

1 A bill to be entitled
2 An act relating to the Department of Management
3 Services; amending s. 110.181, F.S.; revising
4 provisions relating to reimbursement of the department
5 for actual costs of coordinating the Florida State
6 Employees' Charitable Campaign; amending s. 287.042,
7 F.S.; providing for the transfer of funds generated by
8 fees collected for the use of the department's
9 electronic information services from the department to
10 the Department of Financial Services to support
11 statewide purchasing operations; establishing the
12 amount of transfer; amending s. 287.16, F.S.;
13 eliminating a duty of the department to provide an
14 annual report concerning utilization of aircraft in
15 the executive aircraft pool; repealing s. 287.161,
16 F.S., which establishes the executive aircraft pool
17 within the department and provides procedures and
18 requirements with respect thereto; terminating the
19 Bureau of Aircraft Trust Fund within the department;
20 providing for the disposition of balances in and
21 revenues of the trust fund; prescribing procedures for
22 the termination of the trust fund; amending ss. 318.18
23 and 318.21, F.S.; revising the expiration date of
24 provisions governing the remission of surcharges for
25 specified criminal offenses and noncriminal moving
26 traffic violations to the Department of Revenue to
27 fund the state agency law enforcement radio system and
28 to provide technical assistance with respect to

29 statewide systems of regional law enforcement
 30 communications; amending s. 957.04, F.S.; requiring
 31 contractors of private correctional facilities to
 32 directly reimburse the Department of Management
 33 Services for administration costs; providing an
 34 effective date.

35
 36 Be It Enacted by the Legislature of the State of Florida:

37
 38 Section 1. Paragraph (b) of subsection (2) of section
 39 110.181, Florida Statutes, is amended to read:

40 110.181 Florida State Employees' Charitable Campaign.—

41 (2) SELECTION OF FISCAL AGENTS; COST.—

42 (b) The fiscal agent shall withhold the reasonable costs
 43 for conducting the campaign and for accounting and distribution
 44 to the participating organizations and shall reimburse the
 45 department the actual cost, ~~not to exceed 1 percent of gross~~
 46 ~~pledges,~~ for coordinating the campaign in accordance with the
 47 rules of the department. In any fiscal year in which the
 48 Legislature specifically appropriates to the department its
 49 total costs for coordinating the campaign from the General
 50 Revenue Fund, the fiscal agent is not required to reimburse such
 51 costs to the department under this subsection. Otherwise,
 52 reimbursement will be the difference between actual costs and
 53 the amount appropriated.

54 Section 2. Paragraph (h) of subsection (1) of section
 55 287.042, Florida Statutes, is amended to read:

56 287.042 Powers, duties, and functions.—The department

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57 shall have the following powers, duties, and functions:

58 (1)

59 (h)1. The department may collect fees for the use of its
60 electronic information services. The fees may be imposed on an
61 individual transaction basis or as a fixed subscription for a
62 designated period of time. At a minimum, the fees shall be
63 determined in an amount sufficient to cover the department's
64 projected costs of the services, including overhead in
65 accordance with the policies of the department ~~of Management~~
66 ~~Services~~ for computing its administrative assessment. All fees
67 collected under this paragraph shall be deposited in the
68 Operating Trust Fund for disbursement as provided by law.

69 2. The department shall transfer funds generated by fees
70 collected for the use of the department's electronic information
71 services from the Purchasing Oversight Account in the Operating
72 Trust Fund to the Administrative Trust Fund in the Department of
73 Financial Services to support statewide purchasing operations.
74 Unless provided for in the General Appropriations Act, the
75 amount of transfer shall be established each year in the
76 department's nonoperating budget based upon the estimated cost
77 of statewide purchasing operations provided by the Department of
78 Financial Services and may not exceed \$500,000.

79 Section 3. Subsection (10) of section 287.16, Florida
80 Statutes, is amended, and subsections (11) and (12) of that
81 section are renumbered as subsections (10) and (11),
82 respectively, to read:

83 287.16 Powers and duties of department.—The Department of
84 Management Services shall have the following powers, duties, and

85 responsibilities:

86 ~~(10) To provide the Legislature annual reports at the end~~
 87 ~~of each calendar year concerning the utilization of all aircraft~~
 88 ~~in the executive pool.~~

89 Section 4. Section 287.161, Florida Statutes, is repealed.

90 Section 5. (1) The Bureau of Aircraft Trust Fund within
 91 the Department of Management Services, FLAIR number 72-2-066, is
 92 terminated.

93 (2) All current balances remaining in, and all revenues
 94 of, the Bureau of Aircraft Trust Fund on the date of termination
 95 shall be transferred to the General Revenue Fund.

96 (3) The Department of Management Services shall pay any
 97 outstanding debts and obligations of the terminated fund as soon
 98 as practicable, and the Chief Financial Officer shall close out
 99 and remove the terminated fund from various state accounting
 100 systems using generally accepted accounting principles
 101 concerning warrants outstanding, assets, and liabilities.

102 Section 6. Subsection (17) of section 318.18, Florida
 103 Statutes, is amended to read:

104 318.18 Amount of penalties.—The penalties required for a
 105 noncriminal disposition pursuant to s. 318.14 or a criminal
 106 offense listed in s. 318.17 are as follows:

107 (17) In addition to any penalties imposed, a surcharge of
 108 \$3 must be paid for all criminal offenses listed in s. 318.17
 109 and for all noncriminal moving traffic violations under chapter
 110 316. Revenue from the surcharge shall be remitted to the
 111 Department of Revenue and deposited quarterly into the State
 112 Agency Law Enforcement Radio System Trust Fund of the Department

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113 of Management Services for the state agency law enforcement
114 radio system, as described in s. 282.709, and to provide
115 technical assistance to state agencies and local law enforcement
116 agencies with their statewide systems of regional law
117 enforcement communications, as described in s. 282.7101. This
118 subsection expires July 1, 2021 ~~2012~~. The Department of
119 Management Services may retain funds sufficient to recover the
120 costs and expenses incurred for managing, administering, and
121 overseeing the Statewide Law Enforcement Radio System, and
122 providing technical assistance to state agencies and local law
123 enforcement agencies with their statewide systems of regional
124 law enforcement communications. The Department of Management
125 Services working in conjunction with the Joint Task Force on
126 State Agency Law Enforcement Communications shall determine and
127 direct the purposes for which these funds are used to enhance
128 and improve the radio system.

129 Section 7. Subsection (17) of section 318.21, Florida
130 Statutes, is amended to read:

131 318.21 Disposition of civil penalties by county courts.—
132 All civil penalties received by a county court pursuant to the
133 provisions of this chapter shall be distributed and paid monthly
134 as follows:

135 (17) Notwithstanding subsections (1) and (2), the proceeds
136 from the surcharge imposed under s. 318.18(17) shall be
137 distributed as provided in that subsection. This subsection
138 expires July 1, 2021 ~~2012~~.

139 Section 8. Paragraph (g) of subsection (1) of section
140 957.04, Florida Statutes, is amended to read:

141 957.04 Contract requirements.—

142 (1) A contract entered into under this chapter for the
 143 operation of private correctional facilities shall maximize the
 144 cost savings of such facilities and shall:

145 (g) Require the contractor to reimburse the Department of
 146 Management Services for costs associated with contract
 147 monitoring and the administrative oversight of the contract.
 148 Such reimbursements are in addition to all contracted per diems
 149 and may not result in increased per diems or decreased services
 150 selection and appointment of a full-time contract monitor.

151 1. A full-time ~~The~~ contract monitor shall be appointed for
 152 each correctional facility and supervised by the Department of
 153 Management Services. The contractor is required to reimburse the
 154 Department of Management Services for the salary and expenses of
 155 the contract monitor. It is the obligation of the contractor to
 156 provide suitable office space for the contract monitor at the
 157 correctional facility. The contract monitor shall have unlimited
 158 access to the correctional facility.

159 2. The contractor is required to reimburse the Department
 160 of Management Services for their proportional share of the
 161 appropriations for the Bureau of Private Prison Monitoring as
 162 provided in the General Appropriations Act.

163 Section 9. This act shall take effect July 1, 2012.