

1 A bill to be entitled
2 An act relating to implementing the 2010-2011 General
3 Appropriations Act; providing legislative intent;
4 incorporating by reference certain calculations of the
5 Florida Education Finance Program for the 2010-2011 fiscal
6 year; amending s. 216.292, F.S.; authorizing the transfer
7 of funds, upon certain approval, for fixed capital outlay
8 from the Survey Recommended Needs-Public Schools
9 appropriation category to the Maintenance, Repair,
10 Renovation and Remodeling appropriation category;
11 authorizing the Department of Corrections and the
12 Department of Juvenile Justice to make certain
13 expenditures to defray costs incurred by a municipality or
14 county as a result of opening or operating a facility
15 under authority of the respective department; amending s.
16 216.262, F.S.; providing for additional positions to
17 operate additional prison bed capacity under certain
18 circumstances; authorizing the Department of Legal Affairs
19 to transfer certain funds to pay salaries and benefits;
20 amending s. 932.7055, F.S.; delaying the expiration of
21 provisions authorizing a municipality to expend funds from
22 its special law enforcement trust fund to reimburse the
23 municipality's general fund; amending s. 394.908, F.S.;
24 providing allocation requirements for specified funds
25 appropriated for forensic mental health services;
26 requiring that funds appropriated through the Community-
27 Based Medicaid Administrative Claiming Program be
28 allocated proportionately to contributed provider

29 | earnings; amending s. 215.5602, F.S.; suspending for the
30 | 2010-2011 fiscal year the reservation of a portion of
31 | certain funds in the Health Care Trust Fund for certain
32 | research purposes; extending the expiration date of the
33 | James and Esther King Biomedical Research Program;
34 | amending s. 381.992, F.S.; deleting an obsolete
35 | authorization of funding for the William G. "Bill"
36 | Bankhead, Jr., and David Coley Cancer Research Program;
37 | extending the expiration date of the program; prohibiting
38 | any state agency from adopting or implementing a rule or
39 | policy mandating or establishing new nitrogen-reduction
40 | limits under certain circumstances; requiring the Florida
41 | Catastrophic Storm Risk Management Center at Florida State
42 | University to conduct an analysis; amending s. 218.12,
43 | F.S.; requiring that the value of assessments reduced
44 | pursuant to s. 4(d)(8)a. of Art. VII of the State
45 | Constitution include only the reduction in taxable value
46 | for homesteads established in the preceding year;
47 | reenacting s. 255.518(1)(b), F.S., relating to payment of
48 | obligations during the construction of any facility
49 | financed by such obligations; amending s. 255.503, F.S.;
50 | delaying the expiration of provisions relating to the
51 | Florida Facilities Pool; amending s. 253.034, F.S.;
52 | authorizing the deposit of funds derived from the sale of
53 | property by the Department of Citrus into the Citrus
54 | Advertising Trust Fund; amending s. 375.041, F.S.;
55 | authorizing transfer of moneys in the Land Acquisition
56 | Trust Fund to the Water Quality Assurance Trust Fund for

57 | the Total Maximum Daily Loads Program, the Drinking Water
58 | Facility Construction-State Revolving Loan Fund, and the
59 | Wastewater Facility Treatment Construction-State Revolving
60 | Loan Fund as provided in the General Appropriations Act;
61 | amending s. 373.59, F.S.; providing for the allocation of
62 | moneys from the Water Management Lands Trust Fund for
63 | certain purposes; amending s. 376.3071, F.S.; delaying the
64 | repeal of provisions relating to funding from the Inland
65 | Protection Trust Fund for site restoration; amending s.
66 | 570.20, F.S.; delaying the expiration of provisions
67 | authorizing moneys in the General Inspection Trust Fund to
68 | be appropriated for certain programs operated by the
69 | Department of Agriculture and Consumer Services; amending
70 | s. 403.7095, F.S.; requiring that the Department of
71 | Environmental Protection award a specified amount in
72 | grants equally to certain counties for waste tire and
73 | litter prevention, recycling education, and general solid
74 | waste programs; authorizing the Department of Agriculture
75 | and Consumer Services to extend, revise, and renew current
76 | contracts or agreements created or entered into for the
77 | purpose of promotion of agriculture; amending s. 339.135,
78 | F.S.; providing for use of transportation revenues;
79 | requiring that the Department of Transportation transfer
80 | funds to the Office of Tourism, Trade, and Economic
81 | Development for the purpose of funding transportation-
82 | related needs of economic development projects; reviving,
83 | reenacting, and amending s. 443.1117, F.S.; providing for
84 | retroactive application; establishing temporary state

85 extended benefits for weeks of unemployment; revising
86 definitions; providing for state extended benefits for
87 certain weeks and for periods of high unemployment;
88 providing applicability; providing a declaration of
89 important state interest; providing that funds
90 appropriated from the Economic Development Transportation
91 Trust Fund may be used to attract new space business to
92 the state and for other specified needs for the
93 development of aviation and aerospace operations; amending
94 s. 216.292, F.S.; permitting the Legislative Budget
95 Commission to review and approve recommendations by the
96 Governor for fixed capital outlay projects funded by
97 grants awarded from the American Recovery and Reinvestment
98 Act of 2009 or by any other federal economic stimulus
99 grant funding received; authorizing the Executive Office
100 of the Governor to transfer funds appropriated for the
101 American Recovery and Reinvestment Act of 2009 in
102 traditional appropriation categories in the General
103 Appropriations Act to appropriation categories established
104 for the specific purpose of tracking funds appropriated
105 for the act; reenacting s. 288.1254(4)(c) and (d), F.S.,
106 relating to the entertainment industry financial incentive
107 program, to continue the amount of incentive funding to be
108 appropriated in any fiscal year for the independent
109 Florida filmmaker queue and the digital media projects
110 queue; amending s. 339.08, F.S.; delaying the expiration
111 of provisions relating to the use of moneys in the State
112 Transportation Trust Fund for certain administrative

113 expenses; authorizing the transfer of funds from the State
114 Transportation Trust Fund to the General Revenue Fund
115 under certain circumstances; amending s. 445.009, F.S.;
116 providing that a participant in an adult or youth work
117 experience activity under ch. 445, F.S., is an employee of
118 the state for purposes of workers' compensation coverage;
119 authorizing the Executive Office of the Governor to
120 transfer funds between departments for purposes of
121 aligning amounts paid for risk management premiums and for
122 purposes of aligning amounts paid for human resource
123 management services; authorizing the Executive Office of
124 the Governor to transfer funds between departments for
125 purposes of aligning the budget authority granted to each
126 agency with the reductions in employee compensation;
127 authorizing the heads of agencies to terminate staff and
128 make personnel and salary adjustments and reductions to
129 maximize efficiency of agency operations; amending s.
130 110.123, F.S.; providing for the state's monthly
131 contribution for employees under the state group insurance
132 program; amending s. 112.24, F.S.; providing conditions on
133 the assignment of an employee of a state agency without
134 reimbursement from the receiving agency; reenacting s.
135 215.32(2)(b), F.S., relating to the source and use of
136 certain trust funds in order to implement the transfer of
137 moneys in the General Revenue Fund from trust funds in the
138 2010-2011 General Appropriations Act; providing for the
139 authorization and issuance of new debt; limiting the use
140 of travel funds to activities that are critical to an

141 agency's mission; providing exceptions; providing for
 142 future expiration of various provisions; providing for
 143 reversion of statutory text of certain provisions;
 144 providing for the effect of a veto of one or more specific
 145 appropriations or proviso to which implementing language
 146 refers; providing for the continued operation of certain
 147 provisions notwithstanding a future repeal or expiration
 148 provided by the act; providing for severability; providing
 149 effective dates.

150

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

152

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

156 Section 2. In order to implement Specific Appropriations
 157 6, 7, 8, 78, and 79 of the 2010-2011 General Appropriations Act,
 158 the calculations of the Florida Education Finance Program for
 159 the 2010-2011 fiscal year in the document entitled "Public
 160 School Funding-The Florida Education Finance Program," dated
 161 April X, 2010, and filed with the Clerk of the House of
 162 Representatives, are incorporated by reference for the purpose
 163 of displaying the calculations used by the Legislature,
 164 consistent with the requirements of the Florida Statutes, in
 165 making appropriations for the Florida Education Finance Program.

166 Section 3. In order to implement Specific Appropriations
 167 17 and 18 of the 2010-2011 General Appropriations Act, paragraph
 168 (c) is added to subsection (3) of section 216.292, Florida

169 Statutes, to read:

170 216.292 Appropriations nontransferable; exceptions.—

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

175 (c) The transfer of appropriations for fixed capital
176 outlay from the Survey Recommended Needs-Public Schools
177 appropriation category to the Maintenance, Repair, Renovation
178 and Remodeling appropriation category. The allocation of
179 transferred funds shall be in accordance with s. 1013.64(1).
180 This paragraph expires July 1, 2011.

181 Section 4. In order to fulfill legislative intent
182 regarding the use of funds contained in Specific Appropriations
183 639, 651, 663, and 1188 of the 2010-2011 General Appropriations
184 Act, the Department of Corrections and the Department of
185 Juvenile Justice may expend appropriated funds to assist in
186 defraying the costs of impacts that are incurred by a
187 municipality or county and that are associated with opening or
188 operating a facility under the authority of the department. The
189 amount paid for any facility may not exceed 1 percent of the
190 cost to construct the facility, less building impact fees
191 imposed by the municipality or county. This section expires July
192 1, 2011.

193 Section 5. In order to implement Specific Appropriations
194 629 through 727 and 747 through 781 of the 2010-2011 General
195 Appropriations Act, subsection (4) of section 216.262, Florida
196 Statutes, is amended to read:

197 216.262 Authorized positions.—
 198 (4) Notwithstanding the provisions of this chapter on
 199 increasing the number of authorized positions, and for the 2010-
 200 2011 ~~2009-2010~~ fiscal year only, if the actual inmate population
 201 of the Department of Corrections exceeds the inmate population
 202 projections of the February 19, 2010 ~~April 30, 2009~~, Criminal
 203 Justice Estimating Conference by 1 percent for 2 consecutive
 204 months or 2 percent for any month, the Executive Office of the
 205 Governor, with the approval of the Legislative Budget
 206 Commission, shall immediately notify the Criminal Justice
 207 Estimating Conference, which shall convene as soon as possible
 208 to revise the estimates. The Department of Corrections may then
 209 submit a budget amendment requesting the establishment of
 210 positions in excess of the number authorized by the Legislature
 211 and additional appropriations from unallocated general revenue
 212 sufficient to provide for essential staff, fixed capital
 213 improvements, and other resources to provide classification,
 214 security, food services, health services, and other variable
 215 expenses within the institutions to accommodate the estimated
 216 increase in the inmate population. All actions taken pursuant to
 217 the authority granted in this subsection shall be subject to
 218 review and approval by the Legislative Budget Commission. This
 219 subsection expires July 1, 2011 ~~2010~~.

220 Section 6. In order to implement Specific Appropriations
 221 1306, 1322, 1329, 1349, and 1359 of the 2010-2011 General
 222 Appropriations Act, the Department of Legal Affairs is
 223 authorized to transfer cash remaining after required
 224 disbursements for Attorney General case numbers 16-2008-CA-01-

225 3142CV-C and CACE08022328 from FLAIR account 41-71-2-601001-
 226 41100100-00-181076-00 to the Operating Trust Fund to pay
 227 salaries and benefits. This section expires July 1, 2011.

228 Section 7. In order to implement Specific Appropriations
 229 1245 and 1251 of the 2010-2011 General Appropriations Act,
 230 paragraph (d) of subsection (4) of section 932.7055, Florida
 231 Statutes, is amended to read:

232 932.7055 Disposition of liens and forfeited property.—

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

235 (d) Notwithstanding any other provision of this
 236 subsection, and for the 2010-2011 ~~2009-2010~~ fiscal year only,
 237 the funds in a special law enforcement trust fund established by
 238 the governing body of a municipality may be expended to
 239 reimburse the general fund of the municipality for moneys
 240 advanced from the general fund to the special law enforcement
 241 trust fund prior to October 1, 2001. This paragraph expires July
 242 1, 2011 ~~2010~~.

243 Section 8. In order to implement Specific Appropriations
 244 324 through 355 of the 2010-2011 General Appropriations Act,
 245 paragraphs (b) and (c) of subsection (3) of section 394.908,
 246 Florida Statutes, are amended to read:

247 394.908 Substance abuse and mental health funding equity;
 248 distribution of appropriations.—In recognition of the historical
 249 inequity in the funding of substance abuse and mental health
 250 services for the department's districts and regions and to
 251 rectify this inequity and provide for equitable funding in the
 252 future throughout the state, the following funding process shall

253 be used:

254 (3)

255 (b) Notwithstanding paragraph (a) and for the 2010-2011
 256 ~~2009-2010~~ fiscal year only, funds appropriated for forensic
 257 mental health treatment services shall be allocated to the areas
 258 of the state having the greatest demand for services and
 259 treatment capacity. This paragraph expires July 1, 2011 ~~2010~~.

260 (c) Notwithstanding paragraph (a) and for the 2010-2011
 261 ~~2009-2010~~ fiscal year only, additional funds appropriated for
 262 substance abuse and mental health services from funds available
 263 through the Community-Based Medicaid Administrative Claiming
 264 Program shall be allocated as provided in the 2010-2011 ~~2009-~~
 265 ~~2010~~ General Appropriations Act and in proportion to contributed
 266 provider earnings. This paragraph expires July 1, 2011 ~~2010~~.

267 Section 9. In order to implement Specific Appropriation
 268 518 of the 2010-2011 General Appropriations Act, subsections
 269 (12) through (15) of section 215.5602, Florida Statutes, are
 270 amended to read:

271 215.5602 James and Esther King Biomedical Research
 272 Program.—

273 (12) (a) From funds appropriated to accomplish the goals of
 274 this section, up to \$250,000 shall be available for the
 275 operating costs of the Florida Center for Universal Research to
 276 Eradicate Disease.

277 (b) ~~(a)~~ Beginning in the 2009-2010 fiscal year and
 278 thereafter, 5 percent of the revenue deposited into the Health
 279 Care Trust Fund pursuant to ss. 210.011(9) and 210.276(7) shall
 280 be reserved for research of tobacco-related or cancer-related

281 illnesses; however, the sum of the revenue reserved pursuant to
282 ss. 210.011(9) and 210.276(7) may not exceed \$50 million in any
283 fiscal year. This paragraph is suspended for the 2010-2011
284 fiscal year.

285 ~~(b) In the 2009-2010 fiscal year, 2.5 percent, not to~~
286 ~~exceed \$25 million, of the revenue deposited into the Health~~
287 ~~Care Trust Fund pursuant to this subsection shall be transferred~~
288 ~~to the Biomedical Research Trust Fund within the Department of~~
289 ~~Health for the James and Esther King Biomedical Research~~
290 ~~Program.~~

291 ~~(13) By June 1, 2009, the Division of Statutory Revision~~
292 ~~of the Office of Legislative Services shall certify to the~~
293 ~~President of the Senate and the Speaker of the House of~~
294 ~~Representatives the language and statutory citation of this~~
295 ~~section, which is scheduled to expire January 1, 2011.~~

296 ~~(14) The Legislature shall review the performance, the~~
297 ~~outcomes, and the financial management of the James and Esther~~
298 ~~King Biomedical Research Program during the 2010 Regular Session~~
299 ~~of the Legislature and shall determine the most appropriate~~
300 ~~funding source and means of funding the program based on its~~
301 ~~review.~~

302 ~~(13)~~(15) This section expires July ~~January~~ 1, 2011, unless
303 reviewed and reenacted by the Legislature before that date.

304 Section 10. In order to implement Specific Appropriations
305 508 through 526 of the 2010-2011 General Appropriations Act,
306 subsections (5) through (8) of section 381.922, Florida
307 Statutes, are amended to read:

308 381.922 William G. "Bill" Bankhead, Jr., and David Coley

309 Cancer Research Program.—

310 (5) Funds appropriated for the William G. "Bill" Bankhead,
 311 Jr., and David Coley Cancer Research Program shall be
 312 distributed pursuant to this section to provide grants to
 313 researchers seeking cures for cancer and cancer-related
 314 illnesses, with emphasis given to the goals enumerated in s.
 315 381.921. From the total funds appropriated, an amount of up to
 316 10 percent may be used for administrative expenses. ~~In the 2009-~~
 317 ~~2010 fiscal year, 2.5 percent, not to exceed \$25 million, of the~~
 318 ~~revenue deposited into the Health Care Trust Fund pursuant to s.~~
 319 ~~215.5602(12)(a) shall be transferred to the Biomedical Research~~
 320 ~~Trust Fund within the Department of Health for the William G.~~
 321 ~~"Bill" Bankhead, Jr., and David Coley Cancer Research Program.~~

322 ~~(6) By June 1, 2009, the Division of Statutory Revision of~~
 323 ~~the Office of Legislative Services shall certify to the~~
 324 ~~President of the Senate and the Speaker of the House of~~
 325 ~~Representatives the language and statutory citation of this~~
 326 ~~section, which is scheduled to expire January 1, 2011.~~

327 ~~(7) The Legislature shall review the performance, the~~
 328 ~~outcomes, and the financial management of the William G. "Bill"~~
 329 ~~Bankhead, Jr., and David Coley Cancer Research Program during~~
 330 ~~the 2010 Regular Session of the Legislature and shall determine~~
 331 ~~the most appropriate funding source and means of funding the~~
 332 ~~program based on its review.~~

333 ~~(6)~~(8) This section expires July ~~January~~ 1, 2011, unless
 334 reviewed and reenacted by the Legislature before that date.

335 Section 11. (1) In order to implement proviso following
 336 Specific Appropriation 486 of the 2010-2011 General

337 Appropriations Act, and for the 2010-2011 fiscal year only,
338 notwithstanding any law to the contrary, a state agency may not
339 adopt or implement a rule or policy that:

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

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

344 (c) Increases the cost of treatment for nitrogen reduction
345 from onsite systems,

346

347 before the study and report required in proviso following
348 Specific Appropriation 486 is completed.

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

350 Section 12. In order to implement section 77 of the 2010-
351 2011 General Appropriations Act, the Florida Catastrophic Storm
352 Risk Management Center at Florida State University shall conduct
353 the analysis as originally required in section 164 of chapter
354 2004-390, Laws of Florida. Notwithstanding section 164 of
355 chapter 2004-390, Laws of Florida, the Florida Catastrophic
356 Storm Risk Management Center at Florida State University is
357 directed to use the most recent and available premium data for
358 personal lines property and casualty insurance in completing the
359 analysis.

360 Section 13. In order to implement Specific Appropriation
361 30550, subsection (3) of section 218.12, Florida Statutes, is
362 amended to read:

363 218.12 Appropriations to offset reductions in ad valorem
364 tax revenue in fiscally constrained counties.—

365 (3) In determining the reductions in ad valorem tax
 366 revenues occurring as a result of the implementation of the
 367 revisions to Art. VII of the State Constitution approved in the
 368 special election held on January 29, 2008, the value of
 369 assessments reduced pursuant to s. 4(d)(8)a., Art. VII of the
 370 State Constitution shall include only the reduction in taxable
 371 value for homesteads established January 1, 2010 ~~2009~~.

372 Section 14. The amendment to s. 218.12(3), Florida
 373 Statutes, by this act shall expire July 1, 2011, and the text of
 374 that subsection shall revert to that in existence on June 30,
 375 2009, except that any amendments to such text enacted other than
 376 by this act shall be preserved and continue to operate to the
 377 extent that such amendments are not dependent upon the portions
 378 of such text which expire pursuant to this section.

379 Section 15. In order to implement Specific Appropriation
 380 2838 of the 2010-2011 General Appropriations Act, paragraph (b)
 381 of subsection (1) of section 255.518, Florida Statutes, is
 382 reenacted to read:

383 255.518 Obligations; purpose, terms, approval,
 384 limitations.—

385 (1)

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

389 Section 16. The amendment to s. 255.518(1)(b), Florida
 390 Statutes, as carried forward by this act from chapters 2008-153
 391 and 2009-82, Laws of Florida, shall expire July 1, 2011, and the
 392 text of that paragraph shall revert to that in existence on June

393 30, 2008, except that any amendments to such text enacted other
 394 than by this act shall be preserved and continue to operate to
 395 the extent that such amendments are not dependent upon the
 396 portions of such text which expire pursuant to this section.

397 Section 17. In order to implement Specific Appropriations
 398 2821 through 2835 of the 2010-2011 General Appropriations Act,
 399 paragraph (b) of subsection (7) of section 255.503, Florida
 400 Statutes, is amended to read:

401 255.503 Powers of the Department of Management Services.—
 402 The Department of Management Services shall have all the
 403 authority necessary to carry out and effectuate the purposes and
 404 provisions of this act, including, but not limited to, the
 405 authority to:

406 (7)

407 (b) No later than the date upon which the department
 408 recommends to the Division of State Lands of the Department of
 409 Environmental Protection the disposition of any facility within
 410 the Florida Facilities Pool, the department shall provide to the
 411 President of the Senate, the Speaker of the House of
 412 Representatives, the Executive Office of the Governor, and the
 413 Division of Bond Finance of the State Board of Administration an
 414 analysis that includes:

415 1. The cost benefit of the proposed facility disposition,
 416 including the facility's current operating expenses, condition,
 417 and market value, and viable alternatives for work space for
 418 impacted state employees.

419 2. The effect of the proposed facility disposition on the
 420 financial status of the Florida Facilities Pool, including the

421 effect on rental rates and coverage requirement for the bonds.

422

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

424 Section 18. In order to implement Specific Appropriations
 425 2379 through 2401 of the 2010-2011 General Appropriations Act,
 426 subsection (14) of section 253.034, Florida Statutes, is amended
 427 to read:

428 253.034 State-owned lands; uses.—

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

434 Section 19. In order to implement Specific Appropriations
 435 1763, 1775A, 1789, and 1790, paragraph (b) of subsection (3) of
 436 section 375.041, Florida Statutes, is amended to read:

437 375.041 Land Acquisition Trust Fund.—

438 (3)

439 (b) In addition to the uses allowed in paragraph (a), for
 440 the 2010-2011 ~~2008-2009~~ fiscal year, moneys in the Land
 441 Acquisition Trust Fund are authorized for transfer to the Water
 442 Quality Assurance Trust Fund for the Total Maximum Daily Loads
 443 Program, the Drinking Water Facility Construction-State
 444 Revolving Loan Fund, the Wastewater Facility Treatment
 445 Construction-State Revolving Loan Fund, and the Florida Onsite
 446 Sewage Reduction Strategies Study ~~Ecosystem Management and~~
 447 ~~Restoration Trust Fund for grants and aids to local governments~~
 448 ~~for water projects~~ as provided in the General Appropriations

449 Act. This paragraph expires July 1, 2011 ~~2009~~.

450 Section 20. In order to implement Specific Appropriations
 451 1389 and 1692 of the 2010-2011 General Appropriations Act,
 452 subsection (12) of section 373.59, Florida Statutes, is amended,
 453 and subsection (13) is added to that section, to read:

454 373.59 Water Management Lands Trust Fund.—

455 (12) (a) Notwithstanding ~~the provisions of~~ subsection (8),
 456 and for the 2010-2011 ~~2009-2010~~ fiscal year only, the moneys
 457 from the Water Management Lands Trust Fund shall be allocated as
 458 follows:

459 1. (a) An amount necessary to pay debt service on bonds
 460 issued before February 1, 2009, by the South Florida Water
 461 Management District and the St. Johns River Water Management
 462 District, which are secured by revenues provided pursuant to
 463 this section, or to fund debt service reserve funds, rebate
 464 obligations, or other amounts payable with respect to such
 465 bonds;

466 2. (b) Eight million dollars to be transferred to the
 467 General Revenue Fund; ~~and~~

468 3. One million dollars for implementation of environmental
 469 restoration and water resource sustainability projects and
 470 programs as described in the West Central Florida Water
 471 Restoration Action Plan; and

472 4. (c) The remaining funds to be distributed equally
 473 between the Suwannee River Water Management District and the
 474 Northwest Florida Water Management District.

475 (b) Notwithstanding paragraph (a), and for the 2010-2011
 476 fiscal year only, the sum of \$50,000 from the Water Management

477 Lands Trust Fund shall be transferred to the General Inspection
 478 Trust Fund in the Department of Agriculture and Consumer
 479 Services for the soil and water conservation districts for
 480 support services.

481
 482 This subsection expires July 1, 2011 ~~2010~~.

483 (13) Notwithstanding subsection (1), for fiscal year 2010-
 484 2011 only, moneys in the Water Management Lands Trust Fund may
 485 be used for implementation of environmental restoration and
 486 water resource sustainability projects and programs as described
 487 in the West Central Florida Water Restoration Action Plan. This
 488 subsection expires July 1, 2011.

489 Section 21. In order to implement Specific Appropriation
 490 1804 of the 2010-2011 General Appropriations Act, paragraph (c)
 491 of subsection (5) of section 376.3071, Florida Statutes, is
 492 amended to read:

493 376.3071 Inland Protection Trust Fund; creation; purposes;
 494 funding.—

495 (5) SITE SELECTION AND CLEANUP CRITERIA.—

496 (c) The department shall require source removal, if
 497 warranted and cost-effective, at each site eligible for
 498 restoration funding from the Inland Protection Trust Fund.

499 1. Funding for free product recovery may be provided in
 500 advance of the order established by the priority ranking system
 501 under paragraph (a) for site cleanup activities. However, a
 502 separate prioritization for free product recovery shall be
 503 established consistent with paragraph (a). No more than \$5
 504 million shall be encumbered from the Inland Protection Trust

505 Fund in any fiscal year for free product recovery conducted in
506 advance of the priority order under paragraph (a) established
507 for site cleanup activities.

508 2. Funding for limited interim soil-source removals for
509 sites that will become inaccessible for future remediation due
510 to road infrastructure and right-of-way restrictions resulting
511 from a pending Department of Transportation road construction
512 project or for secondary containment upgrading of underground
513 storage tanks required under chapter 62-761, Florida
514 Administrative Code, may be provided in advance of the order
515 established by the priority ranking system under paragraph (a)
516 for site cleanup activities. The department shall provide
517 written guidance on the limited source removal information and
518 technical evaluation necessary to justify a request for a
519 limited source removal in advance of the priority order pursuant
520 to paragraph (a) established for site cleanup activities.
521 Prioritization for limited source removal projects associated
522 with a secondary containment upgrade in any fiscal year shall be
523 determined on a first-come, first-served basis according to the
524 approval date issued under s. 376.30711 for the limited source
525 removal. Funding for limited source removals associated with
526 secondary containment upgrades shall be limited to 10 sites in
527 each fiscal year for each facility owner and any related person.
528 The limited source removal for secondary containment upgrades
529 shall be completed no later than 6 months after the department
530 issues its approval of the project, and the approval
531 automatically expires at the end of the 6 months. Funding for
532 Department of Transportation and secondary containment upgrade

533 source removals may not exceed \$50,000 for a single facility
534 unless the department makes a determination that it is cost-
535 effective and environmentally beneficial to exceed this amount,
536 but in no event shall the department authorize costs in excess
537 of \$100,000 for a single facility. Department funding for
538 limited interim soil-source removals associated with Department
539 of Transportation projects and secondary containment upgrades
540 shall be limited to supplemental soil assessment, soil
541 screening, soil removal, backfill material, treatment or
542 disposal of the contaminated soil, dewatering related to the
543 contaminated soil removal in an amount of up to 10 percent of
544 the total interim soil-source removal project costs, treatment,
545 and disposal of the contaminated groundwater and preparation of
546 the source removal report. No other costs associated with the
547 facility upgrade may be paid with department funds. No more than
548 \$1 million for Department of Transportation limited source
549 removal projects and \$10 million for secondary containment
550 upgrade limited source removal projects conducted in advance of
551 the priority order established under paragraph (a) for site
552 cleanup activities shall be encumbered from the Inland
553 Protection Trust Fund in any fiscal year. This subparagraph is
554 repealed effective June 30, 2011 ~~2010~~.

555 3. Once free product removal and other source removal
556 identified in this paragraph are completed at a site, and
557 notwithstanding the order established by the priority ranking
558 system under paragraph (a) for site cleanup activities, the
559 department may reevaluate the site to determine the degree of
560 active cleanup needed to continue site rehabilitation. Further,

561 the department shall determine if the reevaluated site qualifies
 562 for natural attenuation monitoring or no further action. If
 563 additional site rehabilitation is necessary to reach no further
 564 action status, the site rehabilitation shall be conducted in the
 565 order established by the priority ranking system under paragraph
 566 (a) and the department is encouraged to utilize natural
 567 attenuation and monitoring where site conditions warrant.

568 Section 22. In order to implement Specific Appropriations
 569 1378 through 1538 of the 2010-2011 General Appropriations Act,
 570 subsection (2) of section 570.20, Florida Statutes, is amended
 571 to read:

572 570.20 General Inspection Trust Fund.—

573 (2) For the 2010-2011 ~~2009-2010~~ fiscal year only and
 574 notwithstanding any other provision of law to the contrary, in
 575 addition to the spending authorized in subsection (1), moneys in
 576 the General Inspection Trust Fund may be appropriated for
 577 programs operated by the department which are related to the
 578 programs authorized by this chapter. This subsection expires
 579 July 1, 2011 ~~2010~~.

580 Section 23. In order to implement Specific Appropriation
 581 1833 of the 2010-2011 General Appropriations Act, subsection (7)
 582 of section 403.7095, Florida Statutes, is amended to read:

583 403.7095 Solid waste management grant program.—

584 (7) Notwithstanding any provision of this section to the
 585 contrary, and for the 2010-2011 ~~2009-2010~~ fiscal year only, the
 586 Department of Environmental Protection shall award the sum of
 587 \$2,600,000 in grants equally to counties having populations of
 588 fewer than 100,000 for waste tire and litter prevention,

589 recycling education, and general solid waste programs. This
 590 subsection expires July 1, 2011 ~~2010~~.

591 Section 24. In order to implement Specific Appropriation
 592 1490 of the 2010-2011 General Appropriations Act and to provide
 593 consistency and continuity in the promotion of agriculture
 594 throughout the state, notwithstanding s. 287.057, Florida
 595 Statutes, the Department of Agriculture and Consumer Services,
 596 at its discretion, may extend, revise, and renew current
 597 contracts or agreements created or entered into pursuant to
 598 chapter 2006-25, Laws of Florida. This section expires July 1,
 599 2011.

600 Section 25. In order to implement Specific Appropriation
 601 2125 of the 2010-2011 General Appropriations Act, subsection (5)
 602 of section 339.135, Florida Statutes, is amended to read:

603 339.135 Work program; legislative budget request;
 604 definitions; preparation, adoption, execution, and amendment.—

605 (5) ADOPTION OF THE WORK PROGRAM.—

606 (a) The original approved budget for operational and fixed
 607 capital expenditures for the department shall be the Governor's
 608 budget recommendation and the first year of the tentative work
 609 program, as both are amended by the General Appropriations Act
 610 and any other act containing appropriations. In accordance with
 611 the appropriations act, the department shall, prior to the
 612 beginning of the fiscal year, adopt a final work program which
 613 shall only include the original approved budget for the
 614 department for the ensuing fiscal year together with any roll
 615 forwards approved pursuant to paragraph (6)(c) and the portion
 616 of the tentative work program for the following 4 fiscal years

617 revised in accordance with the original approved budget for the
618 department for the ensuing fiscal year together with said roll
619 forwards. The adopted work program may include only those
620 projects submitted as part of the tentative work program
621 developed under the provisions of subsection (4) plus any
622 projects which are separately identified by specific
623 appropriation in the General Appropriations Act and any roll
624 forwards approved pursuant to paragraph (6)(c). However, any
625 transportation project of the department which is identified by
626 specific appropriation in the General Appropriations Act shall
627 be deducted from the funds annually distributed to the
628 respective district pursuant to paragraph (4)(a). In addition,
629 the department shall not in any year include any project or
630 allocate funds to a program in the adopted work program that is
631 contrary to existing law for that particular year. Projects
632 shall not be undertaken unless they are listed in the adopted
633 work program.

634 (b) Notwithstanding paragraph (a), and for the 2010-2011
635 ~~2009-2010~~ fiscal year only, the Department of Transportation
636 shall transfer funds to the Office of Tourism, Trade, and
637 Economic Development in an amount equal to \$20,300,000 for the
638 purpose of funding transportation-related needs of economic
639 development projects. This transfer shall not reduce, delete, or
640 defer any existing projects funded, as of July 1, 2009, in the
641 Department of Transportation's 5-year work program. This
642 paragraph expires July 1, 2011 ~~2010~~.

643 Section 26. In order to implement Specific Appropriation
644 2219 of the 2010-2011 General Appropriations Act, and

645 notwithstanding the expiration date contained in section 1 of
646 chapter 2010-1, Laws of Florida, operating retroactive to
647 February 27, 2010, section 443.1117, Florida Statutes, as
648 amended by section 1 of chapter 2010-1, Laws of Florida, is
649 revived, reenacted, and amended to read:

650 443.1117 Temporary extended benefits.—

651 (1) APPLICABILITY OF EXTENDED BENEFITS STATUTE.—Except
652 when the result is inconsistent with the other provisions of
653 this section, the provisions of s. 443.1115 (2), (3), (4), (6),
654 and (7) apply to all claims covered by this section.

655 (2) DEFINITIONS.—For the purposes of this section, the
656 term:

657 (a) "Regular benefits" and "extended benefits" have the
658 same meaning as in s. 443.1115.

659 (b) "Eligibility period" means the period consisting of
660 the weeks in an individual's benefit year or emergency benefit
661 period which begin in an extended benefit period and, if the
662 benefit year or emergency benefit period ends within that
663 extended benefit period, any subsequent weeks beginning in that
664 period.

665 (c) "Emergency benefits" means Emergency Unemployment
666 Compensation paid pursuant to Pub. L. No. 110-252, Pub. L. No.
667 110-449, Pub. L. No. 111-5, Pub. L. No. 111-92, ~~and~~ Pub. L. No.
668 111-118, and Pub. L. No. 111-144.

669 (d) "Extended benefit period" means a period that:

670 1. Begins with the third week after a week for which there
671 is a state "on" indicator; and

672 2. Ends with any of the following weeks, whichever occurs

673 later:

674 a. The third week after the first week for which there is
675 a state "off" indicator;

676 b. The 13th consecutive week of that period.

677

678 However, an extended benefit period may not begin by reason of a
679 state "on" indicator before the 14th week after the end of a
680 prior extended benefit period that was in effect for this state.

681 (e) "Emergency benefit period" means the period during
682 which an individual receives emergency benefits as defined in
683 paragraph (c).

684 (f) "Exhaustee" means an individual who, for any week of
685 unemployment in her or his eligibility period:

686 1. Has received, before that week, all of the regular
687 benefits and emergency benefits, if any, available under this
688 chapter or any other law, including dependents' allowances and
689 benefits payable to federal civilian employees and ex-
690 servicemembers under 5 U.S.C. ss. 8501-8525, in the current
691 benefit year or emergency benefit period that includes that
692 week. For the purposes of this subparagraph, an individual has
693 received all of the regular benefits and emergency benefits, if
694 any, available although, as a result of a pending appeal for
695 wages paid for insured work which were not considered in the
696 original monetary determination in the benefit year, she or he
697 may subsequently be determined to be entitled to added regular
698 benefits;

699 2. Had a benefit year which expired before that week, and
700 was paid no, or insufficient, wages for insured work on the

701 basis of which she or he could establish a new benefit year that
 702 includes that week; and

703 3.a. Has no right to unemployment benefits or allowances
 704 under the Railroad Unemployment Insurance Act or other federal
 705 laws as specified in regulations issued by the United States
 706 Secretary of Labor; and

707 b. Has not received and is not seeking unemployment
 708 benefits under the unemployment compensation law of Canada; but
 709 if an individual is seeking those benefits and the appropriate
 710 agency finally determines that she or he is not entitled to
 711 benefits under that law, she or he is considered an exhaustee.

712 (g) "State 'on' indicator" means, with respect to weeks of
 713 unemployment beginning on or after February 1, 2009, and ending
 714 on or before March 13, 2010 ~~January 30, 2010~~, the occurrence of
 715 a week in which the average total unemployment rate, seasonally
 716 adjusted, as determined by the United States Secretary of Labor,
 717 for the period consisting of the most recent 3 months for which
 718 data for all states are published by the United States
 719 Department of Labor:

720 1. Equals or exceeds 110 percent of the average of those
 721 rates for the corresponding 3-month period ending in each of the
 722 preceding 2 calendar years; and

723 2. Equals or exceeds 6.5 percent.

724 (h) "High unemployment period" means, with respect to
 725 weeks of unemployment beginning on or after February 1, 2009,
 726 and ending on or before March 13, 2010 ~~January 30, 2010~~, any
 727 week in which the average total unemployment rate, seasonally
 728 adjusted, as determined by the United States Secretary of Labor,

729 | for the period consisting of the most recent 3 months for which
 730 | data for all states are published by the United States
 731 | Department of Labor:

732 | 1. Equals or exceeds 110 percent of the average of those
 733 | rates for the corresponding 3-month period ending in each of the
 734 | preceding 2 calendar years; and

735 | 2. Equals or exceeds 8 percent.

736 | (i) "State 'off' indicator" means the occurrence of a week
 737 | in which there is no state "on" indicator or which does not
 738 | constitute a high unemployment period.

739 | (3) TOTAL EXTENDED BENEFIT AMOUNT.—Except as provided in
 740 | subsection (4):

741 | (a) For any week for which there is an "on" indicator
 742 | pursuant to paragraph (2)(g), the total extended benefit amount
 743 | payable to an eligible individual for her or his applicable
 744 | benefit year is the lesser of:

745 | 1. Fifty percent of the total regular benefits payable
 746 | under this chapter in the applicable benefit year; or

747 | 2. Thirteen times the weekly benefit amount payable under
 748 | this chapter for a week of total unemployment in the applicable
 749 | benefit year.

750 | (b) For any high unemployment period as defined in
 751 | paragraph (2)(h), the total extended benefit amount payable to
 752 | an eligible individual for her or his applicable benefit year is
 753 | the lesser of:

754 | 1. Eighty percent of the total regular benefits payable
 755 | under this chapter in the applicable benefit year; or

756 | 2. Twenty times the weekly benefit amount payable under

757 | this chapter for a week of total unemployment in the applicable
 758 | benefit year.

759 | (4) EFFECT ON TRADE READJUSTMENT.—Notwithstanding any
 760 | other provision of this chapter, if the benefit year of an
 761 | individual ends within an extended benefit period, the number of
 762 | weeks of extended benefits the individual is entitled to receive
 763 | in that extended benefit period for weeks of unemployment
 764 | beginning after the end of the benefit year, except as provided
 765 | in this section, is reduced, but not to below zero, by the
 766 | number of weeks for which the individual received, within that
 767 | benefit year, trade readjustment allowances under the Trade Act
 768 | of 1974, as amended.

769 | (5) EXPIRATION.—This section expires April 5, 2010, unless
 770 | reviewed and reenacted by the Legislature before that date.

771 | Section 27. The provisions of s. 443.1117, Florida
 772 | Statutes, as revived, reenacted, and amended by this act, apply
 773 | only to claims for weeks of unemployment in which an exhaustee
 774 | establishes entitlement to extended benefits pursuant to that
 775 | section which are established for the period between February
 776 | 22, 2009, and April 5, 2010.

777 | Section 28. The Legislature finds that the amendments made
 778 | by this act to s. 443.1117, Florida Statutes, fulfill an
 779 | important state interest.

780 | Section 29. In order to implement Specific Appropriation
 781 | 2672 and section 56 of the 2010-2011 General Appropriations Act,
 782 | funds appropriated out of the Economic Development
 783 | Transportation Trust Fund may be used for economic development
 784 | infrastructure projects and other economic development projects;

785 for improvements to other launch complexes and space
 786 transportation facilities in order to attract new space vehicle
 787 testing and launch business to the state; for addressing
 788 intermodal requirements and impacts of the launch ranges,
 789 spaceports, and other space transportation facilities; for
 790 advancing aerospace technology to meet the current and future
 791 needs of the United States commercial space transportation
 792 industry; and for assisting in the development of joint-use
 793 facilities and technology that support aviation and aerospace
 794 operations, including high altitude and suborbital flights and
 795 range technology development.

796 Section 30. In order to implement sections 2 through 7 of
 797 the 2010-2011 General Appropriations Act, subsection (5) of
 798 section 216.292, Florida Statutes, is amended to read:

799 216.292 Appropriations nontransferable; exceptions.—

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

803 (b) Notwithstanding paragraph (a), and for the 2010-2011
 804 ~~2009-2010~~ fiscal year only, the Governor may recommend the
 805 initiation of fixed capital outlay projects funded by grants
 806 awarded by the Federal Government through the American Recovery
 807 and Reinvestment Act of 2009 or by any other federal economic
 808 stimulus grant funding received. All actions taken pursuant to
 809 the authority granted in the paragraph are subject to review and
 810 approval by the Legislative Budget Commission. This paragraph
 811 expires July 1, 2011 ~~2010~~.

812 Section 31. In order to implement sections 2 through 7 of

813 the 2010-2011 General Appropriations Act, the Executive Office
 814 of the Governor is authorized to transfer funds appropriated for
 815 the American Recovery and Reinvestment Act of 2009 (ARRA) in
 816 traditional appropriation categories in the 2010-2011 General
 817 Appropriations Act to appropriation categories established for
 818 the specific purpose of tracking funds appropriated for the
 819 ARRA.

820 Section 32. In order to implement Specific Appropriation
 821 2665 of the 2010-2011 General Appropriations Act, paragraphs (c)
 822 and (d) of subsection (4) of section 288.1254, Florida Statutes,
 823 are reenacted to read:

824 288.1254 Entertainment industry financial incentive
 825 program.—

826 (4) PRIORITY FOR INCENTIVE FUNDING; WITHDRAWAL OF
 827 ELIGIBILITY; QUEUES.—

828 (c) Independent Florida filmmaker queue.—Ten percent of
 829 incentive funding appropriated in any state fiscal year must be
 830 dedicated to the independent Florida filmmaker queue. If there
 831 are no qualified applications in the queue, any funding in the
 832 queue shall be made available to a qualified project in the
 833 digital media projects queue. A production certified under this
 834 queue is eligible for a reimbursement equal to 15 percent of its
 835 actual qualified expenditures. An independent Florida film that
 836 meets the criteria of this queue and demonstrates a minimum of
 837 \$100,000, but not more than \$625,000, in total qualified
 838 expenditures is eligible for incentive funding. To qualify for
 839 this queue, a qualified production must:

840 1. Be planned as a feature film or documentary of no less

841 | than 70 minutes in length.

842 | 2. Provide evidence of 50 percent of the financing for its
843 | total budget in an escrow account or other form dedicated to the
844 | production.

845 | 3. Do all major postproduction in this state.

846 | 4. Employ Florida workers in at least six of the following
847 | key positions: writer, director, producer, director of
848 | photography, star or one of the lead actors, unit production
849 | manager, editor, or production designer. As used in this
850 | subparagraph, the term "Florida worker" means a person who has
851 | been a resident of this state for at least 1 year before a
852 | production's application under subsection (3) was submitted or a
853 | person who graduated from a film school, college, university, or
854 | community college in this state no more than 5 years before such
855 | submittal or who is enrolled full-time in such a school,
856 | college, or university.

857 | (d) Digital media projects queue.—Five percent of
858 | incentive funding appropriated in any state fiscal year shall be
859 | dedicated to the digital media projects queue. A production
860 | certified under this queue is eligible for a reimbursement equal
861 | to 10 percent of its actual qualified expenditures. A qualified
862 | production that is a digital media project that demonstrates a
863 | minimum of \$300,000 in total qualified expenditures is eligible
864 | for a maximum of \$1 million in incentive funding. As used in
865 | this paragraph, the term "qualified expenditures" means the
866 | wages or salaries paid to a resident of this state for working
867 | on a single qualified digital media project, up to a maximum of
868 | \$200,000 in wages or salaries paid per resident. A qualified

869 production company producing digital media projects may not
870 qualify for more than three projects in any 1 fiscal year.
871 Projects that extend beyond a fiscal year must reapply each
872 fiscal year in order to be eligible for incentive funding for
873 that year.

874 Section 33. The amendment to s. 288.1254(4)(c) and (d),
875 Florida Statutes, as carried forward by this act from chapter
876 2009-82, Laws of Florida, shall expire July 1, 2011, and the
877 text of those paragraphs shall revert to that in existence on
878 June 30, 2009, except that any amendments to such text enacted
879 other than by this act shall be preserved and continue to
880 operate to the extent that such amendments are not dependent
881 upon the portions of such text which expire pursuant to this
882 section.

883 Section 34. In order to implement section 59 of the 2010-
884 2011 General Appropriations Act, paragraph (n) of subsection (1)
885 of section 339.08, Florida Statutes, is amended to read:

886 339.08 Use of moneys in State Transportation Trust Fund.-

887 (1) The department shall expend moneys in the State
888 Transportation Trust Fund accruing to the department, in
889 accordance with its annual budget. The use of such moneys shall
890 be restricted to the following purposes:

891 (n) To pay administrative expenses incurred in accordance
892 with applicable laws for a multicounty transportation or
893 expressway authority created under chapter 343 or chapter 348,
894 where jurisdiction for the authority includes a portion of the
895 State Highway System and the administrative expenses are in
896 furtherance of the duties and responsibilities of the authority

897 | in the development of improvements to the State Highway System.
 898 | This paragraph expires July 1, 2011 ~~2010~~.

899 | Section 35. In order to implement section 83 of the 2010-
 900 | 2011 General Appropriations Act, subsection (4) of section
 901 | 339.08, Florida Statutes, is amended to read:

902 | 339.08 Use of moneys in State Transportation Trust Fund.—

903 | (4) For the 2010-2011 ~~2009-2010~~ fiscal year only and
 904 | notwithstanding the provisions of this section and ss. 339.09(1)
 905 | and 215.32(2)(b)4., funds may be transferred from the State
 906 | Transportation Trust Fund to the General Revenue Fund as
 907 | specified in the General Appropriations Act. Notwithstanding ss.
 908 | 206.46(3) and 206.606(2), the total amount transferred shall be
 909 | reduced from total state revenues deposited into the State
 910 | Transportation Trust Fund for the calculation requirements of
 911 | ss. 206.46(3) and 206.606(2). This subsection expires July 1,
 912 | 2011 ~~2010~~.

913 | Section 36. In order to implement section 46 of the 2010-
 914 | 2011 General Appropriations Act, subsection (11) of section
 915 | 445.009, Florida Statutes is amended to read:

916 | 445.009 One-stop delivery system.—

917 | (11)(a) A participant in an adult or youth work experience
 918 | activity administered under this chapter shall be deemed an
 919 | employee of the state for purposes of workers' compensation
 920 | coverage. In determining the average weekly wage, all
 921 | remuneration received from the employer shall be considered a
 922 | gratuity, and the participant shall not be entitled to any
 923 | benefits otherwise payable under s. 440.15, regardless of
 924 | whether the participant may be receiving wages and remuneration

925 from other employment with another employer and regardless of
 926 his or her future wage-earning capacity.

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

928 Section 37. In order to implement the appropriation of
 929 funds in Special Categories-Risk Management Insurance of the
 930 2010-2011 General Appropriations Act, and pursuant to the
 931 notice, review, and objection procedures of s. 216.177, Florida
 932 Statutes, the Executive Office of the Governor is authorized to
 933 transfer funds appropriated in the appropriation category
 934 "Special Categories-Risk Management Insurance" of the 2010-2011
 935 General Appropriations Act between departments in order to align
 936 the budget authority granted with the premiums paid by each
 937 department for risk management insurance. This section expires
 938 July 1, 2011.

939 Section 38. In order to implement the appropriation of
 940 funds in Special Categories-Transfer to Department of Management
 941 Services-Human Resources Services Purchased Per Statewide
 942 Contract of the 2010-2011 General Appropriations Act, and
 943 pursuant to the notice, review, and objection procedures of s.
 944 216.177, Florida Statutes, the Executive Office of the Governor
 945 is authorized to transfer funds appropriated in the
 946 appropriation category "Special Categories-Transfer to
 947 Department of Management Services-Human Resources Services
 948 Purchased Per Statewide Contract" of the 2010-2011 General
 949 Appropriations Act between departments in order to align the
 950 budget authority granted with the assessments that must be paid
 951 by each agency to the Department of Management Services for
 952 human resource management services. This section expires July 1,

953 2011.

954 Section 39. In order to implement the reduction in each
 955 agency's salary and benefit appropriation in the 2010-2011
 956 General Appropriations Act, and pursuant to the notice, review,
 957 and objection procedures of s. 216.177, Florida Statutes, the
 958 Executive Office of the Governor may transfer funds appropriated
 959 in the appropriation category "Salaries and Benefits" of the
 960 2010-2011 General Appropriations Act between departments in
 961 order to align the budget authority granted to each agency with
 962 the reductions that must be made by each agency pursuant to the
 963 2010-2011 General Appropriations Act. All actions taken pursuant
 964 to the authority granted in this section are subject to the
 965 review and approval of the Legislative Budget Commission. This
 966 section expires July 1, 2011.

967 Section 40. In order to implement specific appropriations
 968 for salaries and benefits in the 2010-2011 General
 969 Appropriations Act, the intent of the Legislature is to provide
 970 flexibility to agency heads over personnel management to
 971 maximize the efficiency and effectiveness of agency operations.
 972 The Legislature recognizes that the state is facing a critical
 973 fiscal situation unprecedented in the last quarter century.
 974 During this time of budgetary shortfall, it is in the best
 975 interest of the state to ensure that the state's resources be
 976 used in the most efficient and prudent manner, while maintaining
 977 the critical missions of the state. Further, the Legislature
 978 recognizes that the agency heads are uniquely positioned to
 979 determine how to best manage their agency's human resources
 980 given the constraints associated with a reduction in the salary

981 and benefit appropriation. Notwithstanding specific provisions
 982 of chapters 110, 112, 216, and 447, Florida Statutes, to the
 983 contrary, and for the fiscal year 2010-2011 only, agency heads
 984 are authorized to terminate or layoff staff, reduce salaries of
 985 individual or groups of employees, reclassify positions, and
 986 provide retention adjustments or bonuses to high-performing
 987 staff. For the purpose of the authority granted by this section,
 988 the term "agency head" shall include the term as defined in s.
 989 20.055(1)(b), Florida Statutes, and shall also include the Chief
 990 Justice of the Supreme Court, the board of trustees of each
 991 university, the Board of Trustees of the Florida School for the
 992 Deaf and Blind, the executive director of the Justice
 993 Administrative Commission, the executive director of the
 994 Statewide Guardian Ad Litem Office, each state attorney, each
 995 public defender, each capital collateral regional counsel, and
 996 each regional counsel. This section expires July 1, 2011.

997 Section 41. In order to implement specific appropriations
 998 for salaries and benefits in the 2010-2011 General
 999 Appropriations Act, paragraph (a) of subsection (12) of section
 1000 110.123, Florida Statutes, is amended to read:

1001 110.123 State group insurance program.—

1002 (12) HEALTH SAVINGS ACCOUNTS.—The department is authorized
 1003 to establish health savings accounts for full-time and part-time
 1004 state employees in association with a health insurance plan
 1005 option authorized by the Legislature and conforming to the
 1006 requirements and limitations of federal provisions relating to
 1007 the Medicare Prescription Drug, Improvement, and Modernization
 1008 Act of 2003.

1009 (a)1. A member participating in this health insurance plan
 1010 option shall be eligible to receive an employer contribution
 1011 into the employee's health savings account from the State
 1012 Employees Health Insurance Trust Fund in an amount to be
 1013 determined by the Legislature. A member is not eligible for an
 1014 employer contribution upon termination of employment. For the
 1015 2010-2011 ~~2009-2010~~ fiscal year, the state's monthly
 1016 contribution for employees having individual coverage shall be
 1017 \$41.66 and the monthly contribution for employees having family
 1018 coverage shall be \$83.33.

1019 2. A member participating in this health insurance plan
 1020 option shall be eligible to deposit the member's own funds into
 1021 a health savings account.

1022 Section 42. In order to implement specific appropriations
 1023 for salaries and benefits in the 2010-2011 General
 1024 Appropriations Act, paragraph (b) of subsection (3) of section
 1025 112.24, Florida Statutes, is amended to read:

1026 112.24 Intergovernmental interchange of public employees.—
 1027 To encourage economical and effective utilization of public
 1028 employees in this state, the temporary assignment of employees
 1029 among agencies of government, both state and local, and
 1030 including school districts and public institutions of higher
 1031 education is authorized under terms and conditions set forth in
 1032 this section. State agencies, municipalities, and political
 1033 subdivisions are authorized to enter into employee interchange
 1034 agreements with other state agencies, the Federal Government,
 1035 another state, a municipality, or a political subdivision
 1036 including a school district, or with a public institution of

1037 higher education. State agencies are also authorized to enter
1038 into employee interchange agreements with private institutions
1039 of higher education and other nonprofit organizations under the
1040 terms and conditions provided in this section. In addition, the
1041 Governor or the Governor and Cabinet may enter into employee
1042 interchange agreements with a state agency, the Federal
1043 Government, another state, a municipality, or a political
1044 subdivision including a school district, or with a public
1045 institution of higher learning to fill, subject to the
1046 requirements of chapter 20, appointive offices which are within
1047 the executive branch of government and which are filled by
1048 appointment by the Governor or the Governor and Cabinet. Under
1049 no circumstances shall employee interchange agreements be
1050 utilized for the purpose of assigning individuals to participate
1051 in political campaigns. Duties and responsibilities of
1052 interchange employees shall be limited to the mission and goals
1053 of the agencies of government.

1054 (3) Salary, leave, travel and transportation, and
1055 reimbursements for an employee of a sending party that is
1056 participating in an interchange program shall be handled as
1057 follows:

1058 (b)1. The assignment of an employee of a state agency
1059 either on detail or on leave of absence may be made without
1060 reimbursement by the receiving party for the travel and
1061 transportation expenses to or from the place of the assignment
1062 or for the pay and benefits, or a part thereof, of the employee
1063 during the assignment.

1064 2. For the 2010-2011 ~~2009-2010~~ fiscal year only, the

1065 assignment of an employee of a state agency as provided in
 1066 subparagraph 1. may be made if recommended by the Governor or
 1067 Chief Justice, as appropriate, and approved by the chairs of the
 1068 Senate Policy and Steering Committee on Ways and Means and the
 1069 House Full Appropriations Council on Education and Economic
 1070 Development ~~General Government and Health Care~~. Such actions
 1071 shall be deemed approved if neither chair provides written
 1072 notice of objection within 14 days after the chair's receiving
 1073 notice of the action pursuant to s. 216.177. This subparagraph
 1074 expires July 1, 2011 ~~2010~~.

1075 Section 43. In order to implement the transfer of moneys
 1076 to the General Revenue Fund from trust funds in the 2010-2011
 1077 General Appropriations Act, paragraph (b) of subsection (2) of
 1078 section 215.32, Florida Statutes, is reenacted to read:

1079 215.32 State funds; segregation.—

1080 (2) The source and use of each of these funds shall be as
 1081 follows:

1082 (b)1. The trust funds shall consist of moneys received by
 1083 the state which under law or under trust agreement are
 1084 segregated for a purpose authorized by law. The state agency or
 1085 branch of state government receiving or collecting such moneys
 1086 shall be responsible for their proper expenditure as provided by
 1087 law. Upon the request of the state agency or branch of state
 1088 government responsible for the administration of the trust fund,
 1089 the Chief Financial Officer may establish accounts within the
 1090 trust fund at a level considered necessary for proper
 1091 accountability. Once an account is established within a trust
 1092 fund, the Chief Financial Officer may authorize payment from

1093 that account only upon determining that there is sufficient cash
 1094 and releases at the level of the account.

1095 2. In addition to other trust funds created by law, to the
 1096 extent possible, each agency shall use the following trust funds
 1097 as described in this subparagraph for day-to-day operations:

1098 a. Operations or operating trust fund, for use as a
 1099 depository for funds to be used for program operations funded by
 1100 program revenues, with the exception of administrative
 1101 activities when the operations or operating trust fund is a
 1102 proprietary fund.

1103 b. Operations and maintenance trust fund, for use as a
 1104 depository for client services funded by third-party payors.

1105 c. Administrative trust fund, for use as a depository for
 1106 funds to be used for management activities that are departmental
 1107 in nature and funded by indirect cost earnings and assessments
 1108 against trust funds. Proprietary funds are excluded from the
 1109 requirement of using an administrative trust fund.

1110 d. Grants and donations trust fund, for use as a
 1111 depository for funds to be used for allowable grant or donor
 1112 agreement activities funded by restricted contractual revenue
 1113 from private and public nonfederal sources.

1114 e. Agency working capital trust fund, for use as a
 1115 depository for funds to be used pursuant to s. 216.272.

1116 f. Clearing funds trust fund, for use as a depository for
 1117 funds to account for collections pending distribution to lawful
 1118 recipients.

1119 g. Federal grant trust fund, for use as a depository for
 1120 funds to be used for allowable grant activities funded by

1121 restricted program revenues from federal sources.

1122
 1123 To the extent possible, each agency must adjust its internal
 1124 accounting to use existing trust funds consistent with the
 1125 requirements of this subparagraph. If an agency does not have
 1126 trust funds listed in this subparagraph and cannot make such
 1127 adjustment, the agency must recommend the creation of the
 1128 necessary trust funds to the Legislature no later than the next
 1129 scheduled review of the agency's trust funds pursuant to s.
 1130 215.3206.

1131 3. All such moneys are hereby appropriated to be expended
 1132 in accordance with the law or trust agreement under which they
 1133 were received, subject always to the provisions of chapter 216
 1134 relating to the appropriation of funds and to the applicable
 1135 laws relating to the deposit or expenditure of moneys in the
 1136 State Treasury.

1137 4.a. Notwithstanding any provision of law restricting the
 1138 use of trust funds to specific purposes, unappropriated cash
 1139 balances from selected trust funds may be authorized by the
 1140 Legislature for transfer to the Budget Stabilization Fund and
 1141 General Revenue Fund in the General Appropriations Act.

1142 b. This subparagraph does not apply to trust funds
 1143 required by federal programs or mandates; trust funds
 1144 established for bond covenants, indentures, or resolutions whose
 1145 revenues are legally pledged by the state or public body to meet
 1146 debt service or other financial requirements of any debt
 1147 obligations of the state or any public body; the State
 1148 Transportation Trust Fund; the trust fund containing the net

1149 | annual proceeds from the Florida Education Lotteries; the
 1150 | Florida Retirement System Trust Fund; trust funds under the
 1151 | management of the State Board of Education or the Board of
 1152 | Governors of the State University System, where such trust funds
 1153 | are for auxiliary enterprises, self-insurance, and contracts,
 1154 | grants, and donations, as those terms are defined by general
 1155 | law; trust funds that serve as clearing funds or accounts for
 1156 | the Chief Financial Officer or state agencies; trust funds that
 1157 | account for assets held by the state in a trustee capacity as an
 1158 | agent or fiduciary for individuals, private organizations, or
 1159 | other governmental units; and other trust funds authorized by
 1160 | the State Constitution.

1161 | Section 44. In order to implement the issuance of new debt
 1162 | authorized in the 2010-2011 General Appropriations Act, and
 1163 | pursuant to the requirements of s. 215.98, Florida Statutes, the
 1164 | Legislature determines that the authorization and issuance of
 1165 | debt for the 2010-2011 fiscal year should be implemented and is
 1166 | in the best interest of the state and necessary to address a
 1167 | critical state emergency.

1168 | Section 45. In order to implement the funds appropriated
 1169 | in the 2010-2011 General Appropriations Act for state employee
 1170 | travel, the funds appropriated to each state agency, which may
 1171 | be used for travel by state employees, shall be limited during
 1172 | the 2010-2011 fiscal year to travel for activities that are
 1173 | critical to each state agency's mission. Funds may not be used
 1174 | to pay for travel by state employees to foreign countries, other
 1175 | states, conferences, staff-training activities, or other
 1176 | administrative functions unless the agency head has approved in

1177 writing that such activities are critical to the agency's
1178 mission. The agency head must consider the use of
1179 teleconferencing and other forms of electronic communication to
1180 meet the needs of the proposed activity before approving
1181 mission-critical travel. This section does not apply to travel
1182 for law enforcement purposes, military purposes, emergency
1183 management activities, or public health activities. This section
1184 expires July 1, 2011.

1185 Section 46. A section of this act that implements a
1186 specific appropriation or specifically identified proviso
1187 language in the 2010-2011 General Appropriations Act is void if
1188 the specific appropriation or specifically identified proviso
1189 language is vetoed. A section of this act that implements more
1190 than one specific appropriation or more than one portion of
1191 specifically identified proviso language in the 2010-2011
1192 General Appropriations Act is void if all the specific
1193 appropriations or portions of specifically identified proviso
1194 language are vetoed.

1195 Section 47. If any other act passed during the 2010
1196 Regular Session contains a provision that is substantively the
1197 same as a provision in this act, but that removes or is
1198 otherwise not subject to the future repeal applied to such
1199 provision by this act, the Legislature intends that the
1200 provision in the other act takes precedence and continues to
1201 operate, notwithstanding the future repeal provided by this act.

1202 Section 48. If any provision of this act or its
1203 application to any person or circumstance is held invalid, the
1204 invalidity does not affect other provisions or applications of

1205 the act which can be given effect without the invalid provision
1206 or application, and to this end the provisions of this act are
1207 severable.

1208 Section 49. Except as otherwise expressly provided in this
1209 act and except for this section, which shall take effect June
1210 29, 2010, this act shall take effect July 1, 2010; or, if this
1211 act fails to become a law until after that date, it shall take
1212 effect upon becoming a law and shall operate retroactively to
1213 July 1, 2010.