

By the Policy and Steering Committee on Ways and Means

576-03748-10

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1                                   A bill to be entitled  
2           An act implementing the 2010-2011 General  
3           Appropriations Act; providing legislative intent;  
4           amending s. 216.292, F.S.; delaying the expiration of  
5           provisions providing for the Legislative Budget  
6           Commission to review and approve recommendations by  
7           the Governor for fixed capital outlay projects funded  
8           by grants awarded from the American Recovery and  
9           Reinvestment Act of 2009; authorizing the Executive  
10          Office of the Governor to transfer funds appropriated  
11          for the American Recovery and Reinvestment Act of 2009  
12          in traditional appropriation categories in the General  
13          Appropriations Act to appropriation categories  
14          established for the specific purpose of tracking funds  
15          appropriated pursuant to that act; providing for  
16          future expiration; amending s. 110.123, F.S., relating  
17          to the state group insurance program; requiring that,  
18          for the 2010-2011 fiscal year only, the state  
19          contribution toward the cost of a plan is the  
20          difference between the overall premium and the  
21          employee contribution; authorizing the Executive  
22          Office of the Governor to transfer funds between  
23          departments for purposes of aligning amounts paid for  
24          risk management premiums and for purposes of aligning  
25          amounts paid for human resource management services;  
26          providing that the annual salary of the members of the  
27          Legislature be reduced by 7 percent; providing for  
28          future expiration; amending s. 112.24, F.S.; delaying  
29          the expiration of provisions providing conditions on

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30 the assignment of an employee of a state agency  
31 without reimbursement from the receiving agency;  
32 reenacting s. 215.32(2)(b), F.S., relating to the  
33 source and use of certain trust funds in order to  
34 implement the transfer of moneys in the General  
35 Revenue Fund from trust funds in the 2010-2011 General  
36 Appropriations Act; reenacting s. 215.5601(4)(b),  
37 F.S., relating to the administration of the Lawton  
38 Chiles Endowment Fund; providing a statement of public  
39 interest with respect to the issuance of new debt to  
40 address a critical state emergency; requiring that the  
41 Office of State Courts Administrator report to the  
42 Legislature the number of assigned new and reopened  
43 cases and the number of cases closed by each judge in  
44 each division and circuit for a specified period;  
45 authorizing the Department of Corrections and the  
46 Department of Juvenile Justice to use certain  
47 appropriated funds to assist in defraying the costs  
48 incurred by a county or a municipality to open or  
49 operate certain facilities; limiting the amount of  
50 such assistance; providing for the expiration of the  
51 authority to provide the assistance; amending s.  
52 29.008, F.S.; providing counties with an exemption  
53 from the requirement to annually increase certain  
54 expenditures by a specified percentage for the 2010-  
55 2011 fiscal year; amending s. 216.262, F.S.; delaying  
56 the expiration of provisions directing the Department  
57 of Corrections to seek a budget amendment for  
58 additional positions and appropriations if the inmate

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59 population exceeds a certain estimate under certain  
60 circumstances; authorizing the Department of Legal  
61 Affairs to spend certain appropriated funds on  
62 programs that were funded by the department from  
63 specific appropriations in general appropriations acts  
64 in prior years; providing for the expiration of the  
65 authority to spend those appropriations; amending s.  
66 394.908, F.S.; delaying the expiration of a provision  
67 requiring that funds appropriated for forensic mental  
68 health treatment services be allocated to certain  
69 areas of the state; prohibiting a state agency from  
70 adopting or implementing a rule or policy that  
71 mandates new nitrogen-reduction limits that apply to  
72 existing or new onsite sewage treatment systems, has  
73 the effect of requiring the use of performance-based  
74 treatment systems, or increases the cost of treatment  
75 for nitrogen reduction from onsite systems before a  
76 specified study is completed; providing for future  
77 expiration; amending s. 253.034, F.S.; delaying the  
78 expiration of provisions authorizing the deposit of  
79 funds derived from the sale of property by the  
80 Department of Citrus into the Citrus Advertising Trust  
81 Fund; reenacting s. 255.518(1)(b), F.S., relating to  
82 the payment of obligations during the construction of  
83 a facility financed by such obligations; providing for  
84 the future expiration of certain amendments to such  
85 provision and for the reversion of statutory text;  
86 amending s. 373.59, F.S.; delaying the expiration of  
87 provisions providing for the allocation of moneys from

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88 the Water Management Lands Trust Fund for certain  
89 purposes; amending s. 375.041, F.S.; providing for the  
90 transfer of moneys from the Land Acquisition Trust  
91 Fund to support the Clean Water State Revolving Fund  
92 and Drinking Water State Revolving Fund programs,  
93 rather than to the Ecosystem Management and  
94 Restoration Trust Fund for grants and aids to local  
95 governments for water projects; providing for future  
96 expiration; reenacting s. 403.1651(1)(g), F.S.,  
97 relating to the use of funds from the Ecosystem  
98 Management and Restoration Trust Fund for the purpose  
99 of funding activities to preserve and repair the  
100 state's beaches; providing for future expiration of  
101 certain amendments to such provision and for the  
102 reversion of statutory text; amending s. 403.1651,  
103 F.S.; providing for the transfer of moneys from the  
104 Ecosystem Management and Restoration Trust Fund to the  
105 General Inspection Trust Fund for the Farm Share, Food  
106 Banks, and Mosquito Control program and the  
107 Technological Research and Development Authority;  
108 providing for future expiration; amending s. 570.20,  
109 F.S.; delaying the expiration of provisions  
110 authorizing the Department of Agriculture and Consumer  
111 Services to use funds from the General Inspection  
112 Trust Fund for certain programs; amending s. 403.7095,  
113 F.S.; delaying the expiration of provisions requiring  
114 that the Department of Environmental Protection award  
115 a specified amount in grants equally to certain  
116 counties for waste tire and litter prevention,

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117 recycling education, and general solid waste programs;  
118 authorizing the Department of Agriculture and Consumer  
119 Services to extend, revise, and renew current  
120 contracts or agreements created or entered into for  
121 the purpose of promoting agriculture; providing for  
122 future expiration; requiring the Executive Office of  
123 the Governor to sell the King Air 350 airplane;  
124 requiring the receipts from the sale of the airplane  
125 to be deposited into the Bureau of Aircraft Trust  
126 Fund; requiring the Department of Financial Services  
127 to issue a solicitation for office supplies and award  
128 a multiple supplier contract by a specified date;  
129 amending s. 339.135, F.S.; delaying the expiration of  
130 provisions requiring that the Department of  
131 Transportation transfer funds to the Office of  
132 Tourism, Trade, and Economic Development for the  
133 purpose of funding transportation-related needs of  
134 economic development; authorizing such funds to be  
135 used for the additional purposes of space and  
136 aerospace infrastructure and urban redevelopment  
137 infrastructure projects; amending s. 339.08, F.S.;  
138 delaying the expiration of provisions relating to the  
139 use of moneys in the State Transportation Trust Fund  
140 for certain administrative expenses; delaying the  
141 expiration of provisions authorizing the Department of  
142 Transportation to use moneys from the State  
143 Transportation Trust Fund to pay for county and school  
144 district transportation infrastructure improvements;  
145 amending s. 445.009, F.S.; delaying the expiration of

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146 provisions designating participants in an adult or  
147 youth work experience activity under ch. 445, F.S., as  
148 employees of the state for purposes of workers'  
149 compensation coverage; amending s. 163.3247, F.S.;

150 removing a provision that entitles members of the  
151 Century Commission for a Sustainable Florida to  
152 receive per diem and travel expenses; providing for  
153 future expiration of the amendment to such provision  
154 and for the reversion of statutory text; amending s.  
155 201.15, F.S.; revising provisions relating to funds  
156 deposited into the Grants and Donations Trust Fund in  
157 the Department of Community Affairs which are used to  
158 fund the Century Commission; providing for future  
159 expiration of the amendment to such provision and for  
160 the reversion of statutory text; amending s. 215.559,  
161 F.S.; delaying the expiration of provisions relating  
162 to the Hurricane Loss Mitigation Program; revising the  
163 amount appropriated for the purpose of inspecting and  
164 improving tie-downs for mobile homes; providing an  
165 appropriation to the State Logistics Response Center  
166 for certain purposes; providing an appropriation to be  
167 competitively bid to improve the wind resistance of  
168 residences and mobile homes; revising the amount  
169 allocated for the operational purposes; reenacting s.  
170 332.007(8), F.S., relating to the funding of security  
171 projects at publicly owned public-use airports;  
172 providing for the future expiration of certain  
173 amendments to such provision and for the reversion of  
174 statutory text; amending s. 216.292, F.S.; authorizing

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175 the transfer of funds for fixed capital outlay between  
176 specified appropriation categories; providing for  
177 future expiration; authorizing the Executive Office of  
178 the Governor to transfer funds for use by the state's  
179 designated primary data centers, pursuant to statutory  
180 procedures for notice, review, and objection;  
181 authorizing agencies to transfer funds from data  
182 processing appropriation categories to other  
183 appropriation categories in order to support and  
184 manage computer resources, notwithstanding other  
185 provisions of law; authorizing the Executive Office of  
186 the Governor to transfer funds between agencies in  
187 order to allocate a reduction relating to SUNCOM;  
188 providing for future expiration; requiring that the  
189 Department of Juvenile Justice comply with specified  
190 reimbursement limitations with respect to payments to  
191 hospitals or health care providers for health care  
192 services; authorizing certain payments pursuant to a  
193 contracted rate only until the contract expires or is  
194 renewed; defining the term "hospital" for purposes of  
195 such limitations; providing for future expiration;  
196 providing for the effect of a veto of one or more  
197 specific appropriations or proviso provisions to which  
198 implementing language refers; providing for the  
199 continued operation of certain provisions,  
200 notwithstanding a future repeal or expiration provided  
201 by the act; providing for severability; providing for  
202 contingent retroactive application; providing an  
203 effective date.

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204  
205 Be It Enacted by the Legislature of the State of Florida:  
206

207       Section 1. It is the intent of the Legislature that the  
208 implementing and administering provisions of this act apply to  
209 the General Appropriations Act for the 2010-2011 fiscal year.

210       Section 2. In order to implement sections 2 through 7 of  
211 the 2010-2011 General Appropriations Act, paragraph (b) of  
212 subsection (5) of section 216.292, Florida Statutes, is amended  
213 to read:

214       216.292 Appropriations nontransferable; exceptions.—

215       (5)

216       (b) Notwithstanding paragraph (a), and for the 2010-2011  
217 ~~2009-2010~~ fiscal year only, the Governor may recommend the  
218 initiation of fixed capital outlay projects funded by grants  
219 awarded by the Federal Government through the American Recovery  
220 and Reinvestment Act of 2009. All actions taken pursuant to the  
221 authority granted in the paragraph are subject to review and  
222 approval by the Legislative Budget Commission. This paragraph  
223 expires July 1, 2011 ~~2010~~.

224       Section 3. In order to implement sections 2 through 7 of  
225 the 2010-2011 General Appropriations Act, the Executive Office  
226 of the Governor is authorized to transfer funds appropriated for  
227 the American Recovery and Reinvestment Act of 2009 (ARRA) in  
228 traditional appropriation categories in the 2010-2011 General  
229 Appropriations Act to appropriation categories established for  
230 the specific purpose of tracking funds appropriated for the  
231 ARRA. This section expires July 1, 2011.

232       Section 4. In order to implement section 8 of the 2010-2011



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233 General Appropriations Act, paragraph (j) is added to subsection  
234 (3) of section 110.123, Florida Statutes, to read

235 110.123 State group insurance program.—

236 (3) STATE GROUP INSURANCE PROGRAM.—

237 (j) Notwithstanding the provisions of paragraph (f)  
238 requiring uniform contributions, and for the 2010-2011 fiscal  
239 year only, the state contribution toward the cost of any plan in  
240 the state group insurance plan shall be the difference between  
241 the overall premium and the employee contribution. This section  
242 expires June 30, 2011.

243 Section 5. In order to implement the appropriation of funds  
244 in Special Categories-Risk Management Insurance of the 2010-2011  
245 General Appropriations Act, and pursuant to the notice, review,  
246 and objection procedures of s. 216.177, Florida Statutes, the  
247 Executive Office of the Governor is authorized to transfer funds  
248 appropriated in the appropriation category "Special Categories-  
249 Risk Management Insurance" of the 2010-2011 General  
250 Appropriations Act between departments in order to align the  
251 budget authority granted with the premiums paid by each  
252 department for risk management insurance. This section expires  
253 July 1, 2011.

254 Section 6. In order to implement the appropriation of funds  
255 in Special Categories-Transfer to Department of Management  
256 Services-Human Resources Services Purchased Per Statewide  
257 Contract of the 2010-2011 General Appropriations Act, and  
258 pursuant to the notice, review, and objection procedures of s.  
259 216.177, Florida Statutes, the Executive Office of the Governor  
260 is authorized to transfer funds appropriated in the  
261 appropriation category "Special Categories-Transfer to

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262 Department of Management Services-Human Resources Services  
263 Purchased Per Statewide Contract” of the 2010-2011 General  
264 Appropriations Act between departments in order to align the  
265 budget authority granted with the assessments that must be paid  
266 by each agency to the Department of Management Services for  
267 human resource management services. This section expires July 1,  
268 2011.

269 Section 7. In order to implement Specific Appropriations  
270 2768 and 2769 of the 2010-2011 General Appropriations Act:

271 (1) Notwithstanding the provisions of s. 11.13(1), Florida  
272 Statutes, relating to the annual adjustment of salaries for  
273 members of the Legislature, to the contrary, for the 2010-2011  
274 fiscal year only, the authorized salaries of members of the  
275 Legislature in effect on June 30, 2010, shall be reduced by 7  
276 percent.

277 (2) Effective June 30, 2011, the annual salaries of members  
278 of the Legislature shall be set at the amounts authorized and in  
279 effect on June 30, 2010, pursuant to subsection (2) of section  
280 48 of chapter 2009-82, Laws of Florida.

281 (3) This section expires July 1, 2011.

282 Section 8. In order to implement Specific Appropriations  
283 for salaries and benefits in the 2010-2011 General  
284 Appropriations Act, paragraph (b) of subsection (3) of section  
285 112.24, Florida Statutes, is amended to read:

286 112.24 Intergovernmental interchange of public employees.-  
287 To encourage economical and effective utilization of public  
288 employees in this state, the temporary assignment of employees  
289 among agencies of government, both state and local, and  
290 including school districts and public institutions of higher

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291 education is authorized under terms and conditions set forth in  
292 this section. State agencies, municipalities, and political  
293 subdivisions are authorized to enter into employee interchange  
294 agreements with other state agencies, the Federal Government,  
295 another state, a municipality, or a political subdivision  
296 including a school district, or with a public institution of  
297 higher education. State agencies are also authorized to enter  
298 into employee interchange agreements with private institutions  
299 of higher education and other nonprofit organizations under the  
300 terms and conditions provided in this section. In addition, the  
301 Governor or the Governor and Cabinet may enter into employee  
302 interchange agreements with a state agency, the Federal  
303 Government, another state, a municipality, or a political  
304 subdivision including a school district, or with a public  
305 institution of higher learning to fill, subject to the  
306 requirements of chapter 20, appointive offices which are within  
307 the executive branch of government and which are filled by  
308 appointment by the Governor or the Governor and Cabinet. Under  
309 no circumstances shall employee interchange agreements be  
310 utilized for the purpose of assigning individuals to participate  
311 in political campaigns. Duties and responsibilities of  
312 interchange employees shall be limited to the mission and goals  
313 of the agencies of government.

314 (3) Salary, leave, travel and transportation, and  
315 reimbursements for an employee of a sending party that is  
316 participating in an interchange program shall be handled as  
317 follows:

318 (b)1. The assignment of an employee of a state agency  
319 either on detail or on leave of absence may be made without

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320 reimbursement by the receiving party for the travel and  
321 transportation expenses to or from the place of the assignment  
322 or for the pay and benefits, or a part thereof, of the employee  
323 during the assignment.

324 2. For the 2010-2011 ~~2009-2010~~ fiscal year only, the  
325 assignment of an employee of a state agency as provided in  
326 subparagraph 1. may be made if recommended by the Governor or  
327 Chief Justice, as appropriate, and approved by the chairs of the  
328 Senate Policy and Steering Committee on Ways and Means and the  
329 House Full Appropriations Council on General Government and  
330 Health Care. Such actions shall be deemed approved if neither  
331 chair provides written notice of objection within 14 days after  
332 the chair's receiving notice of the action pursuant to s.  
333 216.177. This subparagraph expires July 1, 2011 ~~2010~~.

334 Section 9. In order to implement the transfer of moneys to  
335 the General Revenue Fund from trust funds in the 2010-2011  
336 General Appropriations Act, paragraph (b) of subsection (2) of  
337 section 215.32, Florida Statutes, is reenacted to read:

338 215.32 State funds; segregation.—

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

341 (b)1. The trust funds shall consist of moneys received by  
342 the state which under law or under trust agreement are  
343 segregated for a purpose authorized by law. The state agency or  
344 branch of state government receiving or collecting such moneys  
345 shall be responsible for their proper expenditure as provided by  
346 law. Upon the request of the state agency or branch of state  
347 government responsible for the administration of the trust fund,  
348 the Chief Financial Officer may establish accounts within the

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349 trust fund at a level considered necessary for proper  
350 accountability. Once an account is established within a trust  
351 fund, the Chief Financial Officer may authorize payment from  
352 that account only upon determining that there is sufficient cash  
353 and releases at the level of the account.

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

357 a. Operations or operating trust fund, for use as a  
358 depository for funds to be used for program operations funded by  
359 program revenues, with the exception of administrative  
360 activities when the operations or operating trust fund is a  
361 proprietary fund.

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

364 c. Administrative trust fund, for use as a depository for  
365 funds to be used for management activities that are departmental  
366 in nature and funded by indirect cost earnings and assessments  
367 against trust funds. Proprietary funds are excluded from the  
368 requirement of using an administrative trust fund.

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

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

375 f. Clearing funds trust fund, for use as a depository for  
376 funds to account for collections pending distribution to lawful  
377 recipients.

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

381  
382 To the extent possible, each agency must adjust its internal  
383 accounting to use existing trust funds consistent with the  
384 requirements of this subparagraph. If an agency does not have  
385 trust funds listed in this subparagraph and cannot make such  
386 adjustment, the agency must recommend the creation of the  
387 necessary trust funds to the Legislature no later than the next  
388 scheduled review of the agency's trust funds pursuant to s.  
389 215.3206.

390 3. All such moneys are hereby appropriated to be expended  
391 in accordance with the law or trust agreement under which they  
392 were received, subject always to the provisions of chapter 216  
393 relating to the appropriation of funds and to the applicable  
394 laws relating to the deposit or expenditure of moneys in the  
395 State Treasury.

396 4.a. Notwithstanding any provision of law restricting the  
397 use of trust funds to specific purposes, unappropriated cash  
398 balances from selected trust funds may be authorized by the  
399 Legislature for transfer to the Budget Stabilization Fund and  
400 General Revenue Fund in the General Appropriations Act.

401 b. This subparagraph does not apply to trust funds required  
402 by federal programs or mandates; trust funds established for  
403 bond covenants, indentures, or resolutions whose revenues are  
404 legally pledged by the state or public body to meet debt service  
405 or other financial requirements of any debt obligations of the  
406 state or any public body; the State Transportation Trust Fund;

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407 the trust fund containing the net annual proceeds from the  
408 Florida Education Lotteries; the Florida Retirement System Trust  
409 Fund; trust funds under the management of the State Board of  
410 Education or the Board of Governors of the State University  
411 System, where such trust funds are for auxiliary enterprises,  
412 self-insurance, and contracts, grants, and donations, as those  
413 terms are defined by general law; trust funds that serve as  
414 clearing funds or accounts for the Chief Financial Officer or  
415 state agencies; trust funds that account for assets held by the  
416 state in a trustee capacity as an agent or fiduciary for  
417 individuals, private organizations, or other governmental units;  
418 and other trust funds authorized by the State Constitution.

419 Section 10. Paragraph (b) of subsection (4) of section  
420 215.5601, Florida Statutes, is reenacted to read:

421 215.5601 Lawton Chiles Endowment Fund.—

422 (4) ADMINISTRATION.—

423 (b) The endowment shall be managed as an annuity. The  
424 investment objective shall be long-term preservation of the real  
425 value of the net contributed principal and a specified regular  
426 annual cash outflow for appropriation, as nonrecurring revenue.  
427 From the annual cash outflow, a pro rata share shall be used  
428 solely for biomedical research activities as provided in  
429 paragraph (3)(d), until such time as cures are found for  
430 tobacco-related cancer and heart and lung disease. Five percent  
431 of the annual cash outflow dedicated to the biomedical research  
432 portion of the endowment shall be reinvested and applied to that  
433 portion of the endowment's principal, with the remainder to be  
434 spent on biomedical research activities consistent with this  
435 section. The schedule of annual cash outflow shall be included

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436 within the investment plan adopted under paragraph (a).  
437 Withdrawals other than specified regular cash outflow shall be  
438 considered reductions in contributed principal for the purposes  
439 of this subsection.

440       Section 11. In order to implement the issuance of new debt  
441 authorized in the 2010-2011 General Appropriations Act, and  
442 pursuant to the requirements of s. 215.98, Florida Statutes, the  
443 Legislature determines that the authorization and issuance of  
444 debt for the 2010-2011 fiscal year should be implemented and is  
445 in the best interest of the state and necessary to address a  
446 critical state emergency.

447       Section 12. In order to implement Specific Appropriations  
448 3238 through 3260 of the 2010-2011 General Appropriations Act,  
449 the Office of State Courts Administrator shall report by  
450 February 15, 2011, to the chairs of the Senate Policy and  
451 Steering Committee on Ways and Means and the House Full  
452 Appropriations Council on Education and Economic Development,  
453 the number of assigned new and reopened cases and the number of  
454 cases closed by each judge in each division and circuit for the  
455 period January 1, 2010, through December 31, 2010.

456       Section 13. In order to fulfill legislative intent  
457 regarding the use of funds contained in Specific Appropriations  
458 639, 651, 663, and 1188 of the 2010-2011 General Appropriations  
459 Act, the Department of Corrections and the Department of  
460 Juvenile Justice may expend appropriated funds to assist in  
461 defraying the costs of impacts that are incurred by a  
462 municipality or county and that are associated with opening or  
463 operating a facility under the authority of the respective  
464 department. The amount paid for any facility may not exceed 1



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465 percent of the cost to construct the facility, less building  
466 impact fees imposed by the municipality or county. This section  
467 expires July 1, 2011.

468 Section 14. In order to implement section VII of the 2010-  
469 2011 General Appropriations Act, paragraph (c) is added to  
470 subsection (4) of section 29.008, Florida Statutes, to read:

471 29.008 County funding of court-related functions.—

472 (4)

473 (c) Counties are exempt from all requirements and  
474 provisions of paragraph (a) for the 2010-2011 fiscal year.  
475 Accordingly, for the 2010-2011 fiscal year, counties shall  
476 maintain, but are not required to increase, their expenditures  
477 for the items specified in paragraphs (1)(a)-(h) and subsection  
478 (3). The requirements described in paragraph (a) shall be  
479 reinstated beginning with the 2011-2012 fiscal year. This  
480 paragraph expires July 1, 2011.

481 Section 15. In order to implement Specific Appropriations  
482 629 through 728 and 747 through 781 of the 2010-2011 General  
483 Appropriations Act, subsection (4) of section 216.262, Florida  
484 Statutes, is amended to read:

485 216.262 Authorized positions.—

486 (4) Notwithstanding the provisions of this chapter on  
487 increasing the number of authorized positions, and for the 2010-  
488 2011 ~~2009-2010~~ fiscal year only, if the actual inmate population  
489 of the Department of Corrections exceeds the inmate population  
490 projections of the February 19, 2010 ~~April 30, 2009~~, Criminal  
491 Justice Estimating Conference by 1 percent for 2 consecutive  
492 months or 2 percent for any month, the Executive Office of the  
493 Governor, with the approval of the Legislative Budget

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494 Commission, shall immediately notify the Criminal Justice  
495 Estimating Conference, which shall convene as soon as possible  
496 to revise the estimates. The Department of Corrections may then  
497 submit a budget amendment requesting the establishment of  
498 positions in excess of the number authorized by the Legislature  
499 and additional appropriations from unallocated general revenue  
500 sufficient to provide for essential staff, fixed capital  
501 improvements, and other resources to provide classification,  
502 security, food services, health services, and other variable  
503 expenses within the institutions to accommodate the estimated  
504 increase in the inmate population. All actions taken pursuant to  
505 the authority granted in this subsection shall be subject to  
506 review and approval by the Legislative Budget Commission. This  
507 subsection expires July 1, 2011 ~~2010~~.

508       Section 16. In order to implement Specific Appropriations  
509 1343 and 1344 of the 2010-2011 General Appropriations Act, the  
510 Department of Legal Affairs is authorized to expend appropriated  
511 funds in those specific appropriations on the same programs that  
512 were funded by the department pursuant to specific  
513 appropriations made in general appropriations acts in prior  
514 years. This section expires July 1, 2011.

515       Section 17. In order to implement Specific Appropriations  
516 324 through 345 of the 2010-2011 General Appropriations Act,  
517 paragraph (b) of subsection (3) of section 394.908, Florida  
518 Statutes, is amended to read:

519       394.908 Substance abuse and mental health funding equity;  
520 distribution of appropriations.—In recognition of the historical  
521 inequity in the funding of substance abuse and mental health  
522 services for the department's districts and regions and to

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523 rectify this inequity and provide for equitable funding in the  
524 future throughout the state, the following funding process shall  
525 be used:

526 (3)

527 (b) Notwithstanding paragraph (a) and for the 2010-2011  
528 ~~2009-2010~~ fiscal year only, funds appropriated for forensic  
529 mental health treatment services shall be allocated to the areas  
530 of the state having the greatest demand for services and  
531 treatment capacity. This paragraph expires July 1, 2011 ~~2010~~.

532 Section 18. (1) In order to implement proviso following  
533 Specific Appropriation 486 of the 2010-2011 General  
534 Appropriations Act, and for the 2010-2011 fiscal year only,  
535 notwithstanding any law to the contrary, a state agency may not  
536 adopt or implement a rule or policy that:

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

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

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

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

546 Section 19. In order to implement Specific Appropriations  
547 2379 through 2401 of the 2010-2011 General Appropriations Act,  
548 subsection (14) of section 253.034, Florida Statutes, is amended  
549 to read:

550 253.034 State-owned lands; uses.-

551 (14) Notwithstanding the provisions of this section, funds

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552 derived from the sale of property by the Department of Citrus  
553 located in Lakeland, Florida, are authorized to be deposited  
554 into the Citrus Advertising Trust Fund. This subsection expires  
555 July 1, 2011 ~~2010~~.

556 Section 20. In order to implement Specific Appropriation  
557 1708Q of the 2010-2011 General Appropriations Act, paragraph (b)  
558 of subsection (1) of section 255.518, Florida Statutes, is  
559 reenacted to read:

560 255.518 Obligations; purpose, terms, approval,  
561 limitations.—

562 (1)

563 (b) Payment of debt service charges on obligations during  
564 the construction of any facility financed by such obligations  
565 shall be made from funds other than proceeds of obligations.

566 Section 21. The amendment to s. 255.518(1)(b), Florida  
567 Statutes, as carried forward by this act from chapter 2008-153  
568 and chapter 2009-82, Laws of Florida, shall expire July 1, 2011,  
569 and the text of that paragraph shall revert to that in existence  
570 on June 30, 2008, except that any amendments to such text  
571 enacted other than by this act shall be preserved and continue  
572 to operate to the extent that such amendments are not dependent  
573 upon the portions of such text which expire pursuant to this  
574 section.

575 Section 22. In order to implement Specific Appropriation  
576 1692 of the 2010-2011 General Appropriations Act, subsection  
577 (12) of section 373.59, Florida Statutes, is amended to read:

578 373.59 Water Management Lands Trust Fund.—

579 (12) Notwithstanding the provisions of subsection (8) and  
580 for the 2010-2011 ~~2009-2010~~ fiscal year only, the moneys from

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581 the Water Management Lands Trust Fund shall be allocated as  
582 follows:

583 (a) An amount necessary to pay debt service on bonds issued  
584 before February 1, 2009, by the South Florida Water Management  
585 District and the St. Johns River Water Management District,  
586 which are secured by revenues provided pursuant to this section,  
587 or to fund debt service reserve funds, rebate obligations, or  
588 other amounts payable with respect to such bonds;

589 (b) Eight million dollars to be transferred to the General  
590 Revenue Fund; and

591 (c) The remaining funds to be distributed equally between  
592 the Suwannee River Water Management District and the Northwest  
593 Florida Water Management District.

594

595 This subsection expires July 1, 2011 ~~2010~~.

596 Section 23. In order to implement Specific Appropriations  
597 1763, 1789, and 1790 of the 2010-2011 General Appropriations  
598 Act, paragraph (b) of subsection (3) of section 375.041, Florida  
599 Statutes, is amended to read:

600 375.041 Land Acquisition Trust Fund.—

601 (3)

602 (b) In addition to the uses allowed in paragraph (a), for  
603 the 2010-2011 ~~2008-2009~~ fiscal year, moneys in the Land  
604 Acquisition Trust Fund are authorized for transfer to support  
605 the Clean Water State Revolving Fund, the Drinking Water State  
606 Revolving Fund, and the Total Maximum Daily Loads programs ~~the~~  
607 ~~Ecosystem Management and Restoration Trust Fund for grants and~~  
608 ~~aids to local governments for water projects~~ as provided in the  
609 General Appropriations Act. This paragraph expires July 1, 2011

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610 2009.

611 Section 24. In order to implement Specific Appropriations  
612 1765, 1766, 1767, 1769, and 1769A, paragraph (g) of subsection  
613 (1) of section 403.1651, Florida Statutes, is reenacted to read:

614 403.1651 Ecosystem Management and Restoration Trust Fund.—

615 (1) There is created the Ecosystem Management and  
616 Restoration Trust Fund to be administered by the Department of  
617 Environmental Protection for the purposes of:

618 (g) Funding activities to preserve and repair the state's  
619 beaches as provided in ss. 161.091-161.212.

620 Section 25. The amendment to s. 403.1651(1)(g), Florida  
621 Statutes, as carried forward by this act from chapter 2009-82,  
622 Laws of Florida, shall expire July 1, 2011, and the text of that  
623 subsection shall revert to that in existence on June 30, 2009,  
624 except that any amendments to such text enacted other than by  
625 this act shall be preserved and continue to operate to the  
626 extent that such amendments are not dependent upon the portions  
627 of such text which expire pursuant to this section.

628 Section 26. In order to implement Specific Appropriations  
629 1396A, 1456, 1491A, and 1493A of the 2010-2011 General  
630 Appropriations Act, subsection (3) is added to section 403.1651,  
631 Florida Statutes, to read:

632 403.1651 Ecosystem Management and Restoration Trust Fund.—

633 (3) For the 2010-2011 fiscal year only, moneys in the  
634 Ecosystems Management and Restoration Trust Fund are authorized  
635 for transfer to the General Inspection Trust Fund in the  
636 Department of Agriculture and Consumer Services for the Farm  
637 Share, Food Banks, and Mosquito Control programs, and the  
638 Technological Research and Development Authority. This

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639 subsection expires July 1, 2011.

640 Section 27. In order to implement Specific Appropriations  
641 1378 through 1538 of the 2010-2011 General Appropriations Act,  
642 subsection (2) of section 570.20, Florida Statutes, is amended  
643 to read:

644 570.20 General Inspection Trust Fund.—

645 (2) For the 2010-2011 ~~2009-2010~~ fiscal year only and  
646 notwithstanding any other provision of law to the contrary, in  
647 addition to the spending authorized in subsection (1), moneys in  
648 the General Inspection Trust Fund may be appropriated for  
649 programs operated by the department which are related to the  
650 programs authorized by this chapter. This subsection expires  
651 July 1, 2011 ~~2010~~.

652 Section 28. In order to implement Specific Appropriation  
653 1833 of the 2010-2011 General Appropriations Act, subsection (7)  
654 of section 403.7095, Florida Statutes, is amended to read:

655 403.7095 Solid waste management grant program.—

656 (7) Notwithstanding any provision of this section to the  
657 contrary, and for the 2010-2011 ~~2009-2010~~ fiscal year only, the  
658 Department of Environmental Protection shall award the sum of  
659 \$1,775,207 ~~\$2,600,000~~ in grants equally to counties having  
660 populations of fewer than 100,000 for waste tire and litter  
661 prevention, recycling education, and general solid waste  
662 programs. This subsection expires July 1, 2011 ~~2010~~.

663 Section 29. In order to implement Specific Appropriation  
664 1490 of the 2010-2011 General Appropriations Act and to provide  
665 consistency and continuity in the promotion of agriculture  
666 throughout the state, notwithstanding s. 287.057, Florida  
667 Statutes, the Department of Agriculture and Consumer Services,

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668 at its discretion, may extend, revise, and renew current  
669 contracts or agreements created or entered into pursuant to  
670 chapter 2006-25, Laws of Florida. This section expires July 1,  
671 2011.

672 Section 30. In order to implement Specific Appropriations  
673 2646H through 2646O provided in the 2010-2011 General  
674 Appropriations Act, the Executive Office of the Governor shall  
675 sell the King Air 350 airplane. The receipts from the sale shall  
676 be deposited into the Bureau of Aircraft Trust Fund and expended  
677 in accordance with s. 287.161, Florida Statutes. Receipts from  
678 the sale are exempt from the service charge imposed pursuant to  
679 s. 215.20, Florida Statutes.

680 Section 31. Notwithstanding any provision in chapter 287,  
681 Florida Statutes, to the contrary, the Department of Financial  
682 Services shall issue, by January 1, 2011, a solicitation for  
683 office supplies, and subsequently award a multiple-supplier  
684 contract with at least three awarded vendors.

685 Section 32. In order to implement Specific Appropriation  
686 2125 in the 2010-2011 General Appropriations Act, subsection (5)  
687 of section 339.135, Florida Statutes, is amended to read:

688 339.135 Work program; legislative budget request;  
689 definitions; preparation, adoption, execution, and amendment.—

690 (5) ADOPTION OF THE WORK PROGRAM.—

691 (a) The original approved budget for operational and fixed  
692 capital expenditures for the department shall be the Governor's  
693 budget recommendation and the first year of the tentative work  
694 program, as both are amended by the General Appropriations Act  
695 and any other act containing appropriations. In accordance with  
696 the appropriations act, the department shall, prior to the



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697 beginning of the fiscal year, adopt a final work program which  
698 shall only include the original approved budget for the  
699 department for the ensuing fiscal year together with any roll  
700 forwards approved pursuant to paragraph (6) (c) and the portion  
701 of the tentative work program for the following 4 fiscal years  
702 revised in accordance with the original approved budget for the  
703 department for the ensuing fiscal year together with said roll  
704 forwards. The adopted work program may include only those  
705 projects submitted as part of the tentative work program  
706 developed under the provisions of subsection (4) plus any  
707 projects which are separately identified by specific  
708 appropriation in the General Appropriations Act and any roll  
709 forwards approved pursuant to paragraph (6) (c). However, any  
710 transportation project of the department which is identified by  
711 specific appropriation in the General Appropriations Act shall  
712 be deducted from the funds annually distributed to the  
713 respective district pursuant to paragraph (4) (a). In addition,  
714 the department shall not in any year include any project or  
715 allocate funds to a program in the adopted work program that is  
716 contrary to existing law for that particular year. Projects  
717 shall not be undertaken unless they are listed in the adopted  
718 work program.

719 (b) Notwithstanding paragraph (a), and for the 2010-2011  
720 ~~2009-2010~~ fiscal year only, the Department of Transportation  
721 shall transfer funds to the Office of Tourism, Trade, and  
722 Economic Development in an amount equal to \$20,300,000 for the  
723 purpose of funding transportation-related needs of economic  
724 development projects, space and aerospace infrastructure, and  
725 urban redevelopment infrastructure projects. This transfer does

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726 ~~shall~~ not reduce, delete, or defer any existing projects funded,  
727 as of July 1, 2010 ~~2009~~, in the Department of Transportation's  
728 5-year work program. This paragraph expires July 1, 2011 ~~2010~~.

729 Section 33. In order to implement section 34 of the 2010-  
730 2011 General Appropriations Act, paragraph (n) of subsection (1)  
731 of section 339.08, Florida Statutes, is amended to read:

732 339.08 Use of moneys in State Transportation Trust Fund.—

733 (1) The department shall expend moneys in the State  
734 Transportation Trust Fund accruing to the department, in  
735 accordance with its annual budget. The use of such moneys shall  
736 be restricted to the following purposes:

737 (n) To pay administrative expenses incurred in accordance  
738 with applicable laws for a multicounty transportation or  
739 expressway authority created under chapter 343 or chapter 348,  
740 where jurisdiction for the authority includes a portion of the  
741 State Highway System and the administrative expenses are in  
742 furtherance of the duties and responsibilities of the authority  
743 in the development of improvements to the State Highway System.  
744 This paragraph expires July 1, 2011 ~~2010~~.

745 Section 34. In order to implement Specific Appropriation  
746 2112 of the 2010-2011 General Appropriations Act, paragraph (p)  
747 of subsection (1) of section 339.08, Florida Statutes, is  
748 amended to read:

749 339.08 Use of moneys in State Transportation Trust Fund.—

750 (1) The department shall expend moneys in the State  
751 Transportation Trust Fund accruing to the department, in  
752 accordance with its annual budget. The use of such moneys shall  
753 be restricted to the following purposes:

754 (p) To pay for county and school district transportation

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755 infrastructure improvements. This paragraph expires July 1, 2011  
756 ~~2010~~.

757 Section 35. In order to implement Specific Appropriation  
758 2214 of the 2010-2011 General Appropriations Act, subsection  
759 (11) of section 445.009, Florida Statutes, is amended to read:  
760 445.009 One-stop delivery system.—

761 (11) (a) A participant in an adult or youth work experience  
762 activity administered under this chapter shall be deemed an  
763 employee of the state for purposes of workers' compensation  
764 coverage. In determining the average weekly wage, all  
765 remuneration received from the employer shall be considered a  
766 gratuity, and the participant shall not be entitled to any  
767 benefits otherwise payable under s. 440.15, regardless of  
768 whether the participant may be receiving wages and remuneration  
769 from other employment with another employer and regardless of  
770 his or her future wage-earning capacity.

771 (b) This subsection expires July 1, 2011 ~~2010~~.

772 Section 36. In order to implement Specific Appropriations  
773 1557 through 1560 of the 2010-2011 General Appropriations Act,  
774 paragraph (d) of subsection (3) of section 163.3247, Florida  
775 Statutes, is amended to read:

776 163.3247 Century Commission for a Sustainable Florida.—

777 (3) CENTURY COMMISSION FOR A SUSTAINABLE FLORIDA; CREATION;  
778 ORGANIZATION.—The Century Commission for a Sustainable Florida  
779 is created as a standing body to help the citizens of this state  
780 envision and plan their collective future with an eye towards  
781 both 25-year and 50-year horizons.

782 (d) Members of the commission shall serve without  
783 compensation ~~but shall be entitled to receive per diem and~~

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784 ~~travel expenses in accordance with s. 112.061 while in~~  
785 ~~performance of their duties.~~

786 Section 37. The amendment to s. 163.3247(3)(d), Florida  
787 Statutes, made by this act shall expire July 1, 2011, and the  
788 text of that paragraph shall revert to that in existence on June  
789 30, 2010, except that any amendments to such text enacted other  
790 than by this act shall be preserved and continue to operate to  
791 the extent that such amendments are not dependent upon the  
792 portions of such text which expire pursuant to this section.

793 Section 38. In order to implement Specific Appropriations  
794 1557 through 1560 of the 2010-2011 General Appropriations Act,  
795 paragraph (c) of subsection (1) of section 201.15, Florida  
796 Statutes, as amended by section 2 of chapter 2009-271, Laws of  
797 Florida, is amended to read:

798 201.15 Distribution of taxes collected.—All taxes collected  
799 under this chapter are subject to the service charge imposed in  
800 s. 215.20(1). Prior to distribution under this section, the  
801 Department of Revenue shall deduct amounts necessary to pay the  
802 costs of the collection and enforcement of the tax levied by  
803 this chapter. Such costs and the service charge may not be  
804 levied against any portion of taxes pledged to debt service on  
805 bonds to the extent that the costs and service charge are  
806 required to pay any amounts relating to the bonds. After  
807 distributions are made pursuant to subsection (1), all of the  
808 costs of the collection and enforcement of the tax levied by  
809 this chapter and the service charge shall be available and  
810 transferred to the extent necessary to pay debt service and any  
811 other amounts payable with respect to bonds authorized before  
812 January 1, 2010, secured by revenues distributed pursuant to

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813 subsection (1). All taxes remaining after deduction of costs and  
814 the service charge shall be distributed as follows:

815 (1) Sixty-three and thirty-one hundredths percent of the  
816 remaining taxes shall be used for the following purposes:

817 (c) After the required payments under paragraphs (a) and  
818 (b), the remainder shall be paid into the State Treasury to the  
819 credit of:

820 1. The State Transportation Trust Fund in the Department of  
821 Transportation in the amount of the lesser of 38.2 percent of  
822 the remainder or \$541.75 million in each fiscal year, to be used  
823 for the following specified purposes, notwithstanding any other  
824 law to the contrary:

825 a. For the purposes of capital funding for the New Starts  
826 Transit Program, authorized by Title 49, U.S.C. s. 5309 and  
827 specified in s. 341.051, 10 percent of these funds;

828 b. For the purposes of the Small County Outreach Program  
829 specified in s. 339.2818, 5 percent of these funds. Effective  
830 July 1, 2014, the percentage allocated under this sub-  
831 subparagraph shall be increased to 10 percent;

832 c. For the purposes of the Strategic Intermodal System  
833 specified in ss. 339.61, 339.62, 339.63, and 339.64, 75 percent  
834 of these funds after allocating for the New Starts Transit  
835 Program described in sub-subparagraph a. and the Small County  
836 Outreach Program described in sub-subparagraph b.; and

837 d. For the purposes of the Transportation Regional  
838 Incentive Program specified in s. 339.2819, 25 percent of these  
839 funds after allocating for the New Starts Transit Program  
840 described in sub-subparagraph a. and the Small County Outreach  
841 Program described in sub-subparagraph b. Effective July 1, 2014,

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842 the first \$60 million of the funds allocated pursuant to this  
843 sub-subparagraph shall be allocated annually to the Florida Rail  
844 Enterprise for the purposes established in s. 341.303(5).

845 2. The Grants and Donations Trust Fund in the Department of  
846 Community Affairs in the amount of the lesser of .23 percent of  
847 the remainder or \$3.25 million in each fiscal year, ~~with 92~~  
848 ~~percent to be used~~ to fund technical assistance to local  
849 governments and school boards on the requirements and  
850 implementation of this act ~~and the remaining amount to be used~~  
851 ~~to fund the Century Commission established in s. 163.3247.~~

852 3. The Ecosystem Management and Restoration Trust Fund in  
853 the amount of the lesser of 2.12 percent of the remainder or \$30  
854 million in each fiscal year, to be used for the preservation and  
855 repair of the state's beaches as provided in ss. 161.091-  
856 161.212.

857 4. General Inspection Trust Fund in the amount of the  
858 lesser of .02 percent of the remainder or \$300,000 in each  
859 fiscal year to be used to fund oyster management and restoration  
860 programs as provided in s. 379.362(3).

861  
862 Moneys distributed pursuant to this paragraph may not be pledged  
863 for debt service unless such pledge is approved by referendum of  
864 the voters.

865 Section 39. The amendment to s. 201.15(1)(c)2., Florida  
866 Statutes, made by this act shall expire July 1, 2011, and the  
867 text of that subparagraph shall revert to that in existence on  
868 June 30, 2010, except that any amendments to such text enacted  
869 other than by this act shall be preserved and continue to  
870 operate to the extent that such amendments are not dependent

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871 upon the portions of such text which expire pursuant to this  
872 section.

873 Section 40. In order to implement Specific Appropriations  
874 1567, 1569, 1571, 1575, 1594, 1596, 1598, and 1617 of the 2010-  
875 2011 General Appropriations Act, subsection (8) of section  
876 215.559, Florida Statutes, is amended to read:

877 215.559 Hurricane Loss Mitigation Program.—

878 (8) (a) Notwithstanding any other provision of this section  
879 and for the 2010-2011 ~~2008-2009~~ fiscal year only, the \$10  
880 million appropriation provided for in subsection (1) shall be  
881 allocated as follows:

882 1. The sum of \$2.7 ~~\$2.8~~ million shall be used to inspect  
883 and improve tie-downs for mobile homes for the same purpose as  
884 specified in paragraph (3) (a).

885 2. The sum of \$3 million shall be used for operating costs  
886 of the State Logistics Response Center and the original purposes  
887 identified in paragraph (2) (b), as appropriated ~~\$700,000 shall~~  
888 ~~be allocated to the Florida International University for the~~  
889 ~~same purpose as specified in subsection (4).~~

890 3. The sum of \$4,192,389 ~~\$6,421,764~~ shall be competitively  
891 bid for the purposes provided in paragraph (2) (a) ~~used to~~  
892 ~~install emergency power generators in special-needs hurricane~~  
893 ~~evacuation shelters as provided in s. 1, ch. 2006-71, Laws of~~  
894 ~~Florida, except that such funds may not be used for~~  
895 ~~administrative purposes.~~

896 4. The sum of \$107,611 ~~\$78,236~~ shall be allocated for  
897 operational purposes of the department as specified in the 2010-  
898 2011 ~~2008-2009~~ General Appropriations Act.

899 (b) This subsection expires July 1, 2011 ~~2009~~.

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900 Section 41. In order to implement Specific Appropriation  
901 2072 of the 2010-2011 General Appropriations Act, subsection (8)  
902 of section 332.007, Florida Statutes, is reenacted to read:

903 332.007 Administration and financing of aviation and  
904 airport programs and projects; state plan.—

905 (8) Notwithstanding any other provision of law to the  
906 contrary, the department is authorized to fund security  
907 projects, including operational and maintenance assistance, at  
908 publicly owned public-use airports. For projects in the current  
909 adopted work program, or projects added using the available  
910 budget of the department, airports may request the department  
911 change the project purpose in accordance with this provision  
912 notwithstanding the provisions of s. 339.135(7). For purposes of  
913 this subsection, the department may fund up to 100 percent of  
914 eligible project costs that are not funded by the Federal  
915 Government. This subsection shall expire on June 30, 2012.

916 Section 42. The amendment to s. 332.007(8), Florida  
917 Statutes, as carried forward by this act from chapter 2009-82,  
918 Laws of Florida, shall expire July 1, 2011, and the text of that  
919 subsection shall revert to that in existence on June 30, 2009,  
920 except that any amendments to such text enacted other than by  
921 this act shall be preserved and continue to operate to the  
922 extent that such amendments are not dependent upon the portions  
923 of such text which expire pursuant to this section.

924 Section 43. In order to implement Specific Appropriation 18  
925 of the 2010-2011 General Appropriations Act, paragraph (c) is  
926 added to subsection (3) of section 216.292, Florida Statutes, to  
927 read:

928 216.292 Appropriations nontransferable; exceptions.—



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929 (3) The following transfers are authorized with the  
930 approval of the Executive Office of the Governor for the  
931 executive branch or the Chief Justice for the judicial branch,  
932 subject to the notice and objection provisions of s. 216.177:

933 (c) The transfer of appropriations for fixed capital outlay  
934 from the Survey Recommended Needs - Public Schools appropriation  
935 category to the Maintenance, Repair, Renovation, and Remodeling  
936 appropriation category. The allocation of transferred funds  
937 shall be in accordance with s. 1013.64(1). This paragraph  
938 expires July 1, 2011.

939 Section 44. In order to implement the appropriations  
940 authorized in the 2010-2011 General Appropriations Act for each  
941 of the state's designated primary data centers, which are funded  
942 from the data processing appropriation category and other  
943 categories used to pay for computing services of user agencies,  
944 and pursuant to the notice, review, and objection procedures of  
945 s. 216.177, Florida Statutes, the Executive Office of the  
946 Governor is authorized to transfer funds appropriated in any  
947 appropriation category used to pay for data processing in the  
948 2010-2011 General Appropriations Act between agencies in order  
949 to align the budget authority granted with the utilization rate  
950 of each department.

951 Section 45. In order to implement the appropriations  
952 authorized in the 2010-2011 General Appropriations Act which  
953 were submitted pursuant to the provisions of s. 17 of chapter  
954 2008-116, Laws of Florida, and notwithstanding s. 216.181(1)(c),  
955 Florida Statutes, an agency may transfer funds from the data  
956 processing appropriation categories to another appropriation  
957 category for the purpose of supporting and managing its computer

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958 resources until such time as the agency's data processing  
959 function is transferred to the Southwood Shared Resource Center,  
960 the Northwood Shared Resource Center, or the Northwest Regional  
961 Data Center.

962 Section 46. In order to implement Specific Appropriation  
963 2179B, the Executive Office of the Governor is authorized to  
964 transfer funds appropriated in the appropriation category  
965 "Expenses" of the 2010-2011 General Appropriations Act between  
966 agencies in order to allocate a reduction relating to SUNCOM  
967 Services. This section expires July 1, 2011.

968 Section 47. (1) In order to implement Specific  
969 Appropriations 1119 through 1126, 1167 through 1185, 1194, and  
970 1199, the Department of Juvenile Justice must comply with the  
971 following reimbursement limitations:

972 (a) No payment to a hospital or a health care provider may  
973 exceed 110 percent of the Medicare allowable rate for any health  
974 care services provided if no contract exists between the  
975 department and either the hospital or the health care provider  
976 providing services at a hospital;

977 (b) The department may continue to make payments for health  
978 care services at the currently contracted rates through the  
979 current term of the contract if a contract has been executed  
980 between the department and a hospital or a health care provider  
981 providing services to a hospital; however, no payments may  
982 exceed 110 percent of Medicare allowable rate after the current  
983 term of the contract expires or after the contract is renewed  
984 during the 2010-2011 fiscal year;

985 (c) Payments may not exceed 110 percent of the Medicare  
986 allowable rates under a contract executed on or after July 1,

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987 2010, between the department and a hospital or health care  
988 provider providing services at a hospital;

989 (d) Notwithstanding the limitations of paragraphs (a), (b),  
990 and (c), the department may pay up to 125 percent of the  
991 Medicare allowable rate for health care services at a hospital  
992 that reports or has reported a negative operating margin for the  
993 prior fiscal year to the Agency for Health Care Administration  
994 through hospital-audited financial data; and

995 (e) The department may not execute a contract for health  
996 care services at hospitals for rates other than rates based on a  
997 percentage of the Medicare allowable rate.

998 (2) For purposes of this section, "hospital" means any  
999 hospital licensed under chapter 395, Florida Statutes.

1000 (3) This section expires July 1, 2011.

1001 Section 48. Any section of this act which implements a  
1002 specific appropriation or specifically identified proviso  
1003 language in the 2010-2011 General Appropriations Act is void if  
1004 the specific appropriation or specifically identified proviso  
1005 language is vetoed. Any section of this act which implements  
1006 more than one specific appropriation or more than one portion of  
1007 specifically identified proviso language in the 2010-2011  
1008 General Appropriations Act is void if all the specific  
1009 appropriations or portions of specifically identified proviso  
1010 language are vetoed.

1011 Section 49. If any other act passed in 2010 contains a  
1012 provision that is substantively the same as a provision in this  
1013 act, but that removes or is otherwise not subject to the future  
1014 repeal applied to such provision by this act, the Legislature  
1015 intends that the provision in the other act shall take

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1016 precedence and continue to operate, notwithstanding the future  
1017 repeal provided by this act.

1018       Section 50. If any provision of this act or its application  
1019 to any person or circumstance is held invalid, the invalidity  
1020 does not affect other provisions or applications of the act  
1021 which can be given effect without the invalid provision or  
1022 application, and to this end the provisions of this act are  
1023 severable.

1024       Section 51. This act shall take effect July 1, 2010; or, if  
1025 this act fails to become a law until after that date, it shall  
1026 take effect upon becoming a law and shall operate retroactively  
1027 to July 1, 2010.  
1028