

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; providing that
135 the annual salary of the members of the Legislature be
136 reduced by a specified percentage; reenacting s.
137 215.32(2)(b), F.S., relating to the source and use of
138 certain trust funds in order to implement the transfer of
139 moneys in the General Revenue Fund from trust funds in the
140 2010-2011 General Appropriations Act; providing for the

141 authorization and issuance of new debt; limiting the use
 142 of travel funds to activities that are critical to an
 143 agency's mission; providing exceptions; providing for
 144 future expiration of various provisions; providing for
 145 reversion of statutory text of certain provisions;
 146 providing for the effect of a veto of one or more specific
 147 appropriations or proviso to which implementing language
 148 refers; providing for the continued operation of certain
 149 provisions notwithstanding a future repeal or expiration
 150 provided by the act; providing for severability; providing
 151 effective dates.

152

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

154

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

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

168

Section 3. In order to implement Specific Appropriations

169 17 and 18 of the 2010-2011 General Appropriations Act, paragraph
 170 (c) is added to subsection (3) of section 216.292, Florida
 171 Statutes, to read:

172 216.292 Appropriations nontransferable; exceptions.—

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

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

183 Section 4. In order to fulfill legislative intent
 184 regarding the use of funds contained in Specific Appropriations
 185 639, 651, 663, and 1188 of the 2010-2011 General Appropriations
 186 Act, the Department of Corrections and the Department of
 187 Juvenile Justice may expend appropriated funds to assist in
 188 defraying the costs of impacts that are incurred by a
 189 municipality or county and that are associated with opening or
 190 operating a facility under the authority of the department. The
 191 amount paid for any facility may not exceed 1 percent of the
 192 cost to construct the facility, less building impact fees
 193 imposed by the municipality or county. This section expires July
 194 1, 2011.

195 Section 5. In order to implement Specific Appropriations
 196 629 through 727 and 747 through 781 of the 2010-2011 General

197 Appropriations Act, subsection (4) of section 216.262, Florida
 198 Statutes, is amended to read:

199 216.262 Authorized positions.—

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

222 Section 6. In order to implement Specific Appropriations
 223 1306, 1322, 1329, 1349, and 1359 of the 2010-2011 General
 224 Appropriations Act, the Department of Legal Affairs is

225 authorized to transfer cash remaining after required
 226 disbursements for Attorney General case numbers 16-2008-CA-01-
 227 3142CV-C and CACE08022328 from FLAIR account 41-71-2-601001-
 228 41100100-00-181076-00 to the Operating Trust Fund to pay
 229 salaries and benefits. This section expires July 1, 2011.

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

234 932.7055 Disposition of liens and forfeited property.—

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

237 (d) Notwithstanding any other provision of this
 238 subsection, and for the 2010-2011 ~~2009-2010~~ fiscal year only,
 239 the funds in a special law enforcement trust fund established by
 240 the governing body of a municipality may be expended to
 241 reimburse the general fund of the municipality for moneys
 242 advanced from the general fund to the special law enforcement
 243 trust fund prior to October 1, 2001. This paragraph expires July
 244 1, 2011 ~~2010~~.

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

249 394.908 Substance abuse and mental health funding equity;
 250 distribution of appropriations.—In recognition of the historical
 251 inequity in the funding of substance abuse and mental health
 252 services for the department's districts and regions and to

253 rectify this inequity and provide for equitable funding in the
 254 future throughout the state, the following funding process shall
 255 be used:

256 (3)

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

262 (c) Notwithstanding paragraph (a) and for the 2010-2011
 263 ~~2009-2010~~ fiscal year only, additional funds appropriated for
 264 substance abuse and mental health services from funds available
 265 through the Community-Based Medicaid Administrative Claiming
 266 Program shall be allocated as provided in the 2010-2011 ~~2009-~~
 267 ~~2010~~ General Appropriations Act and in proportion to contributed
 268 provider earnings. This paragraph expires July 1, 2011 ~~2010~~.

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

273 215.5602 James and Esther King Biomedical Research
 274 Program.—

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

279 (b) ~~(a)~~ Beginning in the 2009-2010 fiscal year and
 280 thereafter, 5 percent of the revenue deposited into the Health

281 Care Trust Fund pursuant to ss. 210.011(9) and 210.276(7) shall
 282 be reserved for research of tobacco-related or cancer-related
 283 illnesses; however, the sum of the revenue reserved pursuant to
 284 ss. 210.011(9) and 210.276(7) may not exceed \$50 million in any
 285 fiscal year. This paragraph is suspended for the 2010-2011
 286 fiscal year.

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

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

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

304 ~~(13)~~(15) This section expires July ~~January~~ 1, 2011, unless
 305 reviewed and reenacted by the Legislature before that date.

306 Section 10. In order to implement Specific Appropriations
 307 508 through 526 of the 2010-2011 General Appropriations Act,

308 subsections (5) through (8) of section 381.922, Florida
 309 Statutes, are amended to read:

310 381.922 William G. "Bill" Bankhead, Jr., and David Coley
 311 Cancer Research Program.—

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

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

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

335 (6)~~(8)~~ This section expires July ~~January~~ 1, 2011, unless

336 reviewed and reenacted by the Legislature before that date.

337 Section 11. (1) In order to implement proviso following
 338 Specific Appropriation 486 of the 2010-2011 General
 339 Appropriations Act, and for the 2010-2011 fiscal year only,
 340 notwithstanding any law to the contrary, a state agency may not
 341 adopt or implement a rule or policy that:

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

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

346 (c) Increases the cost of treatment for nitrogen reduction
 347 from onsite systems,

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

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

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

362 Section 13. In order to implement Specific Appropriation
 363 30550, subsection (3) of section 218.12, Florida Statutes, is

364 amended to read:

365 218.12 Appropriations to offset reductions in ad valorem
366 tax revenue in fiscally constrained counties.—

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

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

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

385 255.518 Obligations; purpose, terms, approval,
386 limitations.—

387 (1)

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

391 Section 16. The amendment to s. 255.518(1)(b), Florida

392 Statutes, as carried forward by this act from chapters 2008-153
 393 and 2009-82, Laws of Florida, shall expire July 1, 2011, and the
 394 text of that paragraph shall revert to that in existence on June
 395 30, 2008, except that any amendments to such text enacted other
 396 than by this act shall be preserved and continue to operate to
 397 the extent that such amendments are not dependent upon the
 398 portions of such text which expire pursuant to this section.

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

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

408 (7)

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

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

420 impacted state employees.

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

424
 425 This paragraph expires July 1, 2011 ~~2010~~.

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

430 253.034 State-owned lands; uses.—

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

436 Section 19. In order to implement Specific Appropriations
 437 1763, 1775A, 1789, and 1790, paragraph (b) of subsection (3) of
 438 section 375.041, Florida Statutes, is amended to read:

439 375.041 Land Acquisition Trust Fund.—

440 (3)

441 (b) In addition to the uses allowed in paragraph (a), for
 442 the 2010-2011 ~~2008-2009~~ fiscal year, moneys in the Land
 443 Acquisition Trust Fund are authorized for transfer to the Water
 444 Quality Assurance Trust Fund for the Total Maximum Daily Loads
 445 Program, the Drinking Water Facility Construction-State
 446 Revolving Loan Fund, the Wastewater Facility Treatment
 447 Construction-State Revolving Loan Fund, and the Florida Onsite

448 Sewage Reduction Strategies Study ~~Ecosystem Management and~~
 449 ~~Restoration Trust Fund for grants and aids to local governments~~
 450 ~~for water projects~~ as provided in the General Appropriations
 451 Act. This paragraph expires July 1, 2011 ~~2009~~.

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

456 373.59 Water Management Lands Trust Fund.—

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

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

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

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

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

476 Northwest Florida Water Management District.

477 (b) Notwithstanding paragraph (a), and for the 2010-2011
 478 fiscal year only, the sum of \$50,000 from the Water Management
 479 Lands Trust Fund shall be transferred to the General Inspection
 480 Trust Fund in the Department of Agriculture and Consumer
 481 Services for the soil and water conservation districts for
 482 support services.

483

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

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

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

495 376.3071 Inland Protection Trust Fund; creation; purposes;
 496 funding.—

497 (5) SITE SELECTION AND CLEANUP CRITERIA.—

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

501 1. Funding for free product recovery may be provided in
 502 advance of the order established by the priority ranking system
 503 under paragraph (a) for site cleanup activities. However, a

504 separate prioritization for free product recovery shall be
505 established consistent with paragraph (a). No more than \$5
506 million shall be encumbered from the Inland Protection Trust
507 Fund in any fiscal year for free product recovery conducted in
508 advance of the priority order under paragraph (a) established
509 for site cleanup activities.

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

532 issues its approval of the project, and the approval
533 automatically expires at the end of the 6 months. Funding for
534 Department of Transportation and secondary containment upgrade
535 source removals may not exceed \$50,000 for a single facility
536 unless the department makes a determination that it is cost-
537 effective and environmentally beneficial to exceed this amount,
538 but in no event shall the department authorize costs in excess
539 of \$100,000 for a single facility. Department funding for
540 limited interim soil-source removals associated with Department
541 of Transportation projects and secondary containment upgrades
542 shall be limited to supplemental soil assessment, soil
543 screening, soil removal, backfill material, treatment or
544 disposal of the contaminated soil, dewatering related to the
545 contaminated soil removal in an amount of up to 10 percent of
546 the total interim soil-source removal project costs, treatment,
547 and disposal of the contaminated groundwater and preparation of
548 the source removal report. No other costs associated with the
549 facility upgrade may be paid with department funds. No more than
550 \$1 million for Department of Transportation limited source
551 removal projects and \$10 million for secondary containment
552 upgrade limited source removal projects conducted in advance of
553 the priority order established under paragraph (a) for site
554 cleanup activities shall be encumbered from the Inland
555 Protection Trust Fund in any fiscal year. This subparagraph is
556 repealed effective June 30, 2011 ~~2010~~.

557 3. Once free product removal and other source removal
558 identified in this paragraph are completed at a site, and
559 notwithstanding the order established by the priority ranking

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

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

574 570.20 General Inspection Trust Fund.—

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

582 Section 23. In order to implement Specific Appropriation
 583 1833 of the 2010-2011 General Appropriations Act, subsection (7)
 584 of section 403.7095, Florida Statutes, is amended to read:

585 403.7095 Solid waste management grant program.—

586 (7) Notwithstanding any provision of this section to the
 587 contrary, and for the 2010-2011 ~~2009-2010~~ fiscal year only, the

588 Department of Environmental Protection shall award the sum of
 589 \$2,600,000 in grants equally to counties having populations of
 590 fewer than 100,000 for waste tire and litter prevention,
 591 recycling education, and general solid waste programs. This
 592 subsection expires July 1, 2011 ~~2010~~.

593 Section 24. In order to implement Specific Appropriation
 594 1490 of the 2010-2011 General Appropriations Act and to provide
 595 consistency and continuity in the promotion of agriculture
 596 throughout the state, notwithstanding s. 287.057, Florida
 597 Statutes, the Department of Agriculture and Consumer Services,
 598 at its discretion, may extend, revise, and renew current
 599 contracts or agreements created or entered into pursuant to
 600 chapter 2006-25, Laws of Florida. This section expires July 1,
 601 2011.

602 Section 25. In order to implement Specific Appropriation
 603 2125 of the 2010-2011 General Appropriations Act, subsection (5)
 604 of section 339.135, Florida Statutes, is amended to read:

605 339.135 Work program; legislative budget request;
 606 definitions; preparation, adoption, execution, and amendment.—

607 (5) ADOPTION OF THE WORK PROGRAM.—

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

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

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

644 paragraph expires July 1, 2011 ~~2010~~.

645 Section 26. In order to implement Specific Appropriation
 646 2219 of the 2010-2011 General Appropriations Act, and
 647 notwithstanding the expiration date contained in section 1 of
 648 chapter 2010-1, Laws of Florida, operating retroactive to
 649 February 27, 2010, section 443.1117, Florida Statutes, as
 650 amended by section 1 of chapter 2010-1, Laws of Florida, is
 651 revived, reenacted, and amended to read:

652 443.1117 Temporary extended benefits.—

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

657 (2) DEFINITIONS.—For the purposes of this section, the
 658 term:

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

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

667 (c) "Emergency benefits" means Emergency Unemployment
 668 Compensation paid pursuant to Pub. L. No. 110-252, Pub. L. No.
 669 110-449, Pub. L. No. 111-5, Pub. L. No. 111-92, ~~and~~ Pub. L. No.
 670 111-118, and Pub. L. No. 111-144.

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

- 672 1. Begins with the third week after a week for which there
 673 is a state "on" indicator; and
 674 2. Ends with any of the following weeks, whichever occurs
 675 later:
 676 a. The third week after the first week for which there is
 677 a state "off" indicator;
 678 b. The 13th consecutive week of that period.
 679

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

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

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

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

700 benefits;

701 2. Had a benefit year which expired before that week, and
 702 was paid no, or insufficient, wages for insured work on the
 703 basis of which she or he could establish a new benefit year that
 704 includes that week; and

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

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

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

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

725 2. Equals or exceeds 6.5 percent.

726 (h) "High unemployment period" means, with respect to
 727 weeks of unemployment beginning on or after February 1, 2009,

728 and ending on or before March 13, 2010 ~~January 30, 2010~~, any
 729 week in which the average total unemployment rate, seasonally
 730 adjusted, as determined by the United States Secretary of Labor,
 731 for the period consisting of the most recent 3 months for which
 732 data for all states are published by the United States
 733 Department of Labor:

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

737 2. Equals or exceeds 8 percent.

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

741 (3) TOTAL EXTENDED BENEFIT AMOUNT.—Except as provided in
 742 subsection (4):

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

747 1. Fifty percent of the total regular benefits payable
 748 under this chapter in the applicable benefit year; or

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

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

756 1. Eighty percent of the total regular benefits payable
757 under this chapter in the applicable benefit year; or

758 2. Twenty times the weekly benefit amount payable under
759 this chapter for a week of total unemployment in the applicable
760 benefit year.

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

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

773 Section 27. The provisions of s. 443.1117, Florida
774 Statutes, as revived, reenacted, and amended by this act, apply
775 only to claims for weeks of unemployment in which an exhaustee
776 establishes entitlement to extended benefits pursuant to that
777 section which are established for the period between February
778 22, 2009, and April 5, 2010.

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

782 Section 29. In order to implement Specific Appropriation
783 2672 and section 56 of the 2010-2011 General Appropriations Act,

784 funds appropriated out of the Economic Development
785 Transportation Trust Fund may be used for economic development
786 infrastructure projects and other economic development projects;
787 for improvements to other launch complexes and space
788 transportation facilities in order to attract new space vehicle
789 testing and launch business to the state; for addressing
790 intermodal requirements and impacts of the launch ranges,
791 spaceports, and other space transportation facilities; for
792 advancing aerospace technology to meet the current and future
793 needs of the United States commercial space transportation
794 industry; and for assisting in the development of joint-use
795 facilities and technology that support aviation and aerospace
796 operations, including high altitude and suborbital flights and
797 range technology development.

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

801 216.292 Appropriations nontransferable; exceptions.—

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

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

812 approval by the Legislative Budget Commission. This paragraph
 813 expires July 1, 2011 ~~2010~~.

814 Section 31. In order to implement sections 2 through 7 of
 815 the 2010-2011 General Appropriations Act, the Executive Office
 816 of the Governor is authorized to transfer funds appropriated for
 817 the American Recovery and Reinvestment Act of 2009 (ARRA) in
 818 traditional appropriation categories in the 2010-2011 General
 819 Appropriations Act to appropriation categories established for
 820 the specific purpose of tracking funds appropriated for the
 821 ARRA.

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

826 288.1254 Entertainment industry financial incentive
 827 program.—

828 (4) PRIORITY FOR INCENTIVE FUNDING; WITHDRAWAL OF
 829 ELIGIBILITY; QUEUES.—

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

840 expenditures is eligible for incentive funding. To qualify for
841 this queue, a qualified production must:

842 1. Be planned as a feature film or documentary of no less
843 than 70 minutes in length.

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

847 3. Do all major postproduction in this state.

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

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

868 wages or salaries paid to a resident of this state for working
 869 on a single qualified digital media project, up to a maximum of
 870 \$200,000 in wages or salaries paid per resident. A qualified
 871 production company producing digital media projects may not
 872 qualify for more than three projects in any 1 fiscal year.
 873 Projects that extend beyond a fiscal year must reapply each
 874 fiscal year in order to be eligible for incentive funding for
 875 that year.

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

885 Section 34. In order to implement section 59 of the 2010-
 886 2011 General Appropriations Act, paragraph (n) of subsection (1)
 887 of section 339.08, Florida Statutes, is amended to read:

888 339.08 Use of moneys in State Transportation Trust Fund.—

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

893 (n) To pay administrative expenses incurred in accordance
 894 with applicable laws for a multicounty transportation or
 895 expressway authority created under chapter 343 or chapter 348,

896 | where jurisdiction for the authority includes a portion of the
 897 | State Highway System and the administrative expenses are in
 898 | furtherance of the duties and responsibilities of the authority
 899 | in the development of improvements to the State Highway System.
 900 | This paragraph expires July 1, 2011 ~~2010~~.

901 | Section 35. In order to implement section 83 of the 2010-
 902 | 2011 General Appropriations Act, subsection (4) of section
 903 | 339.08, Florida Statutes, is amended to read:

904 | 339.08 Use of moneys in State Transportation Trust Fund.—

905 | (4) For the 2010-2011 ~~2009-2010~~ fiscal year only and
 906 | notwithstanding the provisions of this section and ss. 339.09(1)
 907 | and 215.32(2)(b)4., funds may be transferred from the State
 908 | Transportation Trust Fund to the General Revenue Fund as
 909 | specified in the General Appropriations Act. Notwithstanding ss.
 910 | 206.46(3) and 206.606(2), the total amount transferred shall be
 911 | reduced from total state revenues deposited into the State
 912 | Transportation Trust Fund for the calculation requirements of
 913 | ss. 206.46(3) and 206.606(2). This subsection expires July 1,
 914 | 2011 ~~2010~~.

915 | Section 36. In order to implement section 46 of the 2010-
 916 | 2011 General Appropriations Act, subsection (11) of section
 917 | 445.009, Florida Statutes is amended to read:

918 | 445.009 One-stop delivery system.—

919 | (11)(a) A participant in an adult or youth work experience
 920 | activity administered under this chapter shall be deemed an
 921 | employee of the state for purposes of workers' compensation
 922 | coverage. In determining the average weekly wage, all
 923 | remuneration received from the employer shall be considered a

924 gratuity, and the participant shall not be entitled to any
 925 benefits otherwise payable under s. 440.15, regardless of
 926 whether the participant may be receiving wages and remuneration
 927 from other employment with another employer and regardless of
 928 his or her future wage-earning capacity.

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

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

941 Section 38. In order to implement the appropriation of
 942 funds in Special Categories-Transfer to Department of Management
 943 Services-Human Resources Services Purchased Per Statewide
 944 Contract of the 2010-2011 General Appropriations Act, and
 945 pursuant to the notice, review, and objection procedures of s.
 946 216.177, Florida Statutes, the Executive Office of the Governor
 947 is authorized to transfer funds appropriated in the
 948 appropriation category "Special Categories-Transfer to
 949 Department of Management Services-Human Resources Services
 950 Purchased Per Statewide Contract" of the 2010-2011 General
 951 Appropriations Act between departments in order to align the

952 budget authority granted with the assessments that must be paid
953 by each agency to the Department of Management Services for
954 human resource management services. This section expires July 1,
955 2011.

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

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

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

999 Section 41. In order to implement specific appropriations
 1000 for salaries and benefits in the 2010-2011 General
 1001 Appropriations Act, paragraph (a) of subsection (12) of section
 1002 110.123, Florida Statutes, is amended to read:

1003 110.123 State group insurance program.—

1004 (12) HEALTH SAVINGS ACCOUNTS.—The department is authorized
 1005 to establish health savings accounts for full-time and part-time
 1006 state employees in association with a health insurance plan
 1007 option authorized by the Legislature and conforming to the

1008 requirements and limitations of federal provisions relating to
 1009 the Medicare Prescription Drug, Improvement, and Modernization
 1010 Act of 2003.

1011 (a)1. A member participating in this health insurance plan
 1012 option shall be eligible to receive an employer contribution
 1013 into the employee's health savings account from the State
 1014 Employees Health Insurance Trust Fund in an amount to be
 1015 determined by the Legislature. A member is not eligible for an
 1016 employer contribution upon termination of employment. For the
 1017 2010-2011 ~~2009-2010~~ fiscal year, the state's monthly
 1018 contribution for employees having individual coverage shall be
 1019 \$41.66 and the monthly contribution for employees having family
 1020 coverage shall be \$83.33.

1021 2. A member participating in this health insurance plan
 1022 option shall be eligible to deposit the member's own funds into
 1023 a health savings account.

1024 Section 42. In order to implement specific appropriations
 1025 for salaries and benefits in the 2010-2011 General
 1026 Appropriations Act, paragraph (b) of subsection (3) of section
 1027 112.24, Florida Statutes, is amended to read:

1028 112.24 Intergovernmental interchange of public employees.—
 1029 To encourage economical and effective utilization of public
 1030 employees in this state, the temporary assignment of employees
 1031 among agencies of government, both state and local, and
 1032 including school districts and public institutions of higher
 1033 education is authorized under terms and conditions set forth in
 1034 this section. State agencies, municipalities, and political
 1035 subdivisions are authorized to enter into employee interchange

1036 | agreements with other state agencies, the Federal Government,
1037 | another state, a municipality, or a political subdivision
1038 | including a school district, or with a public institution of
1039 | higher education. State agencies are also authorized to enter
1040 | into employee interchange agreements with private institutions
1041 | of higher education and other nonprofit organizations under the
1042 | terms and conditions provided in this section. In addition, the
1043 | Governor or the Governor and Cabinet may enter into employee
1044 | interchange agreements with a state agency, the Federal
1045 | Government, another state, a municipality, or a political
1046 | subdivision including a school district, or with a public
1047 | institution of higher learning to fill, subject to the
1048 | requirements of chapter 20, appointive offices which are within
1049 | the executive branch of government and which are filled by
1050 | appointment by the Governor or the Governor and Cabinet. Under
1051 | no circumstances shall employee interchange agreements be
1052 | utilized for the purpose of assigning individuals to participate
1053 | in political campaigns. Duties and responsibilities of
1054 | interchange employees shall be limited to the mission and goals
1055 | of the agencies of government.

1056 | (3) Salary, leave, travel and transportation, and
1057 | reimbursements for an employee of a sending party that is
1058 | participating in an interchange program shall be handled as
1059 | follows:

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

1064 or for the pay and benefits, or a part thereof, of the employee
 1065 during the assignment.

1066 2. For the 2010-2011 ~~2009-2010~~ fiscal year only, the
 1067 assignment of an employee of a state agency as provided in
 1068 subparagraph 1. may be made if recommended by the Governor or
 1069 Chief Justice, as appropriate, and approved by the chairs of the
 1070 Senate Policy and Steering Committee on Ways and Means and the
 1071 House Full Appropriations Council on Education and Economic
 1072 Development ~~General Government and Health Care~~. Such actions
 1073 shall be deemed approved if neither chair provides written
 1074 notice of objection within 14 days after the chair's receiving
 1075 notice of the action pursuant to s. 216.177. This subparagraph
 1076 expires July 1, 2011 ~~2010~~.

1077 Section 43. In order to implement Specific Appropriations
 1078 2768 and 2769 of the 2010-2011 General Appropriations Act:

1079 (1) Notwithstanding the provisions of s. 11.13(1), Florida
 1080 Statutes, relating to the annual adjustment of salaries for
 1081 members of the Legislature, to the contrary, for the 2010-2011
 1082 fiscal year only, the authorized salaries of members in effect
 1083 on June 30, 2010, shall be reduced by 3 percent.

1084 (2) Effective June 30, 2011, the annual salaries of
 1085 members of the Legislature shall be set at the amounts
 1086 authorized and in effect on June 30, 2010, pursuant to
 1087 subsection (2) of section 48 of chapter 2009-82, Laws of
 1088 Florida.

1089 (3) This section expires July 1, 2011.

1090 Section 44. In order to implement the transfer of moneys
 1091 to the General Revenue Fund from trust funds in the 2010-2011

1092 General Appropriations Act, paragraph (b) of subsection (2) of
 1093 section 215.32, Florida Statutes, is reenacted to read:

1094 215.32 State funds; segregation.—

1095 (2) The source and use of each of these funds shall be as
 1096 follows:

1097 (b)1. The trust funds shall consist of moneys received by
 1098 the state which under law or under trust agreement are
 1099 segregated for a purpose authorized by law. The state agency or
 1100 branch of state government receiving or collecting such moneys
 1101 shall be responsible for their proper expenditure as provided by
 1102 law. Upon the request of the state agency or branch of state
 1103 government responsible for the administration of the trust fund,
 1104 the Chief Financial Officer may establish accounts within the
 1105 trust fund at a level considered necessary for proper
 1106 accountability. Once an account is established within a trust
 1107 fund, the Chief Financial Officer may authorize payment from
 1108 that account only upon determining that there is sufficient cash
 1109 and releases at the level of the account.

1110 2. In addition to other trust funds created by law, to the
 1111 extent possible, each agency shall use the following trust funds
 1112 as described in this subparagraph for day-to-day operations:

1113 a. Operations or operating trust fund, for use as a
 1114 depository for funds to be used for program operations funded by
 1115 program revenues, with the exception of administrative
 1116 activities when the operations or operating trust fund is a
 1117 proprietary fund.

1118 b. Operations and maintenance trust fund, for use as a
 1119 depository for client services funded by third-party payors.

1120 c. Administrative trust fund, for use as a depository for
 1121 funds to be used for management activities that are departmental
 1122 in nature and funded by indirect cost earnings and assessments
 1123 against trust funds. Proprietary funds are excluded from the
 1124 requirement of using an administrative trust fund.

1125 d. Grants and donations trust fund, for use as a
 1126 depository for funds to be used for allowable grant or donor
 1127 agreement activities funded by restricted contractual revenue
 1128 from private and public nonfederal sources.

1129 e. Agency working capital trust fund, for use as a
 1130 depository for funds to be used pursuant to s. 216.272.

1131 f. Clearing funds trust fund, for use as a depository for
 1132 funds to account for collections pending distribution to lawful
 1133 recipients.

1134 g. Federal grant trust fund, for use as a depository for
 1135 funds to be used for allowable grant activities funded by
 1136 restricted program revenues from federal sources.

1137
 1138 To the extent possible, each agency must adjust its internal
 1139 accounting to use existing trust funds consistent with the
 1140 requirements of this subparagraph. If an agency does not have
 1141 trust funds listed in this subparagraph and cannot make such
 1142 adjustment, the agency must recommend the creation of the
 1143 necessary trust funds to the Legislature no later than the next
 1144 scheduled review of the agency's trust funds pursuant to s.
 1145 215.3206.

1146 3. All such moneys are hereby appropriated to be expended
 1147 in accordance with the law or trust agreement under which they

1148 | were received, subject always to the provisions of chapter 216
 1149 | relating to the appropriation of funds and to the applicable
 1150 | laws relating to the deposit or expenditure of moneys in the
 1151 | State Treasury.

1152 | 4.a. Notwithstanding any provision of law restricting the
 1153 | use of trust funds to specific purposes, unappropriated cash
 1154 | balances from selected trust funds may be authorized by the
 1155 | Legislature for transfer to the Budget Stabilization Fund and
 1156 | General Revenue Fund in the General Appropriations Act.

1157 | b. This subparagraph does not apply to trust funds
 1158 | required by federal programs or mandates; trust funds
 1159 | established for bond covenants, indentures, or resolutions whose
 1160 | revenues are legally pledged by the state or public body to meet
 1161 | debt service or other financial requirements of any debt
 1162 | obligations of the state or any public body; the State
 1163 | Transportation Trust Fund; the trust fund containing the net
 1164 | annual proceeds from the Florida Education Lotteries; the
 1165 | Florida Retirement System Trust Fund; trust funds under the
 1166 | management of the State Board of Education or the Board of
 1167 | Governors of the State University System, where such trust funds
 1168 | are for auxiliary enterprises, self-insurance, and contracts,
 1169 | grants, and donations, as those terms are defined by general
 1170 | law; trust funds that serve as clearing funds or accounts for
 1171 | the Chief Financial Officer or state agencies; trust funds that
 1172 | account for assets held by the state in a trustee capacity as an
 1173 | agent or fiduciary for individuals, private organizations, or
 1174 | other governmental units; and other trust funds authorized by
 1175 | the State Constitution.

1176 Section 45. In order to implement the issuance of new debt
1177 authorized in the 2010-2011 General Appropriations Act, and
1178 pursuant to the requirements of s. 215.98, Florida Statutes, the
1179 Legislature determines that the authorization and issuance of
1180 debt for the 2010-2011 fiscal year should be implemented and is
1181 in the best interest of the state and necessary to address a
1182 critical state emergency.

1183 Section 46. In order to implement the funds appropriated
1184 in the 2010-2011 General Appropriations Act for state employee
1185 travel, the funds appropriated to each state agency, which may
1186 be used for travel by state employees, shall be limited during
1187 the 2010-2011 fiscal year to travel for activities that are
1188 critical to each state agency's mission. Funds may not be used
1189 to pay for travel by state employees to foreign countries, other
1190 states, conferences, staff-training activities, or other
1191 administrative functions unless the agency head has approved in
1192 writing that such activities are critical to the agency's
1193 mission. The agency head must consider the use of
1194 teleconferencing and other forms of electronic communication to
1195 meet the needs of the proposed activity before approving
1196 mission-critical travel. This section does not apply to travel
1197 for law enforcement purposes, military purposes, emergency
1198 management activities, or public health activities. This section
1199 expires July 1, 2011.

1200 Section 47. A section of this act that implements a
1201 specific appropriation or specifically identified proviso
1202 language in the 2010-2011 General Appropriations Act is void if
1203 the specific appropriation or specifically identified proviso

1204 language is vetoed. A section of this act that implements more
 1205 than one specific appropriation or more than one portion of
 1206 specifically identified proviso language in the 2010-2011
 1207 General Appropriations Act is void if all the specific
 1208 appropriations or portions of specifically identified proviso
 1209 language are vetoed.

1210 Section 48. If any other act passed during the 2010
 1211 Regular Session contains a provision that is substantively the
 1212 same as a provision in this act, but that removes or is
 1213 otherwise not subject to the future repeal applied to such
 1214 provision by this act, the Legislature intends that the
 1215 provision in the other act takes precedence and continues to
 1216 operate, notwithstanding the future repeal provided by this act.

1217 Section 49. If any provision of this act or its
 1218 application to any person or circumstance is held invalid, the
 1219 invalidity does not affect other provisions or applications of
 1220 the act which can be given effect without the invalid provision
 1221 or application, and to this end the provisions of this act are
 1222 severable.

1223 Section 50. Except as otherwise expressly provided in this
 1224 act and except for this section, which shall take effect June
 1225 29, 2010, this act shall take effect July 1, 2010; or, if this
 1226 act fails to become a law until after that date, it shall take
 1227 effect upon becoming a law and shall operate retroactively to
 1228 July 1, 2010.