

Amendment No.

CHAMBER ACTION

Senate

House

.

1 The Conference Committee on HB 5003 offered the following:

2
3 **Conference Committee Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5
6 Section 1. It is the intent of the Legislature that the
7 implementing and administering provisions of this act apply to
8 the General Appropriations Act for the 2010-2011 fiscal year.

9 Section 2. In order to implement Specific Appropriations
10 6, 7, 8, 78, and 79 of the 2010-2011 General Appropriations Act,
11 the calculations of the Florida Education Finance Program for
12 the 2010-2011 fiscal year in the document entitled "Public
13 School Funding-The Florida Education Finance Program," dated
14 April 27, 2010, and filed with the Clerk of the House of
15 Representatives, are incorporated by reference for the purpose
16 of displaying the calculations used by the Legislature,

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

17 consistent with the requirements of the Florida Statutes, in
18 making appropriations for the Florida Education Finance Program.

19 Section 3. In order to implement Specific Appropriations
20 17 and 18 of the 2010-2011 General Appropriations Act, paragraph
21 (c) is added to subsection (3) of section 216.292, Florida
22 Statutes, to read:

23 216.292 Appropriations nontransferable; exceptions.—

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

28 (c) The transfer of appropriations for fixed capital
29 outlay from the Survey Recommended Needs-Public Schools
30 appropriation category to the Maintenance, Repair, Renovation
31 and Remodeling appropriation category. The allocation of
32 transferred funds shall be in accordance with s. 1013.64(1).
33 This paragraph expires July 1, 2011.

34 Section 4. In order to fulfill legislative intent
35 regarding the use of funds contained in Specific Appropriations
36 639, 651, 663, and 1188 of the 2010-2011 General Appropriations
37 Act, the Department of Corrections and the Department of
38 Juvenile Justice may expend appropriated funds to assist in
39 defraying the costs of impacts that are incurred by a
40 municipality or county and that are associated with opening or
41 operating a facility under the authority of the department. The
42 amount paid for any facility may not exceed 1 percent of the
43 cost to construct the facility, less building impact fees

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

44 imposed by the municipality or county. This section expires July
45 1, 2011.

46 Section 5. In order to implement Specific Appropriations
47 629 through 724 and 747 through 781 of the 2010-2011 General
48 Appropriations Act, subsection (4) of section 216.262, Florida
49 Statutes, is amended to read:

50 216.262 Authorized positions.—

51 (4) Notwithstanding the provisions of this chapter on
52 increasing the number of authorized positions, and for the 2010-
53 2011 ~~2009-2010~~ fiscal year only, if the actual inmate population
54 of the Department of Corrections exceeds the inmate population
55 projections of the February 19, 2010 ~~April 30, 2009~~, Criminal
56 Justice Estimating Conference by 1 percent for 2 consecutive
57 months or 2 percent for any month, the Executive Office of the
58 Governor, with the approval of the Legislative Budget
59 Commission, shall immediately notify the Criminal Justice
60 Estimating Conference, which shall convene as soon as possible
61 to revise the estimates. The Department of Corrections may then
62 submit a budget amendment requesting the establishment of
63 positions in excess of the number authorized by the Legislature
64 and additional appropriations from unallocated general revenue
65 sufficient to provide for essential staff, fixed capital
66 improvements, and other resources to provide classification,
67 security, food services, health services, and other variable
68 expenses within the institutions to accommodate the estimated
69 increase in the inmate population. All actions taken pursuant to
70 the authority granted in this subsection shall be subject to

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

71 review and approval by the Legislative Budget Commission. This
72 subsection expires July 1, 2011 ~~2010~~.

73 Section 6. In order to implement Specific Appropriations
74 1306, 1322, 1329, 1349, and 1359 of the 2010-2011 General
75 Appropriations Act, the Department of Legal Affairs is
76 authorized to transfer cash remaining after required
77 disbursements for Attorney General case numbers 09-CV-51614, 16-
78 2008-CA-01-3142CV-C, and CACE08022328 from FLAIR account 41-74-
79 2-601001-41100100-00-181076-00 to the Operating Trust Fund to
80 pay salaries and benefits. This section expires July 1, 2011.

81 Section 7. In order to implement Specific Appropriations
82 1343 and 1344 of the 2010-2011 General Appropriations Act, the
83 Department of Legal Affairs is authorized to expend appropriated
84 funds in those specific appropriations on the same programs that
85 were funded by the department pursuant to specific
86 appropriations made in general appropriations acts in previous
87 years. This section expires July 1, 2011.

88 Section 8. In order to implement Specific Appropriations
89 1245 and 1251 of the 2010-2011 General Appropriations Act,
90 paragraph (d) of subsection (4) of section 932.7055, Florida
91 Statutes, is amended to read:

92 932.7055 Disposition of liens and forfeited property.-

93 (4) The proceeds from the sale of forfeited property shall
94 be disbursed in the following priority:

95 (d) Notwithstanding any other provision of this
96 subsection, and for the 2010-2011 ~~2009-2010~~ fiscal year only,
97 the funds in a special law enforcement trust fund established by
98 the governing body of a municipality may be expended to
132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

99 reimburse the general fund of the municipality for moneys
100 advanced from the general fund to the special law enforcement
101 trust fund prior to October 1, 2001. This paragraph expires July
102 1, 2011 ~~2010~~.

103 Section 9. In order to implement Specific Appropriations
104 3238 through 3260 of the 2010-2011 General Appropriations Act,
105 the Office of State Courts Administrator, with the assistance of
106 the clerks of the court and the Florida Association of Clerks
107 and Comptrollers, shall report by February 15, 2011, to the
108 chairs of the Senate Policy and Steering Committee on Ways and
109 Means and the House Full Appropriations Council on Education and
110 Economic Development, the number of assigned new and reopened
111 cases and the number of cases closed by each judge in each
112 division and circuit for the period January 1, 2010, through
113 December 31, 2010.

114 Section 10. In order to implement section 7 of the 2010-
115 2011 General Appropriations Act, paragraph (c) is added to
116 subsection (4) of section 29.008, Florida Statutes, to read:

117 29.008 County funding of court-related functions.—

118 (4)

119 (c) Counties are exempt from all requirements and
120 provisions of paragraph (a) for the 2010-2011 fiscal year.
121 Accordingly, for the 2010-2011 fiscal year, counties shall
122 maintain, but are not required to increase, their expenditures
123 for the items specified in paragraphs (1)(a)-(h) and subsection
124 (3). The requirements described in paragraph (a) shall be
125 reinstated beginning with the 2011-2012 fiscal year. This
126 paragraph expires July 1, 2011.

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

127 Section 11. (1) In order to implement Specific
128 Appropriations 1119, 1120, 1125, 1126, 1167, 1168, 1172, 1173,
129 1175, 1178, 1179, 1182 through 1185, 1194, and 1199 of the 2010-
130 2011 General Appropriations Act, the Department of Juvenile
131 Justice must comply with the following reimbursement
132 limitations:

133 (a) No payment to a hospital or a health care provider may
134 exceed 110 percent of the Medicare allowable rate for any health
135 care services provided if no contract exists between the
136 department and either the hospital or the health care provider
137 providing services at a hospital;

138 (b) The department may continue to make payments for
139 health care services at the currently contracted rates through
140 the current term of the contract if a contract has been executed
141 between the department and a hospital or a health care provider
142 providing services to a hospital; however, no payments may
143 exceed 110 percent of the Medicare allowable rate after the
144 current term of the contract expires or after the contract is
145 renewed during the 2010-2011 fiscal year;

146 (c) Payments may not exceed 110 percent of the Medicare
147 allowable rate under a contract executed on or after July 1,
148 2010, between the department and a hospital or health care
149 provider providing services at a hospital;

150 (d) Notwithstanding the limitations of paragraphs (a),
151 (b), and (c), the department may pay up to 125 percent of the
152 Medicare allowable rate for health care services at a hospital
153 that reports or has reported a negative operating margin for the

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

154 previous fiscal year to the Agency for Health Care

155 Administration through hospital-audited financial data; and

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

159 (2) For purposes of this section, the term "hospital"
160 means any hospital licensed under chapter 395, Florida Statutes.

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

162 Section 12. In order to implement Specific Appropriations
163 3214 through 3216, 3218, 3222, and 3245A of the 2010-2011
164 General Appropriations Act, subsection (3) is added to section
165 44.108, Florida Statutes, to read:

166 44.108 Funding of mediation and arbitration.—

167 (3) For the 2010-2011 fiscal year only and notwithstanding
168 any other provision of law to the contrary, moneys in the
169 Mediation and Arbitration Trust Fund may be used as specified in
170 the General Appropriations Act. This subsection expires July 1,
171 2011.

172 Section 13. In order to implement Specific Appropriations
173 324 through 355 of the 2010-2011 General Appropriations Act,
174 paragraphs (b) and (c) of subsection (3) of section 394.908,
175 Florida Statutes, are amended to read:

176 394.908 Substance abuse and mental health funding equity;
177 distribution of appropriations.—In recognition of the historical
178 inequity in the funding of substance abuse and mental health
179 services for the department's districts and regions and to
180 rectify this inequity and provide for equitable funding in the

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

181 future throughout the state, the following funding process shall
182 be used:

183 (3)

184 (b) Notwithstanding paragraph (a) and for the 2010-2011
185 ~~2009-2010~~ fiscal year only, funds appropriated for forensic
186 mental health treatment services shall be allocated to the areas
187 of the state having the greatest demand for services and
188 treatment capacity. This paragraph expires July 1, 2011 ~~2010~~.

189 (c) Notwithstanding paragraph (a) and for the 2010-2011
190 ~~2009-2010~~ fiscal year only, additional funds appropriated for
191 substance abuse and mental health services from funds available
192 through the Community-Based Medicaid Administrative Claiming
193 Program shall be allocated as provided in the 2010-2011 ~~2009-~~
194 ~~2010~~ General Appropriations Act and in proportion to contributed
195 provider earnings. This paragraph expires July 1, 2011 ~~2010~~.

196 Section 14. In order to implement Specific Appropriation
197 486 of the 2010-2011 General Appropriations Act, and for the
198 2010-2011 fiscal year only, the following requirements shall
199 govern Phase 2 of the Department of Health's Florida Onsite
200 Sewage Nitrogen Reduction Strategies Study:

201 (1) The underlying contract for which the study was let
202 shall remain in full force and effect with the Department of
203 Health and funding the contract for Phase 2 of the study shall
204 be through the Department of Health.

205 (2) The Department of Health, the Department of Health's
206 Research Review and Advisory Committee, and the Department of
207 Environmental Protection shall work together to provide the
208 necessary technical oversight of Phase 2 of the project, with

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

209 the Department of Environmental Protection having maximum
210 technical input.

211 (3) Management and oversight of Phase 2 shall be
212 consistent with the terms of the existing contract; however, the
213 main focus and priority for work to be completed for Phase 2
214 shall be in developing, testing, and recommending cost-effective
215 passive technology design criteria for nitrogen reduction.

216 (4) The systems installed at actual home sites are
217 experimental in nature and shall be installed with significant
218 field testing and monitoring. The Department of Health is
219 specifically authorized to allow installation of these
220 experimental systems. In addition, before Phase 2 of the study
221 is complete and notwithstanding any law to the contrary, a state
222 agency may not adopt or implement a rule or policy that:

223 (a) Mandates, establishes, or implements any new nitrogen-
224 reduction standards that apply to existing or new onsite sewage
225 treatment systems or modification of such systems;

226 (b) Increases the cost of treatment for nitrogen reduction
227 from onsite sewage treatment systems; or

228 (c) Directly requires or has the indirect effect of
229 requiring, for nitrogen reduction, the use of performance-based
230 treatment systems or any similar technology; provided the
231 Department of Environmental Protection administrative orders
232 recognizing onsite system modifications, developed through a
233 basin management action plan adopted pursuant to section
234 403.067, Florida Statutes, are not subject to the above
235 restrictions where implementation of onsite system modifications
236 are phased in after completion of Phase 2, except that no onsite

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

237 system modification developed in a basin management action plan
238 shall directly or indirectly require the installation of
239 performance-based treatment systems.

240 Section 15. Effective June 29, 2010, in order to implement
241 Specific Appropriation 270 through 375 of the 2010-2011 General
242 Appropriations Act, subsection (3) of section 1 of chapter 2007-
243 174, Laws of Florida, is amended to read:

244 Section 1. Flexibility for the Department of Children and
245 Family Services.-

246 (3) This section expires July 1, 2011 ~~June 30, 2008~~.

247 Section 16. In order to implement Specific Appropriation
248 568A of the 2010-2011 General Appropriations Act,
249 notwithstanding the provisions of s. 216.177, Florida Statutes,
250 requiring only 3 days' notice to the Legislature for the release
251 of funds, budget amendments recommending the release of funds
252 appropriated in Specific Appropriation 568A shall be provided at
253 least 14 days before the effective date of the action and shall
254 be subject to the objection procedures in s. 216.177(2)(b),
255 Florida Statutes.

256 Section 17. In order to implement section 114 of the 2010-
257 2011 General Appropriations Act, the Florida Catastrophic Storm
258 Risk Management Center at Florida State University shall conduct
259 the analysis as originally required in section 164 of chapter
260 2004-390, Laws of Florida. Notwithstanding section 164 of
261 chapter 2004-390, Laws of Florida, the Florida Catastrophic
262 Storm Risk Management Center at Florida State University is
263 directed to use the most recent and available premium data for

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

264 personal lines property and casualty insurance in completing the
265 analysis.

266 Section 18. In order to implement Specific Appropriation
267 3055P of the 2010-2011 General Appropriations Act, subsection
268 (3) of section 218.12, Florida Statutes, is amended to read:

269 218.12 Appropriations to offset reductions in ad valorem
270 tax revenue in fiscally constrained counties.—

271 (3) In determining the reductions in ad valorem tax
272 revenues occurring as a result of the implementation of the
273 revisions to Art. VII of the State Constitution approved in the
274 special election held on January 29, 2008, the value of
275 assessments reduced pursuant to s. 4(d)(8)a., Art. VII of the
276 State Constitution shall include only the reduction in taxable
277 value for homesteads established January 1, 2010 ~~2009~~.

278 Section 19. The amendment to s. 218.12(3), Florida
279 Statutes, made by this act shall expire July 1, 2011, and the
280 text of that subsection shall revert to that in existence on
281 June 30, 2009, except that any amendments to such text enacted
282 other than by this act shall be preserved and continue to
283 operate to the extent that such amendments are not dependent
284 upon the portions of such text which expire pursuant to this
285 section.

286 Section 20. In order to implement Specific Appropriation
287 2838 of the 2010-2011 General Appropriations Act, paragraph (b)
288 of subsection (1) of section 255.518, Florida Statutes, is
289 reenacted to read:

290 255.518 Obligations; purpose, terms, approval,
291 limitations.—

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

292 (1)

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

296 Section 21. The amendment to s. 255.518(1)(b), Florida
297 Statutes, as carried forward by this act from chapters 2008-153
298 and 2009-82, Laws of Florida, shall expire July 1, 2011, and the
299 text of that paragraph shall revert to that in existence on June
300 30, 2008, except that any amendments to such text enacted other
301 than by this act shall be preserved and continue to operate to
302 the extent that such amendments are not dependent upon the
303 portions of such text which expire pursuant to this section.

304 Section 22. In order to implement Specific Appropriations
305 2821 through 2835 of the 2010-2011 General Appropriations Act,
306 paragraph (b) of subsection (7) of section 255.503, Florida
307 Statutes, is amended to read:

308 255.503 Powers of the Department of Management Services.-
309 The Department of Management Services shall have all the
310 authority necessary to carry out and effectuate the purposes and
311 provisions of this act, including, but not limited to, the
312 authority to:

313 (7)

314 (b) No later than the date upon which the department
315 recommends to the Division of State Lands of the Department of
316 Environmental Protection the disposition of any facility within
317 the Florida Facilities Pool, the department shall provide to the
318 President of the Senate, the Speaker of the House of
319 Representatives, the Executive Office of the Governor, and the
132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

320 Division of Bond Finance of the State Board of Administration an
321 analysis that includes:

322 1. The cost benefit of the proposed facility disposition,
323 including the facility's current operating expenses, condition,
324 and market value, and viable alternatives for work space for
325 impacted state employees.

326 2. The effect of the proposed facility disposition on the
327 financial status of the Florida Facilities Pool, including the
328 effect on rental rates and coverage requirement for the bonds.

329

330 This paragraph expires July 1, 2011 ~~2010~~.

331 Section 23. Notwithstanding any provision in chapter 287,
332 Florida Statutes, to the contrary, the Department of Management
333 Services shall issue, by January 1, 2011, a solicitation for
334 office supplies and subsequently award a multiple-supplier
335 contract with at least three awarded vendors.

336 Section 24. In order to implement Specific Appropriations
337 2379 through 2401 of the 2010-2011 General Appropriations Act,
338 subsection (14) of section 253.034, Florida Statutes, is amended
339 to read:

340 253.034 State-owned lands; uses.—

341 (14) Notwithstanding the provisions of this section, funds
342 derived from the sale of ~~property~~ by the Department of Citrus'
343 property ~~Citrus~~ located in Lakeland, Florida, are authorized to
344 be deposited into the Citrus Advertising Trust Fund. This
345 subsection expires July 1, 2011 ~~2010~~.

346 Section 25. In order to implement Specific Appropriations
347 1651, 1763, 1789, and 1790 of the 2010-2011 General
132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

348 Appropriations Act, paragraph (b) of subsection (3) of section
349 375.041, Florida Statutes, is amended to read:

350 375.041 Land Acquisition Trust Fund.—

351 (3)

352 (b) In addition to the uses allowed in paragraph (a), for
353 the 2010-2011 ~~2008-2009~~ fiscal year, moneys in the Land
354 Acquisition Trust Fund are authorized for transfer to support
355 the Clean Water State Revolving Fund, the Drinking Water State
356 Revolving Fund, the Total Maximum Daily Loads programs, and the
357 Marine Spatial Planning programs ~~the Ecosystem Management and~~
358 ~~Restoration Trust Fund for grants and aids to local governments~~
359 ~~for water projects~~ as provided in the General Appropriations
360 Act. This paragraph expires July 1, 2011 ~~2009~~.

361 Section 26. In order to implement Specific Appropriations
362 1389 and 1692 of the 2010-2011 General Appropriations Act,
363 subsection (12) of section 373.59, Florida Statutes, is amended
364 to read:

365 373.59 Water Management Lands Trust Fund.—

366 (12) Notwithstanding ~~the provisions of~~ subsection (8), and
367 for the 2010-2011 ~~2009-2010~~ fiscal year only, the moneys from
368 the Water Management Lands Trust Fund shall be allocated as
369 follows:

370 (a) An amount necessary to pay debt service on bonds
371 issued before February 1, 2009, by the South Florida Water
372 Management District and the St. Johns River Water Management
373 District, which are secured by revenues provided pursuant to
374 this section, or to fund debt service reserve funds, rebate

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

375 obligations, or other amounts payable with respect to such
376 bonds;

377 (b) Eight million dollars to be transferred to the General
378 Revenue Fund; ~~and~~

379 (c) The remaining funds to be distributed equally between
380 the Suwannee River Water Management District and the Northwest
381 Florida Water Management District; and

382 (d) For the 2010-2011 fiscal year only, the sum of \$50,000
383 from the Water Management Lands Trust Fund shall be transferred
384 to the General Inspection Trust Fund in the Department of
385 Agriculture and Consumer Services for the soil and water
386 conservation districts for support services.

387
388 This subsection expires July 1, 2011 ~~2010~~.

389 Section 27. In order to implement Specific Appropriations
390 1765, 1766, 1767, 1769, and 1769A of the 2010-2011 General
391 Appropriations Act, paragraph (g) of subsection (1) of section
392 403.1651, Florida Statutes, is reenacted to read:

393 403.1651 Ecosystem Management and Restoration Trust Fund.—

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

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

399 Section 28. The amendment to s. 403.1651(1)(g), Florida
400 Statutes, as carried forward by this act from chapter 2009-82,
401 Laws of Florida, shall expire July 1, 2011, and the text of that
402 subsection shall revert to that in existence on June 30, 2009,
132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

403 except that any amendments to such text enacted other than by
404 this act shall be preserved and continue to operate to the
405 extent that such amendments are not dependent upon the portions
406 of such text which expire pursuant to this section.

407 Section 29. In order to implement Specific Appropriations
408 1456, 1473, 1491A, and 1493B of the 2010-2011 General
409 Appropriations Act, subsection (3) is added to section 403.1651,
410 Florida Statutes, to read:

411 403.1651 Ecosystem Management and Restoration Trust Fund.—

412 (3) For the 2010-2011 fiscal year only, moneys in the
413 Ecosystems Management and Restoration Trust Fund are authorized
414 for transfer to the General Inspection Trust Fund in the
415 Department of Agriculture and Consumer Services for the Farm
416 Share, Food Banks, and Mosquito Control programs, and the
417 Technological Research and Development Authority. This
418 subsection expires July 1, 2011.

419 Section 30. In order to implement Specific Appropriations
420 1378 through 1538 of the 2010-2011 General Appropriations Act,
421 subsection (2) of section 570.20, Florida Statutes, is amended
422 to read:

423 570.20 General Inspection Trust Fund.—

424 (2) For the 2010-2011 ~~2009-2010~~ fiscal year only and
425 notwithstanding any other provision of law to the contrary, in
426 addition to the spending authorized in subsection (1), moneys in
427 the General Inspection Trust Fund may be appropriated for
428 programs operated by the department which are related to the
429 programs authorized by this chapter. This subsection expires
430 July 1, 2011 ~~2010~~.

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

431 Section 31. In order to implement Specific Appropriation
432 1833 of the 2010-2011 General Appropriations Act, subsection (7)
433 of section 403.7095, Florida Statutes, is amended to read:

434 403.7095 Solid waste management grant program.—

435 (7) Notwithstanding any provision of this section to the
436 contrary, and for the 2010-2011 ~~2009-2010~~ fiscal year only, the
437 Department of Environmental Protection shall award the sum of
438 \$2,400,000 ~~\$2,600,000~~ in grants equally to counties having
439 populations of fewer than 100,000 for waste tire and litter
440 prevention, recycling education, and general solid waste
441 programs. This subsection expires July 1, 2011 ~~2010~~.

442 Section 32. In order to implement Specific Appropriation
443 1490 of the 2010-2011 General Appropriations Act and to provide
444 consistency and continuity in the promotion of agriculture
445 throughout the state, notwithstanding s. 287.057, Florida
446 Statutes, the Department of Agriculture and Consumer Services,
447 at its discretion, may extend, revise, and renew current
448 contracts or agreements created or entered into pursuant to
449 chapter 2006-25, Laws of Florida. This section expires July 1,
450 2011.

451 Section 33. In order to implement Specific Appropriation
452 2125 of the 2010-2011 General Appropriations Act, subsection (5)
453 of section 339.135, Florida Statutes, is amended to read:

454 339.135 Work program; legislative budget request;
455 definitions; preparation, adoption, execution, and amendment.—

456 (5) ADOPTION OF THE WORK PROGRAM.—

457 (a) The original approved budget for operational and fixed
458 capital expenditures for the department shall be the Governor's
132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

459 budget recommendation and the first year of the tentative work
460 program, as both are amended by the General Appropriations Act
461 and any other act containing appropriations. In accordance with
462 the appropriations act, the department shall, prior to the
463 beginning of the fiscal year, adopt a final work program which
464 shall only include the original approved budget for the
465 department for the ensuing fiscal year together with any roll
466 forwards approved pursuant to paragraph (6) (c) and the portion
467 of the tentative work program for the following 4 fiscal years
468 revised in accordance with the original approved budget for the
469 department for the ensuing fiscal year together with said roll
470 forwards. The adopted work program may include only those
471 projects submitted as part of the tentative work program
472 developed under the provisions of subsection (4) plus any
473 projects which are separately identified by specific
474 appropriation in the General Appropriations Act and any roll
475 forwards approved pursuant to paragraph (6) (c). However, any
476 transportation project of the department which is identified by
477 specific appropriation in the General Appropriations Act shall
478 be deducted from the funds annually distributed to the
479 respective district pursuant to paragraph (4) (a). In addition,
480 the department shall not in any year include any project or
481 allocate funds to a program in the adopted work program that is
482 contrary to existing law for that particular year. Projects
483 shall not be undertaken unless they are listed in the adopted
484 work program.

485 (b) Notwithstanding paragraph (a), and for the 2010-2011
486 ~~2009-2010~~ fiscal year only, the Department of Transportation
132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

487 shall transfer funds to the Office of Tourism, Trade, and
488 Economic Development in an amount equal to \$20,300,000 for the
489 purpose of funding transportation-related needs of economic
490 development projects. This transfer shall not reduce, delete, or
491 defer any existing projects funded, as of July 1, 2009, in the
492 Department of Transportation's 5-year work program. This
493 paragraph expires July 1, 2011 ~~2010~~.

494 Section 34. In order to implement Specific Appropriation
495 2672 and section 72 of the 2010-2011 General Appropriations Act,
496 funds appropriated out of the Economic Development
497 Transportation Trust Fund may be used for economic development
498 infrastructure projects and other economic development projects;
499 for improvements to other launch complexes and space
500 transportation facilities in order to attract new space vehicle
501 testing and launch business to the state; for addressing
502 intermodal requirements and impacts of the launch ranges,
503 spaceports, and other space transportation facilities; for
504 advancing aerospace technology to meet the current and future
505 needs of the United States commercial space transportation
506 industry; and for assisting in the development of joint-use
507 facilities and technology that support aviation and aerospace
508 operations, including high altitude and suborbital flights and
509 range technology development. This section expires July 1, 2011.

510 Section 35. In order to implement sections 2 through 7 of
511 the 2010-2011 General Appropriations Act, subsection (5) of
512 section 216.292, Florida Statutes, is amended to read:

513 216.292 Appropriations nontransferable; exceptions.-

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

514 (5) (a) A transfer of funds may not result in the
515 initiation of a fixed capital outlay project that has not
516 received a specific legislative appropriation.

517 (b) Notwithstanding paragraph (a), and for the 2010-2011
518 ~~2009-2010~~ fiscal year only, the Governor may recommend the
519 initiation of fixed capital outlay projects funded by grants
520 awarded by the Federal Government through the American Recovery
521 and Reinvestment Act of 2009 or by any other federal economic
522 stimulus grant funding received. All actions taken pursuant to
523 the authority granted in the paragraph are subject to review and
524 approval by the Legislative Budget Commission. This paragraph
525 expires July 1, 2011 ~~2010~~.

526 Section 36. In order to implement sections 2 through 7 of
527 the 2010-2011 General Appropriations Act, the Executive Office
528 of the Governor is authorized to transfer funds appropriated for
529 the American Recovery and Reinvestment Act of 2009 (ARRA) in
530 traditional appropriation categories in the 2010-2011 General
531 Appropriations Act to appropriation categories established for
532 the specific purpose of tracking funds appropriated for the
533 ARRA. This section expires July 1, 2011.

534 Section 37. In order to implement section 76 of the 2010-
535 2011 General Appropriations Act, paragraph (n) of subsection (1)
536 of section 339.08, Florida Statutes, is amended to read:

537 339.08 Use of moneys in State Transportation Trust Fund.—

538 (1) The department shall expend moneys in the State
539 Transportation Trust Fund accruing to the department, in
540 accordance with its annual budget. The use of such moneys shall
541 be restricted to the following purposes:

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

542 (n) To pay administrative expenses incurred in accordance
543 with applicable laws for a multicounty transportation or
544 expressway authority created under chapter 343 or chapter 348,
545 where jurisdiction for the authority includes a portion of the
546 State Highway System and the administrative expenses are in
547 furtherance of the duties and responsibilities of the authority
548 in the development of improvements to the State Highway System.
549 This paragraph expires July 1, 2011 ~~2010~~.

550 Section 38. In order to implement Specific Appropriation
551 2112 of the 2010-2011 General Appropriations Act, paragraph (p)
552 of subsection (1) of section 339.08, Florida Statutes, is
553 amended to read:

554 339.08 Use of moneys in State Transportation Trust Fund.-

555 (1) The department shall expend moneys in the State
556 Transportation Trust Fund accruing to the department, in
557 accordance with its annual budget. The use of such moneys shall
558 be restricted to the following purposes:

559 (p) To pay for county and school district transportation
560 infrastructure improvements. This paragraph expires July 1, 2011
561 ~~2010~~.

562 Section 39. In order to implement section 129 of the 2010-
563 2011 General Appropriations Act, subsection (4) of section
564 339.08, Florida Statutes, is amended to read:

565 339.08 Use of moneys in State Transportation Trust Fund.-

566 (4) For the 2010-2011 ~~2009-2010~~ fiscal year only and
567 notwithstanding the provisions of this section and ss. 339.09(1)
568 and 215.32(2)(b)4., funds may be transferred from the State
569 Transportation Trust Fund to the General Revenue Fund as
132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

570 specified in the General Appropriations Act. Notwithstanding ss.
571 206.46(3) and 206.606(2), the total amount transferred shall be
572 reduced from total state revenues deposited into the State
573 Transportation Trust Fund for the calculation requirements of
574 ss. 206.46(3) and 206.606(2). This subsection expires July 1,
575 2011 ~~2010~~.

576 Section 40. In order to implement section 54 of the 2010-
577 2011 General Appropriations Act, subsection (11) of section
578 445.009, Florida Statutes, is amended to read:

579 445.009 One-stop delivery system.—

580 (11) (a) A participant in an adult or youth work experience
581 activity administered under this chapter shall be deemed an
582 employee of the state for purposes of workers' compensation
583 coverage. In determining the average weekly wage, all
584 remuneration received from the employer shall be considered a
585 gratuity, and the participant shall not be entitled to any
586 benefits otherwise payable under s. 440.15, regardless of
587 whether the participant may be receiving wages and remuneration
588 from other employment with another employer and regardless of
589 his or her future wage-earning capacity.

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

591 Section 41. In order to implement Specific Appropriations
592 1557 through 1560 of the 2010-2011 General Appropriations Act,
593 paragraph (d) of subsection (3) of section 163.3247, Florida
594 Statutes, is amended to read:

595 163.3247 Century Commission for a Sustainable Florida.—

596 (3) CENTURY COMMISSION FOR A SUSTAINABLE FLORIDA;

597 CREATION; ORGANIZATION.—The Century Commission for a Sustainable
132719

Amendment No.

598 Florida is created as a standing body to help the citizens of
599 this state envision and plan their collective future with an eye
600 towards both 25-year and 50-year horizons.

601 (d) Members of the commission shall serve without
602 compensation ~~but shall be entitled to receive per diem and~~
603 ~~travel expenses in accordance with s. 112.061 while in~~
604 ~~performance of their duties.~~

605 Section 42. The amendment to s. 163.3247(3)(d), Florida
606 Statutes, made by this act shall expire July 1, 2011, and the
607 text of that paragraph shall revert to that in existence on June
608 30, 2010, except that any amendments to such text enacted other
609 than by this act shall be preserved and continue to operate to
610 the extent that such amendments are not dependent upon the
611 portions of such text which expire pursuant to this section.

612 Section 43. In order to implement Specific Appropriations
613 1557 through 1560 of the 2010-2011 General Appropriations Act,
614 paragraph (c) of subsection (1) of section 201.15, Florida
615 Statutes, as amended by section 2 of chapter 2009-271, Laws of
616 Florida, is amended to read:

617 201.15 Distribution of taxes collected.—All taxes
618 collected under this chapter are subject to the service charge
619 imposed in s. 215.20(1). Prior to distribution under this
620 section, the Department of Revenue shall deduct amounts
621 necessary to pay the costs of the collection and enforcement of
622 the tax levied by this chapter. Such costs and the service
623 charge may not be levied against any portion of taxes pledged to
624 debt service on bonds to the extent that the costs and service
625 charge are required to pay any amounts relating to the bonds.

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

626 After distributions are made pursuant to subsection (1), all of
627 the costs of the collection and enforcement of the tax levied by
628 this chapter and the service charge shall be available and
629 transferred to the extent necessary to pay debt service and any
630 other amounts payable with respect to bonds authorized before
631 January 1, 2010, secured by revenues distributed pursuant to
632 subsection (1). All taxes remaining after deduction of costs and
633 the service charge shall be distributed as follows:

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

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

639 1. The State Transportation Trust Fund in the Department
640 of Transportation in the amount of the lesser of 38.2 percent of
641 the remainder or \$541.75 million in each fiscal year, to be used
642 for the following specified purposes, notwithstanding any other
643 law to the contrary:

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

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

651 c. For the purposes of the Strategic Intermodal System
652 specified in ss. 339.61, 339.62, 339.63, and 339.64, 75 percent
653 of these funds after allocating for the New Starts Transit

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

654 Program described in sub-subparagraph a. and the Small County
655 Outreach Program described in sub-subparagraph b.; and

656 d. For the purposes of the Transportation Regional
657 Incentive Program specified in s. 339.2819, 25 percent of these
658 funds after allocating for the New Starts Transit Program
659 described in sub-subparagraph a. and the Small County Outreach
660 Program described in sub-subparagraph b. Effective July 1, 2014,
661 the first \$60 million of the funds allocated pursuant to this
662 sub-subparagraph shall be allocated annually to the Florida Rail
663 Enterprise for the purposes established in s. 341.303(5).

664 2. The Grants and Donations Trust Fund in the Department
665 of Community Affairs in the amount of the lesser of .23 percent
666 of the remainder or \$3.25 million in each fiscal year, ~~with 92~~
667 ~~percent to be used~~ to fund technical assistance to local
668 governments and school boards on the requirements and
669 implementation of this act ~~and the remaining amount to be used~~
670 ~~to fund the Century Commission established in s. 163.3247.~~

671 3. The Ecosystem Management and Restoration Trust Fund in
672 the amount of the lesser of 2.12 percent of the remainder or \$30
673 million in each fiscal year, to be used for the preservation and
674 repair of the state's beaches as provided in ss. 161.091-
675 161.212.

676 4. General Inspection Trust Fund in the amount of the
677 lesser of .02 percent of the remainder or \$300,000 in each
678 fiscal year to be used to fund oyster management and restoration
679 programs as provided in s. 379.362(3).
680

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

681 Moneys distributed pursuant to this paragraph may not be pledged
682 for debt service unless such pledge is approved by referendum of
683 the voters.

684 Section 44. The amendment to s. 201.15(1)(c)2., Florida
685 Statutes, made by this act shall expire July 1, 2011, and the
686 text of that subparagraph shall revert to that in existence on
687 June 30, 2010, except that any amendments to such text enacted
688 other than by this act shall be preserved and continue to
689 operate to the extent that such amendments are not dependent
690 upon the portions of such text which expire pursuant to this
691 section.

692 Section 45. In order to implement Specific Appropriations
693 1617 and 1615A of the 2010-2011 General Appropriations Act,
694 subsection (8) of section 215.559, Florida Statutes, is amended
695 to read:

696 215.559 Hurricane Loss Mitigation Program.—

697 (8) (a) Notwithstanding any other provision of this section
698 and for the 2010-2011 ~~2008-2009~~ fiscal year only, the \$3 ~~\$10~~
699 million appropriation provided for in subsection (2) (b) may be
700 used for hurricane shelters as identified in the General
701 Appropriations Act. (1) shall be allocated as follows:

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

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

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

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

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

716 (b) This subsection expires June 30, 2011 ~~July 1, 2009~~.

717 Section 46. In order to implement Specific Appropriation
718 2072 of the 2010-2011 General Appropriations Act, subsection (8)
719 of section 332.007, Florida Statutes, is reenacted to read:

720 332.007 Administration and financing of aviation and
721 airport programs and projects; state plan.-

722 (8) Notwithstanding any other provision of law to the
723 contrary, the department is authorized to fund security
724 projects, including operational and maintenance assistance, at
725 publicly owned public-use airports. For projects in the current
726 adopted work program, or projects added using the available
727 budget of the department, airports may request the department
728 change the project purpose in accordance with this provision
729 notwithstanding the provisions of s. 339.135(7). For purposes of
730 this subsection, the department may fund up to 100 percent of
731 eligible project costs that are not funded by the Federal
732 Government. This subsection shall expire on June 30, 2012.

733 Section 47. The amendment to s. 332.007(8), Florida
734 Statutes, as carried forward by this act from chapter 2009-82,
735 Laws of Florida, shall expire July 1, 2011, and the text of that
132719

Amendment No.

736 subsection shall revert to that in existence on June 30, 2009,
737 except that any amendments to such text enacted other than by
738 this act shall be preserved and continue to operate to the
739 extent that such amendments are not dependent upon the portions
740 of such text which expire pursuant to this section.

741 Section 48. In order to implement Specific Appropriation
742 2651 of the 2010-2011 General Appropriations Act, the Florida
743 Major Performing Arts Center Task Force is created as follows:

744 (1) The Florida Major Performing Arts Center Task Force is
745 created for the purpose of defining and evaluating the economic
746 impact of Florida's largest nonprofit and publically operated
747 performing arts centers, determining an impact threshold for
748 qualification as a Florida Major Performing Arts Center, and
749 making recommendations for dedicated state funding and policy
750 for support based on these findings.

751 (2) The task force shall consist of nine members as
752 follows:

753 (a) The Secretary of State or his or her designee.

754 (b) The director of the Office of Tourism, Trade, and
755 Economic Development or his or her designee.

756 (c) A representative from Enterprise Florida, Inc.

757 (d) A representative from the Florida Tourism Industry
758 Marketing Corporation.

759 (e) Five members chosen from among the cultural community
760 leadership in each region of the state in which major performing
761 arts centers are located, of whom:

762 1. One member shall be appointed by the Governor.

763 2. Two members shall be appointed by the Speaker of the

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

764 House of Representatives.

765 3. Two members shall be appointed by the President of the
766 Senate.

767 (3) The members of the task force shall elect a chair and
768 vice chair from among its membership. The chair shall preside at
769 all meetings of the task force.

770 (4) The task force shall meet at the call of the chair or
771 at the request of the majority of its membership to undertake
772 and complete its purpose. The task force may conduct its
773 meetings through teleconferences or other similar means.

774 (5) The task force shall submit a final report of its
775 findings and recommendations to the Governor, the Speaker of the
776 House of Representatives, and the President of the Senate no
777 later than December 31, 2010.

778 (6) Staffing for the task force shall be provided by the
779 Office of Tourism, Trade, and Economic Development.

780 (7) The task force shall terminate upon delivery of the
781 report.

782 Section 49. In order to implement Specific Appropriation
783 2214, and associated proviso, of the 2010-2011 General
784 Appropriations Act, subsections (10) and (11) are added to
785 section 445.007, Florida Statutes, to read:

786 445.007 Regional workforce boards.—

787 (10) State and federal funds provided to the regional
788 workforce boards may not be used directly or indirectly to pay
789 for meals, food, or beverages for board members, staff, or
790 employees of regional workforce boards, Workforce Florida, Inc.
791 or the Agency for Workforce Innovation except as expressly

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

792 authorized by state law. Preapproved, reasonable, and necessary
793 per diem allowances and travel expenses may be reimbursed. Such
794 reimbursement shall be at the standard travel reimbursement
795 rates established in s. 112.061 and shall be in compliance with
796 all applicable federal and state requirements. Workforce
797 Florida, Inc. shall develop a statewide fiscal policy applicable
798 to the state board and all regional workforce boards, to hold
799 both the state and regional boards strictly accountable for
800 adherence to the policy and subject to regular and periodic
801 monitoring by the Agency for Workforce Innovation, the
802 administrative entity for Workforce Florida, Inc. Boards are
803 prohibited from expending state or federal funds for
804 entertainment costs and recreational activities for board
805 members and employees as these terms are defined by 2 C.F.R.
806 part 230. This subsection expires July 1, 2011.

807 (11) To increase transparency and accountability, regional
808 workforce boards shall comply with the requirements of this
809 section before contracting with a member of the regional
810 workforce board. Such contracts shall not be executed before or
811 without the approval of Workforce Florida, Inc. Such contracts,
812 as well as documentation demonstrating adherence to this section
813 as specified by Workforce Florida, Inc. must be submitted to the
814 Agency for Workforce Innovation for review and recommendation
815 according to criteria to be determined by Workforce Florida,
816 Inc. Contracts between relatives, as defined in s.
817 112.3143(1)(b), of a board member or employee of a board must be
818 approved by a two-thirds vote of the entire board; all conflicts
819 must be disclosed prior to the vote; and any member who may

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

820 benefit from the contract, or whose relative may benefit from
821 the contract, must abstain from the vote and the contract must
822 be reviewed and approved as stated above. Contracts under
823 \$25,000 between a regional workforce board and a member of that
824 board or between relatives, as defined in s. 112.3143(1)(b), of
825 a board member or employees of a board are exempt from the
826 review and recommendation process but must be approved by a two-
827 thirds vote of the entire board and must be reported to the
828 Agency for Workforce Innovation and Workforce Florida, Inc.
829 within 30 days after approval. If a contract cannot be approved
830 by Workforce Florida, Inc. a review of the decision to
831 disapprove the contract may be requested by the regional
832 workforce board or other parties to the disapproved contract.
833 This subsection expires July 1, 2011.

834 Section 50. In order to implement Specific Appropriations
835 2071 through 2083, 2090 through 2094, 2110 through 2117, 2119
836 through 2129, and 2169 through 2179 and section 129 of the 2010-
837 2011 General Appropriations Act, subsection (3) is added to
838 section 206.608, Florida Statutes, to read:

839 206.608 State Comprehensive Enhanced Transportation System
840 Tax; deposit of proceeds; distribution.— Moneys received
841 pursuant to ss. 206.41(1)(f) and 206.87(1)(d) shall be deposited
842 in the Fuel Tax Collection Trust Fund, and, after deducting the
843 service charge imposed in chapter 215 and administrative costs
844 incurred by the department in collecting, administering,
845 enforcing, and distributing the tax, which administrative costs
846 may not exceed 2 percent of collections, shall be distributed as
847 follows:

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

848 (3) For the 2010-2011 fiscal year only, and
849 notwithstanding the provisions of subsection (2), the remaining
850 proceeds of the tax levied pursuant to s. 206.41(1)(f) and all
851 of the proceeds from the tax imposed by s. 206.87(1)(d) shall be
852 transferred into the State Transportation Trust Fund and shall
853 be used for the purposes stated in s. 339.08. This paragraph
854 expires July 1, 2011.

855 Section 51. In order to implement Specific Appropriations
856 2071 through 2083, 2090 through 2094, 2110 through 2117, 2119
857 through 2129, and 2169 through 2179 and section 129 of the 2010-
858 2011 General Appropriations Act, paragraph (a) of subsection (4)
859 of section 339.135, Florida Statutes, is amended, and present
860 paragraphs (a) through (g) of subsection (7) of that section are
861 redesignated as paragraphs (c) through (i), respectively, and
862 new paragraphs (a) and (b) are added to that subsection, to
863 read:

864 339.135 Work program; legislative budget request;
865 definitions; preparation, adoption, execution, and amendment.—

866 (4) FUNDING AND DEVELOPING A TENTATIVE WORK PROGRAM.—

867 (a)1. To assure that no district or county is penalized
868 for local efforts to improve the State Highway System, the
869 department shall, for the purpose of developing a tentative work
870 program, allocate funds for new construction to the districts,
871 except for the turnpike enterprise, based on equal parts of
872 population and motor fuel tax collections. Funds for
873 resurfacing, bridge repair and rehabilitation, bridge fender
874 system construction or repair, public transit projects except
875 public transit block grants as provided in s. 341.052, and other
132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

876 programs with quantitative needs assessments shall be allocated
877 based on the results of these assessments. The department may
878 not transfer any funds allocated to a district under this
879 paragraph to any other district except as provided in subsection
880 (7). Funds for public transit block grants shall be allocated to
881 the districts pursuant to s. 341.052. Funds for the intercity
882 bus program provided for under s. 5311(f) of the federal
883 nonurbanized area formula program shall be administered and
884 allocated directly to eligible bus carriers as defined in s.
885 341.031(12) at the state level rather than the district. In
886 order to provide state funding to support the intercity bus
887 program provided for under provisions of the federal 5311(f)
888 program, the department shall allocate an amount equal to the
889 federal share of the 5311(f) program from amounts calculated
890 pursuant to s. 206.46(3).

891 2. Notwithstanding the provisions of subparagraph 1., the
892 department shall allocate at least 50 percent of any new
893 discretionary highway capacity funds to the Florida Strategic
894 Intermodal System created pursuant to s. 339.61. Any remaining
895 new discretionary highway capacity funds shall be allocated to
896 the districts for new construction as provided in subparagraph
897 1. For the purposes of this subparagraph, the term "new
898 discretionary highway capacity funds" means any funds available
899 to the department above the prior year funding level for
900 capacity improvements, which the department has the discretion
901 to allocate to highway projects.

902 3. Notwithstanding ~~subparagraphs~~ subparagraph 1. and 2.
903 and ss. 201.15(1)(c)1.a.-d., 206.46(3), 334.044(26), and
132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

904 339.2819(3), and for the 2010-2011 ~~2009-2010~~ fiscal year only,
905 the department shall reduce work program levels to balance the
906 finance plan to the revised funding levels resulting from any
907 reduction in the 2010-2011 ~~2009-2010~~ General Appropriations Act.
908 This subparagraph expires July 1, 2011 ~~2010~~.

909 4. For the 2009-2010 fiscal year only, prior to any
910 project or phase thereof being deferred, the department's cash
911 balances shall be as provided in paragraph (6)(b), and the
912 reductions in subparagraph 3. shall be made to financial
913 projects not programmed for contract letting as identified with
914 a work program contract class code 8 and the box code RV. These
915 reductions shall not negatively impact safety or maintenance or
916 project contingency percentage levels as of April 21, 2009. This
917 subparagraph expires July 1, 2010.

918 5. Notwithstanding subparagraphs 1. and 2. and ss.
919 206.46(3) and 334.044(26), and for fiscal years 2009-2010
920 through 2013-2014 only, the department shall annually allocate
921 up to \$15 million of the first proceeds of the increased
922 revenues estimated by the November 2009 Revenue Estimating
923 Conference to be deposited into the State Transportation Trust
924 Fund to provide for the portion of the transfer of funds
925 included in s. 343.58(4)(a)1.a. or 2.a., whichever is
926 applicable. The transfer of funds included in s. 343.58(4) shall
927 not negatively impact projects included in fiscal years 2009-
928 2010 through 2013-2014 of the work program as of July 1, 2009,
929 as amended pursuant to subsection (7). This subparagraph expires
930 July 1, 2014.

931 (7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

932 (a) It is the intent of the Legislature that the
933 department maintain fiscal solvency and make prudent use of all
934 available fiscal resources to minimize any project, or phase
935 thereof, from being deferred within the work program. It is
936 further the intent of the Legislature that the department, to
937 the maximum extent feasible, reduce financial projects not
938 programmed for contract letting as identified with a work
939 program contract class code 8 and the box code RV and reduce
940 cash balances to a level that does not impact contracted
941 payments due to payees beyond the requirements of ss. 215.422
942 and 337.141, to balance the finance plan and cash forecast to
943 the revised funding levels resulting from any reduction in the
944 2010-2011 General Appropriations Act. This paragraph expires
945 July 1, 2011.

946 (b) The department shall provide the documents included in
947 subparagraphs 1.-9. to the Legislative Budget Commission when
948 submitting the department's work program amendment to request
949 approval to realign the work program appropriation categories to
950 the General Appropriations Act of 2010-2011 pursuant to s.
951 339.135(7). In addition, any subsequent work program amendment
952 submitted to the Legislative Budget Commission which results in
953 a reduced project commitment level in fiscal year 2010-2011 due
954 to a reduction in state revenues must include the following
955 documents:

956 1. A proposed finance plan, including an electronic
957 working model, as balanced to the requested work program
958 amendment to realign the work program categories to the General
959 Appropriations Act of 2010-2011, or any other amendments that
132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

960 reduce work program commitments;

961 2. A proposed cash forecast as balanced to the requested
962 work program amendment to realign the work program categories to
963 the General Appropriations Act of 2010-2011, or any other
964 amendments that reduces work program commitments;

965 3. An adopted finance plan, as of July 1, 2010, including
966 an electronic working model;

967 4. An adopted cash forecast, as of July 1, 2010;

968 5. A complete list of projects, or phases thereof,
969 impacted from the reduced revenues in the 2010-2011 General
970 Appropriations Act for the 2010-2011 through 2014-2015 work
971 program;

972 6. The department's methodology for identifying projects,
973 or phases thereof, for deferral or deletion for the 2010-2011
974 through 2014-2015 work program;

975 7. A letter of concurrence or nonconcurrence from the
976 affected metropolitan planning organization or, in
977 nonmetropolitan areas, the board of county commissioners with
978 impacted project selections;

979 8. A complete list of financial projects not programmed
980 for contract letting as identified with a work program contract
981 class code 8 and the box code RV included in fiscal years 2010-
982 2011 through 2014-2015, as of July 1, 2010; and

983 9. An electronic version of the 5-year work program for
984 the adopted work program dated July 1, 2010, and any subsequent
985 tentative work programs, submitted to the Legislature. This
986 electronic document shall include details by district, county,
987 financial project number, transportation system, work mix,

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

988 phase, box code, appropriation category, fund code, phase, and
989 fiscal year.

990

991 This paragraph expires July 1, 2011.

992 Section 52. In order to implement Specific Appropriations
993 2071 through 2083, 2090 through 2094, 2110 through 2117, 2119
994 through 2129, and 2169 through 2179 and section 129 of the 2010-
995 2011 General Appropriations Act, subsection (7) is added to
996 section 348.60, Florida Statutes, to read:

997 348.60 Lease-purchase agreements.—

998 (7) (a) On or before July 15, 2010, the authority shall pay
999 \$19 million to the department to reduce the authority's
1000 operation and maintenance liability owed to the department.
1001 Effective July 16, 2010, unless the secretary of the department
1002 certifies in writing to the Speaker of the House of
1003 Representatives, the President of the Senate, and the Secretary
1004 of State that such payment has been made, the governance,
1005 control, assets, and liabilities of the authority shall transfer
1006 to the department. Upon such transfer, the department shall
1007 succeed to all powers and responsibilities of the authority, and
1008 the operations and maintenance of the expressway system shall be
1009 under the control of the department, pursuant to this
1010 subsection.

1011 (b) The transfer pursuant to this subsection shall be
1012 subject to all terms and covenants provided for the protection
1013 of the holders of the Tampa-Hillsborough County Expressway
1014 Authority Bonds, Series 2002 and 2005, in the lease-purchase
1015 agreement and the resolutions adopted in connection with the
132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

1016 issuance of the bonds. Further, the transfer shall not impair
1017 the terms of the contract between the authority and the
1018 bondholders, shall not act to the detriment of the bondholders,
1019 and shall not decrease the credit quality of the bonds. After
1020 such transfer, the department shall operate and maintain the
1021 expressway system and any other facilities of the authority in
1022 accordance with the terms, conditions, and covenants contained
1023 in the bond resolutions and lease-purchase agreement securing
1024 the bonds of the authority. The department shall collect toll
1025 revenues and apply such revenues to the payment of debt service
1026 as provided in the bond resolution securing such bonds and
1027 expressly assumes all obligations relating to the bonds such
1028 that the transfer will have no adverse impact on the security
1029 for the bonds of the authority. The transfer shall not modify or
1030 eliminate any prior obligation of the department to pay certain
1031 costs of the expressway system from sources other than revenues
1032 of the expressway system.

1033 (c) The department may provide for the exercise of any
1034 powers or responsibilities provided pursuant to this subsection
1035 through the Florida Turnpike Enterprise.

1036
1037 This subsection expires July 1, 2011.

1038 Section 53. In order to implement the appropriation of
1039 funds in Special Categories-Risk Management Insurance of the
1040 2010-2011 General Appropriations Act, and pursuant to the
1041 notice, review, and objection procedures of s. 216.177, Florida
1042 Statutes, the Executive Office of the Governor is authorized to
1043 transfer funds appropriated in the appropriation category

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

1044 "Special Categories-Risk Management Insurance" of the 2010-2011
1045 General Appropriations Act between departments in order to align
1046 the budget authority granted with the premiums paid by each
1047 department for risk management insurance. This section expires
1048 July 1, 2011.

1049 Section 54. In order to implement the appropriation of
1050 funds in Special Categories-Transfer to Department of Management
1051 Services-Human Resources Services Purchased Per Statewide
1052 Contract of the 2010-2011 General Appropriations Act, and
1053 pursuant to the notice, review, and objection procedures of s.
1054 216.177, Florida Statutes, the Executive Office of the Governor
1055 is authorized to transfer funds appropriated in the
1056 appropriation category "Special Categories-Transfer to
1057 Department of Management Services-Human Resources Services
1058 Purchased Per Statewide Contract" of the 2010-2011 General
1059 Appropriations Act between departments in order to align the
1060 budget authority granted with the assessments that must be paid
1061 by each agency to the Department of Management Services for
1062 human resource management services. This section expires July 1,
1063 2011.

1064 Section 55. In order to implement specific appropriations
1065 for salaries and benefits in the 2010-2011 General
1066 Appropriations Act, paragraph (a) of subsection (12) of section
1067 110.123, Florida Statutes, is amended to read:

1068 110.123 State group insurance program.—

1069 (12) HEALTH SAVINGS ACCOUNTS.—The department is authorized
1070 to establish health savings accounts for full-time and part-time
1071 state employees in association with a health insurance plan

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

1072 option authorized by the Legislature and conforming to the
1073 requirements and limitations of federal provisions relating to
1074 the Medicare Prescription Drug, Improvement, and Modernization
1075 Act of 2003.

1076 (a)1. A member participating in this health insurance plan
1077 option shall be eligible to receive an employer contribution
1078 into the employee's health savings account from the State
1079 Employees Health Insurance Trust Fund in an amount to be
1080 determined by the Legislature. A member is not eligible for an
1081 employer contribution upon termination of employment. For the
1082 2010-2011 ~~2009-2010~~ fiscal year, the state's monthly
1083 contribution for employees having individual coverage shall be
1084 \$41.66 and the monthly contribution for employees having family
1085 coverage shall be \$83.33.

1086 2. A member participating in this health insurance plan
1087 option shall be eligible to deposit the member's own funds into
1088 a health savings account.

1089 Section 56. In order to implement section 8 of the 2010-
1090 2011 General Appropriations Act, paragraph (j) is added to
1091 subsection (3) of section 110.123, Florida Statutes, to read:

1092 110.123 State group insurance program.—

1093 (3) STATE GROUP INSURANCE PROGRAM.—

1094 (j) Notwithstanding the provisions of paragraph (f)
1095 requiring uniform contributions, and for the 2010-2011 fiscal
1096 year only, the state contribution toward the cost of any plan in
1097 the state group insurance plan shall be the difference between
1098 the overall premium and the employee contribution. This
1099 subsection expires June 30, 2011.

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

1100 Section 57. In order to implement specific appropriations
1101 for salaries and benefits in the 2010-2011 General
1102 Appropriations Act, paragraph (b) of subsection (3) of section
1103 112.24, Florida Statutes, is amended to read:

1104 112.24 Intergovernmental interchange of public employees.—
1105 To encourage economical and effective utilization of public
1106 employees in this state, the temporary assignment of employees
1107 among agencies of government, both state and local, and
1108 including school districts and public institutions of higher
1109 education is authorized under terms and conditions set forth in
1110 this section. State agencies, municipalities, and political
1111 subdivisions are authorized to enter into employee interchange
1112 agreements with other state agencies, the Federal Government,
1113 another state, a municipality, or a political subdivision
1114 including a school district, or with a public institution of
1115 higher education. State agencies are also authorized to enter
1116 into employee interchange agreements with private institutions
1117 of higher education and other nonprofit organizations under the
1118 terms and conditions provided in this section. In addition, the
1119 Governor or the Governor and Cabinet may enter into employee
1120 interchange agreements with a state agency, the Federal
1121 Government, another state, a municipality, or a political
1122 subdivision including a school district, or with a public
1123 institution of higher learning to fill, subject to the
1124 requirements of chapter 20, appointive offices which are within
1125 the executive branch of government and which are filled by
1126 appointment by the Governor or the Governor and Cabinet. Under
1127 no circumstances shall employee interchange agreements be

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

1128 utilized for the purpose of assigning individuals to participate
1129 in political campaigns. Duties and responsibilities of
1130 interchange employees shall be limited to the mission and goals
1131 of the agencies of government.

1132 (3) Salary, leave, travel and transportation, and
1133 reimbursements for an employee of a sending party that is
1134 participating in an interchange program shall be handled as
1135 follows:

1136 (b)1. The assignment of an employee of a state agency
1137 either on detail or on leave of absence may be made without
1138 reimbursement by the receiving party for the travel and
1139 transportation expenses to or from the place of the assignment
1140 or for the pay and benefits, or a part thereof, of the employee
1141 during the assignment.

1142 2. For the 2010-2011 ~~2009-2010~~ fiscal year only, the
1143 assignment of an employee of a state agency as provided in
1144 subparagraph 1. may be made if recommended by the Governor or
1145 Chief Justice, as appropriate, and approved by the chairs of the
1146 Senate Policy and Steering Committee on Ways and Means and the
1147 House Full Appropriations Council on Education and Economic
1148 Development ~~General Government and Health Care~~. Such actions
1149 shall be deemed approved if neither chair provides written
1150 notice of objection within 14 days after the chair's receiving
1151 notice of the action pursuant to s. 216.177. This subparagraph
1152 expires July 1, 2011 ~~2010~~.

1153 Section 58. In order to implement Specific Appropriations
1154 2768 and 2769 of the 2010-2011 General Appropriations Act:

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

1155 (1) Notwithstanding the provisions of s. 11.13(1), Florida
1156 Statutes, relating to the annual adjustment of salaries for
1157 members of the Legislature, to the contrary, for the 2010-2011
1158 fiscal year only, the authorized salaries of members of the
1159 Legislature in effect on June 30, 2010, shall be reduced by 7
1160 percent.

1161 (2) Effective June 30, 2011, the annual salaries of
1162 members of the Legislature shall be set at the amounts
1163 authorized and in effect on June 30, 2010, pursuant to
1164 subsection (2) of section 48 of chapter 2009-82, Laws of
1165 Florida.

1166 (3) This section expires July 1, 2011.

1167 Section 59. In order to implement the transfer of moneys
1168 to the General Revenue Fund from trust funds in the 2010-2011
1169 General Appropriations Act, paragraph (b) of subsection (2) of
1170 section 215.32, Florida Statutes, is reenacted to read:

1171 215.32 State funds; segregation.—

1172 (2) The source and use of each of these funds shall be as
1173 follows:

1174 (b)1. The trust funds shall consist of moneys received by
1175 the state which under law or under trust agreement are
1176 segregated for a purpose authorized by law. The state agency or
1177 branch of state government receiving or collecting such moneys
1178 shall be responsible for their proper expenditure as provided by
1179 law. Upon the request of the state agency or branch of state
1180 government responsible for the administration of the trust fund,
1181 the Chief Financial Officer may establish accounts within the
1182 trust fund at a level considered necessary for proper

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

1183 accountability. Once an account is established within a trust
1184 fund, the Chief Financial Officer may authorize payment from
1185 that account only upon determining that there is sufficient cash
1186 and releases at the level of the account.

1187 2. In addition to other trust funds created by law, to the
1188 extent possible, each agency shall use the following trust funds
1189 as described in this subparagraph for day-to-day operations:

1190 a. Operations or operating trust fund, for use as a
1191 depository for funds to be used for program operations funded by
1192 program revenues, with the exception of administrative
1193 activities when the operations or operating trust fund is a
1194 proprietary fund.

1195 b. Operations and maintenance trust fund, for use as a
1196 depository for client services funded by third-party payors.

1197 c. Administrative trust fund, for use as a depository for
1198 funds to be used for management activities that are departmental
1199 in nature and funded by indirect cost earnings and assessments
1200 against trust funds. Proprietary funds are excluded from the
1201 requirement of using an administrative trust fund.

1202 d. Grants and donations trust fund, for use as a
1203 depository for funds to be used for allowable grant or donor
1204 agreement activities funded by restricted contractual revenue
1205 from private and public nonfederal sources.

1206 e. Agency working capital trust fund, for use as a
1207 depository for funds to be used pursuant to s. 216.272.

1208 f. Clearing funds trust fund, for use as a depository for
1209 funds to account for collections pending distribution to lawful
1210 recipients.

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

1211 g. Federal grant trust fund, for use as a depository for
1212 funds to be used for allowable grant activities funded by
1213 restricted program revenues from federal sources.
1214

1215 To the extent possible, each agency must adjust its internal
1216 accounting to use existing trust funds consistent with the
1217 requirements of this subparagraph. If an agency does not have
1218 trust funds listed in this subparagraph and cannot make such
1219 adjustment, the agency must recommend the creation of the
1220 necessary trust funds to the Legislature no later than the next
1221 scheduled review of the agency's trust funds pursuant to s.
1222 215.3206.

1223 3. All such moneys are hereby appropriated to be expended
1224 in accordance with the law or trust agreement under which they
1225 were received, subject always to the provisions of chapter 216
1226 relating to the appropriation of funds and to the applicable
1227 laws relating to the deposit or expenditure of moneys in the
1228 State Treasury.

1229 4.a. Notwithstanding any provision of law restricting the
1230 use of trust funds to specific purposes, unappropriated cash
1231 balances from selected trust funds may be authorized by the
1232 Legislature for transfer to the Budget Stabilization Fund and
1233 General Revenue Fund in the General Appropriations Act.

1234 b. This subparagraph does not apply to trust funds
1235 required by federal programs or mandates; trust funds
1236 established for bond covenants, indentures, or resolutions whose
1237 revenues are legally pledged by the state or public body to meet
1238 debt service or other financial requirements of any debt

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

1239 obligations of the state or any public body; the State
1240 Transportation Trust Fund; the trust fund containing the net
1241 annual proceeds from the Florida Education Lotteries; the
1242 Florida Retirement System Trust Fund; trust funds under the
1243 management of the State Board of Education or the Board of
1244 Governors of the State University System, where such trust funds
1245 are for auxiliary enterprises, self-insurance, and contracts,
1246 grants, and donations, as those terms are defined by general
1247 law; trust funds that serve as clearing funds or accounts for
1248 the Chief Financial Officer or state agencies; trust funds that
1249 account for assets held by the state in a trustee capacity as an
1250 agent or fiduciary for individuals, private organizations, or
1251 other governmental units; and other trust funds authorized by
1252 the State Constitution.

1253 Section 60. In order to implement the transfer of moneys
1254 to the General Revenue Fund from trust funds in the 2010-2011
1255 General Appropriations Act, paragraph (b) of subsection (4) of
1256 section 215.5601, Florida Statutes, is reenacted to read:

1257 215.5601 Lawton Chiles Endowment Fund.—

1258 (4) ADMINISTRATION.—

1259 (b) The endowment shall be managed as an annuity. The
1260 investment objective shall be long-term preservation of the real
1261 value of the net contributed principal and a specified regular
1262 annual cash outflow for appropriation, as nonrecurring revenue.
1263 From the annual cash outflow, a pro rata share shall be used
1264 solely for biomedical research activities as provided in
1265 paragraph (3) (d), until such time as cures are found for
1266 tobacco-related cancer and heart and lung disease. Five percent
132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

1267 of the annual cash outflow dedicated to the biomedical research
1268 portion of the endowment shall be reinvested and applied to that
1269 portion of the endowment's principal, with the remainder to be
1270 spent on biomedical research activities consistent with this
1271 section. The schedule of annual cash outflow shall be included
1272 within the investment plan adopted under paragraph (a).

1273 Withdrawals other than specified regular cash outflow shall be
1274 considered reductions in contributed principal for the purposes
1275 of this subsection.

1276 Section 61. In order to implement the issuance of new debt
1277 authorized in the 2010-2011 General Appropriations Act, and
1278 pursuant to the requirements of s. 215.98, Florida Statutes, the
1279 Legislature determines that the authorization and issuance of
1280 debt for the 2010-2011 fiscal year should be implemented and is
1281 in the best interest of the state and necessary to address a
1282 critical state emergency. This section expires July 1, 2011.

1283 Section 62. In order to implement the funds appropriated
1284 in the 2010-2011 General Appropriations Act for state employee
1285 travel, the funds appropriated to each state agency, which may
1286 be used for travel by state employees, shall be limited during
1287 the 2010-2011 fiscal year to travel for activities that are
1288 critical to each state agency's mission. Funds may not be used
1289 to pay for travel by state employees to foreign countries, other
1290 states, conferences, staff-training activities, or other
1291 administrative functions unless the agency head has approved in
1292 writing that such activities are critical to the agency's
1293 mission. The agency head must consider the use of
1294 teleconferencing and other forms of electronic communication to

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

1295 meet the needs of the proposed activity before approving
1296 mission-critical travel. This section does not apply to travel
1297 for law enforcement purposes, military purposes, emergency
1298 management activities, or public health activities. This section
1299 expires July 1, 2011.

1300 Section 63. In order to implement the appropriations
1301 authorized in the 2010-2011 General Appropriations Act for each
1302 of the state's designated primary data centers, which are funded
1303 from the data processing appropriation category and other
1304 categories used to pay for computing services of user agencies,
1305 and pursuant to the notice, review, and objection procedures of
1306 s. 216.177, Florida Statutes, the Executive Office of the
1307 Governor is authorized to transfer funds appropriated in any
1308 appropriation category used to pay for data processing in the
1309 2010-2011 General Appropriations Act between agencies in order
1310 to align the budget authority granted with the utilization rate
1311 of each department. This section expires July 1, 2011.

1312 Section 64. In order to implement the appropriations
1313 authorized in the 2010-2011 General Appropriations Act which
1314 were submitted pursuant to the provisions of s. 17 of chapter
1315 2008-116, Laws of Florida, and notwithstanding s. 216.181(1)(c),
1316 Florida Statutes, an agency may transfer funds from the data
1317 processing appropriation categories to another appropriation
1318 category for the purpose of supporting and managing its computer
1319 resources until such time as the agency's data processing
1320 function is transferred to the Southwood Shared Resource Center,
1321 the Northwood Shared Resource Center, or the Northwest Regional
1322 Data Center. This section expires July 1, 2011.

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

1323 Section 65. State agencies required by the 2010-2011
1324 General Appropriations Act to begin planning for a data center
1325 consolidation scheduled for a subsequent fiscal year may
1326 accelerate the consolidation into the 2010-2011 fiscal year
1327 contingent on the approval by the Legislative Budget Commission
1328 of budget adjustments to the agency and the primary data
1329 center's budget required to accomplish the consolidation. The
1330 primary data center may add positions contingent on an equal or
1331 greater number of positions being placed in reserve from the
1332 agency data center being consolidated. This section expires July
1333 1, 2011.

1334 Section 66. In order to implement Specific Appropriation
1335 2179A of the 2010-2011 General Appropriations Act, the Executive
1336 Office of the Governor is authorized to transfer funds
1337 appropriated in the appropriation category "Expenses" of the
1338 2010-2011 General Appropriations Act between agencies in order
1339 to allocate a reduction relating to SUNCOM Services. This
1340 section expires July 1, 2011.

1341 Section 67. In order to implement Specific Appropriation
1342 1765 of the 2010-2011 General Appropriations Act, the Department
1343 of Environmental Protection shall take no final agency action to
1344 deny any permit application related to rigid coastal armoring
1345 structures authorized under s. 161.085 (3), Florida Statutes,
1346 and constructed between July 1, 2005, and April 30, 2006, as a
1347 result of the impacts of Hurricane Dennis in Walton County. The
1348 90-day time period for agency action pursuant to s. 120.60 (1),
1349 Florida Statutes, shall be tolled for these applications. At the
1350 written request of a property owner to process his or her

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

1351 application, the department shall issue or deny the application
1352 within 90 days or in accordance with the time periods provided
1353 in chapter 120, Florida Statutes, whichever is greater. In
1354 addition, during Fiscal Year 2010-2011, the department shall not
1355 take enforcement action against a property owner for failure to
1356 apply for a permit to allow such structures to remain
1357 permanently. A property owner who has previously filed an
1358 application with the department is not required to reapply or
1359 request reinstatement of his or her application. This section
1360 expires July 1, 2011.

1361 Section 68. In order to implement section 40 of the 2010-
1362 2011 General Appropriations Act:

1363 (1) Notwithstanding s. 255.518(1)(b), Florida Statutes,
1364 and for the 2010-2011 fiscal year only, the payment of debt
1365 service on bonds during the construction of the Florida
1366 International University/Miami-Dade County Health
1367 Department/Florida Department of Health facility may be made
1368 from bond proceeds. Florida International University and the
1369 Miami-Dade County Health Department/Florida Department of Health
1370 are authorized to make rental payments prior to the completion
1371 of the project to the extent necessary to pay debt service on
1372 the bonds.

1373 (2) Notwithstanding s. 255.518(1)(a), Florida Statutes,
1374 and for the 2010-2011 fiscal year only, costs relating to the
1375 initial planning, preliminary design, and programming for the
1376 project may be paid from bond proceeds.

1377 (3) Notwithstanding s. 255.506, Florida Statutes, and for
1378 the 2010-2011 fiscal year only, neither Florida International
132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

1379 University nor the Miami-Dade County Health Department/Florida
1380 Department of Health shall be required to submit other
1381 facilities into the facilities pool to obtain financing for the
1382 project approved herein.

1383 (4) This section expires July 1, 2011.

1384 Section 69. In order to implement Specific Appropriations
1385 17 through 26 of the 2010-2011 General Appropriations Act:

1386 (1) The Legislature hereby finds and determines that the
1387 items and sums designated in Specific Appropriations 17 through
1388 26 shall constitute authorized capital outlay projects within
1389 the meaning and as required by s. 9(a)(2), Art. XII of the State
1390 Constitution and any other law. In accordance therewith, the
1391 moneys in Specific Appropriations 17 through 26 are authorized
1392 to be expended for the enumerated authorized capital outlay
1393 projects.

1394 (2) The sum designated for each project is the maximum sum
1395 to be expended for each specified phase of the project from
1396 funds accruing under s. 9(a)(2), Art. XII of the State
1397 Constitution. The scope of each project shall be planned so that
1398 the amounts specified shall not be exceeded, or any excess in
1399 costs shall be funded by sources other than this appropriation.
1400 Such excess costs may be funded from the Public Education
1401 Capital Outlay and Debt Service Trust Fund only as a result of
1402 fund transfers pursuant to s. 216.292(4)(c), Florida Statutes.
1403 Each project shall be constructed on the site specified. If
1404 existing facilities and acquisition of new sites are a part of
1405 these projects, each building and site must be certified to be
1406 free of contamination, asbestos, and other hazardous materials

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

1407 before the facility or site may be acquired. The provisions of
1408 s. 216.301(2), Florida Statutes, shall apply to all capital
1409 outlay funds appropriated to the Public Education Capital Outlay
1410 and Debt Service Trust Fund for the 2010-2011 fiscal year
1411 appropriation and shall also apply to the funds appropriated in
1412 Specific Appropriations 17 through 26.

1413 (3) The Office of Policy and Budget in the Executive
1414 Office of the Governor shall establish fixed capital outlay
1415 budget authority within appropriate accounts to enable the
1416 expenditure of funds appropriated for the state universities,
1417 the Florida School for the Deaf and the Blind, public school
1418 districts, state colleges, community colleges, public
1419 broadcasting, and the Division of Blind Services.

1420 (4) This section expires July 1, 2011.

1421 Section 70. (1) Consistent with the principles of
1422 promoting employment of state residents, ensuring that the
1423 expenditure of state funds benefits state residents, and
1424 encouraging economic development within the state, each entity
1425 expending funds provided in the 2010-2011 General Appropriations
1426 Act for any purchase of goods and services in excess of \$5
1427 million shall give preference, to the maximum extent possible
1428 under or consistent with applicable state and federal laws, to
1429 vendors or businesses with a principal place of business in the
1430 State of Florida that commit contractually to maximize the use
1431 of Florida residents, products and other Florida-based
1432 businesses in the fulfillment of their contractual duties.

1433 (2) This section does not apply to any contract that was
1434 funded prior to June 1, 2010.

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

1435 (3) Each state agency shall identify contracts subject to
1436 this section and shall report by March 1, 2011, each
1437 contractor's compliance with this section to the Agency for
1438 Workforce Innovation.

1439 (4) This section expires July 1, 2011.

1440 Section 71. In order to implement section 8 of the General
1441 Appropriations Act for the 2010-2011 fiscal year, effective
1442 January 1, 2011, paragraph (a) of subsection (7) of section
1443 110.12315, Florida Statutes, is amended to read:

1444 110.12315 Prescription drug program.—The state employees'
1445 prescription drug program is established. This program shall be
1446 administered by the Department of Management Services, according
1447 to the terms and conditions of the plan as established by the
1448 relevant provisions of the annual General Appropriations Act and
1449 implementing legislation, subject to the following conditions:

1450 (7) Under the state employees' prescription drug program
1451 copayments must be made as follows:

1452 (a) Effective January 1, 2011 ~~2006~~, for the State Group
1453 Health Insurance Standard Plan:

- 1454 1. For generic drug with card..... \$7 ~~\$10~~.
- 1455 2. For preferred brand name drug with card..... \$30 ~~\$25~~.
- 1456 3. For nonpreferred brand name drug with card.... \$50 ~~\$40~~.
- 1457 4. For generic mail order drug..... \$14 ~~\$20~~.
- 1458 5. For preferred brand name mail order drug..... \$60 ~~\$50~~.
- 1459 6. For nonpreferred brand name mail order drug.. \$100 ~~\$80~~.

1460 Section 72. Any section of this act that implements a
1461 specific appropriation or specifically identified proviso
1462 language in the 2010-2011 General Appropriations Act is void if

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

1463 the specific appropriation or specifically identified proviso
1464 language is vetoed. A section of this act that implements more
1465 than one specific appropriation or more than one portion of
1466 specifically identified proviso language in the 2010-2011
1467 General Appropriations Act is void if all the specific
1468 appropriations or portions of specifically identified proviso
1469 language are vetoed.

1470 Section 73. If any other act passed during the 2010
1471 Regular Session contains a provision that is substantively the
1472 same as a provision in this act, but that removes or is
1473 otherwise not subject to the future repeal applied to such
1474 provision by this act, the Legislature intends that the
1475 provision in the other act takes precedence and continues to
1476 operate, notwithstanding the future repeal provided by this act.

1477 Section 74. If any provision of this act or its
1478 application to any person or circumstance is held invalid, the
1479 invalidity does not affect other provisions or applications of
1480 the act which can be given effect without the invalid provision
1481 or application, and to this end the provisions of this act are
1482 severable.

1483 Section 75. Except as otherwise expressly provided in this
1484 act and except for this section, which shall take effect June
1485 29, 2010, this act shall take effect July 1, 2010; or, if this
1486 act fails to become a law until after that date, it shall take
1487 effect upon becoming a law and shall operate retroactively to
1488 July 1, 2010.

1489
1490

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

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

Remove the entire title and insert:

A bill to be entitled

An act relating to implementing the 2010-2011 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program for the 2010-2011 fiscal year; amending s. 216.292, F.S.; authorizing the transfer of funds, upon certain approval, for fixed capital outlay from the Survey Recommended Needs-Public Schools appropriation category to the Maintenance, Repair, Renovation and Remodeling appropriation category; authorizing the Department of Corrections and the Department of Juvenile Justice to make certain expenditures to defray costs incurred by a municipality or county as a result of opening or operating a facility under authority of the respective department; amending s. 216.262, F.S.; providing for additional positions to operate additional prison bed capacity under certain circumstances; authorizing the Department of Legal Affairs to transfer certain funds to pay salaries and benefits; authorizing the Department of Legal Affairs to spend certain appropriated funds on programs that were funded by the department from specific appropriations in general appropriations acts in previous years; providing for the expiration of the authority to spend those appropriations; amending s. 932.7055, F.S.; delaying the expiration of

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

1519 provisions authorizing a municipality to expend funds from
1520 its special law enforcement trust fund to reimburse the
1521 municipality's general fund; requiring that the Office of
1522 State Courts Administrator report by a date certain to the
1523 Legislature the number of assigned new and reopened cases
1524 and the number of cases closed by each judge in each
1525 division and circuit for a specified period; amending s.
1526 29.008, F.S.; providing counties with an exemption from
1527 the requirement to annually increase certain expenditures
1528 by a specified percentage for the 2010-2011 fiscal year;
1529 requiring that the Department of Juvenile Justice comply
1530 with specified reimbursement limitations with respect to
1531 payments to hospitals or health care providers for health
1532 care services; authorizing certain payments pursuant to a
1533 contracted rate only until the contract expires or is
1534 renewed; defining the term "hospital" for purposes of such
1535 limitations; amending s. 44.108, F.S.; authorizing use of
1536 moneys in the Mediation and Arbitration Trust Fund as
1537 specified in the General Appropriations Act; amending s.
1538 394.908, F.S.; providing allocation requirements for
1539 specified funds appropriated for forensic mental health
1540 services; requiring that funds appropriated through the
1541 Community-Based Medicaid Administrative Claiming Program
1542 be allocated proportionately to contributed provider
1543 earnings; prohibiting any state agency from adopting or
1544 implementing a rule or policy mandating or establishing
1545 new nitrogen-reduction limits under certain circumstances;
1546 amending s. 1, ch. 2007-174, Laws of Florida; extending

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

1547 provisions relating to the reorganization activities of
1548 the Department of Children and Family Services; providing
1549 that budget amendments recommending the release of funds
1550 shall be provided a certain time in advance and are
1551 subject to objection procedures; requiring the Florida
1552 Catastrophic Storm Risk Management Center at Florida State
1553 University to conduct an analysis; amending s. 218.12,
1554 F.S.; requiring that the value of assessments reduced
1555 pursuant to s. 4(d)(8)a. of Art. VII of the State
1556 Constitution include only the reduction in taxable value
1557 for homesteads established in the preceding year;
1558 reenacting s. 255.518(1)(b), F.S., relating to payment of
1559 obligations during the construction of any facility
1560 financed by such obligations; amending s. 255.503, F.S.;
1561 delaying the expiration of provisions relating to the
1562 Florida Facilities Pool; requiring the Department of
1563 Financial Services to issue a solicitation for office
1564 supplies and award a multiple supplier contract by a
1565 specified date; amending s. 253.034, F.S.; authorizing the
1566 deposit of funds derived from the sale of property by the
1567 Department of Citrus into the Citrus Advertising Trust
1568 Fund; amending s. 375.041, F.S.; providing for the
1569 transfer of moneys from the Land Acquisition Trust Fund to
1570 support the Clean Water State Revolving Fund, the Drinking
1571 Water State Revolving Fund, the Total Maximum Daily Loads
1572 programs, and the Marine Spatial Planning programs, rather
1573 than to the Ecosystem Management and Restoration Trust
1574 Fund for grants and aids to local governments for water

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

1575 projects; amending s. 373.59, F.S.; providing for the
1576 allocation of moneys from the Water Management Lands Trust
1577 Fund for certain purposes; reenacting s. 403.1651(1)(g),
1578 F.S., relating to the use of funds from the Ecosystem
1579 Management and Restoration Trust Fund for the purpose of
1580 funding activities to preserve and repair the state's
1581 beaches; amending s. 403.1651, F.S.; providing for the
1582 transfer of moneys from the Ecosystem Management and
1583 Restoration Trust Fund to the General Inspection Trust
1584 Fund for the Farm Share, Food Banks, and Mosquito Control
1585 program and the Technological Research and Development
1586 Authority; amending s. 570.20, F.S.; delaying the
1587 expiration of provisions authorizing the Department of
1588 Agriculture and Consumer Services to use funds from the
1589 General Inspection Trust Fund for certain programs;
1590 amending s. 403.7095, F.S.; requiring that the Department
1591 of Environmental Protection award a specified amount in
1592 grants equally to certain counties for waste tire and
1593 litter prevention, recycling education, and general solid
1594 waste programs; authorizing the Department of Agriculture
1595 and Consumer Services to extend, revise, and renew current
1596 contracts or agreements created or entered into for the
1597 purpose of promotion of agriculture; amending s. 339.135,
1598 F.S.; providing for use of transportation revenues;
1599 requiring that the Department of Transportation transfer
1600 funds to the Office of Tourism, Trade, and Economic
1601 Development for the purpose of funding transportation-
1602 related needs of economic development projects; providing

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

1603 that funds appropriated from the Economic Development
1604 Transportation Trust Fund may be used to attract new space
1605 business to the state and for other specified needs for
1606 the development of aviation and aerospace operations;
1607 amending s. 216.292, F.S.; permitting the Legislative
1608 Budget Commission to review and approve recommendations by
1609 the Governor for fixed capital outlay projects funded by
1610 grants awarded from the American Recovery and Reinvestment
1611 Act of 2009 or by any other federal economic stimulus
1612 grant funding received; authorizing the Executive Office
1613 of the Governor to transfer funds appropriated for the
1614 American Recovery and Reinvestment Act of 2009 in
1615 traditional appropriation categories in the General
1616 Appropriations Act to appropriation categories established
1617 for the specific purpose of tracking funds appropriated
1618 pursuant to that act; amending s. 339.08, F.S.; delaying
1619 the expiration of provisions relating to the use of moneys
1620 in the State Transportation Trust Fund for certain
1621 administrative expenses; authorizing the transfer of funds
1622 from the State Transportation Trust Fund to the General
1623 Revenue Fund under certain circumstances; amending s.
1624 445.009, F.S.; providing that a participant in an adult or
1625 youth work experience activity under ch. 445, F.S., is an
1626 employee of the state for purposes of workers'
1627 compensation coverage; amending s. 163.3247, F.S.;;
1628 removing a provision that entitles members of the Century
1629 Commission for a Sustainable Florida to receive per diem
1630 and travel expenses; amending s. 201.15, F.S.; revising

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

1631 provisions relating to funds deposited into the Grants and
1632 Donations Trust Fund in the Department of Community
1633 Affairs which are used to fund the Century Commission;
1634 amending s. 215.559, F.S.; delaying the expiration of
1635 provisions relating to the Hurricane Loss Mitigation
1636 Program; providing for use of certain appropriated funds
1637 for hurricane shelters; reenacting s. 332.007(8), F.S.,
1638 relating to the funding of security projects at publicly
1639 owned public-use airports; providing for the future
1640 expiration of certain amendments to such provision and for
1641 the reversion of statutory text; establishing the Florida
1642 Major Performing Arts Center Task Force; providing
1643 purposes; providing criteria for task force membership,
1644 election of officers, operation of meetings, submission of
1645 a final report, and staffing; amending s. 445.007, F.S.;
1646 prohibiting the use of state and federal funds for certain
1647 purposes unless expressly authorized by law; permitting
1648 reimbursement of certain per diem allowances and travel
1649 expenses; requiring the development of a statewide fiscal
1650 policy; prohibiting expenditures of state or federal funds
1651 for entertainment and recreational expenses; providing for
1652 increased transparency and accountability; prescribing
1653 terms and conditions of contracts and procedures for
1654 review; providing for exemptions and review procedures;
1655 amending s. 206.608, F.S.; authorizing the transfer of
1656 certain tax funds to the State Transportation Trust Fund;
1657 amending s. 339.135, F.S.; providing legislative intent;
1658 requiring the Department of Transportation to submit

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Page 60 of 63

Amendment No.

1659 certain documents when submitting the department's work
1660 program amendment to the Legislative Budget Commission;
1661 amending s. 348.60, F.S.; requiring the Tampa-Hillsborough
1662 County Expressway Authority to transfer funds to the
1663 department by a specified date; providing for the transfer
1664 of governance and control and the assets and liabilities
1665 of the Authority if the funds are not transferred by the
1666 specified date; authorizing the Executive Office of the
1667 Governor to transfer funds between departments for
1668 purposes of aligning amounts paid for risk management
1669 premiums and for purposes of aligning amounts paid for
1670 human resource management services; amending s. 110.123,
1671 F.S.; providing for the state's monthly contribution for
1672 employees under the state group insurance program;
1673 amending s. 110.123, F.S., relating to the state group
1674 insurance program; requiring that, for the 2010-2011
1675 fiscal year only, the state contribution toward the cost
1676 of a plan is the difference between the overall premium
1677 and the employee contribution; amending s. 112.24, F.S.;
1678 providing conditions on the assignment of an employee of a
1679 state agency without reimbursement from the receiving
1680 agency; providing that the annual salary of the members of
1681 the Legislature be reduced by a specified percentage;
1682 reenacting s. 215.32(2)(b), F.S., relating to the source
1683 and use of certain trust funds in order to implement the
1684 transfer of moneys in the General Revenue Fund from trust
1685 funds in the 2010-2011 General Appropriations Act;
1686 reenacting s. 215.5601(4)(b), F.S., relating to the

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Amendment No.

1687 administration of the Lawton Chiles Endowment Fund;
1688 providing for the authorization and issuance of new debt;
1689 limiting the use of travel funds to activities that are
1690 critical to an agency's mission; providing exceptions;
1691 authorizing the Executive Office of the Governor to
1692 transfer funds for use by the state's designated primary
1693 data centers, pursuant to statutory procedures for notice,
1694 review, and objection; authorizing agencies to transfer
1695 funds from data processing appropriation categories to
1696 other appropriation categories in order to support and
1697 manage computer resources, notwithstanding other
1698 provisions of law; authorizing state agencies to begin
1699 planning for data center consolidations; authorizing the
1700 primary data center to add positions under certain
1701 circumstances; authorizing the Executive Office of the
1702 Governor to transfer funds between agencies in order to
1703 allocate a reduction relating to SUNCOM; prohibiting the
1704 Department of Environmental Protection from taking final
1705 agency action to deny permit applications for specified
1706 rigid coastal armoring structures; providing for the
1707 department to take final agency action on such permit
1708 applications within specified time periods; prohibiting
1709 the department from taking enforcement action against a
1710 property owner for failure to apply for certain permits;
1711 providing for future expiration of various provisions;
1712 authorizing the payment of debt service on bonds during
1713 the construction of the Florida International
1714 University/Miami-Dade County Health Department/Florida

132719

Approved For Filing: 4/30/2010 1:47:09 AM

Page 62 of 63

Amendment No.

1715 Department of Health facility; permitting rental payments;
1716 permitting the payment of certain costs from bond
1717 proceeds; prohibiting certain facilities from being
1718 required to submit other entities into the facilities pool
1719 to obtain financing; authorizing funds to be expended for
1720 enumerated authorized education capital outlay projects;
1721 specifying requirements for funded projects; requiring the
1722 Office of Policy and Budget in the Executive Office of the
1723 Governor to establish budget authority within appropriate
1724 accounts; requiring that preference, to the maximum extent
1725 possible, be given to entities committed to using Florida
1726 residents and products in fulfilling their contractual
1727 duties; exempting contracts funded before a specified
1728 date; requiring state agencies to identify contracts
1729 affected by these provisions and report by a date certain
1730 each contractor's compliance to the Agency for Workforce
1731 Innovation; amending s. 110.12315, F.S.; revising
1732 copayments for the state employees' prescription drug
1733 program; providing for reversion of statutory text of
1734 certain provisions; providing for the effect of a veto of
1735 one or more specific appropriations or proviso to which
1736 implementing language refers; providing for the continued
1737 operation of certain provisions notwithstanding a future
1738 repeal or expiration provided by the act; providing for
1739 severability; providing effective dates.

132719

Approved For Filing: 4/30/2010 1:47:09 AM