



774020

606-02319C-10

Proposed Committee Substitute by the Committee on Transportation  
and Economic Development Appropriations

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; 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



774020

606-02319C-10

28 deposited into the Grants and Donations Trust Fund in  
29 the Department of Community Affairs which are used to  
30 fund the Century Commission; providing for future  
31 expiration of the amendment to such provision and for  
32 the reversion of statutory text; amending s. 215.559,  
33 F.S.; delaying the expiration of provisions relating  
34 to the Hurricane Loss Mitigation Program; revising the  
35 amount appropriated for the purpose of inspecting and  
36 improving tie-downs for mobile homes; providing an  
37 appropriation to the State Logistics Response Center  
38 for certain purposes; providing an appropriation to be  
39 competitively bid to improve the wind resistance of  
40 residences and mobile homes; revising the amount  
41 allocated for the operational purposes; reenacting s.  
42 332.007(8), F.S., relating to the funding of security  
43 projects at publicly owned public-use airports;  
44 providing for the future expiration of certain  
45 amendments to such provision and for the reversion of  
46 statutory text; providing for the effect of a veto of  
47 one or more specific appropriations or proviso  
48 provisions to which implementing language refers;  
49 providing for the continued operation of certain  
50 provisions, notwithstanding a future repeal or  
51 expiration provided by the act; providing for  
52 severability; providing for contingent retroactive  
53 application; providing an effective date.

54  
55 Be It Enacted by the Legislature of the State of Florida:  
56



774020

606-02319C-10

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

60           Section 2. In order to implement Specific Appropriation  
61 2125 in the 2010-2011 General Appropriations Act, subsection (5)  
62 of section 339.135, Florida Statutes, is amended to read:

63           339.135 Work program; legislative budget request;  
64 definitions; preparation, adoption, execution, and amendment.—

65           (5) ADOPTION OF THE WORK PROGRAM.—

66           (a) The original approved budget for operational and fixed  
67 capital expenditures for the department shall be the Governor's  
68 budget recommendation and the first year of the tentative work  
69 program, as both are amended by the General Appropriations Act  
70 and any other act containing appropriations. In accordance with  
71 the appropriations act, the department shall, prior to the  
72 beginning of the fiscal year, adopt a final work program which  
73 shall only include the original approved budget for the  
74 department for the ensuing fiscal year together with any roll  
75 forwards approved pursuant to paragraph (6) (c) and the portion  
76 of the tentative work program for the following 4 fiscal years  
77 revised in accordance with the original approved budget for the  
78 department for the ensuing fiscal year together with said roll  
79 forwards. The adopted work program may include only those  
80 projects submitted as part of the tentative work program  
81 developed under the provisions of subsection (4) plus any  
82 projects which are separately identified by specific  
83 appropriation in the General Appropriations Act and any roll  
84 forwards approved pursuant to paragraph (6) (c). However, any  
85 transportation project of the department which is identified by



774020

606-02319C-10

86 specific appropriation in the General Appropriations Act shall  
87 be deducted from the funds annually distributed to the  
88 respective district pursuant to paragraph (4) (a). In addition,  
89 the department shall not in any year include any project or  
90 allocate funds to a program in the adopted work program that is  
91 contrary to existing law for that particular year. Projects  
92 shall not be undertaken unless they are listed in the adopted  
93 work program.

94 (b) Notwithstanding paragraph (a), and for the 2010-2011  
95 ~~2009-2010~~ fiscal year only, the Department of Transportation  
96 shall transfer funds to the Office of Tourism, Trade, and  
97 Economic Development in an amount equal to \$20,300,000 for the  
98 purpose of funding transportation-related needs of economic  
99 development projects. This transfer does ~~shall~~ not reduce,  
100 delete, or defer any existing projects funded, as of July 1,  
101 2010 ~~2009~~, in the Department of Transportation's 5-year work  
102 program. This paragraph expires July 1, 2011 ~~2010~~.

103 Section 3. In order to implement section 11 of the 2010-  
104 2011 General Appropriations Act, paragraph (n) of subsection (1)  
105 of section 339.08, Florida Statutes, is amended to read:

106 339.08 Use of moneys in State Transportation Trust Fund.—

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

111 (n) To pay administrative expenses incurred in accordance  
112 with applicable laws for a multicounty transportation or  
113 expressway authority created under chapter 343 or chapter 348,  
114 where jurisdiction for the authority includes a portion of the



774020

606-02319C-10

115 State Highway System and the administrative expenses are in  
116 furtherance of the duties and responsibilities of the authority  
117 in the development of improvements to the State Highway System.  
118 This paragraph expires July 1, 2011 ~~2010~~.

119 Section 4. In order to implement Specific Appropriation  
120 2112 of the 2010-2011 General Appropriations Act, paragraph (p)  
121 of subsection (1) of section 339.08, Florida Statutes, is  
122 amended to read:

123 339.08 Use of moneys in State Transportation Trust Fund.—

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

128 (p) To pay for county and school district transportation  
129 infrastructure improvements. This paragraph expires July 1, 2011  
130 ~~2010~~.

131 Section 5. In order to implement Specific Appropriation  
132 2214 of the 2010-2011 General Appropriations Act, subsection  
133 (11) of section 445.009, Florida Statutes, is amended to read:

134 445.009 One-stop delivery system.—

135 (11) (a) A participant in an adult or youth work experience  
136 activity administered under this chapter shall be deemed an  
137 employee of the state for purposes of workers' compensation  
138 coverage. In determining the average weekly wage, all  
139 remuneration received from the employer shall be considered a  
140 gratuity, and the participant shall not be entitled to any  
141 benefits otherwise payable under s. 440.15, regardless of  
142 whether the participant may be receiving wages and remuneration  
143 from other employment with another employer and regardless of



774020

606-02319C-10

144 his or her future wage-earning capacity.

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

146 Section 6. In order to implement Specific Appropriations  
147 1557 through 1560 of the 2010-2011 General Appropriations Act,  
148 paragraph (d) of subsection (3) of section 163.3247, Florida  
149 Statutes, is amended to read:

150 163.3247 Century Commission for a Sustainable Florida.—

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

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

160 Section 7. The amendment to s. 163.3247(3)(d), Florida  
161 Statutes, made by this act shall expire July 1, 2011, and the  
162 text of that paragraph shall revert to that in existence on June  
163 30, 2010, except that any amendments to such text enacted other  
164 than by this act shall be preserved and continue to operate to  
165 the extent that such amendments are not dependent upon the  
166 portions of such text which expire pursuant to this section.

167 Section 8. In order to implement Specific Appropriations  
168 1557 through 1560 of the 2010-2011 General Appropriations Act,  
169 paragraph (c) of subsection (1) of section 201.15, Florida  
170 Statutes, as amended by section 2 of chapter 2009-271, Laws of  
171 Florida, is amended to read:

172 201.15 Distribution of taxes collected.—All taxes collected



774020

606-02319C-10

173 under this chapter are subject to the service charge imposed in  
174 s. 215.20(1). Prior to distribution under this section, the  
175 Department of Revenue shall deduct amounts necessary to pay the  
176 costs of the collection and enforcement of the tax levied by  
177 this chapter. Such costs and the service charge may not be  
178 levied against any portion of taxes pledged to debt service on  
179 bonds to the extent that the costs and service charge are  
180 required to pay any amounts relating to the bonds. After  
181 distributions are made pursuant to subsection (1), all of the  
182 costs of the collection and enforcement of the tax levied by  
183 this chapter and the service charge shall be available and  
184 transferred to the extent necessary to pay debt service and any  
185 other amounts payable with respect to bonds authorized before  
186 January 1, 2010, secured by revenues distributed pursuant to  
187 subsection (1). All taxes remaining after deduction of costs and  
188 the service charge shall be distributed as follows:

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

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

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

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



774020

606-02319C-10

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

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

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

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

226           3. The Ecosystem Management and Restoration Trust Fund in  
227 the amount of the lesser of 2.12 percent of the remainder or \$30  
228 million in each fiscal year, to be used for the preservation and  
229 repair of the state's beaches as provided in ss. 161.091-  
230 161.212.





774020

606-02319C-10

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

235

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

239           Section 9. The amendment to s. 201.15(1)(c)2., Florida  
240 Statutes, made by this act shall expire July 1, 2011, and the  
241 text of that subparagraph shall revert to that in existence on  
242 June 30, 2010, except that any amendments to such text enacted  
243 other than by this act shall be preserved and continue to  
244 operate to the extent that such amendments are not dependent  
245 upon the portions of such text which expire pursuant to this  
246 section.

247           Section 10. In order to implement Specific Appropriations  
248 1567, 1569, 1571, 1575, 1594, 1596, 1598, and 1671 of the 2010-  
249 2011 General Appropriations Act, subsection (8) of section  
250 215.559, Florida Statutes, is amended to read:

251           215.559 Hurricane Loss Mitigation Program.—

252           (8) (a) Notwithstanding any other provision of this section  
253 and for the 2010-2011 ~~2008-2009~~ fiscal year only, the \$10  
254 million appropriation provided for in subsection (1) shall be  
255 allocated as follows:

256           1. The sum of \$2.7 ~~\$2.8~~ million shall be used to inspect  
257 and improve tie-downs for mobile homes for the same purpose as  
258 specified in paragraph (3) (a).

259           2. The sum of \$3 million shall be used for operating costs



774020

606-02319C-10

260 of the State Logistics Response Center and the original purposes  
261 identified in paragraph (2) (b), as appropriated \$700,000 shall  
262 be allocated to the Florida International University for the  
263 same purpose as specified in subsection (4).

264 3. The sum of \$4,192,389 ~~\$6,421,764~~ shall be competitively  
265 bid for the purposes provided in paragraph (2) (a) used to  
266 install emergency power generators in special-needs hurricane  
267 evacuation shelters as provided in s. 1, ch. 2006-71, Laws of  
268 Florida, except that such funds may not be used for  
269 administrative purposes.

270 4. The sum of \$107,611 ~~\$78,236~~ shall be allocated for  
271 operational purposes of the department as specified in the 2010-  
272 2011 ~~2008-2009~~ General Appropriations Act.

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

274 Section 11. Subsection (8) of section 332.007, Florida  
275 Statutes, is reenacted to read:

276 332.007 Administration and financing of aviation and  
277 airport programs and projects; state plan.-

278 (8) Notwithstanding any other provision of law to the  
279 contrary, the department is authorized to fund security  
280 projects, including operational and maintenance assistance, at  
281 publicly owned public-use airports. For projects in the current  
282 adopted work program, or projects added using the available  
283 budget of the department, airports may request the department  
284 change the project purpose in accordance with this provision  
285 notwithstanding the provisions of s. 339.135(7). For purposes of  
286 this subsection, the department may fund up to 100 percent of  
287 eligible project costs that are not funded by the Federal  
288 Government. This subsection shall expire on June 30, 2012.



774020

606-02319C-10

289           Section 12. The amendment to s. 332.007(8), Florida  
290 Statutes, as carried forward by this act from chapter 2009-82,  
291 Laws of Florida, shall expire July 1, 2011, and the text of that  
292 subsection shall revert to that in existence on June 30, 2009,  
293 except that any amendments to such text enacted other than by  
294 this act shall be preserved and continue to operate to the  
295 extent that such amendments are not dependent upon the portions  
296 of such text which expire pursuant to this section.

297           Section 13. Any section of this act which implements a  
298 specific appropriation or specifically identified proviso  
299 language in the 2010-2011 General Appropriations Act is void if  
300 the specific appropriation or specifically identified proviso  
301 language is vetoed. Any section of this act which implements  
302 more than one specific appropriation or more than one portion of  
303 specifically identified proviso language in the 2010-2011  
304 General Appropriations Act is void if all the specific  
305 appropriations or portions of specifically identified proviso  
306 language are vetoed.

307           Section 14. If any other act passed during the 2010 Regular  
308 Session contains a provision that is substantively the same as a  
309 provision in this act, but that removes or is otherwise not  
310 subject to the future repeal applied to such provision by this  
311 act, the Legislature intends that the provision in the other act  
312 shall take precedence and continue to operate, notwithstanding  
313 the future repeal provided by this act.

314           Section 15. If any provision of this act or its application  
315 to any person or circumstance is held invalid, the invalidity  
316 does not affect other provisions or applications of the act  
317 which can be given effect without the invalid provision or



774020

606-02319C-10

318 application, and to this end the provisions of this act are  
319 severable.

320       Section 16. This act shall take effect July 1, 2010; or, if  
321 this act fails to become a law until after that date, it shall  
322 take effect upon becoming a law and shall operate retroactively  
323 to July 1, 2010.