

THE FLORIDA SENATE
2012 SUMMARY OF LEGISLATION PASSED
Committee on Budget

SB 1958 — Department of Health

by Budget Committee

The bill provides for the following:

- Amends s. 945.602(1), F.S., by assigning, for administrative purposes, the Correctional Medical Authority (CMA) to the Executive Office of the Governor rather than the Department of Health.
- Transfers all powers, duties, and functions of the CMA and its 7 member governing board to the Executive Office of the Governor.

If approved by the Governor, these provisions take effect July 1, 2012.

Vote: Senate 40-0; House 82-32

Committee on Budget

SB 1960 — State Judicial System

by Budget Committee

This bill makes the following changes:

- Amends statutes to refine the qualifications of the Regional Conflict Counsel and provide for a more efficient Regional Counsel selection and appointment process.
- Makes real property record and motor vehicle record searches optional when clerks review applications of persons applying for indigency status.
- Permits a judicial circuit to create a limited registry of court-appointed attorneys willing to waive compensation above the flat fees to handle conflict cases.
- Requires the state court system to pay court-appointed attorney fees ordered by the court above the flat fees established in law, once the funds appropriated for that purpose have been spent.
- Allows guardian ad litem volunteers to transport clients.
- Allows for the supervision and oversight of county funded employees by the guardian ad litem program.
- Requires the Clerk of Court Operations Corporation to collect and submit to the Legislature a quarterly report from the clerks of court on a local surcharge on traffic infractions.

If approved by the Governor, these provisions take effect July 1, 2012.

Vote: Senate 40-0; House 115-0

THE FLORIDA SENATE
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Committee on Budget

SB 1964 — Court-related Assessments

by Budget Committee

This bill makes the following changes:

- Provides that a monetary assessment mandated by law shall be imposed and included in the judgment without regard to whether the assessment is announced in open court.
- Requires the clerks of court to develop a uniform form for the identification and imposition of all assessments mandated by statutes.
- Refines the definition of assessment data elements collected by the clerks of court.

If approved by the Governor, these provisions take effect July 1, 2012.

Vote: Senate 39-0; House 110-5

Committee on Budget

SB 1968 — Criminal Justice

by Budget Committee

The bill makes the following changes:

- Requires the courts to assess individuals convicted of a crime a \$100 fee for any crime lab services provided.
- Requires all fines collected will continue to be deposited into FDLE's Operating Trust Fund and used to reimburse local county-operated crime laboratories.

If approved by the Governor, these provisions take effect October 1, 2012.

Vote: Senate 40-0; House 116-0

Committee on Budget

SB 1986 — Water Management Districts

by Budget Committee

The bill provides for the following:

- Authorizes the Legislature to set the maximum millage rate for each district.
- Removes a provision requiring that the maximum property tax revenue for water management districts revert to the amount authorized for the prior year if the Legislature does not set the amount.
- Removes the maximum revenue limitation for the 2011-2012 fiscal year.
- Creates s. 373.535, F.S., to require each water management district to submit a preliminary budget by January 15 for legislative review, requires the preliminary budget to include certain information, and authorizes the President of the Senate and the Speaker of the House of Representatives to submit comments regarding the preliminary budget to the district by March 1. Requires each district to respond to the comments no later than March 15.
- Provides for the preliminary budget reviewed by the Legislature to be the basis for developing each district's tentative budget for the next fiscal year.
- Provides criteria for the Legislative Budget Commission (LBC) to use in approving the tentative budget of a district and authorizes the LBC to reject certain district budget proposals.
- Requires a district to submit for review a description of any significant changes made from the preliminary budget to the tentative budget.
- Requires that a five-year water resource development work program describe the district's implementation strategy and funding plan for water resource, water supply, and alternative water supply development components of each approved regional water supply plan.
- Authorizes the governing board of a water management district to provide group insurance for its employees and the employees of another water management district.
- Allows each water management district to own, acquire, develop, construct, operate, and manage a public information system, and exempts local government review or approval of such public information system.
- Revises the definitions of the terms "regularly established position" and "temporary position" for purposes of district positions within the state retirement system, effective October 1, 2012.

If approved by the Governor, these provisions take effect upon becoming a law except as otherwise expressly provided in the bill.

Vote: Senate 34-6; House 117-0

Committee on Budget

SB 1994 — Postsecondary Education

by Budget Committee and Senator Gaetz

- Creates the Florida Polytechnic University. All laws governing a university will apply, including the establishment of a board of trustees and a president.
- Requires Florida Polytechnic University to meet the milestones in the Board of Governor's motion by December 31, 2016.
- Requires the University of South Florida (USF) to allow current USF Polytechnic students to complete their degree at USF.
- Transfers real and personal property, licenses and associated revenues, existing contracts, unexpended balances, appropriations, allocations, funds, and mutually agreed-upon obligations, responsibilities, and liabilities of USF Polytechnic to Florida Polytechnic University.
- Requires USF to retain the current faculty and staff, except for faculty and staff of the Florida Industrial and Phosphate Research Institute which are transferred to the new Florida Polytechnic University.
- Requires USF to transfer Polytechnic-related foundation funds to a new Florida Polytechnic University foundation after obtaining donor consent.
- Cancels all memorandums of understanding between USF and USF Polytechnic upon this act becoming law.
- Authorizes a university board of trustees to expend reserve or carry-forward balances from prior year operational and programmatic appropriations for legislatively approved fixed capital outlay projects authorized for the establishment of a new campus.
- Requires Florida Polytechnic University to allow the University of South Florida to use space at the Lakeland joint-use facility pursuant to a mutual agreement for the purpose of continuing the local education of existing USF Polytechnic students. Florida Polytechnic University shall transfer space at the Lakeland joint-use facility to Polk State College as new space becomes available on the new campus of Florida Polytechnic University.
- Authorizes the University of Florida to serve in an advisory/consulting capacity to the new university on certain issues.
- Provides civil immunity for USF and Florida Polytechnic University Board of Trustees, officers, and other employees for actions pertaining to this act.
- Appropriates \$6 million in recurring funds for USF College of Pharmacy.
- Appropriates \$10 million in recurring funds for USF for the purpose of allowing students enrolled in University of South Florida Polytechnic to complete their degrees at USF. This funding is contingent upon USF implementing the transfers required in the bill and upon USF maintaining full campus and program operations, including the retention of current faculty and staff of USF Polytechnic until June 30, 2012.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 36-4; House 86-31

Committee on Budget

SB 1996 — Department of Economic Opportunity

by Budget Committee

Senate Bill 1996 provides for the following:

- Repeals the future expiration of an amendment to s. 163.3247(3), F.S., which amendment eliminated the travel and per diem reimbursement for members of the Century Commission.
- Repeals the future expiration of an amendment to s. 201.15(1)(c)2., F.S., which amendment eliminated the distribution of documentary stamp tax revenues to the Century Commission.
- Requires the Auditor General and the Office of Program Policy Analysis and Government Accountability (OPPAGA) to jointly conduct an audit and review of the programs and operations of the Florida Housing Finance Corporation. A work plan for such audit and review must be submitted to the President of the Senate and the Speaker of the House of Representatives no later than July 1, 2012. The audit and review shall encompass, at a minimum, a review of the corporation's assets, liabilities, income, and operating expenses, the internal management, financial and operational controls employed, the programmatic decision-making processes used, the governance, direction and oversight provided by the Florida Housing Finance Corporation Board of Directors, and the performance outcomes of the programs administered by the Florida Housing Finance Corporation. The audit and review shall also include formulation of recommendations to the Legislature for changes to the structure, governance and operational processes of the Florida Housing Finance Corporation. Unless otherwise directed in writing jointly by the President of the Senate and the Speaker of the House of Representatives, a written report on the audit and review shall be submitted to the President of the Senate and the Speaker of the House of Representatives no later than December 1, 2012. This section of the bill is effective upon becoming law.
- Authorizes the Florida Housing Finance Corporation to utilize up to 10 percent of its annual allocation of low-income housing tax credits, allocation of nontaxable revenue bonds, and State Apartment Incentive Loan Program funds appropriated by the Legislature and available to allocate by request for proposals or other competitive solicitation funding for high-priority affordable housing projects, such as housing to support economic development and job creation initiatives, housing for veterans and their families, and other special needs populations in communities throughout the state as determined by the corporation on an annual basis.
- Authorizes the Florida Housing Finance Corporation's State Apartment Incentive Loan Program (SAIL) to accept payment of deferred program interest at an interest rate that is consistent with rates currently authorized in law, provided the deferred interest is paid in not more than five equal annual installments. This section also provides authority for additional SAIL funding to preserve existing projects having financing guaranteed under the Florida Affordable Housing Guarantee Program. Projects shall be given priority for funding which meet specified criteria. The maximum amount that may be funded is \$2,500,000 per project, and authority for such funding expires on June 30, 2013.

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- Provides that a participant in an adult or youth work experience activity administered pursuant to ch. 445, Laws of Florida, shall be deemed an employee of the state for purposes of workers' compensation coverage.
- Directs the DEO to prepare draft legislation to conform the Florida Statutes to the provisions of this act, and to submit such draft legislation to the Governor, the President of the Senate, and the Speaker of the House of Representatives on or before October 1, 2012.
- Provides that if the governing body of an independent special district that provides water, wastewater, and sanitation services in a disproportionately affected county as defined in s. 288.106(8), determines that a new user or the expansion of an existing user of one or more of its utility systems will provide a significant benefit to the community in terms of increased job opportunities, economies of scale, or economic development in the area, the governing body may authorize a reduction of its rates, fees, or charges for that user for a specified period of time. A governing body that exercises this power must do so by resolution that states the anticipated economic benefit justifying the reduction as well as the period of time that the reduction remains in place.

If approved by the Governor, these provisions take effect, except as otherwise expressly provided in this act, on July 1, 2012.

Vote: Senate 38-0; House 106-11

Committee on Budget

SB 1998 — Transportation

by Budget Committee

Senate Bill 1998, relating to transportation, contains changes to laws which are administered by the Florida Department of Transportation, and provides for the following:

- Redirects a portion of title fees from the General Revenue Fund to the State Transportation Trust Fund, resulting in \$200 million of new revenue for transportation, which will be transferred to the General Revenue Fund in Fiscal Year 2012-13;
- Beginning in Fiscal Year 2013-14, the revenues will be allocated to transportation priorities, including:
 - \$10 M – Seaport Investment Program (\$100 M Bonded);
 - \$35 M - Turnpike Enterprise (\$350 M Bonded);
 - \$10 M - Transportation Disadvantaged Program;
 - \$10 M - Small County Outreach Program; and
 - \$135 M - Strategic Transportation Projects
- Transfers the Transportation Economic Development “Road Fund” program from the Department of Economic Opportunity to the Department of Transportation (FDOT or department);
- Renames ch. 311, F.S., “Seaport Programs and Facilities”; and substantially amends the Florida Seaport Transportation and Economic Development (FSTED) program;
- Provides a minimum of \$15 million per year from the State Transportation Trust Fund for the FSTED grant program;
- Creates s. 311.10, F.S., entitled the Strategic Port Investment Initiative, which directs \$35 million annually towards projects which are selected jointly by FDOT and the deepwater ports listed in s. 311.09, F.S.;
- Creates s. 311.101, F.S., entitled the Intermodal Logistics Center Infrastructure Support Program, which allocates \$5 million per year towards funding up to 50% of the eligible costs of local government or private projects that meet certain criteria;
- Amends several sections of law relating to highway safety and commercial driver licenses to bring the state law into compliance with federal law and regulations;
- Repeals the transfer of \$5 million annually from the Highway Safety Operating Trust Fund to the Transportation Disadvantaged Trust Fund;
- Repeals the Toll Facility Revolving Trust Fund and transfers those revenues and future revenues to the State Transportation Trust Fund;
- Provides financial protection to the state for its obligations for Wekiva Parkway construction;
- Creates s. 339.139, F.S. entitled Transportation Debt Assessment, which implements a transportation debt assessment policy requiring the department to submit a debt load report in conjunction with the tentative work program;
- Creates s. 339.2825, F.S., entitled Approval of contractor-financed projects, which requires the department to notify the Governor and Legislature prior to advancing a

project in the 5-year work program utilizing funds provided by a public-private partnership to be reimbursed as programmed in the adopted work program;

- Mandates certain actions by FDOT when they receive an inspection report which either recommends a limit on a bridge, or recommends closing a bridge;
- Enhances FDOT's authority to establish tolls on certain future limited access facilities in the State Highway System;
- Allows for bond issuance on high-occupancy toll lanes or express lanes, with certain restrictions on usage;
- Revises the definition of "economically feasible" as it relates to turnpike projects;
- Allows private sector entities and off-system toll facilities to use FDOT's toll collection and video billing systems in order to increase non-toll revenues or add convenience or other value for its customers;
- Mandates that the FDOT secretary designate a facility which meets the definition of an intermodal logistics center and has been designated as such in the local comprehensive plan as part of the Strategic Intermodal System, upon the facilities request; and
- Provides a process for summary proceedings within 30 days for a challenge to a consolidated environmental resource permit or associated variance or a sovereign submerged lands authorization issued by the Department of Environmental Protection in connection with the state's deepwater ports.

If approved by the Governor, these provisions take effect July 1, 2012, except as otherwise provided in this act.

Vote: Senate 38-2; House 85-29

Committee on Budget

HB 5001 — Appropriations

by Appropriations Committee and Rep. Grimsley (SB 2000 by Budget Committee)

The General Appropriations Act for Fiscal Year 2012-2013 provides for a total budget of \$70.04 billion including:

- General revenue (GR): \$24.77 billion
- Trust funds (TF): \$45.27 billion

The budget is summarized by committee as follows:

- Education
 - o PreK-12 Education Appropriations – \$12.8 billion (state funds)
 - \$ 9.7 billion GR
 - \$ 3.1 billion TF
 - o Higher Education – \$5.9 billion
 - \$3.0 billion GR
 - \$2.9 billion TF
- Health Appropriations – \$29.9 billion
 - o \$7.7 billion GR
 - o \$22.2 billion TF
- Criminal and Civil Justice Appropriations – \$4.6 billion
 - o \$3.4 billion GR
 - o \$1.2 billion TF
- General Government Appropriations – \$5.0 billion
 - o \$0.5 billion GR
 - o \$4.5 billion TF
- Transportation and Economic Development Appropriations – \$9.9 billion
 - o \$ 0.2 billion GR
 - o \$9.7 billion TF

Pre-K-12 Education Appropriations

- The total budget for Pre-K -12 education is \$20.4 billion from all sources (state, local, and federal). This total is the same as the total for 2011-12.
- The budget includes \$9.7 billion from general revenue, \$361.1 million from the Educational Enhancement Trust Fund, \$220.1 million from the State School Trust Fund and \$2.5 billion from other trust funds, largely for federal programs. In addition, \$7.6 billion of local funds are included for the Florida Education Finance Program (FEFP).
- Priority is given to preserving the core delivery systems, which include Voluntary Prekindergarten Education and School Readiness, the FEFP for public schools, and the Florida School for the Deaf and the Blind.
- \$413.3 million is provided for the Voluntary Prekindergarten Education program, including workload funding of \$28.7 million for an additional 11,555 full time equivalent positions (FTEs), and \$10.3 million for an additional 4,111 FTE students in the current

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year. Also, the base student allocation remains unchanged at \$2,383 for the regular school year and \$2,026 for the summer program.

- \$581.5 million is provided for the School Readiness Program and the conforming bill initiates significant changes which will:
 - o Increase services to 0 to 5 year old children;
 - o Increase the number of children served by reducing non-direct services and increasing efficiency;
 - o Reduce fraud;
 - o Require pre and post testing of all children served; and
 - o Standardize payment rates.
- \$1.068 billion additional state funds are provided for the Florida Education Finance Program (FEFP) for K – 12 public schools. This funding is used to:
 - o Replace \$224 million of nonrecurring funds;
 - o Educate an additional 30,874 students for \$197 million;
 - o Offset \$246.8 million in reduced ad valorem revenues (3.61 percent reduction in taxable value)
 - o Adjust funding for retirement system changes: \$99.3 million in additional Florida Retirement System costs and \$52.6 million reduction for a change in investment plan rates; and
 - o Enhance educational services in the amount of \$353.9 million.
- Also, for the FEFP:
 - o Total funds are increased by 3.6 percent and funds per student are increased by \$150 or 2.41 percent.
 - o \$637 million is provided for the Supplemental Academic Instruction program (\$21 million increase) and \$130 million is provided for the Reading Instruction allocation (\$32.3 million increase). The increased funding for these two programs is provided to extend the normal school day by an additional hour for the students in the 100 lowest performing elementary schools to provide intensive reading instruction.
 - o School Recognition funding is increased by \$15 million to \$134.6 million (from \$70 to \$100 per student).
 - o Per student funding for Virtual Education is increased from \$4,800 to \$5,200.
 - o The Base Student Allocation is increased by \$104 or 2.98 percent.
 - o \$3 billion is provided for Class Size, an increase of \$56.3 million.
 - o Required and Discretionary millages for operations remain unchanged.
- Funding for most non-FEFP programs remains the same or increased. New grant programs are funded.

Public Education Capital Outlay

- The total budget for education fixed capital outlay is \$1.6 billion, including debt service on prior bonding.
- Budget also provides \$250 million to complete previously authorized capital outlay projects. This covers these projects with available nonrecurring cash instead of bond

proceeds (the appropriation includes \$120 million from general revenue and \$130 million from the Educational Enhancement Trust Fund).

- The total includes \$67.6 million for Maintenance, Repair and Remodeling, including:
 - o \$5.4 million for the Florida College System;
 - o \$7.0 million for the State University System; and
 - o \$55.2 million for charter schools.
- The total includes \$115.3 million for construction projects, including:
 - o \$69.1 million for the Florida College System;
 - o \$30.9 million for the State University System;
 - o \$1.7 million for the Florida School for the Deaf and the Blind;
 - o \$4.3 million for University Developmental Research Schools; and
 - o \$9.4 million for other education capital outlay projects.
- \$28 million for school district and Florida College System bonded construction projects.
- \$1.4 billion for debt service.

Higher Education Appropriations

The Higher Education budget including tuition totals \$6.8 billion, which is a 0.5 percent increase from the 2011-12 fiscal year. The budget includes a \$253.6 million (7.8 percent) decrease in general revenue funds and a \$10.9 million (1.3 percent) decrease in the Educational Enhancement Trust Fund.

Also included is a 5 percent base tuition increase for Workforce and Florida Colleges. For State Universities a base tuition increase is not recommended; however each university has the option of up to a 15 percent increase under its tuition differential fee authority.

Workforce Education

- The budget including tuition is \$542.4 million. With a slight increase of \$117,400 over the current year, the program is essentially level funded.

Florida College System

- The budget including tuition is \$2 billion. This is an increase of \$84.2 million or 4.4 percent. The Senate budget provides for operating costs of new facility space and for the continuation of the 2+2 partnership incentive. There are no reductions in programs.

State University System

- The budget including tuition is \$3.4 billion. This is an overall decrease of \$39.9 million or 1.1 percent. These funds anticipate total tuition revenue growth of \$244 million. The budget includes a nonrecurring general revenue reduction of \$300 million, which will be restored in 2013-14. Universities will use a portion of their fund balance to maintain full operations. The budget also provides \$8.4 million for the operating costs of new facilities space, \$3.3 million for the National High Magnetic Field Lab at FSU, \$2.5 million for the Degree Completion Pilot Program coordinated by the University of West Florida, and \$15 million for Outcome Based Performance Funding.

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Vocational Rehabilitation

- The budget is \$202.1 million. This is a increase of \$9.0 million or 4.7 percent. The Adults with Disabilities program is preserved at \$10.0 million with a 15 percent reduction. The budget reduces 20 FTE and \$1.7 million due to elimination of the Injured Worker Program with the loss of Workers Compensation Administration Trust Fund funding. The budget also provides \$11.8 million in federal funds for anticipated workload increases.

Blind Services

- The budget is \$52.6 million, which is an increase of \$547,117 or 1.1 percent.

Private Colleges & Universities

- The budget is \$104.9 million. This is a decrease of \$488,773 or 0.5 percent. An increase in award levels for the FRAG newly eligible students is provided. (Current FRAG eligible institutions are at the current level of \$2,150 per student, newly eligibles are at \$1476 per student as part of a continuing phase in, and ABL students are at the current level of \$803 per student.)

Student Financial Aid

- The budget is \$479.6 million for state programs. This is a decrease of \$18.0 million or 3.6 percent. The budget reduces the Bright Futures payment level by about 1 percent. The total amount of the Florida Student Assistance Grants, Florida's primary need-based program, is held at the current 2011-12 level. Federal financial aid programs are reduced by \$4.5 million (37.3 percent) based on the availability of federal funds.

Board of Governors

- The budget is \$6.4 million budget, which is an increase of \$801,762 (14.5 percent) over the 2011-2012 fiscal year appropriation. The increase includes funding for the filling of long vacant positions and for an online university study.

Health and Human Services Appropriations Subcommittee**Total budget - \$29.9 billion**

- \$7.7 billion GR; \$22.2 billion TF; 34,407 positions

Agency for Health Care Administration

Total budget - \$22.3 billion: \$5.1 billion GR; \$17.2 billion TF; 1,655 positions

Major issues funded:

- Medicaid Workload/Price Level Adjustment - \$304.7 million
(Adjustments included a net reduction in TFs by \$552.1 million and increased GR by \$856.8 million)

- Hospital Inpatient and Outpatient - \$100.4 million (\$30 million NR GR and \$70.4 million NR TF); provides nonrecurring funding to partially restore Hospital Inpatient and Outpatient Rate Reductions. With this funding, the rate reduction will be 5.64 percent.
- Clinics Primary Care Services - \$50 million in Low Income Pool (LIP)
- Medicaid Current-year deficit - \$47.3 million GR
- Kidcare Rate Increase - \$17 million (\$5 million GR and \$12 million TF)
- Kidcare Enrollment Growth - \$4.6 million TF
- Expanded the home health fraud project statewide

Preserved:

- Medically Needy Program
- Meds/AD Waiver Program
- Medicaid Eligibility
- KidCare Program

Reductions:

- Hospital Inpatient and Outpatient Rate Reduction - \$404.9 million (\$121.2 million GR and \$283.2 million TF); rates were reduced by 7.5 percent
- Limit Emergency Room visits to 6 per year for non-pregnant adult Medicaid recipients - \$46.7 million (\$19.6 million GR and 27.1 million TF)
- Nursing Home Rate Reduction - \$38 million (\$16 million GR and \$22 million TF) - rates were reduced by 1.25 percent

Agency for Persons with Disabilities

Total budget - \$1.07 billion: \$473.1 million GR; \$601 million TF; 2,908 positions

Major issues funded:

- Home and Community Based Services Waiver, current-year deficit - \$46.5 million GR
- Home and Community Based Services Waiver - \$65.1 million, (\$27.5 million GR and 37.6 million TF)
 - o Includes Adult Day Training Services - \$7.4 million (\$3.1 million GR and \$4.3 TF)

Preserved:

- Consumer Directed Care Plus Waiver
- Behavior Assistant Services
- Tier Waivers

Reductions:

- Administrative Reductions - \$5.6 million (\$3.8 million GR and \$1.8 million TF); 67 positions
- Individual and Family Supports Reversions - \$400,000 GR
- Room and Board Reversions - \$309,672 GR

Department of Children and Family Services

Total budget - \$2.9 billion: \$13.9 billion GR; \$15 billion TF; 11,754.5 positions

Major issues funded:

- Adult Mental Health Services - \$34.5 million (33 million GR and 1.5 million TF)
- Florida's Public Assistance Eligibility System (FLORIDA System) - \$33.7 million TF
- Maintenance Adoption Subsidies - \$15.9 million – (\$2 million GR and \$13.9 million TF)
- Adult Substance Abuse Services - \$13 million (9 million GR and \$4 million TF)
- Florida Safe Family Network (FSFN) - \$12.5 million TF
(\$8m to fund technology equipment and enhancements for Child Protective Investigators)
- Child Protective Investigators \$9.9 million (\$4.5 million GR and \$4.4 million TF)
(Funds Salary increases, creates career path for Child Protective Investigators)
- Children's Substance Abuse Services - \$8.1 million GR
- Children's Mental Health Services - \$7.5 million GR
- Maintenance Adoption Subsidies Projected Growth - \$6.6 million TF
- Community Based Care Lead Agency - \$4.7 million GR
- County Criminal Justice Grants, Adult Community Mental Health - \$3 million GR
- Healthy Families Restoration \$2 million TF
- Marissa Amora Claim - \$1.7 million TF
- Violent Sexual Predator Program - \$1.7 million TF
- Community Based Care of Central Florida - \$2.5 million GR

Preserved:

- Family Safety and Preservation Services
- Independent Living Subsidy for Foster Care Ages 21 to 23
- Aged/Disabled Medicaid Waiver
- Home Care for Adults
- Adult Emergency Stabilization Beds
- Adult Forensic Community Beds

Reductions:

- Temporary Assistance to Needy Families (TANF) Reduction based on a lower caseload - \$22 million GR
- Administrative Efficiencies - \$44 million (\$35.5 million GR and \$8.5 million TF, 227 positions)
- Community Based Care Agencies Reduction - \$7.5 million GR
(Reduction represents 20 percent of the balance of cash carry forward)

Department of Elder Affairs

Total budget - \$776.8 million: \$318.3 million GR; \$458.5 TF; 451 positions

Major issues funded:

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- Nursing Home Diversion Program \$17.5 million and 1,896 new slots
- Aging Resource Centers \$6 million (\$3 million GR and \$3 million TF) for additional personnel, infrastructure, and choice counseling services
- Program of All-inclusive Care for the Elderly (PACE) \$5.2 million and 250 new slots (\$2.2 million GR and \$3 million TF) – 150 in Lee and Collier counties, plus 100 in Miami-Dade County
- Aged and Disabled waiver \$3 million (\$1.3 million GR and \$1.8 million TF) and 298 new slots
- Assisted Living waiver \$2.2 million (\$.9 million GR and \$1.3 million TF) and 207 new slots
- Senior Citizen Centers Maintenance and Repairs \$1.5 million GR
- Community Care for the Elderly program \$1 million GR and 187 new slots
- Alzheimer's Disease Initiatives \$500,000 GR

Reductions:

- Sunset of the Adult Day Health Care Waiver – \$5.9 million (\$2.5 million GR and \$3.4 million TF)
- Actuarial adjustment to Nursing Home Diversion rates – \$6 million GR

Department of Health

Total budget - \$2.8 billion: \$404.1 million GR; \$2.4 billion TF; 16,550.25 positions

Major issues funded:

- Biomedical Research - \$30.0 (\$5 million GR and \$25 million TF)
 - o Shands Cancer Hospital - \$7.5 million (\$2.5 million NR GR, \$5 million TF)
 - o Sylvester Cancer Center at the University of Miami - \$7.5 m (\$2.5 million NR GR and \$5 million TF)
 - o James and Esther King Biomedical Research - \$5 million NR TF
 - o Bankhead-Coley Cancer Research - \$5 million NR TF
 - o H. Lee Moffitt Cancer Center - \$5 million NR TF
- Maintenance and Repairs and FCO Projects - \$14.5 million (\$5.25 million GR, \$9.3 million TF)
- Restore Nonrecurring Funds - \$8.5 million GR
- Federal Grant Funding for Construction of the Osceola County Health Department - \$8.3 million TF
- Early Steps IDEA Part C - \$6.9 million GR
- Restore Ounce of Prevention and Early Steps Nonrecurring Funds - \$5.5 million TF
- WIC Data System - \$3.9 million NR TF
- Restore Healthy Start Funding - \$3.2 million GR
- Sanford-Burnham Medical Research Institute - \$3 million GR
- Aids Drug Assistance Program (ADAP) - \$2.5 million GR
- Brain and Spinal Cord Injury Medicaid Waiver - \$1.6 million (\$663,914 GR and \$906,736 TF)

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- Nitrogen Reduction Strategies - \$1.5 million NR GR
- Brain and Spinal Cord Injury Program Non Waiver - \$1 million GR
- Children's Medical Services IT Project - \$831,171 NR TF
- Restore Child Protection Teams Funding - \$660,000 GR

Preserved:

- Primary Care Program
- Biomedical Research
- Healthy Start Services
- Early Steps

Reductions:

- Vacant Position Reductions - \$29.7 million (\$7.7 million GR and \$22 million) 551.25 positions
- Reduced Funding for County Health Departments - \$7.3 million, (\$5 million GR, \$2.3 million Tobacco TF)
- Administrative Reductions - \$5.6 million GR

Department of Veterans' Affairs

Total budget - \$83.7 million: \$7.3 million GR; \$76.4 million TF; 1,088.50 positions

Major issues funded:

- Transfer surplus from contracted services to salary and benefits for medical personnel in veterans' nursing homes - \$4 million TF
- Veterans' Homes Maintenance and Repairs - \$1.4 million TF
- Veterans' Nursing Home Replacement Equipment - \$730,600 TF
- Health Information Technology Systems Upgrade - \$694,282 TF
- Six new claims examiner positions to aid veterans in receiving federal benefits - \$447,780 GR
- Veterans' Training Programs - \$233,523 TF

No reductions to services in Veterans' Programs.

Criminal and Civil Justice Appropriations

- Provides \$121.7 million and \$57.6 million in nonrecurring general revenue respectively to resolve the State Courts and Clerks of Court current year deficit.
- Provides an additional \$469,000 to augment court reporting services.
- Provides an additional \$1.8 million to the Guardian ad Litem Program.
- Provides an additional \$3.3 million to the Children's Advocacy Centers.
- Provides \$250,000 to enhance the Judicial Inquiry System.
- Provides \$2.3 million for repairs and renovations to 4 small county courthouses.
- This budget does not reduce the front-end prevention and intervention programs like CINS/FINS and PACE Center for Girls in the Department of Juvenile Justice.

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- Provides \$6 million in recurring general revenue to expand the Department of Juvenile Justice's Redirection Program by 225 slots, which will serve an additional 720 youth annually.
- Provides the Department of Juvenile Justice with \$2 million of nonrecurring general revenue to repair and maintain dorms and other facilities.
- Provides the Department of Corrections with \$16.7 million in nonrecurring general revenue to address current year funding deficits and \$4.2 million of general revenue to offset funding shortfalls for 2012-2013 fiscal year.
- Provides the Department of Corrections with \$4 million in recurring general revenue to increase substance abuse treatment slots for prison inmates and offenders on community supervision.
- Provides the Department of Corrections with \$2.4 million of nonrecurring general revenue to repair and maintain state prisons.
- Provides the Department of Corrections with 10 FTE and \$576,000 in trust funds to increase inmate work squads.
- Authorizes the Department of Corrections to use \$350,000 of its general revenue funding to establish a pilot prison diversion program for non-violent drug offenders.
- Provides the Department of Corrections with \$250,000 in nonrecurring general revenue and authorizes the department to use \$200,000 of existing general revenue to expand faith- and character-based programs in the prisons.
- Provides the Department of Corrections with \$300,000 in nonrecurring general revenue to cultivate more edible crops for prison inmate consumption.
- Provides the Department of Corrections with \$450,000 in nonrecurring general revenue for the replacement of prison transport vehicles and \$300,000 of recurring general revenue for the scheduled replacement of officer body armor.
- Provides the Department of Legal Affairs with \$1.6 million in recurring general revenue to restore general revenue fund shifts.
- Provides the Department of Legal Affairs with 4 FTE, \$289,000 in trust fund authority and \$200,000 in recurring general revenue to meet workload demands.
- Provides the Department of Legal Affairs with \$1 million in recurring general revenue and over \$1 million in nonrecurring general revenue to make legal aid available to Floridians that need legal assistance but cannot afford it.
- Provides \$350,000 in recurring general revenue to assist sexual assault and domestic violence victims.
- Provides \$500,000 in recurring general revenue to the Department of Law Enforcement to fund additional DNA equipment and staff.
- Provides no funding cuts to the State Court System, State Attorneys, Public Defenders, Capital Collateral Regional Counsels, Guardian Ad Litem, or the Offices of Criminal Conflict and Civil Regional Counsel.
- Provides \$1 million in nonrecurring general revenue to address Supreme Court building maintenance issues.
- Provides a total of \$6 million in nonrecurring general revenue to the state courts and the clerks of court to address the backlog of foreclosure cases.

- Provides \$273.9 million in recurring general revenue for the state courts to address the projected shortfall in trust fund revenues in FY 2012-13.
- Provides \$2.7 million to the state attorneys and \$226,000 to the public defenders to replace high-mileage motor vehicles.
- Provides \$3.3 million in recurring general revenue for rent, utilities, and technology costs for the five Regional Conflict Counsel Offices.
- Reduces funding in the Department of Corrections by \$5 million in general revenue due to lower prison population projections.
- Reduces the Department of Corrections operational costs by \$75.8 million in general revenue and 1,253 FTEs by closing the state's older, design-challenged prisons and transferring inmates to more cost effective state prison facilities.
- Reduces the Department of Corrections budget by \$14.1 million in recurring general revenue for the projected annual savings resulting from the privatization of inmate health services (excluding pharmacy services) in all state operated correctional facilities.
- Reduces the Department of Corrections funding by 676 FTE and \$9 million in general revenue for savings achieved from the statewide implementation of 12-hour work shifts for correctional officers.
- Reduces the Department of Corrections operational costs by \$10.6 million in general revenue and 256 FTEs by adjusting probation officer caseloads and reducing probation staff due to the lower offender population projections.
- Reduces the Department of Corrections debt service funding by \$7.8 million in recurring general revenue to align with annual debt service requirements.
- Reduces DJJ's juvenile detention bed capacity due to lower utilization by \$3.2 million in trust fund.
- Reduces DJJ's non-secure residential beds by \$11.8 million in general revenue, which eliminates approximately 360 beds.
- Reduces the clerks of court budget by \$29.2 million.

General Government Appropriations Subcommittee

Total budget - \$4,962.5 million

- 20,293 positions, \$479 million GR and \$4,483.4 million TF
- Reductions – 385 positions, \$15.8 million GR and \$53.2 million TF

Reductions:

- Administrative & Efficiency Reductions – 251 positions, \$2.3 million GR & \$37.1 million TF
- Program Reductions – 134 positions, \$5.7 million GR and \$16.1 million TF
- Maximize Trust Fund Balances – \$7.8 million from GR to TFs

Major issues funded:

- Florida Forever - \$8.4 million TF
- Military Partnership Grants for Land Acquisition - \$6 million TF

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- Everglades - \$30 million (\$10m GR & \$20m TF)
- Florida Keys Wastewater Treatment Plan – \$4.8 million for debt service to issue bonds up to \$50 million
- Beach Restoration – \$20 million (\$10m GR & \$10m TF)
- Wastewater and Stormwater Projects – \$19.1 million GR
- Drinking & Wastewater Construction Loan Programs – \$9.6 million TF (match)
- Small County Wastewater Treatment Grants – \$17.4 million TF
- Underground Storage Tanks Cleanup – \$125 million TF
- Total Maximum Daily Loads – \$11.9 million TF
- Statewide Numeric Nutrient Criteria Monitoring Network - \$5 million (\$3.4m GR & \$1.6m TF)
- State Parks Repair & Maintenance – \$10 million TF
- Small County Solid Waste Management Grants – \$2.4 million TF
- Florida Agriculture Promotion Campaign – \$2.9 million GR
- Forestry Wildfire Suppression Equipment – \$5.7 million GR
- Mobile Irrigation Labs – \$.4 million TF
- Citrus Research – \$2 million GR
- Citrus Health Response Program – \$5.6 million TF
- Agriculture Best Management Practices Development & Implementation – \$9 million GR and \$2.4 million TF
- Aquaculture Review Council Grants – \$.6 million GR
- Farm Share & Food Banks – \$1.2 million GR
- One-Stop Business Registration Portal – \$3 million GR
- Restore Nonrecurring Funds in Department of Revenue – 52 positions, \$1.7m GR
- Child Support Automated Management System (CAMS) – \$29.3 million TF
- Additional Auditors (DOR) – 20 positions, \$1.2 million GR
- Aerial Photography – \$.7 million GR
- Fiscally Constrained Counties – \$26.3 million GR
- State Buildings Repair, Maintenance, and Refurbishment – \$7.8 million TF
- Old Capitol Repair and Maintenance – \$1.1 million GR
- FLAIR System Business Case & Position Overlap – 7 positions, \$.3 million GR and \$1.5 million TF
- Transparency System – 4 positions and \$1.4 million TF
- Personal Injury Protection (PIP) Fraud Investigators – 4 positions, \$.5 million TF
- Restoration of State Agency Accounting and IT FLAIR Resources – 14 positions, \$1.1 million TF
- Special Pensions and Benefits Increase – \$.6 million GR
- Statewide Law Enforcement Radio System Enhancements – \$4.5 million GR
- Domestic Security Interoperability Network and Mutual Aid - \$5 million TF
- Police and Firefighter Premium Tax Trust Fund Deficit – \$.7 million GR
- Visit Florida /Marketing Tourism Promotion – \$2 million TF
- Upgrade Licensing & Regulatory Software – \$1.9 million TF
- Drugs, Devices, Cosmetics Program – \$.9 million GR

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- Lottery Full Service Vending Machines – \$3.7 million TF
- Lottery Paid Advertising and Promotion - \$4 million TF

Transportation, Tourism and Economic Development Appropriations Subcommittee

Total budget: \$9.9 billion

- \$204.2 million GR; \$9.7 billion TF; 14,017 FTE

Major Issues Funded

- Florida Armory Revitalization Program (FARP) - \$13.5 million GR;
- National Guard Community Service Programs (Forward March and About Face) - \$2.0 million GR;
- Economic Incentives and Economic Development Programs – Over \$227 million (\$58.0 million GR; \$169.0 million TF) for economic development programs and operations (*not including \$30 million TF in DOT for Road Fund Projects*): Quick Action Closing Fund (QAC), Innovation Incentive Fund, Qualified Target Industries Tax Refunds (QTI), Qualified Defense Contractors Tax Refunds (QDC), Brownfield Redevelopment Projects, Enterprise Florida (\$16 million), VISIT Florida (\$54 million), Space Florida (\$10 million), Economic Gardening Technical Assistance Program, Black Business Loan Program, and the Hispanic Business Initiative.
- Quick Response Training Program - \$6.0 million TF
- Small Cities Community Developmental Block Grants - \$30 million TF
- Low Income Home Energy Assistance Program (LIHEAP) grants - \$78.1 million TF
- Weatherization Grants (Fixed Capital Outlay) - \$3 million TF
- Weatherization/Low Income Home Energy Assistance Program (Fixed Capital Outlay) - \$10M TF
- Regional Planning Councils - \$2.5 million GR
- Displaced Homemaker Program - \$1.8 million GR
- State Small Business Credit Initiative Program - \$33.2 million TF
- Grants and Aids for the Transportation Disadvantaged Program (Non-Medicaid Services) - \$43.4 million TF;
- First Year of 5 Year Transportation Work Program \$7.4 B TF, which includes:
 - o SIS/Intrastate Highways & Other Arterials - \$2.8 B TF;
 - o Safety & Resurfacing - \$778.5 million TF;
 - o Statewide Bridge Program (Construction and Inspection) - \$346 million TF;
 - o Investment in Florida's Deepwater Seaport Program - \$187.3 million TF; FY 2012-13 funding includes:
 - Port of Jacksonville - \$12.5 million TF;
 - Port Everglades - \$55.3 million TF;
 - Port of Miami – \$29.2 million TF;
 - Port of Tampa - \$5.3 million TF;
 - o Public Transit - \$488.1 million TF;

- o Aviation - \$176.9 million TF;
- o Rail - \$111.5;
- o Small County Outreach Program - \$26.8 million TF;
- o Economic Development Transportation Projects “Road Fund” - \$30 million TF;
- Provides funding for the Florida Highway Patrol to fill 25 vacant law enforcement positions;
- Florida Highway Patrol – Replacement of Motor Vehicles - \$9.6 million TF;
- Florida Highway Patrol SOAR and Incidental Overtime - \$8.2 million TF;
- Motor Carrier Safety Assistance Grant Program - \$12.4 million TF
- State Aid to Libraries Grants - \$21.3 million GR (\$13.3 million is from recurring funds)
- Cultural and Museum Grants - \$5 million GR
- Cultural Facilities fixed capital outlay grants – \$4.0 million GR
- Other Cultural and Museum Projects - \$1.95 million GR
- Library Cooperatives Grants - \$1.5 million GR
- Historic Preservation Small Matching Grants - \$1.2 million GR
- Grove House museum renovations and land purchase - \$3.9 million GR
- Holocaust Documentation and Education Center Rail Car Renovation - \$500,000 GR
- Florida Humanities Council - \$350,000 GR
- Mission San Luis Repairs - \$275,000 GR
- Florida African-American Heritage Preservation Network - \$250,000 GR
- Florida Main Street Program - \$165,000 GR increase (for a total of over \$300,000 GR)
- Government House Museum and Film Exhibit projects - \$2.5 million GR
- Other Historic Preservation Projects - \$443,600 GR
- Emergency Management Critical Facilities (hurricane shelters) - \$3 million TF
- Emergency Operations Center Construction – Glades County - \$5 million GR

If approved by the Governor, these provisions take effect July 1, 2012.

Vote: Senate 32-8; House 80-37

Committee on Budget

HB 5003 — Implementing the 2012-2013 General Appropriations Act

by Appropriations Committee and Rep. Grimsley (SB 2002 by Budget Committee)

This bill 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 FY 2012-2013.

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. The bill 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. The bill 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. The bill requires the agency to seek any necessary revisions or amendments to the state plan or federal waivers in order to implement this provision. The bill 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, F.S., 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 the 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 Department of Juvenile Justice 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 2012-2013 fiscal year if revenues are insufficient in the State Courts Revenue Trust Fund to fund appropriations.

Section 18 allows that, notwithstanding s. 28.2455, F.S., funds remaining in the Clerks of Court Trust Fund to be available for clerks of court for FY 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 the Department of Management Services 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 February 1, 2009, by the South Water Management District and the St. Johns Water Management District; continues to provide for \$8 million 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, L.O.F., (the FY 2006-2007 General Appropriations Act), in order to provide consistency and continuity in agriculture promotion throughout the state.

Section 30 amends s. 379.209, F.S., to authorize the Fish and Wildlife Conservation Commission 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 Fish and Wildlife Conservation Commission 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 Chapter 2008-152, L.O.F.

Section 32 authorizes the Governor to transfer appropriations between the Fish and Wildlife Conservation Commission and the Department of Environmental Protection 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 FY 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 FY 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 FY 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. This section 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. It requires the 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 General Appropriations Act. The Department of Management Services is authorized 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 the Agency for Health Care Administration to competitively reprocore 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 derived from this contract shall be deposited into the 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.

If approved by the Governor, these provisions take effect July 1, 2012.

Vote: Senate 34-6; House 80-36

Committee on Budget

HB 5005 — Retirement

by Appropriations Committee and Rep. Grimsley (SB 2006 by Budget Committee)

This bill 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:

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

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:

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

If approved by the Governor, these provisions take effect July 1, 2012.

Vote: Senate 34-2; House 82-35

THE FLORIDA SENATE
2012 SUMMARY OF LEGISLATION PASSED
Committee on Budget

HB 5007 — State Employees

by Appropriations Committee and Rep. Grimsley (SB 2004 by Budget Committee)

This bill 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.

If approved by the Governor, these provisions take effect July 1, 2012.

Vote: Senate 35-1; House 81-37

Committee on Budget

HB 5009 — Health Insurance Benefits for State Employees

by Appropriations Committee and Rep. Grimsley

This bill places the state contribution to the Health Savings Account of participants in the High Deductible Plan in the statutes.

The bill authorizes the Department of Management Services (department) 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.

The bill 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. The bill provides that such insurance coverage not be implemented prior to January 1, 2013. The plan must allow all employees retiring from the University of Florida after January 1, 2013, to participate. The bill 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. It provides for review and approval of the necessary actuarial studies and budget transfers.

If approved by the Governor, these provisions take effect July 1, 2012.

Vote: Senate 21-18; House 115-1

THE FLORIDA SENATE
2012 SUMMARY OF LEGISLATION PASSED
Committee on Budget

HB 5011 — State Information Technology

by Appropriations Committee and Rep. Grimsley

This bill 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.

If approved by the Governor, these provisions take effect July 1, 2012.

Vote: Senate 39-1; House 117-0

Committee on Budget

HB 5101 — Prekindergarten through Grade 12 Education Funding

by PreK-12 Appropriations Subcommittee and Rep. Coley (SB 1972 by Budget Committee)

- Modifies the FEFP Supplemental Academic Instruction allocation for 2012-2013 and 2013-2014 to require districts with the 100 lowest performing elementary schools to provide intensive reading instruction by effective teachers for the students in these schools for an additional hour a day beyond the normal school day for the entire school year.
- Modifies the FEFP Reading allocation for 2012-2013 and 2013-2014 to provide intensive reading instruction for students in the 100 lowest performing elementary schools during an additional one hour of instruction beyond the normal school day for the entire school year. Limits the use of these funds for reading coaches.
- Limits flexibility for the use of Reading and Supplemental Academic Instruction allocations to first require the additional hour of instruction for students in the 100 lowest performing elementary schools.
- Delays the increased class size penalty (from 50% to the full amount of the base student allocation) until 2014-2015, including a retroactive adjustment of the 2011-2012 penalty calculation.
- Provides school districts with flexibility for instructional materials purchases, which are required to be made during the first two years of the adoption, for the 2012-2013 mathematics adoption if the districts meet certain requirements.
- Requires providers and schools to implement pre and post assessments for students in the voluntary prekindergarten program.
- Limits the amendatory period for the reporting of FTE for payment to providers and schools by early learning coalitions for the voluntary prekindergarten program.
- Requires districts to provide Discretionary Local Effort funds up to the state average and/or state compression funding for juvenile justice education students.
- Requires school districts to participate in a School District Consortium to maximize purchasing power for goods and services.
- Creates the K-12 Public School Facility Funding Task Force to make recommendations for funding equity among charter schools and school district schools.
- Creates the Digital Instructional Materials Work Group to plan and monitor the transition to digital instructional materials.
- Limits the 5% charter school administrative charge for schools with exceptional student enrollment that is 75% or greater of the total school enrollment.
- Confirms severance package language for district superintendents and employees to s. 215.425, F.S. (from a maximum of one year's salary to a maximum of 20 weeks compensation).
- Limits the use of public broadcasting funds to TV stations to reflect budget allocations.
- Clarifies that the Sheriff is an eligible juvenile justice education provider.
- Repeals the Manatee County School District compulsory school attendance age pilot project.

- Authorizes the Commissioner of Education to waive certain school district facilities construction requirements if justified by the district.
- Clarifies that Auditor General audits satisfy the independent audit requirement for the educational facilities plan of school districts.
- Provides technical clarification of FEFPP reporting requirements and audit adjustments.
- Maintains the waiver of the three-fourths limit for the use of school district discretionary capital outlay millage funds for payments required by lease-purchase agreements.

This bill substantially amends ss. 496.404, 1001.25, 1001.26, 1001.42, 1001.50, 1002.33, 1002.67, 1002.69, 1002.71, 1003.01, 1003.03, 1003.52, 1006.40, 1011.61, 1011.62, 1011.71, 1013.03, 1013.35, F.S., and repeals s. 1003.61, F.S.

If approved by the Governor, these provisions take effect upon becoming law and on July 1, 2012.

Vote: Senate 35-4; House 80-38

Committee on Budget

CS/HB 5103 — School Readiness Program

by Appropriations Committee; PreK-12 Appropriations Subcommittee and Rep. Coley (SB 1974 by Budget Committee)

- Clarifies school readiness programs to be operated full-time and part-time.
- Defines terms for purposes of the School Readiness Act.
- Prioritizes services to eligible children from birth to kindergarten.
- Requires definitions for expenditures and reports for:
 - Direct expenditures for services to children;
 - Administrative costs;
 - Nondirect expenditures; and
 - Quality.
- Requires the Office of Early Learning to:
 - Adopt a list of approved curricula;
 - Identify a preassessment and postassessment;
- Adopt a statewide, standardized contract to be used by coalitions with each school readiness provider;
- Coordinate with other agencies to perform data matches on individuals or families participating in the school readiness program; and
- Submit annually a recommended allocation of funds to the School Readiness Allocation Conference including payment rates, parent co-payment percentages, and the Gold Seal premium rate percentage.
- Revises procurement requirements and requirements for the expenditure of funds by early learning coalitions.
- Requires coalitions to merge if they are unable to comply with expenditure requirements.
- Allows the Office of Early Learning to provide a waiver for merging coalitions for the 2012-2013 and 2013-2014 years if justification for excess expenditures are provided.
- Incorporates existing licensing guidelines which are identified in other areas of statute.
- Revises the eligibility criteria for the enrollment of children in the school readiness program and provides the following priorities by which children are enrolled:
 - First priority is a child under 13 from a working family receiving TANF;
 - Second priority is an at-risk child under 9;
 - Third priority is a child under 6 from an economically disadvantaged family, and children younger than 6 who are disabled;
 - Fourth priority is a child ages 9 through 13 who is a sibling of a younger child in the school readiness program through the at-risk provision;
 - Fifth priority is a child ages 6 through 13 who is a sibling of a younger child in the school readiness program through the economically disadvantaged provision; and
 - Last priority is for a child who is also concurrently enrolled in the Head Start program and the Voluntary Prekindergarten Program.
- Provides for the allocation of school readiness funds as specified in the General Appropriations Act, s. 411.01(10) and 411.013, F.S.

- For 2012-2013, requires the Office of Early Learning to submit by May 31, 2012, a recommended formula for the allocation of School Readiness Program funds, including standardized provider payment rates, Gold Seal premium rate percentages, and a parent co-payment percentage to the School Readiness Allocation Conference for review. The recommended formula will be phased-in over a three-year period.
- Requires recalculation of the funding allocations quarterly by the Office of Early Learning.
- Deletes provisions for the establishment of an allocation formula by the Office of Early Learning.
- Defines and limits expenditures for administrative activities, quality activities, and nondirect activities.
- Provides for fraud investigations and provides penalties for school readiness providers and parents who knowingly submit false information related to child eligibility and attendance in a school readiness program.
- Creates the School Readiness Allocation Conference, whose duties are to review allocation recommendations by the Office of Early Learning.
- Establishes a due date for school readiness providers to submit market rates to be used as part of the prevailing market rate schedule.

This bill substantially amends ss. 216.136, 411.01, 411.0101, 411.01013, 411.0106, 445.023, F.S., and creates s. 411.013, F.S.

If approved by the Governor, these provisions take effect upon becoming law and on July 1, 2012.

Vote: Senate 37-1; House 82-32

Committee on Budget

HB 5201 — Postsecondary Education Funding

by Higher Education Appropriations Subcommittee and Rep. O'Toole (SB 1992 by Budget Committee)

- Establishes the Florida Virtual Campus to provide access to online student and library support services, to serve as a statewide resource and clearinghouse for postsecondary education distance learning courses and degree programs and to increase student access and completion of degrees.
- Establishes a Degree Completion Pilot Program to recruit, recover, and retain adult learners and assist them in completing degrees aligned to high-wage, high-skill, and workforce needs.
- Increases the surcharge for excess credit hours.
- Authorizes the Board of Governors to transfer unused Student and Other Fees Trust Fund authority between institutions, and restricts universities' ability to transfer funds in excess of \$1 million to and from satellite campuses.
- Maintains the salary limitation on the amount of state funds that may be used for salaries of Florida College System and State University presidents and administrative employees in Fiscal Year 2012-13.
- Provides that a full-time student, co-enrolled in a K-12 education program and an adult general education program, may be reported for funding for two courses in an adult education program in Fiscal Year 2012-2013.
- Shortens the length of time from 3 years to 2 years that a student is eligible to accept the initial Bright Futures Scholarship after high school graduation.
- Clarifies that students enrolled in the Spring/Summer University of Florida pilot program are authorized to receive a Bright Futures Scholarship award for only two semesters each year.
- Clarifies that students are required to annually submit the Free Application for Federal Student Aid (FAFSA).
- Limits allowable uses for the Bright Futures Gold Seal Vocational Scholarship to vocational programs.
- Requires the Florida Fund for Minority Teachers (FFMT) and the Florida Education Fund (FEF) to provide financial reports on an annual basis.
- Requires the FFMT to use a contingency collection agency to recoup scholarship repayments from students in default.
- Eliminates a statutory FEF law scholarship program which is no longer utilized.
- Revises matching requirements for the FEF, the Jose Marti and Mary McLeod Bethune Scholarship Programs.
- Requires coalitions to maximize purchasing power for higher education institutions.
- Requires the Auditor General to notify the Joint Legislative Auditing Committee of any audit review which indicates that a state university or state college has failed to take corrective action in response to a recommendation which was included in the two preceding audit reports.

- Requires audits with significant findings for the Florida College System, State University System, and School Boards to be presented and discussed in a public board meeting.
- Authorizes the University of Florida to exceed the 5% bonding limitation on the Activity and Service (A&S) fee to fund the renovation and expansion of the student union.
- Establishes a Workforce Education scholarship pilot program for Adults with Disabilities for up to 30 students for 2 years in Hardee, DeSoto, Manatee, and Sarasota counties.
- Allows universities to enter into local development agreements to identify and negotiate plans to mitigate the impact of specific projects and the corresponding affects on local governments, notwithstanding ss. 1013.30 and 1013.51, F.S.
- Increases the limit of the Capital Improvement Fee from 10% to 20% of tuition for Florida colleges, and for state universities indexes the Capital Improvement Fee to 10% of tuition, but limits increases to no more than \$2 per credit hour per year.
- Authorizes university budget transfers in the current fiscal year up to \$2 million.
- Provides for name change of South Florida Community College to South Florida State College, contingent upon accreditation by SACS.
- Requires employment agreements, contracts, renewals or renegotiation of existing contracts for presidents, administrative and instructional staff to include provisions relating to severance required in s. 215.425, F.S.
- Deletes a provision providing for a Florida College System institution in some circumstances to apply for an exemption from SBOE approval of additional baccalaureate degree programs.

If approved by the Governor, these provisions take effect upon becoming law and on July 1, 2012.

Vote: Senate 38-1; House 77-33

Committee on Budget

CS/HB 5203 — Reemployment Services

by Appropriations Committee; Higher Education Appropriations Subcommittee and Rep. O'Toole (SB 1992 by Budget Committee)

- Repeals and terminates the Workers' Compensation Administration Trust Fund within the Department of Education.
- Amends s. 440.491, F.S., as follows.
 - o Removes the Department of Education from the definition of "Department", which transfers responsibilities for training and education of injured workers to the Department of Financial Services;
 - o Authorizes the Department of Financial Services to contract with one or more third parties to administer functions of training and education.
 - o Requires that persons or firms selected to administer reemployment services may not have a conflict of interest.
 - o Prohibits a rehabilitation provider who contracts with the department to provide injured employees reemployment assessments and other services from providing training or education to the injured employee.
- Appropriates \$350,000 in recurring funds from the Workers' Compensation Administration Trust Fund and 5 full-time positions and associated salary rate of 260,000 to the Department of Financial Services.
- Provides an effective date.

If approved by the Governor, these provisions take effect July 1, 2012.

Vote: Senate 36-1; House 118-0

Committee on Budget

HB 5301 — Medicaid Services

by Health Care Appropriations Subcommittee and Rep. Hudson and others (SB 1988 by Budget Committee)

The bill provides for the following:

- Removes the prohibition against subsidized Kidcare coverage for children of public employees who are eligible for state group health insurance, thereby allowing children of public employees to enroll in subsidized Kidcare if they meet the program's eligibility requirements.
- Directs the Department of Children and Families (DCF) and the Agency for Health Care Administration (AHCA), subject to an appropriation, to develop a new system of eligibility for Medicaid and Kidcare, consistent with requirements of federal and state laws.
- Limits Medicaid payment for hospital emergency room services for non-pregnant adults to 6 visits per year.
- Changes the statutory deadline for Medicaid hospital rates to be adjusted within any fiscal year from September 30 to October 31. Allows rate reductions beyond the deadline only in cases of insufficient collections of funds voluntarily donated by local taxing authorities designed to augment hospital rates.
- Revises the timeline and parameters for AHCA to develop a plan to transfer the state's hospital payments to a diagnosis related group (DRG) system, with a target implementation date of July 1, 2013, subject to Legislative approval.
- Updates statutes relating to the disproportionate share hospital (DSH) program so the program uses the proper data to calculate the distribution of dollars. Also repeals two sections of statute for two perennially unfunded DSH programs.
- Revises the methodology for determining a county's eligible recipients for the purpose of county contributions to Medicaid and revises the methodology of collecting those funds.
 - o For past due billings, a county may pay 85 percent of the amount due over the next five years. In the alternative, a county may choose to be subject to 100 percent of the past due amount but can make a claim before the Division of Administrative Hearings to have the amount reduced if the county believes the amount billed is incorrect.
 - o For prospective billings, the state each month will withhold from a county's distribution of funds from the local government half-cent sales tax an amount equal to the county's required contribution to Medicaid for that month. If a county believes the state has withheld too much due to errors in the state's Medicaid eligibility system data base, the county may request a refund based on reasons submitted with the request.
 - o The bill also requires AHCA and DCF to create a system for hospitals and nursing homes to assist the state in making any needed updates in the Medicaid data base for Medicaid recipients' county of residence when recipients are admitted. If updates are needed, they must be performed within 10 days of admission
- Expands statewide two Medicaid anti-fraud pilot projects relating to home health care.

- Authorizes the establishment or expansion of Programs of All-inclusive Care for the Elderly (PACE) in Manatee, Sarasota, DeSoto, and Broward counties.
- Expands statewide a pilot project for the delivery of Medicaid services for persons diagnosed with HIV/AIDS, in partnership with a university-based, research-oriented program that specializes in health care for HIV/AIDS patients.

If approved by the Governor, section 12 of the bill will take effect upon becoming law, other provisions take effect July 1, 2012.

Vote: Senate 23-17; House 73-36

Committee on Budget

HB 5303 — Department of Children and Family Services

by Health Care Appropriations Subcommittee and Rep. Hudson

The bill provides for the following:

- Authorizes the Department of Children and Families to develop a plan to reduce operational costs at the Northeast Florida State Hospital and Florida State Hospital.
- The plan is to be submitted to the Legislative Budget Commission for review.
- If the Legislative Budget Commission finds that the department can achieve the amount of savings included in the Fiscal Year 2012-2013 General Appropriations Act without the outsourcing of housekeeping and environmental services, the commission can authorize the realignment of resources and authorize positions to maintain these functions in-house.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 38-2; House 82-35

Committee on Budget

HB 5401 — Shared County and State Responsibility for Juvenile Detention

by Justice Appropriations Subcommittee and Rep. Glorioso (SB 1966 by Budget Committee)

This bill modifies the definition of the term “detention care” to include respite beds for juveniles charged with a domestic violence crime.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 38-1; House 116-0

THE FLORIDA SENATE
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Committee on Budget

HB 5403 — State Court Revenues

by Justice Appropriations Subcommittee and Representative Glorioso

This bill redirects revenues associated with mortgage foreclosure filing fees and mortgage foreclosure counterclaims filing fees from the State Courts Revenue Trust Fund into the General Revenue Fund.

If approved by the Governor, these provisions take effect June 1, 2012.

Vote: Senate 40-0; House 94-23

Committee on Budget

HB 5501 — One-Stop Business Registration Portal

by Government Operations Appropriations Subcommittee and Rep. Hooper and others (SB 1976 by Budget Committee)

The bill provides for the following:

- Directs the Department of Revenue (DOR) to establish and implement a One-Stop Business Registration Portal, through an internet website, to provide individuals and businesses with a single point of entry for transacting business in the state.
- Provides that the One-Stop Business Registration Portal must provide businesses and individuals a single point-of-entry for:
 - o Completing and submitting applications for various licenses, registrations or permits that are issued by state agencies or departments to do business in the state.
 - o Filing of documents that must be submitted to state agencies or departments to transact business in the state.
 - o Remitting of payments for the various fees that must be paid to state agencies or departments to obtain licensure, registration or a permit.
- Authorizes the DOR to competitively procure and contract for services to develop and maintain the portal, and directs the Departments of Business and Professional Regulation, Economic Opportunity, Financial Services, Lottery, Management Services and State to cooperate with the DOR in the development and implementation of the portal.

If approved by the Governor, these provisions take effect July 1, 2012.

Vote: Senate 40-0; House 116-0

Committee on Budget

HB 5503 — One-Stop Business Registration Clearing Trust Fund

by Government Operations Appropriations Subcommittee and Rep. Hooper and others (SB 1978 by Budget Committee)

The bill provides for the following:

- Creates the One-Stop Business Registration Portal Clearing Trust Fund within the Department of Revenue. The trust fund is to be used as a depository for receipts generated through the utilization of the One-Stop Business Registration Portal to be established in s. 288.109, F.S.
- Requires the department to distribute the moneys collected in the trust fund to the appropriate agencies and accounts by the 25th day of each month.

If approved by the Governor, these provisions take effect July 1, 2012, if HB 5501 or similar legislation is adopted in the same legislative session or an extension thereof and becomes law.

Vote: Senate 39-0; House 116-0

Committee on Budget

HB 5505 — Department of Financial Services

by Government Operations Appropriations Subcommittee and Rep. Hooper

The bill provides for the following:

- Allows for the electronic submission of workers' compensation exemption applications, with streamlined reporting requirements (e.g., elimination of notarization requirement and, for construction industry exemptions, the filing of copies of stock certificates).
- Requires additional data elements to be reported by all applicants filing electronically to include:
 - Date of birth, Florida driver's license number or identification card number.
 - For construction industry applicants, statement of ownership interest.
- Provides that exemptions issued after January 1, 2013, are valid for two years.
- Repeals the requirement for the Department of Financial Services to prepare an annual report on the administration of the workers' compensation laws of the prior year.
- Provides for a cost savings of nine positions and \$348,289 incorporated into the Fiscal Year 2012-13 General Appropriations Act.
- Amends the delinquent finance charge related to consumer finance loans by adjusting the current \$10 fee annually based on the consumer price index.
- Provides that revenues collected for money transmitter functions will be deposited into the Financial Institutions Regulatory Trust Fund rather than the Regulatory Trust Fund.
- Authorizes the Governor, at his option, to direct the State Board of Administration (SBA) to create the Florida Insurance Premium Tax Pre-Payment Program in order to provide an additional funding mechanism for the Florida Hurricane Catastrophe (CAT) Fund.
- If the Governor approves, the SBA may sell up to \$1.5 billion in tax credits that can be applied to reduce future tax liabilities. The bill limits the amount of tax credits that can be applied each year to \$150 million.
- The SBA will loan the proceeds of the tax credit sale to the CAT Fund.
- Loan repayments are to be deposited in the General Revenue Fund.
- The loan repayment schedule is to be designed so that in each fiscal year the General Revenue Fund receives an amount equal to the tax credits being applied.

If approved by the Governor, these provisions take effect July 1, 2012.

Vote: Senate 36-3; House 82-34

Committee on Budget

HB 5507 — Department of Management Services

by Government Operations Appropriations Subcommittee and Rep. Hooper and others (SB 1982 by Budget Committee)

The bill provides for the following:

- Eliminates the Executive Aircraft Program and transfers the cash balance of the Bureau of Aircraft Trust Fund to the General Revenue Fund.
- Removes the one-percent reimbursement limit for administration of the Florida State Employee Charitable Campaign. This allows the state to be fully reimbursed for costs to administer the program.
- Provides for the transfer of funds from the Operating Trust Fund in the Department of Management Services to the Department of Financial Services to support statewide purchasing operations.
- Extends the \$3 surcharge on certain criminal offenses and noncriminal moving traffic violations to July 1, 2021. The surcharge annually provides \$5.2 million to enhance the Statewide Law Enforcement Radio System.

If approved by the Governor, these provisions take effect July 1, 2012.

Vote: Senate 39-0; House 115-1

Committee on Budget

CS/HB 5509 — State Data Center System

by Appropriations Committee; Government Operations Appropriations Subcommittee; and Rep. Hooper (SB 1984 by Budget Committee)

The bill provides for the following:

- Amends the schedule for agency data center consolidations and exempts the Florida Department of Law Enforcement, Department of Lottery, Systems Design and Development in the Office of Policy and Budget, state attorneys, public defenders, criminal conflict and civil regional counsel, capital collateral regional counsel, Florida Clerks of Court Operations Corporation, Florida Housing Finance Corporation, and the State Board of Administration from consolidation to a primary data center.
- Deletes the requirement that agencies must submit information relating to their data centers and computing facilities to the Agency for Enterprise Information Technology (AEIT).
- Deletes the requirement for the AEIT to submit a comprehensive transition plan.
- Amends the duties and responsibilities of a primary data center by requiring an inventory of contracts and agreements and requiring any resources to be requested in the Legislative Budget Request.
- Specifies that any administrative overhead costs charged must be included in a specific appropriation and any changes in rates that increase an agency charge must be approved by the Legislative Budget Commission.

If approved by the Governor, these provisions take effect July 1, 2012.

Vote: Senate 40-0; House 117-0

Committee on Budget

HB 5511 — Department of Business and Professional Regulation

by Government Operations Appropriations Subcommittee; and Rep. Hooper (SB 1980 by Budget Committee)

The bill provides for the following:

- Updates statutory references to replace the Department of Health with the Department of Professional Regulation (DBPR) and designates the program as a division.
- Terminates the Drugs, Devices, and Cosmetics (DDC) Trust Fund and transfers funding to the department's existing Professional Regulation Trust Fund, and requires the DBPR to establish a separate account within the trust fund for the DDC program.
- Repeals the five percent tax on closed circuit (pay-per-view) boxing, kickboxing, and mixed martial arts events currently assessed by the Boxing Commission within the DBPR.

If approved by the Governor, these provisions take effect July 1, 2012, except as otherwise provided.

Vote: Senate 40-0; House 116-0

Committee on Budget

HB 5601 — License to Carry a Concealed Weapon or Firearm

by Agriculture and Natural Resources Appropriations Subcommittee; and Rep. T. Williams and others

This bill amends s. 790.06, F.S., to reduce the maximum fee allowable for a new license to carry a concealed weapon from \$85 to \$70, and a renewal license from \$70 to \$60.

If approved by the Governor, these provisions take effect July 1, 2012.

Vote: Senate 34-6; House 102-16