

1 A bill to be entitled
 2 An act relating to implementing the 2011-2012 General
 3 Appropriations Act; providing legislative intent;
 4 incorporating by reference certain calculations of the
 5 Florida Education Finance Program for the 2011-2012 fiscal
 6 year; requiring the Department of Education to distribute
 7 the charter school capital outlay funding pursuant to
 8 certain provisions of law; providing that the Public
 9 Education Capital Outlay and Debt Service Trust Fund be
 10 used as the source of the state match for private
 11 contributions for the Aircraft Coating Education Facility
 12 at the Florida State College; authorizing the Department
 13 of Corrections and the Department of Juvenile Justice to
 14 make certain expenditures to defray costs incurred by a
 15 municipality or county as a result of opening or operating
 16 a facility under authority of the respective department;
 17 amending s. 216.262, F.S.; providing for additional
 18 positions to operate additional prison bed capacity under
 19 certain circumstances; authorizing the Department of Legal
 20 Affairs to spend certain appropriated funds on programs
 21 that were funded by the department from specific
 22 appropriations in general appropriations acts in previous
 23 years; providing for the expiration of the authority to
 24 spend those appropriations; amending s. 932.7055, F.S.;
 25 delaying the expiration of provisions authorizing a
 26 municipality to expend funds from its special law
 27 enforcement trust fund to reimburse the municipality's
 28 general fund; requiring that the Department of Juvenile

29 Justice comply with specified reimbursement limitations
 30 with respect to payments to hospitals or health care
 31 providers for health care services; authorizing certain
 32 payments pursuant to a contracted rate only until the
 33 contract expires or is renewed; defining the term
 34 "hospital" for purposes of such limitations; amending s.
 35 394.908, F.S.; delaying the expiration of certain
 36 provisions relating to the allocation requirements for
 37 specified funds appropriated for forensic mental health
 38 services; requiring that funds appropriated through the
 39 Community-Based Medicaid Administrative Claiming Program
 40 be allocated proportionately to contributed provider
 41 earnings; providing requirements to govern the completion
 42 of Phases 2 and 3 of the Department of Health's Florida
 43 Onsite Sewage Nitrogen Reduction Strategies Study;
 44 prohibiting any state agency from adopting or implementing
 45 a rule or policy mandating or establishing new nitrogen-
 46 reduction limits under certain circumstances; amending s.
 47 1, ch. 2007-174, Laws of Florida; extending provisions
 48 relating to the reorganization activities of the
 49 Department of Children and Family Services; incorporating
 50 by reference certain calculations of the Medicaid Low-
 51 Income Pool, Disproportionate Share Hospital and Hospital
 52 Exemptions Programs for the 2011-1012 fiscal year;
 53 requiring the Florida Catastrophic Storm Risk Management
 54 Center at Florida State University to conduct an analysis;
 55 requiring the Department of Management Services to use
 56 certain interest earnings to fund the administration of

57 | the MyFlorida.com portal; amending s. 253.034, F.S.;

58 | authorizing the deposit of funds derived from the sale of

59 | property by the Department of Citrus into the Citrus

60 | Advertising Trust Fund; amending s. 375.041, F.S.;

61 | providing for the transfer of moneys from the Land

62 | Acquisition Trust Fund to support the Total Maximum Daily

63 | Loads programs; amending s. 373.59, F.S.; providing for

64 | the allocation of moneys from the Water Management Lands

65 | Trust Fund for certain purposes; reenacting s.

66 | 403.1651(1)(g), F.S., relating to the use of funds from

67 | the Ecosystem Management and Restoration Trust Fund for

68 | the purpose of funding activities to preserve and repair

69 | the state's beaches; amending s. 570.20, F.S.; delaying

70 | the expiration of provisions authorizing the Department of

71 | Agriculture and Consumer Services to use funds from the

72 | General Inspection Trust Fund for certain programs;

73 | amending s. 403.7095, F.S.; requiring that the Department

74 | of Environmental Protection award a specified amount in

75 | grants equally to certain counties for waste tire and

76 | litter prevention, recycling education, and general solid

77 | waste programs; authorizing the Department of Agriculture

78 | and Consumer Services to extend, revise, and renew current

79 | contracts or agreements created or entered into for the

80 | purpose of promotion of agriculture; amending s. 339.135,

81 | F.S.; delaying the expiration of certain provisions that

82 | permit the Department of Transportation to reduce work

83 | program levels to balance the finance plan to revised

84 | funding levels; delaying the expiration of certain

85 provisions relating to the specifications of the
86 department's cash balances before a project or phase may
87 be deferred; providing that certain reductions shall not
88 negatively impact safety or maintenance or project
89 contingency percentage levels as of a specified date;
90 providing for use of transportation revenues; requiring
91 that the Department of Transportation transfer funds to
92 the Office of Tourism, Trade, and Economic Development for
93 the purpose of funding transportation-related needs of
94 economic development projects; requiring the Department of
95 Transportation to fund certain airport development
96 projects and prohibiting the department from altering the
97 funding for certain existing projects; amending s. 339.08,
98 F.S.; authorizing the transfer of funds from the State
99 Transportation Trust Fund to the State School Trust Fund
100 under certain circumstances; amending s. 445.009, F.S.;
101 providing that a participant in an adult or youth work
102 experience activity under ch. 445, F.S., is an employee of
103 the state for purposes of workers' compensation coverage;
104 reenacting s. 163.3247(3)(d), F.S., relating to members of
105 the Century Commission for a Sustainable Florida serving
106 without compensation; reenacting s. 201.15, F.S., relating
107 to funds deposited into the Grants and Donations Trust
108 Fund in the Department of Community Affairs which are used
109 to fund technical assistance to local governments and
110 school boards; amending s. 206.608, F.S.; authorizing the
111 transfer of certain tax funds to the State Transportation
112 Trust Fund; authorizing the Executive Office of the

113 Governor to transfer funds between departments for
 114 purposes of aligning amounts paid for risk management
 115 premiums and for purposes of aligning amounts paid for
 116 human resource management services; amending s. 110.123,
 117 F.S.; providing for the state's monthly contribution for
 118 employees under the state group insurance program;
 119 amending s. 112.24, F.S.; providing conditions on the
 120 assignment of an employee of a state agency without
 121 reimbursement from the receiving agency; updating
 122 legislative committee titles; providing that the annual
 123 salaries for members of the Legislature be set at a
 124 certain level; amending s. 215.32, F.S.; authorizing the
 125 transfer of certain unappropriated cash balances from
 126 selected trust funds to the State School Trust Fund;
 127 providing for the authorization and issuance of new debt;
 128 limiting the use of travel funds to activities that are
 129 critical to an agency's mission; providing exceptions;
 130 authorizing the Executive Office of the Governor to
 131 transfer funds for use by the state's designated primary
 132 data centers, pursuant to statutory procedures for notice,
 133 review, and objection; authorizing agencies to transfer
 134 funds from data processing appropriation categories to
 135 other appropriation categories in order to support and
 136 manage computer resources, notwithstanding other
 137 provisions of law; authorizing the Executive Office of the
 138 Governor to transfer funds between agencies in order to
 139 allocate a reduction relating to SUNCOM; reenacting s.
 140 110.12315(7)(a), F.S., relating to copayments for the

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

149

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

151

152 Section 1. It is the intent of the Legislature that the
 153 implementing and administering provisions of this act apply to
 154 the General Appropriations Act for the 2011-2012 fiscal year.

155 Section 2. In order to implement Specific Appropriations
 156 6, 7, 8, 68, and 69 of the 2011-2012 General Appropriations Act,
 157 the calculations of the Florida Education Finance Program for
 158 the 2011-2012 fiscal year in the document entitled "Public
 159 School Funding-The Florida Education Finance Program," dated
 160 March 24, 2011, and filed with the Clerk of the House of
 161 Representatives, are incorporated by reference for the purpose
 162 of displaying the calculations used by the Legislature,
 163 consistent with the requirements of the Florida Statutes, in
 164 making appropriations for the Florida Education Finance Program.

165 Section 3. In order to implement Specific Appropriation
 166 15A of the 2011-2012 General Appropriations Act, notwithstanding
 167 s. 1013.62(1)(b), Florida Statutes, the Department of Education
 168 shall distribute the charter school capital outlay funding

169 pursuant to s. 1013.62(1)(e), Florida Statutes. This section
 170 expires July 1, 2012.

171 Section 4. In order to implement Specific Appropriation
 172 15C of the 2011-2012 General Appropriations Act, notwithstanding
 173 the provisions of s. 1011.32, Florida Statutes, the Public
 174 Education Capital Outlay and Debt Service Trust Fund shall be
 175 used as the source of the state match for private contributions
 176 for the Aircraft Coating Education Facility - Cecil at the
 177 Florida State College at Jacksonville. This section expires July
 178 1, 2012.

179 Section 5. In order to fulfill legislative intent
 180 regarding the use of funds contained in Specific Appropriations
 181 605, 616, 628, and 1135 of the 2011-2012 General Appropriations
 182 Act, the Department of Corrections and the Department of
 183 Juvenile Justice may expend appropriated funds to assist in
 184 defraying the costs of impacts that are incurred by a
 185 municipality or county and that are associated with opening or
 186 operating a facility under the authority of the department. The
 187 amount paid for any facility may not exceed 1 percent of the
 188 cost to construct the facility, less building impact fees
 189 imposed by the municipality or county. This section expires July
 190 1, 2012.

191 Section 6. In order to implement Specific Appropriations
 192 595 through 688A and 726 through 759 of the 2011-2012 General
 193 Appropriations Act, subsection (4) of section 216.262, Florida
 194 Statutes, is amended to read:

195 216.262 Authorized positions.—

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196 (4) Notwithstanding the provisions of this chapter on
 197 increasing the number of authorized positions, and for the 2011-
 198 2012 ~~2010-2011~~ fiscal year only, if the actual inmate population
 199 of the Department of Corrections exceeds the inmate population
 200 projections of the February 21, 2011 ~~February 19, 2010~~, Criminal
 201 Justice Estimating Conference by 1 percent for 2 consecutive
 202 months or 2 percent for any month, the Executive Office of the
 203 Governor, with the approval of the Legislative Budget
 204 Commission, shall immediately notify the Criminal Justice
 205 Estimating Conference, which shall convene as soon as possible
 206 to revise the estimates. The Department of Corrections may then
 207 submit a budget amendment requesting the establishment of
 208 positions in excess of the number authorized by the Legislature
 209 and additional appropriations from unallocated general revenue
 210 sufficient to provide for essential staff, fixed capital
 211 improvements, and other resources to provide classification,
 212 security, food services, health services, and other variable
 213 expenses within the institutions to accommodate the estimated
 214 increase in the inmate population. All actions taken pursuant to
 215 the authority granted in this subsection shall be subject to
 216 review and approval by the Legislative Budget Commission. This
 217 subsection expires July 1, 2012 ~~2011~~.

218 Section 7. In order to implement Specific Appropriations
 219 1192 and 1197 of the 2011-2012 General Appropriations Act,
 220 paragraph (d) of subsection (4) of section 932.7055, Florida
 221 Statutes, is amended to read:

222 932.7055 Disposition of liens and forfeited property.—

223 (4) The proceeds from the sale of forfeited property shall

224 be disbursed in the following priority:

225 (d) Notwithstanding any other provision of this
 226 subsection, and for the 2011-2012 ~~2010-2011~~ fiscal year only,
 227 the funds in a special law enforcement trust fund established by
 228 the governing body of a municipality may be expended to
 229 reimburse the general fund of the municipality for moneys
 230 advanced from the general fund to the special law enforcement
 231 trust fund prior to October 1, 2001. This paragraph expires July
 232 1, 2012 ~~2011~~.

233 Section 8. (1) In order to implement Specific
 234 Appropriations 1069, 1070, 1074, 1075, 1115, 1116, 1120, 1121,
 235 1123, 1126, 1127, 1132, 1141, and 1146 of the 2011-2012 General
 236 Appropriations Act, the Department of Juvenile Justice must
 237 comply with the following reimbursement limitations:

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

243 (b) The department may continue to make payments for
 244 health care services at the currently contracted rates through
 245 the current term of the contract if a contract has been executed
 246 between the department and a hospital or a health care provider
 247 providing services to a hospital; however, no payments may
 248 exceed 110 percent of the Medicare allowable rate after the
 249 current term of the contract expires or after the contract is
 250 renewed during the 2011-2012 fiscal year;

251 (c) Payments may not exceed 110 percent of the Medicare
 252 allowable rate under a contract executed on or after July 1,
 253 2011, between the department and a hospital or health care
 254 provider providing services at a hospital;

255 (d) Notwithstanding the limitations of paragraphs (a),
 256 (b), and (c), the department may pay up to 125 percent of the
 257 Medicare allowable rate for health care services at a hospital
 258 that reports or has reported a negative operating margin for the
 259 previous fiscal year to the Agency for Health Care
 260 Administration through hospital-audited financial data; and

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

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

266 (3) This section expires July 1, 2012.

267 Section 9. In order to implement Specific Appropriations
 268 310 through 339 of the 2011-2012 General Appropriations Act,
 269 paragraphs (b) and (c) of subsection (3) of section 394.908,
 270 Florida Statutes, are amended to read:

271 394.908 Substance abuse and mental health funding equity;
 272 distribution of appropriations.—In recognition of the historical
 273 inequity in the funding of substance abuse and mental health
 274 services for the department's districts and regions and to
 275 rectify this inequity and provide for equitable funding in the
 276 future throughout the state, the following funding process shall
 277 be used:

278 (3)

279 (b) Notwithstanding paragraph (a) and for the 2011-2012
 280 ~~2010-2011~~ fiscal year only, funds appropriated for forensic
 281 mental health treatment services shall be allocated to the areas
 282 of the state having the greatest demand for services and
 283 treatment capacity. This paragraph expires July 1, 2012 ~~2011~~.

284 (c) Notwithstanding paragraph (a) and for the 2011-2012
 285 ~~2010-2011~~ fiscal year only, additional funds appropriated for
 286 substance abuse and mental health services from funds available
 287 through the Community-Based Medicaid Administrative Claiming
 288 Program shall be allocated as provided in the 2011-2012 ~~2010-~~
 289 ~~2011~~ General Appropriations Act and in proportion to contributed
 290 provider earnings. This paragraph expires July 1, 2012 ~~2011~~.

291 Section 10. In order to implement Specific Appropriation
 292 465 of the 2011-2012 General Appropriations Act, and for the
 293 2011-2012 fiscal year only, the following requirements shall
 294 govern the completion of Phase 2 and Phase 3 of the Department
 295 of Health's Florida Onsite Sewage Nitrogen Reduction Strategies
 296 Study:

297 (1) The underlying contract for which the study was let
 298 shall remain in full force and effect with the Department of
 299 Health, and funding the contract for the completion of Phase 2
 300 and Phase 3 of the study shall be through the Department of
 301 Health.

302 (2) The Department of Health, the Department of Health's
 303 Research Review and Advisory Committee, and the Department of
 304 Environmental Protection shall work together to provide the
 305 necessary technical oversight of the completion of Phase 2 and
 306 Phase 3 of the study.

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307 (3) Management and oversight of the completion of Phase 2
308 and Phase 3 shall be consistent with the terms of the existing
309 contract. However, the main focus and priority for work to be
310 completed for Phase 3 shall be in developing, testing, and
311 recommending cost-effective passive technology design criteria
312 for nitrogen reduction.

313 (4) The systems installed at home sites are experimental
314 in nature and shall be installed with significant field testing
315 and monitoring. The Department of Health is specifically
316 authorized to allow installation of these experimental systems.
317 In addition, before Phase 3 of the study is complete and
318 notwithstanding any law to the contrary, a state agency may not
319 adopt or implement a rule or policy that:

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

323 (b) Directly requires or has the indirect effect of
324 requiring, for nitrogen reduction, the use of performance-based
325 treatment systems, or any similar technology. However,
326 Department of Environmental Protection administrative orders
327 recognizing onsite system modifications, developed through a
328 basin management action plan adopted pursuant to s. 403.067,
329 Florida Statutes, are not subject to the restrictions of this
330 subsection for onsite system modifications phased in after
331 completion of Phase 3.

332 (5) This section expires July 1, 2012.

333 Section 11. In order to implement Specific Appropriation
334 259 through 357 of the 2011-2012 General Appropriations Act,

335 subsection (3) of section 1 of chapter 2007-174, Laws of
 336 Florida, is amended to read:

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

339 (3) This section expires July 1, 2012 ~~June 30, 2008~~.

340 Section 12. In order to implement Specific Appropriations
 341 171 and 177 through 179 and 182 of the 2011-2012 General
 342 Appropriations Act, the calculations of the Medicaid Low-Income
 343 Pool, Disproportionate Share Hospital, and Hospital Exemptions
 344 Programs for the 2011-2012 fiscal year in the document entitled
 345 "Medicaid Supplemental Hospital Funding Programs" dated March
 346 24, 2011, and filed with the Clerk of the House of
 347 Representatives, are incorporated by reference for the purpose
 348 of displaying the calculations used by the Legislature,
 349 consistent with the requirements of the Florida Statutes, in
 350 making appropriations for the Low-Income Pool, Disproportionate
 351 Share Hospital, and Hospital Exemptions Programs.

352 Section 13. In order to implement Specific Appropriation
 353 2341A of the 2011-2012 General Appropriations Act, the Florida
 354 Catastrophic Storm Risk Management Center at Florida State
 355 University shall conduct the analysis as originally required in
 356 section 164 of chapter 2004-390, Laws of Florida.
 357 Notwithstanding section 164 of chapter 2004-390, Laws of
 358 Florida, the Florida Catastrophic Storm Risk Management Center
 359 at Florida State University is directed to use the most recent
 360 and available premium data for personal lines property and
 361 casualty insurance in completing the analysis.

362 Section 14. In order to implement Specific Appropriations
 363 2574 through 2584 of the 2011-2012 General Appropriations Act,
 364 the Department of Management Services shall use interest
 365 earnings of the Communications Working Capital Trust Fund as the
 366 funding source for its responsibilities for the administration
 367 of the MyFlorida.com portal.

368 Section 15. In order to implement Specific Appropriations
 369 2173 through 2195 of the 2011-2012 General Appropriations Act,
 370 subsection (13) of section 253.034, Florida Statutes, is amended
 371 to read:

372 253.034 State-owned lands; uses.—

373 (13) Notwithstanding the provisions of this section, funds
 374 derived from the sale of the Department of Citrus' property
 375 located in Lakeland, Florida, are authorized to be deposited
 376 into the Citrus Advertising Trust Fund. This subsection expires
 377 July 1, 2012 ~~2011~~.

378 Section 16. In order to implement Specific Appropriation
 379 1648A of the 2011-2012 General Appropriations Act, paragraph (b)
 380 of subsection (3) of section 375.041, Florida Statutes, is
 381 amended to read:

382 375.041 Land Acquisition Trust Fund.—

383 (3)

384 (b) In addition to the uses allowed in paragraph (a), for
 385 the 2011-2012 ~~2010-2011~~ fiscal year, moneys in the Land
 386 Acquisition Trust Fund are authorized for transfer to support
 387 the Total Maximum Daily Loads ~~Clean Water State Revolving Fund,~~
 388 ~~the Drinking Water State Revolving Fund, the Total Maximum Daily~~
 389 ~~Loads programs, and the Marine Spatial Planning programs as~~

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390 provided in the General Appropriations Act. This paragraph
 391 expires July 1, 2012 ~~2011~~.

392 Section 17. In order to implement Specific Appropriation
 393 1580A of the 2011-2012 General Appropriations Act, subsection
 394 (12) of section 373.59, Florida Statutes, is amended to read:

395 373.59 Water Management Lands Trust Fund.—

396 (12) Notwithstanding subsection (8), and for the 2011-2012
 397 ~~2010-2011~~ fiscal year only, the moneys from the Water Management
 398 Lands Trust Fund shall be allocated as follows:

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

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

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

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

416
 417 This subsection expires July 1, 2012 ~~2011~~.

418 Section 18. In order to implement Specific Appropriations
 419 1649 through 1653 of the 2011-2012 General Appropriations Act,
 420 paragraph (g) of subsection (1) of section 403.1651, Florida
 421 Statutes, is reenacted to read:

422 403.1651 Ecosystem Management and Restoration Trust Fund.—

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

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

428 Section 19. The amendment to s. 403.1651(1)(g), Florida
 429 Statutes, as carried forward by this act from chapter 2010-153,
 430 Laws of Florida, shall expire July 1, 2012, and the text of that
 431 paragraph shall revert to that in existence on June 30, 2009,
 432 except that any amendments to such text enacted other than by
 433 this act shall be preserved and continue to operate to the
 434 extent that such amendments are not dependent upon the portions
 435 of such text which expire pursuant to this section.

436 Section 20. In order to implement Specific Appropriations
 437 1324 through 1475 of the 2011-2012 General Appropriations Act,
 438 subsection (2) of section 570.20, Florida Statutes, is amended
 439 to read:

440 570.20 General Inspection Trust Fund.—

441 (2) For the 2011-2012 ~~2010-2011~~ fiscal year only and
 442 notwithstanding any other provision of law to the contrary, in
 443 addition to the spending authorized in subsection (1), moneys in
 444 the General Inspection Trust Fund may be appropriated for
 445 programs operated by the department which are related to the

446 programs authorized by this chapter. This subsection expires
 447 July 1, 2012 ~~2011~~.

448 Section 21. In order to implement Specific Appropriation
 449 1703Z of the 2011-2012 General Appropriations Act, subsection
 450 (5) of section 403.7095, Florida Statutes, is amended to read:
 451 403.7095 Solid waste management grant program.—

452 (5) Notwithstanding any provision of this section to the
 453 contrary, and for the 2011-2012 ~~2010-2011~~ fiscal year only, the
 454 Department of Environmental Protection shall award the sum of
 455 \$2,400,000 in grants equally to counties having populations of
 456 fewer than 100,000 for waste tire and litter prevention,
 457 recycling education, and general solid waste programs. This
 458 subsection expires July 1, 2012 ~~2011~~.

459 Section 22. In order to implement Specific Appropriation
 460 1430 of the 2011-2012 General Appropriations Act and to provide
 461 consistency and continuity in the promotion of agriculture
 462 throughout the state, notwithstanding s. 287.057, Florida
 463 Statutes, the Department of Agriculture and Consumer Services,
 464 at its discretion, may extend, revise, and renew current
 465 contracts or agreements created or entered into pursuant to
 466 chapter 2006-25, Laws of Florida. This section expires July 1,
 467 2012.

468 Section 23. In order to implement Specific Appropriations
 469 1918A through 1919, 1925A through 1925D, 1938C through 1939, and
 470 1976A through 1976K of the 2011-2012 General Appropriations Act,
 471 paragraph (a) of subsection (4) of section 339.135, Florida
 472 Statutes, is amended to read:

473 339.135 Work program; legislative budget request;
 474 definitions; preparation, adoption, execution, and amendment.—

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

476 (a)1. To assure that no district or county is penalized
 477 for local efforts to improve the State Highway System, the
 478 department shall, for the purpose of developing a tentative work
 479 program, allocate funds for new construction to the districts,
 480 except for the turnpike enterprise, based on equal parts of
 481 population and motor fuel tax collections. Funds for
 482 resurfacing, bridge repair and rehabilitation, bridge fender
 483 system construction or repair, public transit projects except
 484 public transit block grants as provided in s. 341.052, and other
 485 programs with quantitative needs assessments shall be allocated
 486 based on the results of these assessments. The department may
 487 not transfer any funds allocated to a district under this
 488 paragraph to any other district except as provided in subsection
 489 (7). Funds for public transit block grants shall be allocated to
 490 the districts pursuant to s. 341.052. Funds for the intercity
 491 bus program provided for under s. 5311(f) of the federal
 492 nonurbanized area formula program shall be administered and
 493 allocated directly to eligible bus carriers as defined in s.
 494 341.031(12) at the state level rather than the district. In
 495 order to provide state funding to support the intercity bus
 496 program provided for under provisions of the federal 5311(f)
 497 program, the department shall allocate an amount equal to the
 498 federal share of the 5311(f) program from amounts calculated
 499 pursuant to s. 206.46(3).

500 2. Notwithstanding the provisions of subparagraph 1., the

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501 department shall allocate at least 50 percent of any new
 502 discretionary highway capacity funds to the Florida Strategic
 503 Intermodal System created pursuant to s. 339.61. Any remaining
 504 new discretionary highway capacity funds shall be allocated to
 505 the districts for new construction as provided in subparagraph
 506 1. For the purposes of this subparagraph, the term "new
 507 discretionary highway capacity funds" means any funds available
 508 to the department above the prior year funding level for
 509 capacity improvements, which the department has the discretion
 510 to allocate to highway projects.

511 3. Notwithstanding subparagraphs 1. and 2. and ss.
 512 201.15(1)(c)1.a.-d., 206.46(3), 334.044(26), and 339.2819(3),
 513 and for the 2011-2012 ~~2010-2011~~ fiscal year only, the department
 514 shall reduce work program levels to balance the finance plan to
 515 the revised funding levels resulting from any reduction in the
 516 2011-2012 ~~2010-2011~~ General Appropriations Act. This
 517 subparagraph expires July 1, 2012 ~~2011~~.

518 4. For the 2011-2012 ~~2009-2010~~ fiscal year only, prior to
 519 any project or phase thereof being deferred, the department's
 520 cash balances shall be as provided in paragraph (6)(b), and the
 521 reductions in subparagraph 3. shall be made to financial
 522 projects not programmed for contract letting as identified with
 523 a work program contract class code 8 and the box code RV. These
 524 reductions shall not negatively impact safety or maintenance or
 525 project contingency percentage levels as of March 22, 2011 ~~April~~
 526 ~~21, 2009~~. This subparagraph expires July 1, 2012 ~~2010~~.

527 5. Notwithstanding subparagraphs 1. and 2. and ss.
 528 206.46(3) and 334.044(26), and for fiscal years 2009-2010

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529 through 2013-2014 only, the department shall annually allocate
 530 up to \$15 million of the first proceeds of the increased
 531 revenues estimated by the November 2009 Revenue Estimating
 532 Conference to be deposited into the State Transportation Trust
 533 Fund to provide for the portion of the transfer of funds
 534 included in s. 343.58(4) (a)1.a. or 2.a., whichever is
 535 applicable. The transfer of funds included in s. 343.58(4) shall
 536 not negatively impact projects included in fiscal years 2009-
 537 2010 through 2013-2014 of the work program as of July 1, 2009,
 538 as amended pursuant to subsection (7). This subparagraph expires
 539 July 1, 2014.

540 Section 24. In order to implement Specific Appropriation
 541 1918B and 1938S of the 2011-2012 General Appropriations Act,
 542 subsection (5) of section 339.135, Florida Statutes, is amended
 543 to read:

544 339.135 Work program; legislative budget request;
 545 definitions; preparation, adoption, execution, and amendment.—

546 (5) ADOPTION OF THE WORK PROGRAM.—

547 (a) The original approved budget for operational and fixed
 548 capital expenditures for the department shall be the Governor's
 549 budget recommendation and the first year of the tentative work
 550 program, as both are amended by the General Appropriations Act
 551 and any other act containing appropriations. In accordance with
 552 the appropriations act, the department shall, prior to the
 553 beginning of the fiscal year, adopt a final work program which
 554 shall only include the original approved budget for the
 555 department for the ensuing fiscal year together with any roll
 556 forwards approved pursuant to paragraph (6) (c) and the portion

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557 of the tentative work program for the following 4 fiscal years
 558 revised in accordance with the original approved budget for the
 559 department for the ensuing fiscal year together with said roll
 560 forwards. The adopted work program may include only those
 561 projects submitted as part of the tentative work program
 562 developed under the provisions of subsection (4) plus any
 563 projects which are separately identified by specific
 564 appropriation in the General Appropriations Act and any roll
 565 forwards approved pursuant to paragraph (6)(c). However, any
 566 transportation project of the department which is identified by
 567 specific appropriation in the General Appropriations Act shall
 568 be deducted from the funds annually distributed to the
 569 respective district pursuant to paragraph (4)(a). In addition,
 570 the department shall not in any year include any project or
 571 allocate funds to a program in the adopted work program that is
 572 contrary to existing law for that particular year. Projects
 573 shall not be undertaken unless they are listed in the adopted
 574 work program.

575 (b) Notwithstanding paragraph (a), and for the 2011-2012
 576 ~~2010-2011~~ fiscal year only, the Department of Transportation
 577 shall transfer funds to the Office of Tourism, Trade, and
 578 Economic Development in an amount equal to \$15,300,000
 579 ~~\$20,300,000~~ for the purpose of funding transportation-related
 580 needs of economic development projects. This transfer shall not
 581 reduce, delete, or defer any existing projects funded, as of
 582 July 1, 2011 ~~2009~~, in the Department of Transportation's 5-year
 583 work program. This paragraph expires July 1, 2012 ~~2011~~.

584 (c) Notwithstanding paragraph (a), and for the 2011-2012
 585 fiscal year only, the Department of Transportation shall fund
 586 airport development projects specified in the General
 587 Appropriations Act and shall not reduce, delete, or defer any
 588 existing projects funded, as of July 1, 2011, in the Department
 589 of Transportation's 5-year work program. This paragraph expires
 590 July 1, 2012.

591 Section 25. In order to implement section 70 of the 2011-
 592 2012 General Appropriations Act, subsection (4) of section
 593 339.08, Florida Statutes, is amended to read:

594 339.08 Use of moneys in State Transportation Trust Fund.—

595 (4) For the 2011-2012 ~~2010-2011~~ fiscal year only and
 596 notwithstanding the provisions of this section and ss. 339.09(1)
 597 and 215.32(2)(b)4., funds may be transferred from the State
 598 Transportation Trust Fund to the State School Trust Fund or the
 599 General Revenue Fund as specified in the General Appropriations
 600 Act. Notwithstanding ss. 206.46(3) and 206.606(2), the total
 601 amount transferred shall be reduced from total state revenues
 602 deposited into the State Transportation Trust Fund for the
 603 calculation requirements of ss. 206.46(3) and 206.606(2). This
 604 subsection expires July 1, 2012 ~~2011~~.

605 Section 26. In order to implement Specific Appropriation
 606 2008 of the 2011-2012 General Appropriations Act, subsection
 607 (11) of section 445.009, Florida Statutes, is amended to read:

608 445.009 One-stop delivery system.—

609 (11)(a) A participant in an adult or youth work experience
 610 activity administered under this chapter shall be deemed an
 611 employee of the state for purposes of workers' compensation

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

619 (b) This subsection expires July 1, 2012 ~~2011~~.

620 Section 27. In order to implement Specific Appropriation
 621 1498 of the 2011-2012 General Appropriations Act, paragraph (d)
 622 of subsection (3) of section 163.3247, Florida Statutes, is
 623 reenacted to read:

624 163.3247 Century Commission for a Sustainable Florida.—

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

630 (d) Members of the commission shall serve without
 631 compensation.

632 Section 28. The amendment to s. 163.3247(3)(d), Florida
 633 Statutes, as carried forward by this act from chapter 2010-153,
 634 Laws of Florida, shall expire on July 1, 2012, and the text of
 635 that paragraph shall revert to that in existence on June 30,
 636 2010, except that any amendments to such text enacted other than
 637 by this act shall be preserved and continue to operate to the
 638 extent that such amendments are not dependent upon the portions
 639 of such text which expire pursuant to this section.

640 Section 29. In order to implement Specific Appropriation
 641 1498 of the 2011-2012 General Appropriations Act, paragraph (c)
 642 of subsection (1) of section 201.15, Florida Statutes, is
 643 reenacted to read:

644 201.15 Distribution of taxes collected.—All taxes
 645 collected under this chapter are subject to the service charge
 646 imposed in s. 215.20(1). Prior to distribution under this
 647 section, the Department of Revenue shall deduct amounts
 648 necessary to pay the costs of the collection and enforcement of
 649 the tax levied by this chapter. Such costs and the service
 650 charge may not be levied against any portion of taxes pledged to
 651 debt service on bonds to the extent that the costs and service
 652 charge are required to pay any amounts relating to the bonds.
 653 After distributions are made pursuant to subsection (1), all of
 654 the costs of the collection and enforcement of the tax levied by
 655 this chapter and the service charge shall be available and
 656 transferred to the extent necessary to pay debt service and any
 657 other amounts payable with respect to bonds authorized before
 658 January 1, 2010, secured by revenues distributed pursuant to
 659 subsection (1). All taxes remaining after deduction of costs and
 660 the service charge shall be distributed as follows:

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

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

666 1. The State Transportation Trust Fund in the Department
 667 of Transportation in the amount of the lesser of 38.2 percent of

668 the remainder or \$541.75 million in each fiscal year, to be used
 669 for the following specified purposes, notwithstanding any other
 670 law to the contrary:

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

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

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

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

691 2. The Grants and Donations Trust Fund in the Department
 692 of Community Affairs in the amount of the lesser of .23 percent
 693 of the remainder or \$3.25 million in each fiscal year to fund
 694 technical assistance to local governments and school boards on
 695 the requirements and implementation of this act.

696 3. The Ecosystem Management and Restoration Trust Fund in
 697 the amount of the lesser of 2.12 percent of the remainder or \$30
 698 million in each fiscal year, to be used for the preservation and
 699 repair of the state's beaches as provided in ss. 161.091-
 700 161.212.

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

705
 706 Moneys distributed pursuant to this paragraph may not be pledged
 707 for debt service unless such pledge is approved by referendum of
 708 the voters.

709 Section 30. The amendment to s. 201.15(1)(c)2., Florida
 710 Statutes, as carried forward by this act from chapter 2010-153,
 711 Laws of Florida, shall expire on July 1, 2012, and the text of
 712 that subparagraph shall revert to that in existence on June 30,
 713 2010, except that any amendments to such text enacted other than
 714 by this act shall be preserved and continue to operate to the
 715 extent that such amendments are not dependent upon the portions
 716 of such text which expire pursuant to this section.

717 Section 31. In order to implement Specific Appropriations
 718 1918A through 1919, 1925A through 1925D, 1938C through 1939, and
 719 1976A through 1976K of the 2011-2012 General Appropriations Act,
 720 subsection (3) of section 206.608, Florida Statutes, is amended
 721 to read:

722 206.608 State Comprehensive Enhanced Transportation System
 723 Tax; deposit of proceeds; distribution.—Moneys received pursuant

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724 to ss. 206.41(1)(f) and 206.87(1)(d) shall be deposited in the
 725 Fuel Tax Collection Trust Fund, and, after deducting the service
 726 charge imposed in chapter 215 and administrative costs incurred
 727 by the department in collecting, administering, enforcing, and
 728 distributing the tax, which administrative costs may not exceed
 729 2 percent of collections, shall be distributed as follows:

730 (3) For the 2011-2012 ~~2010-2011~~ fiscal year only, and
 731 notwithstanding the provisions of subsection (2), the remaining
 732 proceeds of the tax levied pursuant to s. 206.41(1)(f) and all
 733 of the proceeds from the tax imposed by s. 206.87(1)(d) shall be
 734 transferred into the State Transportation Trust Fund and shall
 735 be used for the purposes stated in s. 339.08. This subsection
 736 expires July 1, 2012 ~~2011~~.

737 Section 32. In order to implement the appropriation of
 738 funds in Special Categories-Risk Management Insurance of the
 739 2011-2012 General Appropriations Act, and pursuant to the
 740 notice, review, and objection procedures of s. 216.177, Florida
 741 Statutes, the Executive Office of the Governor is authorized to
 742 transfer funds appropriated in the appropriation category
 743 "Special Categories-Risk Management Insurance" of the 2011-2012
 744 General Appropriations Act between departments in order to align
 745 the budget authority granted with the premiums paid by each
 746 department for risk management insurance. This section expires
 747 July 1, 2012.

748 Section 33. In order to implement the appropriation of
 749 funds in Special Categories-Transfer to Department of Management
 750 Services-Human Resources Services Purchased Per Statewide
 751 Contract of the 2011-2012 General Appropriations Act, and

752 pursuant to the notice, review, and objection procedures of s.
 753 216.177, Florida Statutes, the Executive Office of the Governor
 754 is authorized to transfer funds appropriated in the
 755 appropriation category "Special Categories-Transfer to
 756 Department of Management Services-Human Resources Services
 757 Purchased Per Statewide Contract" of the 2011-2012 General
 758 Appropriations Act between departments in order to align the
 759 budget authority granted with the assessments that must be paid
 760 by each agency to the Department of Management Services for
 761 human resource management services. This section expires July 1,
 762 2012.

763 Section 34. In order to implement specific appropriations
 764 for salaries and benefits in the 2011-2012 General
 765 Appropriations Act, paragraph (a) of subsection (12) of section
 766 110.123, Florida Statutes, is amended to read:

767 110.123 State group insurance program.—

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

775 (a)1. A member participating in this health insurance plan
 776 option shall be eligible to receive an employer contribution
 777 into the employee's health savings account from the State
 778 Employees Health Insurance Trust Fund in an amount to be
 779 determined by the Legislature. A member is not eligible for an

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780 employer contribution upon termination of employment. For the
 781 2011-2012 ~~2010-2011~~ fiscal year, the state's monthly
 782 contribution for employees having individual coverage shall be
 783 \$41.66 and the monthly contribution for employees having family
 784 coverage shall be \$83.33.

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

788 Section 35. In order to implement specific appropriations
 789 for salaries and benefits in the 2011-2012 General
 790 Appropriations Act, paragraph (b) of subsection (3) of section
 791 112.24, Florida Statutes, is amended to read:

792 112.24 Intergovernmental interchange of public employees.—
 793 To encourage economical and effective utilization of public
 794 employees in this state, the temporary assignment of employees
 795 among agencies of government, both state and local, and
 796 including school districts and public institutions of higher
 797 education is authorized under terms and conditions set forth in
 798 this section. State agencies, municipalities, and political
 799 subdivisions are authorized to enter into employee interchange
 800 agreements with other state agencies, the Federal Government,
 801 another state, a municipality, or a political subdivision
 802 including a school district, or with a public institution of
 803 higher education. State agencies are also authorized to enter
 804 into employee interchange agreements with private institutions
 805 of higher education and other nonprofit organizations under the
 806 terms and conditions provided in this section. In addition, the
 807 Governor or the Governor and Cabinet may enter into employee

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808 interchange agreements with a state agency, the Federal
809 Government, another state, a municipality, or a political
810 subdivision including a school district, or with a public
811 institution of higher learning to fill, subject to the
812 requirements of chapter 20, appointive offices which are within
813 the executive branch of government and which are filled by
814 appointment by the Governor or the Governor and Cabinet. Under
815 no circumstances shall employee interchange agreements be
816 utilized for the purpose of assigning individuals to participate
817 in political campaigns. Duties and responsibilities of
818 interchange employees shall be limited to the mission and goals
819 of the agencies of government.

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

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

830 2. For the 2011-2012 ~~2010-2011~~ fiscal year only, the
831 assignment of an employee of a state agency as provided in
832 subparagraph 1. may be made if recommended by the Governor or
833 Chief Justice, as appropriate, and approved by the chairs of the
834 Senate Budget Committee ~~Policy and Steering Committee on Ways~~
835 ~~and Means~~ and the House Appropriations Committee ~~Full~~

836 ~~Appropriations Council on Education and Economic Development.~~
 837 Such actions shall be deemed approved if neither chair provides
 838 written notice of objection within 14 days after the chair's
 839 receiving notice of the action pursuant to s. 216.177. This
 840 subparagraph expires July 1, 2012 ~~2011~~.

841 Section 36. In order to implement Specific Appropriation
 842 2536 and 2537 of the 2011-2012 General Appropriations Act and
 843 notwithstanding the provisions of s. 11.13(1), Florida Statutes,
 844 the authorized salaries for members of the Legislature for
 845 fiscal year 2011-2012 shall be set at the same level in effect
 846 on July 1, 2010. This section expires July 1, 2012.

847 Section 37. In order to implement the transfer of moneys
 848 to the General Revenue Fund from trust funds in the 2011-2012
 849 General Appropriations Act, paragraph (b) of subsection (2) of
 850 section 215.32, Florida Statutes, is amended to read:

851 215.32 State funds; segregation.—

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

854 (b)1. The trust funds shall consist of moneys received by
 855 the state which under law or under trust agreement are
 856 segregated for a purpose authorized by law. The state agency or
 857 branch of state government receiving or collecting such moneys
 858 shall be responsible for their proper expenditure as provided by
 859 law. Upon the request of the state agency or branch of state
 860 government responsible for the administration of the trust fund,
 861 the Chief Financial Officer may establish accounts within the
 862 trust fund at a level considered necessary for proper
 863 accountability. Once an account is established within a trust

864 fund, the Chief Financial Officer may authorize payment from
 865 that account only upon determining that there is sufficient cash
 866 and releases at the level of the account.

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

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

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

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

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

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

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

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

894
 895 To the extent possible, each agency must adjust its internal
 896 accounting to use existing trust funds consistent with the
 897 requirements of this subparagraph. If an agency does not have
 898 trust funds listed in this subparagraph and cannot make such
 899 adjustment, the agency must recommend the creation of the
 900 necessary trust funds to the Legislature no later than the next
 901 scheduled review of the agency's trust funds pursuant to s.
 902 215.3206.

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

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

915 b. This subparagraph does not apply to trust funds
 916 required by federal programs or mandates; trust funds
 917 established for bond covenants, indentures, or resolutions whose
 918 revenues are legally pledged by the state or public body to meet

919 debt service or other financial requirements of any debt
 920 obligations of the state or any public body; the Division of
 921 Licensing Trust Fund in the Department of Agriculture and
 922 Consumer Services; the State Transportation Trust Fund; the
 923 trust fund containing the net annual proceeds from the Florida
 924 Education Lotteries; the Florida Retirement System Trust Fund;
 925 trust funds under the management of the State Board of Education
 926 or the Board of Governors of the State University System, where
 927 such trust funds are for auxiliary enterprises, self-insurance,
 928 and contracts, grants, and donations, as those terms are defined
 929 by general law; trust funds that serve as clearing funds or
 930 accounts for the Chief Financial Officer or state agencies;
 931 trust funds that account for assets held by the state in a
 932 trustee capacity as an agent or fiduciary for individuals,
 933 private organizations, or other governmental units; and other
 934 trust funds authorized by the State Constitution.

935 Section 38. The amendment to s. 215.32(2)(b), Florida
 936 Statutes, as carried forward by this act from chapter 2010-153,
 937 Laws of Florida, shall expire on July 1, 2012, and the text of
 938 that paragraph shall revert to that in existence on June 30,
 939 2010, except that any amendments to such text enacted other than
 940 by this act shall be preserved and continue to operate to the
 941 extent that such amendments are not dependent upon the portions
 942 of such text which expire pursuant to this section.

943 Section 39. In order to implement the issuance of new debt
 944 authorized in the 2011-2012 General Appropriations Act, and
 945 pursuant to the requirements of s. 215.98, Florida Statutes, the
 946 Legislature determines that the authorization and issuance of

947 debt for the 2011-2012 fiscal year should be implemented and is
 948 in the best interest of the state and necessary to address a
 949 critical state emergency. This section expires July 1, 2012.

950 Section 40. In order to implement the funds appropriated
 951 in the 2011-2012 General Appropriations Act for state employee
 952 travel, the funds appropriated to each state agency, which may
 953 be used for travel by state employees, shall be limited during
 954 the 2011-2012 fiscal year to travel for activities that are
 955 critical to each state agency's mission. Funds may not be used
 956 to pay for travel by state employees to foreign countries, other
 957 states, conferences, staff-training activities, or other
 958 administrative functions unless the agency head has approved in
 959 writing that such activities are critical to the agency's
 960 mission. The agency head must consider the use of
 961 teleconferencing and other forms of electronic communication to
 962 meet the needs of the proposed activity before approving
 963 mission-critical travel. This section does not apply to travel
 964 for law enforcement purposes, military purposes, emergency
 965 management activities, or public health activities. This section
 966 expires July 1, 2012.

967 Section 41. In order to implement the appropriations
 968 authorized in the 2011-2012 General Appropriations Act for each
 969 of the state's designated primary data centers, which are funded
 970 from the data processing appropriation category and other
 971 categories used to pay for computing services of user agencies,
 972 and pursuant to the notice, review, and objection procedures of
 973 s. 216.177, Florida Statutes, the Executive Office of the
 974 Governor is authorized to transfer funds appropriated in any

975 appropriation category used to pay for data processing in the
 976 2011-2012 General Appropriations Act between agencies in order
 977 to align the budget authority granted with the utilization rate
 978 of each department. This section expires July 1, 2012.

979 Section 42. In order to implement the appropriations
 980 authorized in the 2011-2012 General Appropriations Act and
 981 notwithstanding s. 216.181(2)(c), Florida Statutes, an agency
 982 may transfer funds from the data processing appropriation
 983 categories to another appropriation category for the purpose of
 984 supporting and managing its computer resources until such time
 985 as the agency's data processing function is transferred to the
 986 Southwood Shared Resource Center, the Northwood Shared Resource
 987 Center, or the Northwest Regional Data Center. This section
 988 expires July 1, 2012.

989 Section 43. In order to implement Specific Appropriation
 990 1983B of the 2011-2012 General Appropriations Act, the Executive
 991 Office of the Governor is authorized to transfer funds
 992 appropriated in the appropriation category "Data Processing
 993 Services - Southwood Shared Resource Center" of the 2011-12
 994 General Appropriations Act between agencies in order to properly
 995 allocate a reduction in budget for the Southwood Shared Resource
 996 Center. This section expires July 1, 2012.

997
 998 Section 44. In order to implement Specific Appropriation
 999 1978A of the 2011-2012 General Appropriations Act, the Executive
 1000 Office of the Governor is authorized to transfer funds
 1001 appropriated in the appropriation category "Expenses" of the
 1002 2011-2012 General Appropriations Act between agencies in order

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1003 to allocate a reduction relating to SUNCOM Services. This
 1004 section expires July 1, 2012.

1005 Section 45. In order to implement section 8 of the General
 1006 Appropriations Act for the 2011-2012 fiscal year, paragraph (a)
 1007 of subsection (7) of section 110.12315, Florida Statutes, is
 1008 reenacted to read:

1009 110.12315 Prescription drug program.—The state employees'
 1010 prescription drug program is established. This program shall be
 1011 administered by the Department of Management Services, according
 1012 to the terms and conditions of the plan as established by the
 1013 relevant provisions of the annual General Appropriations Act and
 1014 implementing legislation, subject to the following conditions:

1015 (7) Under the state employees' prescription drug program
 1016 copayments must be made as follows:

1017 (a) Effective January 1, 2011, for the State Group Health
 1018 Insurance Standard Plan:

- 1019 1. For generic drug with card \$7.
- 1020 2. For preferred brand name drug with card \$30.
- 1021 3. For nonpreferred brand name drug with card \$50.
- 1022 4. For generic mail order drug \$14.
- 1023 5. For preferred brand name mail order drug \$60.
- 1024 6. For nonpreferred brand name mail order drug \$100.

1025 Section 46. The amendment to s. 110.12315(7)(a), Florida
 1026 Statutes, as carried forward by this act from chapter 2010-153,
 1027 Laws of Florida, shall expire on July 1, 2012, and the text of
 1028 that paragraph shall revert to that in existence on December 31,
 1029 2010, except that any amendments to such text enacted other than
 1030 by this act shall be preserved and continue to operate to the

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1031 extent that such amendments are not dependent upon the portions
1032 of such text which expire pursuant to this section.

1033 Section 47. Any section of this act that implements a
1034 specific appropriation or specifically identified proviso
1035 language in the 2011-2012 General Appropriations Act is void if
1036 the specific appropriation or specifically identified proviso
1037 language is vetoed. A section of this act that implements more
1038 than one specific appropriation or more than one portion of
1039 specifically identified proviso language in the 2011-2012
1040 General Appropriations Act is void if all the specific
1041 appropriations or portions of specifically identified proviso
1042 language are vetoed.

1043 Section 48. If any other act passed during the 2011
1044 Regular Session contains a provision that is substantively the
1045 same as a provision in this act, but that removes or is
1046 otherwise not subject to the future repeal applied to such
1047 provision by this act, the Legislature intends that the
1048 provision in the other act takes precedence and continues to
1049 operate, notwithstanding the future repeal provided by this act.

1050 Section 49. If any provision of this act or its
1051 application to any person or circumstance is held invalid, the
1052 invalidity does not affect other provisions or applications of
1053 the act which can be given effect without the invalid provision
1054 or application, and to this end the provisions of this act are
1055 severable.

1056 Section 50. Except as otherwise expressly provided in this
1057 act and except for this section, which shall take effect June
1058 29, 2011, this act shall take effect July 1, 2011; or, if this

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1059 | act fails to become a law until after that date, it shall take
1060 | effect upon becoming a law and shall operate retroactively to
1061 | July 1, 2011.