

# THE FLORIDA LEGISLATURE



**Mike Haridopolos**  
*President of the Senate*



**Dean Cannon**  
*Speaker of the House of  
Representatives*

March 8, 2012

The Honorable Dean Cannon  
Speaker, House of Representatives

The Honorable Mike Haridopolos  
President of the Senate

Dear Mr. Speaker and Mr. President:

Your Conference Committee on the disagreeing votes of the two houses on HB 5001, 1st Eng., same being:

An act making appropriations.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

**Managers on the part of the House of Representatives**

<i>Representative Denise Grimsley, Chair</i>	<i>Representative Janet H. Adkins</i>
<i>Representative Larry Ahern</i>	<i>Representative Ben Albritton</i>
<i>Representative Frank Artiles</i>	<i>Representative Gary Aubuchon, At-Large</i>
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Page 6

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*President of the Senate*



**Dean Cannon**  
*Speaker of the House of  
Representatives*

March 8, 2012

The Honorable Dean Cannon  
Speaker, House of Representatives

The Honorable Mike Haridopolos  
President of the Senate

Dear Mr. Speaker and Mr. President:

Your Conference Committee on the disagreeing votes of the two houses on HB 5003, same being:

An act implementing the 2012-2013 General Appropriations Act.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

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Page 6

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The Conference Committee Amendment for HB 5003, relating to implementing appropriations, provides the following substantive modifications for the 2012-2013 fiscal year:

**Section 1** provides legislative intent that the implementing and administering provisions of this act apply to the General Appropriations Act for Fiscal Year 2012-13

**Section 2** incorporates the Florida Education Finance Program (FEFP) work papers by reference for the purpose of displaying the calculations used by the Legislature.

**Section 3** amends s. 216.292, F.S., to authorize the transfer of fixed capital outlay appropriations for public schools between appropriation categories upon approval of the Executive Office of the Governor.

**Section 4** authorizes a university board of trustees to expend reserve or carry-forward balances from prior year operational and programmatic appropriations on legislatively approved fixed capital outlay projects authorized for the establishment of a new campus.

**Section 5** provides requirements to govern the completion of Phases 2 and 3 of the Department of Health's Florida Onsite Sewage Nitrogen Strategies Study. Prohibits state agencies from implementing regulations with higher standards than those currently in place until Phase 3 of the department's Florida Onsite Sewage Nitrogen Reduction Strategies Study is completed.

**Section 6** incorporates by reference document entitled "Medicaid Supplemental Hospital Funding Programs" for the purpose of displaying the calculations used by the legislature in making appropriations for the Low-Income Pool, Disproportionate Share Hospital, and Hospital Exemptions Programs.

**Sections 7 and 8** amend s. 20.04, F.S. to remove reference to "program offices" and replace with language providing that each circuit of agency is aligned geographically with each of the state's judicial circuits and each region is comprised of multiple circuits.

**Section 9** amends s. 409.912, F.S. to authorize the Agency for Health Care Administration to provide a Medicaid prepaid dental health program in Miami-Dade County. Provides that for all other counties, the agency may not limit dental services to prepaid plans and must allow qualified dental providers to provide dental services under Medicaid on a fee for service reimbursement methodology. Requires the agency to seek any necessary revisions or amendments to the state plan or federal waivers in order to implement this provision. Requires the agency to terminate existing contracts as needed.

**Section 10** provides authority for the Department of Health to transfer funding to the Florida Agricultural and Mechanical University for the Crestview Center through the budget amendment process.

**Section 11** prohibits the Department of Health from implementing the onsite sewage treatment and disposal program described in s. 381.0065, Florida Statutes, until the department submits a plan to the Legislative Budget Commission and the plan is approved.

**Section 12** amends s. 216.262, F.S. to allow the Executive Office of the Governor to request additional positions and appropriations from unallocated general revenue during the 2012-2013 fiscal year for the Department of Corrections if the actual inmate population of the department exceeds the inmate population projections of the December 2012 Criminal Justice Estimating Conference by 1 percent for 2 consecutive months or 2 percent for any month. The additional positions and appropriations must be approved by the Legislative Budget Commission.

**Section 13** authorizes the Department of Legal Affairs to transfer cash remaining after required disbursements from specified Attorney General cases to the Operating Trust Fund to pay salaries and benefits.

**Section 14** authorizes Department of Legal Affairs to expend appropriated funds in specific appropriations on the same programs that were funded by the department pursuant to specific appropriations made in general appropriations acts in prior years.

**Section 15** amends s. 932.7055, F.S. to extend for another year the authorization for a municipality to expend funds in a special law enforcement trust fund to reimburse the general fund of the municipality for moneys advanced from the general fund to the special law enforcement trust fund prior to October 1, 2001.

**Section 16** provides limitation on DJJ reimbursements for health care services to 110 percent of Medicare allowable rates.

**Section 17** authorizes Chief Justice to secure a trust fund loan during the 2012-13 FY if revenues are insufficient in the State Courts Revenue Trust Fund to fund appropriations.

**Section 18** allows, notwithstanding section 28.2455, F.S., that funds remaining in the Clerks of Court Trust Fund to be available for clerks of court for fiscal year 2012-2013 expenditures.

**Section 19** provides that the calculation of unit costs for the clerks of court and state trial courts are contained in documents that are incorporated by reference.

**Section 20** amends s. 29.008, F.S. to provide that counties are exempt from the requirement to increase expenditures by 1.5 percent for court-related functions.

**Section 21** provides that funds from the State Agency Law Enforcement Radio System Trust Fund may be used by the Department of Management Services to fund mutual aid build out maintenance and sustainment and the interoperability network.

**Section 22** authorizes the Department of Management Services to use interest earnings from the Communications Working Capital Trust Fund as the funding source for its responsibilities related to the MyFlorida.com portal.

**Section 23** requires DMS and agencies to utilize a tenant broker to renegotiate private lease agreements, in excess of 2,000 square feet, expiring between July 1, 2013 and June 30, 2015.

**Section 24** provides that funds available in the Audit and Warrant Clearing Trust Fund for subsequent distribution to the General Revenue Fund will be available to the tax collection

provider who shall make the interest payment required by s. 443.131(5), F.S., to the Federal Government in the amount directed by the Governor.

**Section 25** provides that revenues in the trust fund are authorized to be used for Total Maximum Daily Loads program, Drinking Water Revolving Loan Trust Fund and the Wastewater Treatment and Stormwater Management Revolving Loan Trust Fund.

**Section 26** provides for the allocation of moneys from the Water Management Lands Trust Fund to pay debt service on bonds issued before 2/1/09, by the South Water Management District and the St. Johns Water Management District; continues to provide for \$8M to be transferred to the General Revenue Fund; and provides the remaining funds be distributed to the Suwannee River Water Management District.

**Section 27** authorizes the use of revenues in the Ecosystem Management and Restoration Trust Fund for funding of activities to preserve and repair the state's beaches.

**Section 28** requires the Department of Environmental Protection to award \$2,400,000 of grant funds equally to counties having populations of fewer than 100,000 for waste tire, litter prevention, recycling and education, and general solid waste programs.

**Section 29** provides that the Department of Agriculture and Consumer Services, at its discretion, is authorized to extend, revise, and renew current contracts or agreements created or entered into, pursuant to chapter 2006-25, Laws of Florida (the 2006-2007 GAA), in order to provide consistency and continuity in agriculture promotion throughout the state.

**Section 30** amends s. 379.209, F.S., to authorize the FWCC to transfer cash balance from the Nongame Wildlife Trust Fund to the Grants and Donations Trust Fund for the purpose of supporting cash flow.

**Section 31** authorizes the FWCC to transfer \$500,000 in hunting and fishing license fees from the Grants and Donations Trust Fund to the State Game Trust Fund to repay the loan originally authorized in Specific Appropriation 1950 in ch. 2008-152, L.O.F.

**Section 32** authorizes the Governor to transfer appropriations between the FWCC and DEP as necessary to implement the approved list of projects.

**Section 33** amends s. 259.105, F.S. to provide that the funds appropriated from the Florida Forever Trust Fund shall be distributed only to the Division of State Lands within the Department of Environmental Protection for less-than-fee interest acquisitions.

**Section 34** extends expiration of commission from September 30, 2012 to January 1, 2013 and extends time for issuance of report from September 1, 2012 to January 1, 2013.

**Sections 35 and 36** amend s. 311.07, F.S. to exempt certain projects for ports located in counties designated as rural areas of critical economic concern from match requirements.

**Section 37** authorizes the Executive Office of the Governor to transfer funds in order to align the budget authority granted to pay each department's risk management insurance.

**Section 38** authorizes the Executive Office of the Governor to transfer funds in the appropriation category "Special Categories-Transfer to Department of Management Services-Human Resources Services Purchased Per Statewide Contract" of the 2012-2013 General Appropriations Act between departments in order to align the budget authority granted with the assessments that must be paid by each agency to the Department of Management Services for human resources management services.

**Section 39** sets rates for health savings accounts at the current levels for the fiscal year.

**Section 40** amends s. 112.24, F.S. to provide that the reassignment of an employee of a state agency may be made if recommended by the Governor or Chief Justice, as appropriate, and approved by the chairs of the Senate and House budget committees. Such actions shall be deemed approved if neither chair provides written notice of objection within 14 days after the chair's receiving notice of the action pursuant to s. 216.177, F.S.

**Section 41** provides that legislative salaries will remain at the same level in effect on July 1, 2010.

**Sections 42 and 43** amend s. 215.32(2)(b), F.S., in order to implement the transfer of moneys to the General Revenue Fund from trust funds in the 2012-2013 General Appropriations Act.

**Sections 44, 45, and 46** reenact s. 215.5601, F.S. relating to investment objectives of The Lawton Chiles Endowment Fund and authorize transfer of funds from endowment to the General Revenue Fund.

**Section 47** provides that, in order to implement the issuance of new debt authorized in the 2012-2013 General Appropriations Act, and pursuant to the requirements of s. 215.98, F.S., the Legislature determines that the authorization and issuance of debt for the 2012-2013 fiscal year should be implemented and is in the best interest of the state and necessary to address a critical state emergency.

**Section 48** provides that funds appropriated for travel by state employees shall be limited to travel for activities that are critical to each state agency's mission. Prohibits funds from being used to travel to foreign countries, other states, conferences, staff-training or other administrative functions unless agency head approves in writing. Requires agency head to consider use of teleconferencing and electronic communication to meet needs of activity before approving travel.

**Section 49** provides that the Governor is authorized to transfer funds appropriated in any appropriation category used to pay for data processing in the General Appropriations Act between agencies in order to align the budget authority granted with the utilization rate of each department.

**Section 50** provides that an agency may transfer funds from the data processing appropriation categories to another appropriation category for the purpose of supporting and managing its computer resources until such time as the agency's data processing function is transferred to the Southwood Shared Resource Center, the Northwood Shared Resource Center, or the Northwest Regional Data Center.

**Section 51** provides that the Governor is authorized to transfer funds appropriated in the appropriations category "expenses" between agencies in order to allocate a reduction relating to SUNCOM Services.

**Section 52** and **53** amend s. 110.12315, F.S., to modify copayments consistent with decisions that have been made in the GAA. Authorize the Department of Management Services to implement a 90-day supply limit program for certain maintenance drugs as determined by the department at retail pharmacies participating in the program if the department determines it to be in the best financial interest of the state.

**Section 54** requires AHCA to competitively reprocure a Florida Discount Drug Card Program to provide market competitive discounts and return money to the state on a per prescription basis. Discounts will be available to Florida residents without income restrictions. Revenues deposited into Grants and Donations Trust Fund to reduce cost of Medicaid pharmacy purchases.

**Section 55** specifies that no section will take effect if the appropriations and proviso to which it relates are vetoed.

**Section 56** provides that a permanent change made by another law to any of the same statutes amended by this bill takes precedence over the provision in this bill.

**Section 57** provides a severability clause.

**Section 58** provides an effective date.

# THE FLORIDA LEGISLATURE



**Mike Haridopolos**  
*President of the Senate*



**Dean Cannon**  
*Speaker of the House of  
Representatives*

March 8, 2012

The Honorable Dean Cannon  
Speaker, House of Representatives

The Honorable Mike Haridopolos  
President of the Senate

Dear Mr. Speaker and Mr. President:

Your Conference Committee on the disagreeing votes of the two houses on HB 5005, same being:

An act relating to retirement.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

**Managers on the part of the House of Representatives**

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*Representative Stephen L. Precourt*

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*Representative Scott Randolph*

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*Representative Michael B. Weinstein*

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*Representative John Wood*

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*Representative Dana D. Young*

**Managers on the part of the Senate**

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*Senator JD Alexander, Chair*

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*Senator Thad Altman*

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*Senator Michael S. Bennett*

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*Senator Oscar Braynon*

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*Senator David Simmons*

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*Senator Christopher L. Smith*

The Honorable Dean Cannon  
The Honorable Mike Haridopolos  
March 8, 2012  
Page 6

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*Senator Eleanor Sobel*

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*Senator Ronda Storms*

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*Senator John Thrasher*

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*Senator Stephen R. Wise*

The Conference Committee Amendment for HB 5005, Retirement, provides for the following:

- Reduces the employer contribution rates into the Community College System Optional Retirement Program.
- Reduces the employer contribution rates into the Senior Management Service Optional Annuity Program.
- Reduces the employer contribution rates into the State University System Optional Retirement Program.
- Adjusts the employer-paid contribution rates for normal cost and unfunded actuarial liability for the Florida Retirement System (FRS), based on the 2011 Actuarial Valuation, as adjusted by the changes to the Investment Plan allocations.
- Reduce the allocation rates for all retirement classes being deposited into Investment Plan member accounts.

The Division of Retirement conducted an actuarial study to determine the impact from changes to the allocations to individual members Investment Plan accounts to the “blended” normal cost for the FRS, as determined in the July 1, 2011 Valuation Study. The net impacts of the adjustments to the “blended” normal cost of the FRS made by the bill upon state funded entities are as follows:

<b>Entities Funded by the State</b>	<b>General Revenue Fund</b>	<b>Trust Funds</b>	<b>Total</b>
State	\$11.17M	11.17M	22.34M
School Boards	46.73M		46.73M
State University System	4.48M		4.48M
Community Colleges	3.47M		3.47M
<b>Total</b>	<b>\$62.38M</b>	<b>11.17M</b>	<b>\$77.02M</b>

The reduction in employer-paid contributions to the State University Optional Retirement Program, the Community College Optional Retirement Program and the Senior Management Service Optional Annuity Program produce the following savings to the entities indicated:

<b>Entities Funded by the State</b>	<b>General Revenue Fund</b>	<b>Trust Funds</b>	<b>Total</b>
State	(\$0.07M)	(\$0.07M)	(\$0.15M)
State University System	(37.57M)		(37.57M)
Community Colleges	(2.57M)		(2.57M)
<b>Total</b>	<b>(\$40.21M)</b>	<b>(\$0.07M)</b>	<b>(\$40.29M)</b>

# THE FLORIDA LEGISLATURE



**Mike Haridopolos**  
*President of the Senate*



**Dean Cannon**  
*Speaker of the House of  
Representatives*

March 8, 2012

The Honorable Dean Cannon  
Speaker, House of Representatives

The Honorable Mike Haridopolos  
President of the Senate

Dear Mr. Speaker and Mr. President:

Your Conference Committee on the disagreeing votes of the two houses on HB 5007, same being:

An act relating to state employees.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

**Managers on the part of the House of Representatives**

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*Representative Denise Grimsley, Chair*

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*Representative Larry Ahern*

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*Representative Frank Artiles*

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*Representative Dennis K. Baxley*

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<i>Representative Martin David Kiar</i>	<i>Representative John Legg, At-Large</i>
<i>Representative Ana Rivas Logan</i>	<i>Representative Carlos Lopez-Cantera, At-Large</i>
<i>Representative Debbie Mayfield</i>	<i>Representative Charles McBurney</i>
<i>Representative Seth McKeel, At-Large</i>	<i>Representative Larry Metz</i>
<i>Representative Peter Nehr</i>	<i>Representative Bryan Nelson</i>
<i>Representative Jeanette M. Nuñez</i>	<i>Representative Jose R. Oliva</i>
<i>Representative H. Marlene O'Toole</i>	<i>Representative Mark S. Pafford</i>
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<i>Representative William L. Proctor</i>	<i>Representative Scott Randolph</i>
<i>Representative Lake Ray</i>	<i>Representative Betty Reed</i>
<i>Representative Hazelle P. Rogers</i>	<i>Representative Patrick Rooney, Jr.</i>
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The Honorable Dean Cannon  
The Honorable Mike Haridopolos  
March 8, 2012  
Page 6

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*Senator Eleanor Sobel*

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*Senator Ronda Storms*

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*Senator John Thrasher*

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*Senator Stephen R. Wise*

The Conference Committee Amendment for HB 5007, State Employees, provides for the following:

- Resolves the collective bargaining issues at impasse between the State of Florida and the bargaining representatives for state employees for the 2012-2013 fiscal year which have not been resolved in the General Appropriations Act or other legislation.

The amendment does not change substantive law.

# THE FLORIDA LEGISLATURE



**Mike Haridopolos**  
*President of the Senate*



**Dean Cannon**  
*Speaker of the House of  
Representatives*

March 8, 2012

The Honorable Dean Cannon  
Speaker, House of Representatives

The Honorable Mike Haridopolos  
President of the Senate

Dear Mr. Speaker and Mr. President:

Your Conference Committee on the disagreeing votes of the two houses on HB 5009, same being:

An act relating to health insurance benefits for state employees.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

**Managers on the part of the House of Representatives**

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The Honorable Dean Cannon  
The Honorable Mike Haridopolos  
March 8, 2012  
Page 6

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*Senator Eleanor Sobel*

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*Senator Ronda Storms*

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*Senator John Thrasher*

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*Senator Stephen R. Wise*

The Conference Committee Amendment for HB 5009, Health Insurance Benefits for State Employees:

- Places the state contribution to the Health Savings Account of participants in the High Deductible Plan in the statutes.
- Authorizes DMS to implement a 90-day supply limit program for certain maintenance drugs through retail pharmacies participating in the prescription drug program if the department determines it to be in the best financial interest of the state.
- Authorizes the University of Florida Board of Trustees, at its option, to implement the provision of state health or other self-insurance programs for its employees, students, and affiliated units, as determined by the Board of Trustees. Provides that such insurance coverage not be implemented prior to January 1, 2013. Provides that the plan must allow all employees retiring from the University of Florida after January 1, 2013, to participate. Provides that state funding for the insurance programs for active employees paid from Education and General Activity funds be determined based on the insurance premium rates established in the General Appropriation Act, as adjusted actuarially to account for insurance for retirees. Provides for review and approval of the necessary actuarial studies and budget transfers.

# THE FLORIDA LEGISLATURE



**Mike Haridopolos**  
*President of the Senate*



**Dean Cannon**  
*Speaker of the House of  
Representatives*

March 8, 2012

The Honorable Dean Cannon  
Speaker, House of Representatives

The Honorable Mike Haridopolos  
President of the Senate

Dear Mr. Speaker and Mr. President:

Your Conference Committee on the disagreeing votes of the two houses on HB 5011, same being:

An act relating to state information technology.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

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March 8, 2012  
Page 6

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*Senator Stephen R. Wise*

The Conference Committee Amendment for HB 5011, State Information Technology, provides for the following:

- Creates the Agency for State Technology within the Executive Office of the Governor under the Governor and Cabinet.
- Eliminates the Agency for Enterprise Technology and transfers all resources and records to the newly created Agency for State Technology.
- Transfers the management oversight responsibility of the Northwood and Southwood Shared Resource Centers from a board of trustees to the Agency for State Technology.
- Repeals email as a state enterprise activity.
- Appropriates 16 positions and \$1,847,866 in General Revenue to operate the newly created Agency for State Technology.