

## CHAPTER 2010-153

### House Bill No. 5003

An act relating to implementing the 2010-2011 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program for the 2010-2011 fiscal year; amending s. 216.292, F.S.; authorizing the transfer of funds, upon certain approval, for fixed capital outlay from the Survey Recommended Needs-Public Schools appropriation category to the Maintenance, Repair, Renovation and Remodeling appropriation category; authorizing the Department of Corrections and the Department of Juvenile Justice to make certain expenditures to defray costs incurred by a municipality or county as a result of opening or operating a facility under authority of the respective department; amending s. 216.262, F.S.; providing for additional positions to operate additional prison bed capacity under certain circumstances; authorizing the Department of Legal Affairs to transfer certain funds to pay salaries and benefits; authorizing the Department of Legal Affairs to spend certain appropriated funds on programs that were funded by the department from specific appropriations in general appropriations acts in previous years; providing for the expiration of the authority to spend those appropriations; amending s. 932.7055, F.S.; delaying the expiration of provisions authorizing a municipality to expend funds from its special law enforcement trust fund to reimburse the municipality's general fund; requiring that the Office of State Courts Administrator report by a date certain to the Legislature the number of assigned new and reopened cases and the number of cases closed by each judge in each division and circuit for a specified period; amending s. 29.008, F.S.; providing counties with an exemption from the requirement to annually increase certain expenditures by a specified percentage for the 2010-2011 fiscal year; requiring that the Department of Juvenile Justice comply with specified reimbursement limitations with respect to payments to hospitals or health care providers for health care services; authorizing certain payments pursuant to a contracted rate only until the contract expires or is renewed; defining the term "hospital" for purposes of such limitations; amending s. 44.108, F.S.; authorizing use of moneys in the Mediation and Arbitration Trust Fund as specified in the General Appropriations Act; amending s. 394.908, F.S.; providing allocation requirements for specified funds appropriated for forensic mental health services; requiring that funds appropriated through the Community-Based Medicaid Administrative Claiming Program be allocated proportionately to contributed provider earnings; prohibiting any state agency from adopting or implementing a rule or policy mandating or establishing new nitrogen-reduction limits under certain circumstances; amending s. 1, ch. 2007-174, Laws of Florida; extending provisions relating to the reorganization activities of the Department of Children and Family Services; providing that budget amendments recommending the release of funds shall be provided a certain time in advance and are subject to objection procedures;

requiring the Florida Catastrophic Storm Risk Management Center at Florida State University to conduct an analysis; amending s. 218.12, F.S.; requiring that the value of assessments reduced pursuant to s. 4(d)(8)a. of Art. VII of the State Constitution include only the reduction in taxable value for homesteads established in the preceding year; reenacting s. 255.518(1)(b), F.S., relating to payment of obligations during the construction of any facility financed by such obligations; amending s. 255.503, F.S.; delaying the expiration of provisions relating to the Florida Facilities Pool; requiring the Department of Financial Services to issue a solicitation for office supplies and award a multiple supplier contract by a specified date; amending s. 253.034, F.S.; authorizing the deposit of funds derived from the sale of property by the Department of Citrus into the Citrus Advertising Trust Fund; amending s. 375.041, F.S.; providing for the transfer of moneys from the Land Acquisition Trust Fund to support the Clean Water State Revolving Fund, the Drinking Water State Revolving Fund, the Total Maximum Daily Loads programs, and the Marine Spatial Planning programs, rather than to the Ecosystem Management and Restoration Trust Fund for grants and aids to local governments for water projects; amending s. 373.59, F.S.; providing for the allocation of moneys from the Water Management Lands Trust Fund for certain purposes; reenacting s. 403.1651(1)(g), F.S., relating to the use of funds from the Ecosystem Management and Restoration Trust Fund for the purpose of funding activities to preserve and repair the state's beaches; amending s. 403.1651, F.S.; providing for the transfer of moneys from the Ecosystem Management and Restoration Trust Fund to the General Inspection Trust Fund for the Farm Share, Food Banks, and Mosquito Control program and the Technological Research and Development Authority; amending s. 570.20, F.S.; delaying the expiration of provisions authorizing the Department of Agriculture and Consumer Services to use funds from the General Inspection Trust Fund for certain programs; amending s. 403.7095, F.S.; requiring that the Department of Environmental Protection award a specified amount in grants equally to certain counties for waste tire and litter prevention, recycling education, and general solid waste programs; authorizing the Department of Agriculture and Consumer Services to extend, revise, and renew current contracts or agreements created or entered into for the purpose of promotion of agriculture; amending s. 339.135, F.S.; providing for use of transportation revenues; requiring that the Department of Transportation transfer funds to the Office of Tourism, Trade, and Economic Development for the purpose of funding transportation-related needs of economic development projects; providing that funds appropriated from the Economic Development Transportation Trust Fund may be used to attract new space business to the state and for other specified needs for the development of aviation and aerospace operations; amending s. 216.292, F.S.; permitting the Legislative Budget Commission to review and approve recommendations by the Governor for fixed capital outlay projects funded by grants awarded from the American Recovery and Reinvestment Act of 2009 or by any other federal economic stimulus grant funding received; authorizing the Executive Office of the Governor to transfer funds appropriated for the

American Recovery and Reinvestment Act of 2009 in traditional appropriation categories in the General Appropriations Act to appropriation categories established for the specific purpose of tracking funds appropriated pursuant to that act; amending s. 339.08, F.S.; delaying the expiration of provisions relating to the use of moneys in the State Transportation Trust Fund for certain administrative expenses; authorizing the transfer of funds from the State Transportation Trust Fund to the General Revenue Fund under certain circumstances; amending s. 445.009, F.S.; providing that a participant in an adult or youth work experience activity under ch. 445, F.S., is an employee of the state for purposes of workers' compensation coverage; amending s. 163.3247, F.S.; removing a provision that entitles members of the Century Commission for a Sustainable Florida to receive per diem and travel expenses; amending s. 201.15, F.S.; revising provisions relating to funds deposited into the Grants and Donations Trust Fund in the Department of Community Affairs which are used to fund the Century Commission; amending s. 215.559, F.S.; delaying the expiration of provisions relating to the Hurricane Loss Mitigation Program; providing for use of certain appropriated funds for hurricane shelters; reenacting s. 332.007(8), F.S., relating to the funding of security projects at publicly owned public-use airports; providing for the future expiration of certain amendments to such provision and for the reversion of statutory text; establishing the Florida Major Performing Arts Center Task Force; providing purposes; providing criteria for task force membership, election of officers, operation of meetings, submission of a final report, and staffing; amending s. 445.007, F.S.; prohibiting the use of state and federal funds for certain purposes unless expressly authorized by law; permitting reimbursement of certain per diem allowances and travel expenses; requiring the development of a statewide fiscal policy; prohibiting expenditures of state or federal funds for entertainment and recreational expenses; providing for increased transparency and accountability; prescribing terms and conditions of contracts and procedures for review; providing for exemptions and review procedures; amending s. 206.608, F.S.; authorizing the transfer of certain tax funds to the State Transportation Trust Fund; amending s. 339.135, F.S.; providing legislative intent; requiring the Department of Transportation to submit certain documents when submitting the department's work program amendment to the Legislative Budget Commission; amending s. 348.60, F.S.; requiring the Tampa-Hillsborough County Expressway Authority to transfer funds to the department by a specified date; providing for the transfer of governance and control and the assets and liabilities of the Authority if the funds are not transferred by the specified date; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management premiums and for purposes of aligning amounts paid for human resource management services; amending s. 110.123, F.S.; providing for the state's monthly contribution for employees under the state group insurance program; amending s. 110.123, F.S., relating to the state group insurance program; requiring that, for the 2010-2011 fiscal year only, the state contribution toward the cost of a plan is the difference

between the overall premium and the employee contribution; amending s. 112.24, F.S.; providing conditions on the assignment of an employee of a state agency without reimbursement from the receiving agency; providing that the annual salary of the members of the Legislature be reduced by a specified percentage; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds in order to implement the transfer of moneys in the General Revenue Fund from trust funds in the 2010-2011 General Appropriations Act; reenacting s. 215.5601(4)(b), F.S., relating to the administration of the Lawton Chiles Endowment Fund; providing for the authorization and issuance of new debt; limiting the use of travel funds to activities that are critical to an agency's mission; providing exceptions; authorizing the Executive Office of the Governor to transfer funds for use by the state's designated primary data centers, pursuant to statutory procedures for notice, review, and objection; authorizing agencies to transfer funds from data processing appropriation categories to other appropriation categories in order to support and manage computer resources, notwithstanding other provisions of law; authorizing state agencies to begin planning for data center consolidations; authorizing the primary data center to add positions under certain circumstances; authorizing the Executive Office of the Governor to transfer funds between agencies in order to allocate a reduction relating to SUNCOM; prohibiting the Department of Environmental Protection from taking final agency action to deny permit applications for specified rigid coastal armoring structures; providing for the department to take final agency action on such permit applications within specified time periods; prohibiting the department from taking enforcement action against a property owner for failure to apply for certain permits; providing for future expiration of various provisions; authorizing the payment of debt service on bonds during the construction of the Florida International University/Miami-Dade County Health Department/Florida Department of Health facility; permitting rental payments; permitting the payment of certain costs from bond proceeds; prohibiting certain facilities from being required to submit other entities into the facilities pool to obtain financing; authorizing funds to be expended for enumerated authorized education capital outlay projects; specifying requirements for funded projects; requiring the Office of Policy and Budget in the Executive Office of the Governor to establish budget authority within appropriate accounts; requiring that preference, to the maximum extent possible, be given to entities committed to using Florida residents and products in fulfilling their contractual duties; exempting contracts funded before a specified date; requiring state agencies to identify contracts affected by these provisions and report by a date certain each contractor's compliance to the Agency for Workforce Innovation; amending s. 110.12315, F.S.; revising copayments for the state employees' prescription drug program; providing for reversion of statutory text of certain provisions; providing for the effect of a veto of one or more specific appropriations or proviso to which implementing language refers; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing for severability; providing effective dates.

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

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

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

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

216.292 Appropriations nontransferable; exceptions.—

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

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

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

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

216.262 Authorized positions.—

(4) Notwithstanding the provisions of this chapter on increasing the number of authorized positions, and for the 2010-2011 ~~2009-2010~~ fiscal year

only, if the actual inmate population of the Department of Corrections exceeds the inmate population projections of the February 19, 2010 April 30, 2009, Criminal Justice Estimating Conference by 1 percent for 2 consecutive months or 2 percent for any month, the Executive Office of the Governor, with the approval of the Legislative Budget Commission, shall immediately notify the Criminal Justice Estimating Conference, which shall convene as soon as possible to revise the estimates. The Department of Corrections may then submit a budget amendment requesting the establishment of positions in excess of the number authorized by the Legislature and additional appropriations from unallocated general revenue sufficient to provide for essential staff, fixed capital improvements, and other resources to provide classification, security, food services, health services, and other variable expenses within the institutions to accommodate the estimated increase in the inmate population. All actions taken pursuant to the authority granted in this subsection shall be subject to review and approval by the Legislative Budget Commission. This subsection expires July 1, 2011 2010.

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

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

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

932.7055 Disposition of liens and forfeited property.—

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

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

Section 9. In order to implement Specific Appropriations 3238 through 3260 of the 2010-2011 General Appropriations Act, the Office of State Courts

Administrator, with the assistance of the clerks of the court and the Florida Association of Clerks and Comptrollers, shall report by February 15, 2011, to the chairs of the Senate Policy and Steering Committee on Ways and Means and the House Full Appropriations Council on Education and Economic Development, the number of assigned new and reopened cases and the number of cases closed by each judge in each division and circuit for the period January 1, 2010, through December 31, 2010.

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

29.008 County funding of court-related functions.—

(4)

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

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

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

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

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

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

operating margin for the previous fiscal year to the Agency for Health Care Administration through hospital-audited financial data; and

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

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

(3) This section expires July 1, 2011.

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

44.108 Funding of mediation and arbitration.—

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

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

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

(3)

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

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

Section 14. In order to implement Specific Appropriation 486 of the 2010-2011 General Appropriations Act, and for the 2010-2011 fiscal year only, the



following requirements shall govern Phase 2 of the Department of Health's Florida Onsite Sewage Nitrogen Reduction Strategies Study:

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

(2) The Department of Health, the Department of Health's Research Review and Advisory Committee, and the Department of Environmental Protection shall work together to provide the necessary technical oversight of Phase 2 of the project, with the Department of Environmental Protection having maximum technical input.

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

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

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

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

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

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

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

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

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

Section 17. In order to implement section 114 of the 2010-2011 General Appropriations Act, the Florida Catastrophic Storm Risk Management Center at Florida State University shall conduct the analysis as originally required in section 164 of chapter 2004-390, Laws of Florida. Notwithstanding section 164 of chapter 2004-390, Laws of Florida, the Florida Catastrophic Storm Risk Management Center at Florida State University is directed to use the most recent and available premium data for personal lines property and casualty insurance in completing the analysis.

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

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

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

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

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

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

(1)

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

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

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

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

(7)

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

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

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

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

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

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

253.034 State-owned lands; uses.—

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

Section 25. In order to implement Specific Appropriations 1651, 1763, 1789, and 1790 of the 2010-2011 General Appropriations Act, paragraph (b) of subsection (3) of section 375.041, Florida Statutes, is amended to read:

375.041 Land Acquisition Trust Fund.—

(3)

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

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

373.59 Water Management Lands Trust Fund.—

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

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

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

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

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

This subsection expires July 1, 2011 2010.

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

403.1651 Ecosystem Management and Restoration Trust Fund.—

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

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

Section 28. The amendment to s. 403.1651(1)(g), Florida Statutes, as carried forward by this act from chapter 2009-82, Laws of Florida, shall expire July 1, 2011, and the text of that subsection shall revert to that in existence on June 30, 2009, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of such text which expire pursuant to this section.

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

403.1651 Ecosystem Management and Restoration Trust Fund.—

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

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

570.20 General Inspection Trust Fund.—

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

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

403.7095 Solid waste management grant program.—

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

Protection shall award the sum of ~~\$2,400,000~~ \$2,600,000 in grants equally to counties having populations of fewer than 100,000 for waste tire and litter prevention, recycling education, and general solid waste programs. This subsection expires July 1, 2011 2010.

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

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

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

(5) ADOPTION OF THE WORK PROGRAM.—

(a) The original approved budget for operational and fixed capital expenditures for the department shall be the Governor's budget recommendation and the first year of the tentative work program, as both are amended by the General Appropriations Act and any other act containing appropriations. In accordance with the appropriations act, the department shall, prior to the beginning of the fiscal year, adopt a final work program which shall only include the original approved budget for the department for the ensuing fiscal year together with any roll forwards approved pursuant to paragraph (6)(c) and the portion of the tentative work program for the following 4 fiscal years revised in accordance with the original approved budget for the department for the ensuing fiscal year together with said roll forwards. The adopted work program may include only those projects submitted as part of the tentative work program developed under the provisions of subsection (4) plus any projects which are separately identified by specific appropriation in the General Appropriations Act and any roll forwards approved pursuant to paragraph (6)(c). However, any transportation project of the department which is identified by specific appropriation in the General Appropriations Act shall be deducted from the funds annually distributed to the respective district pursuant to paragraph (4)(a). In addition, the department shall not in any year include any project or allocate funds to a program in the adopted work program that is contrary to existing law for that particular year. Projects shall not be undertaken unless they are listed in the adopted work program.

(b) Notwithstanding paragraph (a), and for the 2010-2011 2009-2010 fiscal year only, the Department of Transportation shall transfer funds to the Office of Tourism, Trade, and Economic Development in an amount equal to \$20,300,000 for the purpose of funding transportation-related needs of

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

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

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

216.292 Appropriations nontransferable; exceptions.—

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

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

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

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

339.08 Use of moneys in State Transportation Trust Fund.—

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

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

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

339.08 Use of moneys in State Transportation Trust Fund.—

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

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

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

339.08 Use of moneys in State Transportation Trust Fund.—

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

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

445.009 One-stop delivery system.—

(11)(a) A participant in an adult or youth work experience activity administered under this chapter shall be deemed an employee of the state for purposes of workers' compensation coverage. In determining the average



weekly wage, all remuneration received from the employer shall be considered a gratuity, and the participant shall not be entitled to any benefits otherwise payable under s. 440.15, regardless of whether the participant may be receiving wages and remuneration from other employment with another employer and regardless of his or her future wage-earning capacity.

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

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

163.3247 Century Commission for a Sustainable Florida.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

215.559 Hurricane Loss Mitigation Program.—

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

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

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

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

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

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

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

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

(8) Notwithstanding any other provision of law to the contrary, the department is authorized to fund security projects, including operational and maintenance assistance, at publicly owned public-use airports. For projects in the current adopted work program, or projects added using the available budget of the department, airports may request the department change the project purpose in accordance with this provision notwithstanding the provisions of s. 339.135(7). For purposes of this subsection, the department

may fund up to 100 percent of eligible project costs that are not funded by the Federal Government. This subsection shall expire on June 30, 2012.

Section 47. The amendment to s. 332.007(8), Florida Statutes, as carried forward by this act from chapter 2009-82, Laws of Florida, shall expire July 1, 2011, and the text of that subsection shall revert to that in existence on June 30, 2009, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of such text which expire pursuant to this section.

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

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

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

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

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

(c) A representative from Enterprise Florida, Inc.

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

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

1. One member shall be appointed by the Governor.

2. Two members shall be appointed by the Speaker of the House of Representatives.

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

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

(4) The task force shall meet at the call of the chair or at the request of the majority of its membership to undertake and complete its purpose. The task

force may conduct its meetings through teleconferences or other similar means.

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

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

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

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

445.007 Regional workforce boards.—

(10) State and federal funds provided to the regional workforce boards may not be used directly or indirectly to pay for meals, food, or beverages for board members, staff, or employees of regional workforce boards, Workforce Florida, Inc. or the Agency for Workforce Innovation except as expressly authorized by state law. Preapproved, reasonable, and necessary per diem allowances and travel expenses may be reimbursed. Such reimbursement shall be at the standard travel reimbursement rates established in s. 112.061 and shall be in compliance with all applicable federal and state requirements. Workforce Florida, Inc. shall develop a statewide fiscal policy applicable to the state board and all regional workforce boards, to hold both the state and regional boards strictly accountable for adherence to the policy and subject to regular and periodic monitoring by the Agency for Workforce Innovation, the administrative entity for Workforce Florida, Inc. Boards are prohibited from expending state or federal funds for entertainment costs and recreational activities for board members and employees as these terms are defined by 2 C.F.R. part 230. This subsection expires July 1, 2011.

(11) To increase transparency and accountability, regional workforce boards shall comply with the requirements of this section before contracting with a member of the regional workforce board. Such contracts shall not be executed before or without the approval of Workforce Florida, Inc. Such contracts, as well as documentation demonstrating adherence to this section as specified by Workforce Florida, Inc. must be submitted to the Agency for Workforce Innovation for review and recommendation according to criteria to be determined by Workforce Florida, Inc. Contracts between relatives, as defined in s. 112.3143(1)(b), of a board member or employee of a board must be approved by a two-thirds vote of the entire board; all conflicts must be disclosed prior to the vote; and any member who may benefit from the contract, or whose relative may benefit from the contract, must abstain from the vote and the contract must be reviewed and approved as stated above. Contracts under \$25,000 between a regional workforce board and a member

of that board or between relatives, as defined in s. 112.3143(1)(b), of a board member or employees of a board are exempt from the review and recommendation process but must be approved by a two-thirds vote of the entire board and must be reported to the Agency for Workforce Innovation and Workforce Florida, Inc. within 30 days after approval. If a contract cannot be approved by Workforce Florida, Inc. a review of the decision to disapprove the contract may be requested by the regional workforce board or other parties to the disapproved contract. This subsection expires July 1, 2011.

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

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

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

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

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

**(4) FUNDING AND DEVELOPING A TENTATIVE WORK PROGRAM.**

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

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

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

3. Notwithstanding ~~subparagraphs~~ subparagraph 1. and 2. and ss. 201.15(1)(c)1.a.-d., 206.46(3), 334.044(26), and 339.2819(3), and for the 2010-2011 ~~2009-2010~~ fiscal year only, the department shall reduce work program levels to balance the finance plan to the revised funding levels resulting from any reduction in the 2010-2011 ~~2009-2010~~ General Appropriations Act. This subparagraph expires July 1, 2011 ~~2010~~.

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

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

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

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

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

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

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

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

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

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

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

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



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

9. An electronic version of the 5-year work program for the adopted work program dated July 1, 2010, and any subsequent tentative work programs, submitted to the Legislature. This electronic document shall include details by district, county, financial project number, transportation system, work mix, phase, box code, appropriation category, fund code, phase, and fiscal year.

This paragraph expires July 1, 2011.

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

348.60 Lease-purchase agreements.—

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

(b) The transfer pursuant to this subsection shall be subject to all terms and covenants provided for the protection of the holders of the Tampa-Hillsborough County Expressway Authority Bonds, Series 2002 and 2005, in the lease-purchase agreement and the resolutions adopted in connection with the issuance of the bonds. Further, the transfer shall not impair the terms of the contract between the authority and the bondholders, shall not act to the detriment of the bondholders, and shall not decrease the credit quality of the bonds. After such transfer, the department shall operate and maintain the expressway system and any other facilities of the authority in accordance with the terms, conditions, and covenants contained in the bond resolutions and lease-purchase agreement securing the bonds of the authority. The department shall collect toll revenues and apply such revenues to the payment of debt service as provided in the bond resolution securing such bonds and expressly assumes all obligations relating to the bonds such that the transfer will have no adverse impact on the security for the bonds of the authority. The transfer shall not modify or eliminate any prior obligation of the department to pay certain costs of the expressway system from sources other than revenues of the expressway system.

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

This subsection expires July 1, 2011.

*[Section 52, ch. 2010-153, was vetoed by the Governor.]*

Section 53. In order to implement the appropriation of funds in Special Categories-Risk Management Insurance of the 2010-2011 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor is authorized to transfer funds appropriated in the appropriation category “Special Categories-Risk Management Insurance” of the 2010-2011 General Appropriations Act between departments in order to align the budget authority granted with the premiums paid by each department for risk management insurance. This section expires July 1, 2011.

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

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

110.123 State group insurance program.—

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

(a)1. A member participating in this health insurance plan option shall be eligible to receive an employer contribution into the employee’s health savings account from the State Employees Health Insurance Trust Fund in an amount to be determined by the Legislature. A member is not eligible for an employer contribution upon termination of employment. For the 2010-2011 ~~2009-2010~~ fiscal year, the state’s monthly contribution for employees

having individual coverage shall be \$41.66 and the monthly contribution for employees having family coverage shall be \$83.33.

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

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

110.123 State group insurance program.—

(3) STATE GROUP INSURANCE PROGRAM.—

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

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

112.24 Intergovernmental interchange of public employees.—To encourage economical and effective utilization of public employees in this state, the temporary assignment of employees among agencies of government, both state and local, and including school districts and public institutions of higher education is authorized under terms and conditions set forth in this section. State agencies, municipalities, and political subdivisions are authorized to enter into employee interchange agreements with other state agencies, the Federal Government, another state, a municipality, or a political subdivision including a school district, or with a public institution of higher education. State agencies are also authorized to enter into employee interchange agreements with private institutions of higher education and other nonprofit organizations under the terms and conditions provided in this section. In addition, the Governor or the Governor and Cabinet may enter into employee interchange agreements with a state agency, the Federal Government, another state, a municipality, or a political subdivision including a school district, or with a public institution of higher learning to fill, subject to the requirements of chapter 20, appointive offices which are within the executive branch of government and which are filled by appointment by the Governor or the Governor and Cabinet. Under no circumstances shall employee interchange agreements be utilized for the purpose of assigning individuals to participate in political campaigns. Duties and responsibilities of interchange employees shall be limited to the mission and goals of the agencies of government.

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

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

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

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

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

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

(3) This section expires July 1, 2011.

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

215.32 State funds; segregation.—

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

(b)1. The trust funds shall consist of moneys received by the state which under law or under trust agreement are segregated for a purpose authorized by law. The state agency or branch of state government receiving or collecting such moneys shall be responsible for their proper expenditure as provided by law. Upon the request of the state agency or branch of state government responsible for the administration of the trust fund, the Chief Financial

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

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

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

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

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

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

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

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

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

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

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

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

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

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

215.5601 Lawton Chiles Endowment Fund.—

(4) ADMINISTRATION.—

(b) The endowment shall be managed as an annuity. The investment objective shall be long-term preservation of the real value of the net contributed principal and a specified regular annual cash outflow for appropriation, as nonrecurring revenue. From the annual cash outflow, a pro rata share shall be used solely for biomedical research activities as provided in paragraph (3)(d), until such time as cures are found for tobacco-related cancer and heart and lung disease. Five percent of the annual cash outflow dedicated to the biomedical research portion of the endowment shall be reinvested and applied to that portion of the endowment's principal, with the remainder to be spent on biomedical research activities consistent with this section. The schedule of annual cash outflow shall be included within the investment plan adopted under paragraph (a). Withdrawals other than specified regular cash outflow shall be considered reductions in contributed principal for the purposes of this subsection.

Section 61. In order to implement the issuance of new debt authorized in the 2010-2011 General Appropriations Act, and pursuant to the requirements of s. 215.98, Florida Statutes, the Legislature determines that the authorization and issuance of debt for the 2010-2011 fiscal year should be

implemented and is in the best interest of the state and necessary to address a critical state emergency. This section expires July 1, 2011.

Section 62. In order to implement the funds appropriated in the 2010-2011 General Appropriations Act for state employee travel, the funds appropriated to each state agency, which may be used for travel by state employees, shall be limited during the 2010-2011 fiscal year to travel for activities that are critical to each state agency's mission. Funds may not be used to pay for travel by state employees to foreign countries, other states, conferences, staff-training activities, or other administrative functions unless the agency head has approved in writing that such activities are critical to the agency's mission. The agency head must consider the use of teleconferencing and other forms of electronic communication to meet the needs of the proposed activity before approving mission-critical travel. This section does not apply to travel for law enforcement purposes, military purposes, emergency management activities, or public health activities. This section expires July 1, 2011.

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

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

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

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

Section 67. In order to implement Specific Appropriation 1765 of the 2010-2011 General Appropriations Act, the Department of Environmental Protection shall take no final agency action to deny any permit application related to rigid coastal armoring structures authorized under s. 161.085 (3), Florida Statutes, and constructed between July 1, 2005, and April 30, 2006, as a result of the impacts of Hurricane Dennis in Walton County. The 90-day time period for agency action pursuant to s. 120.60 (1), Florida Statutes, shall be tolled for these applications. At the written request of a property owner to process his or her application, the department shall issue or deny the application within 90 days or in accordance with the time periods provided in chapter 120, Florida Statutes, whichever is greater. In addition, during Fiscal Year 2010-2011, the department shall not take enforcement action against a property owner for failure to apply for a permit to allow such structures to remain permanently. A property owner who has previously filed an application with the department is not required to reapply or request reinstatement of his or her application. This section expires July 1, 2011.

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

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

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

(3) Notwithstanding s. 255.506, Florida Statutes, and for the 2010-2011 fiscal year only, neither Florida International University nor the Miami-Dade County Health Department/Florida Department of Health shall be required to submit other facilities into the facilities pool to obtain financing for the project approved herein.

(4) This section expires July 1, 2011.

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



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

(2) The sum designated for each project is the maximum sum to be expended for each specified phase of the project from funds accruing under s. 9(a)(2), Art. XII of the State Constitution. The scope of each project shall be planned so that the amounts specified shall not be exceeded, or any excess in costs shall be funded by sources other than this appropriation. Such excess costs may be funded from the Public Education Capital Outlay and Debt Service Trust Fund only as a result of fund transfers pursuant to s. 216.292(4)(c), Florida Statutes. Each project shall be constructed on the site specified. If existing facilities and acquisition of new sites are a part of these projects, each building and site must be certified to be free of contamination, asbestos, and other hazardous materials before the facility or site may be acquired. The provisions of s. 216.301(2), Florida Statutes, shall apply to all capital outlay funds appropriated to the Public Education Capital Outlay and Debt Service Trust Fund for the 2010-2011 fiscal year appropriation and shall also apply to the funds appropriated in Specific Appropriations 17 through 26.

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

(4) This section expires July 1, 2011.

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

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

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

(4) This section expires July 1, 2011.

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

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

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

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

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

Section 72. Any section of this act that implements a specific appropriation or specifically identified proviso language in the 2010-2011 General Appropriations Act is void if the specific appropriation or specifically identified proviso language is vetoed. A section of this act that implements more than one specific appropriation or more than one portion of specifically identified proviso language in the 2010-2011 General Appropriations Act is void if all the specific appropriations or portions of specifically identified proviso language are vetoed.

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

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

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

Approved by the Governor May 28, 2010.

Filed in Office Secretary of State May 28, 2010.