A bill to be entitled
An act implementing the 2010-2011 General Appropriations Act; providing legislative intent; amending s. 339.135, F.S.; delaying the expiration of provisions 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; authorizing such funds to be used for the additional purposes of space and aerospace infrastructure and urban redevelopment infrastructure projects; 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; delaying the expiration of provisions authorizing the Department of Transportation to use moneys from the State Transportation Trust Fund to pay for county and school district transportation infrastructure improvements; amending s. 445.009, F.S.; delaying the expiration of provisions designating participants in an adult or youth work experience activity under ch. 445, F.S., as employees 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; providing for future expiration of the amendment to such provision and for the reversion of statutory text; 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; providing for future expiration of the amendment to such provision and for the reversion of statutory text; amending s. 215.559, F.S.; delaying the expiration of provisions relating to the Hurricane Loss Mitigation Program; revising the amount appropriated for the purpose of inspecting and improving tie-downs for mobile homes; providing an appropriation to the State Logistics Response Center for certain purposes; providing an appropriation to be competitively bid to improve the wind resistance of residences and mobile homes; revising the amount allocated for the operational purposes; 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; providing for the effect of a veto of one or more specific appropriations or proviso provisions 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 for contingent retroactive application; providing an effective date.

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 Appropriation 2125 in 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 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, space and aerospace infrastructure, and urban redevelopment infrastructure projects. This transfer does not reduce, delete, or defer any existing projects funded, as of July 1, 2010, in the Department of Transportation’s 5-year work program. This paragraph expires July 1, 2011.

Section 3. In order to implement section 11 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.

Section 4. 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.

Section 5. In order to implement Specific Appropriation 2214 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

CODING: Words strucken are deletions; words underlined are additions.
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.

Section 6. 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 7. 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 8. 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 9. 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 10. In order to implement Specific Appropriations 1567, 1569, 1571, 1575, 1594, 1596, 1598, and 1671 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 fiscal year only, the $10 million appropriation provided for in subsection (1) shall be allocated as follows:

1. The sum of $2.7 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 $3 million shall be used for operating costs of the State Logistics Response Center and the original purposes identified in paragraph (2)(b), as appropriated $700,000 shall be allocated to the Florida International University for the same purpose as specified in subsection (4).

3. The sum of $4,192,389 $6,421,764 shall be competitively bid for the purposes provided in paragraph (2)(a) 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 $107,611 $78,236 shall be allocated for operational purposes of the department as specified in the General Appropriations Act.

(b) This subsection expires July 1, 2011.

Section 11. 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 12. 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 13. Any section of this act which 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. Any section of this act which 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 14. 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 shall take precedence and continue to operate, notwithstanding the future repeal provided by this act.

Section 15. 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 16. 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.