

1 A bill to be entitled
2 An act relating to implementing the 2012-2013 General
3 Appropriations Act; providing legislative intent;
4 incorporating by reference certain calculations of the
5 Florida Education Finance Program for the 2012-2013
6 fiscal year; amending ss. 1012.885 and 1012.975, F.S.;
7 limiting the amount of remuneration provided to a
8 Florida College System institution president or a
9 state university president from state funds for the
10 2012-2013 fiscal year; amending ss. 1012.886 and
11 1012.976, F.S.; limiting the amount of remuneration
12 provided to Florida College System institution
13 administrative employees and state university
14 administrative employees; amending s. 216.292, F.S.;
15 authorizing the transfer of funds between
16 appropriation categories to fund fixed capital outlay
17 projects for charter schools upon certain approval;
18 providing requirements to govern the completion of
19 Phase 2 and Phase 3 of the Department of Health's
20 Florida Onsite Sewage Nitrogen Reduction Strategies
21 Study; prohibiting any state agency from adopting or
22 implementing a rule or policy mandating or
23 establishing new nitrogen-reduction limits under
24 certain circumstances; incorporating by reference
25 certain calculations of the Medicaid Low-Income Pool,
26 Disproportionate Share Hospital, and Hospital
27 Exemptions Programs for the 2012-2013 fiscal year;
28 amending s. 216.262, F.S.; authorizing the Department

HB 5003

2012

29 | of Corrections to submit a budget amendment for
30 | additional positions to operate additional prison bed
31 | capacity under certain circumstances; amending s.
32 | 932.7055, F.S.; authorizing a municipality to expend
33 | funds from its special law enforcement trust fund to
34 | reimburse the municipality's general fund; requiring
35 | the Department of Juvenile Justice to comply with
36 | specified reimbursement limitations with respect to
37 | payments to hospitals or health care providers for
38 | health care services; authorizing certain payments
39 | pursuant to a contracted rate only until the contract
40 | expires or is renewed; defining the term "hospital"
41 | for purposes of such limitations; amending s. 29.008,
42 | F.S., relating to county funding of court-related
43 | functions; providing counties with an exemption from
44 | the requirement to annually increase certain
45 | expenditures by a specified percentage; amending s.
46 | 282.709, F.S.; allowing funds from the State Agency
47 | Law Enforcement Radio System Trust Fund to be used for
48 | mutual aid buildout maintenance and sustainment;
49 | amending s. 375.041, F.S.; providing for the transfer
50 | of moneys from the Land Acquisition Trust Fund to
51 | support the Total Maximum Daily Loads Program,
52 | Drinking Water Revolving Loan Trust Fund, and
53 | Wastewater Treatment and Stormwater Management
54 | Revolving Loan Trust Fund; amending s. 373.59, F.S.;
55 | providing for the allocation and distribution of
56 | moneys from the Water Management Lands Trust Fund for

HB 5003

2012

57 | certain purposes; amending s. 403.1651, F.S.;

58 | authorizing the use of funds from the Ecosystem

59 | Management and Restoration Trust Fund to fund

60 | activities to preserve and repair the state's beaches;

61 | amending s. 403.7095, F.S.; requiring the Department

62 | of Environmental Protection to award a specified

63 | amount in grants to certain counties for solid waste

64 | programs; authorizing the Department of Agriculture

65 | and Consumer Services to extend, revise, and renew

66 | current contracts or agreements created or entered

67 | into for the purpose of promotion of agriculture;

68 | amending s. 379.204, F.S.; authorizing the Fish and

69 | Wildlife Conservation Commission to transfer certain

70 | funds to the Federal Grants Trust Fund to support cash

71 | flow needs; amending s. 379.209, F.S.; authorizing the

72 | Fish and Wildlife Conservation Commission to transfer

73 | funds from the Nongame Wildlife Trust Fund to the

74 | Grants and Donations Trust Fund to support cash flow

75 | needs; authorizing the Fish and Wildlife Conservation

76 | Commission to transfer a specified amount of funds in

77 | hunting and fishing license fees from the Grants and

78 | Donations Trust Fund to the State Game Trust Fund for

79 | the purpose repaying a loan; amending s. 339.135,

80 | F.S.; authorizing the Department of Transportation to

81 | reduce work program levels to balance the finance plan

82 | to revised funding levels; requiring the department's

83 | cash balances to meet certain requirements before a

84 | project or phase may be deferred; providing that

85 | certain reductions not negatively impact safety or
86 | maintenance or project contingency percentage levels
87 | as of a specified date; providing for the transfer of
88 | funds to the Department of Economic Opportunity to use
89 | for funding transportation-related needs of economic
90 | development projects; providing that the transfer not
91 | reduce, delete, or defer any existing projects funded
92 | as of a specified date in the Department of
93 | Transportation's 5-year work program; amending s.
94 | 339.08, F.S.; authorizing the transfer of funds from
95 | the State Transportation Trust Fund to the State
96 | School Trust Fund under certain circumstances;
97 | reenacting s. 163.3247(3)(d), F.S., relating to
98 | members of the Century Commission for a Sustainable
99 | Florida serving without compensation; reenacting s.
100 | 201.15(1)(c), F.S., relating to funds deposited into
101 | the Grants and Donations Trust Fund in the Department
102 | of Economic Opportunity which are used to fund
103 | technical assistance to local governments and school
104 | boards; amending s. 206.608, F.S.; authorizing the
105 | transfer of certain tax funds to the State
106 | Transportation Trust Fund; amending s. 320.204, F.S.;
107 | prohibiting the transfer of funds from the Highway
108 | Safety Operating Trust Fund to the Transportation
109 | Disadvantaged Trust Fund; amending s. 257.17, F.S.;
110 | requiring certain library administrative units that
111 | outsource their operations be awarded a portion of
112 | eligible grants when specified requirements are met;

113 | authorizing the Executive Office of the Governor to
114 | transfer funds between departments for purposes of
115 | aligning amounts paid for risk management premiums and
116 | for purposes of aligning amounts paid for human
117 | resource management services; amending s. 110.123,
118 | F.S., relating to the state group insurance program;
119 | providing the amounts of the state's monthly
120 | contribution; amending s. 112.24, F.S.; providing
121 | conditions on the assignment of an employee of a state
122 | agency; amending s. 110.1245, F.S.; authorizing agency
123 | heads to provide one-time lump sum bonuses under
124 | certain circumstances; providing limitations and
125 | criteria; expanding the definition of the term "agency
126 | head"; providing that the annual salary of the members
127 | of the Legislature be maintained at a specified level;
128 | reenacting s. 215.32(2)(b), F.S., relating to the
129 | source and use of certain trust funds to implement the
130 | transfer of funds to the State School Trust Fund from
131 | trust funds in the 2012-2013 General Appropriations
132 | Act; providing a legislative finding that the issuance
133 | of new debt is in the best interests of the state and
134 | necessary to address a critical state emergency;
135 | limiting the use of travel funds to activities that
136 | are critical to an agency's mission; providing
137 | exceptions; authorizing certain agencies to request
138 | the transfer of resources between Data Processing
139 | Services appropriation categories and appropriation
140 | categories for operation based upon changes to the

HB 5003

2012

141 data center services consolidation schedule;
142 authorizing the Executive Office of the Governor to
143 transfer funds for use by the state's designated
144 primary data centers; authorizing the Executive Office
145 of the Governor to transfer funds between agencies in
146 order to allocate a reduction relating to SUNCOM;
147 reenacting s. 110.12315(7)(a), F.S., relating to
148 copayments for the state employees' prescription drug
149 program; providing for reversion of statutory text of
150 certain provisions; providing for the effect of a veto
151 of one or more specific appropriations or proviso to
152 which implementing language refers; providing for the
153 continued operation of certain provisions
154 notwithstanding a future repeal or expiration provided
155 by this act; providing for severability; providing
156 effective dates.

157

158 Be It Enacted by the Legislature of the State of Florida:

159

160 Section 1. It is the intent of the Legislature that the
161 implementing and administering provisions of this act apply to
162 the General Appropriations Act for the 2012-2013 fiscal year.

163 Section 2. In order to implement Specific Appropriations
164 6, 7, 8, 84, and 85 of the 2012-2013 General Appropriations Act,
165 the calculations of the Florida Education Finance Program for
166 the 2012-2013 fiscal year in the document entitled "Public
167 School Funding-The Florida Education Finance Program," dated
168 February 2, 2012, and filed with the Clerk of the House of

HB 5003

2012

169 Representatives, are incorporated by reference for the purpose
170 of displaying the calculations used by the Legislature,
171 consistent with the requirements of the Florida Statutes, in
172 making appropriations for the Florida Education Finance Program.
173 This section expires July 1, 2013.

174 Section 3. In order to implement Specific Appropriations
175 10 and 108 of the 2012-2013 General Appropriations Act,
176 subsection (4) of section 1012.885, Florida Statutes, is amended
177 to read:

178 1012.885 Remuneration of Florida College System
179 institution presidents; limitations.—

180 (4) LIMITATION ON REMUNERATION.—Notwithstanding the
181 provisions of this section, for the 2012-2013 ~~2011-2012~~ fiscal
182 year, a Florida College System institution president may not
183 receive more than \$200,000 in remuneration from appropriated
184 state funds. Only compensation, as defined in s. 121.021(22),
185 provided to a Florida College System institution president may
186 be used in calculating benefits under chapter 121. This
187 subsection expires July 1, 2013.

188 Section 4. In order to implement Specific Appropriations
189 10 and 108 of the 2012-2013 General Appropriations Act,
190 subsection (4) of section 1012.886, Florida Statutes, is amended
191 to read:

192 1012.886 Remuneration of Florida College System
193 institution administrative employees; limitations.—

194 (4) EXPIRATION.—This section expires June 30, 2013 ~~2012~~.

195 Section 5. In order to implement Specific Appropriations
196 11 through 15 and 129 through 135A of the 2012-2013 General

HB 5003

2012

197 Appropriations Act, subsection (4) of section 1012.975, Florida
 198 Statutes, is amended to read:

199 1012.975 Remuneration of state university presidents;
 200 limitations.—

201 (4) LIMITATION ON REMUNERATION.—Notwithstanding the
 202 provisions of this section, for the 2012-2013 ~~2011-2012~~ fiscal
 203 year, a state university president may not receive more than
 204 \$200,000 in remuneration from public funds. Only compensation,
 205 as defined in s. 121.021(22), provided to a state university
 206 president may be used in calculating benefits under chapter 121.
 207 This subsection expires July 1, 2013.

208 Section 6. In order to implement Specific Appropriations
 209 11 through 15 and 129 through 135A of the 2012-2013 General
 210 Appropriations Act, subsection (4) of section 1012.976, Florida
 211 Statutes, is amended to read:

212 1012.976 Remuneration of state university administrative
 213 employees; limitations.—

214 (4) EXPIRATION.—This section expires June 30, 2013 ~~2012~~.

215 Section 7. In order to implement Specific Appropriation
 216 16A of the 2012-2013 General Appropriations Act, paragraph (c)
 217 of subsection (3) of section 216.292, Florida Statutes, is
 218 amended to read:

219 216.292 Appropriations nontransferable; exceptions.—

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

224 (c) The transfer of appropriations for fixed capital

HB 5003

2012

225 outlay from the Survey Recommended Needs-Public Schools
226 appropriation category to the Maintenance, Repair, Renovation
227 and Remodeling appropriation category. The allocation of
228 transferred funds must be in accordance with s. 1013.62. This
229 paragraph expires July 1, 2013 ~~2012~~.

230 Section 8. In order to implement Specific Appropriation
231 512 of the 2012-2013 General Appropriations Act, and for the
232 2012-2013 fiscal year only, the following requirements govern
233 the completion of Phase 2 and Phase 3 of the Department of
234 Health's Florida Onsite Sewage Nitrogen Reduction Strategies
235 Study:

236 (1) The Department of Health's underlying contract for the
237 study remains in full force and effect and funding for
238 completion of Phase 2 and Phase 3 is through the Department of
239 Health.

240 (2) The Department of Health, the Department of Health's
241 Research Review and Advisory Committee, and the Department of
242 Environmental Protection shall work together to provide the
243 necessary technical oversight of the completion of Phase 2 and
244 Phase 3 of the project.

245 (3) Management and oversight of the completion of Phase 2
246 and Phase 3 must be consistent with the terms of the existing
247 contract. However, the main focus and priority to be completed
248 during Phase 3 shall be developing, testing, and recommending
249 cost-effective passive technology design criteria for nitrogen
250 reduction.

251 (4) The systems installed at homesites are experimental in
252 nature and shall be installed with significant field testing and

HB 5003

2012

253 monitoring. The Department of Health is specifically authorized
254 to allow installation of these experimental systems.
255 Notwithstanding any other law, before Phase 3 of the study is
256 completed, a state agency may not adopt or implement a rule or
257 policy that:

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

261 (b) Directly or indirectly requires the use of
262 performance-based treatment systems or similar technology, such
263 as through an administrative order developed by the Department
264 of Environmental Protection as part of a basin management action
265 plan adopted pursuant to s. 403.067, Florida Statutes. However,
266 the implementation of more restrictive nitrogen-reduction
267 standards for onsite systems may be required through a basin
268 management action plan if such plan is phased in after
269 completion of Phase 3.

270 (5) This section expires July 1, 2013.

271 Section 9. In order to implement Specific Appropriations
272 187, 193 through 195, and 198 of the 2012-2013 General
273 Appropriations Act, the calculations of the Medicaid Low-Income
274 Pool, Disproportionate Share Hospital, and Hospital Exemptions
275 Programs for the 2012-2013 fiscal year in the document entitled
276 "Medicaid Supplemental Hospital Funding Programs" dated February
277 2, 2012, and filed with the Clerk of the House of
278 Representatives, are incorporated by reference for the purpose
279 of displaying the calculations used by the Legislature,
280 consistent with the requirements of the Florida Statutes, in

281 making appropriations for the Low-Income Pool, Disproportionate
 282 Share Hospital, and Hospital Exemptions Programs. This section
 283 expires July 1, 2013.

284 Section 10. In order to implement Specific Appropriations
 285 625 through 758 and 778 through 815 of the 2012-2013 General
 286 Appropriations Act, subsection (4) of section 216.262, Florida
 287 Statutes, is amended to read:

288 216.262 Authorized positions.—

289 (4) Notwithstanding the provisions of this chapter
 290 relating to increasing the number of authorized positions, and
 291 for the 2012-2013 ~~2011-2012~~ fiscal year only, if the actual
 292 inmate population of the Department of Corrections exceeds the
 293 inmate population projections of the December 14, 2011 ~~February~~
 294 ~~21, 2011~~, Criminal Justice Estimating Conference by 1 percent
 295 for 2 consecutive months or 2 percent for any month, the
 296 Executive Office of the Governor, with the approval of the
 297 Legislative Budget Commission, shall immediately notify the
 298 Criminal Justice Estimating Conference, which shall convene as
 299 soon as possible to revise the estimates. The Department of
 300 Corrections may then submit a budget amendment requesting the
 301 establishment of positions in excess of the number authorized by
 302 the Legislature and additional appropriations from unallocated
 303 general revenue sufficient to provide for essential staff, fixed
 304 capital improvements, and other resources to provide
 305 classification, security, food services, health services, and
 306 other variable expenses within the institutions to accommodate
 307 the estimated increase in the inmate population. All actions
 308 taken pursuant to this subsection are subject to review and

309 approval by the Legislative Budget Commission. This subsection
 310 expires July 1, 2013 ~~2012~~.

311 Section 11. In order to implement Specific Appropriations
 312 1297B and 1299 of the 2012-2013 General Appropriations Act,
 313 paragraph (d) of subsection (4) of section 932.7055, Florida
 314 Statutes, is amended to read:

315 932.7055 Disposition of liens and forfeited property.—

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

318 (d) Notwithstanding any other provision of this
 319 subsection, and for the 2012-2013 ~~2011-2012~~ fiscal year only,
 320 the funds in a special law enforcement trust fund established by
 321 the governing body of a municipality may be expended to
 322 reimburse the general fund of the municipality for moneys
 323 advanced from the general fund to the special law enforcement
 324 trust fund before October 1, 2001. This paragraph expires July
 325 1, 2013 ~~2012~~.

326 Section 12. (1) In order to implement Specific
 327 Appropriations 1187, 1188, 1193, 1194, 1239, 1240, 1244, 1245,
 328 1247, 1251, 1252, 1255, 1256, 1257, 1267, and 1272 of the 2012-
 329 2013 General Appropriations Act, the Department of Juvenile
 330 Justice must comply with the following reimbursement
 331 limitations:

332 (a) Payments to a hospital or a health care provider may
 333 not exceed 110 percent of the Medicare allowable rate for any
 334 health care services provided if no contract exists between the
 335 department and the hospital or the health care provider
 336 providing services at a hospital;

HB 5003

2012

337 (b) The department may continue to make payments for
338 health care services at the currently contracted rates through
339 the current term of the contract if a contract has been executed
340 between the department and a hospital or a health care provider
341 providing services at a hospital; however, payments may not
342 exceed 110 percent of the Medicare allowable rate after the
343 current term of the contract expires or after the contract is
344 renewed during the 2012-2013 fiscal year;

345 (c) Payments may not exceed 110 percent of the Medicare
346 allowable rate under a contract executed on or after July 1,
347 2012, between the department and a hospital or a health care
348 provider providing services at a hospital;

349 (d) Notwithstanding paragraphs (a), (b), and (c), the
350 department may pay up to 125 percent of the Medicare allowable
351 rate for health care services at a hospital that reports or has
352 reported a negative operating margin for the previous fiscal
353 year to the Agency for Health Care Administration through
354 hospital-audited financial data; and

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

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

360 (3) This section expires July 1, 2013.

361 Section 13. In order to implement section 7 of the 2012-
362 2013 General Appropriations Act, paragraph (c) of subsection (4)
363 of section 29.008, Florida Statutes, is amended to read:

364 29.008 County funding of court-related functions.—

HB 5003

2012

365 (4)
 366 (c) Counties are exempt from all requirements and
 367 provisions of paragraph (a) for the 2012-2013 ~~2011-2012~~ fiscal
 368 year. Accordingly, for the 2012-2013 ~~2011-2012~~ fiscal year,
 369 counties shall maintain, but are not required to increase, their
 370 expenditures for the items specified in paragraphs (1)(a)-(h)
 371 and subsection (3). The requirements described in paragraph (a)
 372 shall be reinstated beginning with the 2013-2014 ~~2012-2013~~
 373 fiscal year. This paragraph expires July 1, 2013 ~~2012~~.

374 Section 14. In order to implement Specific Appropriation
 375 2890 of the 2012-2013 General Appropriation Act, paragraph (b)
 376 of subsection (3) of section 282.709, Florida Statutes, is
 377 amended to read:

378 282.709 State agency law enforcement radio system and
 379 interoperability network.—

380 (3)
 381 (b) Funds from the State Agency Law Enforcement Radio
 382 System Trust Fund may be used by the department to fund mutual
 383 aid buildout maintenance and sustainment as appropriated by law.
 384 This paragraph expires July 1, 2013 ~~2012~~.

385 Section 15. In order to implement Specific Appropriations
 386 1662, 1685, and 1686 of the 2012-2013 General Appropriations
 387 Act, paragraph (b) of subsection (3) of section 375.041, Florida
 388 Statutes, is amended to read:

389 375.041 Land Acquisition Trust Fund.—

390 (3)
 391 (b) In addition to the uses allowed under paragraph (a),
 392 for the 2012-2013 ~~2011-2012~~ fiscal year, moneys in the Land

HB 5003

2012

393 Acquisition Trust Fund are authorized for transfer to support
 394 the Total Maximum Daily Loads Program, Drinking Water Revolving
 395 Loan Trust Fund, and Wastewater Treatment and Stormwater
 396 Management Revolving Loan Trust Fund as provided in the General
 397 Appropriations Act. This paragraph expires July 1, 2013 ~~2012~~.

398 Section 16. In order to implement Specific Appropriation
 399 1592B of the 2012-2013 General Appropriations Act, subsection
 400 (12) of section 373.59, Florida Statutes, is amended to read:

401 373.59 Water Management Lands Trust Fund.—

402 (12) Notwithstanding subsection (8), and for the 2012-2013
 403 ~~2011-2012~~ fiscal year only, the moneys from the Water Management
 404 Lands Trust Fund are allocated as follows:

405 (a) An amount necessary to pay debt service on bonds
 406 issued before February 1, 2009, by the South Florida Water
 407 Management District and the St. Johns River Water Management
 408 District, which are secured by revenues provided pursuant to
 409 this section, or to fund debt service reserve funds, rebate
 410 obligations, or other amounts payable with respect to such
 411 bonds; and

412 (b) Eight million dollars to be transferred to the General
 413 Revenue Fund. ~~;~~ and

414 ~~(c) The remaining funds to be distributed to the Suwannee~~
 415 ~~River Water Management District, of which \$500,000 may be used~~
 416 ~~for minimum flows and levels.~~

417
 418 This subsection expires July 1, 2013 ~~2012~~.

419 Section 17. In order to implement Specific Appropriations
 420 1664 through 1666 and 1668 and section 36 of the 2012-2013

HB 5003

2012

421 General Appropriations Act, paragraph (g) of subsection (1) of
 422 section 403.1651, Florida Statutes, is amended to read:

423 403.1651 Ecosystem Management and Restoration Trust Fund.—

424 (1) There is created the Ecosystem Management and
 425 Restoration Trust Fund to be administered by the Department of
 426 Environmental Protection for the purposes of:

427 (g) Funding activities to preserve and repair the state's
 428 beaches as provided in ss. 161.091-161.212. This paragraph
 429 expires July 1, 2013.

430 Section 18. In order to implement Specific Appropriation
 431 1714 of the 2012-2013 General Appropriations Act, subsection (5)
 432 of section 403.7095, Florida Statutes, is amended to read:

433 403.7095 Solid waste management grant program.—

434 (5) Notwithstanding any other provision of this section,
 435 and for the 2012-2013 ~~2011-2012~~ fiscal year only, the Department
 436 of Environmental Protection shall award the sum of \$2,400,000 in
 437 grants equally to counties having populations of fewer than
 438 100,000 for waste tire and litter prevention, recycling
 439 education, and general solid waste programs. This subsection
 440 expires July 1, 2013 ~~2012~~.

441 Section 19. In order to implement Specific Appropriation
 442 1496 of the 2012-2013 General Appropriations Act and to provide
 443 consistency and continuity in the promotion of agriculture
 444 throughout the state, notwithstanding s. 287.057, Florida
 445 Statutes, the Department of Agriculture and Consumer Services
 446 may extend, revise, and renew current contracts or agreements
 447 created or entered into pursuant to chapter 2006-25, Laws of
 448 Florida. This section expires July 1, 2013.

HB 5003

2012

449 Section 20. In order to implement Specific Appropriations
 450 1809, 1825, 1892, and 1903 of the 2012-2013 General
 451 Appropriations Act, subsection (3) of section 379.204, Florida
 452 Statutes, is amended to read:

453 379.204 Federal Grants Trust Fund.—

454 (3) The commission may transfer the cash balance
 455 originating from hunting and fishing license fees from other
 456 trust funds into the Federal Grants Trust Fund for the purpose
 457 of supporting cash flow needs. This subsection expires July 1,
 458 2013 ~~2012~~.

459 Section 21. In order to implement Specific Appropriations
 460 1806, 1841, 1863, and 1903 of the 2012-2013 General
 461 Appropriations Act, subsection (4) is added to section 379.209,
 462 Florida Statutes, to read:

463 379.209 Nongame Wildlife Trust Fund.—

464 (4) The commission may transfer cash balances from the
 465 Nongame Wildlife Trust Fund to the Grants and Donations Trust
 466 Fund for the purpose of supporting cash flow needs. This
 467 subsection expires July 1, 2013.

468 Section 22. In order to implement Specific Appropriations
 469 1806, 1841, 1863, and 1903 of the 2012-2013 General
 470 Appropriations Act, the Fish and Wildlife Conservation
 471 Commission is authorized to transfer \$500,000 in hunting and
 472 fishing license fees from the Grants and Donations Trust Fund to
 473 the State Game Trust Fund, to repay the loan originally
 474 authorized in Specific Appropriation 1950 in chapter 2008-152,
 475 Laws of Florida.

476 Section 23. In order to implement Specific Appropriations
 477 1916 through 1928, 1934A through 1934E, 1949 through 1951, 1953
 478 through 1958, 1960 through 1970, and 2014 through 2023 of the
 479 2012-2013 General Appropriations Act, paragraph (a) of
 480 subsection (4) of section 339.135, Florida Statutes, is amended
 481 to read:

482 339.135 Work program; legislative budget request;
 483 definitions; preparation, adoption, execution, and amendment.—

484 (4) FUNDING AND DEVELOPING A TENTATIVE WORK PROGRAM.—

485 (a)1. To assure that no district or county is penalized
 486 for local efforts to improve the State Highway System, the
 487 department shall, for the purpose of developing a tentative work
 488 program, allocate funds for new construction to the districts,
 489 except for the turnpike enterprise, based on equal parts of
 490 population and motor fuel tax collections. Funds for
 491 resurfacing, bridge repair and rehabilitation, bridge fender
 492 system construction or repair, public transit projects except
 493 public transit block grants as provided in s. 341.052, and other
 494 programs with quantitative needs assessments shall be allocated
 495 based on the results of these assessments. The department may
 496 not transfer any funds allocated to a district under this
 497 paragraph to any other district except as provided in subsection
 498 (7). Funds for public transit block grants shall be allocated to
 499 the districts pursuant to s. 341.052. Funds for the intercity
 500 bus program provided for under s. 5311(f) of the federal
 501 nonurbanized area formula program shall be administered and
 502 allocated directly to eligible bus carriers as defined in s.
 503 341.031(12) at the state level rather than the district. In

HB 5003

2012

504 order to provide state funding to support the intercity bus
505 program provided for under provisions of the federal 5311(f)
506 program, the department shall allocate an amount equal to the
507 federal share of the 5311(f) program from amounts calculated
508 pursuant to s. 206.46(3).

509 2. Notwithstanding the provisions of subparagraph 1., the
510 department shall allocate at least 50 percent of any new
511 discretionary highway capacity funds to the Florida Strategic
512 Intermodal System created pursuant to s. 339.61. Any remaining
513 new discretionary highway capacity funds shall be allocated to
514 the districts for new construction as provided in subparagraph
515 1. For the purposes of this subparagraph, the term "new
516 discretionary highway capacity funds" means any funds available
517 to the department above the prior year funding level for
518 capacity improvements, which the department has the discretion
519 to allocate to highway projects.

520 3. Notwithstanding subparagraphs 1. and 2. and ss.
521 201.15(1)(c)1.a.-d., 206.46(3), 334.044(26), and 339.2819(3),
522 and for the 2012-2013 ~~2011-2012~~ fiscal year only, the department
523 shall reduce work program levels to balance the finance plan to
524 the revised funding levels resulting from any reduction in the
525 2012-2013 ~~2011-2012~~ General Appropriations Act. This
526 subparagraph expires July 1, 2013 ~~2012~~.

527 4. For the 2012-2013 ~~2011-2012~~ fiscal year only, before
528 any project or phase thereof is deferred, the department's cash
529 balances shall be as provided in paragraph (6)(b), and the
530 reductions in subparagraph 3. shall be made to financial
531 projects not programmed for contract letting as identified with

HB 5003

2012

532 a work program contract class code 8 and the box code RV. These
 533 reductions shall not negatively impact safety or maintenance or
 534 project contingency percentage levels as of January 24 ~~April 21,~~
 535 2012 ~~2011~~. This subparagraph expires July 1, 2013 ~~2012~~.

536 5. Notwithstanding subparagraphs 1. and 2. and ss.
 537 206.46(3) and 334.044(26), and for fiscal years 2009-2010
 538 through 2013-2014 only, the department shall annually allocate
 539 up to \$15 million of the first proceeds of the increased
 540 revenues estimated by the November 2009 Revenue Estimating
 541 Conference to be deposited into the State Transportation Trust
 542 Fund to provide for the portion of the transfer of funds
 543 included in s. 343.58(4) (a)1.a. or 2.a., as applicable. The
 544 transfer of funds included in s. 343.58(4) shall not negatively
 545 impact projects included in fiscal years 2009-2010 through 2013-
 546 2014 of the work program as of July 1, 2009, as amended pursuant
 547 to subsection (7). This subparagraph expires July 1, 2014.

548 Section 24. In order to implement Specific Appropriation
 549 1967 of the 2012-2013 General Appropriations Act, paragraph (b)
 550 of subsection (5) of section 339.135, Florida Statutes, is
 551 amended to read:

552 339.135 Work program; legislative budget request;
 553 definitions; preparation, adoption, execution, and amendment.—

554 (5) ADOPTION OF THE WORK PROGRAM.—

555 (b) Notwithstanding paragraph (a), and for the 2012-2013
 556 ~~2011-2012~~ fiscal year only, the Department of Transportation
 557 shall transfer funds to the Department of Economic Opportunity
 558 ~~Office of Tourism, Trade, and Economic Development~~ in an amount
 559 equal to \$15 million for the purpose of funding transportation-

HB 5003

2012

560 related needs of economic development projects. This transfer
 561 shall not reduce, delete, or defer any existing projects funded,
 562 as of July 1, 2012 ~~2011~~, in the Department of Transportation's
 563 5-year work program. This paragraph expires July 1, 2013 ~~2012~~.

564 Section 25. In order to implement section 48 of the 2012-
 565 2013 General Appropriations Act, subsection (4) of section
 566 339.08, Florida Statutes, is amended to read:

567 339.08 Use of moneys in State Transportation Trust Fund.—

568 (4) For the 2012-2013 ~~2011-2012~~ fiscal year only and
 569 notwithstanding this section and ss. 339.09(1) and
 570 215.32(2)(b)4., funds may be transferred from the State
 571 Transportation Trust Fund to the State School Trust Fund or the
 572 General Revenue Fund as specified in the General Appropriations
 573 Act. Notwithstanding ss. 206.46(3) and 206.606(2), the total
 574 amount transferred shall be reduced from total state revenues
 575 deposited into the State Transportation Trust Fund for the
 576 calculation requirements of ss. 206.46(3) and 206.606(2). This
 577 subsection expires July 1, 2013 ~~2012~~.

578 Section 26. In order to implement Specific Appropriation
 579 2287 of the 2012-2013 General Appropriations Act, paragraph (d)
 580 of subsection (3) of section 163.3247, Florida Statutes, is
 581 reenacted to read:

582 163.3247 Century Commission for a Sustainable Florida.—

583 (3) CENTURY COMMISSION FOR A SUSTAINABLE FLORIDA;
 584 CREATION; ORGANIZATION.—The Century Commission for a Sustainable
 585 Florida is created as a standing body to help the citizens of
 586 this state envision and plan their collective future with an eye
 587 towards both 25-year and 50-year horizons.

HB 5003

2012

588 (d) Members of the commission shall serve without
589 compensation.

590 Section 27. The amendment to s. 163.3247(3)(d), Florida
591 Statutes, as carried forward by this act from chapter 2011-47,
592 Laws of Florida, shall expire July 1, 2013, and the text of that
593 paragraph shall revert to that in existence on June 30, 2010,
594 except that any amendments to such text enacted other than by
595 this act shall be preserved and continue to operate to the
596 extent that such amendments are not dependent upon the portions
597 of text which expire pursuant to this section.

598 Section 28. In order to implement Specific Appropriation
599 2287 of the 2012-2013 General Appropriations Act, paragraph (c)
600 of subsection (1) of section 201.15, Florida Statutes, is
601 reenacted to read:

602 201.15 Distribution of taxes collected.—All taxes
603 collected under this chapter are subject to the service charge
604 imposed in s. 215.20(1). Prior to distribution under this
605 section, the Department of Revenue shall deduct amounts
606 necessary to pay the costs of the collection and enforcement of
607 the tax levied by this chapter. Such costs and the service
608 charge may not be levied against any portion of taxes pledged to
609 debt service on bonds to the extent that the costs and service
610 charge are required to pay any amounts relating to the bonds.
611 After distributions are made pursuant to subsection (1), all of
612 the costs of the collection and enforcement of the tax levied by
613 this chapter and the service charge shall be available and
614 transferred to the extent necessary to pay debt service and any
615 other amounts payable with respect to bonds authorized before

HB 5003

2012

616 January 1, 2010, secured by revenues distributed pursuant to
617 subsection (1). All taxes remaining after deduction of costs and
618 the service charge shall be distributed as follows:

619 (1) Sixty-three and thirty-one hundredths percent of the
620 remaining taxes shall be used for the following purposes:

621 (c) After the required payments under paragraphs (a) and
622 (b), the remainder shall be paid into the State Treasury to the
623 credit of:

624 1. The State Transportation Trust Fund in the Department
625 of Transportation in the amount of the lesser of 38.2 percent of
626 the remainder or \$541.75 million in each fiscal year. Out of
627 such funds, the first \$50 million for the 2012-2013 fiscal year;
628 \$65 million for the 2013-2014 fiscal year; and \$75 million for
629 the 2014-2015 fiscal year and all subsequent years, shall be
630 transferred to the State Economic Enhancement and Development
631 Trust Fund within the Department of Economic Opportunity. The
632 remainder is to be used for the following specified purposes,
633 notwithstanding any other law to the contrary:

634 a. For the purposes of capital funding for the New Starts
635 Transit Program, authorized by Title 49, U.S.C. s. 5309 and
636 specified in s. 341.051, 10 percent of these funds;

637 b. For the purposes of the Small County Outreach Program
638 specified in s. 339.2818, 5 percent of these funds. Effective
639 July 1, 2014, the percentage allocated under this sub-
640 subparagraph shall be increased to 10 percent;

641 c. For the purposes of the Strategic Intermodal System
642 specified in ss. 339.61, 339.62, 339.63, and 339.64, 75 percent
643 of these funds after allocating for the New Starts Transit

644 Program described in sub-subparagraph a. and the Small County
 645 Outreach Program described in sub-subparagraph b.; and
 646 d. For the purposes of the Transportation Regional
 647 Incentive Program specified in s. 339.2819, 25 percent of these
 648 funds after allocating for the New Starts Transit Program
 649 described in sub-subparagraph a. and the Small County Outreach
 650 Program described in sub-subparagraph b. Effective July 1, 2014,
 651 the first \$60 million of the funds allocated pursuant to this
 652 sub-subparagraph shall be allocated annually to the Florida Rail
 653 Enterprise for the purposes established in s. 341.303(5).
 654 2. The Grants and Donations Trust Fund in the Department
 655 of Economic Opportunity in the amount of the lesser of .23
 656 percent of the remainder or \$3.25 million in each fiscal year to
 657 fund technical assistance to local governments and school boards
 658 on the requirements and implementation of this act.
 659 3. The Ecosystem Management and Restoration Trust Fund in
 660 the amount of the lesser of 2.12 percent of the remainder or \$30
 661 million in each fiscal year, to be used for the preservation and
 662 repair of the state's beaches as provided in ss. 161.091-
 663 161.212.
 664 4. General Inspection Trust Fund in the amount of the
 665 lesser of .02 percent of the remainder or \$300,000 in each
 666 fiscal year to be used to fund oyster management and restoration
 667 programs as provided in s. 379.362(3).
 668
 669 Moneys distributed pursuant to this paragraph may not be pledged
 670 for debt service unless such pledge is approved by referendum of
 671 the voters.

672 Section 29. The amendment to s. 201.15(1)(c)2., Florida
 673 Statutes, as carried forward by this act from chapter 2011-47,
 674 Laws of Florida, shall expire July 1, 2013, and the text of that
 675 subparagraph shall revert to that in existence on June 30, 2010,
 676 except that any amendments to such text enacted other than by
 677 this act shall be preserved and continue to operate to the
 678 extent that such amendments are not dependent upon the portions
 679 of text which expire pursuant to this section.

680 Section 30. In order to implement Specific Appropriations
 681 1916 through 1928, 1934A through 1934E, 1949 through 1951, 1953
 682 through 1958, 1960 through 1970, and 2014 through 2023 of the
 683 2012-2013 General Appropriations Act, subsection (3) of section
 684 206.608, Florida Statutes, is amended to read:

685 206.608 State Comprehensive Enhanced Transportation System
 686 Tax; deposit of proceeds; distribution.—Moneys received pursuant
 687 to ss. 206.41(1)(f) and 206.87(1)(d) shall be deposited in the
 688 Fuel Tax Collection Trust Fund, and, after deducting the service
 689 charge imposed in chapter 215 and administrative costs incurred
 690 by the department in collecting, administering, enforcing, and
 691 distributing the tax, which administrative costs may not exceed
 692 2 percent of collections, shall be distributed as follows:

693 (3) For the 2012-2013 ~~2011-2012~~ fiscal year only, and
 694 notwithstanding subsection (2), the remaining proceeds of the
 695 tax levied pursuant to s. 206.41(1)(f) and all of the proceeds
 696 from the tax imposed by s. 206.87(1)(d) shall be transferred
 697 into the State Transportation Trust Fund and be used for the
 698 purposes stated in s. 339.08. This subsection expires July 1,
 699 2013 ~~2012~~.

700 Section 31. In order to implement Specific Appropriations
 701 2635 through 2708 of the 2012-2013 General Appropriations Act,
 702 section 320.204, Florida Statutes, is amended to read:

703 320.204 Transportation disadvantaged.—

704 (1) Of the funds collected in this chapter which are
 705 deposited into the Highway Safety Operating Trust Fund,
 706 beginning July 1, 2011, and annually thereafter, the department
 707 shall transfer \$5 million to the Transportation Disadvantaged
 708 Trust Fund in the Department of Transportation. These funds
 709 shall be transferred on a quarterly basis.

710 (2) Notwithstanding subsection (1), for the 2012-2013
 711 fiscal year only, funds may not be transferred from the Highway
 712 Safety Operating Trust Fund to the Transportation Disadvantaged
 713 Trust Fund in the Department of Transportation. This subsection
 714 expires July 1, 2013.

715 Section 32. In order to implement Specific Appropriation
 716 3163 of the 2012-2013 General Appropriations Act, subsection (4)
 717 is added to section 257.17, Florida Statutes, to read:

718 257.17 Operating grants.—A political subdivision that has
 719 been designated by a county or municipality as the single
 720 library administrative unit is eligible to receive from the
 721 state an annual operating grant of not more than 25 percent of
 722 all local funds expended by that political subdivision during
 723 the second preceding fiscal year for the operation and
 724 maintenance of a library, under the following conditions:

725 (4) Notwithstanding paragraph (2)(a), for the 2012-2013
 726 fiscal year, a single library administrative unit that has
 727 outsourced its operations shall be awarded its portion of

HB 5003

2012

728 eligible grants authorized by this section, provided it meets
729 the other requirements of this section. This subsection expires
730 July 1, 2013.

731 Section 33. In order to implement the appropriation of
732 funds in appropriation category "Special Categories-Risk
733 Management Insurance" in the 2012-2013 General Appropriations
734 Act, and pursuant to the notice, review, and objection
735 procedures of s. 216.177, Florida Statutes, the Executive Office
736 of the Governor may transfer funds appropriated in that category
737 between departments in order to align the budget authority
738 granted with the premiums paid by each department for risk
739 management insurance. This section expires July 1, 2013.

740 Section 34. In order to implement the appropriation of
741 funds in the appropriation category "Special Categories-Transfer
742 to Department of Management Services-Human Resources Services
743 Purchased Per Statewide Contract" in the 2012-2013 General
744 Appropriations Act," and pursuant to the notice, review, and
745 objection procedures of s. 216.177, Florida Statutes, the
746 Executive Office of the Governor may transfer funds appropriated
747 in that category between departments in order to align the
748 budget authority granted with the assessments that must be paid
749 by each agency to the Department of Management Services for
750 human resource management services. This section expires July 1,
751 2013.

752 Section 35. In order to implement specific appropriations
753 for salaries and benefits in the 2012-2013 General
754 Appropriations Act, paragraph (a) of subsection (12) of section
755 110.123, Florida Statutes, is amended to read:

HB 5003

2012

756 | 110.123 State group insurance program.—

757 | (12) HEALTH SAVINGS ACCOUNTS.—The department is authorized
758 | to establish health savings accounts for full-time and part-time
759 | state employees in association with a health insurance plan
760 | option authorized by the Legislature and conforming to the
761 | requirements and limitations of federal provisions relating to
762 | the Medicare Prescription Drug, Improvement, and Modernization
763 | Act of 2003.

764 | (a)1. A member participating in this health insurance plan
765 | option is eligible to receive an employer contribution into the
766 | employee's health savings account from the State Employees
767 | Health Insurance Trust Fund in an amount to be determined by the
768 | Legislature. A member is not eligible for an employer
769 | contribution upon termination of employment. For the 2012-2013
770 | ~~2011-2012~~ fiscal year, the state's monthly contribution for
771 | employees having individual coverage shall be \$41.66 and the
772 | monthly contribution for employees having family coverage shall
773 | be \$83.33.

774 | 2. A member participating in this health insurance plan
775 | option is eligible to deposit the member's own funds into a
776 | health savings account.

777 | Section 36. In order to implement specific appropriations
778 | for salaries and benefits in the 2012-2013 General
779 | Appropriations Act, paragraph (b) of subsection (3) of section
780 | 112.24, Florida Statutes, is amended, and subsection (6) is
781 | added to that section, to read:

782 | 112.24 Intergovernmental interchange of public employees.—
783 | To encourage economical and effective utilization of public

HB 5003

2012

784 employees in this state, the temporary assignment of employees
785 among agencies of government, both state and local, and
786 including school districts and public institutions of higher
787 education is authorized under terms and conditions set forth in
788 this section. State agencies, municipalities, and political
789 subdivisions are authorized to enter into employee interchange
790 agreements with other state agencies, the Federal Government,
791 another state, a municipality, or a political subdivision
792 including a school district, or with a public institution of
793 higher education. State agencies are also authorized to enter
794 into employee interchange agreements with private institutions
795 of higher education and other nonprofit organizations under the
796 terms and conditions provided in this section. In addition, the
797 Governor or the Governor and Cabinet may enter into employee
798 interchange agreements with a state agency, the Federal
799 Government, another state, a municipality, or a political
800 subdivision including a school district, or with a public
801 institution of higher learning to fill, subject to the
802 requirements of chapter 20, appointive offices which are within
803 the executive branch of government and which are filled by
804 appointment by the Governor or the Governor and Cabinet. Under
805 no circumstances shall employee interchange agreements be
806 utilized for the purpose of assigning individuals to participate
807 in political campaigns. Duties and responsibilities of
808 interchange employees shall be limited to the mission and goals
809 of the agencies of government.

810 (3) Salary, leave, travel and transportation, and
811 reimbursements for an employee of a sending party that is

HB 5003

2012

812 participating in an interchange program shall be handled as
813 follows:

814 ~~(b)1.~~ The assignment of an employee of a state agency on
815 detail or on leave of absence may be made without reimbursement
816 by the receiving party for the travel and transportation
817 expenses to or from the place of the assignment or for the pay
818 and benefits, or a part thereof, of the employee during the
819 assignment.

820 ~~2. For the 2011-2012 fiscal year only, the assignment of~~
821 ~~an employee of a state agency as provided in subparagraph 1. may~~
822 ~~be made if recommended by the Governor or Chief Justice, as~~
823 ~~appropriate, and approved by the chairs of the legislative~~
824 ~~appropriations committees. Such actions shall be deemed approved~~
825 ~~if neither chair provides written notice of objection within 14~~
826 ~~days after the chair's receiving notice of the action pursuant~~
827 ~~to s. 216.177. This subparagraph expires July 1, 2012.~~

828 (6) For the 2012-2013 fiscal year only, the assignment of
829 an employee of a state agency as provided in this section may be
830 made if recommended by the Governor or Chief Justice, as
831 appropriate, and approved by the chairs of the legislative
832 appropriations committees. Such actions shall be deemed approved
833 if neither chair provides written notice of objection within 14
834 days after the chair's receiving notice of the action pursuant
835 to s. 216.177. This subsection expires July 1, 2013.

836 Section 37. In order to implement specific appropriations
837 for salaries and benefits and section 8 of the 2012-2013 General
838 Appropriations Act, subsection (2) of section 110.1245, Florida
839 Statutes, is amended to read:

HB 5003

2012

840 110.1245 Savings sharing program; bonus payments; other
841 awards.—

842 (2) (a) In June of each year, bonuses shall be paid to
843 employees from funds authorized by the Legislature in an
844 appropriation specifically for bonuses. Each agency shall
845 develop a plan for awarding lump-sum bonuses, which plan shall
846 be submitted no later than September 15 of each year and
847 approved by the Office of Policy and Budget in the Executive
848 Office of the Governor. Such plan shall include, at a minimum,
849 but is not limited to:

850 1.(a) A statement that bonuses are subject to specific
851 appropriation by the Legislature.

852 2.(b) Eligibility criteria as follows:

853 a.1. The employee must have been employed prior to July 1
854 of that fiscal year and have been continuously employed through
855 the date of distribution.

856 b.2. The employee must not have been on leave without pay
857 consecutively for more than 6 months during the fiscal year.

858 c.3. The employee must have had no sustained disciplinary
859 action during the period beginning July 1 through the date the
860 bonus checks are distributed. Disciplinary actions include
861 written reprimands, suspensions, dismissals, and involuntary or
862 voluntary demotions that were associated with a disciplinary
863 action.

864 d.4. The employee must have demonstrated a commitment to
865 the agency mission by reducing the burden on those served,
866 continually improving the way business is conducted, producing
867 results in the form of increased outputs, and working to improve

HB 5003

2012

868 processes.

869 ~~e.5.~~ The employee must have demonstrated initiative in
870 work and have exceeded normal job expectations.

871 ~~f.6.~~ The employee must have modeled the way for others by
872 displaying agency values of fairness, cooperation, respect,
873 commitment, honesty, excellence, and teamwork.

874 ~~3.(e)~~ A periodic evaluation process of the employee's
875 performance.

876 ~~4.(d)~~ A process for peer input that is fair, respectful of
877 employees, and affects the outcome of the bonus distribution.

878 ~~5.(e)~~ A division of the agency by work unit for purposes
879 of peer input and bonus distribution.

880 ~~6.(f)~~ A limitation on bonus distributions equal to 35
881 percent of the agency's total authorized positions. This
882 requirement may be waived by the Office of Policy and Budget in
883 the Executive Office of the Governor upon a showing of
884 exceptional circumstances.

885 (b) Notwithstanding paragraph (a), and for the 2012-2013
886 fiscal year only, an agency head is authorized to award
887 discretionary, one-time lump sum bonuses payable in June 2013
888 only as set forth in this paragraph.

889 1. Each agency head may award bonuses that do not exceed
890 10 percent of an employee's salary, including employer taxes, to
891 no more than 15 percent of the agency's authorized positions.
892 Agency heads may not award bonuses to themselves nor award more
893 than one bonus to an individual employee.

894 2. In order to be eligible for a bonus, an employee must
895 have been employed before July 1, 2012, and have been

HB 5003

2012

896 continuously employed through the date of the award. The
897 employee must not have been on consecutive leave without pay for
898 more than 6 months during the fiscal year and must not have had
899 a sustained disciplinary action during the period beginning July
900 1, 2012, through the date a bonus is awarded. When awarding
901 bonuses, agency heads are expected to use discretion, be
902 objective, and give primary consideration for exemplary job
903 performance and the use of critical job skills. In addition,
904 consideration should be given to an employee displaying personal
905 initiative, teamwork, job knowledge, skills, and the ability to
906 improve agency processes.

907 3. An employee is not eligible for a bonus if his or her
908 DROP termination date occurs before June 30, 2014, or if it is
909 otherwise known that he or she is going to retire or terminate
910 employment before that date.

911 4. By September 1, 2013, each agency shall provide to the
912 Governor, the President of the Senate, and the Speaker of the
913 House of Representatives a detailed report on the number of, and
914 amount of, individual bonuses awarded, as well as a description
915 of the criteria used to award the bonuses.

916 5. For purposes of this paragraph, the term "agency head"
917 has the same meaning as in s. 20.055(1)(b) and includes the
918 Chief Justice of the Supreme Court; each state university board
919 of trustees, the Board of Trustees for the Florida School for
920 the Deaf and the Blind; the executive director of the Justice
921 Administrative Commission; the director of the Statewide
922 Guardian ad Litem Office; and each state attorney, public
923 defender, capital collateral regional counsel, and criminal

924 conflict and civil regional counsel.

925

926 This paragraph expires July 1, 2013.

927 Section 38. In order to implement Specific Appropriations
 928 2710 and 2711 of the 2012-2013 General Appropriations Act and
 929 notwithstanding the provisions of s. 11.13(1), Florida Statutes,
 930 the authorized salaries for members of the Legislature for the
 931 2012-2013 fiscal year shall be set at the same level in effect
 932 on July 1, 2012. This section expires July 1, 2013.

933 Section 39. In order to implement the transfer of funds to
 934 the State School Trust Fund from trust funds in the 2012-2013
 935 General Appropriations Act, paragraph (b) of subsection (2) of
 936 section 215.32, Florida Statutes, is reenacted to read:

937 215.32 State funds; segregation.—

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

940 (b)1. The trust funds shall consist of moneys received by
 941 the state which under law or under trust agreement are
 942 segregated for a purpose authorized by law. The state agency or
 943 branch of state government receiving or collecting such moneys
 944 is responsible for their proper expenditure as provided by law.
 945 Upon the request of the state agency or branch of state
 946 government responsible for the administration of the trust fund,
 947 the Chief Financial Officer may establish accounts within the
 948 trust fund at a level considered necessary for proper
 949 accountability. Once an account is established, the Chief
 950 Financial Officer may authorize payment from that account only
 951 upon determining that there is sufficient cash and releases at

952 the level of the account.

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

956 a. Operations or operating trust fund, for use as a
 957 depository for funds to be used for program operations funded by
 958 program revenues, with the exception of administrative
 959 activities when the operations or operating trust fund is a
 960 proprietary fund.

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

963 c. Administrative trust fund, for use as a depository for
 964 funds to be used for management activities that are departmental
 965 in nature and funded by indirect cost earnings and assessments
 966 against trust funds. Proprietary funds are excluded from the
 967 requirement of using an administrative trust fund.

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

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

974 f. Clearing funds trust fund, for use as a depository for
 975 funds to account for collections pending distribution to lawful
 976 recipients.

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

HB 5003

2012

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981 To the extent possible, each agency must adjust its internal
982 accounting to use existing trust funds consistent with the
983 requirements of this subparagraph. If an agency does not have
984 trust funds listed in this subparagraph and cannot make such
985 adjustment, the agency must recommend the creation of the
986 necessary trust funds to the Legislature no later than the next
987 scheduled review of the agency's trust funds pursuant to s.
988 215.3206.

989 3. All such moneys are hereby appropriated to be expended
990 in accordance with the law or trust agreement under which they
991 were received, subject always to the provisions of chapter 216
992 relating to the appropriation of funds and to the applicable
993 laws relating to the deposit or expenditure of moneys in the
994 State Treasury.

995 4.a. Notwithstanding any provision of law restricting the
996 use of trust funds to specific purposes, unappropriated cash
997 balances from selected trust funds may be authorized by the
998 Legislature for transfer to the State School Trust Fund, Budget
999 Stabilization Fund, and General Revenue Fund in the General
1000 Appropriations Act.

1001 b. This subparagraph does not apply to trust funds
1002 required by federal programs or mandates; trust funds
1003 established for bond covenants, indentures, or resolutions whose
1004 revenues are legally pledged by the state or public body to meet
1005 debt service or other financial requirements of any debt
1006 obligations of the state or any public body; the Division of
1007 Licensing Trust Fund in the Department of Agriculture and

1008 Consumer Services; the State Transportation Trust Fund; the
 1009 trust fund containing the net annual proceeds from the Florida
 1010 Education Lotteries; the Florida Retirement System Trust Fund;
 1011 trust funds under the management of the State Board of Education
 1012 or the Board of Governors of the State University System, where
 1013 such trust funds are for auxiliary enterprises, self-insurance,
 1014 and contracts, grants, and donations, as those terms are defined
 1015 by general law; trust funds that serve as clearing funds or
 1016 accounts for the Chief Financial Officer or state agencies;
 1017 trust funds that account for assets held by the state in a
 1018 trustee capacity as an agent or fiduciary for individuals,
 1019 private organizations, or other governmental units; and other
 1020 trust funds authorized by the State Constitution.

1021 Section 40. The amendment to s. 215.32(2)(b), Florida
 1022 Statutes, as carried forward by this act from chapter 2011-47,
 1023 Laws of Florida, shall expire July 1, 2013, and the text of that
 1024 paragraph shall revert to that in existence on June 30, 2011,
 1025 except that any amendments to such text enacted other than by
 1026 this act shall be preserved and continue to operate to the
 1027 extent that such amendments are not dependent upon the portions
 1028 of text which expire pursuant to this section.

1029 Section 41. In order to implement the issuance of new debt
 1030 authorized in the 2012-2013 General Appropriations Act, and
 1031 pursuant to s. 215.98, Florida Statutes, the Legislature
 1032 determines that the authorization and issuance of debt for the
 1033 2012-2013 fiscal year should be implemented, is in the best
 1034 interest of the state, and necessary to address a critical state
 1035 emergency. This section expires July 1, 2013.

HB 5003

2012

1036 Section 42. In order to implement the funds appropriated
1037 in the 2012-2013 General Appropriations Act for state employee
1038 travel, the funds appropriated to each state agency, which may
1039 be used for travel by state employees, are limited during the
1040 2012-2013 fiscal year to travel for activities that are critical
1041 to each state agency's mission. Funds may not be used to pay for
1042 travel by state employees to foreign countries, other states,
1043 conferences, staff-training activities, or other administrative
1044 functions unless the agency head has approved in writing that
1045 such activities are critical to the agency's mission. The agency
1046 head must consider the use of teleconferencing and other forms
1047 of electronic communication to meet the needs of the proposed
1048 activity before approving mission-critical travel. This section
1049 does not apply to travel for law enforcement purposes, military
1050 purposes, emergency management activities, or public health
1051 activities. This section expires July 1, 2013.

1052 Section 43. In order to implement appropriations
1053 authorized in the 2012-2013 General Appropriations Act for data
1054 center services scheduled for consolidation in the 2012-2013
1055 fiscal year, pursuant to the notice, review, and objection
1056 procedures of s. 216.177, Florida Statutes, the consolidating
1057 agencies may request the transfer of resources between Data
1058 Processing Services appropriation categories and the
1059 appropriation categories for operations based upon changes to
1060 the consolidation schedule. This section expires July 1, 2013.

1061 Section 44. In order to implement the appropriations
1062 authorized in the 2012-2013 General Appropriations Act for each
1063 of the state's designated primary data centers, which are funded

HB 5003

2012

1064 from the data processing appropriation category for computing
1065 services of user agencies, and pursuant to the notice, review,
1066 and objection procedures of s. 216.177, Florida Statutes, the
1067 Executive Office of the Governor may transfer funds appropriated
1068 for data processing in the 2012-2013 General Appropriations Act
1069 between agencies in order to align the budget authority granted
1070 with the utilization rate of each department. This section
1071 expires July 1, 2013.

1072 Section 45. In order to implement Specific Appropriation
1073 2876 of the 2012-2013 General Appropriations Act, the Executive
1074 Office of the Governor may transfer funds appropriated in the
1075 appropriation category "Expenses" of the 2012-2013 General
1076 Appropriations Act between agencies in order to allocate a
1077 reduction relating to SUNCOM services. This section expires July
1078 1, 2013.

1079 Section 46. In order to implement section 8 of the General
1080 Appropriations Act for the 2012-2013 fiscal year, paragraph (a)
1081 of subsection (7) of section 110.12315, Florida Statutes, is
1082 reenacted to read:

1083 110.12315 Prescription drug program.—The state employees'
1084 prescription drug program is established. This program shall be
1085 administered by the Department of Management Services, according
1086 to the terms and conditions of the plan as established by the
1087 relevant provisions of the annual General Appropriations Act and
1088 implementing legislation, subject to the following conditions:

1089 (7) Under the state employees' prescription drug program
1090 copayments must be made as follows:

1091 (a) Effective January 1, 2011, for the State Group Health

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Insurance Standard Plan:

1. For generic drug with card \$7.
2. For preferred brand name drug with card \$30.
3. For nonpreferred brand name drug with card \$50.
4. For generic mail order drug \$14.
5. For preferred brand name mail order drug \$60.
6. For nonpreferred brand name mail order drug \$100.

Section 47. The amendment to s. 110.12315(7)(a), Florida Statutes, as carried forward by this act from chapter 2011-47, Laws of Florida, shall expire on July 1, 2013, and the text of that paragraph shall revert to that in existence on December 31, 2010, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 48. Any section of this act which implements a specific appropriation or specifically identified proviso language in the 2012-2013 General Appropriations Act is void if the specific appropriation or specifically identified proviso language is vetoed. Any section of this act which implements more than one specific appropriation or more than one portion of specifically identified proviso language in the 2012-2013 General Appropriations Act is void if all the specific appropriations or portions of specifically identified proviso language are vetoed.

Section 49. If any other act passed during the 2012 Regular Session contains a provision that is substantively the same as a provision in this act, but that removes or is

HB 5003

2012

1120 otherwise not subject to the future repeal applied to such
1121 provision by this act, the Legislature intends that the
1122 provision in the other act takes precedence and continues to
1123 operate, notwithstanding the future repeal provided by this act.

1124 Section 50. If any provision of this act or its
1125 application to any person or circumstance is held invalid, the
1126 invalidity does not affect other provisions or applications of
1127 the act which can be given effect without the invalid provision
1128 or application, and to this end the provisions of this act are
1129 severable.

1130 Section 51. Except as otherwise expressly provided in this
1131 act and except for this section, which shall take effect upon
1132 this act becoming a law, this act shall take effect July 1,
1133 2012; or, if this act fails to become a law until after that
1134 date, it shall take effect upon becoming a law and shall operate
1135 retroactively to July 1, 2012.