

By the Committee on Budget

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1 A bill to be entitled
2 An act 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
6 fiscal year; amending s. 216.292, F.S.; authorizing
7 the transfer of funds between appropriation categories
8 to fund fixed capital outlay projects for public
9 schools upon certain approval; amending s. 394.908,
10 F.S.; providing allocation requirements for specified
11 funds appropriated for forensic mental health
12 services; providing requirements relating to
13 implementing phase 3 of the Department of Health's
14 Florida Onsite Sewage Nitrogen Reduction Strategies
15 Study; requiring certain budget amendments
16 recommending the release of funds to provide more
17 notice and be subject to certain objection procedures;
18 prohibiting an appropriation to pay for the lease of
19 unneded space due to reductions at the Department of
20 Children and Family Services; authorizing the
21 Department of Corrections and the Department of
22 Juvenile Justice to make certain expenditures to
23 defray costs incurred by a municipality or county as a
24 result of opening or operating a facility under the
25 authority of the respective entity; amending s.
26 216.262, F.S.; providing for additional positions to
27 operate additional prison bed capacity under certain
28 circumstances; amending s. 945.025, F.S.; requiring
29 the Department of Corrections to obtain certain

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30 approval before closing any correctional institution;
31 authorizing the Department of Legal Affairs to
32 transfer certain funds to pay salaries and benefits;
33 authorizing the Department of Legal Affairs to spend
34 certain appropriated funds on programs that were
35 funded by the department from specific appropriations
36 in general appropriations acts in previous years;
37 amending s. 932.7055, F.S.; authorizing a municipality
38 to expend funds from its special law enforcement trust
39 fund to reimburse the municipality's general fund;
40 requiring that the Department of Juvenile Justice
41 comply with specified reimbursement limitations with
42 respect to payments to hospitals or health care
43 providers for health care services; authorizing
44 certain payments pursuant to a contracted rate only
45 until the contract expires or is renewed; defining the
46 term "hospital" for purposes of such limitations;
47 amending s. 44.108, F.S.; authorizing use of moneys in
48 the Mediation and Arbitration Trust Fund as specified
49 in the General Appropriations Act; relieving the state
50 court system of certain loan repayment obligations;
51 authorizing the chief justice to request a loan under
52 certain circumstances; creating the Judicial Caseload
53 Incentive Plan; providing the purpose, performance
54 goals, and financial awards of the program; requiring
55 a report to the Legislature; amending s. 282.709,
56 F.S.; allowing funds from the State Agency Law
57 Enforcement Radio System Trust Fund to be used for
58 mutual aid buildout maintenance and sustainment;

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59 requiring the Department of Management Services to
60 issue a competitive solicitation for the Statewide Law
61 Enforcement Radio System by a certain date and award
62 the contract by a certain date; requiring the Florida
63 Catastrophic Storm Risk Management Center at Florida
64 State University to conduct an analysis using certain
65 data; amending s. 253.034, F.S.; authorizing the
66 deposit of funds derived from the sale of property by
67 the Department of Citrus into the Citrus Advertising
68 Trust Fund; amending s. 373.59, F.S.; providing for
69 the allocation of moneys from the Water Management
70 Lands Trust Fund for certain purposes; amending s.
71 403.7095, F.S.; requiring that the Department of
72 Environmental Protection award a specified amount in
73 grants to certain counties for solid waste programs;
74 authorizing the Department of Agriculture and Consumer
75 Services to extend, revise, and renew current
76 contracts or agreements created or entered into for
77 the purpose of promotion of agriculture; providing
78 that the disposition of state-owned lands is exempt
79 from appraisal requirements and disposition
80 requirements under certain circumstances; requiring
81 state agencies to provide a list of lands that are
82 immediately available for lease or are surplus lands;
83 requiring that the proceeds from the sale of such
84 lands be deposited into the Florida Forever Trust
85 Fund; authorizing the transfer of funds and positions
86 to implement the transfer of certain agencies and
87 offices; amending s. 339.08, F.S.; delaying the

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88 expiration of provisions relating to the use of moneys
89 in the State Transportation Trust Fund for certain
90 administrative expenses; authorizing funds in the
91 State Transportation Trust Fund to be used for the
92 County Incentive Grant Program, the Small County
93 Outreach Program, the Transportation Regional
94 Incentive Program, and certain transportation project
95 contracts; providing for all vehicles within the
96 Office of Motor Carrier Compliance to be transferred
97 to the Department of Highway Safety and Motor Vehicles
98 without the payment of certain fees; amending s.
99 445.009, F.S.; providing that a participant in an
100 adult or youth work experience activity under ch. 445,
101 F.S., is an employee of the state for purposes of
102 workers' compensation coverage; creating the Florida
103 Base Realignment and Closure Task Force; specifying
104 the mission of the task force; providing for
105 membership; requiring a progress report and work plan;
106 authorizing the Executive Office of the Governor to
107 transfer funds between departments for purposes of
108 aligning amounts paid for risk management premiums and
109 for purposes of aligning amounts paid for human
110 resource management services; amending s. 110.123,
111 F.S.; providing that the state contribution toward the
112 cost of a plan is the difference between the overall
113 premium and the employee contribution; amending s.
114 112.24, F.S.; providing conditions on the assignment
115 of an employee of a state agency without reimbursement
116 from the receiving agency; providing that the annual

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117 salary of the members of the Legislature be reduced by
118 a specified percentage; reenacting and amending s.
119 215.32(2)(b), F.S., relating to the source and use of
120 certain trust funds in order to implement the transfer
121 of moneys in the General Revenue Fund from trust funds
122 in the 2011-2012 General Appropriations Act;
123 reenacting and amending s. 215.5601(4)(b), F.S.,
124 relating to the administration of the Lawton Chiles
125 Endowment Fund; providing for the authorization and
126 issuance of new debt; limiting the use of travel funds
127 to activities that are critical to an agency's
128 mission; providing exceptions; authorizing agencies
129 scheduled for data center consolidation to accelerate
130 such consolidation; authorizing the establishment of
131 data center positions in exchange for agency positions
132 placed in reserve; authoring an agency to transfer
133 funds in order to support its e-mail system until its
134 system is transferred to the statewide service vendor;
135 authorizing the Executive Office of the Governor to
136 transfer funds between agencies in order to allocate a
137 reduction relating to SUNCOM; authorizing the
138 Executive Office of the Governor to transfer
139 appropriations into categories for the purpose of
140 tracking American Recovery and Reinvestment Act funds;
141 amending s. 216.292, F.S.; authorizing the Executive
142 Office of the Governor to recommend the initiation of
143 fixed capital outlay projects funded through the
144 American Recovery and Reinvestment Act of 2009;
145 reenacting s. 110.12315(7)(a), F.S., relating to

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146 copayments for the state employees' prescription drug
147 program; directing the Department of Management
148 Services to use a tenant broker to renegotiate all
149 leases involving multiple state agency tenants;
150 requiring a report to the Legislative Budget
151 Commission; requiring the department to renegotiate
152 certain leases in order to achieve a reduction in cost
153 and provide a report to the Governor and Legislature
154 on such activities by a certain date; requiring the
155 department to issue a solicitation for the Minnesota
156 Multistate Contracting Alliance for Pharmacy agreement
157 as a state term contract; requiring the department to
158 use generic drugs where feasible in developing its
159 preferred drug list; requiring the Agency for Health
160 Care Administration to reprocure the Florida Discount
161 Drug Card Program; providing requirements for the
162 program; providing that revenues derived from the
163 contract be deposited into the agency's Grants and
164 Donations Trust Fund; providing for the effect of a
165 veto of one or more specific appropriations or proviso
166 to which implementing language refers; providing for
167 reversion of statutory text of certain provisions;
168 providing for the continued operation of certain
169 provisions notwithstanding a future repeal or
170 expiration provided by the act; providing for
171 severability; providing effective dates.

172
173 Be It Enacted by the Legislature of the State of Florida:
174

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

178 Section 2. In order to implement Specific Appropriations 6,
179 7, 8, 68, and 69 of the 2011-2012 General Appropriations Act,
180 the calculations of the Florida Education Finance Program for
181 the 2011-2012 fiscal year in the document entitled "Public
182 School Funding-The Florida Education Finance Program," dated
183 April 6, 2011, and filed with the Secretary of the Senate, are
184 incorporated by reference for the purpose of displaying the
185 calculations used by the Legislature, consistent with the
186 requirements of the Florida Statutes, in making appropriations
187 for the Florida Education Finance Program.

188 Section 3. In order to implement Specific Appropriations
189 15A and 15B of the 2011-2012 General Appropriations Act,
190 paragraph (c) of subsection (3) of section 216.292, Florida
191 Statutes, is amended to read:

192 216.292 Appropriations nontransferable; exceptions.—

193 (3) The following transfers are authorized with the
194 approval of the Executive Office of the Governor for the
195 executive branch or the Chief Justice for the judicial branch,
196 subject to the notice and objection provisions of s. 216.177:

197 (c) The transfer of appropriations for fixed capital outlay
198 from the Survey Recommended Needs-Public Schools appropriation
199 category to the Maintenance, Repair, Renovation and Remodeling
200 appropriation category. The allocation of transferred funds must
201 ~~shall~~ be in accordance with s. 1013.62 ~~1013.64(1)~~. This
202 paragraph expires July 1, 2012 ~~2011~~.

203 Section 4. In order to implement Specific Appropriations

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204 310 through 339 of the 2011-2012 General Appropriations Act,
205 paragraphs (b) and (c) of subsection (3) of section 394.908,
206 Florida Statutes, are amended to read:

207 394.908 Substance abuse and mental health funding equity;
208 distribution of appropriations.—In recognition of the historical
209 inequity in the funding of substance abuse and mental health
210 services for the department's districts and regions and to
211 rectify this inequity and provide for equitable funding in the
212 future throughout the state, the following funding process shall
213 be used:

214 (3)

215 (b) Notwithstanding paragraph (a) and for the 2011-2012
216 ~~2010-2011~~ fiscal year only, funds appropriated for forensic
217 mental health treatment services shall be allocated to the areas
218 of the state having the greatest demand for services and
219 treatment capacity. This paragraph expires July 1, 2012 ~~2011~~.

220 (c) Notwithstanding paragraph (a) and for the 2011-2012
221 ~~2010-2011~~ fiscal year only, additional funds appropriated for
222 substance abuse and mental health services from funds available
223 through the Community-Based Medicaid Administrative Claiming
224 Program shall be allocated as provided in the 2010-2011 General
225 Appropriations Act and in proportion to contributed provider
226 earnings. This paragraph expires July 1, 2012 ~~2011~~.

227 Section 5. In order to implement Specific Appropriation 465
228 of the 2011-2012 General Appropriations Act, and for the 2011-
229 2012 fiscal year only, the following requirements govern Phase 3
230 of the Department of Health's Florida Onsite Sewage Nitrogen
231 Reduction Strategies Study:

232 (1) The Department of Health's underlying contract for the

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233 study remains in full force and effect and funding for Phase 3
234 is through the Department of Health.

235 (2) The Department of Health, the Department of Health's
236 Research Review and Advisory Committee, and the Department of
237 Environmental Protection shall work together to provide the
238 necessary technical oversight of Phase 3.

239 (3) Management and oversight of Phase 3 must be consistent
240 with the terms of the existing contract. However, the main focus
241 and priority to be completed during Phase 3 shall be developing,
242 testing, and recommending cost-effective passive technology
243 design criteria for nitrogen reduction.

244 (4) The systems installed at homesites are experimental in
245 nature and shall be installed with significant field testing and
246 monitoring. The Department of Health is specifically authorized
247 to allow installation of these experimental systems.
248 Notwithstanding any other law, before Phase 3 of the study is
249 completed, a state agency may not adopt or implement a rule or
250 policy that:

251 (a) Mandates, establishes, or implements more restrictive
252 nitrogen-reduction standards to existing or new onsite sewage
253 treatment systems or modification of such systems; or

254 (b) Directly or indirectly requires the use of performance-
255 based treatment systems or similar technology if the Department
256 of Environmental Protection's administrative orders recognizing
257 onsite system modifications, developed through a basin
258 management action plan adopted pursuant to s. 403.067, Florida
259 Statutes, are not subject to the restrictions if the
260 implementation of onsite system modifications is to be phased in
261 after completion of Phase 3.

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262 Section 6. In order to implement Specific Appropriation 536
263 of the 2011-2012 General Appropriations Act, notwithstanding s.
264 216.177, Florida Statutes, requiring only 3 days' notice to the
265 Legislature for the release of funds, budget amendments
266 recommending the release of funds shall be provided at least 14
267 days before the effective date of the action and are subject to
268 the objection procedures in s. 216.177(2)(b), Florida Statutes.

269 Section 7. Funds in Specific Appropriations 259 through
270 357, may not be used to pay for any leased space identified in
271 writing by the Secretary of Children and Family Services as no
272 longer needed due to reductions in authorized department
273 functions and positions. The department shall provide affected
274 landlords at least 6 months' notification of lease termination.
275 In the event of termination, the department may negotiate a
276 lease for less space at the same location.

277 Section 8. In order to fulfill legislative intent regarding
278 the use of funds contained in Specific Appropriations 605, 616,
279 628 and 1135 of the 2011-2012 General Appropriations Act, the
280 Department of Corrections and the Department of Juvenile Justice
281 may expend appropriated funds to assist in defraying costs that
282 are incurred by a municipality or county and are associated with
283 opening or operating a facility under the authority of the
284 respective department. The amount paid for any facility may not
285 exceed 1 percent of the cost to construct the facility, less
286 building impact fees imposed by the municipality or county. This
287 section expires July 1, 2012.

288 Section 9. In order to implement Specific Appropriations
289 570 through 688A and 726 through 759 of the 2011-2012 General
290 Appropriations Act, subsection (4) of section 216.262, Florida

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291 Statutes, is amended to read:

292 216.262 Authorized positions.—

293 (4) Notwithstanding the provisions of this chapter relating
294 to ~~en~~ increasing the number of authorized positions, and for the
295 2011-2012 ~~2010-2011~~ fiscal year only, if the actual inmate
296 population of the Department of Corrections exceeds the inmate
297 population projections of the February 21, 2011 ~~19, 2010~~,
298 Criminal Justice Estimating Conference by 1 percent for 2
299 consecutive months or 2 percent for any month, the Executive
300 Office of the Governor, with the approval of the Legislative
301 Budget Commission, shall immediately notify the Criminal Justice
302 Estimating Conference, which shall convene as soon as possible
303 to revise the estimates. The Department of Corrections may then
304 submit a budget amendment requesting the establishment of
305 positions in excess of the number authorized by the Legislature
306 and additional appropriations from unallocated general revenue
307 sufficient to provide for essential staff, fixed capital
308 improvements, and other resources to provide classification,
309 security, food services, health services, and other variable
310 expenses within the institutions to accommodate the estimated
311 increase in the inmate population. All actions taken pursuant to
312 ~~the authority granted in~~ this subsection are ~~shall be~~ subject to
313 review and approval by the Legislative Budget Commission. This
314 subsection expires July 1, 2012 ~~2011~~.

315 Section 10. In order to implement Specific Appropriations
316 570 through 759, subsection (5) is added to section 945.025,
317 Florida Statutes, to read:

318 945.025 Jurisdiction of department.—

319 (5) The department must receive prior approval from the

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320 Governor's Office of Policy and Budget and the Legislative
321 Budget Commission before closing, substantially reducing the use
322 of, or changing the purpose of any state correctional
323 institution as defined in s. 944.02. This subsection expires
324 July 1, 2012.

325 Section 11. In order to implement Specific Appropriations
326 1253, 1267, 1274, 1295, and 1305 of the 2011-2012 General
327 Appropriations Act, the Department of Legal Affairs may transfer
328 cash remaining after required disbursements for Attorney General
329 case numbers 09-CV-51614, 16-2008-CA-01-3142CV-C, and
330 CACE08022328 from FLAIR account 41-74-2-601001-41100100-00-
331 181076-00 to the Operating Trust Fund to pay salaries and
332 benefits. This section expires July 1, 2012.

333 Section 12. In order to implement Specific Appropriation
334 1290 of the 2011-2012 General Appropriations Act, the Department
335 of Legal Affairs may expend appropriated funds in those specific
336 appropriations on the same programs that were funded by the
337 department pursuant to specific appropriations made in general
338 appropriations acts in prior years. This section expires July 1,
339 2012.

340 Section 13. In order to implement Specific Appropriations
341 1192 and 1198 of the 2011-2012 General Appropriations Act,
342 paragraph (d) of subsection (4) of section 932.7055, Florida
343 Statutes, is amended to read:

344 932.7055 Disposition of liens and forfeited property.-

345 (4) The proceeds from the sale of forfeited property shall
346 be disbursed in the following priority:

347 (d) Notwithstanding any other provision of this subsection,
348 and for the 2011-2012 ~~2010-2011~~ fiscal year only, the funds in a

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349 special law enforcement trust fund established by the governing
350 body of a municipality may be expended to reimburse the general
351 fund of the municipality for moneys advanced from the general
352 fund to the special law enforcement trust fund before ~~prior to~~
353 October 1, 2001. This paragraph expires July 1, 2012 ~~2011~~.

354 Section 14. (1) In order to implement Specific
355 Appropriations 1069, 1070, 1074, 1075, 1115, 1116, 1120, 1121,
356 1126, 1127, 1130, 1131, 1132, 1141, and 1146 of the 2011-2012
357 General Appropriations Act, the Department of Juvenile Justice
358 must comply with the following reimbursement limitations:

359 (a) Payments to a hospital or a health care provider may
360 not exceed 110 percent of the Medicare allowable rate for any
361 health care services provided if no contract exists between the
362 department and the hospital or the health care provider
363 providing services at a hospital;

364 (b) The department may continue to make payments for health
365 care services at the currently contracted rates through the
366 current term of the contract if a contract has been executed
367 between the department and a hospital or a health care provider
368 providing services to a hospital; however, payments may not
369 exceed 110 percent of the Medicare allowable rate after the
370 current term of the contract expires or after the contract is
371 renewed during the 2011-2012 fiscal year;

372 (c) Payments may not exceed 110 percent of the Medicare
373 allowable rate under a contract executed on or after July 1,
374 2011, between the department and a hospital or health care
375 provider providing services at a hospital;

376 (d) Notwithstanding paragraphs (a), (b), and (c), the
377 department may pay up to 125 percent of the Medicare allowable

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378 rate for health care services at a hospital that reports or has
379 reported a negative operating margin for the previous fiscal
380 year to the Agency for Health Care Administration through
381 hospital-audited financial data; and

382 (e) The department may not execute a contract for health
383 care services at a hospital for rates other than rates based on
384 a percentage of the Medicare allowable rate.

385 (2) For purposes of this section, the term "hospital" means
386 a hospital licensed under chapter 395, Florida Statutes.

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

388 Section 15. In order to implement section 7 of the 2011-
389 2012 General Appropriations Act, subsection (3) of section
390 44.108, Florida Statutes, is amended to read:

391 44.108 Funding of mediation and arbitration.—

392 (3) For the 2011-2012 ~~2010-2011~~ fiscal year only and
393 notwithstanding any other provision of law to the contrary,
394 moneys in the Mediation and Arbitration Trust Fund may be used
395 as specified in the General Appropriations Act. This subsection
396 expires July 1, 2012 ~~2011~~.

397 Section 16. In order to implement section 7 of the 2011-
398 2012 General Appropriations Act, and notwithstanding s. 215.18,
399 Florida Statutes, the state court system is relieved of loan
400 repayment obligations for loans made from the Mediation and
401 Arbitration Trust Fund and the Court Education Trust Fund to the
402 state court system during the 2010-2011 fiscal year. This
403 section is effective upon this act becoming a law.

404 Section 17. In order to implement section 7 of the 2011-
405 2012 General Appropriations Act, the Chief Justice of the
406 Supreme Court may request a loan of funds pursuant to s. 215.18,

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407 Florida Statutes, notwithstanding the trust fund's ability to
408 repay the loan by the end of the fiscal year, if, at any time
409 during the 2011-2012 fiscal year, the Revenue Estimating
410 Conference projects that revenue deposited into the State Courts
411 Revenue Trust Fund, less payment of the general revenue service
412 charge, will be less than 98 percent of the amount appropriated
413 from the trust fund in the General Appropriations Act for the
414 2011-2012 fiscal year.

415 Section 18. In order to implement Specific Appropriation
416 2989A of the 2011-2012 General Appropriations Act, the Judicial
417 Caseload Incentive Plan is established.-

418 (1) PURPOSE.-There is created the Judicial Caseload
419 Incentive Plan, the purpose of which is to resolve civil
420 disputes in a timely manner and to reduce legal costs in the
421 state courts system by allowing judges within each judicial
422 circuit who meet the established performance goals to earn a
423 nonrecurring award.

424 (2) PERFORMANCE GOALS.-The Legislature shall prescribe
425 annual performance goals in the General Appropriations Act for
426 specified case types in each judicial circuit. The Office of the
427 State Courts Administrator shall calculate the performance of a
428 circuit toward meeting its performance goal using data collected
429 from the clerks of court. The office shall divide the annual
430 performance goals into equal quarterly goals.

431 (3) AWARDS.-

432 (a) Based on data collected from the clerks of court, the
433 Office of the State Courts Administrator shall collect data to
434 determine if a circuit meets the performance goals for a
435 quarter. The office shall evaluate performance relating to each

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436 goal separately, but may not consider performance data from
437 prior quarters.

438 (b) If the office determines that a circuit meets all of
439 the performance goals for a quarter, each judge assigned the
440 types of cases specified in the General Appropriations Act as
441 part of the Judicial Caseload Incentive Plan shall receive an
442 award for that quarter equal to \$3,000.

443 1. The office shall prorate the award of a judge who takes
444 office during the quarter that the circuit meets its quarterly
445 goals or who transfers into or out of the relevant divisions
446 handling the types of cases specified in the Judicial Caseload
447 Incentive Plan.

448 2. A judge may not receive more than one full award per
449 quarter.

450 3. An award under this section is contingent upon the
451 appropriation of, and shall be paid from, funds in the General
452 Appropriations Act.

453 (4) REPORTS.—Within 30 days after the end of each quarter,
454 the Office of the State Courts Administrator shall report
455 electronically to the chairs of the appropriations committees of
456 the Senate and the House of Representatives the progress of each
457 circuit in meeting performance goals for the quarter and the
458 number and amount of awards provided.

459 (5) EXPIRATION.—This section expires July 1, 2012.

460 Section 19. In order to implement Specific Appropriation
461 2701A of the 2011-2012 General Appropriation Act, subsection (3)
462 of section 282.709, Florida Statutes, is amended to read:

463 282.709 State agency law enforcement radio system and
464 interoperability network.—

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465 (3) (a) The State Agency Law Enforcement Radio System Trust
466 Fund is established in the department and funded from surcharges
467 collected under ss. 318.18, 320.0802, and 328.72. Upon
468 appropriation, moneys in the trust fund may be used by the
469 department to acquire by competitive procurement the equipment,
470 software, and engineering, administrative, and maintenance
471 services it needs to construct, operate, and maintain the
472 statewide radio system. Moneys in the trust fund from ~~collected~~
473 ~~as a result of the surcharges set forth in ss. 318.18, 320.0802,~~
474 ~~and 328.72~~ shall be used to help fund the costs of the system.
475 Upon completion of the system, moneys in the trust fund may also
476 be used by the department for payment of the recurring
477 maintenance costs of the system.

478 (b) Funds from the State Agency Law Enforcement Radio
479 System Trust Fund may be used by the department to fund mutual
480 aid buildout maintenance and sustainment as appropriated by law.
481 This paragraph expires July 1, 2012.

482 Section 20. In order to implement Specific Appropriation
483 2704 of the 2011-2012 General Appropriations Act, and
484 notwithstanding chapter 287, Florida Statutes, the Department of
485 Management Services shall issue a competitive solicitation for
486 the operation of the Statewide Law Enforcement Radio System by
487 September 1, 2011, to be awarded by December 31, 2011. The
488 current contract for the system shall become null and void no
489 later than June 30, 2012. This section expires July 1, 2012.

490 Section 21. In order to implement specific appropriation
491 2341A of the 2011-2012 General Appropriations Act, the Florida
492 Catastrophic Storm Risk Management Center at Florida State
493 University shall conduct the analysis as originally required in

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494 s. 164 of chapter 2004-390, Laws of Florida. Notwithstanding
495 that section, the center shall use the most recent and available
496 premium data for personal lines property and casualty insurance
497 in completing the analysis.

498 Section 22. In order to implement Specific Appropriations
499 2173 through 2195 of the 2011-2012 General Appropriations Act,
500 subsection (13) of section 253.034, Florida Statutes, as amended
501 by chapter 2010-280, Laws of Florida, is amended to read:

502 253.034 State-owned lands; uses.—

503 (13) Notwithstanding the provisions of this section, funds
504 derived from the sale of the Department of Citrus' property
505 located in Lakeland, Florida, shall ~~are authorized to be~~
506 deposited into the Citrus Advertising Trust Fund. This
507 subsection expires July 1, 2012 ~~2011~~.

508 Section 23. In order to implement Specific Appropriation
509 1580A of the 2011-2012 General Appropriations Act, subsection
510 (12) of section 373.59, Florida Statutes, is amended to read:

511 373.59 Water Management Lands Trust Fund.—

512 (12) Notwithstanding subsection (8), and for the 2011-2012
513 ~~2010-2011~~ fiscal year only, the moneys from the Water Management
514 Lands Trust Fund are ~~shall be~~ allocated as follows:

515 (a) An amount necessary to pay debt service on bonds issued
516 before February 1, 2009, by the South Florida Water Management
517 District and the St. Johns River Water Management District,
518 which are secured by revenues provided pursuant to this section,
519 or to fund debt service reserve funds, rebate obligations, or
520 other amounts payable with respect to such bonds;

521 (b) Eight million dollars to be transferred to the General
522 Revenue Fund; and

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523 (c) The remaining funds to be distributed to equally
524 ~~between~~ the Suwannee River Water Management District, ~~and the~~
525 ~~Northwest Florida Water Management District; and~~

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

531

532 This subsection expires July 1, 2012 ~~2011~~.

533 Section 24. In order to implement Specific Appropriation
534 1703A of the 2011-2012 General Appropriations Act, subsection
535 (5) of section 403.7095, Florida Statutes, is amended to read:

536 403.7095 Solid waste management grant program.—

537 (5) Notwithstanding any other provision of this section ~~to~~
538 ~~the contrary~~, and for the 2011-2012 ~~2010-2011~~ fiscal year only,
539 the Department of Environmental Protection shall award the sum
540 of \$2,400,000 in grants equally to counties having populations
541 of fewer than 100,000 for waste tire and litter prevention,
542 recycling education, and general solid waste programs. This
543 subsection expires July 1, 2012 ~~2011~~.

544 Section 25. In order to implement Specific Appropriation
545 1430 of the 2011-2012 General Appropriations Act and to provide
546 consistency and continuity in the promotion of agriculture
547 throughout the state, notwithstanding s. 287.057, Florida
548 Statutes, the Department of Agriculture and Consumer Services
549 may extend, revise, and renew current contracts or agreements
550 created or entered into pursuant to chapter 2006-25, Laws of
551 Florida. This section expires July 1, 2012.

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552 Section 26. In order to implement Specific Appropriation
553 1578A of the 2011-2012 General Appropriations Act, and
554 notwithstanding ss. 253.034, 253.0341, and 259.041, Florida
555 Statutes, the disposition of state-owned lands is exempt from
556 appraisal requirements under s. 253.034(6)(g)1., Florida
557 Statutes, and disposition requirements under s. 253.034(15),
558 Florida Statutes, if the proceeds of such conveyance will be
559 used to purchase state-owned lands for preservation,
560 conservation, or recreation purposes. On or before October 1,
561 2011, all agencies shall submit a list of state-owned lands to
562 the Board of Trustees of the Internal Improvement Trust Fund, to
563 which the lands are titled, which are immediately available for
564 lease or are surplus lands. Proceeds from the sale of such lands
565 shall be deposited into the Florida Forever Trust Fund created
566 by s. 259.1051, Florida Statutes, and used to acquire lands for
567 preservation, conservation, or recreation purposes pursuant to
568 the requirements of s. 259.105, Florida Statutes. The board of
569 trustees shall ensure that, where appropriate, surplus or leased
570 conservation lands are subject to perpetual conservation
571 easements or other such restrictive covenants that run with the
572 land and are duly recorded in the same manner as any other
573 instrument affecting title to real property. This section
574 expires July 1, 2012.

575 Section 27. Notwithstanding ss. 216.292 and 216.351,
576 Florida Statutes, upon approval by the Legislative Budget
577 Commission, the Executive Office of the Governor may, if
578 necessary, transfer funds and positions among agencies to
579 implement the transfer of all or portions of the Department of
580 Community Affairs, the Agency for Workforce Innovation, the

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581 Department of Education, and the Office of Tourism, Trade, and
 582 Economic Development to the Department of Jobs Florida; the
 583 Department of Community Affairs to the Department of
 584 Environmental Protection or the Department of Business and
 585 Professional Regulation; the Agency for Workforce Innovation to
 586 the Department of Education; and the Office of Motor Carrier
 587 Compliance within the Department of Transportation to the
 588 Department of Highway Safety and Motor Vehicles.

589 Section 28. In order to implement section 99 of the 2011-
 590 2012 General Appropriations Act, paragraph (n) of subsection (1)
 591 of section 339.08, Florida Statutes, is amended to read:

592 339.08 Use of moneys in State Transportation Trust Fund.—

593 (1) The department shall expend moneys in the State
 594 Transportation Trust Fund accruing to the department, in
 595 accordance with its annual budget. The use of such moneys shall
 596 be restricted to the following purposes:

597 (n) To pay administrative expenses incurred in accordance
 598 with applicable laws for a multicounty transportation or
 599 expressway authority created under chapter 343 or chapter 348
 600 if, where jurisdiction for the authority includes a portion of
 601 the State Highway System and the administrative expenses are in
 602 furtherance of the duties and responsibilities of the authority
 603 in the development of improvements to the State Highway System.
 604 This paragraph expires July 1, 2012 ~~2011~~.

605 Section 29. In order to implement Specific Appropriation
 606 1938E of the 2011-2012 General Appropriations Act, and
 607 notwithstanding any other law, for the 2011-2012 fiscal year,
 608 \$80,007,529 from the State Transportation Trust Fund shall be
 609 used for the County Incentive Grant Program created under s.

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610 339.2817, Florida Statutes. This section expires July 1, 2012.

611 Section 30. In order to implement Specific Appropriation
612 1938C of the 2011-2012 General Appropriations Act, and
613 notwithstanding any other law, for the 2011-2012 fiscal year,
614 \$42,410,085 from the State Transportation Trust Fund shall be
615 used for the Small County Outreach Program created under s.
616 339.2818, Florida Statutes. This section expires July 1, 2012.

617 Section 31. In order to implement Specific Appropriation
618 1938I of the 2011-2012 General Appropriations Act, and
619 notwithstanding any other law, for the 2011-2012 fiscal year,
620 \$72,242,353 from the State Transportation Trust Fund shall be
621 used for the Transportation Regional Incentive Program created
622 under s. 339.2819, Florida Statutes. This section expires July
623 1, 2012.

624 Section 32. In order to implement Specific Appropriation
625 1938S of the 2011-2012 General Appropriations Act, and
626 notwithstanding any other law, for the 2011-2012 fiscal year,
627 \$19,000,000 from the State Transportation Trust Fund shall be
628 used for contracts for transportation projects under s.
629 339.2821, Florida Statutes, as created by SB 7198. This section
630 expires July 1, 2012.

631 Section 33. Notwithstanding chapters 319 and 320, Florida
632 Statutes, the ownership of all vehicles currently used by the
633 Office of Motor Carrier Compliance within the Department of
634 Transportation shall be transferred to the Department of Highway
635 Safety and Motor Vehicles effective July 1, 2011, without
636 payment of any titling or registration fees.

637 Section 34. In order to implement Specific Appropriation
638 2535BW of the 2011-2012 General Appropriations Act, subsection

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639 (11) of section 445.009, Florida Statutes, is amended to read:

640 445.009 One-stop delivery system.—

641 (11) ~~(a)~~ A participant in an adult or youth work experience
642 activity administered under this chapter ~~is shall be deemed~~ an
643 employee of the state for purposes of workers' compensation
644 coverage. In determining the average weekly wage, all
645 remuneration received from the employer ~~is shall be~~ considered a
646 gratuity, and the participant ~~is shall~~ not be entitled to any
647 benefits otherwise payable under s. 440.15, regardless of
648 whether the participant may be receiving wages and remuneration
649 from other employment with another employer and regardless of
650 his or her future wage-earning capacity.

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

652 Section 35. In order to implement Specific Appropriation
653 2535AH, the Florida Base Realignment and Closure Task Force is
654 created. The mission of the task force is to make
655 recommendations to prepare the state to effectively compete in
656 any federal base realignment and closure action, to support the
657 state's position in research and development related to or
658 arising out of military missions and contracting, and to improve
659 the state's military-friendly environment for serving members,
660 military dependents, and military retirees and for businesses
661 that bring military and base-related jobs to the state. The task
662 force shall be comprised of the Governor or a designee, who
663 shall be chair of the commission, the President of the Senate
664 and Speaker of the House of Representatives, or their designees,
665 who shall be vice chairs, and 10 members appointed as follows:
666 four members appointed by the Governor, three members appointed
667 by the President of the Senate, and three members appointed by

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668 the Speaker of the House of Representatives. The Commissioner of
669 Jobs Florida or a designee shall be the ex officio, nonvoting
670 executive director of the task force. Appointed members must
671 represent defense-related industries and communities that host
672 military bases and installations. All appointments must be made
673 by August 15, 2011, and the Governor or a designee shall
674 schedule and conduct the first meeting of the task force by
675 October 1, 2011. The task force shall submit a progress report
676 and work plan for the remainder of the 2011-2012 fiscal year to
677 the Governor, the President of the Senate, and the Speaker of
678 the House of Representatives by February 1, 2012. Funding for
679 the task force shall be as provided in the General
680 Appropriations Act. This section expires July 1, 2012.

681 Section 36. In order to implement the appropriation of
682 funds in appropriation category "Special Categories-Risk
683 Management Insurance" in the 2011-2012 General Appropriations
684 Act, and pursuant to the notice, review, and objection
685 procedures of s. 216.177, Florida Statutes, the Executive Office
686 of the Governor may transfer funds appropriated in that category
687 between departments in order to align the budget authority
688 granted with the premiums paid by each department for risk
689 management insurance. This section expires July 1, 2012.

690 Section 37. In order to implement the appropriation of
691 funds in the appropriation category "Special Categories-Transfer
692 to Department of Management Services-Human Resources Services
693 Purchased Per Statewide Contract" in the 2011-2012 General
694 Appropriations Act," and pursuant to the notice, review, and
695 objection procedures of s. 216.177, Florida Statutes, the
696 Executive Office of the Governor may transfer funds appropriated

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697 in that category between departments in order to align the
698 budget authority granted with the assessments that must be paid
699 by each agency to the Department of Management Services for
700 human resource management services. This section expires July 1,
701 2012.

702 Section 38. In order to implement section 8 of the 2011-
703 2012 General Appropriations Act, paragraph (j) of subsection (3)
704 of section 110.123, Florida Statutes, is amended to read:

705 110.123 State group insurance program.—

706 (3) STATE GROUP INSURANCE PROGRAM.—

707 (j) Notwithstanding ~~the provisions of~~ paragraph (f)
708 requiring uniform contributions, and for the 2011-2012 ~~2010-2011~~
709 fiscal year only, the state contribution toward the cost of any
710 plan in the state group insurance plan is ~~shall be~~ the
711 difference between the overall premium and the employee
712 contribution. This subsection expires June 30, 2012 ~~2011~~.

713 Section 39. In order to implement specific appropriations
714 for salaries and benefits in the 2011-2012 General
715 Appropriations Act, paragraph (b) of subsection (3) of section
716 112.24, Florida Statutes, is amended to read:

717 112.24 Intergovernmental interchange of public employees.—

718 To encourage economical and effective utilization of public
719 employees in this state, the temporary assignment of employees
720 among agencies of government, both state and local, and
721 including school districts and public institutions of higher
722 education is authorized under terms and conditions set forth in
723 this section. State agencies, municipalities, and political
724 subdivisions are authorized to enter into employee interchange
725 agreements with other state agencies, the Federal Government,

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726 another state, a municipality, or a political subdivision
727 including a school district, or with a public institution of
728 higher education. State agencies are also authorized to enter
729 into employee interchange agreements with private institutions
730 of higher education and other nonprofit organizations under the
731 terms and conditions provided in this section. In addition, the
732 Governor or the Governor and Cabinet may enter into employee
733 interchange agreements with a state agency, the Federal
734 Government, another state, a municipality, or a political
735 subdivision including a school district, or with a public
736 institution of higher learning to fill, subject to the
737 requirements of chapter 20, appointive offices which are within
738 the executive branch of government and which are filled by
739 appointment by the Governor or the Governor and Cabinet. Under
740 no circumstances shall employee interchange agreements be
741 utilized for the purpose of assigning individuals to participate
742 in political campaigns. Duties and responsibilities of
743 interchange employees shall be limited to the mission and goals
744 of the agencies of government.

745 (3) Salary, leave, travel and transportation, and
746 reimbursements for an employee of a sending party that is
747 participating in an interchange program shall be handled as
748 follows:

749 (b)1. The assignment of an employee of a state agency
750 ~~either~~ on detail or on leave of absence may be made without
751 reimbursement by the receiving party for the travel and
752 transportation expenses to or from the place of the assignment
753 or for the pay and benefits, or a part thereof, of the employee
754 during the assignment.

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755 2. For the 2011-2012 ~~2010-2011~~ fiscal year only, the
756 assignment of an employee of a state agency as provided in
757 subparagraph 1. may be made if recommended by the Governor or
758 Chief Justice, as appropriate, and approved by the chairs of the
759 legislative appropriations committees ~~Senate Policy and Steering~~
760 ~~Committee on Ways and Means and the House Full appropriations~~
761 ~~Council on Education and Economic Development~~. Such actions
762 shall be deemed approved if neither chair provides written
763 notice of objection within 14 days after the chair's receiving
764 notice of the action pursuant to s. 216.177. This subparagraph
765 expires July 1, 2012 ~~2011~~.

766 Section 40. In order to implement Specific Appropriations
767 2536 and 2537 of the 2011-2012 General Appropriations Act:

768 (1) Notwithstanding s. 11.13(1), Florida Statutes, relating
769 to the annual adjustment of salaries for members of the
770 Legislature, for the 2011-2012 fiscal year only, the authorized
771 salaries of members of the Legislature in effect on June 30,
772 2010, are reduced by 7 percent.

773 (2) Effective June 30, 2012, the annual salaries of members
774 of the Legislature shall be set at the amounts authorized and in
775 effect on June 30, 2010, pursuant to subsection (2) of section
776 48 of chapter 2009-82, Laws of Florida.

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

778 Section 41. In order to implement the transfer of moneys to
779 the General Revenue Fund from trust funds in the 2011-2012
780 General Appropriations Act, paragraph (b) of subsection (2) of
781 section 215.32, Florida Statutes, is reenacted and amended to
782 read:

783 215.32 State funds; segregation.-

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

786 (b)~~1.~~ The trust funds shall consist of moneys received by
787 the state, which under law or under trust agreement are
788 segregated for a purpose authorized by law. The state agency or
789 branch of state government receiving or collecting such moneys
790 is ~~shall be~~ responsible for their proper expenditure as provided
791 by law.

792 1. Upon the request of the state agency or branch of state
793 government responsible for the administration of the trust fund,
794 the Chief Financial Officer may establish accounts within the
795 trust fund at a level considered necessary for proper
796 accountability. Once an account is established within a trust
797 fund, the Chief Financial Officer may authorize payment from
798 that account only upon determining that there is sufficient cash
799 and releases at the level of the account.

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

803 a. Operations or operating trust fund, for use as a
804 depository for funds to be used for program operations funded by
805 program revenues, with the exception of administrative
806 activities if ~~when~~ the operations or operating trust fund is a
807 proprietary fund.

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

810 c. Administrative trust fund, for use as a depository for
811 funds to be used for management activities that are departmental
812 in nature and funded by indirect cost earnings and assessments

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813 against trust funds. Proprietary funds are excluded from the
814 requirement of using an administrative trust fund.

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

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

821 f. Clearing funds trust fund, for use as a depository for
822 funds to account for collections pending distribution to lawful
823 recipients.

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

827

828 To the extent possible, each agency must adjust its internal
829 accounting to use existing trust funds in accordance ~~consistent~~
830 with the requirements of this subparagraph. If an agency does
831 not have trust funds listed in this subparagraph and cannot make
832 such adjustment, the agency must recommend the creation of the
833 necessary trust funds to the Legislature by the time of ~~no later~~
834 ~~than~~ the next scheduled review of the agency's trust funds
835 pursuant to s. 215.3206.

836 3. All such moneys are hereby appropriated to be expended
837 in accordance with the law or trust agreement under which they
838 were received, subject ~~always to the provisions of~~ chapter 216
839 relating to the appropriation of funds and to the applicable
840 laws relating to the deposit or expenditure of moneys in the
841 State Treasury.

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842 4.a. Notwithstanding any provision of law restricting the
843 use of trust funds to specific purposes, unappropriated cash
844 balances from selected trust funds may be authorized by the
845 Legislature for transfer to the Budget Stabilization Fund and
846 General Revenue Fund in the General Appropriations Act.

847 b. This subparagraph does not apply to trust funds required
848 by federal programs or mandates; trust funds established for
849 bond covenants, indentures, or resolutions whose revenues are
850 legally pledged by the state or public body to meet debt service
851 or other financial requirements of any debt obligations of the
852 state or any public body; the Division of Licensing Trust Fund
853 in the Department of Agriculture and Consumer Services; the
854 State Transportation Trust Fund; the trust fund containing the
855 net annual proceeds from the Florida Education Lotteries; the
856 Florida Retirement System Trust Fund; trust funds under the
857 management of the State Board of Education or the Board of
858 Governors of the State University System, if ~~where~~ such trust
859 funds are for auxiliary enterprises, self-insurance, and
860 contracts, grants, and donations, as those terms are defined by
861 general law; trust funds that serve as clearing funds or
862 accounts for the Chief Financial Officer or state agencies;
863 trust funds that account for assets held by the state in a
864 trustee capacity as an agent or fiduciary for individuals,
865 private organizations, or other governmental units; and other
866 trust funds authorized by the State Constitution.

867 Section 42. In order to implement the transfer of moneys to
868 the General Revenue Fund from trust funds in the 2011-2012
869 General Appropriations Act, paragraph (b) of subsection (4) of
870 section 215.5601, Florida Statutes, is reenacted and amended to

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871 read:

872 215.5601 Lawton Chiles Endowment Fund.—

873 (4) ADMINISTRATION.—

874 (b) The endowment shall be managed as an annuity. The
875 investment objective is the ~~shall be~~ long-term preservation of
876 the real value of the net contributed principal and a specified
877 regular annual cash outflow for appropriation, as nonrecurring
878 revenue. From the annual cash outflow, a pro rata share shall be
879 used solely for biomedical research activities as provided in
880 paragraph (3) (d), until such time as cures are found for
881 tobacco-related cancer and heart and lung disease. Five percent
882 of the annual cash outflow dedicated to the biomedical research
883 portion of the endowment shall be reinvested and applied to that
884 portion of the endowment's principal, with the remainder to be
885 spent on biomedical research activities consistent with this
886 section. The schedule of annual cash outflow must ~~shall~~ be
887 included within the investment plan adopted under paragraph (a).
888 Withdrawals other than specified regular cash outflow are ~~shall~~
889 ~~be~~ considered reductions in contributed principal for the
890 purposes of this subsection.

891 Section 43. In order to implement the issuance of new debt
892 authorized in the 2011-2012 General Appropriations Act, and
893 pursuant to s. 215.98, Florida Statutes, the Legislature
894 determines that the authorization and issuance of debt for the
895 2011-2012 fiscal year should be implemented, is in the best
896 interest of the state, and necessary to address a critical state
897 emergency. This section expires July 1, 2012.

898 Section 44. In order to implement the funds appropriated in
899 the 2011-2012 General Appropriations Act for state employee

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900 travel, the funds appropriated to each state agency, which may
901 be used for travel by state employees, are limited during the
902 2011-2012 fiscal year to travel for activities that are critical
903 to each state agency's mission. Funds may not be used to pay for
904 travel by state employees to foreign countries, other states,
905 conferences, staff-training activities, or other administrative
906 functions unless the agency head has approved in writing that
907 such activities are critical to the agency's mission. The agency
908 head must consider the use of teleconferencing and other forms
909 of electronic communication to meet the needs of the proposed
910 activity before approving mission-critical travel. This section
911 does not apply to travel for law enforcement purposes, military
912 purposes, emergency management activities, or public health
913 activities. This section expires July 1, 2012.

914 Section 45. In order to implement the appropriations
915 authorized in the 2011-2012 General Appropriations Act for each
916 of the state's designated primary data centers, which are funded
917 from the data processing appropriation category and other
918 categories used to pay for computing services of user agencies,
919 and pursuant to the notice, review, and objection procedures of
920 s. 216.177, Florida Statutes, the Executive Office of the
921 Governor may transfer funds appropriated in any appropriation
922 category used to pay for data processing in the 2011-2012
923 General Appropriations Act between agencies in order to align
924 the budget authority granted with the utilization rate of each
925 department. This section expires July 1, 2012.

926 Section 46. State agencies that are required to begin
927 planning for a data center consolidation scheduled for a
928 subsequent fiscal year may accelerate the consolidation into the

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929 2011-2012 fiscal year, contingent upon approval by the
930 Legislative Budget Commission of budget adjustments necessary to
931 accomplish the consolidation. The primary data center may
932 establish positions contingent on an equal or greater number of
933 positions being placed in reserve from the agency data centers
934 being consolidated. This section expires July 1, 2012.

935 Section 47. In order to implement the appropriations in the
936 2011-2012 General Appropriations Act for the statewide e-mail
937 system established pursuant to s. 282.34, Florida Statutes, and
938 notwithstanding s. 216.181(2)(c), Florida Statutes, an agency
939 may transfer funds from the data processing appropriation
940 categories established for the statewide e-mail system to
941 another appropriation category for the purpose of supporting and
942 managing its current e-mail system, subject to the limitations
943 in s. 282.34(6), Florida Statutes, until the agency's e-mail
944 function is transferred to the statewide e-mail service vendor
945 under contract with the Southwood Shared Resource Center. This
946 section expires July 1, 2012.

947 Section 48. In order to implement Specific Appropriation
948 2187 of the 2011-2012 General Appropriations Act, the Executive
949 Office of the Governor may transfer funds appropriated in the
950 appropriation category "Expenses" of the 2011-2012 General
951 Appropriations Act between agencies in order to allocate a
952 reduction relating to SUNCOM Services. This section expires July
953 1, 2012.

954 Section 49. In order to implement Sections 2 through 7 of
955 the 2011-2012 General Appropriations Act, the Executive Office
956 of the Governor may transfer funds appropriated for the American
957 Recovery and Reinvestment Act of 2009 (ARRA) in traditional

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958 appropriation categories in the 2011-2012 General Appropriations
 959 Act to appropriation categories established for the specific
 960 purpose of tracking funds appropriated for the ARRA. This
 961 section expires July 1, 2012.

962 Section 50. In order to implement Sections 2 through 7 of
 963 the 2011-2012 General Appropriations Act, subsection (5) of
 964 section 216.292, Florida Statutes, is amended to read:

965 216.292 Appropriations nontransferable; exceptions.—

966 (5) (a) A transfer of funds may not result in the initiation
 967 of a fixed capital outlay project that has not received a
 968 specific legislative appropriation.

969 (b) Notwithstanding paragraph (a), and for the 2011-2012
 970 ~~2010-2011~~ fiscal year only, the Governor may recommend the
 971 initiation of fixed capital outlay projects funded by grants
 972 awarded by the Federal Government through the American Recovery
 973 and Reinvestment Act of 2009 or by any other federal economic
 974 stimulus grant funding received. All actions taken pursuant to
 975 the authority granted in the paragraph are subject to review and
 976 approval by the Legislative Budget Commission. This paragraph
 977 expires July 1, 2012 ~~2011~~.

978 Section 51. In order to implement Section 8 of the General
 979 Appropriations Act for the 2011-2012 fiscal year, effective
 980 January 1, 2011, paragraph (a) of subsection (7) of section
 981 110.12315, Florida Statutes, is reenacted to read:

982 110.12315 Prescription drug program.—The state employees'
 983 prescription drug program is established. This program shall be
 984 administered by the Department of Management Services, according
 985 to the terms and conditions of the plan as established by the
 986 relevant provisions of the annual General Appropriations Act and

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987 implementing legislation, subject to the following conditions:

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

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

- 992 1. For generic drug with card.....\$7.
- 993 2. For preferred brand name drug with card.....\$30.
- 994 3. For nonpreferred brand name drug with card.....\$50.
- 995 4. For generic mail order drug.....\$14.
- 996 5. For preferred brand name mail order drug.....\$60.
- 997 6. For nonpreferred brand name mail order drug.....\$100.

998

999 Section 52. In order to implement Specific Appropriations
 1000 2587 through 2600 of the 2011-2012 General Appropriations Act,
 1001 and notwithstanding chapter 255, Florida Statutes, the
 1002 Department of Management Services shall use the services of a
 1003 tenant broker to renegotiate all leases involving multiple state
 1004 agency tenants. Based on the renegotiations, and no later than
 1005 September 30, 2011, the department shall report to the
 1006 Legislative Budget Commission the projected savings and
 1007 implementation costs from the renegotiations and any of the
 1008 multiple state agency leases that should be terminated pursuant
 1009 to any section of the lease agreements. The department may
 1010 propose one or more budget amendments pursuant to chapter 216,
 1011 Florida Statutes, to place any budget authority based on the
 1012 anticipated savings in reserve or transfer budget authority to a
 1013 different category. All leases as of September 30, 2011, which
 1014 do not comply with state law or the Florida Constitution,
 1015 including a nonappropriation clause, are null and void. This

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1016 section expires July 1, 2012.

1017 Section 53. In order to implement appropriations used for
1018 the payments of existing lease contracts for private office or
1019 storage space, the Department of Management Services, with the
1020 cooperation of the agencies having the existing lease contracts,
1021 shall seek to renegotiate or reprocure all private lease
1022 agreements expiring before June 30, 2013, to achieve a reduction
1023 in costs in future years. The department shall use the
1024 department's 2010 Master Leasing Report and may use tenant
1025 broker services to explore the possibilities of collocation,
1026 review the space needs of each agency, and to review the length
1027 and terms of potential renewals or renegotiations. The
1028 department shall provide a report by March 1, 2012, to the
1029 Executive Office of the Governor, the President of the Senate,
1030 and the Speaker of the House of Representatives which lists each
1031 lease contract for private office or storage space, the status
1032 of renegotiations, and the savings achieved. This section
1033 expires July 1, 2012.

1034 Section 54. Notwithstanding chapter 287, Florida Statutes,
1035 the Department of Management Services shall issue by September
1036 1, 2011, a solicitation for the Minnesota Multistate Contracting
1037 Alliance for Pharmacy (MMCAP) agreement as a state term
1038 contract. Provisions of the solicitation are subject to chapter
1039 119, Florida Statutes, including drug cost per unit pricing.
1040 Agencies that purchase drugs under the current MMCAP contract
1041 shall provide subject matter expertise in the development of the
1042 competitive procurement. The procurement shall be awarded to one
1043 group purchasing organization or vendor. The department shall
1044 use generic drugs where feasible in developing its preferred

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1045 drug list. This section expires July 1, 2012.

1046 Section 55. In order to implement Specific Appropriation
1047 193 of the 2011-2012 General Appropriations Act, and
1048 notwithstanding chapter 287, Florida Statutes, the Agency for
1049 Health Care Administration shall competitively reprocure a
1050 Florida Discount Drug Card Program to provide market competitive
1051 discounts through a broad network of retail pharmacies and a
1052 mail order pharmacy within the state and return money to the
1053 state on a per prescription dispensed basis. Discounts shall be
1054 available to Florida residents without income restrictions.
1055 Residents shall be able to enroll and acquire a member
1056 identification card from the participating pharmacies, online
1057 and through text messaging, without a charge. Revenues derived
1058 from this contract shall be deposited into the agency's Grants
1059 and Donations Trust Fund to reduce the cost of Medicaid pharmacy
1060 purchases. This section expires July 1, 2012.

1061 Section 56. Any section of this act which implements a
1062 specific appropriation or specifically identified proviso
1063 language in the 2011-2012 General Appropriations Act is void if
1064 the specific appropriation or specifically identified proviso
1065 language is vetoed. Any section of this act which implements
1066 more than one specific appropriation or more than one portion of
1067 specifically identified proviso language in the 2011-2012
1068 General Appropriations Act is void if all the specific
1069 appropriations or portions of specifically identified proviso
1070 language are vetoed.

1071 Section 57. If any other act passed during the 2011 Regular
1072 Session contains a provision that is substantively the same as a
1073 provision in this act, but that removes or is otherwise not

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1074 subject to the future repeal applied to such provision by this
1075 act, the Legislature intends that the provision in the other act
1076 takes precedence and continues to operate, notwithstanding the
1077 future repeal provided by this act.

1078 Section 58. If any provision of this act or its application
1079 to any person or circumstance is held invalid, the invalidity
1080 does not affect other provisions or applications of the act
1081 which can be given effect without the invalid provision or
1082 application, and to this end the provisions of this act are
1083 severable.

1084 Section 59. Except as otherwise expressly provided in this
1085 act and except for this section, which shall take effect June
1086 29, 2011, this act shall take effect July 1, 2011; or, if this
1087 act fails to become a law until after that date, it shall take
1088 effect upon becoming a law and shall operate retroactively to
1089 July 1, 2011.