

1 A bill to be entitled
2 An act implementing the 2009-2010 General Appropriations
3 Act; providing legislative intent; amending s. 394.908,
4 F.S.; requiring that funds appropriated through the
5 Community-Based Medicaid Administrative Claiming Program
6 be allocated proportionately to contributed provider
7 earnings; providing allocation requirements for specified
8 funds appropriated for mental health services; requiring
9 the Department of Children and Family Services to ensure
10 information is entered into the Florida Safe Families
11 Network; requiring coordination between the department and
12 the Office of the State Courts Administrator to provide
13 information relating to child welfare cases; requiring a
14 report to the Governor and Legislature; amending s.
15 287.057, F.S.; extending authorization of the Department
16 of Health to enter into an agreement with a private
17 contractor relating to a facility for the treatment of
18 patients with tuberculosis; amending s. 400.23, F.S.;
19 prohibiting sanctions against a nursing home relating to
20 failure to meet certain staffing ratios; amending s.
21 400.141, F.S.; prohibiting sanctions against a nursing
22 home relating to failure to impose a moratorium on new
23 admissions as long as the licensed nurse ratio is not
24 below a specified level; authorizing the Department of
25 Corrections and the Department of Juvenile Justice to make
26 certain expenditures to defray costs incurred by a
27 municipality or county as a result of opening or operating
28 a facility under authority of the respective department;

29 | amending s. 216.262, F.S.; providing for additional
30 | positions to operate additional prison bed capacity under
31 | certain circumstances; authorizing the Department of Legal
32 | Affairs to transfer certain funds to pay salaries and
33 | benefits; amending s. 790.065, F.S.; extending date of
34 | sunset of firearms purchase program; amending s. 112.24,
35 | F.S.; providing conditions on the assignment of an
36 | employee of a state agency without reimbursement from the
37 | receiving agency; authorizing the Executive Office of the
38 | Governor to transfer funds between departments for
39 | purposes of aligning amounts paid for risk management
40 | premiums and for purposes of aligning amounts paid for
41 | human resource management services; amending s. 110.123,
42 | F.S.; providing for the state's monthly contribution for
43 | employees under the state group insurance program;
44 | amending s. 11.13, F.S.; providing for reduction in
45 | legislator salaries; amending s. 255.518, F.S.; revising
46 | provisions relating to payment of obligations during the
47 | construction of any facility financed by such obligations;
48 | amending s. 570.20, F.S.; delaying the expiration of
49 | provisions authorizing moneys in the General Inspection
50 | Trust Fund to be appropriated for certain programs
51 | operated by the Department of Agriculture and Consumer
52 | Services; reenacting s. 215.32(2)(b), F.S., relating to
53 | the source and use of certain trust funds in order to
54 | implement the transfer of moneys in the General Revenue
55 | Fund from trust funds in the 2009-2010 General
56 | Appropriations Act; providing for future expiration of

57 various provisions; providing for reversion of statutory
58 text of certain provisions; providing for the effect of a
59 veto of one or more specific appropriations or proviso to
60 which implementing language refers; providing for the
61 continued operation of certain provisions notwithstanding
62 a future repeal or expiration provided by the act;
63 providing for severability; providing effective dates.
64

65 Be It Enacted by the Legislature of the State of Florida:
66

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

70 Section 2. In order to implement Specific Appropriations
71 316 through 347 of the 2009-2010 General Appropriations Act,
72 subsection (3) of section 394.908, Florida Statutes, is amended
73 to read:

74 394.908 Substance abuse and mental health funding equity;
75 distribution of appropriations.--In recognition of the
76 historical inequity in the funding of substance abuse and mental
77 health services for the department's districts and regions and
78 to rectify this inequity and provide for equitable funding in
79 the future throughout the state, the following funding process
80 shall be used:

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

85 1. Epidemiological estimates of disabilities that apply to
86 the respective target populations.

87 2. A pro rata share distribution that ensures districts
88 below the statewide average funding level per person in each
89 target population of "persons in need" receive funding necessary
90 to achieve equity.

91 (b) Notwithstanding paragraph (a) and for the 2008-2009
92 fiscal year only, funds appropriated for forensic mental health
93 treatment services shall be allocated to the areas of the state
94 having the greatest demand for services and treatment capacity.
95 This paragraph expires July 1, 2009.

96 (c) Notwithstanding paragraph (a) and for the 2009-2010
97 ~~2008-2009~~ fiscal year only, additional funds appropriated ~~for~~
98 ~~mental health services~~ from funds available through the
99 Community-Based Medicaid Administrative Claiming Program shall
100 be allocated in proportion to contributed provider earnings
101 after administrative costs incurred by the department are
102 covered as provided in the 2008-2009 General Appropriations Act
103 ~~and in proportion to contributed provider earnings~~. Where these
104 mental health funds are used in lieu of funds from the General
105 Revenue Fund, the allocation of funds shall be unchanged from
106 the allocation for those funds for the 2007-2008 fiscal year.
107 This paragraph expires July 1, 2010 ~~2009~~.

108 Section 3. In order to implement Specific Appropriations
109 279 of the 2009-2010 General Appropriations Act, the Department
110 of Children and Family Services shall ensure that all public and
111 private agencies and institutions participating in child welfare
112 cases enter information specified by rule of the department into

113 the Florida Safe Families Network in order to maintain the
 114 accuracy and usefulness of the system. The department shall
 115 coordinate with the Office of the State Courts Administrator for
 116 the purpose of providing any judge or magistrate assigned to a
 117 dependency court case with access to information in the Florida
 118 Safe Families Network relating to a child welfare case which is
 119 required to be filed with the court pursuant to chapter 39,
 120 Florida Statutes. The department shall report to the Governor,
 121 the President of the Senate, and the Speaker of the House of
 122 Representatives by September 1, 2009, with respect to progress
 123 on providing access to the Florida Safe Families Network as
 124 provided in this section. This section expires July 1, 2010.

125 Section 4. In order to implement Specific Appropriations
 126 448, 450, 456, 458, and 459 of the 2009-2010 General
 127 Appropriations Act, paragraph (b) of subsection (14) of section
 128 287.057, Florida Statutes, is amended to read:

129 287.057 Procurement of commodities or contractual
 130 services.--

131 (14)

132 (b) The Department of Health shall enter into an
 133 agreement, not to exceed 20 years, with a private contractor to
 134 finance, design, and construct a hospital, of no more than 50
 135 beds, for the treatment of patients with active tuberculosis and
 136 to operate all aspects of daily operations within the facility.
 137 The contractor may sponsor the issuance of tax-exempt
 138 certificates of participation or other securities to finance the
 139 project, and the state may enter into a lease-purchase agreement
 140 for the facility. The department shall begin the implementation

141 of this initiative by July 1, 2008. This paragraph expires July
 142 1, 2010 ~~2009~~.

143 Section 5. Paragraph (d) is added to subsection (3) of
 144 section 400.23, Florida Statutes, to read:

145 400.23 Rules; evaluation and deficiencies; licensure
 146 status.--

147 (3)

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

155 Section 6. Paragraph (d) of subsection (15) of section
 156 400.141, Florida Statutes, is amended to read:

157 400.141 Administration and management of nursing home
 158 facilities.--Every licensed facility shall comply with all
 159 applicable standards and rules of the agency and shall:

160 (15) Submit semiannually to the agency, or more frequently
 161 if requested by the agency, information regarding facility
 162 staff-to-resident ratios, staff turnover, and staff stability,
 163 including information regarding certified nursing assistants,
 164 licensed nurses, the director of nursing, and the facility
 165 administrator. For purposes of this reporting:

166 (d)1. A nursing facility that has failed to comply with
 167 state minimum-staffing requirements for 2 consecutive days is
 168 prohibited from accepting new admissions until the facility has

169 achieved the minimum-staffing requirements for a period of 6
170 consecutive days. For the purposes of this paragraph, any person
171 who was a resident of the facility and was absent from the
172 facility for the purpose of receiving medical care at a separate
173 location or was on a leave of absence is not considered a new
174 admission. Failure to impose such an admissions moratorium
175 constitutes a class II deficiency.

176 2. Notwithstanding the provisions of subparagraph 1. and
177 for the 2009-2010 fiscal year only, the agency may not impose
178 sanctions against a nursing home for failure to impose a
179 moratorium on new admissions under subparagraph 1., as long as
180 the licensed nurse ratio is not below 1 hour per resident per
181 day and the certified nursing assistant ratio is not below 2.6
182 hours per resident per day. This subparagraph expires July 1,
183 2010.

184
185 Nothing in this section shall limit the agency's ability to
186 impose a deficiency or take other actions if a facility does not
187 have enough staff to meet the residents' needs.

188
189 Facilities that have been awarded a Gold Seal under the program
190 established in s. 400.235 may develop a plan to provide
191 certified nursing assistant training as prescribed by federal
192 regulations and state rules and may apply to the agency for
193 approval of their program.

194 Section 7. In order to fulfill legislative intent
195 regarding the use of funds contained in Specific Appropriations
196 617, 631, 644, and 1112 of the 2009-2010 General Appropriations

197 Act, the Department of Corrections and the Department of
 198 Juvenile Justice may expend appropriated funds to assist in
 199 defraying the costs of impacts that are incurred by a
 200 municipality or county and associated with opening or operating
 201 a facility under the authority of the respective department that
 202 is located within that municipality or county. The amount that
 203 is to be paid under this section for any facility may not exceed
 204 1 percent of the facility construction cost, less building
 205 impact fees imposed by the municipality or by the county if the
 206 facility is located in the unincorporated portion of the county.
 207 This section expires July 1, 2010.

208 Section 8. In order to implement Specific Appropriations
 209 607 through 706 and 738 through 773 of the 2009-2010 General
 210 Appropriations Act, subsection (4) of section 216.262, Florida
 211 Statutes, is amended to read:

212 216.262 Authorized positions.--

213 (4) Notwithstanding the provisions of this chapter on
 214 increasing the number of authorized positions, and for the 2009-
 215 2010 ~~2008-2009~~ fiscal year only, if the actual inmate population
 216 of the Department of Corrections exceeds the inmate population
 217 projections of the February 16, 2009 ~~February 15, 2008~~, Criminal
 218 Justice Estimating Conference by 1 percent for 2 consecutive
 219 months or 2 percent for any month, the Executive Office of the
 220 Governor, with the approval of the Legislative Budget
 221 Commission, shall immediately notify the Criminal Justice
 222 Estimating Conference, which shall convene as soon as possible
 223 to revise the estimates. The Department of Corrections may then
 224 submit a budget amendment requesting the establishment of

225 | positions in excess of the number authorized by the Legislature
 226 | and additional appropriations from unallocated general revenue
 227 | sufficient to provide for essential staff, fixed capital
 228 | improvements, and other resources to provide classification,
 229 | security, food services, health services, and other variable
 230 | expenses within the institutions to accommodate the estimated
 231 | increase in the inmate population. All actions taken pursuant to
 232 | the authority granted in this subsection shall be subject to
 233 | review and approval by the Legislative Budget Commission. This
 234 | subsection expires July 1, 2010 ~~2009~~.

235 | Section 9. In order to implement Specific Appropriations
 236 | 1231, 1251, 1272, and 1282 of the 2009-2010 General
 237 | Appropriations Act, the Department of Legal Affairs is
 238 | authorized to transfer cash remaining after required
 239 | disbursements from Attorney General case number 16-2008-CA-01
 240 | 3142CV-C from FLAIR account 41-74-2-601001-41100100-00-181076-00
 241 | to the Operating Trust Fund within the Department of Legal
 242 | Affairs to pay salaries and benefits. This section expires July
 243 | 1, 2010.

244 | Section 10. In order to implement Specific Appropriation
 245 | 1205 of the 2009-2010 General Appropriations Act, subsection
 246 | (14) of section 790.065, Florida Statutes, is amended to read:

247 | 790.065 Sale and delivery of firearms.--

248 | (14) This section is repealed effective October 1, 2010
 249 | ~~2009~~.

250 | Section 11. In order to implement Specific Appropriations
 251 | for salaries and benefits in the 2009-2010 General

252 Appropriations Act, paragraph (b) of subsection (3) of section
253 112.24, Florida Statutes, is amended to read:

254 112.24 Intergovernmental interchange of public
255 employees.--To encourage economical and effective utilization of
256 public employees in this state, the temporary assignment of
257 employees among agencies of government, both state and local,
258 and including school districts and public institutions of higher
259 education is authorized under terms and conditions set forth in
260 this section. State agencies, municipalities, and political
261 subdivisions are authorized to enter into employee interchange
262 agreements with other state agencies, the Federal Government,
263 another state, a municipality, or a political subdivision
264 including a school district, or with a public institution of
265 higher education. State agencies are also authorized to enter
266 into employee interchange agreements with private institutions
267 of higher education and other nonprofit organizations under the
268 terms and conditions provided in this section. In addition, the
269 Governor or the Governor and Cabinet may enter into employee
270 interchange agreements with a state agency, the Federal
271 Government, another state, a municipality, or a political
272 subdivision including a school district, or with a public
273 institution of higher learning to fill, subject to the
274 requirements of chapter 20, appointive offices which are within
275 the executive branch of government and which are filled by
276 appointment by the Governor or the Governor and Cabinet. Under
277 no circumstances shall employee interchange agreements be
278 utilized for the purpose of assigning individuals to participate
279 in political campaigns. Duties and responsibilities of

280 interchange employees shall be limited to the mission and goals
 281 of the agencies of government.

282 (3) Salary, leave, travel and transportation, and
 283 reimbursements for an employee of a sending party that is
 284 participating in an interchange program shall be handled as
 285 follows:

286 (b)1. The assignment of an employee of a state agency
 287 either on detail or on leave of absence may be made without
 288 reimbursement by the receiving party for the travel and
 289 transportation expenses to or from the place of the assignment
 290 or for the pay and benefits, or a part thereof, of the employee
 291 during the assignment.

292 2. For the 2009-2010 ~~2008-2009~~ fiscal year only, the
 293 assignment of an employee of a state agency as provided in
 294 subparagraph 1. may be made if recommended by the Governor or
 295 Chief Justice, as appropriate, and approved by the chairs of the
 296 Senate Policy and Steering Committee on Ways and Means and the
 297 House Full Appropriations Council on General Government and
 298 Health Care ~~Senate Fiscal Policy and Calendar Committee and the~~
 299 ~~House Policy and Budget Council~~. Such actions shall be deemed
 300 approved if neither chair provides written notice of objection
 301 within 14 days after the chair's receiving notice of the action
 302 pursuant to s. 216.177. This subparagraph expires July 1, 2010
 303 ~~2009~~.

304 Section 12. In order to implement the appropriation of
 305 funds in Special Categories-Risk Management Insurance of the
 306 2009-2010 General Appropriations Act, and pursuant to the
 307 notice, review, and objection procedures of s. 216.177, Florida

308 Statutes, the Executive Office of the Governor is authorized to
 309 transfer funds appropriated in the appropriation category
 310 "Special Categories-Risk Management Insurance" of the 2009-2010
 311 General Appropriations Act between departments in order to align
 312 the budget authority granted with the premiums paid by each
 313 department for risk management insurance. This section expires
 314 July 1, 2010.

315 Section 13. In order to implement the appropriation of
 316 funds in Special Categories-Transfer to Department of Management
 317 Services-Human Resources Services Purchased Per Statewide
 318 Contract of the 2009-2010 General Appropriations Act, and
 319 pursuant to the notice, review, and objection procedures of s.
 320 216.177, Florida Statutes, the Executive Office of the Governor
 321 is authorized to transfer funds appropriated in the
 322 appropriation category "Special Categories-Transfer to
 323 Department of Management Services-Human Resources Services
 324 Purchased Per Statewide Contract" of the 2009-2010 General
 325 Appropriations Act between departments in order to align the
 326 budget authority granted with the assessments that must be paid
 327 by each agency to the Department of Management Services for
 328 human resource management services. This section expires July 1,
 329 2010.

330 Section 14. In order to implement specific appropriations
 331 for salaries and benefits in the 2009-2010 General
 332 Appropriations Act, paragraph (a) of subsection (12) of section
 333 110.123, Florida Statutes, is amended to read:

334 110.123 State group insurance program.--

335 (12) HEALTH SAVINGS ACCOUNTS.--The department is
 336 authorized to establish health savings accounts for full-time
 337 and part-time state employees in association with a health
 338 insurance plan option authorized by the Legislature and
 339 conforming to the requirements and limitations of federal
 340 provisions relating to the Medicare Prescription Drug,
 341 Improvement, and Modernization Act of 2003.

342 (a)1. A member participating in this health insurance plan
 343 option shall be eligible to receive an employer contribution
 344 into the employee's health savings account from the State
 345 Employees Health Insurance Trust Fund in an amount to be
 346 determined by the Legislature. A member is not eligible for an
 347 employer contribution upon termination of employment. For the
 348 2009-2010 ~~2008-2009~~ fiscal year, the state's monthly
 349 contribution for employees having individual coverage shall be
 350 \$41.66 and the monthly contribution for employees having family
 351 coverage shall be \$83.33.

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

355 Section 15. Effective June 30, 2009, in order to implement
 356 Specific Appropriations 2677 and 2678 of the 2009-2010 General
 357 Appropriations Act, paragraph (c) is added to subsection (1) of
 358 section 11.13, Florida Statutes, to read:

359 11.13 Compensation of members.--

360 (1)

361 (c) Notwithstanding the provisions of paragraph (b) and
 362 for the 2009-2010 fiscal year only, the authorized salary of a

363 member of the Legislature in effect on June 30, 2009, shall be
 364 reduced by 5 percent. In addition, the authorized salary of a
 365 member of the Legislature shall be reduced by 100 percent upon
 366 the voluntary election in writing by the member on or before
 367 June 30, 2009. This paragraph expires July 1, 2010.

368 Section 16. In order to implement Specific Appropriation
 369 2741 of the 2009-2010 General Appropriations Act, paragraph (b)
 370 of subsection (1) of section 255.518, Florida Statutes, as
 371 amended by section 27 of chapter 2008-153, Laws of Florida, is
 372 amended to read:

373 255.518 Obligations; purpose, terms, approval,
 374 limitations.--

375 (1)

376 (b) Payment of debt service charges ~~and any reserves~~ on
 377 obligations during the construction of any facility financed by
 378 such obligations shall be made from funds other than proceeds of
 379 obligations.

380 Section 17. The amendment to s. 255.518(1)(b), Florida
 381 Statutes, by this act shall expire July 1, 2010, and the text of
 382 that paragraph shall revert to that in existence on June 30,
 383 2009, except that any amendments to such text enacted other than
 384 by this act shall be preserved and continue to operate to the
 385 extent that such amendments are not dependent upon the portions
 386 of such text which expire pursuant to this section.

387 Section 18. In order to implement Specific Appropriation
 388 1294 through 1454 of the 2009-2010 General Appropriations Act,
 389 section 570.20, Florida Statutes, is amended to read:

390 570.20 General Inspection Trust Fund.--

391 (1) All donations and all inspection fees and other funds
 392 authorized and received from whatever source in the enforcement
 393 of the inspection laws administered by the department shall be
 394 paid into the General Inspection Trust Fund of Florida, which is
 395 created in the office of the Chief Financial Officer. All
 396 expenses incurred in carrying out the provisions of the
 397 inspection laws shall be paid from this fund as other funds are
 398 paid from the State Treasury. A percentage of all revenue
 399 deposited in this fund, including transfers from any subsidiary
 400 accounts, shall be deposited in the General Revenue Fund
 401 pursuant to chapter 215, except that funds collected for
 402 marketing orders shall pay at the rate of 3 percent.

403 (2) For the 2009-2010 ~~2008-2009~~ fiscal year only and
 404 notwithstanding any other provision of law to the contrary, in
 405 addition to the spending authorized in subsection (1), moneys in
 406 the General Inspection Trust Fund may be appropriated for
 407 programs operated by the department which are related to the
 408 programs authorized by this chapter. This subsection expires
 409 July 1, 2010 ~~2009~~.

410 Section 19. In order to implement the transfer of moneys
 411 to the General Revenue Fund from trust funds in the 2009-2010
 412 General Appropriations Act, paragraph (b) of subsection (2) of
 413 section 215.32, Florida Statutes, is reenacted to read:

414 215.32 State funds; segregation.--

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

417 (b)1. The trust funds shall consist of moneys received by
 418 the state which under law or under trust agreement are

419 | segregated for a purpose authorized by law. The state agency or
 420 | branch of state government receiving or collecting such moneys
 421 | shall be responsible for their proper expenditure as provided by
 422 | law. Upon the request of the state agency or branch of state
 423 | government responsible for the administration of the trust fund,
 424 | the Chief Financial Officer may establish accounts within the
 425 | trust fund at a level considered necessary for proper
 426 | accountability. Once an account is established within a trust
 427 | fund, the Chief Financial Officer may authorize payment from
 428 | that account only upon determining that there is sufficient cash
 429 | and releases at the level of the account.

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

433 | a. Operations or operating trust fund, for use as a
 434 | depository for funds to be used for program operations funded by
 435 | program revenues, with the exception of administrative
 436 | activities when the operations or operating trust fund is a
 437 | proprietary fund.

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

440 | c. Administrative trust fund, for use as a depository for
 441 | funds to be used for management activities that are departmental
 442 | in nature and funded by indirect cost earnings and assessments
 443 | against trust funds. Proprietary funds are excluded from the
 444 | requirement of using an administrative trust fund.

445 | d. Grants and donations trust fund, for use as a
 446 | depository for funds to be used for allowable grant or donor

447 agreement activities funded by restricted contractual revenue
 448 from private and public nonfederal sources.

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

451 f. Clearing funds trust fund, for use as a depository for
 452 funds to account for collections pending distribution to lawful
 453 recipients.

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

457

458 To the extent possible, each agency must adjust its internal
 459 accounting to use existing trust funds consistent with the
 460 requirements of this subparagraph. If an agency does not have
 461 trust funds listed in this subparagraph and cannot make such
 462 adjustment, the agency must recommend the creation of the
 463 necessary trust funds to the Legislature no later than the next
 464 scheduled review of the agency's trust funds pursuant to s.
 465 215.3206.

466 3. All such moneys are hereby appropriated to be expended
 467 in accordance with the law or trust agreement under which they
 468 were received, subject always to the provisions of chapter 216
 469 relating to the appropriation of funds and to the applicable
 470 laws relating to the deposit or expenditure of moneys in the
 471 State Treasury.

472 4.a. Notwithstanding any provision of law restricting the
 473 use of trust funds to specific purposes, unappropriated cash
 474 balances from selected trust funds may be authorized by the

475 Legislature for transfer to the Budget Stabilization Fund and
476 General Revenue Fund in the General Appropriations Act.

477 b. This subparagraph does not apply to trust funds
478 required by federal programs or mandates; trust funds
479 established for bond covenants, indentures, or resolutions whose
480 revenues are legally pledged by the state or public body to meet
481 debt service or other financial requirements of any debt
482 obligations of the state or any public body; the State
483 Transportation Trust Fund; the trust fund containing the net
484 annual proceeds from the Florida Education Lotteries; the
485 Florida Retirement System Trust Fund; trust funds under the
486 management of the State Board of Education or the Board of
487 Governors of the State University System, where such trust funds
488 are for auxiliary enterprises, self-insurance, and contracts,
489 grants, and donations, as those terms are defined by general
490 law; trust funds that serve as clearing funds or accounts for
491 the Chief Financial Officer or state agencies; trust funds that
492 account for assets held by the state in a trustee capacity as an
493 agent or fiduciary for individuals, private organizations, or
494 other governmental units; and other trust funds authorized by
495 the State Constitution.

496 Section 20. A section of this act that implements a
497 specific appropriation or specifically identified proviso
498 language in the 2009-2010 General Appropriations Act is void if
499 the specific appropriation or specifically identified proviso
500 language is vetoed. A section of this act that implements more
501 than one specific appropriation or more than one portion of
502 specifically identified proviso language in the 2009-2010

503 General Appropriations Act is void if all the specific
504 appropriations or portions of specifically identified proviso
505 language are vetoed.

506 Section 21. If any other act passed in 2009 contains a
507 provision that is substantively the same as a provision in this
508 act, but that removes or is otherwise not subject to the future
509 repeal applied to such provision by this act, the Legislature
510 intends that the provision in the other act shall take
511 precedence and shall continue to operate, notwithstanding the
512 future repeal provided by this act.

513 Section 22. If any provision of this act or its
514 application to any person or circumstance is held invalid, the
515 invalidity does not affect other provisions or applications of
516 the act which can be given effect without the invalid provision
517 or application, and to this end the provisions of this act are
518 severable.

519 Section 23. Except as otherwise expressly provided in this
520 act and except for this section, which shall take effect upon
521 this act becoming a law, this act shall take effect July 1,
522 2009; or, if this act fails to become a law until after that
523 date, it shall take effect upon becoming a law and shall operate
524 retroactively to July 1, 2009.