



182684

LEGISLATIVE ACTION

Senate	.	House
	.	
	.	
Floor: AD/CR	.	
05/06/2011 11:21 PM	.	
	.	

The Conference Committee on SB 2002, 1st Eng. recommended the following:

1 **Senate Conference Committee Amendment (with title**
2 **amendment)**

3
4 Delete everything after the enacting clause
5 and insert:

6 Section 1. It is the intent of the Legislature that the
7 implementing and administering provisions of this act apply to
8 the General Appropriations Act for the 2011-2012 fiscal year.

9 Section 2. In order to implement Specific Appropriations 6,
10 7, 8, 68, and 69 of the 2011-2012 General Appropriations Act,
11 the calculations of the Florida Education Finance Program for
12 the 2011-2012 fiscal year in the document entitled "Public



182684

13 School Funding-The Florida Education Finance Program," dated May
14 3, 2011, and filed with the Secretary of the Senate, are
15 incorporated by reference for the purpose of displaying the
16 calculations used by the Legislature, consistent with the
17 requirements of the Florida Statutes, in making appropriations
18 for the Florida Education Finance Program.

19 Section 3. In order to implement Specific Appropriations
20 15A and 15B of the 2011-2012 General Appropriations Act,
21 paragraph (c) of subsection (3) of section 216.292, Florida
22 Statutes, is amended to read:

23 216.292 Appropriations nontransferable; exceptions.—

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

28 (c) The transfer of appropriations for fixed capital outlay
29 from the Survey Recommended Needs-Public Schools appropriation
30 category to the Maintenance, Repair, Renovation and Remodeling
31 appropriation category. The allocation of transferred funds must
32 ~~shall~~ be in accordance with s. 1013.62 ~~1013.64(1)~~. This
33 paragraph expires July 1, 2012 ~~2011~~.

34 Section 4. Notwithstanding ss. 440.50 and 1010.87, Florida
35 Statutes, for the 2011-2012 fiscal year, funds provided in
36 Specific Appropriation 98 of the 2011-2012 General
37 Appropriations Act from the Workers' Compensation Administration
38 Trust Fund shall be used for the Ready to Work Program created
39 under s. 1004.99, Florida Statutes. This section expires July 1,
40 2012.

41 Section 5. In order to implement Specific Appropriation 119



182684

42 of the 2011-2012 General Appropriations Act and notwithstanding
43 any other law, for the 2011-2012 fiscal year only, a university
44 board of trustees may expend reserve or carry-forward balances
45 from prior year operational and programmatic appropriations for
46 legislatively approved fixed capital outlay projects authorized
47 for the establishment of a new campus.

48 Section 6. In order to implement Specific Appropriations
49 310 through 339 of the 2011-2012 General Appropriations Act,
50 paragraphs (b) and (c) of subsection (3) of section 394.908,
51 Florida Statutes, are amended to read:

52 394.908 Substance abuse and mental health funding equity;
53 distribution of appropriations.—In recognition of the historical
54 inequity in the funding of substance abuse and mental health
55 services for the department's districts and regions and to
56 rectify this inequity and provide for equitable funding in the
57 future throughout the state, the following funding process shall
58 be used:

59 (3)

60 (b) Notwithstanding paragraph (a) and for the 2011-2012
61 ~~2010-2011~~ fiscal year only, funds appropriated for forensic
62 mental health treatment services shall be allocated to the areas
63 of the state having the greatest demand for services and
64 treatment capacity. This paragraph expires July 1, 2012 ~~2011~~.

65 (c) Notwithstanding paragraph (a) and for the 2011-2012
66 ~~2010-2011~~ fiscal year only, additional funds appropriated for
67 substance abuse and mental health services from funds available
68 through the Community-Based Medicaid Administrative Claiming
69 Program shall be allocated as provided in the 2010-2011 General
70 Appropriations Act and in proportion to contributed provider



182684

71 earnings. This paragraph expires July 1, 2012 ~~2011~~.

72 Section 7. In order to implement Specific Appropriation 465
73 of the 2011-2012 General Appropriations Act, and for the 2011-
74 2012 fiscal year only, the following requirements govern the
75 completion of Phase 2 and Phase 3 of the Department of Health's
76 Florida Onsite Sewage Nitrogen Reduction Strategies Study:

77 (1) The Department of Health's underlying contract for the
78 study remains in full force and effect and funding for
79 completion of Phase 2 and Phase 3 is through the Department of
80 Health.

81 (2) The Department of Health, the Department of Health's
82 Research Review and Advisory Committee, and the Department of
83 Environmental Protection shall work together to provide the
84 necessary technical oversight of the completion of Phase 2 and
85 Phase 3 of the project.

86 (3) Management and oversight of the completion of Phase 2
87 and Phase 3 must be consistent with the terms of the existing
88 contract. However, the main focus and priority to be completed
89 during Phase 3 shall be developing, testing, and recommending
90 cost-effective passive technology design criteria for nitrogen
91 reduction.

92 (4) The systems installed at homesites are experimental in
93 nature and shall be installed with significant field testing and
94 monitoring. The Department of Health is specifically authorized
95 to allow installation of these experimental systems.
96 Notwithstanding any other law, before Phase 3 of the study is
97 completed, a state agency may not adopt or implement a rule or
98 policy that:

99 (a) Mandates, establishes, or implements more restrictive



182684

100 nitrogen-reduction standards to existing or new onsite sewage
101 treatment systems or modification of such systems; or

102 (b) Directly or indirectly requires the use of performance-
103 based treatment systems or similar technology, such as through
104 an administrative order developed by the Department of
105 Environmental Protection as part of a basin management action
106 plan adopted pursuant to s. 403.067, Florida Statutes. However,
107 the implementation of more restrictive nitrogen-reduction
108 standards for onsite systems may be required through a basin
109 management action plan if such plan is phased in after
110 completion of Phase 3.

111 Section 8. Effective June 29, 2011, in order to implement
112 Specific Appropriations 259 through 357 of the 2011-2012 General
113 Appropriations Act, subsection (3) of section 1 of chapter 2007-
114 174, Laws of Florida, is amended to read:

115 Section 1. Flexibility for the Department of Children and
116 Family Services.-

117 (3) This section expires July 1, 2012 ~~June 30, 2008~~.

118 Section 9. In order to implement Specific Appropriations
119 171 and 177 through 179 and 182 of the 2011-2012 General
120 Appropriations Act, the calculations of the Medicaid Low-Income
121 Pool, Disproportionate Share Hospital, and Hospital Exemptions
122 Programs for the 2011-2012 fiscal year in the document entitled
123 "Medicaid Supplemental Hospital Funding Programs" dated May 3,
124 2011, and filed with the Secretary of the Senate, are
125 incorporated by reference for the purpose of displaying the
126 calculations used by the Legislature, consistent with the
127 requirements of the Florida Statutes, in making appropriations
128 for the Low-Income Pool, Disproportionate Share Hospital, and



182684

129 Hospital Exemptions Programs.

130 Section 10. In order to implement Specific Appropriation
131 536 of the 2011-2012 General Appropriations Act, notwithstanding
132 s. 216.177, Florida Statutes, requiring only 3 days' notice to
133 the Legislature for the release of funds, budget amendments
134 recommending the release of funds must be provided at least 14
135 days before the effective date of the action and are subject to
136 the objection procedures in s. 216.177(2) (b), Florida Statutes.

137 Section 11. In order to implement Specific Appropriation
138 177 of the 2011-2012 General Appropriations Act, and for the
139 2011-2012 fiscal year only, the third and tenth paragraph of
140 proviso following the appropriation is repealed and replaced
141 with:

142 Funds in Specific Appropriation 177 reflect a
143 reduction of \$173,477,299 from the General Revenue
144 Fund, \$220,252,391 from the Medical Care Trust Fund,
145 and \$1,199,158 from the Refugee Assistance Trust Fund
146 as a result of modifying the reimbursement for
147 inpatient hospital rates. The agency shall implement a
148 recurring methodology in the Title XIX Inpatient
149 Hospital Reimbursement Plan to achieve this reduction.
150 In establishing rates through the normal process,
151 before including this reduction, if the unit cost is
152 equal to or less than the unit cost used in
153 establishing the budget, then no additional reduction
154 in rates is necessary; however, if the unit cost is
155 greater than the unit cost used in establishing the
156 budget, then rates shall be reduced by an amount
157 required to achieve this reduction, but may not be



182684

158 reduced below the unit cost used in establishing the
159 budget. Hospitals that are licensed as a children's
160 specialty hospital and whose Medicaid days plus
161 charity care days divided by total adjusted patient
162 days equals or exceeds 30 percent and rural hospitals,
163 as defined in s. 395.602, Florida Statutes, are
164 excluded from this reduction.

165
166 From the funds in Specific Appropriation 177,
167 \$239,417,562 from the Grants and Donations Trust Fund
168 and \$303,972,274 from the Medical Care Trust Fund are
169 provided for public hospitals, including any leased
170 public hospital determined to be covered under the
171 state's sovereign immunity; teaching hospitals, as
172 defined in s. 408.07 or s. 395.805, Florida Statutes,
173 which have 70 or more full-time equivalent resident
174 physicians; hospitals that have graduate medical
175 education positions that do not otherwise qualify; and
176 designated trauma hospitals to buy back the Medicaid
177 inpatient trend adjustment applied to their individual
178 hospital rates and other Medicaid reductions to their
179 inpatient rates up to actual Medicaid inpatient cost.
180 The payments under this proviso are contingent on the
181 state share being provided through grants and
182 donations from state, county, or other governmental
183 funds. This section of proviso does not include the
184 buy back of the Medicaid inpatient trend adjustment
185 applied to the individual state mental health
186 hospitals.



182684

187
188 Section 12. In order to implement Specific Appropriation
189 182 of the 2011-2012 General Appropriations Act, and for the
190 2011-2012 fiscal year only, the second paragraph of proviso
191 following the appropriation is repealed and replaced with:

192
193 Funds in Specific Appropriation 182 reflect a
194 reduction of \$43,572,721 from the General Revenue
195 Fund, \$55,321,338 from the Medical Care Trust Fund,
196 and \$151,174 from the Refugee Assistance Trust Fund as
197 a result of implementing a reduction in outpatient
198 hospital reimbursement rates. The agency shall
199 implement a recurring methodology in the Title XIX
200 Outpatient Hospital Reimbursement Plan to achieve this
201 reduction. In establishing rates through the normal
202 process, prior to including this reduction, if the
203 unit cost is equal to or less than the unit cost used
204 in establishing the budget, then no additional
205 reduction in rates is necessary. In establishing rates
206 through the normal process, prior to including this
207 reduction, if the unit cost is greater than the unit
208 cost used in establishing the budget, then rates shall
209 be reduced by an amount required to achieve this
210 reduction, but shall not be reduced below the unit
211 cost used in establishing the budget. Hospitals that
212 are licensed as a children's specialty hospital and
213 whose Medicaid days plus charity care days divided by
214 total adjusted patient days equals or exceeds 30
215 percent and rural hospitals as defined in s. 395.602,



182684

216 Florida Statutes, are excluded from this reduction.

217
218 Section 13. In order to implement Specific Appropriations
219 459 through 469 of the 2011-2012 General Appropriations Act,
220 before the implementation of the onsite sewage treatment and
221 disposal system evaluation program described in s.
222 381.0065(5) (a), Florida Statutes, the Department of Health shall
223 submit a plan for approval by the Legislative Budget Commission
224 which includes an estimate of agency workload and funding needs.
225 The department may not expend funds in furtherance of the
226 evaluation program before the plan is approved by the
227 commission.

228 Section 14. In order to fulfill legislative intent
229 regarding the use of funds contained in Specific Appropriations
230 605, 616, 628, and 1135 of the 2011-2012 General Appropriations
231 Act, the Department of Corrections and the Department of
232 Juvenile Justice may expend appropriated funds to assist in
233 defraying costs that are incurred by a municipality or county
234 and are associated with opening or operating a facility under
235 the authority of the respective department. The amount paid for
236 any facility may not exceed 1 percent of the cost to construct
237 the facility, less building impact fees imposed by the
238 municipality or county. This section expires July 1, 2012.

239 Section 15. In order to implement Specific Appropriations
240 570 through 688A and 726 through 759 of the 2011-2012 General
241 Appropriations Act, subsection (4) of section 216.262, Florida
242 Statutes, is amended to read:

243 216.262 Authorized positions.—

244 (4) Notwithstanding the provisions of this chapter relating



182684

245 to ~~en~~ increasing the number of authorized positions, and for the
246 2011-2012 ~~2010-2011~~ fiscal year only, if the actual inmate
247 population of the Department of Corrections exceeds the inmate
248 population projections of the February 21, 2011 ~~19, 2010~~,
249 Criminal Justice Estimating Conference by 1 percent for 2
250 consecutive months or 2 percent for any month, the Executive
251 Office of the Governor, with the approval of the Legislative
252 Budget Commission, shall immediately notify the Criminal Justice
253 Estimating Conference, which shall convene as soon as possible
254 to revise the estimates. The Department of Corrections may then
255 submit a budget amendment requesting the establishment of
256 positions in excess of the number authorized by the Legislature
257 and additional appropriations from unallocated general revenue
258 sufficient to provide for essential staff, fixed capital
259 improvements, and other resources to provide classification,
260 security, food services, health services, and other variable
261 expenses within the institutions to accommodate the estimated
262 increase in the inmate population. All actions taken pursuant to
263 ~~the authority granted in this subsection~~ are ~~shall be~~ subject to
264 review and approval by the Legislative Budget Commission. This
265 subsection expires July 1, 2012 ~~2011~~.

266 Section 16. In order to implement Specific Appropriations
267 1253, 1267, 1274, 1295, and 1305 of the 2011-2012 General
268 Appropriations Act, the Department of Legal Affairs may transfer
269 cash remaining after required disbursements for Attorney General
270 case numbers 09-CV-51614, 16-2008-CA-01-3142CV-C, and
271 CACE08022328 from FLAIR account 41-74-2-601001-41100100-00-
272 181076-00 to the Operating Trust Fund to pay salaries and
273 benefits. This section expires July 1, 2012.



182684

274 Section 17. In order to implement Specific Appropriations
275 1289 and 1290 of the 2011-2012 General Appropriations Act, the
276 Department of Legal Affairs may expend appropriated funds in
277 those specific appropriations on the same programs that were
278 funded by the department pursuant to specific appropriations
279 made in general appropriations acts in prior years. This section
280 expires July 1, 2012.

281 Section 18. In order to implement Specific Appropriations
282 1192 and 1198 of the 2011-2012 General Appropriations Act,
283 paragraph (d) of subsection (4) of section 932.7055, Florida
284 Statutes, is amended to read:

285 932.7055 Disposition of liens and forfeited property.—

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

288 (d) Notwithstanding any other provision of this subsection,
289 and for the 2011-2012 ~~2010-2011~~ fiscal year only, the funds in a
290 special law enforcement trust fund established by the governing
291 body of a municipality may be expended to reimburse the general
292 fund of the municipality for moneys advanced from the general
293 fund to the special law enforcement trust fund before ~~prior to~~
294 October 1, 2001. This paragraph expires July 1, 2012 ~~2011~~.

295 Section 19. (1) In order to implement Specific
296 Appropriations 1069, 1070, 1074, 1075, 1115, 1116, 1120, 1121,
297 1123, 1126, 1127, 1130, 1131, 1132, 1141, and 1146 of the 2011-
298 2012 General Appropriations Act, the Department of Juvenile
299 Justice must comply with the following reimbursement
300 limitations:

301 (a) Payments to a hospital or a health care provider may
302 not exceed 110 percent of the Medicare allowable rate for any



182684

303 health care services provided if no contract exists between the
304 department and the hospital or the health care provider
305 providing services at a hospital;

306 (b) The department may continue to make payments for health
307 care services at the currently contracted rates through the
308 current term of the contract if a contract has been executed
309 between the department and a hospital or a health care provider
310 providing services to a hospital; however, payments may not
311 exceed 110 percent of the Medicare allowable rate after the
312 current term of the contract expires or after the contract is
313 renewed during the 2011-2012 fiscal year;

314 (c) Payments may not exceed 110 percent of the Medicare
315 allowable rate under a contract executed on or after July 1,
316 2011, between the department and a hospital or health care
317 provider providing services at a hospital;

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

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

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

329 (3) This section expires July 1, 2012.

330 Section 20. In order to implement section 7 of the 2011-
331 2012 General Appropriations Act, and notwithstanding s. 215.18,



182684

332 Florida Statutes, the state court system is relieved of loan
333 repayment obligations for loans made from the Mediation and
334 Arbitration Trust Fund and the Court Education Trust Fund to the
335 state court system during the 2010-2011 fiscal year. This
336 section is effective upon this act becoming a law.

337 Section 21. In order to implement Section 7 of the 2011-
338 2012 General Appropriations Act, section 215.18, Florida
339 Statutes, is amended to read:

340 215.18 Transfers between funds; limitation.—

341 (1) Whenever there is a deficiency ~~exists~~ in any fund
342 provided for by s. 215.32 ~~a deficiency~~ which would render such
343 fund insufficient to meet its just requirements, and ~~there shall~~
344 ~~exist in the~~ other funds in the State Treasury have moneys which
345 are for the time being or otherwise in excess of the amounts
346 necessary to meet the just requirements of such last-mentioned
347 funds, the Governor may order a temporary transfer of moneys
348 from one fund to another in order to meet temporary deficiencies
349 in a particular fund without resorting to the necessity of
350 borrowing money and paying interest thereon. Any action proposed
351 under this section is subject to the notice and objection
352 procedures set forth in s. 216.177, and the Governor shall
353 provide notice of such action at least 7 days before ~~prior to~~
354 the effective date of the transfer of funds. Except as otherwise
355 provided in s. 216.222(1)(a)2., the fund from which any money is
356 temporarily transferred must ~~shall~~ be repaid the amount
357 transferred from it by ~~not later than~~ the end of the fiscal year
358 in which such transfer is made, the date of repayment to be
359 specified in the order of the Governor.

360 (2) The Chief Justice of the Supreme Court may receive one



182684

361 or more trust fund loans of up to \$54 million in total, the
362 purpose of which is to ensure that the state court system has
363 funds sufficient to meet its appropriations in the 2011-2012
364 General Appropriations Act. If the Chief Justice accesses the
365 loan, he or she must notify the Governor and the chairs of the
366 legislative appropriations committees in writing. The loan must
367 come from other funds in the State Treasury which are for the
368 time being or otherwise in excess of the amounts necessary to
369 meet the just requirements of such last-mentioned funds. The
370 Governor shall order the transfer of funds within 5 days after
371 the written notification from the Chief Justice. If the Governor
372 does not order the transfer, the Chief Financial Officer shall
373 transfer the requested funds. The loan of funds from which any
374 money is temporarily transferred must be repaid by the end of
375 the 2011-2012 fiscal year. This subsection expires July 1, 2012.

376 Section 22. In order to implement Specific Appropriation
377 791 of the 2011-2012 General Appropriations Act, and not
378 withstanding s. 28.2455, Florida Statutes, any funds remaining
379 in the Clerks of Court Trust Fund may not be transferred to the
380 General Revenue Fund and remain available to the clerks of court
381 for expenditures during the 2011-2012 fiscal year. This section
382 shall take effect upon becoming a law and expires July 1, 2012.

383 Section 23. In order to implement section 7 of the 2011-
384 2012 General Appropriations Act, paragraph (c) of subsection (4)
385 of section 29.008, Florida Statutes, is amended to read:

386 29.008 County funding of court-related functions.—

387 (4)

388 (c) Counties are exempt from all requirements and
389 provisions of paragraph (a) for the 2011-2012 ~~2010-2011~~ fiscal



182684

390 year. Accordingly, for the 2011-2012 ~~2010-2011~~ fiscal year,
391 counties shall maintain, but are not required to increase, their
392 expenditures for the items specified in paragraphs (1)(a)-(h)
393 and subsection (3). The requirements described in paragraph (a)
394 shall be reinstated beginning with the 2012-2013 ~~2011-2012~~
395 fiscal year. This paragraph expires July 1, 2012 ~~2011~~.

396 Section 24. In order to implement Specific Appropriation
397 2701A of the 2011-2012 General Appropriation Act, subsection (3)
398 of section 282.709, Florida Statutes, is amended to read:

399 282.709 State agency law enforcement radio system and
400 interoperability network.—

401 (3) (a) The State Agency Law Enforcement Radio System Trust
402 Fund is established in the department and funded from surcharges
403 collected under ss. 318.18, 320.0802, and 328.72. Upon
404 appropriation, moneys in the trust fund may be used by the
405 department to acquire by competitive procurement the equipment,
406 software, and engineering, administrative, and maintenance
407 services it needs to construct, operate, and maintain the
408 statewide radio system. Moneys in the trust fund from ~~collected~~
409 ~~as a result of the surcharges set forth in ss. 318.18, 320.0802,~~
410 ~~and 328.72~~ shall be used to help fund the costs of the system.
411 Upon completion of the system, moneys in the trust fund may also
412 be used by the department for payment of the recurring
413 maintenance costs of the system.

414 (b) Funds from the State Agency Law Enforcement Radio
415 System Trust Fund may be used by the department to fund mutual
416 aid buildout maintenance and sustainment as appropriated by law.
417 This paragraph expires July 1, 2012.

418 Section 25. In order to implement Specific Appropriation



182684

419 2341A of the 2011-2012 General Appropriations Act, the Florida
420 Catastrophic Storm Risk Management Center at Florida State
421 University shall conduct the analysis as originally required in
422 s. 164 of chapter 2004-390, Laws of Florida. Notwithstanding
423 that section, the center shall use the most recent and available
424 premium data for personal lines property and casualty insurance
425 in completing the analysis.

426 Section 26. In order to implement Specific Appropriations
427 2574 through 2584 of the 2011-2012 General Appropriations Act,
428 the Department of Management Services shall use interest
429 earnings of the Communications Working Capital Trust Fund as the
430 funding source for its responsibilities for the administration
431 of the MyFlorida.com portal.

432 Section 27. In order to implement Specific Appropriations
433 2173 through 2195 of the 2011-2012 General Appropriations Act,
434 subsection (13) of section 253.034, Florida Statutes, as amended
435 by chapter 2010-280, Laws of Florida, is amended to read:

436 253.034 State-owned lands; uses.—

437 (13) Notwithstanding the provisions of this section, funds
438 derived from the sale of the Department of Citrus' property
439 located in Lakeland, Florida, shall ~~are authorized to be~~
440 deposited into the Citrus Advertising Trust Fund. This
441 subsection expires July 1, 2012 ~~2011~~.

442 Section 28. In order to implement Specific Appropriations
443 2173 through 2195 of the 2011-2012 General Appropriations Act,
444 paragraph (a) of subsection (3) of section 601.15, Florida
445 Statutes, is amended to read:

446 601.15 Advertising campaign; methods of conducting; excise
447 tax; emergency reserve fund; citrus research.—



182684

448 (3) (a) There is hereby levied and imposed upon each
449 standard-packed box of citrus fruit grown and placed into the
450 primary channel of trade in this state an excise tax at maximum
451 annual rates for each citrus season as determined from the
452 tables in this paragraph and based upon the previous season's
453 actual statewide production as reported in the United States
454 Department of Agriculture Citrus Crop Production Forecast as of
455 June 1. The rates may be set at any lower rate in any year
456 pursuant to paragraph (e).

457 1. The following maximum tax rates, expressed in cents per
458 box, shall apply to grapefruit which enters the primary channel
459 of trade for use in fresh form:
460

Previous season crop size (millions of boxes)	1995- 1996	1996- 1997	1997- 1998	1998- 1999	1999-2000 and thereafter
-----------------------------------------------------------	---------------	---------------	---------------	---------------	-----------------------------

461						
462	80 and greater	33	34	35	36	37
463	75-79.99	35	36	37	38	39
464	70-74.99	37	38	39	41	42
465	65-69.99	40	41	42	44	45



182684

466	60-64.99	43	44	46	47	49
467	55-59.99	47	48	50	51	53
468	50-54.99	51	53	55	56	58
469	45-49.99	57	59	60	62	64
470	40-44.99	63	65	67	69	71
471	Less than 40	72	74	76	79	81

472
 473 However, effective July 1, 2011, the tax rate per box on
 474 grapefruit that enters the primary channel of trade for use in
 475 fresh form may not exceed the tax rate per box in effect on May
 476 1, 2011.

477 2. The following maximum tax rates, expressed in cents per
 478 box, shall apply to grapefruit which enters the primary channel
 479 of trade for use in processed forms:

480	Previous					
	season					
	crop size					
	(millions of	1995-	1996-	1997-	1998-	1999-2000 and
	boxes)	1996	1997	1998	1999	thereafter

481
 482



182684

483	80 and greater	23	24	25	25	26
484	75-79.99	25	25	26	27	28
485	70-74.99	26	27	28	29	30
486	65-69.99	28	29	30	31	32
487	60-64.99	31	32	32	33	34
488	55-59.99	33	34	35	36	37
489	50-54.99	36	38	39	40	41
490	45-49.99	40	41	43	44	45
491	40-44.99	45	46	48	49	51
492	Less than 40	51	53	54	56	57

493 However, effective July 1, 2011, the tax rate per box on
494 grapefruit that enters the primary channel of trade for use in
495 processed forms may not exceed the tax rate per box in effect on
496 May 1, 2011.

497 3. The following maximum tax rates, expressed in cents per
498 box, shall apply to oranges which enter the primary channel of
499 trade for use in fresh form:

500



182684

	Previous season crop size (millions of boxes)	1995- 1996	1996- 1997	1997- 1998	1998- 1999	1999-2000 and thereafter
501						
502	255 and greater	23	24	25	26	26
503	245-254.9	24	25	26	27	27
504	235-244.9	25	26	27	28	28
505	225-234.9	26	27	28	29	30
506	215-224.9	28	28	29	30	31
507	205-214.9	29	30	31	32	33
508	195-204.9	30	31	32	33	34
509	185-194.9	32	33	34	35	36
510	175-184.9	34	35	36	37	38
511	165-174.9	36	37	38	39	40
512						



182684

513	155-164.9	38	39	40	41	43
514	Less than 155	41	42	43	44	46
515	<u>However, effective July 1, 2011, the tax rate per box on oranges</u>					
516	<u>that enter the primary channel of trade for use in fresh form</u>					
517	<u>may not exceed the tax rate per box in effect on May 1, 2011.</u>					
518	4. The following maximum tax rates, expressed in cents per					
519	box, shall apply to oranges which enter the primary channel of					
520	trade for use in processed form:					
521	Previous					
	season					
	crop size					
	(millions of	1995-	1996-	1997-	1998-	1999-2000 and
	boxes)	1996	1997	1998	1999	thereafter
522						
523	255 and					
	greater	15	16	16	17	17
524						
	245-254.9	16	16	17	17	18
525						
	235-244.9	17	17	18	18	19
526						
	225-234.9	17	18	18	19	19
527						
	215-224.9	18	19	19	20	20



182684

528	205-214.9	19	20	20	21	21
529	195-204.9	20	21	21	22	22
530	185-194.9	21	22	22	23	24
531	175-184.9	22	23	23	24	25
532	165-174.9	23	24	25	26	26
533	155-164.9	25	26	26	27	28
534	Less than 155	27	27	28	29	30

535
536 However, effective July 1, 2011, the tax rate per box on oranges
537 that enter the primary channel of trade for use in processed
538 form may not exceed 25 cents per box.

539 5. The actual tax rate levied each year upon oranges which
540 enter the primary channel of trade for use in processed form,
541 pursuant to this paragraph, paragraph (e), and subsection (4),
542 shall also apply in that year to tangerines and citrus hybrids
543 regulated by the Department of Citrus which enter the primary
544 channel of trade for use in processed form.

545 6. The following maximum tax rates, expressed in cents per
546 box, shall apply to tangerines and citrus hybrids regulated by
547 the Department of Citrus which enter the primary channel of
548 trade for use in fresh form:

549



182684

550	Previous season crop size (millions of boxes)	1995- 1996	1996- 1997	1997- 1998	1998- 1999	1999-2000 and thereafter
551	13 and greater	24	24	25	26	27
552	12 - 12.99	26	26	27	28	29
553	11 - 11.99	28	29	30	30	31
554	10 - 10.99	31	31	32	33	34
555	9 - 9.99	34	35	36	37	38
556	8 - 8.99	38	39	40	41	42
557	7 - 7.99	43	44	45	47	48
558	Less than 7	49	51	52	54	56

559
 560 However, effective July 1, 2011, the tax rate per box on
 561 tangerines and citrus hybrids regulated by the Department of
 562 Citrus which enter the primary channel of trade for use in fresh
 563 form may not exceed the tax rate per box in effect on May 1,



182684

564 2011.

565 Section. 29. The amendment to s. 601.15(3)(a), Florida
566 Statutes, shall expire July 1, 2012, and the text of that
567 subsection shall revert to that in existence on June 30, 2010,
568 except that any amendments to such text enacted other than by
569 this act shall be preserved and continue to operate to the
570 extent that such amendments are not dependent upon the portions
571 of text which expire pursuant to this section.

572 Section 30. Effective upon become this act becoming a law
573 and in order to implement Specific Appropriations 2173 through
574 2195 of the 2011-2012 General Appropriations Act, subsection (3)
575 of section 601.10, Florida Statutes, is amended to read:

576 601.10 Powers of the Department of Citrus.—The Department
577 of Citrus shall have and shall exercise such general and
578 specific powers as are delegated to it by this chapter and other
579 statutes of the state, which powers shall include, but shall not
580 be confined to, the following:

581 (3) To employ and, at its pleasure, discharge an executive
582 director, ~~a secretary, and such attorneys, clerks, and employees~~
583 as it deems necessary and to outline his or her ~~their~~ powers and
584 duties and fix his or her ~~their~~ compensation.

585 (a) The executive director of the department shall be
586 appointed by a majority vote of the commission for a term of 4
587 years, except for the initial term, and is subject to
588 confirmation by the Senate in the legislative session following
589 appointment.

590 1. The initial term of the executive director ends June 30,
591 2011, and each subsequent 4-year term begins July 1, and shall
592 be filled in the same manner as the original appointment.



182684

593 2. A vacancy for the executive director shall be filled for
594 the unexpired portion of the term in the same manner as the
595 original appointment.

596 (b) The Department of Citrus may pay, or participate in the
597 payment of, premiums for health, accident, and life insurance
598 for its full-time employees, pursuant to such rules or
599 regulations as it may adopt; and such payments are shall be in
600 addition to the regular salaries of such full-time employees.
601 The payment of such or similar benefits to its employees in
602 foreign countries, including, but not limited to, social
603 security, retirement, and other similar fringe benefit costs,
604 may be in accordance with laws in effect in the country of
605 employment, except that no benefits will be payable to employees
606 not authorized for other state employees, as provided in the
607 Career Service System.

608 Section 31. The amendment to s. 601.10(3), Florida
609 Statutes, shall expire July 1, 2012, and the text of that
610 subsection shall revert to that in existence on June 30, 2010,
611 except that any amendments to such text enacted other than by
612 this act shall be preserved and continue to operate to the
613 extent that such amendments are not dependent upon the portions
614 of text which expire pursuant to this section.

615 Section 32. In order to implement Specific Appropriation
616 1648A of the 2011-2012 General Appropriations Act, paragraph (b)
617 of subsection (3) of section 375.041, Florida Statutes, is
618 amended to read:

619 375.041 Land Acquisition Trust Fund.—

620 (3)

621 (b) In addition to the uses allowed under ~~in~~ paragraph (a),



182684

622 for the 2011-2012 ~~2010-2011~~ fiscal year, moneys in the Land
623 Acquisition Trust Fund are authorized for transfer to support
624 the Total Maximum Daily Loads Program ~~Clean Water State~~
625 ~~Revolving Fund, the Drinking Water State Revolving Fund, the~~
626 ~~Total Maximum Daily Loads programs, and the Marine Spatial~~
627 ~~Planning programs~~ as provided in the General Appropriations Act.
628 This paragraph expires July 1, 2012 ~~2011~~.

629 Section 33. In order to implement Specific Appropriation
630 1580A of the 2011-2012 General Appropriations Act, subsection
631 (12) of section 373.59, Florida Statutes, is amended to read:

632 373.59 Water Management Lands Trust Fund.—

633 (12) Notwithstanding subsection (8), and for the 2011-2012
634 ~~2010-2011~~ fiscal year only, the moneys from the Water Management
635 Lands Trust Fund are ~~shall be~~ allocated as follows:

636 (a) An amount necessary to pay debt service on bonds issued
637 before February 1, 2009, by the South Florida Water Management
638 District and the St. Johns River Water Management District,
639 which are secured by revenues provided pursuant to this section,
640 or to fund debt service reserve funds, rebate obligations, or
641 other amounts payable with respect to such bonds;

642 (b) Eight million dollars to be transferred to the General
643 Revenue Fund; and

644 (c) The remaining funds to be distributed to ~~equally~~
645 ~~between~~ the Suwannee River Water Management District, of which
646 \$500,000 may be used for minimum flows and levels. ~~and the~~
647 ~~Northwest Florida Water Management District; and~~

648 ~~(d) For the 2010-2011 fiscal year only, the sum of \$50,000~~
649 ~~from the Water Management Lands Trust Fund shall be transferred~~
650 ~~to the General Inspection Trust Fund in the Department of~~



182684

651 ~~Agriculture and Consumer Services for the soil and water~~
652 ~~conservation districts for support services.~~

653

654 This subsection expires July 1, 2012 ~~2011~~.

655 Section 34. In order to implement Specific Appropriations
656 1649 through 1651, 1653, and section 34 of the 2011-2012 General
657 Appropriations Act, paragraph (g) of subsection (1) of section
658 403.1651, Florida Statutes, is reenacted to read:

659 403.1651 Ecosystem Management and Restoration Trust Fund.—

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

663 (g) Funding activities to preserve and repair the state's
664 beaches as provided in ss. 161.091-161.212.

665 Section 35. The amendment to s. 403.1651(1)(g), Florida
666 Statutes, as carried forward by this act from chapter 2010-153,
667 Laws of Florida, shall expire July 1, 2012, and the text of that
668 subsection shall revert to that in existence on June 30, 2009,
669 except that any amendments to such text enacted other than by
670 this act shall be preserved and continue to operate to the
671 extent that such amendments are not dependent upon the portions
672 of text which expire pursuant to this section.

673 Section 36. In order to implement Specific Appropriations
674 1324 through 1475 of the 2011-2012 General Appropriations Act,
675 subsection (2) of section 570.20, Florida Statutes, is amended
676 to read:

677 570.20 General Inspection Trust Fund.—

678 (2) For the 2011-2012 ~~2010-2011~~ fiscal year only and
679 notwithstanding any other provision of law ~~to the contrary~~, in



182684

680 addition to the spending authorized in subsection (1), moneys in
681 the General Inspection Trust Fund may be appropriated for
682 programs operated by the department which are related to the
683 programs authorized by this chapter. This subsection expires
684 July 1, 2012 ~~2011~~.

685 Section 37. In order to implement Specific Appropriation
686 1703AA of the 2011-2012 General Appropriations Act, subsection
687 (5) of section 403.7095, Florida Statutes, is amended to read:

688 403.7095 Solid waste management grant program.—

689 (5) Notwithstanding any other provision of this section ~~to~~
690 ~~the contrary~~, and for the 2011-2012 ~~2010-2011~~ fiscal year only,
691 the Department of Environmental Protection shall award the sum
692 of \$2,400,000 in grants equally to counties having populations
693 of fewer than 100,000 for waste tire and litter prevention,
694 recycling education, and general solid waste programs. This
695 subsection expires July 1, 2012 ~~2011~~.

696 Section 38. In order to implement Specific Appropriation
697 1430 of the 2011-2012 General Appropriations Act and to provide
698 consistency and continuity in the promotion of agriculture
699 throughout the state, notwithstanding s. 287.057, Florida
700 Statutes, the Department of Agriculture and Consumer Services
701 may extend, revise, and renew current contracts or agreements
702 created or entered into pursuant to chapter 2006-25, Laws of
703 Florida. This section expires July 1, 2012.

704 Section 39. In order to implement Specific Appropriation
705 1578A of the 2011-2012 General Appropriations Act, and
706 notwithstanding ss. 253.034, 253.0341, and 259.041, Florida
707 Statutes, the disposition of state-owned lands is exempt from
708 appraisal requirements under s. 253.034(6)(g)1., Florida



182684

709 Statutes, and disposition requirements under s. 253.034(15),
710 Florida Statutes, if the proceeds of such conveyance will be
711 used to purchase state-owned lands for preservation,
712 conservation, or recreation purposes. On or before October 1,
713 2011, all agencies shall submit a list of state-owned lands to
714 the Board of Trustees of the Internal Improvement Trust Fund, to
715 which the lands are titled, which are immediately available for
716 lease or are surplus lands. Proceeds from the sale of such lands
717 shall be deposited into the Florida Forever Trust Fund created
718 by s. 259.1051, Florida Statutes, and used to acquire lands for
719 preservation, conservation, or recreation purposes pursuant to
720 the requirements of s. 259.105, Florida Statutes. The board of
721 trustees shall ensure that, where appropriate, surplus or leased
722 conservation lands are subject to perpetual conservation
723 easements or other such restrictive covenants that run with the
724 land and are duly recorded in the same manner as any other
725 instrument affecting title to real property. This section
726 expires July 1, 2012.

727 Section 40. In order to implement Specific Appropriations
728 1814, 1831, 1895, and 1907, subsection (3) is added to section
729 379.204, Florida Statutes, to read:

730 379.204 Federal Grants Trust Fund.—

731 (3) The commission may transfer the cash balance
732 originating from hunting and fishing license fees from other
733 trust funds into the Federal Grants Trust Fund for the purpose
734 of supporting cash flow needs. This subsection expires July 1,
735 2012.

736 Section 41. In order to implement Specific Appropriation
737 1806 and notwithstanding the provisions of s. 379.2342(2),



182684

738 Florida Statutes, for the 2011-2012 fiscal year only, the Fish
739 and Wildlife Conservation Commission shall suspend the
740 publication of a printed version the Florida Wildlife Magazine
741 and the operations of the Florida Wildlife Magazine Advisory
742 Council.

743 Section 42. In order to implement Specific Appropriations
744 1918A through 1919, 1938A through 1938C, 1938E through 1938V,
745 and 1976A through 1976K of the 2011-2012 General Appropriations
746 Act, paragraph (a) of subsection (4) of section 339.135, Florida
747 Statutes, is amended to read:

748 339.135 Work program; legislative budget request;
749 definitions; preparation, adoption, execution, and amendment.—

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

751 (a)1. To assure that no district or county is penalized for
752 local efforts to improve the State Highway System, the
753 department shall, for the purpose of developing a tentative work
754 program, allocate funds for new construction to the districts,
755 except for the turnpike enterprise, based on equal parts of
756 population and motor fuel tax collections. Funds for
757 resurfacing, bridge repair and rehabilitation, bridge fender
758 system construction or repair, public transit projects except
759 public transit block grants as provided in s. 341.052, and other
760 programs with quantitative needs assessments shall be allocated
761 based on the results of these assessments. The department may
762 not transfer any funds allocated to a district under this
763 paragraph to any other district except as provided in subsection
764 (7). Funds for public transit block grants shall be allocated to
765 the districts pursuant to s. 341.052. Funds for the intercity
766 bus program provided for under s. 5311(f) of the federal



182684

767 nonurbanized area formula program shall be administered and
768 allocated directly to eligible bus carriers as defined in s.
769 341.031(12) at the state level rather than the district. In
770 order to provide state funding to support the intercity bus
771 program provided for under provisions of the federal 5311(f)
772 program, the department shall allocate an amount equal to the
773 federal share of the 5311(f) program from amounts calculated
774 pursuant to s. 206.46(3).

775 2. Notwithstanding the provisions of subparagraph 1., the
776 department shall allocate at least 50 percent of any new
777 discretionary highway capacity funds to the Florida Strategic
778 Intermodal System created pursuant to s. 339.61. Any remaining
779 new discretionary highway capacity funds shall be allocated to
780 the districts for new construction as provided in subparagraph
781 1. For the purposes of this subparagraph, the term "new
782 discretionary highway capacity funds" means any funds available
783 to the department above the prior year funding level for
784 capacity improvements, which the department has the discretion
785 to allocate to highway projects.

786 3. Notwithstanding subparagraphs 1. and 2. and ss.
787 201.15(1)(c)1.a.-d., 206.46(3), 334.044(26), and 339.2819(3),
788 and for the 2011-2012 ~~2010-2011~~ fiscal year only, the department
789 shall reduce work program levels to balance the finance plan to
790 the revised funding levels resulting from any reduction in the
791 2011-2012 ~~2010-2011~~ General Appropriations Act. This
792 subparagraph expires July 1, 2012 ~~2011~~.

793 4. For the 2011-2012 ~~2009-2010~~ fiscal year only, before
794 ~~prior to~~ any project or phase thereof is being ~~is being~~ deferred, the
795 department's cash balances shall be as provided in paragraph



182684

796 (6) (b), and the reductions in subparagraph 3. shall be made to
797 financial projects not programmed for contract letting as
798 identified with a work program contract class code 8 and the box
799 code RV. These reductions shall not negatively impact safety or
800 maintenance or project contingency percentage levels as of April
801 21, 2011 ~~2009~~. This subparagraph expires July 1, 2012 ~~2010~~.

802 5. Notwithstanding subparagraphs 1. and 2. and ss.
803 206.46(3) and 334.044(26), and for fiscal years 2009-2010
804 through 2013-2014 only, the department shall annually allocate
805 up to \$15 million of the first proceeds of the increased
806 revenues estimated by the November 2009 Revenue Estimating
807 Conference to be deposited into the State Transportation Trust
808 Fund to provide for the portion of the transfer of funds
809 included in s. 343.58(4) (a)1.a. or 2.a., as ~~whichever is~~
810 applicable. The transfer of funds included in s. 343.58(4) shall
811 not negatively impact projects included in fiscal years 2009-
812 2010 through 2013-2014 of the work program as of July 1, 2009,
813 as amended pursuant to subsection (7). This subparagraph expires
814 July 1, 2014.

815 Section 43. In order to implement Specific Appropriations
816 1918B and 1938S of the 2011-2012 General Appropriations Act,
817 subsection (5) of section 339.135, Florida Statutes, is amended
818 to read:

819 339.135 Work program; legislative budget request;
820 definitions; preparation, adoption, execution, and amendment.—

821 (5) ADOPTION OF THE WORK PROGRAM.—

822 (a) The original approved budget for operational and fixed
823 capital expenditures for the department shall be the Governor's
824 budget recommendation and the first year of the tentative work



182684

825 program, as both are amended by the General Appropriations Act
826 and any other act containing appropriations. In accordance with
827 the appropriations act, the department shall, before ~~prior to~~
828 the beginning of the fiscal year, adopt a final work program
829 which shall only include the original approved budget for the
830 department for the ensuing fiscal year, together with any roll
831 forwards approved pursuant to paragraph (6)(c), and the portion
832 of the tentative work program for the following 4 fiscal years
833 revised in accordance with the original approved budget for the
834 department for the ensuing fiscal year together with the ~~said~~
835 roll forwards. The adopted work program may include only those
836 projects submitted as part of the tentative work program
837 developed under the provisions of subsection (4), plus any
838 projects which are separately identified by specific
839 appropriation in the General Appropriations Act and any roll
840 forwards approved pursuant to paragraph (6)(c). However, any
841 transportation project of the department which is identified by
842 specific appropriation in the General Appropriations Act shall
843 be deducted from the funds annually distributed to the
844 respective district pursuant to paragraph (4)(a). In addition,
845 the department shall not in any year include any project or
846 allocate funds to a program in the adopted work program that is
847 contrary to existing law for that particular year. Projects
848 shall not be undertaken unless they are listed in the adopted
849 work program.

850 (b) Notwithstanding paragraph (a), and for the 2011-2012
851 ~~2010-2011~~ fiscal year only, the Department of Transportation
852 shall transfer funds to the Office of Tourism, Trade, and
853 Economic Development in an amount equal to \$15 million



182684

854 ~~\$20,300,000~~ for the purpose of funding transportation-related
855 needs of economic development projects. This transfer shall not
856 reduce, delete, or defer any existing projects funded, as of
857 July 1, 2011 ~~2009~~, in the Department of Transportation's 5-year
858 work program. This paragraph expires July 1, 2012 ~~2011~~.

859 (c) Notwithstanding paragraph (a), and for the 2011-2012
860 fiscal year only, the Department of Transportation shall fund
861 airport development projects specified in the General
862 Appropriations Act and, unless requested by the airport sponsor,
863 may not reduce, delete, or defer any existing projects funded as
864 of July 1, 2011, in the Department of Transportation's 5-year
865 work program. This paragraph expires July 1, 2012.

866 Section 44. In order to implement section 69 of the 2011-
867 2012 General Appropriations Act, paragraph (n) of subsection (1)
868 of section 339.08, Florida Statutes, is amended to read:

869 339.08 Use of moneys in State Transportation Trust Fund.—

870 (1) The department shall expend moneys in the State
871 Transportation Trust Fund accruing to the department, in
872 accordance with its annual budget. The use of such moneys shall
873 be restricted to the following purposes:

874 (n) To pay administrative expenses incurred in accordance
875 with applicable laws for a multicounty transportation or
876 expressway authority created under chapter 343 or chapter 348
877 if, where jurisdiction for the authority includes a portion of
878 the State Highway System and the administrative expenses are in
879 furtherance of the duties and responsibilities of the authority
880 in the development of improvements to the State Highway System.
881 This paragraph expires July 1, 2012 ~~2011~~.

882 Section 45. In order to implement section 110 of the 2011-



182684

883 2012 General Appropriations Act, subsection (4) of section
884 339.08, Florida Statutes, is amended to read:

885 339.08 Use of moneys in State Transportation Trust Fund.—

886 (4) For the 2011-2012 ~~2010-2011~~ fiscal year only and
887 notwithstanding ~~the provisions of~~ this section and ss. 339.09(1)
888 and 215.32(2)(b)4., funds may be transferred from the State
889 Transportation Trust Fund to the State School Trust Fund or the
890 General Revenue Fund as specified in the General Appropriations
891 Act. Notwithstanding ss. 206.46(3) and 206.606(2), the total
892 amount transferred shall be reduced from total state revenues
893 deposited into the State Transportation Trust Fund for the
894 calculation requirements of ss. 206.46(3) and 206.606(2). This
895 subsection expires July 1, 2012 ~~2011~~.

896 Section 46. In order to implement Specific Appropriations
897 2484A through 2484K of the 2011-2012 General Appropriations Act
898 and notwithstanding chapters 319 and 320, Florida Statutes, the
899 ownership of all vehicles currently used by the Office of Motor
900 Carrier Compliance within the Department of Transportation shall
901 be transferred to the Department of Highway Safety and Motor
902 Vehicles effective July 1, 2011, without payment of any titling
903 or registration fees.

904 Section 47. In order to implement Specific Appropriation
905 2008 of the 2011-2012 General Appropriations Act, subsection
906 (11) of section 445.009, Florida Statutes, is amended to read:

907 445.009 One-stop delivery system.—

908 (11) ~~(a)~~ A participant in an adult or youth work experience
909 activity administered under this chapter shall be deemed an
910 employee of the state for purposes of workers' compensation
911 coverage. In determining the average weekly wage, all



182684

912 remuneration received from the employer shall be considered a
913 gratuity, and the participant shall not be entitled to any
914 benefits otherwise payable under s. 440.15, regardless of
915 whether the participant may be receiving wages and remuneration
916 from other employment with another employer and regardless of
917 his or her future wage-earning capacity.

918 ~~(b)~~ This subsection expires July 1, 2012 ~~2011~~.

919 Section 48. In order to implement Specific Appropriation
920 1498 of the 2011-2012 General Appropriations Act, paragraph (d)
921 of subsection (3) of section 163.3247, Florida Statutes, is
922 reenacted to read:

923 163.3247 Century Commission for a Sustainable Florida.—

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

929 (d) Members of the commission shall serve without
930 compensation.

931 Section 49. The amendment to s. 163.3247(3) (d), Florida
932 Statutes, as carried forward by this act from chapter 2010-153,
933 Laws of Florida, shall expire July 1, 2012, and the text of that
934 subsection shall revert to that in existence on June 30, 2010,
935 except that any amendments to such text enacted other than by
936 this act shall be preserved and continue to operate to the
937 extent that such amendments are not dependent upon the portions
938 of text which expire pursuant to this section.

939 Section 50. In order to implement Specific Appropriation
940 1498 of the 2011-2012 General Appropriations Act, paragraph (c)



182684

941 of subsection (1) of section 201.15, Florida Statutes, is
942 reenacted to read:

943 201.15 Distribution of taxes collected.—All taxes collected
944 under this chapter are subject to the service charge imposed in
945 s. 215.20(1). Prior to distribution under this section, the
946 Department of Revenue shall deduct amounts necessary to pay the
947 costs of the collection and enforcement of the tax levied by
948 this chapter. Such costs and the service charge may not be
949 levied against any portion of taxes pledged to debt service on
950 bonds to the extent that the costs and service charge are
951 required to pay any amounts relating to the bonds. After
952 distributions are made pursuant to subsection (1), all of the
953 costs of the collection and enforcement of the tax levied by
954 this chapter and the service charge shall be available and
955 transferred to the extent necessary to pay debt service and any
956 other amounts payable with respect to bonds authorized before
957 January 1, 2010, secured by revenues distributed pursuant to
958 subsection (1). All taxes remaining after deduction of costs and
959 the service charge shall be distributed as follows:

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

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

965 1. The State Transportation Trust Fund in the Department of
966 Transportation in the amount of the lesser of 38.2 percent of
967 the remainder or \$541.75 million in each fiscal year, to be used
968 for the following specified purposes, notwithstanding any other
969 law to the contrary:



182684

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

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

977 c. For the purposes of the Strategic Intermodal System
978 specified in ss. 339.61, 339.62, 339.63, and 339.64, 75 percent
979 of these funds after allocating for the New Starts Transit
980 Program described in sub-subparagraph a. and the Small County
981 Outreach Program described in sub-subparagraph b.; and

982 d. For the purposes of the Transportation Regional
983 Incentive Program specified in s. 339.2819, 25 percent of these
984 funds after allocating for the New Starts Transit Program
985 described in sub-subparagraph a. and the Small County Outreach
986 Program described in sub-subparagraph b. Effective July 1, 2014,
987 the first \$60 million of the funds allocated pursuant to this
988 sub-subparagraph shall be allocated annually to the Florida Rail
989 Enterprise for the purposes established in s. 341.303(5).

990 2. The Grants and Donations Trust Fund in the Department of
991 Community Affairs in the amount of the lesser of .23 percent of
992 the remainder or \$3.25 million in each fiscal year to fund
993 technical assistance to local governments and school boards on
994 the requirements and implementation of this act.

995 3. The Ecosystem Management and Restoration Trust Fund in
996 the amount of the lesser of 2.12 percent of the remainder or \$30
997 million in each fiscal year, to be used for the preservation and
998 repair of the state's beaches as provided in ss. 161.091-



182684

999 161.212.

1000 4. General Inspection Trust Fund in the amount of the
1001 lesser of .02 percent of the remainder or \$300,000 in each
1002 fiscal year to be used to fund oyster management and restoration
1003 programs as provided in s. 379.362(3).

1004
1005 Moneys distributed pursuant to this paragraph may not be pledged
1006 for debt service unless such pledge is approved by referendum of
1007 the voters.

1008 Section 51. The amendment to s. 201.15(1)(c)2., Florida
1009 Statutes, as carried forward by this act from chapter 2010-153,
1010 Laws of Florida, shall expire July 1, 2012, and the text of that
1011 subsection shall revert to that in existence on June 30, 2010,
1012 except that any amendments to such text enacted other than by
1013 this act shall be preserved and continue to operate to the
1014 extent that such amendments are not dependent upon the portions
1015 of text which expire pursuant to this section.

1016 Section 52. In order to implement Specific Appropriations
1017 1918A through 1919, 1938A through 1938C, 1938E through 1939V,
1018 and 1976A through 1976K of the 2011-2012 General Appropriations
1019 Act, subsection (3) of section 206.608, Florida Statutes, is
1020 amended to read:

1021 206.608 State Comprehensive Enhanced Transportation System
1022 Tax; deposit of proceeds; distribution.—Moneys received pursuant
1023 to ss. 206.41(1)(f) and 206.87(1)(d) shall be deposited in the
1024 Fuel Tax Collection Trust Fund, and, after deducting the service
1025 charge imposed in chapter 215 and administrative costs incurred
1026 by the department in collecting, administering, enforcing, and
1027 distributing the tax, which administrative costs may not exceed



182684

1028 2 percent of collections, shall be distributed as follows:

1029 (3) For the 2011-2012 ~~2010-2011~~ fiscal year only, and
1030 notwithstanding ~~the provisions of~~ subsection (2), the remaining
1031 proceeds of the tax levied pursuant to s. 206.41(1)(f) and all
1032 of the proceeds from the tax imposed by s. 206.87(1)(d) shall be
1033 transferred into the State Transportation Trust Fund and ~~shall~~
1034 be used for the purposes stated in s. 339.08. This subsection
1035 expires July 1, 2012 ~~2011~~.

1036 Section 53. In order to implement Specific Appropriations
1037 2453 through 2535A and notwithstanding s. 320.204, Florida
1038 Statutes, for the 2011-2012 fiscal year only, funds may not be
1039 transferred from the Highway Safety Operating Trust Fund to the
1040 Transportation Disadvantaged Trust Fund in the Department of
1041 Transportation.

1042 Section 54. In order to implement Specific Appropriations
1043 1918C, 1918 H, 1918I and 1918J, and notwithstanding s.
1044 341.303(6) (a), Florida Statutes, funding for passenger rail for
1045 the 2011-2012 fiscal year is included in the Transportations
1046 Systems Development budget entity.

1047 Section 55. In order to implement Specific Appropriation
1048 2484A, all sworn law enforcement employee positions classified
1049 as "captain" or "major" in the Office of Motor Carrier
1050 Compliance who are exempt from the career service in accordance
1051 with s. 110.205(2) (m)3., Florida Statutes, shall be placed in
1052 the career service upon transfer to the Florida Highway Patrol
1053 in the Department of Highway Safety and Motor Vehicles.
1054 Incumbents of captains and majors positions in the Office of
1055 Motor Carrier Compliance as of June 30, 2011, who have 1 year of
1056 satisfactory service in their positions shall receive permanent



182684

1057 status in that position within the Department of Highway Safety
1058 and Motor Vehicles. It is the intent of the Legislature that the
1059 incumbent of any career service position in the Office of Motor
1060 Carrier Compliance as of June 30, 2011, retain his or her
1061 current status upon transfer to the Department of Highway Safety
1062 and Motor Vehicles as provided in the General Appropriations
1063 Act.

1064 Section 56. In order to implement Specific Appropriation
1065 1938Q, for the 2011-2012 fiscal year only, and notwithstanding
1066 s. 338.251, Florida Statutes, the Department of Transportation
1067 is authorized to grant not more than \$3 million in total from
1068 the Toll Facilities Revolving Trust Fund to authorities created
1069 under chapter 348, Florida Statutes, for preliminary
1070 engineering, traffic, and revenue studies, environmental impact
1071 studies, financial advisory services, engineering design, right-
1072 of-way map preparation, operations, other appropriate project-
1073 related professional services, and advanced right-of-way
1074 acquisition.

1075 Section 57. In order to implement the appropriation of
1076 funds in appropriation category "Special Categories-Risk
1077 Management Insurance" in the 2011-2012 General Appropriations
1078 Act, and pursuant to the notice, review, and objection
1079 procedures of s. 216.177, Florida Statutes, the Executive Office
1080 of the Governor may transfer funds appropriated in that category
1081 between departments in order to align the budget authority
1082 granted with the premiums paid by each department for risk
1083 management insurance. This section expires July 1, 2012.

1084 Section 58. In order to implement the appropriation of
1085 funds in the appropriation category "Special Categories-Transfer



182684

1086 to Department of Management Services-Human Resources Services
1087 Purchased Per Statewide Contract” in the 2011-2012 General
1088 Appropriations Act,” and pursuant to the notice, review, and
1089 objection procedures of s. 216.177, Florida Statutes, the
1090 Executive Office of the Governor may transfer funds appropriated
1091 in that category between departments in order to align the
1092 budget authority granted with the assessments that must be paid
1093 by each agency to the Department of Management Services for
1094 human resource management services. This section expires July 1,
1095 2012.

1096 Section 59. In order to implement specific appropriations
1097 for salaries and benefits in the 2011-2012 General
1098 Appropriations Act, paragraph (a) of subsection (12) of section
1099 110.123, Florida Statutes, is amended to read:

1100 110.123 State group insurance program.—

1101 (12) HEALTH SAVINGS ACCOUNTS.—The department is authorized
1102 to establish health savings accounts for full-time and part-time
1103 state employees in association with a health insurance plan
1104 option authorized by the Legislature and conforming to the
1105 requirements and limitations of federal provisions relating to
1106 the Medicare Prescription Drug, Improvement, and Modernization
1107 Act of 2003.

1108 (a)1. A member participating in this health insurance plan
1109 option is ~~shall be~~ eligible to receive an employer contribution
1110 into the employee’s health savings account from the State
1111 Employees Health Insurance Trust Fund in an amount to be
1112 determined by the Legislature. A member is not eligible for an
1113 employer contribution upon termination of employment. For the
1114 2011-2012 ~~2010-2011~~ fiscal year, the state’s monthly



182684

1115 contribution for employees having individual coverage shall be
1116 \$41.66 and the monthly contribution for employees having family
1117 coverage shall be \$83.33.

1118 2. A member participating in this health insurance plan
1119 option ~~is shall be~~ eligible to deposit the member's own funds
1120 into a health savings account.

1121 Section 60. In order to implement section 8 of the 2011-
1122 2012 General Appropriations Act, paragraph (j) of subsection (3)
1123 of section 110.123, Florida Statutes, is amended to read:

1124 110.123 State group insurance program.-

1125 (3) STATE GROUP INSURANCE PROGRAM.-

1126 (j) Notwithstanding ~~the provisions of~~ paragraph (f)
1127 requiring uniform contributions, and for the 2011-2012 ~~2010-2011~~
1128 fiscal year only, the state contribution toward the cost of any
1129 plan in the state group insurance plan ~~is shall be~~ the
1130 difference between the overall premium and the employee
1131 contribution. This subsection expires June 30, 2012 ~~2011~~.

1132 Section 61. In order to implement specific appropriations
1133 for salaries and benefits in the 2011-2012 General
1134 Appropriations Act, paragraph (b) of subsection (3) of section
1135 112.24, Florida Statutes, is amended to read:

1136 112.24 Intergovernmental interchange of public employees.-
1137 To encourage economical and effective utilization of public
1138 employees in this state, the temporary assignment of employees
1139 among agencies of government, both state and local, and
1140 including school districts and public institutions of higher
1141 education is authorized under terms and conditions set forth in
1142 this section. State agencies, municipalities, and political
1143 subdivisions are authorized to enter into employee interchange



182684

1144 agreements with other state agencies, the Federal Government,
1145 another state, a municipality, or a political subdivision
1146 including a school district, or with a public institution of
1147 higher education. State agencies are also authorized to enter
1148 into employee interchange agreements with private institutions
1149 of higher education and other nonprofit organizations under the
1150 terms and conditions provided in this section. In addition, the
1151 Governor or the Governor and Cabinet may enter into employee
1152 interchange agreements with a state agency, the Federal
1153 Government, another state, a municipality, or a political
1154 subdivision including a school district, or with a public
1155 institution of higher learning to fill, subject to the
1156 requirements of chapter 20, appointive offices which are within
1157 the executive branch of government and which are filled by
1158 appointment by the Governor or the Governor and Cabinet. Under
1159 no circumstances shall employee interchange agreements be
1160 utilized for the purpose of assigning individuals to participate
1161 in political campaigns. Duties and responsibilities of
1162 interchange employees shall be limited to the mission and goals
1163 of the agencies of government.

1164 (3) Salary, leave, travel and transportation, and
1165 reimbursements for an employee of a sending party that is
1166 participating in an interchange program shall be handled as
1167 follows:

1168 (b)1. The assignment of an employee of a state agency
1169 ~~either~~ on detail or on leave of absence may be made without
1170 reimbursement by the receiving party for the travel and
1171 transportation expenses to or from the place of the assignment
1172 or for the pay and benefits, or a part thereof, of the employee



182684

1173 during the assignment.

1174 2. For the 2011-2012 ~~2010-2011~~ fiscal year only, the
1175 assignment of an employee of a state agency as provided in
1176 subparagraph 1. may be made if recommended by the Governor or
1177 Chief Justice, as appropriate, and approved by the chairs of the
1178 legislative appropriations committees ~~Senate Policy and Steering~~
1179 ~~Committee on Ways and Means and the House Full appropriations~~
1180 ~~Council on Education and Economic Development~~. Such actions
1181 shall be deemed approved if neither chair provides written
1182 notice of objection within 14 days after the chair's receiving
1183 notice of the action pursuant to s. 216.177. This subparagraph
1184 expires July 1, 2012 ~~2011~~.

1185 Section 62. In order to implement Specific Appropriations
1186 2536 and 2537 of the 2011-2012 General Appropriations Act and
1187 notwithstanding the provisions of s. 11.13(1), Florida Statutes,
1188 the authorized salaries for members of the Legislature for the
1189 2011-2012 fiscal year shall be set at the same level in effect
1190 on July 1, 2010. This section expires July 1, 2012.

1191 Section 63. If HB 5011 or similar legislation fails to
1192 become law and notwithstanding s. 27.709, Florida Statutes, in
1193 order to implement Specific Appropriations 760 through 762 of
1194 the 2011-2012 General Appropriations Act, subsection (1) of
1195 section 27.710, Florida Statutes, is amended to read:

1196 27.710 Registry of attorneys applying to represent persons
1197 in postconviction capital collateral proceedings; certification
1198 of minimum requirements; appointment by trial court.—

1199 (1) The executive director of the Justice Administrative
1200 ~~Commission on Capital Cases~~ shall compile and maintain a
1201 statewide registry of attorneys in private practice who have



182684

1202 certified that they meet the minimum requirements of s.
1203 27.704(2), who are available for appointment by the court under
1204 this section to represent persons convicted and sentenced to
1205 death in this state in postconviction collateral proceedings,
1206 and who have attended within the last year a continuing legal
1207 education program of at least 10 hours' duration devoted
1208 specifically to the defense of capital cases, if available.
1209 Continuing legal education programs meeting the requirements of
1210 this rule offered by The Florida Bar or another recognized
1211 provider and approved for continuing legal education credit by
1212 The Florida Bar ~~shall~~ satisfy this requirement. The failure to
1213 comply with this requirement may be cause for removal from the
1214 list until the requirement is fulfilled. To ensure that
1215 sufficient attorneys are available for appointment by the court,
1216 if when the number of attorneys on the registry falls below 50,
1217 the executive director shall notify the chief judge of each
1218 circuit by letter and request the chief judge to promptly submit
1219 the names of at least three private attorneys who regularly
1220 practice criminal law in that circuit and who appear to meet the
1221 minimum requirements to represent persons in postconviction
1222 capital collateral proceedings. The executive director shall
1223 send an application to each attorney identified by the chief
1224 judge so that the attorney may register for appointment as
1225 counsel in postconviction capital collateral proceedings. As
1226 necessary, the executive director may also advertise in legal
1227 publications and other appropriate media for qualified attorneys
1228 interested in registering for appointment as counsel in
1229 postconviction capital collateral proceedings. Not later than
1230 September 1 of each year, and as necessary thereafter, the



182684

1231 executive director shall provide to the Chief Justice of the
1232 Supreme Court, the chief judge and state attorney in each
1233 judicial circuit, and the Attorney General a current copy of its
1234 registry of attorneys who are available for appointment as
1235 counsel in postconviction capital collateral proceedings. The
1236 registry must be indexed by judicial circuit and must contain
1237 the requisite information submitted by the applicants in
1238 accordance with this section.

1239 Section 64. The amendment to s. 27.710(1), Florida
1240 Statutes, shall expire July 1, 2012, and the text of that
1241 subsection shall revert to that in existence on June 30, 2011,
1242 except that any amendments to such text enacted other than by
1243 this act shall be preserved and continue to operate to the
1244 extent that such amendments are not dependent upon the portions
1245 of text which expire pursuant to this section.

1246 Section 65. In order to implement the transfer of funds to
1247 the State School Trust Fund from trust funds in the 2011-2012
1248 General Appropriations Act, paragraph (b) of subsection (2) of
1249 section 215.32, Florida Statutes, is reenacted and amended to
1250 read:

1251 215.32 State funds; segregation.—

1252 (2) The source and use of each of these funds shall be as
1253 follows:

1254 (b)1. The trust funds shall consist of moneys received by
1255 the state which under law or under trust agreement are
1256 segregated for a purpose authorized by law. The state agency or
1257 branch of state government receiving or collecting such moneys
1258 are shall be responsible for their proper expenditure as
1259 provided by law. Upon the request of the state agency or branch



182684

1260 of state government responsible for the administration of the
1261 trust fund, the Chief Financial Officer may establish accounts
1262 within the trust fund at a level considered necessary for proper
1263 accountability. Once an account is established ~~within a trust~~
1264 ~~fund~~, the Chief Financial Officer may authorize payment from
1265 that account only upon determining that there is sufficient cash
1266 and releases at the level of the account.

1267 2. In addition to other trust funds created by law, to the
1268 extent possible, each agency shall use the following trust funds
1269 as described in this subparagraph for day-to-day operations:

1270 a. Operations or operating trust fund, for use as a
1271 depository for funds to be used for program operations funded by
1272 program revenues, with the exception of administrative
1273 activities when the operations or operating trust fund is a
1274 proprietary fund.

1275 b. Operations and maintenance trust fund, for use as a
1276 depository for client services funded by third-party payors.

1277 c. Administrative trust fund, for use as a depository for
1278 funds to be used for management activities that are departmental
1279 in nature and funded by indirect cost earnings and assessments
1280 against trust funds. Proprietary funds are excluded from the
1281 requirement of using an administrative trust fund.

1282 d. Grants and donations trust fund, for use as a depository
1283 for funds to be used for allowable grant or donor agreement
1284 activities funded by restricted contractual revenue from private
1285 and public nonfederal sources.

1286 e. Agency working capital trust fund, for use as a
1287 depository for funds to be used pursuant to s. 216.272.

1288 f. Clearing funds trust fund, for use as a depository for



182684

1289 funds to account for collections pending distribution to lawful
1290 recipients.

1291 g. Federal grant trust fund, for use as a depository for
1292 funds to be used for allowable grant activities funded by
1293 restricted program revenues from federal sources.

1294
1295 To the extent possible, each agency must adjust its internal
1296 accounting to use existing trust funds consistent with the
1297 requirements of this subparagraph. If an agency does not have
1298 trust funds listed in this subparagraph and cannot make such
1299 adjustment, the agency must recommend the creation of the
1300 necessary trust funds to the Legislature no later than the next
1301 scheduled review of the agency's trust funds pursuant to s.
1302 215.3206.

1303 3. All such moneys are hereby appropriated to be expended
1304 in accordance with the law or trust agreement under which they
1305 were received, subject always to the provisions of chapter 216
1306 relating to the appropriation of funds and to the applicable
1307 laws relating to the deposit or expenditure of moneys in the
1308 State Treasury.

1309 4.a. Notwithstanding any provision of law restricting the
1310 use of trust funds to specific purposes, unappropriated cash
1311 balances from selected trust funds may be authorized by the
1312 Legislature for transfer to the State School Trust Fund, Budget
1313 Stabilization Fund, and General Revenue Fund in the General
1314 Appropriations Act.

1315 b. This subparagraph does not apply to trust funds required
1316 by federal programs or mandates; trust funds established for
1317 bond covenants, indentures, or resolutions whose revenues are



182684

1318 | legally pledged by the state or public body to meet debt service
1319 | or other financial requirements of any debt obligations of the
1320 | state or any public body; the Division of Licensing Trust Fund
1321 | in the Department of Agriculture and Consumer Services; the
1322 | State Transportation Trust Fund; the trust fund containing the
1323 | net annual proceeds from the Florida Education Lotteries; the
1324 | Florida Retirement System Trust Fund; trust funds under the
1325 | management of the State Board of Education or the Board of
1326 | Governors of the State University System, where such trust funds
1327 | are for auxiliary enterprises, self-insurance, and contracts,
1328 | grants, and donations, as those terms are defined by general
1329 | law; trust funds that serve as clearing funds or accounts for
1330 | the Chief Financial Officer or state agencies; trust funds that
1331 | account for assets held by the state in a trustee capacity as an
1332 | agent or fiduciary for individuals, private organizations, or
1333 | other governmental units; and other trust funds authorized by
1334 | the State Constitution.

1335 | Section 66. The amendment to s. 215.32(2)(b), Florida
1336 | Statutes, as carried forward by this act from chapter 2010-153,
1337 | Laws of Florida, shall expire July 1, 2012, and the text of that
1338 | subsection shall revert to that in existence on June 30, 2010,
1339 | except that any amendments to such text enacted other than by
1340 | this act shall be preserved and continue to operate to the
1341 | extent that such amendments are not dependent upon the portions
1342 | of text which expire pursuant to this section.

1343 | Section 67. In order to implement the transfer of moneys to
1344 | the General Revenue Fund from trust funds in the 2011-2012
1345 | General Appropriations Act, paragraph (b) of subsection (4) of
1346 | section 215.5601, Florida Statutes, is reenacted and amended to



182684

1347 read:

1348 215.5601 Lawton Chiles Endowment Fund.—

1349 (4) ADMINISTRATION.—

1350 (b) The endowment shall be managed as an annuity. The
1351 investment objective is the ~~shall be~~ long-term preservation of
1352 the real value of the net contributed principal and a specified
1353 regular annual cash outflow for appropriation, as nonrecurring
1354 revenue. From the annual cash outflow, a pro rata share shall be
1355 used solely for biomedical research activities as provided in
1356 paragraph (3)(d), until such time as cures are found for
1357 tobacco-related cancer and heart and lung disease. Five percent
1358 of the annual cash outflow dedicated to the biomedical research
1359 portion of the endowment shall be reinvested and applied to that
1360 portion of the endowment's principal, with the remainder to be
1361 spent on biomedical research activities consistent with this
1362 section. The schedule of annual cash outflow must ~~shall~~ be
1363 included within the investment plan adopted under paragraph (a).
1364 Withdrawals other than specified regular cash outflow are ~~shall~~
1365 ~~be~~ considered reductions in contributed principal for the
1366 purposes of this subsection.

1367 Section 68. The amendment to s. 215.5601(b), Florida
1368 Statutes, as carried forward by this act from chapter 2010-153,
1369 Laws of Florida, shall expire July 1, 2012, and the text of that
1370 subsection shall revert to that in existence on June 30, 2010,
1371 except that any amendments to such text enacted other than by
1372 this act shall be preserved and continue to operate to the
1373 extent that such amendments are not dependent upon the portions
1374 of text which expire pursuant to this section.

1375 Section 69. In order to implement the issuance of new debt



182684

1376 authorized in the 2011-2012 General Appropriations Act, and
1377 pursuant to s. 215.98, Florida Statutes, the Legislature
1378 determines that the authorization and issuance of debt for the
1379 2011-2012 fiscal year should be implemented, is in the best
1380 interest of the state, and necessary to address a critical state
1381 emergency. This section expires July 1, 2012.

1382 Section 70. In order to implement the funds appropriated in
1383 the 2011-2012 General Appropriations Act for state employee
1384 travel, the funds appropriated to each state agency, which may
1385 be used for travel by state employees, are limited during the
1386 2011-2012 fiscal year to travel for activities that are critical
1387 to each state agency's mission. Funds may not be used to pay for
1388 travel by state employees to foreign countries, other states,
1389 conferences, staff-training activities, or other administrative
1390 functions unless the agency head has approved in writing that
1391 such activities are critical to the agency's mission. The agency
1392 head must consider the use of teleconferencing and other forms
1393 of electronic communication to meet the needs of the proposed
1394 activity before approving mission-critical travel. This section
1395 does not apply to travel for law enforcement purposes, military
1396 purposes, emergency management activities, or public health
1397 activities. This section expires July 1, 2012.

1398 Section 71. In order to implement the appropriations
1399 authorized in the 2011-2012 General Appropriations Act for each
1400 of the state's designated primary data centers, which are funded
1401 from the data processing appropriation category and other
1402 categories used to pay for computing services of user agencies,
1403 and pursuant to the notice, review, and objection procedures of
1404 s. 216.177, Florida Statutes, the Executive Office of the



182684

1405 Governor may transfer funds appropriated in any appropriation
1406 category used to pay for data processing in the 2011-2012
1407 General Appropriations Act between agencies in order to align
1408 the budget authority granted with the utilization rate of each
1409 department. This section expires July 1, 2012.

1410 Section 72. State agencies that are required to begin
1411 planning for a data center consolidation scheduled for a
1412 subsequent fiscal year may accelerate the consolidation into the
1413 2011-2012 fiscal year, contingent upon approval by the
1414 Legislative Budget Commission of budget adjustments necessary to
1415 accomplish the consolidation. The primary data center may
1416 establish positions contingent on an equal or greater number of
1417 positions being placed in reserve from the agency data centers
1418 being consolidated. This section expires July 1, 2012.

1419 Section 73. In order to implement Specific Appropriation
1420 2690 of the 2011-2012 General Appropriations Act, the Executive
1421 Office of the Governor may transfer funds appropriated in the
1422 appropriation category "Expenses" of the 2011-2012 General
1423 Appropriations Act between agencies in order to allocate a
1424 reduction relating to SUNCOM Services. This section expires July
1425 1, 2012.

1426 Section 74. In order to implement section 8 of the General
1427 Appropriations Act for the 2011-2012 fiscal year, paragraph (a)
1428 of subsection (7) of section 110.12315, Florida Statutes, is
1429 reenacted to read:

1430 110.12315 Prescription drug program.—The state employees'
1431 prescription drug program is established. This program shall be
1432 administered by the Department of Management Services, according
1433 to the terms and conditions of the plan as established by the



182684

1434 relevant provisions of the annual General Appropriations Act and
1435 implementing legislation, subject to the following conditions:

1436 (7) Under the state employees' prescription drug program
1437 copayments must be made as follows:

1438 (a) Effective January 1, 2011, for the State Group Health
1439 Insurance Standard Plan:

- 1440 1. For generic drug with card.....\$7.
- 1441 2. For preferred brand name drug with card.....\$30.
- 1442 3. For nonpreferred brand name drug with card.....\$50.
- 1443 4. For generic mail order drug.....\$14.
- 1444 5. For preferred brand name mail order drug.....\$60.
- 1445 6. For nonpreferred brand name mail order drug.....\$100.

1446 Section 75. The amendment to s. 110.12315(7)(a), Florida
1447 Statutes, as carried forward by this act from chapter 2010-153,
1448 Laws of Florida, shall expire on July 1, 2012, and the text of
1449 that paragraph shall revert to that in existence on December 31,
1450 2010, except that any amendments to such text enacted other than
1451 by this act shall be preserved and continue to operate to the
1452 extent that such amendments are not dependent upon the portions
1453 of text which expire pursuant to this section.

1454 Section 76. In order to implement Specific Appropriations
1455 2587 through 2597 of the 2011-2012 General Appropriations Act,
1456 and notwithstanding chapter 255, Florida Statutes, the
1457 Department of Management Services shall use the services of a
1458 tenant broker to renegotiate all leases over 150,000 square
1459 feet. Based on the renegotiations, and by September 30, 2011,
1460 the department shall report to the Legislative Budget Commission
1461 the projected savings, implementation costs, and recommendations
1462 for leases to terminate.



182684

1463 (1) The report shall also identify any leases that do not
1464 comply with state law or the State Constitution, including
1465 noncompliance due to a nonappropriation clause, and include
1466 recommendations to bring such leases into compliance by June 30,
1467 2012.

1468 (2) State agencies shall propose budget amendments pursuant
1469 to chapter 216, Florida Statutes, to place the budget authority
1470 associated with the cost savings into reserve. If it is
1471 determined that additional savings may be derived from
1472 consolidating, collocating, and or restacking office space, the
1473 Executive Office of the Governor may transfer funds appropriated
1474 between agencies, subject to the notice, review, and objection
1475 procedures of s. 216.177, Florida Statutes.

1476 (3) This section expires July 1, 2012.

1477 Section 77. In order to implement appropriations used for
1478 the payments of existing lease contracts for private office or
1479 storage space in excess of 2,000 square feet, the Department of
1480 Management Services, together with the cooperation of the
1481 agencies having the existing lease contracts, shall seek to
1482 renegotiate or reprocore all private lease agreements expiring
1483 before June 30, 2013, in order to achieve a reduction in costs
1484 in future years. The department shall incorporate this
1485 initiative into its 2011 Master Leasing Report and may use
1486 tenant broker services to explore the possibilities of
1487 collocation, to review the space needs of each agency, and to
1488 review the length and terms of potential renewals or
1489 renegotiations. The department shall provide a report by March
1490 1, 2012, to the Executive Office of the Governor, the President
1491 of the Senate, and the Speaker of the House of Representatives



182684

1492 which lists each lease contract for private office or storage
1493 space, the status of renegotiations, and the savings achieved.
1494 This section expires July 1, 2012.

1495 Section 78. In order to implement specific appropriations
1496 for the purchase of pharmacy products in the 2011-2012 General
1497 Appropriations Act the Department of Management Services shall
1498 issue by November 1, 2011, a competitive solicitation pursuant
1499 to chapter 287 for a pharmaceutical purchasing arrangement as a
1500 state term contract. The solicitation shall invite group
1501 purchasing organizations or other vendors to offer a system for
1502 drug purchasing, excluding those drugs purchased by Medicaid,
1503 which provides transparent pricing to the extent permitted by
1504 federal law, permits purchases outside the agreement if such
1505 purchases offer the best value to the state, and establishes a
1506 preferred drug list that utilizes generic drugs to the extent
1507 feasible and cost effective. The department shall work with
1508 other agencies with subject matter expertise in the
1509 implementation of this section. Award of any contract is
1510 contingent upon the approval of the Legislative Budget
1511 Commission that the requirements of this section have been met.
1512 Upon approval of the Legislative Budget Commission, the
1513 Department of Health shall terminate its participation in the
1514 Minnesota Multistate Contracting Alliance for Pharmacy.

1515 Section 79. In order to implement Specific Appropriation
1516 193 of the 2011-2012 General Appropriations Act and
1517 notwithstanding chapter 287, Florida Statutes, the Agency for
1518 Health Care Administration shall competitively reprocure a
1519 Florida Discount Drug Card Program to provide market competitive
1520 discounts through a broad network of retail pharmacies and a



182684

1521 mail order pharmacy within the state and return money to the
1522 state on a per prescription dispensed basis. Discounts shall be
1523 available to Florida residents without income restrictions.
1524 Residents shall be able to enroll and acquire a member
1525 identification card from the participating pharmacies, online
1526 and through text messaging, without a charge. Revenues derived
1527 from this contract shall be deposited into the agency's Grants
1528 and Donations Trust Fund to reduce the cost of Medicaid pharmacy
1529 purchases. This section expires July 1, 2012.

1530 Section 80. In order to implement specific appropriations
1531 for Expense and Other Capital Outlay in the 2011-2012 General
1532 Appropriations Act, subsection (8) is added to section 946.515,
1533 Florida Statutes, to read:

1534 946.515 Use of goods and services produced in correctional
1535 work programs.—

1536 (8) On June 30, 3012, each state agency must submit a
1537 report to the President of the Senate and the Speaker of the
1538 House of Representatives which lists products or services
1539 obtained from a source other than the corporation when a
1540 comparable product or service could have been obtained from the
1541 corporation. The report must include an explanation of why the
1542 product or service was not obtained from the corporation. This
1543 subsection expires July 1, 2012.

1544 Section 81. Any section of this act which implements a
1545 specific appropriation or specifically identified proviso
1546 language in the 2011-2012 General Appropriations Act is void if
1547 the specific appropriation or specifically identified proviso
1548 language is vetoed. Any section of this act which implements
1549 more than one specific appropriation or more than one portion of



182684

1550 specifically identified proviso language in the 2011-2012
1551 General Appropriations Act is void if all the specific
1552 appropriations or portions of specifically identified proviso
1553 language are vetoed.

1554 Section 82. If any other act passed during the 2011 Regular
1555 Session contains a provision that is substantively the same as a
1556 provision in this act, but that removes or is otherwise not
1557 subject to the future repeal applied to such provision by this
1558 act, the Legislature intends that the provision in the other act
1559 takes precedence and continues to operate, notwithstanding the
1560 future repeal provided by this act.

1561 Section 83. If any provision of this act or its application
1562 to any person or circumstance is held invalid, the invalidity
1563 does not affect other provisions or applications of the act
1564 which can be given effect without the invalid provision or
1565 application, and to this end the provisions of this act are
1566 severable.

1567 Section 84. Except as otherwise expressly provided in this
1568 act and except for this section, which shall take effect upon
1569 this act becoming a law, this act shall take effect July 1,
1570 2011; or, if this act fails to become a law until after that
1571 date, it shall take effect upon becoming a law and shall operate
1572 retroactively to July 1, 2011.

1573
1574 ===== T I T L E A M E N D M E N T =====

1575 And the title is amended as follows:

1576 Delete everything before the enacting clause
1577 and insert:

1578 A bill to be entitled



182684

1579 An act implementing the 2011-2012 General
1580 Appropriations Act; providing legislative intent;
1581 incorporating by reference certain calculations of the
1582 Florida Education Finance Program for the 2011-2012
1583 fiscal year; amending s. 216.292, F.S.; authorizing
1584 the transfer of funds between appropriation categories
1585 to fund fixed capital outlay projects for public
1586 schools upon certain approval; authorizing the use of
1587 funds from the Workers' Compensation Administration
1588 Trust Fund for the Ready to Work Program; authorizing
1589 a university board of trustees to expend reserve or
1590 carry-forward balances for the establishment of a new
1591 campus; amending s. 394.908, F.S.; providing
1592 allocation requirements for specified funds
1593 appropriated for forensic mental health services;
1594 providing requirements relating to implementing phase
1595 3 of the Department of Health's Florida Onsite Sewage
1596 Nitrogen Reduction Strategies Study; amending s. 1 of
1597 chapter 2007-174, Laws of Florida; revising the
1598 expiration of provisions authorizing certain
1599 flexibility for the Department of Children and Family
1600 Services with respect to its organizational structure;
1601 incorporating by reference certain calculations of the
1602 Medicaid Low-Income Pool, Disproportionate Share
1603 Hospital, and Hospital Exemptions Programs; requiring
1604 certain budget amendments recommending the release of
1605 funds to provide more notice and be subject to certain
1606 objection procedures; revising specified
1607 appropriations in the General Appropriations Act with



182684

1608 respect to the rates for the Title XIX Inpatient
1609 Hospital Reimbursement Plan; providing an
1610 appropriation for certain public hospitals; revising
1611 an appropriation in the General Appropriations Act to
1612 implement rates for the Title XIX Outpatient Hospital
1613 Reimbursement Plan; requiring the Department of Health
1614 to present a plan to the Legislative Budget Commission
1615 which estimates the workload and funding needs to
1616 implement the onsite sewage treatment and disposal
1617 system evaluation program; authorizing the Department
1618 of Corrections and the Department of Juvenile Justice
1619 to make certain expenditures to defray costs incurred
1620 by a municipality or county as a result of opening or
1621 operating a facility under the authority of the
1622 respective entity; amending s. 216.262, F.S.;
1623 providing for additional positions to operate
1624 additional prison bed capacity under certain
1625 circumstances; authorizing the Department of Legal
1626 Affairs to transfer certain funds to pay salaries and
1627 benefits; authorizing the Department of Legal Affairs
1628 to spend certain appropriated funds on programs that
1629 were funded by the department from specific
1630 appropriations in general appropriations acts in
1631 previous years; amending s. 932.7055, F.S.;
1632 authorizing a municipality to expend funds from its
1633 special law enforcement trust fund to reimburse the
1634 municipality's general fund; requiring that the
1635 Department of Juvenile Justice comply with specified
1636 reimbursement limitations with respect to payments to



182684

1637 hospitals or health care providers for health care
1638 services; authorizing certain payments pursuant to a
1639 contracted rate only until the contract expires or is
1640 renewed; defining the term "hospital" for purposes of
1641 such limitations; relieving the state court system of
1642 certain loan repayment obligations; amending s.
1643 215.18, F.S.; providing for trust fund loans to the
1644 state court system sufficient to meet its
1645 appropriation; providing that any funds remaining in
1646 the Clerks of the Courts Trust Fund remain available
1647 to the clerks; amending s. 29.008, F.S.; providing
1648 counties with an exemption from the requirement to
1649 annually increase certain expenditures by a specified
1650 percentage; amending s. 282.709, F.S.; allowing funds
1651 from the State Agency Law Enforcement Radio System
1652 Trust Fund to be used for mutual aid buildout
1653 maintenance and sustainment; requiring the Florida
1654 Catastrophic Storm Risk Management Center at Florida
1655 State University to conduct an analysis using certain
1656 data; requiring the Department of Management Services
1657 to use certain interest earnings to fund the
1658 administration of the MyFlorida.com portal; amending
1659 s. 253.034, F.S.; authorizing the deposit of funds
1660 derived from the sale of property by the Department of
1661 Citrus into the Citrus Advertising Trust Fund;
1662 amending s. 601.15, F.S.; specifying the maximum tax
1663 rate for standard-packed boxes of citrus fruit;
1664 providing for the future expiration of such amendment
1665 and for the reversion of statutory text; amending s.



182684

1666 601.10, F.S.; providing for the executive director of
1667 the Department of Citrus to be appointed by a majority
1668 vote of the commission, subject to confirmation by the
1669 Senate; providing for the future expiration of such
1670 amendment and for the reversion of statutory text;
1671 amending s. 375.041, F.S.; providing for the transfer
1672 of moneys from the Land Acquisition Trust Fund to
1673 support the Total Maximum Daily Loads programs;
1674 amending s. 373.59, F.S.; providing for the allocation
1675 of moneys from the Water Management Lands Trust Fund
1676 for certain purposes; reenacting s. 403.1651(1)(g),
1677 F.S., relating to the use of funds from the Ecosystem
1678 Management and Restoration Trust Fund for the purpose
1679 of funding activities to preserve and repair the
1680 state's beaches; providing for the future expiration
1681 of certain amendments to such provision and for the
1682 reversion of statutory text; amending s. 570.20, F.S.;
1683 delaying the expiration of provisions authorizing the
1684 Department of Agriculture and Consumer Services to use
1685 funds from the General Inspection Trust Fund for
1686 certain programs; amending s. 403.7095, F.S.;
1687 requiring that the Department of Environmental
1688 Protection award a specified amount in grants to
1689 certain counties for solid waste programs; authorizing
1690 the Department of Agriculture and Consumer Services to
1691 extend, revise, and renew current contracts or
1692 agreements created or entered into for the purpose of
1693 promotion of agriculture; providing that the
1694 disposition of state-owned lands is exempt from



182684

1695 appraisal requirements and disposition requirements
1696 under certain circumstances; requiring state agencies
1697 to provide a list of lands that are immediately
1698 available for lease or are surplus lands; requiring
1699 that the proceeds from the sale of such lands be
1700 deposited into the Florida Forever Trust Fund;
1701 amending s. 379.204, F.S.; authorizing the Fish and
1702 Wildlife Conservation Commission to transfer funds to
1703 the Federal Grants Trust Fund to support cash flow
1704 needs; requiring the Fish and Wildlife Conservation
1705 Commission to suspend publication of the Florida
1706 Wildlife Magazine and the operations of the advisory
1707 council for the 2011-2012 fiscal year; amending s.
1708 339.135, F.S.; delaying the expiration of certain
1709 provisions that permit the Department of
1710 Transportation to reduce work program levels to
1711 balance the finance plan to revised funding levels;
1712 delaying the expiration of certain provisions relating
1713 to the specifications of the department's cash
1714 balances before a project or phase may be deferred;
1715 delaying the expiration of certain provisions relating
1716 to the specifications of the department's cash
1717 balances before a project or phase may be deferred;
1718 providing that certain reductions do not negatively
1719 impact safety or maintenance or project contingency
1720 percentage levels as of a specified date; providing
1721 for use of transportation revenues; amending s.
1722 339.08, F.S.; delaying the expiration of provisions
1723 relating to the use of moneys in the State



182684

1724 Transportation Trust Fund for certain administrative
1725 expenses; authorizing the transfer of funds from the
1726 State Transportation Trust Fund to the State School
1727 Trust Fund under certain circumstances; providing for
1728 all vehicles within the Office of Motor Carrier
1729 Compliance to be transferred to the Department of
1730 Highway Safety and Motor Vehicles without the payment
1731 of certain fees; amending s. 445.009, F.S.; providing
1732 that a participant in an adult or youth work
1733 experience activity under ch. 445, F.S., is an
1734 employee of the state for purposes of workers'
1735 compensation coverage; reenacting s. 163.3247(3)(d),
1736 F.S., relating to members of the Century Commission
1737 for a Sustainable Florida serving without
1738 compensation; providing for the future expiration of
1739 certain amendments to such provision and for the
1740 reversion of statutory text; reenacting s.
1741 201.15(1)(c), F.S., relating to funds deposited into
1742 the Grants and Donations Trust Fund in the Department
1743 of Community Affairs which are used to fund technical
1744 assistance to local governments and school boards;
1745 providing for the future expiration of certain
1746 amendments to such provision and for the reversion of
1747 statutory text; amending s. 206.608, F.S.; providing
1748 for continued use of certain taxes deposited into the
1749 State Transportation Trust Fund by the Department of
1750 Transportation; prohibiting the transfer of funds from
1751 the Highway Safety Operating Trust Fund to the
1752 Transportation Disadvantaged Trust Fund; including



182684

1753 funding for passenger rail in the Transportation
1754 Systems Development budget entity; providing that
1755 certain sworn law enforcement positions in the Office
1756 of Motor Carrier Compliance be placed in the career
1757 service upon transfer to the Department of Highway
1758 Safety and Motor Vehicles; providing for permanent
1759 status upon the transfer of certain positions;
1760 authorizing the Department of Transportation to use
1761 funds from the Toll Facilities Revolving Trust Fund
1762 for certain purposes; authorizing the Executive Office
1763 of the Governor to transfer funds between departments
1764 for purposes of aligning amounts paid for risk
1765 management premiums and for purposes of aligning
1766 amounts paid for human resource management services;
1767 amending s. 110.123, F.S., relating to the state group
1768 insurance program; providing that the state
1769 contribution toward the cost of a plan is the
1770 difference between the overall premium and the
1771 employee contribution; amending s. 112.24, F.S.;
1772 providing conditions on the assignment of an employee
1773 of a state agency without reimbursement from the
1774 receiving agency; providing that the annual salary of
1775 the members of the Legislature be maintained at a
1776 specified level; amending s. 27.710, F.S.; clarifying
1777 certain duties of the executive director of the
1778 Justice Administration Commission on Capital Cases;
1779 providing for the future expiration of the amendment
1780 to such provision and for the reversion of statutory
1781 text; reenacting and amending s. 215.32(2)(b), F.S.,



182684

1782 relating to the source and use of certain trust funds
1783 in order to implement the transfer of moneys in the
1784 General Revenue Fund from trust funds in the 2011-2012
1785 General Appropriations Act; providing for the future
1786 expiration of certain amendments to such provision and
1787 for the reversion of statutory text; reenacting and
1788 amending s. 215.5601(4)(b), F.S., relating to the
1789 administration of the Lawton Chiles Endowment Fund;
1790 providing for the future expiration of certain
1791 amendments to such provision and for the reversion of
1792 statutory text; providing a legislative finding that
1793 the issuance of new debt is in the best interests of
1794 the state and necessary to address a critical state
1795 emergency; limiting the use of travel funds to
1796 activities that are critical to an agency's mission;
1797 providing exceptions; authorizing agencies scheduled
1798 for data center consolidation to accelerate such
1799 consolidation; authorizing the establishment of data
1800 center positions in exchange for agency positions
1801 placed in reserve; authorizing the Executive Office of
1802 the Governor to transfer funds between agencies in
1803 order to allocate a reduction relating to SUNCOM;
1804 reenacting s. 110.12315(7)(a), F.S., relating to
1805 copayments for the state employees' prescription drug
1806 program; providing for the future expiration of
1807 certain amendments to such provision and for the
1808 reversion of statutory text; directing the Department
1809 of Management Services to use a tenant broker to
1810 renegotiate certain leases and provide a report to the



182684

1811 Legislature; requiring the department to renegotiate
1812 certain leases and report to the Legislature;
1813 requiring the department to issue a solicitation for
1814 the Minnesota Multistate Contracting Alliance for
1815 Pharmacy agreement as a state term contract; requiring
1816 the department to use generic drugs were feasible in
1817 developing its preferred drug list; requiring the
1818 Agency for Health Care Administration to reprocure the
1819 Florida Discount Drug Card Program; providing
1820 requirements for the program; providing that revenues
1821 derived from the contract be deposited into the
1822 agency's Grants and Donations Trust Fund; amending s.
1823 946.515, F.S.; requiring each state agency to submit a
1824 report to the Legislature listing products or services
1825 obtained from sources other than the prison industries
1826 corporation; providing for the effect of a veto of one
1827 or more specific appropriations or proviso to which
1828 implementing language refers; providing for reversion
1829 of statutory text of certain provisions; providing for
1830 the continued operation of certain provisions
1831 notwithstanding a future repeal or expiration provided
1832 by the act; providing for severability; providing
1833 effective dates.