

By Representative Reddick

1 A bill to be entitled
2 An act relating to the Department of Management
3 Services; amending s. 20.22, F.S.; revising the
4 organizational structure of the department
5 relating to labor organizations; amending ss.
6 110.109, 110.112, F.S.; revising reporting
7 requirements; amending s. 110.1099, F.S.;
8 providing conditions for the reimbursement of
9 training expenses by an employee; amending s.
10 110.1165, F.S.; providing a statute of
11 limitations on filing certain actions; amending
12 s. 110.1245, F.S.; revising reporting
13 requirements; increasing the cap on meritorious
14 service awards; amending s. 110.181, F.S.;
15 providing that the fiscal agent for the Florida
16 State Employees' Charitable Campaign need not
17 reimburse costs under specified conditions;
18 amending s. 110.201, F.S.; providing for a
19 report; amending s. 110.205, F.S.; providing
20 for the designation of Senior Management
21 Service positions; amending s. 110.235, F.S.;
22 deleting a requirement for a report; amending
23 s. 110.503, F.S.; allowing agencies to incur
24 expenses to recognize the service of
25 volunteers; amending s. 110.504, F.S.;
26 providing a limitation on volunteer awards;
27 amending s. 112.061, F.S.; authorizing the
28 designee of an agency head to approve specified
29 expenses for employees; amending s. 215.196,
30 F.S.; revising the organizational structure of
31 the department relating to the Architects

1 Incidental Trust Fund; amending s. 215.422,
2 F.S.; deleting a vendor's right to the name of
3 an ombudsman; amending s. 216.011, F.S.;
4 redefining the term "operating capital outlay";
5 amending s. 216.346, F.S.; providing for an
6 exception to conditions in contracts between
7 state agencies; amending ss. 255.249, 255.25,
8 255.257, F.S.; revising the threshold for
9 leased space facility requirements; amending s.
10 255.503, F.S.; providing for the closing of
11 facilities in emergency situations; amending s.
12 267.075, F.S.; revising the membership of The
13 Grove Advisory Council; amending s. 272.18,
14 F.S.; revising the membership of the Governor's
15 Mansion Commission; amending s. 272.185, F.S.;
16 revising the organizational structure of the
17 department relating to maintenance of the
18 Governor's Mansion; amending s. 273.02, F.S.;
19 increasing the value of property required to be
20 inventoried by custodians; amending s. 273.055,
21 F.S.; providing for the disbursement of moneys
22 received from disposition of state-owned
23 tangible personal property; amending s. 281.07,
24 F.S.; revising the organizational structure of
25 the department relating to the capitol police;
26 amending s. 282.111, F.S.; revising the
27 organizational structure of the department
28 relating to the statewide system of regional
29 law enforcement communications; amending s.
30 287.042, F.S.; revising the organizational
31 structure of the department relating to the

1 purchasing of goods and services; amending s.
2 287.057, F.S.; revising the organizational
3 structure of the department relating to the
4 procurement of insurance; amending ss. 287.16,
5 287.18, F.S.; revising the organizational
6 structure of the department relating to motor
7 vehicles, watercraft, and aircraft; amending s.
8 365.171, F.S.; designating the director of the
9 statewide emergency telephone number "911";
10 amending ss. 401.021, 401.027, F.S.;
11 designating the director of the statewide
12 telecommunications system of the regional
13 emergency medical service; amending s. 446.604,
14 F.S.; providing for Government Services Direct
15 to be included in the plan for One-Stop Career
16 Centers; amending s. 447.208, F.S.; providing
17 for the determination of attorney's fees in
18 certain cases; repealing ss. 110.407 and
19 110.607, F.S., which provide for performance
20 audits; providing an effective date.

21
22 Be It Enacted by the Legislature of the State of Florida:

23
24 Section 1. Subsection (4) of section 20.22, Florida
25 Statutes, is amended to read:

26 20.22 Department of Management Services.--There is
27 created a Department of Management Services.

28 (4) The duties of the Chief Labor Negotiator ~~Office of~~
29 ~~Labor Relations~~ shall be determined by the Secretary of
30 Management Services, and must include, but need not be limited
31 to, the representation of the Governor as the public employer

1 in collective bargaining negotiations pursuant to the
2 provisions of chapter 447.

3 Section 2. Subsection (2) of section 110.109, Florida
4 Statutes, is amended to read:

5 110.109 Productivity improvement and personnel audits
6 of executive branch agencies.--The department shall be
7 responsible for conducting personnel audits of all executive
8 branch agencies, except the State University System, to
9 provide as follows:

10 (2) It shall be the duty of the department to audit
11 the personnel programs of the state agencies on a continuing
12 and regular basis to ensure the agencies' compliance with
13 state laws and regulations. ~~A copy of such study made by the~~
14 ~~department shall be submitted to the Governor, the President~~
15 ~~of the Senate, the Speaker of the House of Representatives,~~
16 ~~and the Auditor General.~~

17 Section 3. Section 110.1099, Florida Statutes, is
18 amended to read:

19 110.1099 Education and training opportunities for
20 state employees.--

21 (1) Education and training are an integral component
22 in improving the delivery of services to the public.
23 Recognizing that the application of productivity-enhancing
24 technology and practice demand continuous educational and
25 training opportunities, state employees may be authorized to
26 receive tuition waivers on a space-available basis or vouchers
27 to attend work-related courses at public universities.

28 (2) The department, in conjunction with the agencies,
29 shall request that such institutions provide evening and
30 weekend programs for state employees. When evening and weekend
31 training and educational programs are not available, employees

1 may be authorized to take paid time off during their regular
2 working hours for training and career development, as provided
3 in s. 110.105(1), if such training benefits the employer.

4 (3) Employees who exhibit superior aptitude and
5 performance may be authorized to take paid educational leaves
6 of absence for up to 1 academic year at a time, for specific
7 approved work-related education and training.

8 (4) Such employees must enter into contracts to return
9 to state employment for a period of time equal to the length
10 of the leave of absence or refund salary and benefits paid
11 during their educational leaves of absence.

12 (5) The Department of Management Services, in
13 consultation with the agencies and, to the extent applicable,
14 Florida's public postsecondary educational institutions, shall
15 adopt rules to implement and administer this section.

16 (6) As a precondition to approving an employee's
17 training request, an agency or the judicial branch may require
18 an employee to enter into an agreement that requires the
19 employee to reimburse the agency or judicial branch the
20 registration fee or similar expense for any training or
21 training series when the cost of the fee or similar expense
22 exceeds \$1,000 if the employee voluntarily terminates
23 employment or is discharged for cause from the agency or
24 judicial branch within a specified period of time not
25 exceeding 4 years after the conclusion of the training. This
26 subsection does not apply to any training program that an
27 agency or the judicial branch requires the employee to attend.
28 An agency or the judicial branch may pay the outstanding
29 balance then due and owing on behalf of a state employee under
30 this subsection in connection with recruitment and hiring of
31 such state employee.

1 Section 4. Paragraph (d) of subsection (2) and
2 subsection (6) of section 110.112, Florida Statutes, is
3 amended to read:

4 110.112 Affirmative action; equal employment
5 opportunity.--

6 (2)

7 (d) The department shall report information in its
8 annual workforce report relating to ~~annually to the Governor~~
9 ~~on~~ the implementation, continuance, updating, and results of
10 each executive agency's affirmative action plan for the
11 previous fiscal year.

12 (6) The department shall review and audit executive
13 agency actions in carrying out the rules adopted by the
14 department pursuant to this section ~~and shall submit postaudit~~
15 ~~reports to the Governor, the President of the Senate, the~~
16 ~~Speaker of the House of Representatives, and the Auditor~~
17 ~~General.~~

18 Section 5. Section 110.1165, Florida Statutes, is
19 amended to read:

20 110.1165 Executive branch personnel errors.--

21 (1) An agency of the executive branch, including the
22 State University System, shall establish procedures for the
23 receipt, consideration, and disposition of a claim regarding
24 pay or benefits brought by an employee when that employee is
25 damaged as a result of being provided with erroneous written
26 information by the employing agency regarding his or her pay
27 or benefits, and the employee detrimentally relies upon such
28 written information. In order to qualify for the relief
29 provided by this section, the employee's reliance on the
30 representation must have been reasonable and based only upon
31 the written representations made by those persons authorized

1 by the agency head to make such representations. Furthermore,
2 the erroneous calculation and payment of an employee's salary,
3 wages, or benefits is not among the written representations
4 which will trigger relief under this section. ~~Section 95.11(4)~~
5 ~~is the statute of limitations for filing any action to recover~~
6 ~~salary, wages, overtime, benefits, or related damages by or on~~
7 ~~behalf of a state employee, or any action under this section.~~
8 ~~No distinctions between the terms "salary" and "wages" in~~
9 ~~construing the provisions of s. 95.11(4) apply to this section~~
10 ~~or the statute of limitations for filing any action under this~~
11 ~~section.~~

12 (2) An agency of the executive branch, including the
13 State University System, is authorized to take such action as
14 may be appropriate to provide a remedy for an employee
15 concerning his or her claim regarding detrimental reliance on
16 erroneous written information provided by the employing agency
17 relating to pay and benefits, provided such remedy is within
18 the purview of the agency's authority. The agency has no
19 authority whatsoever to modify the state retirement system or
20 the state insurance program. Any monetary remedy afforded by
21 the agency must fall within the agency's budgetary authority.
22 Any person dissatisfied with the outcome of this process may
23 file either a grievance pursuant to the agency's internal
24 grievance process or an appeal to the Division of
25 Administrative Hearings pursuant to chapter 120, but not both.

26 (3) The time limit to file any action to recover
27 compensation, including, but not limited to, salaries, wages,
28 overtime pay, fringe benefits, or damages or penalties
29 relating thereto from, by, or on behalf of a state officer or
30 employee is 2 years from the date of the alleged error. This
31 time limit applies in all disputes over compensation for work

1 performed by state officers or employees, and is not confined
2 to cases arising under subsections (1) and (2).

3 Section 6. Section 110.1245, Florida Statutes, is
4 amended to read:

5 110.1245 Meritorious service awards program.--

6 (1) The Department of Management Services shall set
7 policy, develop procedures, and promote a program of
8 meritorious service awards, incentives, and recognition to
9 employees who:

10 (a) Propose procedures or ideas which are adopted and
11 which will result in increasing productivity, in eliminating
12 or reducing state expenditures or improving operations, or in
13 generating additional revenues, provided such proposals are
14 placed in effect and can be implemented under current
15 statutory authority; or

16 (b) By their superior accomplishments, make
17 exceptional contributions to the efficiency, economy, or other
18 improvement in the operations of the state government.

19
20 Every state agency, unless otherwise provided by law, shall
21 participate in the program. The Chief Justice shall have the
22 authority to establish a meritorious service awards program
23 for employees of the judicial branch within the parameters
24 established in this section. The component of the program
25 specified in paragraph (a) shall apply to all employees within
26 the Career Service System, the Selected Exempt Service System,
27 and comparable employees within the judicial branch. The
28 component of the program specified in paragraph (b) shall
29 apply to all employees of the state. No award granted under
30 the component of the program described in paragraph (a) shall
31 exceed 10 percent of the first year's actual savings or actual

1 revenue increase, up to \$25,000, plus applicable taxes, unless
2 a larger award is made by the Legislature, and shall be paid
3 from the appropriation available to the judicial branch or
4 state agency affected by the award or from any specific
5 appropriation therefor. No award granted under the component
6 of the program described in paragraph (b) shall exceed \$1,000
7 plus applicable taxes per individual employee. The judicial
8 branch or an agency may award savings bonds or other items in
9 lieu of cash awards, provided that the cost of such item does
10 not exceed the limits specified in this subsection. In
11 addition, the judicial branch or a state agency may award
12 certificates, pins, plaques, letters of commendation, and
13 other tokens of recognition of meritorious service to an
14 employee eligible for recognition under either component of
15 the program, provided that the award may not cost in excess of
16 ~~\$100~~^{\$75} each plus applicable taxes.

17 (2) The department and the judicial branch shall
18 submit annually to the President of the Senate and the Speaker
19 of the House of Representatives information that ~~by April 1 of~~
20 ~~each year a report which~~ outlines each agency's level of
21 participation in the meritorious service awards program. The
22 information must report ~~shall~~ include, but is not ~~be~~ limited
23 to:

24 (a) The number of proposals made.

25 (b) The number of awards made to employees for adopted
26 proposals.

27 (c) The actual cost savings realized as a result of
28 implementing employee proposals.

29 (d) Total expenditures incurred by the agency for
30 providing awards to employees for adopted proposals.

31

1 (e) The number of employees recognized for superior
2 accomplishments.

3 (f) The number of employees recognized for
4 satisfactory service to the state.

5 (3) Each department head is authorized to incur
6 expenditures to award suitable framed certificates, pins, and
7 other tokens of recognition to retiring state employees whose
8 service with the state has been satisfactory, in appreciation
9 and recognition of such service. Such awards may not cost in
10 excess of ~~\$100~~\$50 each plus applicable taxes.

11 (4) Each department head is authorized to incur
12 expenditures to award suitable framed certificates, pins, or
13 other tokens of recognition to state employees who have
14 achieved increments of 5 years of satisfactory service in the
15 agency or to the state, in appreciation and recognition of
16 such service. Such awards may not cost in excess of ~~\$50~~\$10
17 each plus applicable taxes.

18 (5) Each department head is authorized to incur
19 expenditures not to exceed ~~\$100~~\$50 each plus applicable taxes
20 for suitable framed certificates, plaques, or other tokens of
21 recognition to any appointed member of a state board or
22 commission whose service to the state has been satisfactory,
23 in appreciation and recognition of such service upon the
24 expiration of such board or commission member's final term in
25 such position.

26 Section 7. Paragraph (b) of subsection (2) of section
27 110.181, Florida Statutes, is amended to read:

28 110.181 Florida State Employees' Charitable
29 Campaign.--

30 (2) SELECTION OF FISCAL AGENTS; COST.--
31

1 (b) The fiscal agent shall withhold the reasonable
2 costs for conducting the campaign and for accounting and
3 distribution to the participating organizations and shall
4 reimburse the department the actual cost, not to exceed 1
5 percent, for coordinating the campaign in accordance with the
6 rules of the department. In any fiscal year in which the
7 Legislature specifically appropriates to the department its
8 total costs for coordinating the campaign from the General
9 Revenue Fund, the fiscal agent is not required to reimburse
10 such costs to the department under this subsection. Otherwise,
11 reimbursement will be the difference between actual costs and
12 the amount appropriated.

13 Section 8. Subsection (5) is added to section 110.201,
14 Florida Statutes, to read:

15 110.201 Personnel rules, records, and reports.--

16 (5) The department shall develop a workforce report
17 that contains data representative of the state's human
18 resources. The report should identify trends for planning and
19 improving the management of the state's human resources. The
20 department shall submit this report annually to the Governor,
21 the President of the Senate, and the Speaker of the House of
22 Representatives.

23 Section 9. Paragraph (m) of subsection (2) of section
24 110.205, Florida Statutes, is amended to read:

25 110.205 Career service; exemptions.--

26 (2) EXEMPT POSITIONS.--The exempt positions which are
27 not covered by this part include the following, provided that
28 no position, except for positions established for a limited
29 period of time pursuant to paragraph (h), shall be exempted if
30 the position reports to a position in the career service:
31

1 (m)1. In addition to those positions exempted by other
2 paragraphs of this subsection, each department head may
3 designate a maximum of 20 policymaking or managerial
4 positions, as defined by the department and approved by the
5 Administration Commission, as being exempt from the Career
6 Service System. Career service employees who occupy a
7 position designated as a position in the Selected Exempt
8 Service under this paragraph shall have the right to remain in
9 the Career Service System by opting to serve in a position not
10 exempted by the employing agency. Unless otherwise fixed by
11 law, the department shall set the salary and benefits of these
12 positions in accordance with the rules of the Selected Exempt
13 Service; provided, however, that if the agency head determines
14 that the general counsel, chief Cabinet aide, public
15 information administrator or comparable position for a Cabinet
16 officer, inspector general, or legislative affairs director
17 has both policymaking and managerial responsibilities and if
18 the department determines that any such position has both
19 policymaking and managerial responsibilities, the salary and
20 benefits for each such position shall be established by the
21 department in accordance with the rules of the Senior
22 Management Service. In addition, each department may designate
23 one additional position in the Senior Management Service if
24 that position reports directly to the agency head or to a
25 position in the Senior Management Service and if any
26 additional costs are absorbed from the existing budget of that
27 department.

28 2. If otherwise exempt, employees of the Public
29 Employees Relations Commission, the Commission on Human
30 Relations, and the Unemployment Appeals Commission, upon the
31 certification of their respective commission heads, may be

1 provided for under this paragraph as members of the Senior
2 Management Service, if otherwise qualified. However, the
3 deputy general counsels of the Public Employees Relations
4 Commission shall be compensated as members of the Selected
5 Exempt Service.

6 Section 10. Subsection (4) of section 110.235, Florida
7 Statutes, is amended to read:

8 110.235 Training.--

9 (4) Each employing agency shall annually evaluate and
10 report to the department the training it has implemented and
11 the progress it has made in the area of training. ~~The~~
12 ~~department shall review and consolidate the information~~
13 ~~reported to it by the agencies and shall annually report the~~
14 ~~progress of the agencies in training to the Governor, the~~
15 ~~President of the Senate, and the Speaker of the House of~~
16 ~~Representatives.~~

17 Section 11. Subsection (5) of section 110.503, Florida
18 Statutes, is amended to read:

19 110.503 Responsibilities of departments and
20 agencies.--Each department or agency utilizing the services of
21 volunteers shall:

22 (5) Provide for the recognition of volunteers who have
23 offered continuous and outstanding service to
24 state-administered programs. Each department or agency using
25 the services of volunteers is authorized to incur expenditures
26 not to exceed \$75 each plus applicable taxes for suitable
27 framed certificates, plaques, or other tokens of recognition
28 to honor, reward, or encourage volunteers for their service.

29 Section 12. Subsection (6) of section 110.504, Florida
30 Statutes, is amended to read:

31 110.504 Volunteer benefits.--

1 (6) Incidental recognition benefits or incidental
2 nonmonetary awards may be furnished to volunteers serving in
3 state departments to award, recognize, or encourage volunteers
4 for their service. The awards may not cost in excess of \$75
5 each plus applicable taxes.

6 Section 13. Paragraph (f) of subsection (3) and
7 subsections (12) and (13) of section 112.061, Florida
8 Statutes, are amended to read:

9 112.061 Per diem and travel expenses of public
10 officers, employees, and authorized persons.--

11 (3) AUTHORITY TO INCUR TRAVEL EXPENSES.--

12 (f) A traveler who becomes sick or injured while away
13 from his or her official headquarters and is therefore unable
14 to perform the official business of the agency may continue to
15 receive subsistence as provided in subsection (6) during this
16 period of illness or injury until such time as he or she is
17 able to perform the official business of the agency or returns
18 to his or her official headquarters, whichever is earlier.
19 Such subsistence may be paid when approved by the agency head
20 or his or her designee.

21 (12) ADVANCEMENTS.--Notwithstanding any of the
22 foregoing restrictions and limitations, an agency head or his
23 or her designee may make, or authorize the making of, advances
24 to cover anticipated costs of travel to travelers. Such
25 advancements may include the costs of subsistence and travel
26 of any person transported in the care or custody of the
27 traveler in the performance of his or her duties.

28 (13) DIRECT PAYMENT OF EXPENSES BY AGENCY.--Whenever
29 an agency requires an employee to incur either Class A or
30 Class B travel on emergency notice to the traveler, such
31 traveler may request the agency to pay his or her expenses for

1 meals and lodging directly to the vendor, and the agency may
2 pay the vendor the actual expenses for meals and lodging
3 during the travel period, limited to an amount not to exceed
4 that authorized pursuant to this section. In emergency
5 situations, the agency head or his or her designee may
6 authorize an increase in the amount paid for a specific meal,
7 provided that the total daily cost of meals does not exceed
8 the total amount authorized for meals each day. The agency
9 head or his or her designee may also grant prior approval for
10 a state agency to make direct payments of travel expenses in
11 other situations that result in cost savings to the state, and
12 such cost savings shall be documented in the voucher submitted
13 to the Comptroller for the direct payment of travel expenses.
14 The provisions of this subsection shall not be deemed to apply
15 to any legislator or to any employee of either house of the
16 Legislature or of the Joint Legislative Management Committee.

17 Section 14. Subsection (1) of section 215.196, Florida
18 Statutes, is amended to read:

19 215.196 Architects Incidental Trust Fund; creation;
20 assessment.--

21 (1) There is created the Architects Incidental Trust
22 Fund for the purpose of providing sufficient funds for the
23 operation of the facilities development activities of the
24 Department of Management Services ~~Division of Building~~
25 ~~Construction~~.

26 Section 15. Subsections (5) and (9) of section
27 215.422, Florida Statutes, are amended to read:

28 215.422 Warrants, vouchers, and invoices; processing
29 time limits; dispute resolution; agency or judicial branch
30 compliance.--

31

1 (5) All purchasing agreements between a state agency
2 or the judicial branch and a vendor, applicable to this
3 section, shall include a statement of the vendor's rights and
4 the state's responsibilities under this section. The vendor's
5 rights shall include being provided with the ~~name and~~
6 telephone number of the vendor ombudsman within the Department
7 of Banking and Finance, which information shall also be placed
8 on all agency or judicial branch purchase orders.

9 (9) Each agency and the judicial branch shall include
10 in the official position description of every officer or
11 employee who is responsible for the approval or processing of
12 vendors' invoices or distribution of warrants to vendors that
13 the requirements of this section are mandatory. ~~In addition,~~
14 ~~each employee shall be required to sign a statement at least~~
15 ~~annually that he or she has been provided a copy of this~~
16 ~~section and the rules promulgated by the Comptroller. The~~
17 ~~statement shall also acknowledge that the employee understands~~
18 ~~the approval and processing time limitations and the provision~~
19 ~~for automatic interest penalty payments. Each agency and the~~
20 ~~judicial branch shall certify its compliance with this~~
21 ~~subsection to the Comptroller on or before February 1 of each~~
22 ~~year.~~

23 Section 16. Paragraph (v) of subsection (1) of section
24 216.011, Florida Statutes, is amended to read:

25 216.011 Definitions.--

26 (1) For the purpose of fiscal affairs of the state,
27 appropriations acts, legislative budgets, and approved
28 budgets, each of the following terms has the meaning
29 indicated:

30 (v) "Operating capital outlay" means equipment,
31 fixtures, and other tangible personal property of a

1 nonconsumable and nonexpendable nature, the value or cost of
2 which is ~~\$1,000~~~~\$500~~ or more and the normal expected life of
3 which is 1 year or more, and hardback-covered bound books that
4 are circulated to students or the general public, the value or
5 cost of which is \$25 or more, and hardback-covered bound
6 books, the value or cost of which is ~~\$250~~~~\$100~~ or more.

7 Section 17. Section 216.346, Florida Statutes, is
8 amended to read:

9 216.346 Contracts between state agencies; restriction
10 on overhead or other indirect costs.--In any contract between
11 state agencies, including any contract involving the State
12 University System or the State Community College System, the
13 agency receiving the contract or grant moneys shall charge no
14 more than 5 percent of the total cost of the contract or grant
15 for overhead or indirect costs or any other costs not required
16 for the payment of direct costs. However, this section does
17 not apply to contracts or subcontracts between state
18 universities, between community colleges, or between state
19 universities and community colleges.

20 Section 18. Paragraphs (b) and (k) of subsection (2)
21 of section 255.249, Florida Statutes, are amended to read:

22 255.249 Division of Facilities Management;
23 responsibility; department rules.--

24 (2) The department shall promulgate rules pursuant to
25 chapter 120 providing:

26 (b) Procedures for soliciting and accepting
27 competitive proposals for leased space of 5,000 ~~3,000~~ square
28 feet or more in privately owned buildings, for evaluating the
29 proposals received, for exemption from competitive bidding
30 requirements of any lease the purpose of which is the
31 provision of care and living space for persons or emergency

1 space needs as provided in s. 255.25(10), and for the securing
2 of at least three documented quotes for a lease that is not
3 required to be competitively bid.

4 (k) For a lease of less than 5,000 ~~3,000~~ square feet,
5 a method for certification by the agency head or the agency
6 head's designated representative that all criteria for leasing
7 have been fully complied with and for the filing of a copy of
8 such lease and all supporting documents with the department
9 for its review and approval as to technical sufficiency.

10 Section 19. Paragraph (b) of subsection (2) and
11 subsection (3) of section 255.25, Florida Statutes, are
12 amended to read:

13 255.25 Approval required prior to construction or
14 lease of buildings.--

15 (2)

16 (b) The approval of the Department ~~Division~~ of
17 ~~Facilities~~ Management Services, except for technical
18 sufficiency, need not be obtained for the lease of less than
19 5,000 ~~3,000~~ square feet of space within a privately owned
20 building, provided the agency head or the agency head's
21 designated representative has certified compliance with
22 applicable leasing criteria as may be provided pursuant to s.
23 255.249(2)(k) and has determined such lease to be in the best
24 interest of the state. Such a lease which is for a term
25 extending beyond the end of a fiscal year is subject to the
26 provisions of ss. 216.311, 255.2502, and 255.2503.

27 (3)(a) Except as provided in subsection (10), no state
28 agency shall enter into a lease as lessee for the use of 5,000
29 ~~3,000~~ square feet or more of space in a privately owned
30 building except upon advertisement for and receipt of
31 competitive bids and award to the lowest and best bidder. The

1 Department ~~Division~~ of ~~Facilities~~ Management Services shall
2 have the authority to approve a lease for 5,000 ~~3,000~~ square
3 feet or more of space that covers more than 1 fiscal year,
4 subject to the provisions of ss. 216.311, 255.2501, 255.2502,
5 and 255.2503, if such lease is, in the judgment of the
6 department ~~division~~, in the best interests of the state. This
7 paragraph does not apply to buildings or facilities of any
8 size leased for the purpose of providing care and living space
9 for persons.

10 (b) The Department ~~Division~~ of ~~Facilities~~ Management
11 Services may approve extensions of an existing lease of 5,000
12 ~~3,000~~ square feet or more of space if such extensions are
13 determined to be in the best interests of the state, but in no
14 case shall the total of such extensions exceed 11 months. If
15 at the end of the 11th month an agency still needs space, it
16 shall be procured by competitive bid in accordance with s.
17 255.249(2)(b).

18 (c) Any person who files an action protesting a
19 decision or intended decision pertaining to a competitive bid
20 for space to be leased by the agency pursuant to s.
21 120.57(3)(b) shall post with the state agency at the time of
22 filing the formal written protest a bond payable to the agency
23 in an amount equal to 1 percent of the estimated total rental
24 of the basic lease period or \$5,000, whichever is greater
25 ~~less~~, which bond shall be conditioned upon the payment of all
26 costs which may be adjudged against him or her in the
27 administrative hearing in which the action is brought and in
28 any subsequent appellate court proceeding. If the agency
29 prevails after completion of the administrative hearing
30 process and any appellate court proceedings, it shall recover
31 all costs and charges which shall be included in the final

1 order or judgment, excluding attorney's fees. Upon payment of
2 such costs and charges by the person protesting the award, the
3 bond shall be returned to him or her. If the person
4 protesting the award prevails, the bond shall be returned to
5 that person and he or she shall recover from the agency all
6 costs and charges which shall be included in the final order
7 of judgment, excluding attorney's fees.

8 Section 20. Subsection (2) of section 255.257, Florida
9 Statutes, is amended to read:

10 255.257 Energy management plan; buildings occupied by
11 state agencies.--

12 (2) ENERGY CONSUMPTION AND COST DATA.--Each state
13 agency shall submit, in the form and manner to be prescribed
14 by the Department ~~Division~~ of ~~Facilities~~ Management Services,
15 data on energy consumption and cost. The data gathered shall
16 be on state-owned facilities and metered state-leased
17 facilities of 5,000 net square feet or more.These data will
18 be used in the computation of the effectiveness of the state
19 energy management plan and the effectiveness of the energy
20 management program of each of the reporting agencies. The
21 department ~~division~~ shall advise the various agencies on the
22 effectiveness of their energy management programs.

23 Section 21. Section 255.503, Florida Statutes, is
24 amended to read:

25 255.503 Powers of the Department ~~Division~~ of
26 ~~Facilities~~ Management Services.--

27 (1) The Department ~~Division~~ of ~~Facilities~~ Management
28 Services shall have all the authority necessary to carry out
29 and effectuate the purposes and provisions of this act,
30 including, but not limited to, the authority to:

31

1 (a)~~(1)~~ Collect reasonable rentals or charges for the
2 use of and services provided for facilities in the pool in
3 accordance with the provisions of this act exclusively for the
4 purpose of paying the expenses of improving, repairing,
5 maintaining, and operating facilities and paying debt service
6 charges in connection with its obligations.

7 (b)~~(2)~~ Prescribe for the use of facilities in the
8 pool, prescribe the amount of rentals or charges, and make and
9 enter into contracts with any political subdivision or agency,
10 for the use of and services provided for such facilities.

11 (c)~~(3)~~ Acquire facilities pursuant to s. 11(e), Art.
12 VII of the State Constitution and own, operate, and finance
13 such facilities in accordance with this act through the
14 issuance of obligations by the division under this act; to
15 utilize rentals or charges from such facilities, as well as
16 any appropriated state or other public funds; and to pledge
17 revenue from such facilities to finance the acquisition of
18 facilities pursuant to the provisions of this act.

19 (d)~~(4)~~ Operate existing state-owned facilities in the
20 pool and to pledge rentals or charges for such facilities to
21 finance the acquisition of facilities pursuant to the
22 provisions of this act.

23 (e)~~(5)~~ Pledge, hypothecate, or otherwise encumber
24 rentals or charges as may be agreed as security for
25 obligations issued under this act and enter into trust
26 agreements or indentures for the benefit of the holders of
27 such obligations.

28 (f)~~(6)~~ Borrow money or accept advances, loans, gifts,
29 grants, devises, or bequests from any source; enter into
30 contracts or agreements with any party; and hold and apply
31 advances, loans, gifts, grants, devises, or bequests according

1 to the terms thereof. Such advances, loans, gifts, grants,
2 devises, or bequests of real estate may be in fee simple or of
3 any lesser estate and may be subject to any reasonable
4 reservations. Any advances or loans received from any source
5 may be repaid in accordance with the terms of such advance or
6 loan.

7 (g)~~(7)~~ Sell, lease, release, or otherwise dispose of
8 facilities in the pool in accordance with applicable law.

9 (h)~~(8)~~ Create and establish funds and accounts for the
10 purpose of debt service reserves, for the matching of the
11 timing and the amount of available funds and debt service
12 charges, for sinking funds, for capital depreciation reserves,
13 for operating reserves, for capitalized interest and moneys
14 not required for immediate disbursement to acquire all or a
15 portion of any facility, and for any other reserves, funds, or
16 accounts reasonably necessary to carry out the provisions of
17 this act and to invest in authorized investments any moneys
18 held in such funds and accounts, provided such investments
19 will be made on behalf of the Department ~~Division~~ of
20 Facilities Management Services by the State Board of
21 Administration or the Treasurer, as appropriate.

22 (i)~~(9)~~ Engage the services of consultants for
23 rendering professional and technical assistance and advice and
24 to engage services of professionals in connection with the
25 acquisition or financing of any facility or the operation and
26 activities of the Division of Facilities Management, including
27 attorneys, auditors, consultants, and accountants.

28 (j)~~(10)~~ Lease all or any portion of any facility to an
29 agency or to any political subdivision.

30 (k)~~(11)~~ Promulgate all rules necessary to implement
31 the provisions of this act.

1 ~~(1)(12)~~ Do all other acts reasonably necessary to
2 carry out the provisions of this act.

3 (2) When the Governor, by Executive Order, declares an
4 emergency, an agency head has the responsibility for the
5 closing of the affected facilities or portions thereof within
6 his or her jurisdiction which are located in the area covered
7 by the Executive Order. In any other disaster or emergency
8 condition that may necessitate the closing of facilities in an
9 area, an agency head has the authority and responsibility to
10 determine whether the agency offices or facilities or portion
11 thereof under his or her jurisdiction are affected by the
12 emergency and should be closed. The Department of Management
13 Services must approve the closing of any agency facility or
14 portion thereof for more than 2 consecutive work days. In the
15 case of a facility operated by the Department of Management
16 Services, either an agency head or the Secretary of Management
17 Services has the authority and responsibility to determine
18 whether agency offices or facilities or any portion thereof
19 are affected by the emergency and are to be closed.

20 Section 22. Paragraph (a) of subsection (3) of section
21 267.075, Florida Statutes, is amended to read:

22 267.075 The Grove Advisory Council; creation;
23 membership; purposes.--

24 (3)(a) The Grove Advisory Council shall be composed of
25 eight members, as follows:

26 1. Five members shall be private citizens appointed by
27 the Secretary of State.

28 2. One member shall be the Secretary ~~director of the~~
29 ~~Division of Facilities Management of the Department of~~
30 Management Services or his or her designee.
31

1 3. One member shall be the director of the Division of
2 Historical Resources of the Department of State.

3 4. At least one member shall be a direct descendant of
4 Mary Call Darby Collins appointed by the Secretary of State
5 with the advice of the oldest living generation of lineal
6 descendants of Mary Call Darby Collins.

7
8 Of the citizen members, at least one member shall have
9 professional curatorial and museum expertise, one member shall
10 have professional architectural expertise in the preservation
11 of historic buildings, and one member shall have professional
12 landscape expertise. The five citizen members of the council
13 appointed by the Secretary of State and the member of the
14 council who is a direct descendant of Mary Call Darby Collins
15 appointed by the Secretary of State shall be appointed for
16 staggered 4-year terms. The Secretary of State shall fill the
17 remainder of unexpired terms for the five citizen members of
18 the council and the member of the council who is a direct
19 descendant of Mary Call Darby Collins.

20 Section 23. Paragraph (a) of subsection (1) of section
21 272.18, Florida Statutes, is amended to read:

22 272.18 Governor's Mansion Commission.--

23 (1)(a) There is created within the Department of
24 Management Services a Governor's Mansion Commission to be
25 composed of eight members. Five members shall be private
26 citizens appointed by the Governor and subject to confirmation
27 by the Senate; one member shall be the Secretary ~~Director~~ of
28 ~~the Division of Facilities Management of the Department~~ of
29 Management Services or his or her designee; one member shall
30 be the Director of the Division of Recreation and Parks of the
31 Department of Environmental Protection; and one member shall

1 be designated by the Secretary of State and shall be an
2 employee of the Department of State with curatorial and museum
3 expertise. The Governor shall appoint all citizen members for
4 4-year terms. The Governor shall fill vacancies for the
5 remainder of unexpired terms. The spouse of the Governor or
6 the designated representative of the Governor shall be an ex
7 officio member of the commission but shall have no voting
8 rights except in the case of a tie vote.

9 Section 24. Section 272.185, Florida Statutes, is
10 amended to read:

11 272.185 Maintenance of Governor's Mansion by
12 Department ~~Division~~ of ~~Facilities~~ Management Services.--

13 (1) ~~POWERS AND DUTIES OF DIVISION.~~

14 (a) ~~The Division of Facilities Management of the~~
15 Department of Management Services shall maintain all
16 structures, furnishings, equipment, and grounds of the
17 Governor's Mansion, except that the exterior facades; the
18 landscaping of the grounds; the antique furnishings in the
19 private quarters; the interiors of the state rooms; and the
20 articles of furniture, fixtures, and decorative objects used
21 or displayed in the state rooms shall be maintained pursuant
22 to the directives of the Governor's Mansion Commission.

23 (2)(b) ~~The~~ department ~~division~~ shall insure the
24 Governor's Mansion, its contents, and all structures and
25 appurtenances thereto with the State Property Insurance Trust
26 Fund as provided in s. 284.01. ~~The~~ department ~~may~~ ~~division~~ ~~is~~
27 ~~authorized to~~ purchase any necessary insurance either by a
28 primary insurance contract, excess coverage insurance, or
29 reinsurance to cover the contents of the mansion, whether
30 title of the contents is in the state or in any other person
31

1 or entity not a resident of the mansion, notwithstanding the
2 provision of s. 287.025.

3 (3)~~(c)~~ The department ~~division~~ shall have authority to
4 contract and be contracted with for work and materials
5 required.

6 (4)~~(d)~~ The department ~~division~~ shall keep a continuing
7 and accurate inventory of all equipment and furnishings.

8 ~~(2) FINANCING; BUDGETS.--The division shall submit its~~
9 ~~budgetary requirements to the Department of Management~~
10 ~~Services for its approval and inclusion in legislative budget~~
11 ~~requests.~~

12 Section 25. Section 273.02, Florida Statutes, is
13 amended to read:

14 273.02 Record and inventory of certain property.--The
15 word "property" as used in this section means equipment,
16 fixtures, and other tangible personal property of a
17 nonconsumable and nonexpendable nature, the value or cost of
18 which is \$1,000~~\$500~~ or more and the normal expected life of
19 which is 1 year or more, and hardback-covered bound books that
20 are circulated to students or the general public, the value or
21 cost of which is \$25 or more, and hardback-covered bound
22 books, the value or cost of which is \$250~~\$100~~ or more. Each
23 item of property which it is practicable to identify by
24 marking shall be marked in the manner required by the Auditor
25 General. Each custodian shall maintain an adequate record of
26 property in his or her custody, which record shall contain
27 such information as shall be required by the Auditor General.
28 Once each year, on July 1 or as soon thereafter as is
29 practicable, and whenever there is a change of custodian, each
30 custodian shall take an inventory of property in his or her
31 custody. The inventory shall be compared with the property

1 record, and all discrepancies shall be traced and reconciled.
2 All publicly supported libraries shall be exempt from marking
3 hardback-covered bound books, as required by this section.
4 The catalog and inventory control records maintained by each
5 publicly supported library shall constitute the property
6 record of hardback-covered bound books with a value or cost of
7 \$25 or more included in each publicly supported library
8 collection and shall serve as a perpetual inventory in lieu of
9 an annual physical inventory. All books identified by these
10 records as missing shall be traced and reconciled, and the
11 library inventory shall be adjusted accordingly.

12 Section 26. Subsection (5) of section 273.055, Florida
13 Statutes, is amended to read:

14 273.055 Disposition of state-owned tangible personal
15 property.--

16 (5) All moneys received ~~by the division~~ from the
17 disposition of state-owned tangible personal property or from
18 any agreement entered into under this chapter must be retained
19 by the custodian and may be disbursed for the acquisition of
20 exchange and surplus property and for all necessary operating
21 expenditures, and are appropriated for those purposes. The
22 custodian shall maintain records of the accounts into which
23 the money is deposited ~~shall be deposited into the General~~
24 ~~Revenue Fund.~~

25 Section 27. Section 281.07, Florida Statutes, is
26 amended to read:

27 281.07 Rules; Facilities Program ~~Division of Capitol~~
28 ~~Police~~; traffic regulation.--

29 (1) The Department of Management Services shall adopt
30 and promulgate rules to govern the administration, operation,
31 and management of the Facilities Program ~~Division of Capitol~~

1 ~~Police~~ and to regulate traffic and parking on state-owned or
2 state-leased property, which rules are not in conflict with
3 any state law or county or municipal ordinance, and to carry
4 out the provisions of ss. 281.02-281.09.

5 (2) Political subdivisions and municipalities may
6 enact and enforce ordinances on the violation of traffic and
7 parking rules provided in subsection (1).

8 Section 28. Subsection (4) of section 282.111, Florida
9 Statutes, is amended to read:

10 282.111 Statewide system of regional law enforcement
11 communications.--

12 (4) The Secretary of Management Services or his or her
13 designee ~~director of the division~~ is designated as the
14 director of the statewide system of regional law enforcement
15 communications and, for the purpose of carrying out the
16 provisions of this section, is authorized to coordinate the
17 activities of the system with other interested state agencies
18 and local law enforcement agencies.

19 Section 29. Paragraph (b) of subsection (2) and
20 paragraph (b) of subsection (4) of section 287.042, Florida
21 Statutes, are amended to read:

22 287.042 Powers, duties, and functions.--The Department
23 of Management Services ~~division~~ shall have the following
24 powers, duties, and functions:

25 (2)

26 (b) As an alternative to any provision in s.
27 120.57(3)(c), the department ~~division~~ may proceed with the bid
28 solicitation or contract award process of a term contract bid
29 when the secretary of the department or his or her designee
30 ~~director of the division~~ sets forth in writing particular
31 facts and circumstances which demonstrate that the delay

1 incident to staying the bid process or contract award process
2 would be detrimental to the interests of the state. After the
3 award of a contract resulting from a bid in which a timely
4 protest was received and in which the state did not prevail,
5 the contract may be canceled and reawarded to the prevailing
6 party.

7 (4) To establish a system of coordinated, uniform
8 procurement policies, procedures, and practices to be used by
9 agencies in acquiring commodities and contractual services,
10 which shall include, but not be limited to:

11 (b) Development of procedures for the releasing of
12 requests for proposals, and invitations to bid, and other
13 competitive procurements, which procedures shall include, but
14 not be limited to, publication in the Florida Administrative
15 Weekly or on Government Services Direct ~~the Florida~~
16 ~~Communities Network~~ of notice for requests for proposals at
17 least 28 days before the date set for submittal of proposals
18 and publication of notice for invitations to bid at least 10
19 calendar days before the date set for submission of bids. An
20 agency may waive the requirement for notice in the Florida
21 Administrative Weekly or on Government Services Direct ~~the~~
22 ~~Florida Communities Network~~. Notice of the request for
23 proposals shall be mailed to prospective offerors at least 28
24 calendar days prior to the date for submittal of proposals.
25 Notice of the invitation to bid shall be mailed to prospective
26 bidders at least 10 calendar days prior to the date set for
27 submittal of bids. The Minority Business Advocacy and
28 Assistance Office may consult with agencies regarding the
29 development of bid distribution procedures to ensure that
30 maximum distribution is afforded to certified minority
31 business enterprises as defined in s. 288.703.

1 Section 30. Paragraph (d) of subsection (3) of section
2 287.057, Florida Statutes, is amended to read:

3 287.057 Procurement of commodities or contractual
4 services.--

5 (3) When the purchase price of commodities or
6 contractual services exceeds the threshold amount provided in
7 s. 287.017 for CATEGORY TWO, no purchase of commodities or
8 contractual services may be made without receiving competitive
9 sealed bids or competitive sealed proposals unless:

10 (d) When it is in the best interest of the state, the
11 Secretary ~~the Department~~ of Management Services or his or her
12 designee may authorize the Support Program ~~director of the~~
13 ~~division~~ to purchase insurance by negotiation, but such
14 purchase shall be made only under conditions most favorable to
15 the public interest.

16 Section 31. Section 287.16, Florida Statutes, is
17 amended to read:

18 287.16 Powers and duties of department ~~division~~.--The
19 Department of Management Services ~~Division of Motor Pool~~ shall
20 have the following powers, duties, and responsibilities:

21 (1) To obtain the most effective and efficient use of
22 motor vehicles, watercraft, and aircraft for state purposes.

23 (2) To establish and operate central facilities for
24 the acquisition, disposal, operation, maintenance, repair,
25 storage, supervision, control, and regulation of all
26 state-owned or state-leased aircraft and motor vehicles and to
27 operate any state facilities for those purposes. Acquisition
28 may be by purchase, lease, loan, or in any other legal manner.

29 (3) In its discretion, to require every state agency
30 to transfer its ownership, custody, and control of every
31 aircraft and motor vehicle, and associated maintenance

1 facilities and equipment, except those used principally
2 associated maintenance facilities and equipment, except those
3 used principally for law enforcement or fire control purposes,
4 to the Department of Management Services, including all right,
5 title, interest, and equity therein.

6 (4) Upon requisition and showing of need, to assign
7 suitable aircraft or motor vehicles, on a temporary (for a
8 period up to and including 1 month) or permanent (for a period
9 from 1 month up to and including 1 full year) basis, to any
10 state agency.

11 (5) To allocate and charge fees to the state agencies
12 to which aircraft or motor vehicles are furnished, based upon
13 any reasonable criteria.

14 (6) To adopt and enforce rules and regulations for the
15 efficient and safe use, operation, maintenance, repair, and
16 replacement of all state-owned or state-leased aircraft and
17 motor vehicles and to require the placement of appropriate
18 stickers, decals, or other markings upon the aircraft and
19 motor vehicles of the state. The department ~~division~~ may
20 delegate to the respective heads of the agencies to which
21 aircraft and motor vehicles are assigned the duty of enforcing
22 the rules and regulations adopted by the department ~~division~~.

23 (7) To contract for specialized maintenance services.

24 (8) To require any state agency to keep records and
25 make reports regarding aircraft and motor vehicles to the
26 department ~~division~~ as may be required. The Department of
27 Highway Safety and Motor Vehicles may use the reporting system
28 in effect on October 1, 1983, until July 1, 1984. Beginning
29 July 1, 1984, the Department of Highway Safety and Motor
30 Vehicles shall use a reporting system approved by the
31 department ~~division~~. The Support Program ~~division~~ shall assist

1 the Department of Highway Safety and Motor Vehicles in
2 developing or implementing a reporting system prior to July 1,
3 1984, which shall specifically address the needs and
4 requirements of the Support Program ~~division~~ and the
5 Department of Highway Safety and Motor Vehicles.

6 (9) To establish and operate central facilities to
7 determine the mode of transportation to be used by state
8 employees traveling on official state business and to schedule
9 and coordinate use of state-owned or state-leased aircraft and
10 passenger-carrying vehicles to assure maximum utilization of
11 state aircraft, motor vehicles, and employee time by assuring
12 that employees travel by the most practical and economical
13 mode of travel. The department ~~division~~ shall consider the
14 number of employees making the trip to the same location, the
15 most efficient and economical means of travel considering the
16 time of the employee, transportation cost and subsistence
17 required, the urgency of the trip, and the nature and purpose
18 of the trip.

19 (10) To provide the Legislature annual reports at the
20 end of each calendar year concerning the utilization of all
21 aircraft in the executive pool and special purpose aircraft.

22 Section 32. Section 287.18, Florida Statutes, is
23 amended to read:

24 287.18 Repair and service of motor vehicles and
25 aircraft.--The Secretary of Management Services or his or her
26 designee ~~director of the Division of Motor Pool~~ may require a
27 department or any state agency having facilities for the
28 repair of aircraft or motor vehicles and for the storage and
29 distribution of gasoline and other petroleum products to
30 repair aircraft and motor vehicles and to furnish gasoline and
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1 other petroleum products to any other department or agency and
2 shall compensate for the cost of such services and products.

3 Section 33. Subsections (5) and (12) of section
4 365.171, Florida Statutes, are amended to read:

5 365.171 Emergency telephone number "911."--

6 (5) SYSTEM DIRECTOR.--The secretary of the department
7 or his or her designee ~~director of the division~~ is designated
8 as the director of the statewide emergency telephone number
9 "911" system and, for the purpose of carrying out the
10 provisions of this section, is authorized to coordinate the
11 activities of the system with state, county, local, and
12 private agencies. The director is authorized to employ not
13 less than five persons, three of whom will be at the
14 professional level, one at the secretarial level, and one to
15 fill a fiscal position, for the purpose of carrying out the
16 provisions of this section. The director in implementing the
17 system shall consult, cooperate, and coordinate with local law
18 enforcement agencies.

19 (12) FEDERAL ASSISTANCE.--The secretary of the
20 department or his or her designee ~~may director of the division~~
21 ~~is authorized to~~ apply for and accept federal funding
22 assistance in the development and implementation of a
23 statewide emergency telephone number "911" system.

24 Section 34. Section 401.021, Florida Statutes, is
25 amended to read:

26 401.021 System director.--The Secretary of Management
27 Services or his or her designee ~~director of the Division of~~
28 ~~Communications~~ is designated as the director of the statewide
29 telecommunications system of the regional emergency medical
30 service and, for the purpose of carrying out the provisions of
31 this part, is authorized to coordinate the activities of the

1 telecommunications system with other interested state, county,
2 local, and private agencies.

3 Section 35. Section 401.027, Florida Statutes, is
4 amended to read:

5 401.027 Federal assistance.--The Secretary of
6 Management Services or his or her designee ~~director of the~~
7 ~~Division of Communications~~ is authorized to apply for and
8 accept federal funding assistance in the development and
9 implementation of a statewide emergency medical
10 telecommunications system.

11 Section 36. Subsection (1) of section 446.604, Florida
12 Statutes, is amended to read:

13 446.604 One-Stop Career Centers.--

14 (1) The Department of Management Services shall
15 coordinate among the agencies a plan for a One-Stop Career
16 Center Electronic Network made up of One-Stop Career Centers
17 that are operated by the Department of Labor and Employment
18 Security, the Department of Health and Rehabilitative
19 Services, the Department of Education, and other authorized
20 public or private for-profit or not-for-profit agents. The
21 plan shall identify resources within existing revenues to
22 establish and support such electronic network for service
23 delivery that includes Government Services Direct ~~the Florida~~
24 ~~Communities Network~~.

25 Section 37. Paragraph (e) of subsection (3) of section
26 447.208, Florida Statutes, is amended to read:

27 447.208 Procedure with respect to certain appeals
28 under s. 447.207.--

29 (3) With respect to hearings relating to demotions,
30 suspensions, or dismissals pursuant to the provisions of this
31 section:

1 (e) Any order of the commission issued pursuant to
2 this subsection may include back pay, if applicable, and an
3 amount, to be determined by the commission and paid by the
4 agency, for reasonable attorney's fees, witness fees, and
5 other out-of-pocket expenses incurred during the prosecution
6 of an appeal against an agency in which the commission
7 sustains the employee. In determining the amount of an
8 attorney's fee, the commission shall consider only the number
9 of hours reasonably spent on the appeal, comparing the number
10 of hours spent on similar Career Service System appeals and
11 the reasonable hourly rate charged in the geographic area for
12 similar appeals, but not including litigation over the amount
13 of the attorney's fee. This paragraph applies to future and
14 pending cases.

15 Section 38. Sections 110.407 and 110.607, Florida
16 Statutes, are repealed.

17 Section 39. This act shall take effect upon becoming a
18 law.

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HOUSE SUMMARY

Revises provisions of law relating to the Department of Management Services to:

1. Provide for a Chief Labor Negotiator.
2. Revise described reporting requirements.
3. Provide for reimbursement to the state of described expenses related to education and training opportunities for state employees when an employee voluntarily leaves employment or is discharged within a described time period after receiving such education and training opportunities.
4. Provide a 2-year statute of limitations on the filing of an action to recover compensation.
5. Increase to \$100 the cap on meritorious service awards.
6. Revise language with respect to the Florida State Employees' Charitable Campaign.
7. Direct the department to develop a workforce report.
8. Authorized each department to designate one additional position in the Senior Management Service.
9. Allow each department or agency using volunteers to incur expenses to recognize the services of such volunteers.
10. Redefine the term "operating capital outlay."
11. Provide that a provision relating to restrictions on overhead or other indirect costs with respect to contracts between state agencies does not apply to contracts between state universities, between community colleges, or between state universities and community colleges.
12. Increase to 5,000 square feet the threshold for leased space facilities requirements.
13. Provide for the closing of facilities in emergency situations.
14. Revise the membership of the Grove Advisory Council and the Governor's Mansion Commission.
15. Increase the value of property required to be inventoried by custodians to \$1,000 or more and \$250 with respect to certain books.
16. Provide for the disbursement of moneys from the disposition of state-owned tangible personal property.
17. Revise the organizational structure of the department.
18. Designate the director of the statewide emergency telephone number "911" and the director of the telecommunications system of the regional emergency medical service.

See bill for details.