection expires July 1, 2010.

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17 Section 3. In order to implement Specific Appropriation 3
18 of the 2009-2010 General Appropriations Act, subsection (4) is
19 added to section 1009.535, Florida Statutes, to read:

20 1009.535 Florida Medallion Scholars award.--

21 (4) Notwithstanding subsection (2), a Florida Medallion
22 Scholar is eligible for an award equal to the amount specified
23 in the General Appropriations Act for the 2009-2010 academic
24 year. This subsection expires July 1, 2010.

25 Section 4. In order to implement Specific Appropriation 3
26 of the 2009-2010 General Appropriations Act, subsection (5) is
27 added to section 1009.536, Florida Statutes, to read:

28 1009.536 Florida Gold Seal Vocational Scholars award.--The
29 Florida Gold Seal Vocational Scholars award is created within
30 the Florida Bright Futures Scholarship Program to recognize and
31 reward academic achievement and career preparation by high
32 school students who wish to continue their education.

33 (5) Notwithstanding subsection (2), a Florida Gold Seal
34 Vocational Scholar is eligible for an award equal to the amount
35 specified in the General Appropriations Act for the 2009-2010
36 academic year. This subsection expires July 1, 2010.

37 Section 5. In order to implement Specific Appropriation
38 1514 of the 2009-2010 General Appropriations Act, subsection (8)
39 of section 215.559, Florida Statutes, is amended, and a new
40 subsection (8) is added to that section, to read:

41 215.559 Hurricane Loss Mitigation Program.--

42 (8) (a) Notwithstanding any other provision of this section
43 and for the 2009-2010 fiscal year only, the \$7 million

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44 appropriation provided for in paragraph (2) (a) shall be
45 allocated as follows:

46 1. The sum of \$3.5 million shall be transferred to the
47 Department of Financial Services for the My Safe Florida Home
48 Program as provided for in s. 215.5586.

49 2. The sum of \$3,421,764 shall be used for programs to
50 improve the wind resistance of residences and mobile homes,
51 including loans, subsidies, grants, demonstration projects, and
52 direct assistance; educating persons concerning the Florida
53 Building Code cooperative programs with local governments and
54 the Federal Government; and other efforts to prevent or reduce
55 losses or reduce the cost of rebuilding after a disaster.

56 3. The sum of \$78,236 shall be allocated for operational
57 purposes of the department as specified in the 2009-2010 General
58 Appropriations Act.

59 (b) This subsection expires July 1, 2010.

60 ~~(8) (a) Notwithstanding any other provision of this section~~
61 ~~and for the 2008-2009 fiscal year only, the \$10 million~~
62 ~~appropriation provided for in subsection (1) shall be allocated~~
63 ~~as follows:~~

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

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

70 ~~3. The sum of \$6,421,764 shall be used to install~~
71 ~~emergency power generators in special-needs hurricane evacuation~~
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72 ~~shelters as provided in s. 1, ch. 2006-71, Laws of Florida,~~
73 ~~except that such funds may not be used for administrative~~
74 ~~purposes.~~

75 ~~4. The sum of \$78,236 shall be allocated for operational~~
76 ~~purposes of the department as specified in the 2008-2009 General~~
77 ~~Appropriations Act.~~

78 ~~(b) This subsection expires July 1, 2009.~~

79 Section 6. In order to implement Specific Appropriation
80 1998 of the 2009-2010 General Appropriations Act, subsection (8)
81 of section 332.007, Florida Statutes, is amended to read:

82 332.007 Administration and financing of aviation and
83 airport programs and projects; state plan.--

84 (8) Notwithstanding any other provision of law to the
85 contrary, the department is authorized to fund security
86 projects, including operational and maintenance assistance, at
87 publicly owned public-use airports. For projects in the current
88 adopted work program, or projects added using the available
89 budget of the department, airports may request the department
90 change the project purpose in accordance with this provision
91 notwithstanding the provisions of s. 339.135(7). For purposes of
92 this subsection, the department may fund up to 100 percent of
93 eligible project costs that are not funded by the Federal
94 Government. This subsection shall expire on June 30, 2012.

95 Section 7. The amendment to s. 332.007(8), Florida
96 Statutes, made by this act shall expire July 1, 2010, and the
97 text of that subsection shall revert to that in existence on
98 June 30, 2009, except that any amendments to such text enacted
99 other than by this act shall be preserved and continue to

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100 operate to the extent that such amendments are not dependent
101 upon the portions of such text which expire pursuant to this
102 section.

103 Section 8. In order to implement section 23 of the 2009-
104 2010 General Appropriations Act, paragraph (a) of subsection (4)
105 and subsection (5) of section 339.135, Florida Statutes, are
106 amended to read:

107 339.135 Work program; legislative budget request;
108 definitions; preparation, adoption, execution, and amendment.--

109 (4) FUNDING AND DEVELOPING A TENTATIVE WORK PROGRAM.--

110 (a)1. To assure that no district or county is penalized
111 for local efforts to improve the State Highway System, the
112 department shall, for the purpose of developing a tentative work
113 program, allocate funds for new construction to the districts,
114 except for the turnpike enterprise, based on equal parts of
115 population and motor fuel tax collections. Funds for
116 resurfacing, bridge repair and rehabilitation, bridge fender
117 system construction or repair, public transit projects except
118 public transit block grants as provided in s. 341.052, and other
119 programs with quantitative needs assessments shall be allocated
120 based on the results of these assessments. The department may
121 not transfer any funds allocated to a district under this
122 paragraph to any other district except as provided in subsection
123 (7). Funds for public transit block grants shall be allocated to
124 the districts pursuant to s. 341.052. Funds for the intercity
125 bus program provided for under s. 5311(f) of the federal
126 nonurbanized area formula program shall be administered and
127 allocated directly to eligible bus carriers as defined in s.
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128 341.031(12) at the state level rather than the district. In
129 order to provide state funding to support the intercity bus
130 program provided for under provisions of the federal 5311(f)
131 program, the department shall allocate an amount equal to the
132 federal share of the 5311(f) program from amounts calculated
133 pursuant to s. 206.46(3).

134 2. Notwithstanding the provisions of subparagraph 1., the
135 department shall allocate at least 50 percent of any new
136 discretionary highway capacity funds to the Florida Strategic
137 Intermodal System created pursuant to s. 339.61. Any remaining
138 new discretionary highway capacity funds shall be allocated to
139 the districts for new construction as provided in subparagraph
140 1. For the purposes of this subparagraph, the term "new
141 discretionary highway capacity funds" means any funds available
142 to the department above the prior year funding level for
143 capacity improvements, which the department has the discretion
144 to allocate to highway projects.

145 3. Notwithstanding subparagraph 1. and ss. 206.46(3),
146 334.044(26), and 339.2819(3), and for the fiscal year 2009-2010
147 only, the department shall reduce work program levels to balance
148 the finance plan to the revised funding levels resulting from
149 any reduction in the 2009-2010 General Appropriations Act. This
150 subparagraph expires July 1, 2010.

151 4. For the fiscal year 2009-2010 only, prior to any
152 project or phase thereof being deferred, the reductions in
153 subparagraph 3. shall be made to financial projects not
154 programmed for contract letting as identified with a work
155 program contract class code 8 and the box code RV, excluding
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156 reserves for public transit project development. These
157 reductions shall not negatively impact safety, preservation,
158 maintenance, or project contingency levels as of July 1, 2009.
159 This subparagraph expires July 1, 2010.

160 (5) ~~(a)~~ ADOPTION OF THE WORK PROGRAM.--

161 (a) The original approved budget for operational and fixed
162 capital expenditures for the department shall be the Governor's
163 budget recommendation and the first year of the tentative work
164 program, as both are amended by the General Appropriations Act
165 and any other act containing appropriations. In accordance with
166 the appropriations act, the department shall, prior to the
167 beginning of the fiscal year, adopt a final work program which
168 shall only include the original approved budget for the
169 department for the ensuing fiscal year together with any roll
170 forwards approved pursuant to paragraph (6) (c) and the portion
171 of the tentative work program for the following 4 fiscal years
172 revised in accordance with the original approved budget for the
173 department for the ensuing fiscal year together with said roll
174 forwards. The adopted work program may include only those
175 projects submitted as part of the tentative work program
176 developed under the provisions of subsection (4) plus any
177 projects which are separately identified by specific
178 appropriation in the General Appropriations Act and any roll
179 forwards approved pursuant to paragraph (6) (c). However, any
180 transportation project of the department which is identified by
181 specific appropriation in the General Appropriations Act shall
182 be deducted from the funds annually distributed to the
183 respective district pursuant to paragraph (4) (a). In addition,
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184 the department shall not in any year include any project or
185 allocate funds to a program in the adopted work program that is
186 contrary to existing law for that particular year. Projects
187 shall not be undertaken unless they are listed in the adopted
188 work program.

189 (b) Notwithstanding paragraph (a), and for the 2009-2010
190 ~~2008-2009~~ fiscal year only, the Department of Transportation
191 shall transfer funds to the Office of Tourism, Trade, and
192 Economic Development in an amount equal to \$20,300,000
193 ~~\$36,750,000~~ for the purpose of funding transportation-related
194 needs of economic development projects, ~~space and aerospace~~
195 ~~infrastructure, and other economic development projects~~. This
196 transfer shall not reduce, delete, or defer any existing
197 projects funded, as of July 1, 2009 ~~2008~~, in the Department of
198 Transportation's 5-year work program. This paragraph expires
199 July 1, 2010 ~~2009~~.

200 (c) ~~Notwithstanding paragraph (a) or subparagraph~~
201 ~~(4)(a)1., and for the 2008-2009 fiscal year only, the Department~~
202 ~~of Transportation shall fund projects in Specific Appropriations~~
203 ~~2063, 2071, 2077, 2079, 2102, 2106, 2109, and 2116 of the 2008-~~
204 ~~2009 General Appropriations Act. Funding for these specific~~
205 ~~appropriations shall be from projects or phases thereof within~~
206 ~~the department's fiscal year 2008-2009 work program not~~
207 ~~programmed for contract letting as identified with a work~~
208 ~~program contract class code 8 and the box code RV. This funding~~
209 ~~shall not negatively impact safety, preservation, maintenance,~~
210 ~~or project contingency levels as of July 1, 2008. This paragraph~~
211 ~~expires July 1, 2009.~~

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212 Section 9. In order to implement Specific Appropriations
213 1986 through 2095 of the 2009-2010 General Appropriations Act,
214 section 337.025, Florida Statutes, is amended to read:

215 337.025 Innovative highway projects; department to
216 establish program.--

217 (1) The department is authorized to establish a program
218 for highway projects demonstrating innovative techniques of
219 highway construction, maintenance, and finance which have the
220 intended effect of controlling time and cost increases on
221 construction projects. Such techniques may include, but are not
222 limited to, state-of-the-art technology for pavement, safety,
223 and other aspects of highway construction and maintenance;
224 innovative bidding and financing techniques; accelerated
225 construction procedures; and those techniques that have the
226 potential to reduce project life cycle costs. To the maximum
227 extent practical, the department must use the existing process
228 to award and administer construction and maintenance contracts.
229 When specific innovative techniques are to be used, the
230 department is not required to adhere to those provisions of law
231 that would prevent, preclude, or in any way prohibit the
232 department from using the innovative technique. However, prior
233 to using an innovative technique that is inconsistent with
234 another provision of law, the department must document in
235 writing the need for the exception and identify what benefits
236 the traveling public and the affected community are anticipated
237 to receive. The department may enter into no more than \$120
238 million in contracts annually for the purposes authorized by
239 this section. However, the annual cap on contracts provided in
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240 this section shall not apply to turnpike enterprise projects nor
241 shall turnpike enterprise projects be counted toward the
242 department's annual cap.

243 (2) For the 2009-2010 fiscal year only, the annual cap
244 provided in subsection (1) shall not apply to transportation
245 projects funded by the American Recovery and Reinvestment Act of
246 2009. This subsection expires July 1, 2010.

247 Section 10. In order to implement the transfer of moneys
248 to the General Revenue Fund from trust funds in the 2009-2010
249 General Appropriations Act, paragraph (b) of subsection (2) of
250 section 215.32, Florida Statutes, is reenacted to read:

251 215.32 State funds; segregation.--

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

254 (b)1. The trust funds shall consist of moneys received by
255 the state which under law or under trust agreement are
256 segregated for a purpose authorized by law. The state agency or
257 branch of state government receiving or collecting such moneys
258 shall be responsible for their proper expenditure as provided by
259 law. Upon the request of the state agency or branch of state
260 government responsible for the administration of the trust fund,
261 the Chief Financial Officer may establish accounts within the
262 trust fund at a level considered necessary for proper
263 accountability. Once an account is established within a trust
264 fund, the Chief Financial Officer may authorize payment from
265 that account only upon determining that there is sufficient cash
266 and releases at the level of the account.

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

270 a. Operations or operating trust fund, for use as a
271 depository for funds to be used for program operations funded by
272 program revenues, with the exception of administrative
273 activities when the operations or operating trust fund is a
274 proprietary fund.

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

277 c. Administrative trust fund, for use as a depository for
278 funds to be used for management activities that are departmental
279 in nature and funded by indirect cost earnings and assessments
280 against trust funds. Proprietary funds are excluded from the
281 requirement of using an administrative trust fund.

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

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

288 f. Clearing funds trust fund, for use as a depository for
289 funds to account for collections pending distribution to lawful
290 recipients.

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

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295 To the extent possible, each agency must adjust its internal
296 accounting to use existing trust funds consistent with the
297 requirements of this subparagraph. If an agency does not have
298 trust funds listed in this subparagraph and cannot make such
299 adjustment, the agency must recommend the creation of the
300 necessary trust funds to the Legislature no later than the next
301 scheduled review of the agency's trust funds pursuant to s.
302 215.3206.

303 3. All such moneys are hereby appropriated to be expended
304 in accordance with the law or trust agreement under which they
305 were received, subject always to the provisions of chapter 216
306 relating to the appropriation of funds and to the applicable
307 laws relating to the deposit or expenditure of moneys in the
308 State Treasury.

309 4.a. Notwithstanding any provision of law restricting the
310 use of trust funds to specific purposes, unappropriated cash
311 balances from selected trust funds may be authorized by the
312 Legislature for transfer to the Budget Stabilization Fund and
313 General Revenue Fund in the General Appropriations Act.

314 b. This subparagraph does not apply to trust funds
315 required by federal programs or mandates; trust funds
316 established for bond covenants, indentures, or resolutions whose
317 revenues are legally pledged by the state or public body to meet
318 debt service or other financial requirements of any debt
319 obligations of the state or any public body; the State
320 Transportation Trust Fund; the trust fund containing the net
321 annual proceeds from the Florida Education Lotteries; the
322 Florida Retirement System Trust Fund; trust funds under the
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323 management of the State Board of Education or the Board of
324 Governors of the State University System, where such trust funds
325 are for auxiliary enterprises, self-insurance, and contracts,
326 grants, and donations, as those terms are defined by general
327 law; trust funds that serve as clearing funds or accounts for
328 the Chief Financial Officer or state agencies; trust funds that
329 account for assets held by the state in a trustee capacity as an
330 agent or fiduciary for individuals, private organizations, or
331 other governmental units; and other trust funds authorized by
332 the State Constitution.

333 Section 11. Paragraph (d) is added to subsection (11) of
334 section 216.181, Florida Statutes, to read:

335 216.181 Approved budgets for operations and fixed capital
336 outlay.--

337 (11)

338 (d) For the fiscal year 2009-2010 only, changes in the
339 amounts appropriated for fixed capital outlay projects may be
340 approved by the Legislative Budget Commission pursuant to the
341 request of a state agency filed with the Executive Office of the
342 Governor if the project's funding is derived from the American
343 Recovery and Reinvestment Act of 2009. This paragraph expires
344 July 1, 2010.

345
346 The provisions of this subsection are subject to the notice and
347 objection procedures set forth in s. 216.177.

348 Section 12. In order to implement section 23 of the 2009-
349 2010 General Appropriations Act, subsection (4) is added to
350 section 339.08, Florida Statutes, to read:

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351 339.08 Use of moneys in State Transportation Trust Fund.--

352 (4) For the 2009-2010 fiscal year only and notwithstanding
353 the provisions of this section and ss. 339.09(1) and
354 215.32(2)(b)4., funds may be transferred from the State
355 Transportation Trust Fund to the General Revenue Fund as
356 specified in the General Appropriations Act. Notwithstanding ss.
357 206.46(3) and 206.606(2), the total amount transferred shall be
358 reduced from total state revenues deposited into the State
359 Transportation Trust Fund for the calculation requirements of
360 ss. 206.46(3) and 206.606(2). This subsection expires July 1,
361 2010.

362 Section 13. In order to implement Specific Appropriations
363 316 through 346 of the 2009-2010 General Appropriations Act,
364 subsection (3) of section 394.908, Florida Statutes, is amended
365 to read:

366 394.908 Substance abuse and mental health funding equity;
367 distribution of appropriations.--In recognition of the
368 historical inequity in the funding of substance abuse and mental
369 health services for the department's districts and regions and
370 to rectify this inequity and provide for equitable funding in
371 the future throughout the state, the following funding process
372 shall be used:

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

377 1. Epidemiological estimates of disabilities that apply to
378 the respective target populations.

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379 2. A pro rata share distribution that ensures districts
380 below the statewide average funding level per person in each
381 target population of "persons in need" receive funding necessary
382 to achieve equity.

383 (b) Notwithstanding paragraph (a) and for the 2008-2009
384 fiscal year only, funds appropriated for forensic mental health
385 treatment services shall be allocated to the areas of the state
386 having the greatest demand for services and treatment capacity.
387 This paragraph expires July 1, 2009.

388 (c) Notwithstanding paragraph (a) and for the 2009-2010
389 ~~2008-2009~~ fiscal year only, additional funds appropriated ~~for~~
390 ~~mental health services~~ from funds available through the
391 Community-Based Medicaid Administrative Claiming Program shall
392 be allocated in proportion to contributed provider earnings
393 after administrative costs incurred by the department are
394 covered as provided in the 2008-2009 General Appropriations Act
395 and in proportion to contributed provider earnings. Where these
396 mental health funds are used in lieu of funds from the General
397 Revenue Fund, the allocation of funds shall be unchanged from
398 the allocation for those funds for the 2007-2008 fiscal year.
399 This paragraph expires July 1, 2010 ~~2009~~.

400 Section 14. In order to implement Specific Appropriations
401 279 of the 2009-2010 General Appropriations Act, the Department
402 of Children and Family Services shall ensure that all public and
403 private agencies and institutions participating in child welfare
404 cases enter information specified by rule of the department into
405 the Florida Safe Families Network in order to maintain the
406 accuracy and usefulness of the system. The department shall

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407 coordinate with the Office of the State Courts Administrator for
408 the purpose of providing any judge or magistrate assigned to a
409 dependency court case with access to information in the Florida
410 Safe Families Network relating to a child welfare case which is
411 required to be filed with the court pursuant to chapter 39,
412 Florida Statutes. The department shall report to the Governor,
413 the President of the Senate, and the Speaker of the House of
414 Representatives by September 1, 2009, with respect to progress
415 on providing access to the Florida Safe Families Network as
416 provided in this section. This section expires July 1, 2010.

417 Section 15. In order to implement Specific Appropriations
418 448, 450, 456, 458, and 459 of the 2009-2010 General
419 Appropriations Act, paragraph (b) of subsection (14) of section
420 287.057, Florida Statutes, is amended to read:

421 287.057 Procurement of commodities or contractual
422 services.--

423 (14)

424 (b) The Department of Health shall enter into an
425 agreement, not to exceed 20 years, with a private contractor to
426 finance, design, and construct a hospital, of no more than 50
427 beds, for the treatment of patients with active tuberculosis and
428 to operate all aspects of daily operations within the facility.
429 The contractor may sponsor the issuance of tax-exempt
430 certificates of participation or other securities to finance the
431 project, and the state may enter into a lease-purchase agreement
432 for the facility. The department shall begin the implementation
433 of this initiative by July 1, 2008. This paragraph expires July
434 1, 2010 ~~2009~~.

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435 Section 16. Paragraph (d) is added to subsection (3) of
436 section 400.23, Florida Statutes, to read:

437 400.23 Rules; evaluation and deficiencies; licensure
438 status.--

439 (3)

440 (d) Notwithstanding any other provision of this subsection
441 and for the 2009-2010 fiscal year only, the agency may not
442 impose sanctions against a nursing home for failure to meet the
443 staffing ratios in paragraph (a), as long as the certified
444 nursing assistant ratio is not below 2.6 hours per resident per
445 day and the licensed nurse ratio is not below 1 hour per
446 resident per day. This paragraph expires July 1, 2010.

447 Section 17. Paragraph (d) of subsection (15) of section
448 400.141, Florida Statutes, is amended to read:

449 400.141 Administration and management of nursing home
450 facilities.--Every licensed facility shall comply with all
451 applicable standards and rules of the agency and shall:

452 (15) Submit semiannually to the agency, or more frequently
453 if requested by the agency, information regarding facility
454 staff-to-resident ratios, staff turnover, and staff stability,
455 including information regarding certified nursing assistants,
456 licensed nurses, the director of nursing, and the facility
457 administrator. For purposes of this reporting:

458 (d)1. A nursing facility that has failed to comply with
459 state minimum-staffing requirements for 2 consecutive days is
460 prohibited from accepting new admissions until the facility has
461 achieved the minimum-staffing requirements for a period of 6
462 consecutive days. For the purposes of this paragraph, any person
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463 who was a resident of the facility and was absent from the
464 facility for the purpose of receiving medical care at a separate
465 location or was on a leave of absence is not considered a new
466 admission. Failure to impose such an admissions moratorium
467 constitutes a class II deficiency.

468 2. Notwithstanding the provisions of subparagraph 1. and
469 for the 2009-2010 fiscal year only, the agency may not impose
470 sanctions against a nursing home for failure to impose a
471 moratorium on new admissions under subparagraph 1., as long as
472 the licensed nurse ratio is not below 1 hour per resident per
473 day and the certified nursing assistant ratio is not below 2.6
474 hours per resident per day. This subparagraph expires July 1,
475 2010.

476
477 Nothing in this section shall limit the agency's ability to
478 impose a deficiency or take other actions if a facility does not
479 have enough staff to meet the residents' needs.

480
481 Facilities that have been awarded a Gold Seal under the program
482 established in s. 400.235 may develop a plan to provide
483 certified nursing assistant training as prescribed by federal
484 regulations and state rules and may apply to the agency for
485 approval of their program.

486 Section 18. In order to fulfill legislative intent
487 regarding the use of funds contained in Specific Appropriations
488 617, 631, 644, and 1112 of the 2009-2010 General Appropriations
489 Act, the Department of Corrections and the Department of
490 Juvenile Justice may expend appropriated funds to assist in
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491 defraying the costs of impacts that are incurred by a
492 municipality or county and associated with opening or operating
493 a facility under the authority of the respective department that
494 is located within that municipality or county. The amount that
495 is to be paid under this section for any facility may not exceed
496 1 percent of the facility construction cost, less building
497 impact fees imposed by the municipality or by the county if the
498 facility is located in the unincorporated portion of the county.
499 This section expires July 1, 2010.

500 Section 19. In order to implement Specific Appropriations
501 607 through 706 and 738 through 773 of the 2009-2010 General
502 Appropriations Act, subsection (4) of section 216.262, Florida
503 Statutes, is amended to read:

504 216.262 Authorized positions.--

505 (4) Notwithstanding the provisions of this chapter on
506 increasing the number of authorized positions, and for the 2009-
507 2010 ~~2008-2009~~ fiscal year only, if the actual inmate population
508 of the Department of Corrections exceeds the inmate population
509 projections of the February 16, 2009 ~~February 15, 2008~~, Criminal
510 Justice Estimating Conference by 1 percent for 2 consecutive
511 months or 2 percent for any month, the Executive Office of the
512 Governor, with the approval of the Legislative Budget
513 Commission, shall immediately notify the Criminal Justice
514 Estimating Conference, which shall convene as soon as possible
515 to revise the estimates. The Department of Corrections may then
516 submit a budget amendment requesting the establishment of
517 positions in excess of the number authorized by the Legislature
518 and additional appropriations from unallocated general revenue
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519 sufficient to provide for essential staff, fixed capital
520 improvements, and other resources to provide classification,
521 security, food services, health services, and other variable
522 expenses within the institutions to accommodate the estimated
523 increase in the inmate population. All actions taken pursuant to
524 the authority granted in this subsection shall be subject to
525 review and approval by the Legislative Budget Commission. This
526 subsection expires July 1, 2010 ~~2009~~.

527 Section 20. In order to implement Specific Appropriations
528 1231, 1251, 1272, and 1282 of the 2009-2010 General
529 Appropriations Act, the Department of Legal Affairs is
530 authorized to transfer cash remaining after required
531 disbursements from Attorney General case number 16-2008-CA-01
532 3142CV-C from FLAIR account 41-74-2-601001-41100100-00-181076-00
533 to the Operating Trust Fund within the Department of Legal
534 Affairs to pay salaries and benefits. This section expires July
535 1, 2010.

536 Section 21. In order to implement Specific Appropriation
537 1205 of the 2009-2010 General Appropriations Act, subsection
538 (14) of section 790.065, Florida Statutes, is amended to read:

539 790.065 Sale and delivery of firearms.--

540 (14) This section is repealed effective October 1, 2010
541 ~~2009~~.

542 Section 22. In order to implement Specific Appropriations
543 for salaries and benefits in the 2009-2010 General
544 Appropriations Act, paragraph (b) of subsection (3) of section
545 112.24, Florida Statutes, is amended to read:

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546 112.24 Intergovernmental interchange of public
547 employees.--To encourage economical and effective utilization of
548 public employees in this state, the temporary assignment of
549 employees among agencies of government, both state and local,
550 and including school districts and public institutions of higher
551 education is authorized under terms and conditions set forth in
552 this section. State agencies, municipalities, and political
553 subdivisions are authorized to enter into employee interchange
554 agreements with other state agencies, the Federal Government,
555 another state, a municipality, or a political subdivision
556 including a school district, or with a public institution of
557 higher education. State agencies are also authorized to enter
558 into employee interchange agreements with private institutions
559 of higher education and other nonprofit organizations under the
560 terms and conditions provided in this section. In addition, the
561 Governor or the Governor and Cabinet may enter into employee
562 interchange agreements with a state agency, the Federal
563 Government, another state, a municipality, or a political
564 subdivision including a school district, or with a public
565 institution of higher learning to fill, subject to the
566 requirements of chapter 20, appointive offices which are within
567 the executive branch of government and which are filled by
568 appointment by the Governor or the Governor and Cabinet. Under
569 no circumstances shall employee interchange agreements be
570 utilized for the purpose of assigning individuals to participate
571 in political campaigns. Duties and responsibilities of
572 interchange employees shall be limited to the mission and goals
573 of the agencies of government.

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574 (3) Salary, leave, travel and transportation, and
575 reimbursements for an employee of a sending party that is
576 participating in an interchange program shall be handled as
577 follows:

578 (b)1. The assignment of an employee of a state agency
579 either on detail or on leave of absence may be made without
580 reimbursement by the receiving party for the travel and
581 transportation expenses to or from the place of the assignment
582 or for the pay and benefits, or a part thereof, of the employee
583 during the assignment.

584 2. For the 2009-2010 ~~2008-2009~~ fiscal year only, the
585 assignment of an employee of a state agency as provided in
586 subparagraph 1. may be made if recommended by the Governor or
587 Chief Justice, as appropriate, and approved by the chairs of the
588 Senate Policy and Steering Committee on Ways and Means and the
589 House Full Appropriations Council on General Government and
590 Health Care ~~Senate Fiscal Policy and Calendar Committee and the~~
591 ~~House Policy and Budget Council~~. Such actions shall be deemed
592 approved if neither chair provides written notice of objection
593 within 14 days after the chair's receiving notice of the action
594 pursuant to s. 216.177. This subparagraph expires July 1, 2010
595 ~~2009~~.

596 Section 23. In order to implement the appropriation of
597 funds in Special Categories-Risk Management Insurance of the
598 2009-2010 General Appropriations Act, and pursuant to the
599 notice, review, and objection procedures of s. 216.177, Florida
600 Statutes, the Executive Office of the Governor is authorized to
601 transfer funds appropriated in the appropriation category

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602 "Special Categories-Risk Management Insurance" of the 2009-2010
603 General Appropriations Act between departments in order to align
604 the budget authority granted with the premiums paid by each
605 department for risk management insurance. This section expires
606 July 1, 2010.

607 Section 24. In order to implement the appropriation of
608 funds in Special Categories-Transfer to Department of Management
609 Services-Human Resources Services Purchased Per Statewide
610 Contract of the 2009-2010 General Appropriations Act, and
611 pursuant to the notice, review, and objection procedures of s.
612 216.177, Florida Statutes, the Executive Office of the Governor
613 is authorized to transfer funds appropriated in the
614 appropriation category "Special Categories-Transfer to
615 Department of Management Services-Human Resources Services
616 Purchased Per Statewide Contract" of the 2009-2010 General
617 Appropriations Act between departments in order to align the
618 budget authority granted with the assessments that must be paid
619 by each agency to the Department of Management Services for
620 human resource management services. This section expires July 1,
621 2010.

622 Section 25. In order to implement specific appropriations
623 for salaries and benefits in the 2009-2010 General
624 Appropriations Act, paragraph (a) of subsection (12) of section
625 110.123, Florida Statutes, is amended to read:

626 110.123 State group insurance program.--

627 (12) HEALTH SAVINGS ACCOUNTS.--The department is
628 authorized to establish health savings accounts for full-time
629 and part-time state employees in association with a health
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630 insurance plan option authorized by the Legislature and
631 conforming to the requirements and limitations of federal
632 provisions relating to the Medicare Prescription Drug,
633 Improvement, and Modernization Act of 2003.

634 (a)1. A member participating in this health insurance plan
635 option shall be eligible to receive an employer contribution
636 into the employee's health savings account from the State
637 Employees Health Insurance Trust Fund in an amount to be
638 determined by the Legislature. A member is not eligible for an
639 employer contribution upon termination of employment. For the
640 2009-2010 ~~2008-2009~~ fiscal year, the state's monthly
641 contribution for employees having individual coverage shall be
642 \$41.66 and the monthly contribution for employees having family
643 coverage shall be \$83.33.

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

647 Section 26. Effective June 30, 2009, in order to implement
648 Specific Appropriations 2677 and 2678 of the 2009-2010 General
649 Appropriations Act, paragraph (c) is added to subsection (1) of
650 section 11.13, Florida Statutes, to read:

651 11.13 Compensation of members.--

652 (1)

653 (c) Notwithstanding the provisions of paragraph (b) and
654 for the 2009-2010 fiscal year only, the authorized salary of a
655 member of the Legislature in effect on June 30, 2009, shall be
656 reduced by 5 percent. In addition, the authorized salary of a
657 member of the Legislature shall be reduced by 100 percent upon

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658 the voluntary election in writing by the member on or before
659 June 30, 2009. This paragraph expires July 1, 2010.

660 Section 27. In order to implement Specific Appropriation
661 2741 of the 2009-2010 General Appropriations Act, paragraph (b)
662 of subsection (1) of section 255.518, Florida Statutes, as
663 amended by section 27 of chapter 2008-153, Laws of Florida, is
664 amended to read:

665 255.518 Obligations; purpose, terms, approval,
666 limitations.--

667 (1)

668 (b) Payment of debt service charges ~~and any reserves~~ on
669 obligations during the construction of any facility financed by
670 such obligations shall be made from funds other than proceeds of
671 obligations.

672 Section 28. The amendment to s. 255.518(1)(b), Florida
673 Statutes, by this act shall expire July 1, 2010, and the text of
674 that paragraph shall revert to that in existence on June 30,
675 2009, except that any amendments to such text enacted other than
676 by this act shall be preserved and continue to operate to the
677 extent that such amendments are not dependent upon the portions
678 of such text which expire pursuant to this section.

679 Section 29. In order to implement Specific Appropriation
680 1294 through 1454 of the 2009-2010 General Appropriations Act,
681 section 570.20, Florida Statutes, is amended to read:

682 570.20 General Inspection Trust Fund.--

683 (1) All donations and all inspection fees and other funds
684 authorized and received from whatever source in the enforcement
685 of the inspection laws administered by the department shall be
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686 paid into the General Inspection Trust Fund of Florida, which is
687 created in the office of the Chief Financial Officer. All
688 expenses incurred in carrying out the provisions of the
689 inspection laws shall be paid from this fund as other funds are
690 paid from the State Treasury. A percentage of all revenue
691 deposited in this fund, including transfers from any subsidiary
692 accounts, shall be deposited in the General Revenue Fund
693 pursuant to chapter 215, except that funds collected for
694 marketing orders shall pay at the rate of 3 percent.

695 (2) For the 2009-2010 ~~2008-2009~~ fiscal year only and
696 notwithstanding any other provision of law to the contrary, in
697 addition to the spending authorized in subsection (1), moneys in
698 the General Inspection Trust Fund may be appropriated for
699 programs operated by the department which are related to the
700 programs authorized by this chapter. This subsection expires
701 July 1, 2010 ~~2009~~.

702 Section 30. A section of this act that implements a
703 specific appropriation or specifically identified proviso
704 language in the 2009-2010 General Appropriations Act is void if
705 the specific appropriation or specifically identified proviso
706 language is vetoed. A section of this act that implements more
707 than one specific appropriation or more than one portion of
708 specifically identified proviso language in the 2009-2010
709 General Appropriations Act is void if all the specific
710 appropriations or portions of specifically identified proviso
711 language are vetoed.

712 Section 31. If any other act passed in 2009 contains a
713 provision that is substantively the same as a provision in this
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714 act, but that removes or is otherwise not subject to the future
715 repeal applied to such provision by this act, the Legislature
716 intends that the provision in the other act shall take
717 precedence and shall continue to operate, notwithstanding the
718 future repeal provided by this act.

719 Section 32. If any provision of this act or its
720 application to any person or circumstance is held invalid, the
721 invalidity does not affect other provisions or applications of
722 the act which can be given effect without the invalid provision
723 or application, and to this end the provisions of this act are
724 severable.

725 Section 33. Except as otherwise expressly provided in this
726 act and except for this section, which shall take effect upon
727 this act becoming a law, this act shall take effect July 1,
728 2009; or, if this act fails to become a law until after that
729 date, it shall take effect upon becoming a law and shall operate
730 retroactively to July 1, 2009.

731
732
733 -----

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

734 Remove the entire title and insert:

735 A bill to be entitled

736 An act relating to implementing the 2009-2010 General
737 Appropriations Act; providing legislative intent; amending
738 ss. 1009.534, 1009.535, and 1009.536, F.S.; providing that
739 Florida Academic Scholars, Florida Medallion Scholars, and
740 Florida Gold Seal Vocational Scholars, and
741 Florida Gold Seal Vocational Scholars are eligible for

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HOUSE AMENDMENT

Bill No. SB 2602

Amendment No.

742 awards equal to the amount specified in the 2009-2010
743 General Appropriations Act; amending s. 215.559, F.S.;
744 providing for allocation of funds appropriated to the
745 Hurricane Loss Mitigation Program for specified purposes;
746 amending s. 332.007, F.S.; authorizing the Department of
747 Transportation to fund operational and maintenance
748 assistance security projects at publicly owned public-use
749 airports; providing for the future expiration of such
750 authority and the reversion of statutory text; amending s.
751 339.135, F.S.; providing for use of transportation
752 revenues; providing for revised funding levels for
753 Department of Transportation projects; requiring the
754 Department of Transportation to transfer funds to the
755 Office of Tourism, Trade, and Economic Development for the
756 purpose of funding transportation-related needs of
757 economic development; removing an obsolete provision;
758 amending s. 337.025, F.S.; authorizing the Department of
759 Transportation to utilize innovative contracting methods
760 for projects funded under the American Recovery
761 Reinvestment Act of 2009; reenacting s. 215.32(2)(b),
762 F.S., relating to the source and use of certain trust
763 funds in order to implement the transfer of moneys to the
764 General Revenue Fund from trust funds in the 2009-2010
765 General Appropriations Act; amending s. 216.181, F.S.;
766 permitting the Legislative Budget Commission to approve
767 changes appropriated for fixed capital outlay projects
768 when a state agency request is filed with the Executive
769 Office of the Governor and funding is derived from the

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HOUSE AMENDMENT

Bill No. SB 2602

Amendment No.

770 American Recovery and Reinvestment Act of 2009; amending
771 s. 339.08, F.S.; authorizing the transfer of specified
772 moneys from the State Transportation Trust Fund to the
773 General Revenue Fund; reducing the amount transferred from
774 certain transportation calculation requirements; amending
775 s. 394.908, F.S.; requiring that funds appropriated
776 through the Community-Based Medicaid Administrative
777 Claiming Program be allocated proportionately to
778 contributed provider earnings; providing allocation
779 requirements for specified funds appropriated for mental
780 health services; requiring the Department of Children and
781 Family Services to ensure information is entered into the
782 Florida Safe Families Network; requiring coordination
783 between the department and the Office of the State Courts
784 Administrator to provide information relating to child
785 welfare cases; requiring a report to the Governor and
786 Legislature; amending s. 287.057, F.S.; extending
787 authorization of the Department of Health to enter into an
788 agreement with a private contractor relating to a facility
789 for the treatment of patients with tuberculosis; amending
790 s. 400.23, F.S.; prohibiting sanctions against a nursing
791 home relating to failure to meet certain staffing ratios;
792 amending s. 400.141, F.S.; prohibiting sanctions against a
793 nursing home relating to failure to impose a moratorium on
794 new admissions as long as the licensed nurse ratio is not
795 below a specified level; authorizing the Department of
796 Corrections and the Department of Juvenile Justice to make
797 certain expenditures to defray costs incurred by a

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HOUSE AMENDMENT

Bill No. SB 2602

Amendment No.

798 municipality or county as a result of opening or operating
799 a facility under authority of the respective department;
800 amending s. 216.262, F.S.; providing for additional
801 positions to operate additional prison bed capacity under
802 certain circumstances; authorizing the Department of Legal
803 Affairs to transfer certain funds to pay salaries and
804 benefits; amending s. 790.065, F.S.; extending date of
805 sunset of firearms purchase program; amending s. 112.24,
806 F.S.; providing conditions on the assignment of an
807 employee of a state agency without reimbursement from the
808 receiving agency; authorizing the Executive Office of the
809 Governor to transfer funds between departments for
810 purposes of aligning amounts paid for risk management
811 premiums and for purposes of aligning amounts paid for
812 human resource management services; amending s. 110.123,
813 F.S.; providing for the state's monthly contribution for
814 employees under the state group insurance program;
815 amending s. 11.13, F.S.; providing for reduction in
816 legislator salaries; amending s. 255.518, F.S.; revising
817 provisions relating to payment of obligations during the
818 construction of any facility financed by such obligations;
819 amending s. 570.20, F.S.; delaying the expiration of
820 provisions authorizing moneys in the General Inspection
821 Trust Fund to be appropriated for certain programs
822 operated by the Department of Agriculture and Consumer
823 Services; providing for future expiration of various
824 provisions; providing for the effect of a veto of one or
825 more specific appropriations or proviso to which

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HOUSE AMENDMENT

Bill No. SB 2602

Amendment No.

826 implementing language refers; providing for the continued
827 operation of certain provisions notwithstanding a future
828 repeal or expiration provided by this act; providing for
829 severability; providing effective dates.

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