

CHAMBER ACTION

1 The Fiscal Council recommends the following:

2  
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to employee allowances; amending s.  
7 110.123, F.S.; allowing certain state employees access to  
8 open magnetic resonance imaging services under certain  
9 conditions; amending s. 112.061, F.S.; establishing per  
10 diem, subsistence, and mileage rates for travel expenses  
11 of public employees; conforming provisions and deleting  
12 obsolete provisions; amending s. 215.422, F.S.; deleting  
13 certain references to Class C travel; providing an  
14 effective date.

15  
16 Be It Enacted by the Legislature of the State of Florida:

17  
18 Section 1. Paragraph (b) of subsection (3) of section  
19 110.123, Florida Statutes, is amended to read:

20 110.123 State group insurance program.--

21 (3) STATE GROUP INSURANCE PROGRAM.--

22 (b) It is the intent of the Legislature to offer a  
23 comprehensive package of health insurance and retirement

24 | benefits and a personnel system for state employees which are  
 25 | provided in a cost-efficient and prudent manner, and to allow  
 26 | state employees the option to choose benefit plans which best  
 27 | suit their individual needs. Therefore, the state group  
 28 | insurance program is established which may include the state  
 29 | group health insurance plan or plans, health maintenance  
 30 | organization plans, group life insurance plans, group accidental  
 31 | death and dismemberment plans, and group disability insurance  
 32 | plans. Any provider of health coverage or benefits to state  
 33 | employees under the state health insurance program shall allow  
 34 | those employees to have access to open magnetic resonance  
 35 | imaging services, provided the treating physician prescribes or  
 36 | orders those services and the cost is the same as any other  
 37 | magnetic resonance imaging service. Furthermore, the department  
 38 | is additionally authorized to establish and provide as part of  
 39 | the state group insurance program any other group insurance  
 40 | plans or coverage choices that are consistent with the  
 41 | provisions of this section.

42 | Section 2. Paragraph (a) of subsection (1), paragraphs (e)  
 43 | and (g) of subsection (3), paragraphs (b) and (c) of subsection  
 44 | (5), subsection (6), paragraph (d) of subsection (7), and  
 45 | subsection (11) of section 112.061, Florida Statutes, are  
 46 | amended to read:

47 | 112.061 Per diem and travel expenses of public officers,  
 48 | employees, and authorized persons.--

49 | (1) LEGISLATIVE INTENT.--There are inequities, conflicts,  
 50 | inconsistencies, and lapses in the numerous laws regulating or  
 51 | attempting to regulate travel expenses of public officers,

52 employees, and authorized persons in the state. It is the intent  
53 of the Legislature:

54 (a) To remedy same and to establish uniform travel  
55 reimbursement rates for state agencies, maximum travel  
56 reimbursement rates for nonstate public agencies, and  
57 limitations for all public agencies, with certain justifiable  
58 exceptions, applicable to all authorized travelers ~~public~~  
59 ~~officers, employees, and authorized persons~~ whose travel  
60 expenses are paid by a public agency.

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

62 (e) The agency head, or a designated representative, may  
63 pay by advancement or reimbursement, or a combination thereof,  
64 the costs of per diem of travelers ~~and authorized persons~~ for  
65 foreign travel at the current rates as specified in the federal  
66 publication "Standardized Regulations (Government Civilians,  
67 Foreign Areas)" and incidental expenses as provided in this  
68 section.

69 (g) The secretary of the Department of Health or a  
70 designee may authorize travel expenses incidental to the  
71 rendering of medical services for and on behalf of clients of  
72 the Department of Health. The Department of Health may establish  
73 rates lower than the rate ~~maximum~~ provided in this section for  
74 these travel expenses.

75 (5) COMPUTATION OF TRAVEL TIME FOR REIMBURSEMENT.--For  
76 purposes of reimbursement and methods of calculating fractional  
77 days of travel, the following principles are prescribed:

78 (b) A traveler shall ~~not be reimbursed on a per diem basis~~  
79 ~~for Class C travel, but shall~~ receive subsistence as provided in

80 | this section, which allowance for meals shall be based on the  
81 | following schedule:

82 |         1. Breakfast--When travel begins before 6 a.m. and extends  
83 | beyond 8 a.m.

84 |         2. Lunch--When travel begins before 12 noon and extends  
85 | beyond 2 p.m.

86 |         3. Dinner--When travel begins before 6 p.m. and extends  
87 | beyond 8 p.m., or when travel occurs during nighttime hours due  
88 | to special assignment.

89 |  
90 | No allowance shall be made for meals when travel is confined to  
91 | the city or town of the official headquarters or immediate  
92 | vicinity; except assignments of official business outside the  
93 | traveler's regular place of employment if travel expenses are  
94 | approved. ~~The Chief Financial Officer shall establish a schedule~~  
95 | ~~for processing Class C travel subsistence payments at least on a~~  
96 | ~~monthly basis.~~

97 |         ~~(c) For the 2004-2005 fiscal year only and notwithstanding~~  
98 | ~~the other provisions of this subsection, for Class C travel, a~~  
99 | ~~state traveler shall not be reimbursed on a per diem basis nor~~  
100 | ~~shall a traveler receive subsistence allowance. This paragraph~~  
101 | ~~expires July 1, 2005.~~

102 |         (6) RATES OF PER DIEM AND SUBSISTENCE ALLOWANCE.--For  
103 | purposes of reimbursement rates and methods of calculation, per  
104 | diem and subsistence allowances are provided as follows ~~divided~~  
105 | ~~into the following groups and rates:~~

106 |         (a) All travelers shall be allowed for subsistence when  
107 | traveling to a convention or conference or when traveling within

108 or outside the state in order to conduct bona fide state  
 109 business, which convention, conference, or business serves a  
 110 direct and lawful public purpose with relation to the public  
 111 agency served by the person attending such meeting or conducting  
 112 such business, either of the following for each day of such  
 113 travel at the option of the traveler:

- 114 1. Ninety ~~Fifty~~ dollars per diem; or
- 115 2. If actual expenses exceed \$90 ~~\$50~~, the amounts
- 116 permitted in paragraph (b) for subsistence ~~meals~~, plus actual
- 117 expenses for lodging at a single-occupancy rate to be
- 118 substantiated by paid bills therefor.

119  
 120 When lodging or meals are provided at a state institution, the  
 121 traveler shall be reimbursed only for the actual expenses of  
 122 such lodging or meals, not to exceed the maximum provided for in  
 123 this subsection.

124 (b) All travelers shall be allowed the following amounts  
 125 for subsistence while on ~~Class C travel on~~ official business as  
 126 provided in paragraph (5)(b):

- 127 1. Breakfast....\$5 ~~\$3~~
- 128 2. Lunch....\$11 ~~\$6~~
- 129 3. Dinner....\$23 ~~\$12~~

130 (c) No one, whether traveling out of state or in state,  
 131 shall be reimbursed for any meal or lodging included in a  
 132 convention or conference registration fee paid by the state.

133 ~~(d) For the 2004-2005 fiscal year only and notwithstanding~~  
 134 ~~the other provisions of this subsection,~~ For Class C travel, a  
 135 state traveler shall not be reimbursed on a per diem basis, nor

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136 shall a traveler receive subsistence allowance. ~~This paragraph~~  
137 ~~expires July 1, 2005.~~

138 (7) TRANSPORTATION.--

139 (d)1. The use of privately owned vehicles for official  
140 travel in lieu of publicly owned vehicles or common carriers may  
141 be authorized by the agency head or his or her designee.

142 Whenever travel is by privately owned vehicle:

143 a. A state, the traveler shall be entitled to a mileage  
144 allowance at a ~~fixed~~ rate of 38 25 cents per mile;

145 b. A nonstate traveler shall be entitled to a mileage  
146 allowance of 38 for state fiscal year 1994-1995 and 29 cents per  
147 mile; or

148 c. The traveler shall be entitled to thereafter or the  
149 common carrier fare for such travel, if as determined by the  
150 agency head to be more economical.

151 2. Reimbursement for expenditures related to the  
152 operation, maintenance, and ownership of a vehicle shall not be  
153 allowed when privately owned vehicles are used on public  
154 business and reimbursement is made pursuant to this paragraph,  
155 except as provided in subsection (8).

156 3.2- All mileage shall be shown from point of origin to  
157 point of destination and, when possible, shall be computed on  
158 the basis of the current map of the Department of  
159 Transportation. Vicinity mileage necessary for the conduct of  
160 official business is allowable but must be shown as a separate  
161 item on the expense voucher.

162 (11) TRAVEL AUTHORIZATION AND VOUCHER FORMS.--

163 (a) Authorization forms.--The Department of Financial  
 164 Services shall furnish a uniform travel authorization request  
 165 form which shall be used by all state officers, and employees,  
 166 and authorized persons when requesting approval for the  
 167 performance of travel to a convention or conference. The form  
 168 shall include, but not be limited to, provision for the name of  
 169 each traveler, purpose of travel, period of travel, estimated  
 170 cost to the state, and a statement of benefits accruing to the  
 171 state by virtue of such travel. A copy of the program or agenda  
 172 of the convention or conference, itemizing registration fees and  
 173 any meals or lodging included in the registration fee, shall be  
 174 attached to, and filed with, the copy of the travel  
 175 authorization request form on file with the agency. The form  
 176 shall be signed by the traveler and by the traveler's supervisor  
 177 stating that the travel is to be incurred in connection with  
 178 official business of the state. The head of the agency or his or  
 179 her designated representative shall not authorize or approve  
 180 such request in the absence of the appropriate signatures. A  
 181 copy of the travel authorization form shall be attached to, and  
 182 become a part of, the support of the agency's copy of the travel  
 183 voucher.

184 (b) Voucher forms.--

185 1. The Department of Financial Services shall furnish a  
 186 uniform travel voucher form which shall be used by all state  
 187 officers, and employees, and authorized persons when submitting  
 188 travel expense statements for approval and payment. No travel  
 189 expense statement shall be approved for payment by the Chief  
 190 Financial Officer unless made on the form prescribed and

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191 furnished by the department. The travel voucher form shall  
 192 provide for, among other things, the purpose of the official  
 193 travel and a certification or affirmation, to be signed by the  
 194 traveler, indicating the truth and correctness of the claim in  
 195 every material matter, that the travel expenses were actually  
 196 incurred by the traveler as necessary in the performance of  
 197 official duties, that per diem claimed has been appropriately  
 198 reduced for any meals or lodging included in the convention or  
 199 conference registration fees claimed by the traveler, and that  
 200 the voucher conforms in every respect with the requirements of  
 201 this section. The original copy of the executed uniform travel  
 202 authorization request form shall be attached to the uniform  
 203 travel voucher on file with the respective agency.

204 2. Statements for travel expenses incidental to the  
 205 rendering of medical services for and on behalf of clients of  
 206 the Department of Health shall be on forms approved by the  
 207 Department of Financial Services.

208 Section 3. Subsection (11) of section 215.422, Florida  
 209 Statutes, is amended to read:

210 215.422 Warrants, vouchers, and invoices; processing time  
 211 limits; dispute resolution; agency or judicial branch  
 212 compliance.--

213 (11) Travel and other reimbursements to state officers and  
 214 employees must be the same as payments to vendors under this  
 215 section, ~~except payment of Class C travel subsistence. Class C~~  
 216 ~~travel subsistence shall be paid in accordance with the schedule~~  
 217 ~~established by the Chief Financial Officer pursuant to s.~~



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218 | ~~112.061(5)(b)~~. This section does not apply to payments made to  
219 | state agencies, the judicial branch, or the legislative branch.

220 |       Section 4. This act shall take effect July 1, 2005.