

1 A bill to be entitled
 2 An act implementing the 2009-2010 General Appropriations
 3 Act; providing legislative intent; amending s. 394.908,
 4 F.S.; requiring that funds appropriated through the
 5 Community-Based Medicaid Administrative Claiming Program
 6 be allocated proportionately to contributed provider
 7 earnings; providing allocation requirements for specified
 8 funds appropriated for mental health services; requiring
 9 the Department of Children and Family Services to ensure
 10 information is entered into the Florida Safe Families
 11 Network; requiring coordination between the department and
 12 the Office of the State Courts Administrator to provide
 13 information relating to child welfare cases; requiring a
 14 report to the Governor and Legislature; amending s.
 15 287.057, F.S.; extending authorization of the Department
 16 of Health to enter into an agreement with a private
 17 contractor relating to a facility for the treatment of
 18 patients with tuberculosis; amending s. 400.23, F.S.;
 19 prohibiting sanctions against a nursing home relating to
 20 failure to meet certain staffing ratios; amending s.
 21 400.141, F.S.; prohibiting sanctions against a nursing
 22 home relating to failure to impose a moratorium on new
 23 admissions as long as the licensed nurse ratio is not
 24 below a specified level; authorizing the Department of
 25 Corrections and the Department of Juvenile Justice to make
 26 certain expenditures to defray costs incurred by a
 27 municipality or county as a result of opening or operating
 28 a facility under authority of the respective department;

29 | amending s. 216.262, F.S.; providing for additional
 30 | positions to operate additional prison bed capacity under
 31 | certain circumstances; authorizing the Department of Legal
 32 | Affairs to transfer certain funds to pay salaries and
 33 | benefits; amending s. 790.065, F.S.; extending date of
 34 | sunset of firearms purchase program; amending s. 112.24,
 35 | F.S.; providing conditions on the assignment of an
 36 | employee of a state agency without reimbursement from the
 37 | receiving agency; authorizing the Executive Office of the
 38 | Governor to transfer funds between departments for
 39 | purposes of aligning amounts paid for risk management
 40 | premiums and for purposes of aligning amounts paid for
 41 | human resource management services; amending s. 110.123,
 42 | F.S.; providing for the state's monthly contribution for
 43 | employees under the state group insurance program;
 44 | amending s. 11.13, F.S.; providing for reduction in
 45 | legislator salaries; amending s. 255.518, F.S.; revising
 46 | provisions relating to payment of obligations during the
 47 | construction of any facility financed by such obligations;
 48 | amending s. 570.20, F.S.; delaying the expiration of
 49 | provisions authorizing moneys in the General Inspection
 50 | Trust Fund to be appropriated for certain programs
 51 | operated by the Department of Agriculture and Consumer
 52 | Services; reenacting s. 215.32(2)(b), F.S., relating to
 53 | the source and use of certain trust funds in order to
 54 | implement the transfer of moneys in the General Revenue
 55 | Fund from trust funds in the 2009-2010 General
 56 | Appropriations Act; providing for future expiration of

57 various provisions; providing for reversion of statutory
 58 text of certain provisions; providing for the effect of a
 59 veto of one or more specific appropriations or proviso to
 60 which implementing language refers; providing for the
 61 continued operation of certain provisions notwithstanding
 62 a future repeal or expiration provided by the act;
 63 providing for severability; providing effective dates.
 64

65 Be It Enacted by the Legislature of the State of Florida:
 66

67 Section 1. It is the intent of the Legislature that the
 68 implementing and administering provisions of this act apply to
 69 the General Appropriations Act for the 2009-2010 fiscal year.

70 Section 2. In order to implement Specific Appropriations
 71 316 through 347 of the 2009-2010 General Appropriations Act,
 72 subsection (3) of section 394.908, Florida Statutes, is amended
 73 to read:

74 394.908 Substance abuse and mental health funding equity;
 75 distribution of appropriations.--In recognition of the
 76 historical inequity in the funding of substance abuse and mental
 77 health services for the department's districts and regions and
 78 to rectify this inequity and provide for equitable funding in
 79 the future throughout the state, the following funding process
 80 shall be used:

81 (3) (a) Any additional funding beyond the 2005-2006 fiscal
 82 year base appropriation for alcohol, drug abuse, and mental
 83 health services shall be allocated to districts for substance
 84 abuse and mental health services based on:

85 1. Epidemiological estimates of disabilities that apply to
 86 the respective target populations.

87 2. A pro rata share distribution that ensures districts
 88 below the statewide average funding level per person in each
 89 target population of "persons in need" receive funding necessary
 90 to achieve equity.

91 (b) Notwithstanding paragraph (a) and for the 2008-2009
 92 fiscal year only, funds appropriated for forensic mental health
 93 treatment services shall be allocated to the areas of the state
 94 having the greatest demand for services and treatment capacity.
 95 This paragraph expires July 1, 2009.

96 (c) Notwithstanding paragraph (a) and for the 2009-2010
 97 ~~2008-2009~~ fiscal year only, additional funds appropriated ~~for~~
 98 ~~mental health services~~ from funds available through the
 99 Community-Based Medicaid Administrative Claiming Program shall
 100 be allocated in proportion to contributed provider earnings
 101 after administrative costs incurred by the department are
 102 covered as provided in the 2008-2009 General Appropriations Act
 103 ~~and in proportion to contributed provider earnings~~. Where these
 104 mental health funds are used in lieu of funds from the General
 105 Revenue Fund, the allocation of funds shall be unchanged from
 106 the allocation for those funds for the 2007-2008 fiscal year.
 107 This paragraph expires July 1, 2010 ~~2009~~.

108 Section 3. In order to implement Specific Appropriations
 109 279 of the 2009-2010 General Appropriations Act, the Department
 110 of Children and Family Services shall ensure that all public and
 111 private agencies and institutions participating in child welfare
 112 cases enter information specified by rule of the department into

113 the Florida Safe Families Network in order to maintain the
 114 accuracy and usefulness of the system. The department shall
 115 coordinate with the Office of the State Courts Administrator for
 116 the purpose of providing any judge or magistrate assigned to a
 117 dependency court case with access to information in the Florida
 118 Safe Families Network relating to a child welfare case which is
 119 required to be filed with the court pursuant to chapter 39,
 120 Florida Statutes. The department shall report to the Governor,
 121 the President of the Senate, and the Speaker of the House of
 122 Representatives by September 1, 2009, with respect to progress
 123 on providing access to the Florida Safe Families Network as
 124 provided in this section. This section expires July 1, 2010.

125 Section 4. In order to implement Specific Appropriations
 126 448, 450, 456, 458, and 459 of the 2009-2010 General
 127 Appropriations Act, paragraph (b) of subsection (14) of section
 128 287.057, Florida Statutes, is amended to read:

129 287.057 Procurement of commodities or contractual
 130 services.--

131 (14)

132 (b) The Department of Health shall enter into an
 133 agreement, not to exceed 20 years, with a private contractor to
 134 finance, design, and construct a hospital, of no more than 50
 135 beds, for the treatment of patients with active tuberculosis and
 136 to operate all aspects of daily operations within the facility.
 137 The contractor may sponsor the issuance of tax-exempt
 138 certificates of participation or other securities to finance the
 139 project, and the state may enter into a lease-purchase agreement
 140 for the facility. The department shall begin the implementation

141 of this initiative by July 1, 2008. This paragraph expires July
 142 1, 2010 ~~2009~~.

143 Section 5. Paragraph (d) is added to subsection (3) of
 144 section 400.23, Florida Statutes, to read:

145 400.23 Rules; evaluation and deficiencies; licensure
 146 status.--

147 (3)

148 (d) Notwithstanding any other provision of this subsection
 149 and for the 2009-2010 fiscal year only, the agency may not
 150 impose sanctions against a nursing home for failure to meet the
 151 staffing ratios in paragraph (a), as long as the certified
 152 nursing assistant ratio is not below 2.6 hours per resident per
 153 day and the licensed nurse ratio is not below 1 hour per
 154 resident per day. This paragraph expires July 1, 2010.

155 Section 6. Paragraph (d) of subsection (15) of section
 156 400.141, Florida Statutes, is amended to read:

157 400.141 Administration and management of nursing home
 158 facilities.--Every licensed facility shall comply with all
 159 applicable standards and rules of the agency and shall:

160 (15) Submit semiannually to the agency, or more frequently
 161 if requested by the agency, information regarding facility
 162 staff-to-resident ratios, staff turnover, and staff stability,
 163 including information regarding certified nursing assistants,
 164 licensed nurses, the director of nursing, and the facility
 165 administrator. For purposes of this reporting:

166 (d)1. A nursing facility that has failed to comply with
 167 state minimum-staffing requirements for 2 consecutive days is
 168 prohibited from accepting new admissions until the facility has

169 achieved the minimum-staffing requirements for a period of 6
 170 consecutive days. For the purposes of this paragraph, any person
 171 who was a resident of the facility and was absent from the
 172 facility for the purpose of receiving medical care at a separate
 173 location or was on a leave of absence is not considered a new
 174 admission. Failure to impose such an admissions moratorium
 175 constitutes a class II deficiency.

176 2. Notwithstanding the provisions of subparagraph 1. and
 177 for the 2009-2010 fiscal year only, the agency may not impose
 178 sanctions against a nursing home for failure to impose a
 179 moratorium on new admissions under subparagraph 1., as long as
 180 the licensed nurse ratio is not below 1 hour per resident per
 181 day and the certified nursing assistant ratio is not below 2.6
 182 hours per resident per day. This subparagraph expires July 1,
 183 2010.

184
 185 Nothing in this section shall limit the agency's ability to
 186 impose a deficiency or take other actions if a facility does not
 187 have enough staff to meet the residents' needs.

188
 189 Facilities that have been awarded a Gold Seal under the program
 190 established in s. 400.235 may develop a plan to provide
 191 certified nursing assistant training as prescribed by federal
 192 regulations and state rules and may apply to the agency for
 193 approval of their program.

194 Section 7. In order to fulfill legislative intent
 195 regarding the use of funds contained in Specific Appropriations
 196 617, 631, 644, and 1112 of the 2009-2010 General Appropriations

197 Act, the Department of Corrections and the Department of
 198 Juvenile Justice may expend appropriated funds to assist in
 199 defraying the costs of impacts that are incurred by a
 200 municipality or county and associated with opening or operating
 201 a facility under the authority of the respective department that
 202 is located within that municipality or county. The amount that
 203 is to be paid under this section for any facility may not exceed
 204 1 percent of the facility construction cost, less building
 205 impact fees imposed by the municipality or by the county if the
 206 facility is located in the unincorporated portion of the county.
 207 This section expires July 1, 2010.

208 Section 8. In order to implement Specific Appropriations
 209 607 through 706 and 738 through 773 of the 2009-2010 General
 210 Appropriations Act, subsection (4) of section 216.262, Florida
 211 Statutes, is amended to read:

212 216.262 Authorized positions.--

213 (4) Notwithstanding the provisions of this chapter on
 214 increasing the number of authorized positions, and for the 2009-
 215 2010 ~~2008-2009~~ fiscal year only, if the actual inmate population
 216 of the Department of Corrections exceeds the inmate population
 217 projections of the February 16, 2009 ~~February 15, 2008~~, Criminal
 218 Justice Estimating Conference by 1 percent for 2 consecutive
 219 months or 2 percent for any month, the Executive Office of the
 220 Governor, with the approval of the Legislative Budget
 221 Commission, shall immediately notify the Criminal Justice
 222 Estimating Conference, which shall convene as soon as possible
 223 to revise the estimates. The Department of Corrections may then
 224 submit a budget amendment requesting the establishment of

225 | positions in excess of the number authorized by the Legislature
 226 | and additional appropriations from unallocated general revenue
 227 | sufficient to provide for essential staff, fixed capital
 228 | improvements, and other resources to provide classification,
 229 | security, food services, health services, and other variable
 230 | expenses within the institutions to accommodate the estimated
 231 | increase in the inmate population. All actions taken pursuant to
 232 | the authority granted in this subsection shall be subject to
 233 | review and approval by the Legislative Budget Commission. This
 234 | subsection expires July 1, 2010 ~~2009~~.

235 | Section 9. In order to implement Specific Appropriations
 236 | 1231, 1251, 1272, and 1282 of the 2009-2010 General
 237 | Appropriations Act, the Department of Legal Affairs is
 238 | authorized to transfer cash remaining after required
 239 | disbursements from Attorney General case number 16-2008-CA-01
 240 | 3142CV-C from FLAIR account 41-74-2-601001-41100100-00-181076-00
 241 | to the Operating Trust Fund within the Department of Legal
 242 | Affairs to pay salaries and benefits. This section expires July
 243 | 1, 2010.

244 | Section 10. In order to implement Specific Appropriation
 245 | 1205 of the 2009-2010 General Appropriations Act, subsection
 246 | (14) of section 790.065, Florida Statutes, is amended to read:

247 | 790.065 Sale and delivery of firearms.--

248 | (14) This section is repealed effective October 1, 2010
 249 | ~~2009~~.

250 | Section 11. In order to implement Specific Appropriations
 251 | for salaries and benefits in the 2009-2010 General

252 Appropriations Act, paragraph (b) of subsection (3) of section
 253 112.24, Florida Statutes, is amended to read:
 254 112.24 Intergovernmental interchange of public
 255 employees.--To encourage economical and effective utilization of
 256 public employees in this state, the temporary assignment of
 257 employees among agencies of government, both state and local,
 258 and including school districts and public institutions of higher
 259 education is authorized under terms and conditions set forth in
 260 this section. State agencies, municipalities, and political
 261 subdivisions are authorized to enter into employee interchange
 262 agreements with other state agencies, the Federal Government,
 263 another state, a municipality, or a political subdivision
 264 including a school district, or with a public institution of
 265 higher education. State agencies are also authorized to enter
 266 into employee interchange agreements with private institutions
 267 of higher education and other nonprofit organizations under the
 268 terms and conditions provided in this section. In addition, the
 269 Governor or the Governor and Cabinet may enter into employee
 270 interchange agreements with a state agency, the Federal
 271 Government, another state, a municipality, or a political
 272 subdivision including a school district, or with a public
 273 institution of higher learning to fill, subject to the
 274 requirements of chapter 20, appointive offices which are within
 275 the executive branch of government and which are filled by
 276 appointment by the Governor or the Governor and Cabinet. Under
 277 no circumstances shall employee interchange agreements be
 278 utilized for the purpose of assigning individuals to participate
 279 in political campaigns. Duties and responsibilities of

280 interchange employees shall be limited to the mission and goals
 281 of the agencies of government.

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

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

292 2. For the 2009-2010 ~~2008-2009~~ fiscal year only, the
 293 assignment of an employee of a state agency as provided in
 294 subparagraph 1. may be made if recommended by the Governor or
 295 Chief Justice, as appropriate, and approved by the chairs of the
 296 Senate Policy and Steering Committee on Ways and Means and the
 297 House Full Appropriations Council on General Government and
 298 Health Care ~~Senate Fiscal Policy and Calendar Committee and the~~
 299 ~~House Policy and Budget Council~~. Such actions shall be deemed
 300 approved if neither chair provides written notice of objection
 301 within 14 days after the chair's receiving notice of the action
 302 pursuant to s. 216.177. This subparagraph expires July 1, 2010
 303 ~~2009~~.

304 Section 12. In order to implement the appropriation of
 305 funds in Special Categories-Risk Management Insurance of the
 306 2009-2010 General Appropriations Act, and pursuant to the
 307 notice, review, and objection procedures of s. 216.177, Florida

308 Statutes, the Executive Office of the Governor is authorized to
 309 transfer funds appropriated in the appropriation category
 310 "Special Categories-Risk Management Insurance" of the 2009-2010
 311 General Appropriations Act between departments in order to align
 312 the budget authority granted with the premiums paid by each
 313 department for risk management insurance. This section expires
 314 July 1, 2010.

315 Section 13. In order to implement the appropriation of
 316 funds in Special Categories-Transfer to Department of Management
 317 Services-Human Resources Services Purchased Per Statewide
 318 Contract of the 2009-2010 General Appropriations Act, and
 319 pursuant to the notice, review, and objection procedures of s.
 320 216.177, Florida Statutes, the Executive Office of the Governor
 321 is authorized to transfer funds appropriated in the
 322 appropriation category "Special Categories-Transfer to
 323 Department of Management Services-Human Resources Services
 324 Purchased Per Statewide Contract" of the 2009-2010 General
 325 Appropriations Act between departments in order to align the
 326 budget authority granted with the assessments that must be paid
 327 by each agency to the Department of Management Services for
 328 human resource management services. This section expires July 1,
 329 2010.

330 Section 14. In order to implement specific appropriations
 331 for salaries and benefits in the 2009-2010 General
 332 Appropriations Act, paragraph (a) of subsection (12) of section
 333 110.123, Florida Statutes, is amended to read:

334 110.123 State group insurance program.--

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

342 (a)1. A member participating in this health insurance plan
 343 option shall be eligible to receive an employer contribution
 344 into the employee's health savings account from the State
 345 Employees Health Insurance Trust Fund in an amount to be
 346 determined by the Legislature. A member is not eligible for an
 347 employer contribution upon termination of employment. For the
 348 2009-2010 ~~2008-2009~~ fiscal year, the state's monthly
 349 contribution for employees having individual coverage shall be
 350 \$41.66 and the monthly contribution for employees having family
 351 coverage shall be \$83.33.

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

355 Section 15. Effective June 30, 2009, in order to implement
 356 Specific Appropriations 2677 and 2678 of the 2009-2010 General
 357 Appropriations Act, paragraph (c) is added to subsection (1) of
 358 section 11.13, Florida Statutes, to read:

359 11.13 Compensation of members.--

360 (1)

361 (c) Notwithstanding the provisions of paragraph (b) and
 362 for the 2009-2010 fiscal year only, the authorized salaries of

363 members of the Legislature in effect on June 30, 2009, shall be
 364 reduced by 5 percent. This paragraph expires July 1, 2010.

365 Section 16. In order to implement Specific Appropriation
 366 2741 of the 2009-2010 General Appropriations Act, paragraph (b)
 367 of subsection (1) of section 255.518, Florida Statutes, as
 368 amended by section 27 of chapter 2008-153, Laws of Florida, is
 369 amended to read:

370 255.518 Obligations; purpose, terms, approval,
 371 limitations.--

372 (1)

373 (b) Payment of debt service charges ~~and any reserves~~ on
 374 obligations during the construction of any facility financed by
 375 such obligations shall be made from funds other than proceeds of
 376 obligations.

377 Section 17. The amendment to s. 255.518(1)(b), Florida
 378 Statutes, by this act shall expire July 1, 2010, and the text of
 379 that paragraph shall revert to that in existence on June 30,
 380 2009, except that any amendments to such text enacted other than
 381 by this act shall be preserved and continue to operate to the
 382 extent that such amendments are not dependent upon the portions
 383 of such text which expire pursuant to this section.

384 Section 18. In order to implement Specific Appropriation
 385 1294 through 1454 of the 2009-2010 General Appropriations Act,
 386 section 570.20, Florida Statutes, is amended to read:

387 570.20 General Inspection Trust Fund.--

388 (1) All donations and all inspection fees and other funds
 389 authorized and received from whatever source in the enforcement
 390 of the inspection laws administered by the department shall be

391 | paid into the General Inspection Trust Fund of Florida, which is
 392 | created in the office of the Chief Financial Officer. All
 393 | expenses incurred in carrying out the provisions of the
 394 | inspection laws shall be paid from this fund as other funds are
 395 | paid from the State Treasury. A percentage of all revenue
 396 | deposited in this fund, including transfers from any subsidiary
 397 | accounts, shall be deposited in the General Revenue Fund
 398 | pursuant to chapter 215, except that funds collected for
 399 | marketing orders shall pay at the rate of 3 percent.

400 | (2) For the 2009-2010 ~~2008-2009~~ fiscal year only and
 401 | notwithstanding any other provision of law to the contrary, in
 402 | addition to the spending authorized in subsection (1), moneys in
 403 | the General Inspection Trust Fund may be appropriated for
 404 | programs operated by the department which are related to the
 405 | programs authorized by this chapter. This subsection expires
 406 | July 1, 2010 ~~2009~~.

407 | Section 19. In order to implement the transfer of moneys
 408 | to the General Revenue Fund from trust funds in the 2009-2010
 409 | General Appropriations Act, paragraph (b) of subsection (2) of
 410 | section 215.32, Florida Statutes, is reenacted to read:

411 | 215.32 State funds; segregation.--

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

414 | (b)1. The trust funds shall consist of moneys received by
 415 | the state which under law or under trust agreement are
 416 | segregated for a purpose authorized by law. The state agency or
 417 | branch of state government receiving or collecting such moneys
 418 | shall be responsible for their proper expenditure as provided by

419 law. Upon the request of the state agency or branch of state
 420 government responsible for the administration of the trust fund,
 421 the Chief Financial Officer may establish accounts within the
 422 trust fund at a level considered necessary for proper
 423 accountability. Once an account is established within a trust
 424 fund, the Chief Financial Officer may authorize payment from
 425 that account only upon determining that there is sufficient cash
 426 and releases at the level of the account.

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

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

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

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

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

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

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

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

454
 455 To the extent possible, each agency must adjust its internal
 456 accounting to use existing trust funds consistent with the
 457 requirements of this subparagraph. If an agency does not have
 458 trust funds listed in this subparagraph and cannot make such
 459 adjustment, the agency must recommend the creation of the
 460 necessary trust funds to the Legislature no later than the next
 461 scheduled review of the agency's trust funds pursuant to s.
 462 215.3206.

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

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

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

493 Section 20. A section of this act that implements a
 494 specific appropriation or specifically identified proviso
 495 language in the 2009-2010 General Appropriations Act is void if
 496 the specific appropriation or specifically identified proviso
 497 language is vetoed. A section of this act that implements more
 498 than one specific appropriation or more than one portion of
 499 specifically identified proviso language in the 2009-2010
 500 General Appropriations Act is void if all the specific

501 appropriations or portions of specifically identified proviso
 502 language are vetoed.

503 Section 21. If any other act passed in 2009 contains a
 504 provision that is substantively the same as a provision in this
 505 act, but that removes or is otherwise not subject to the future
 506 repeal applied to such provision by this act, the Legislature
 507 intends that the provision in the other act shall take
 508 precedence and shall continue to operate, notwithstanding the
 509 future repeal provided by this act.

510 Section 22. If any provision of this act or its
 511 application to any person or circumstance is held invalid, the
 512 invalidity does not affect other provisions or applications of
 513 the act which can be given effect without the invalid provision
 514 or application, and to this end the provisions of this act are
 515 severable.

516 Section 23. Except as otherwise expressly provided in this
 517 act and except for this section, which shall take effect upon
 518 this act becoming a law, this act shall take effect July 1,
 519 2009; or, if this act fails to become a law until after that
 520 date, it shall take effect upon becoming a law and shall operate
 521 retroactively to July 1, 2009.