

By the Committee on Health and Human Services Appropriations;
and Senator Peadar

603-03263A-10

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1 A bill to be entitled
2 An act implementing the 2010-2011 General
3 Appropriations Act; amending s. 394.908, F.S.;
4 delaying the expiration of a provision requiring that
5 funds appropriated for forensic mental health
6 treatment services be allocated to certain areas of
7 the state; prohibiting a state agency from adopting or
8 implementing a rule or policy that mandates new
9 nitrogen-reduction limits that apply to existing or
10 new onsite sewage treatment systems, has the effect of
11 requiring the use of performance-based treatment
12 systems, or increases the cost of treatment for
13 nitrogen reduction from onsite systems before a
14 specified study is completed; providing for future
15 expiration; providing for the effect of a veto of one
16 or more specific appropriations or proviso provisions
17 to which implementing language refers; providing for
18 the continued operation of certain provisions,
19 notwithstanding a future repeal or expiration provided
20 by the act; providing for severability; providing for
21 contingent retroactive application; providing an
22 effective date.

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

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26 Section 1. In order to implement Specific Appropriations
27 324 through 345 of the 2010-2011 General Appropriations Act,
28 paragraph (b) of subsection (3) of section 394.908, Florida
29 Statutes, is amended to read:

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30 394.908 Substance abuse and mental health funding equity;
31 distribution of appropriations.—In recognition of the historical
32 inequity in the funding of substance abuse and mental health
33 services for the department's districts and regions and to
34 rectify this inequity and provide for equitable funding in the
35 future throughout the state, the following funding process shall
36 be used:

37 (3)

38 (b) Notwithstanding paragraph (a) and for the 2010-2011
39 ~~2009-2010~~ fiscal year only, funds appropriated for forensic
40 mental health treatment services shall be allocated to the areas
41 of the state having the greatest demand for services and
42 treatment capacity. This paragraph expires July 1, 2011 ~~2010~~.

43 Section 2. (1) In order to implement proviso following
44 Specific Appropriation 486 of the 2010-2011 General
45 Appropriations Act, and for the 2010-2011 fiscal year only,
46 notwithstanding any law to the contrary, a state agency may not
47 adopt or implement a rule or policy that:

48 (a) Mandates or establishes new nitrogen-reduction limits
49 that apply to existing or new onsite sewage treatment systems;

50 (b) Has the effect of requiring the use of performance-
51 based treatment systems; or

52 (c) Increases the cost of treatment for nitrogen reduction
53 from onsite systems, before completion and reporting of phase II
54 of the study required in proviso following Specific
55 Appropriation 486 is completed.

56 (2) This section expires July 1, 2011.

57 Section 3. Any section of this act which implements a
58 specific appropriation or specifically identified proviso

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59 language in the 2010-2011 General Appropriations Act is void if
60 the specific appropriation or specifically identified proviso
61 language is vetoed. Any section of this act which implements
62 more than one specific appropriation or more than one portion of
63 specifically identified proviso language in the 2010-2011
64 General Appropriations Act is void if all the specific
65 appropriations or portions of specifically identified proviso
66 language are vetoed.

67 Section 4. If any other act passed during the 2010 Regular
68 Session contains a provision that is substantively the same as a
69 provision in this act, but that removes or is otherwise not
70 subject to the future repeal applied to such provision by this
71 act, the Legislature intends that the provision in the other act
72 takes precedence and continues to operate, notwithstanding the
73 future repeal provided by this act.

74 Section 5. If any provision of this act or its application
75 to any person or circumstance is held invalid, the invalidity
76 does not affect other provisions or applications of the act
77 which can be given effect without the invalid provision or
78 application, and to this end the provisions of this act are
79 severable.

80 Section 6. This act shall take effect July 1, 2010; or, if
81 this act fails to become a law until after that date, it shall
82 take effect upon becoming a law and shall operate retroactively
83 to July 1, 2010.