

By the Committee on Budget

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1                                   A bill to be entitled  
2           An act implementing the 2011-2012 General  
3           Appropriations Act; providing legislative intent;  
4           incorporating by reference certain calculations of the  
5           Florida Education Finance Program for the 2011-2012  
6           fiscal year; amending s. 216.292, F.S.; authorizing  
7           the transfer of funds between appropriation categories  
8           to fund fixed capital outlay projects for public  
9           schools upon certain approval; amending s. 394.908,  
10          F.S.; providing allocation requirements for specified  
11          funds appropriated for forensic mental health  
12          services; providing requirements relating to  
13          implementing phase 3 of the Department of Health's  
14          Florida Onsite Sewage Nitrogen Reduction Strategies  
15          Study; requiring certain budget amendments  
16          recommending the release of funds to provide more  
17          notice and be subject to certain objection procedures;  
18          prohibiting an appropriation to pay for the lease of  
19          unneded space due to reductions at the Department of  
20          Children and Family Services; authorizing the  
21          Department of Corrections and the Department of  
22          Juvenile Justice to make certain expenditures to  
23          defray costs incurred by a municipality or county as a  
24          result of opening or operating a facility under the  
25          authority of the respective entity; amending s.  
26          216.262, F.S.; providing for additional positions to  
27          operate additional prison bed capacity under certain  
28          circumstances; amending s. 945.025, F.S.; requiring  
29          the Department of Corrections to obtain certain

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30 approval before closing any correctional institution;  
31 authorizing the Department of Legal Affairs to  
32 transfer certain funds to pay salaries and benefits;  
33 authorizing the Department of Legal Affairs to spend  
34 certain appropriated funds on programs that were  
35 funded by the department from specific appropriations  
36 in general appropriations acts in previous years;  
37 amending s. 932.7055, F.S.; authorizing a municipality  
38 to expend funds from its special law enforcement trust  
39 fund to reimburse the municipality's general fund;  
40 requiring that the Department of Juvenile Justice  
41 comply with specified reimbursement limitations with  
42 respect to payments to hospitals or health care  
43 providers for health care services; authorizing  
44 certain payments pursuant to a contracted rate only  
45 until the contract expires or is renewed; defining the  
46 term "hospital" for purposes of such limitations;  
47 amending s. 44.108, F.S.; authorizing use of moneys in  
48 the Mediation and Arbitration Trust Fund as specified  
49 in the General Appropriations Act; relieving the state  
50 court system of certain loan repayment obligations;  
51 authorizing the chief justice to request a loan under  
52 certain circumstances; creating the Judicial Caseload  
53 Incentive Plan; providing the purpose, performance  
54 goals, and financial awards of the program; requiring  
55 a report to the Legislature; amending s. 282.709,  
56 F.S.; allowing funds from the State Agency Law  
57 Enforcement Radio System Trust Fund to be used for  
58 mutual aid buildout maintenance and sustainment;

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59 requiring the Department of Management Services to  
60 issue a competitive solicitation for the Statewide Law  
61 Enforcement Radio System by a certain date and award  
62 the contract by a certain date; requiring the Florida  
63 Catastrophic Storm Risk Management Center at Florida  
64 State University to conduct an analysis using certain  
65 data; amending s. 253.034, F.S.; authorizing the  
66 deposit of funds derived from the sale of property by  
67 the Department of Citrus into the Citrus Advertising  
68 Trust Fund; amending s. 373.59, F.S.; providing for  
69 the allocation of moneys from the Water Management  
70 Lands Trust Fund for certain purposes; amending s.  
71 403.7095, F.S.; requiring that the Department of  
72 Environmental Protection award a specified amount in  
73 grants to certain counties for solid waste programs;  
74 authorizing the Department of Agriculture and Consumer  
75 Services to extend, revise, and renew current  
76 contracts or agreements created or entered into for  
77 the purpose of promotion of agriculture; providing  
78 that the disposition of state-owned lands is exempt  
79 from appraisal requirements and disposition  
80 requirements under certain circumstances; requiring  
81 state agencies to provide a list of lands that are  
82 immediately available for lease or are surplus lands;  
83 requiring that the proceeds from the sale of such  
84 lands be deposited into the Florida Forever Trust  
85 Fund; authorizing the transfer of funds and positions  
86 to implement the transfer of certain agencies and  
87 offices; amending s. 339.08, F.S.; delaying the

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88 expiration of provisions relating to the use of moneys  
89 in the State Transportation Trust Fund for certain  
90 administrative expenses; authorizing funds in the  
91 State Transportation Trust Fund to be used for the  
92 County Incentive Grant Program, the Small County  
93 Outreach Program, the Transportation Regional  
94 Incentive Program, and certain transportation project  
95 contracts; providing for all vehicles within the  
96 Office of Motor Carrier Compliance to be transferred  
97 to the Department of Highway Safety and Motor Vehicles  
98 without the payment of certain fees; amending s.  
99 445.009, F.S.; providing that a participant in an  
100 adult or youth work experience activity under ch. 445,  
101 F.S., is an employee of the state for purposes of  
102 workers' compensation coverage; creating the Florida  
103 Base Realignment and Closure Task Force; specifying  
104 the mission of the task force; providing for  
105 membership; requiring a progress report and work plan;  
106 authorizing the Executive Office of the Governor to  
107 transfer funds between departments for purposes of  
108 aligning amounts paid for risk management premiums and  
109 for purposes of aligning amounts paid for human  
110 resource management services; amending s. 110.123,  
111 F.S.; providing that the state contribution toward the  
112 cost of a plan is the difference between the overall  
113 premium and the employee contribution; amending s.  
114 112.24, F.S.; providing conditions on the assignment  
115 of an employee of a state agency without reimbursement  
116 from the receiving agency; providing that the annual

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117 salary of the members of the Legislature be reduced by  
118 a specified percentage; reenacting and amending s.  
119 215.32(2)(b), F.S., relating to the source and use of  
120 certain trust funds in order to implement the transfer  
121 of moneys in the General Revenue Fund from trust funds  
122 in the 2011-2012 General Appropriations Act;  
123 reenacting and amending s. 215.5601(4)(b), F.S.,  
124 relating to the administration of the Lawton Chiles  
125 Endowment Fund; providing for the authorization and  
126 issuance of new debt; limiting the use of travel funds  
127 to activities that are critical to an agency's  
128 mission; providing exceptions; authorizing agencies  
129 scheduled for data center consolidation to accelerate  
130 such consolidation; authorizing the establishment of  
131 data center positions in exchange for agency positions  
132 placed in reserve; authoring an agency to transfer  
133 funds in order to support its e-mail system until its  
134 system is transferred to the statewide service vendor;  
135 authorizing the Executive Office of the Governor to  
136 transfer funds between agencies in order to allocate a  
137 reduction relating to SUNCOM; authorizing the  
138 Executive Office of the Governor to transfer  
139 appropriations into categories for the purpose of  
140 tracking American Recovery and Reinvestment Act funds;  
141 amending s. 216.292, F.S.; authorizing the Executive  
142 Office of the Governor to recommend the initiation of  
143 fixed capital outlay projects funded through the  
144 American Recovery and Reinvestment Act of 2009;  
145 reenacting s. 110.12315(7)(a), F.S., relating to

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146 copayments for the state employees' prescription drug  
147 program; directing the Department of Management  
148 Services to use a tenant broker to renegotiate all  
149 leases involving multiple state agency tenants;  
150 requiring a report to the Legislative Budget  
151 Commission; requiring the department to renegotiate  
152 certain leases in order to achieve a reduction in cost  
153 and provide a report to the Governor and Legislature  
154 on such activities by a certain date; requiring the  
155 department to issue a solicitation for the Minnesota  
156 Multistate Contracting Alliance for Pharmacy agreement  
157 as a state term contract; requiring the department to  
158 use generic drugs where feasible in developing its  
159 preferred drug list; requiring the Agency for Health  
160 Care Administration to reprocure the Florida Discount  
161 Drug Card Program; providing requirements for the  
162 program; providing that revenues derived from the  
163 contract be deposited into the agency's Grants and  
164 Donations Trust Fund; providing for the effect of a  
165 veto of one or more specific appropriations or proviso  
166 to which implementing language refers; providing for  
167 reversion of statutory text of certain provisions;  
168 providing for the continued operation of certain  
169 provisions notwithstanding a future repeal or  
170 expiration provided by the act; providing for  
171 severability; providing effective dates.

172  
173 Be It Enacted by the Legislature of the State of Florida:  
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175           Section 1. It is the intent of the Legislature that the  
176 implementing and administering provisions of this act apply to  
177 the General Appropriations Act for the 2011-2012 fiscal year.

178           Section 2. In order to implement Specific Appropriations 6,  
179 7, 8, 68, and 69 of the 2011-2012 General Appropriations Act,  
180 the calculations of the Florida Education Finance Program for  
181 the 2011-2012 fiscal year in the document entitled "Public  
182 School Funding-The Florida Education Finance Program," dated  
183 April 6, 2011, and filed with the Secretary of the Senate, are  
184 incorporated by reference for the purpose of displaying the  
185 calculations used by the Legislature, consistent with the  
186 requirements of the Florida Statutes, in making appropriations  
187 for the Florida Education Finance Program.

188           Section 3. In order to implement Specific Appropriations  
189 15A and 15B of the 2011-2012 General Appropriations Act,  
190 paragraph (c) of subsection (3) of section 216.292, Florida  
191 Statutes, is amended to read:

192           216.292 Appropriations nontransferable; exceptions.—

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

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

203           Section 4. In order to implement Specific Appropriations

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204 310 through 339 of the 2011-2012 General Appropriations Act,  
205 paragraphs (b) and (c) of subsection (3) of section 394.908,  
206 Florida Statutes, are amended to read:

207 394.908 Substance abuse and mental health funding equity;  
208 distribution of appropriations.—In recognition of the historical  
209 inequity in the funding of substance abuse and mental health  
210 services for the department's districts and regions and to  
211 rectify this inequity and provide for equitable funding in the  
212 future throughout the state, the following funding process shall  
213 be used:

214 (3)

215 (b) Notwithstanding paragraph (a) and for the 2011-2012  
216 ~~2010-2011~~ fiscal year only, funds appropriated for forensic  
217 mental health treatment services shall be allocated to the areas  
218 of the state having the greatest demand for services and  
219 treatment capacity. This paragraph expires July 1, 2012 ~~2011~~.

220 (c) Notwithstanding paragraph (a) and for the 2011-2012  
221 ~~2010-2011~~ fiscal year only, additional funds appropriated for  
222 substance abuse and mental health services from funds available  
223 through the Community-Based Medicaid Administrative Claiming  
224 Program shall be allocated as provided in the 2010-2011 General  
225 Appropriations Act and in proportion to contributed provider  
226 earnings. This paragraph expires July 1, 2012 ~~2011~~.

227 Section 5. In order to implement Specific Appropriation 465  
228 of the 2011-2012 General Appropriations Act, and for the 2011-  
229 2012 fiscal year only, the following requirements govern Phase 3  
230 of the Department of Health's Florida Onsite Sewage Nitrogen  
231 Reduction Strategies Study:

232 (1) The Department of Health's underlying contract for the



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233 study remains in full force and effect and funding for Phase 3  
234 is through the Department of Health.

235 (2) The Department of Health, the Department of Health's  
236 Research Review and Advisory Committee, and the Department of  
237 Environmental Protection shall work together to provide the  
238 necessary technical oversight of Phase 3.

239 (3) Management and oversight of Phase 3 must be consistent  
240 with the terms of the existing contract. However, the main focus  
241 and priority to be completed during Phase 3 shall be developing,  
242 testing, and recommending cost-effective passive technology  
243 design criteria for nitrogen reduction.

244 (4) The systems installed at homesites are experimental in  
245 nature and shall be installed with significant field testing and  
246 monitoring. The Department of Health is specifically authorized  
247 to allow installation of these experimental systems.  
248 Notwithstanding any other law, before Phase 3 of the study is  
249 completed, a state agency may not adopt or implement a rule or  
250 policy that:

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

254 (b) Directly or indirectly requires the use of performance-  
255 based treatment systems or similar technology if the Department  
256 of Environmental Protection's administrative orders recognizing  
257 onsite system modifications, developed through a basin  
258 management action plan adopted pursuant to s. 403.067, Florida  
259 Statutes, are not subject to the restrictions if the  
260 implementation of onsite system modifications is to be phased in  
261 after completion of Phase 3.

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262           Section 6. In order to implement Specific Appropriation 536  
263 of the 2011-2012 General Appropriations Act, notwithstanding s.  
264 216.177, Florida Statutes, requiring only 3 days' notice to the  
265 Legislature for the release of funds, budget amendments  
266 recommending the release of funds shall be provided at least 14  
267 days before the effective date of the action and are subject to  
268 the objection procedures in s. 216.177(2)(b), Florida Statutes.

269           Section 7. Funds in Specific Appropriations 259 through  
270 357, may not be used to pay for any leased space identified in  
271 writing by the Secretary of Children and Family Services as no  
272 longer needed due to reductions in authorized department  
273 functions and positions. The department shall provide affected  
274 landlords at least 6 months' notification of lease termination.  
275 In the event of termination, the department may negotiate a  
276 lease for less space at the same location.

277           Section 8. In order to fulfill legislative intent regarding  
278 the use of funds contained in Specific Appropriations 605, 616,  
279 628 and 1135 of the 2011-2012 General Appropriations Act, the  
280 Department of Corrections and the Department of Juvenile Justice  
281 may expend appropriated funds to assist in defraying costs that  
282 are incurred by a municipality or county and are associated with  
283 opening or operating a facility under the authority of the  
284 respective department. The amount paid for any facility may not  
285 exceed 1 percent of the cost to construct the facility, less  
286 building impact fees imposed by the municipality or county. This  
287 section expires July 1, 2012.

288           Section 9. In order to implement Specific Appropriations  
289 570 through 688A and 726 through 759 of the 2011-2012 General  
290 Appropriations Act, subsection (4) of section 216.262, Florida

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291 Statutes, is amended to read:

292 216.262 Authorized positions.—

293 (4) Notwithstanding the provisions of this chapter relating  
294 to ~~en~~ increasing the number of authorized positions, and for the  
295 2011-2012 ~~2010-2011~~ fiscal year only, if the actual inmate  
296 population of the Department of Corrections exceeds the inmate  
297 population projections of the February 21, 2011 ~~19, 2010~~,  
298 Criminal Justice Estimating Conference by 1 percent for 2  
299 consecutive months or 2 percent for any month, the Executive  
300 Office of the Governor, with the approval of the Legislative  
301 Budget Commission, shall immediately notify the Criminal Justice  
302 Estimating Conference, which shall convene as soon as possible  
303 to revise the estimates. The Department of Corrections may then  
304 submit a budget amendment requesting the establishment of  
305 positions in excess of the number authorized by the Legislature  
306 and additional appropriations from unallocated general revenue  
307 sufficient to provide for essential staff, fixed capital  
308 improvements, and other resources to provide classification,  
309 security, food services, health services, and other variable  
310 expenses within the institutions to accommodate the estimated  
311 increase in the inmate population. All actions taken pursuant to  
312 ~~the authority granted in~~ this subsection are ~~shall be~~ subject to  
313 review and approval by the Legislative Budget Commission. This  
314 subsection expires July 1, 2012 ~~2011~~.

315 Section 10. In order to implement Specific Appropriations  
316 570 through 759, subsection (5) is added to section 945.025,  
317 Florida Statutes, to read:

318 945.025 Jurisdiction of department.—

319 (5) The department must receive prior approval from the

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320 Governor's Office of Policy and Budget and the Legislative  
321 Budget Commission before closing, substantially reducing the use  
322 of, or changing the purpose of any state correctional  
323 institution as defined in s. 944.02. This subsection expires  
324 July 1, 2012.

325 Section 11. In order to implement Specific Appropriations  
326 1253, 1267, 1274, 1295, and 1305 of the 2011-2012 General  
327 Appropriations Act, the Department of Legal Affairs may transfer  
328 cash remaining after required disbursements for Attorney General  
329 case numbers 09-CV-51614, 16-2008-CA-01-3142CV-C, and  
330 CACE08022328 from FLAIR account 41-74-2-601001-41100100-00-  
331 181076-00 to the Operating Trust Fund to pay salaries and  
332 benefits. This section expires July 1, 2012.

333 Section 12. In order to implement Specific Appropriation  
334 1290 of the 2011-2012 General Appropriations Act, the Department  
335 of Legal Affairs may expend appropriated funds in those specific  
336 appropriations on the same programs that were funded by the  
337 department pursuant to specific appropriations made in general  
338 appropriations acts in prior years. This section expires July 1,  
339 2012.

340 Section 13. In order to implement Specific Appropriations  
341 1192 and 1198 of the 2011-2012 General Appropriations Act,  
342 paragraph (d) of subsection (4) of section 932.7055, Florida  
343 Statutes, is amended to read:

344 932.7055 Disposition of liens and forfeited property.-

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

347 (d) Notwithstanding any other provision of this subsection,  
348 and for the 2011-2012 ~~2010-2011~~ fiscal year only, the funds in a

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349 special law enforcement trust fund established by the governing  
350 body of a municipality may be expended to reimburse the general  
351 fund of the municipality for moneys advanced from the general  
352 fund to the special law enforcement trust fund before ~~prior to~~  
353 October 1, 2001. This paragraph expires July 1, 2012 ~~2011~~.

354 Section 14. (1) In order to implement Specific  
355 Appropriations 1069, 1070, 1074, 1075, 1115, 1116, 1120, 1121,  
356 1126, 1127, 1130, 1131, 1132, 1141, and 1146 of the 2011-2012  
357 General Appropriations Act, the Department of Juvenile Justice  
358 must comply with the following reimbursement limitations:

359 (a) Payments to a hospital or a health care provider may  
360 not exceed 110 percent of the Medicare allowable rate for any  
361 health care services provided if no contract exists between the  
362 department and the hospital or the health care provider  
363 providing services at a hospital;

364 (b) The department may continue to make payments for health  
365 care services at the currently contracted rates through the  
366 current term of the contract if a contract has been executed  
367 between the department and a hospital or a health care provider  
368 providing services to a hospital; however, payments may not  
369 exceed 110 percent of the Medicare allowable rate after the  
370 current term of the contract expires or after the contract is  
371 renewed during the 2011-2012 fiscal year;

372 (c) Payments may not exceed 110 percent of the Medicare  
373 allowable rate under a contract executed on or after July 1,  
374 2011, between the department and a hospital or health care  
375 provider providing services at a hospital;

376 (d) Notwithstanding paragraphs (a), (b), and (c), the  
377 department may pay up to 125 percent of the Medicare allowable

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378 rate for health care services at a hospital that reports or has  
379 reported a negative operating margin for the previous fiscal  
380 year to the Agency for Health Care Administration through  
381 hospital-audited financial data; and

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

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

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

388 Section 15. In order to implement section 7 of the 2011-  
389 2012 General Appropriations Act, subsection (3) of section  
390 44.108, Florida Statutes, is amended to read:

391 44.108 Funding of mediation and arbitration.—

392 (3) For the 2011-2012 ~~2010-2011~~ fiscal year only and  
393 notwithstanding any other provision of law to the contrary,  
394 moneys in the Mediation and Arbitration Trust Fund may be used  
395 as specified in the General Appropriations Act. This subsection  
396 expires July 1, 2012 ~~2011~~.

397 Section 16. In order to implement section 7 of the 2011-  
398 2012 General Appropriations Act, and notwithstanding s. 215.18,  
399 Florida Statutes, the state court system is relieved of loan  
400 repayment obligations for loans made from the Mediation and  
401 Arbitration Trust Fund and the Court Education Trust Fund to the  
402 state court system during the 2010-2011 fiscal year. This  
403 section is effective upon this act becoming a law.

404 Section 17. In order to implement section 7 of the 2011-  
405 2012 General Appropriations Act, the Chief Justice of the  
406 Supreme Court may request a loan of funds pursuant to s. 215.18,

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407 Florida Statutes, notwithstanding the trust fund's ability to  
408 repay the loan by the end of the fiscal year, if, at any time  
409 during the 2011-2012 fiscal year, the Revenue Estimating  
410 Conference projects that revenue deposited into the State Courts  
411 Revenue Trust Fund, less payment of the general revenue service  
412 charge, will be less than 98 percent of the amount appropriated  
413 from the trust fund in the General Appropriations Act for the  
414 2011-2012 fiscal year.

415 Section 18. In order to implement Specific Appropriation  
416 2989A of the 2011-2012 General Appropriations Act, the Judicial  
417 Caseload Incentive Plan is established.-

418 (1) PURPOSE.-There is created the Judicial Caseload  
419 Incentive Plan, the purpose of which is to resolve civil  
420 disputes in a timely manner and to reduce legal costs in the  
421 state courts system by allowing judges within each judicial  
422 circuit who meet the established performance goals to earn a  
423 nonrecurring award.

424 (2) PERFORMANCE GOALS.-The Legislature shall prescribe  
425 annual performance goals in the General Appropriations Act for  
426 specified case types in each judicial circuit. The Office of the  
427 State Courts Administrator shall calculate the performance of a  
428 circuit toward meeting its performance goal using data collected  
429 from the clerks of court. The office shall divide the annual  
430 performance goals into equal quarterly goals.

431 (3) AWARDS.-

432 (a) Based on data collected from the clerks of court, the  
433 Office of the State Courts Administrator shall collect data to  
434 determine if a circuit meets the performance goals for a  
435 quarter. The office shall evaluate performance relating to each

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436 goal separately, but may not consider performance data from  
437 prior quarters.

438 (b) If the office determines that a circuit meets all of  
439 the performance goals for a quarter, each judge assigned the  
440 types of cases specified in the General Appropriations Act as  
441 part of the Judicial Caseload Incentive Plan shall receive an  
442 award for that quarter equal to \$3,000.

443 1. The office shall prorate the award of a judge who takes  
444 office during the quarter that the circuit meets its quarterly  
445 goals or who transfers into or out of the relevant divisions  
446 handling the types of cases specified in the Judicial Caseload  
447 Incentive Plan.

448 2. A judge may not receive more than one full award per  
449 quarter.

450 3. An award under this section is contingent upon the  
451 appropriation of, and shall be paid from, funds in the General  
452 Appropriations Act.

453 (4) REPORTS.—Within 30 days after the end of each quarter,  
454 the Office of the State Courts Administrator shall report  
455 electronically to the chairs of the appropriations committees of  
456 the Senate and the House of Representatives the progress of each  
457 circuit in meeting performance goals for the quarter and the  
458 number and amount of awards provided.

459 (5) EXPIRATION.—This section expires July 1, 2012.

460 Section 19. In order to implement Specific Appropriation  
461 2701A of the 2011-2012 General Appropriation Act, subsection (3)  
462 of section 282.709, Florida Statutes, is amended to read:

463 282.709 State agency law enforcement radio system and  
464 interoperability network.—



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465           (3) (a) The State Agency Law Enforcement Radio System Trust  
466 Fund is established in the department and funded from surcharges  
467 collected under ss. 318.18, 320.0802, and 328.72. Upon  
468 appropriation, moneys in the trust fund may be used by the  
469 department to acquire by competitive procurement the equipment,  
470 software, and engineering, administrative, and maintenance  
471 services it needs to construct, operate, and maintain the  
472 statewide radio system. Moneys in the trust fund from ~~collected~~  
473 ~~as a result of the surcharges set forth in ss. 318.18, 320.0802,~~  
474 ~~and 328.72~~ shall be used to help fund the costs of the system.  
475 Upon completion of the system, moneys in the trust fund may also  
476 be used by the department for payment of the recurring  
477 maintenance costs of the system.

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

482           Section 20. In order to implement Specific Appropriation  
483 2704 of the 2011-2012 General Appropriations Act, and  
484 notwithstanding chapter 287, Florida Statutes, the Department of  
485 Management Services shall issue a competitive solicitation for  
486 the operation of the Statewide Law Enforcement Radio System by  
487 September 1, 2011, to be awarded by December 31, 2011. The  
488 current contract for the system shall become null and void no  
489 later than June 30, 2012. This section expires July 1, 2012.

490           Section 21. In order to implement specific appropriation  
491 2341A of the 2011-2012 General Appropriations Act, the Florida  
492 Catastrophic Storm Risk Management Center at Florida State  
493 University shall conduct the analysis as originally required in

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494 s. 164 of chapter 2004-390, Laws of Florida. Notwithstanding  
495 that section, the center shall use the most recent and available  
496 premium data for personal lines property and casualty insurance  
497 in completing the analysis.

498 Section 22. In order to implement Specific Appropriations  
499 2173 through 2195 of the 2011-2012 General Appropriations Act,  
500 subsection (13) of section 253.034, Florida Statutes, as amended  
501 by chapter 2010-280, Laws of Florida, is amended to read:

502 253.034 State-owned lands; uses.—

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

508 Section 23. In order to implement Specific Appropriation  
509 1580A of the 2011-2012 General Appropriations Act, subsection  
510 (12) of section 373.59, Florida Statutes, is amended to read:

511 373.59 Water Management Lands Trust Fund.—

512 (12) Notwithstanding subsection (8), and for the 2011-2012  
513 ~~2010-2011~~ fiscal year only, the moneys from the Water Management  
514 Lands Trust Fund are ~~shall be~~ allocated as follows:

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

521 (b) Eight million dollars to be transferred to the General  
522 Revenue Fund; and

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523 (c) The remaining funds to be distributed to equally  
524 ~~between~~ the Suwannee River Water Management District, ~~and the~~  
525 ~~Northwest Florida Water Management District; and~~

526 ~~(d) For the 2010-2011 fiscal year only, the sum of \$50,000~~  
527 ~~from the Water Management Lands Trust Fund shall be transferred~~  
528 ~~to the General Inspection Trust Fund in the Department of~~  
529 ~~Agriculture and Consumer Services for the soil and water~~  
530 ~~conservation districts for support services.~~

531

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

533 Section 24. In order to implement Specific Appropriation  
534 1703A of the 2011-2012 General Appropriations Act, subsection  
535 (5) of section 403.7095, Florida Statutes, is amended to read:

536 403.7095 Solid waste management grant program.—

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

544 Section 25. In order to implement Specific Appropriation  
545 1430 of the 2011-2012 General Appropriations Act and to provide  
546 consistency and continuity in the promotion of agriculture  
547 throughout the state, notwithstanding s. 287.057, Florida  
548 Statutes, the Department of Agriculture and Consumer Services  
549 may extend, revise, and renew current contracts or agreements  
550 created or entered into pursuant to chapter 2006-25, Laws of  
551 Florida. This section expires July 1, 2012.

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552        Section 26. In order to implement Specific Appropriation  
553 1578A of the 2011-2012 General Appropriations Act, and  
554 notwithstanding ss. 253.034, 253.0341, and 259.041, Florida  
555 Statutes, the disposition of state-owned lands is exempt from  
556 appraisal requirements under s. 253.034(6)(g)1., Florida  
557 Statutes, and disposition requirements under s. 253.034(15),  
558 Florida Statutes, if the proceeds of such conveyance will be  
559 used to purchase state-owned lands for preservation,  
560 conservation, or recreation purposes. On or before October 1,  
561 2011, all agencies shall submit a list of state-owned lands to  
562 the Board of Trustees of the Internal Improvement Trust Fund, to  
563 which the lands are titled, which are immediately available for  
564 lease or are surplus lands. Proceeds from the sale of such lands  
565 shall be deposited into the Florida Forever Trust Fund created  
566 by s. 259.1051, Florida Statutes, and used to acquire lands for  
567 preservation, conservation, or recreation purposes pursuant to  
568 the requirements of s. 259.105, Florida Statutes. The board of  
569 trustees shall ensure that, where appropriate, surplus or leased  
570 conservation lands are subject to perpetual conservation  
571 easements or other such restrictive covenants that run with the  
572 land and are duly recorded in the same manner as any other  
573 instrument affecting title to real property. This section  
574 expires July 1, 2012.

575        Section 27. Notwithstanding ss. 216.292 and 216.351,  
576 Florida Statutes, upon approval by the Legislative Budget  
577 Commission, the Executive Office of the Governor may, if  
578 necessary, transfer funds and positions among agencies to  
579 implement the transfer of all or portions of the Department of  
580 Community Affairs, the Agency for Workforce Innovation, the

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581 Department of Education, and the Office of Tourism, Trade, and  
 582 Economic Development to the Department of Jobs Florida; the  
 583 Department of Community Affairs to the Department of  
 584 Environmental Protection or the Department of Business and  
 585 Professional Regulation; the Agency for Workforce Innovation to  
 586 the Department of Education; and the Office of Motor Carrier  
 587 Compliance within the Department of Transportation to the  
 588 Department of Highway Safety and Motor Vehicles.

589 Section 28. In order to implement section 99 of the 2011-  
 590 2012 General Appropriations Act, paragraph (n) of subsection (1)  
 591 of section 339.08, Florida Statutes, is amended to read:

592 339.08 Use of moneys in State Transportation Trust Fund.—

593 (1) The department shall expend moneys in the State  
 594 Transportation Trust Fund accruing to the department, in  
 595 accordance with its annual budget. The use of such moneys shall  
 596 be restricted to the following purposes:

597 (n) To pay administrative expenses incurred in accordance  
 598 with applicable laws for a multicounty transportation or  
 599 expressway authority created under chapter 343 or chapter 348  
 600 if, where jurisdiction for the authority includes a portion of  
 601 the State Highway System and the administrative expenses are in  
 602 furtherance of the duties and responsibilities of the authority  
 603 in the development of improvements to the State Highway System.  
 604 This paragraph expires July 1, 2012 ~~2011~~.

605 Section 29. In order to implement Specific Appropriation  
 606 1938E of the 2011-2012 General Appropriations Act, and  
 607 notwithstanding any other law, for the 2011-2012 fiscal year,  
 608 \$80,007,529 from the State Transportation Trust Fund shall be  
 609 used for the County Incentive Grant Program created under s.

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610 339.2817, Florida Statutes. This section expires July 1, 2012.

611 Section 30. In order to implement Specific Appropriation  
612 1938C of the 2011-2012 General Appropriations Act, and  
613 notwithstanding any other law, for the 2011-2012 fiscal year,  
614 \$42,410,085 from the State Transportation Trust Fund shall be  
615 used for the Small County Outreach Program created under s.  
616 339.2818, Florida Statutes. This section expires July 1, 2012.

617 Section 31. In order to implement Specific Appropriation  
618 1938I of the 2011-2012 General Appropriations Act, and  
619 notwithstanding any other law, for the 2011-2012 fiscal year,  
620 \$72,242,353 from the State Transportation Trust Fund shall be  
621 used for the Transportation Regional Incentive Program created  
622 under s. 339.2819, Florida Statutes. This section expires July  
623 1, 2012.

624 Section 32. In order to implement Specific Appropriation  
625 1938S of the 2011-2012 General Appropriations Act, and  
626 notwithstanding any other law, for the 2011-2012 fiscal year,  
627 \$19,000,000 from the State Transportation Trust Fund shall be  
628 used for contracts for transportation projects under s.  
629 339.2821, Florida Statutes, as created by SB 7198. This section  
630 expires July 1, 2012.

631 Section 33. Notwithstanding chapters 319 and 320, Florida  
632 Statutes, the ownership of all vehicles currently used by the  
633 Office of Motor Carrier Compliance within the Department of  
634 Transportation shall be transferred to the Department of Highway  
635 Safety and Motor Vehicles effective July 1, 2011, without  
636 payment of any titling or registration fees.

637 Section 34. In order to implement Specific Appropriation  
638 2535BW of the 2011-2012 General Appropriations Act, subsection

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639 (11) of section 445.009, Florida Statutes, is amended to read:

640 445.009 One-stop delivery system.—

641 (11) ~~(a)~~ A participant in an adult or youth work experience  
642 activity administered under this chapter ~~is shall be deemed~~ an  
643 employee of the state for purposes of workers' compensation  
644 coverage. In determining the average weekly wage, all  
645 remuneration received from the employer ~~is shall be~~ considered a  
646 gratuity, and the participant ~~is shall~~ not be entitled to any  
647 benefits otherwise payable under s. 440.15, regardless of  
648 whether the participant may be receiving wages and remuneration  
649 from other employment with another employer and regardless of  
650 his or her future wage-earning capacity.

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

652 Section 35. In order to implement Specific Appropriation  
653 2535AH, the Florida Base Realignment and Closure Task Force is  
654 created. The mission of the task force is to make  
655 recommendations to prepare the state to effectively compete in  
656 any federal base realignment and closure action, to support the  
657 state's position in research and development related to or  
658 arising out of military missions and contracting, and to improve  
659 the state's military-friendly environment for serving members,  
660 military dependents, and military retirees and for businesses  
661 that bring military and base-related jobs to the state. The task  
662 force shall be comprised of the Governor or a designee, who  
663 shall be chair of the commission, the President of the Senate  
664 and Speaker of the House of Representatives, or their designees,  
665 who shall be vice chairs, and 10 members appointed as follows:  
666 four members appointed by the Governor, three members appointed  
667 by the President of the Senate, and three members appointed by

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668 the Speaker of the House of Representatives. The Commissioner of  
669 Jobs Florida or a designee shall be the ex officio, nonvoting  
670 executive director of the task force. Appointed members must  
671 represent defense-related industries and communities that host  
672 military bases and installations. All appointments must be made  
673 by August 15, 2011, and the Governor or a designee shall  
674 schedule and conduct the first meeting of the task force by  
675 October 1, 2011. The task force shall submit a progress report  
676 and work plan for the remainder of the 2011-2012 fiscal year to  
677 the Governor, the President of the Senate, and the Speaker of  
678 the House of Representatives by February 1, 2012. Funding for  
679 the task force shall be as provided in the General  
680 Appropriations Act. This section expires July 1, 2012.

681 Section 36. In order to implement the appropriation of  
682 funds in appropriation category "Special Categories-Risk  
683 Management Insurance" in the 2011-2012 General Appropriations  
684 Act, and pursuant to the notice, review, and objection  
685 procedures of s. 216.177, Florida Statutes, the Executive Office  
686 of the Governor may transfer funds appropriated in that category  
687 between departments in order to align the budget authority  
688 granted with the premiums paid by each department for risk  
689 management insurance. This section expires July 1, 2012.

690 Section 37. In order to implement the appropriation of  
691 funds in the appropriation category "Special Categories-Transfer  
692 to Department of Management Services-Human Resources Services  
693 Purchased Per Statewide Contract" in the 2011-2012 General  
694 Appropriations Act," and pursuant to the notice, review, and  
695 objection procedures of s. 216.177, Florida Statutes, the  
696 Executive Office of the Governor may transfer funds appropriated



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697 in that category between departments in order to align the  
698 budget authority granted with the assessments that must be paid  
699 by each agency to the Department of Management Services for  
700 human resource management services. This section expires July 1,  
701 2012.

702 Section 38. In order to implement section 8 of the 2011-  
703 2012 General Appropriations Act, paragraph (j) of subsection (3)  
704 of section 110.123, Florida Statutes, is amended to read:

705 110.123 State group insurance program.—

706 (3) STATE GROUP INSURANCE PROGRAM.—

707 (j) Notwithstanding ~~the provisions of~~ paragraph (f)  
708 requiring uniform contributions, and for the 2011-2012 ~~2010-2011~~  
709 fiscal year only, the state contribution toward the cost of any  
710 plan in the state group insurance plan is ~~shall be~~ the  
711 difference between the overall premium and the employee  
712 contribution. This subsection expires June 30, 2012 ~~2011~~.

713 Section 39. In order to implement specific appropriations  
714 for salaries and benefits in the 2011-2012 General  
715 Appropriations Act, paragraph (b) of subsection (3) of section  
716 112.24, Florida Statutes, is amended to read:

717 112.24 Intergovernmental interchange of public employees.—

718 To encourage economical and effective utilization of public  
719 employees in this state, the temporary assignment of employees  
720 among agencies of government, both state and local, and  
721 including school districts and public institutions of higher  
722 education is authorized under terms and conditions set forth in  
723 this section. State agencies, municipalities, and political  
724 subdivisions are authorized to enter into employee interchange  
725 agreements with other state agencies, the Federal Government,

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726 another state, a municipality, or a political subdivision  
727 including a school district, or with a public institution of  
728 higher education. State agencies are also authorized to enter  
729 into employee interchange agreements with private institutions  
730 of higher education and other nonprofit organizations under the  
731 terms and conditions provided in this section. In addition, the  
732 Governor or the Governor and Cabinet may enter into employee  
733 interchange agreements with a state agency, the Federal  
734 Government, another state, a municipality, or a political  
735 subdivision including a school district, or with a public  
736 institution of higher learning to fill, subject to the  
737 requirements of chapter 20, appointive offices which are within  
738 the executive branch of government and which are filled by  
739 appointment by the Governor or the Governor and Cabinet. Under  
740 no circumstances shall employee interchange agreements be  
741 utilized for the purpose of assigning individuals to participate  
742 in political campaigns. Duties and responsibilities of  
743 interchange employees shall be limited to the mission and goals  
744 of the agencies of government.

745 (3) Salary, leave, travel and transportation, and  
746 reimbursements for an employee of a sending party that is  
747 participating in an interchange program shall be handled as  
748 follows:

749 (b)1. The assignment of an employee of a state agency  
750 ~~either~~ on detail or on leave of absence may be made without  
751 reimbursement by the receiving party for the travel and  
752 transportation expenses to or from the place of the assignment  
753 or for the pay and benefits, or a part thereof, of the employee  
754 during the assignment.

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755           2. For the 2011-2012 ~~2010-2011~~ fiscal year only, the  
756 assignment of an employee of a state agency as provided in  
757 subparagraph 1. may be made if recommended by the Governor or  
758 Chief Justice, as appropriate, and approved by the chairs of the  
759 legislative appropriations committees ~~Senate Policy and Steering~~  
760 ~~Committee on Ways and Means and the House Full appropriations~~  
761 ~~Council on Education and Economic Development~~. Such actions  
762 shall be deemed approved if neither chair provides written  
763 notice of objection within 14 days after the chair's receiving  
764 notice of the action pursuant to s. 216.177. This subparagraph  
765 expires July 1, 2012 ~~2011~~.

766           Section 40. In order to implement Specific Appropriations  
767 2536 and 2537 of the 2011-2012 General Appropriations Act:

768           (1) Notwithstanding s. 11.13(1), Florida Statutes, relating  
769 to the annual adjustment of salaries for members of the  
770 Legislature, for the 2011-2012 fiscal year only, the authorized  
771 salaries of members of the Legislature in effect on June 30,  
772 2010, are reduced by 7 percent.

773           (2) Effective June 30, 2012, the annual salaries of members  
774 of the Legislature shall be set at the amounts authorized and in  
775 effect on June 30, 2010, pursuant to subsection (2) of section  
776 48 of chapter 2009-82, Laws of Florida.

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

778           Section 41. In order to implement the transfer of moneys to  
779 the General Revenue Fund from trust funds in the 2011-2012  
780 General Appropriations Act, paragraph (b) of subsection (2) of  
781 section 215.32, Florida Statutes, is reenacted and amended to  
782 read:

783           215.32 State funds; segregation.-

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

786 (b)~~1.~~ The trust funds shall consist of moneys received by  
787 the state, which under law or under trust agreement are  
788 segregated for a purpose authorized by law. The state agency or  
789 branch of state government receiving or collecting such moneys  
790 is ~~shall be~~ responsible for their proper expenditure as provided  
791 by law.

792 1. Upon the request of the state agency or branch of state  
793 government responsible for the administration of the trust fund,  
794 the Chief Financial Officer may establish accounts within the  
795 trust fund at a level considered necessary for proper  
796 accountability. Once an account is established within a trust  
797 fund, the Chief Financial Officer may authorize payment from  
798 that account only upon determining that there is sufficient cash  
799 and releases at the level of the account.

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

803 a. Operations or operating trust fund, for use as a  
804 depository for funds to be used for program operations funded by  
805 program revenues, with the exception of administrative  
806 activities if ~~when~~ the operations or operating trust fund is a  
807 proprietary fund.

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

810 c. Administrative trust fund, for use as a depository for  
811 funds to be used for management activities that are departmental  
812 in nature and funded by indirect cost earnings and assessments

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813 against trust funds. Proprietary funds are excluded from the  
814 requirement of using an administrative trust fund.

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

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

821 f. Clearing funds trust fund, for use as a depository for  
822 funds to account for collections pending distribution to lawful  
823 recipients.

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

827

828 To the extent possible, each agency must adjust its internal  
829 accounting to use existing trust funds in accordance ~~consistent~~  
830 with the requirements of this subparagraph. If an agency does  
831 not have trust funds listed in this subparagraph and cannot make  
832 such adjustment, the agency must recommend the creation of the  
833 necessary trust funds to the Legislature by the time of ~~no later~~  
834 ~~than~~ the next scheduled review of the agency's trust funds  
835 pursuant to s. 215.3206.

836 3. All such moneys are hereby appropriated to be expended  
837 in accordance with the law or trust agreement under which they  
838 were received, subject ~~always to the provisions of~~ chapter 216  
839 relating to the appropriation of funds and to the applicable  
840 laws relating to the deposit or expenditure of moneys in the  
841 State Treasury.

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842 4.a. Notwithstanding any provision of law restricting the  
843 use of trust funds to specific purposes, unappropriated cash  
844 balances from selected trust funds may be authorized by the  
845 Legislature for transfer to the Budget Stabilization Fund and  
846 General Revenue Fund in the General Appropriations Act.

847 b. This subparagraph does not apply to trust funds required  
848 by federal programs or mandates; trust funds established for  
849 bond covenants, indentures, or resolutions whose revenues are  
850 legally pledged by the state or public body to meet debt service  
851 or other financial requirements of any debt obligations of the  
852 state or any public body; the Division of Licensing Trust Fund  
853 in the Department of Agriculture and Consumer Services; the  
854 State Transportation Trust Fund; the trust fund containing the  
855 net annual proceeds from the Florida Education Lotteries; the  
856 Florida Retirement System Trust Fund; trust funds under the  
857 management of the State Board of Education or the Board of  
858 Governors of the State University System, if ~~where~~ such trust  
859 funds are for auxiliary enterprises, self-insurance, and  
860 contracts, grants, and donations, as those terms are defined by  
861 general law; trust funds that serve as clearing funds or  
862 accounts for the Chief Financial Officer or state agencies;  
863 trust funds that account for assets held by the state in a  
864 trustee capacity as an agent or fiduciary for individuals,  
865 private organizations, or other governmental units; and other  
866 trust funds authorized by the State Constitution.

867 Section 42. In order to implement the transfer of moneys to  
868 the General Revenue Fund from trust funds in the 2011-2012  
869 General Appropriations Act, paragraph (b) of subsection (4) of  
870 section 215.5601, Florida Statutes, is reenacted and amended to

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871 read:

872 215.5601 Lawton Chiles Endowment Fund.—

873 (4) ADMINISTRATION.—

874 (b) The endowment shall be managed as an annuity. The  
875 investment objective is the ~~shall be~~ long-term preservation of  
876 the real value of the net contributed principal and a specified  
877 regular annual cash outflow for appropriation, as nonrecurring  
878 revenue. From the annual cash outflow, a pro rata share shall be  
879 used solely for biomedical research activities as provided in  
880 paragraph (3) (d), until such time as cures are found for  
881 tobacco-related cancer and heart and lung disease. Five percent  
882 of the annual cash outflow dedicated to the biomedical research  
883 portion of the endowment shall be reinvested and applied to that  
884 portion of the endowment's principal, with the remainder to be  
885 spent on biomedical research activities consistent with this  
886 section. The schedule of annual cash outflow must ~~shall~~ be  
887 included within the investment plan adopted under paragraph (a).  
888 Withdrawals other than specified regular cash outflow are ~~shall~~  
889 ~~be~~ considered reductions in contributed principal for the  
890 purposes of this subsection.

891 Section 43. In order to implement the issuance of new debt  
892 authorized in the 2011-2012 General Appropriations Act, and  
893 pursuant to s. 215.98, Florida Statutes, the Legislature  
894 determines that the authorization and issuance of debt for the  
895 2011-2012 fiscal year should be implemented, is in the best  
896 interest of the state, and necessary to address a critical state  
897 emergency. This section expires July 1, 2012.

898 Section 44. In order to implement the funds appropriated in  
899 the 2011-2012 General Appropriations Act for state employee

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900 travel, the funds appropriated to each state agency, which may  
901 be used for travel by state employees, are limited during the  
902 2011-2012 fiscal year to travel for activities that are critical  
903 to each state agency's mission. Funds may not be used to pay for  
904 travel by state employees to foreign countries, other states,  
905 conferences, staff-training activities, or other administrative  
906 functions unless the agency head has approved in writing that  
907 such activities are critical to the agency's mission. The agency  
908 head must consider the use of teleconferencing and other forms  
909 of electronic communication to meet the needs of the proposed  
910 activity before approving mission-critical travel. This section  
911 does not apply to travel for law enforcement purposes, military  
912 purposes, emergency management activities, or public health  
913 activities. This section expires July 1, 2012.

914 Section 45. In order to implement the appropriations  
915 authorized in the 2011-2012 General Appropriations Act for each  
916 of the state's designated primary data centers, which are funded  
917 from the data processing appropriation category and other  
918 categories used to pay for computing services of user agencies,  
919 and pursuant to the notice, review, and objection procedures of  
920 s. 216.177, Florida Statutes, the Executive Office of the  
921 Governor may transfer funds appropriated in any appropriation  
922 category used to pay for data processing in the 2011-2012  
923 General Appropriations Act between agencies in order to align  
924 the budget authority granted with the utilization rate of each  
925 department. This section expires July 1, 2012.

926 Section 46. State agencies that are required to begin  
927 planning for a data center consolidation scheduled for a  
928 subsequent fiscal year may accelerate the consolidation into the



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929 2011-2012 fiscal year, contingent upon approval by the  
930 Legislative Budget Commission of budget adjustments necessary to  
931 accomplish the consolidation. The primary data center may  
932 establish positions contingent on an equal or greater number of  
933 positions being placed in reserve from the agency data centers  
934 being consolidated. This section expires July 1, 2012.

935 Section 47. In order to implement the appropriations in the  
936 2011-2012 General Appropriations Act for the statewide e-mail  
937 system established pursuant to s. 282.34, Florida Statutes, and  
938 notwithstanding s. 216.181(2)(c), Florida Statutes, an agency  
939 may transfer funds from the data processing appropriation  
940 categories established for the statewide e-mail system to  
941 another appropriation category for the purpose of supporting and  
942 managing its current e-mail system, subject to the limitations  
943 in s. 282.34(6), Florida Statutes, until the agency's e-mail  
944 function is transferred to the statewide e-mail service vendor  
945 under contract with the Southwood Shared Resource Center. This  
946 section expires July 1, 2012.

947 Section 48. In order to implement Specific Appropriation  
948 2187 of the 2011-2012 General Appropriations Act, the Executive  
949 Office of the Governor may transfer funds appropriated in the  
950 appropriation category "Expenses" of the 2011-2012 General  
951 Appropriations Act between agencies in order to allocate a  
952 reduction relating to SUNCOM Services. This section expires July  
953 1, 2012.

954 Section 49. In order to implement Sections 2 through 7 of  
955 the 2011-2012 General Appropriations Act, the Executive Office  
956 of the Governor may transfer funds appropriated for the American  
957 Recovery and Reinvestment Act of 2009 (ARRA) in traditional

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958 appropriation categories in the 2011-2012 General Appropriations  
959 Act to appropriation categories established for the specific  
960 purpose of tracking funds appropriated for the ARRA. This  
961 section expires July 1, 2012.

962 Section 50. In order to implement Sections 2 through 7 of  
963 the 2011-2012 General Appropriations Act, subsection (5) of  
964 section 216.292, Florida Statutes, is amended to read:

965 216.292 Appropriations nontransferable; exceptions.—

966 (5) (a) A transfer of funds may not result in the initiation  
967 of a fixed capital outlay project that has not received a  
968 specific legislative appropriation.

969 (b) Notwithstanding paragraph (a), and for the 2011-2012  
970 ~~2010-2011~~ fiscal year only, the Governor may recommend the  
971 initiation of fixed capital outlay projects funded by grants  
972 awarded by the Federal Government through the American Recovery  
973 and Reinvestment Act of 2009 or by any other federal economic  
974 stimulus grant funding received. All actions taken pursuant to  
975 the authority granted in the paragraph are subject to review and  
976 approval by the Legislative Budget Commission. This paragraph  
977 expires July 1, 2012 ~~2011~~.

978 Section 51. In order to implement Section 8 of the General  
979 Appropriations Act for the 2011-2012 fiscal year, effective  
980 January 1, 2011, paragraph (a) of subsection (7) of section  
981 110.12315, Florida Statutes, is reenacted to read:

982 110.12315 Prescription drug program.—The state employees'  
983 prescription drug program is established. This program shall be  
984 administered by the Department of Management Services, according  
985 to the terms and conditions of the plan as established by the  
986 relevant provisions of the annual General Appropriations Act and

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987 implementing legislation, subject to the following conditions:

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

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

- 992 1. For generic drug with card.....\$7.
- 993 2. For preferred brand name drug with card.....\$30.
- 994 3. For nonpreferred brand name drug with card.....\$50.
- 995 4. For generic mail order drug.....\$14.
- 996 5. For preferred brand name mail order drug.....\$60.
- 997 6. For nonpreferred brand name mail order drug.....\$100.

998

999 Section 52. In order to implement Specific Appropriations  
 1000 2587 through 2600 of the 2011-2012 General Appropriations Act,  
 1001 and notwithstanding chapter 255, Florida Statutes, the  
 1002 Department of Management Services shall use the services of a  
 1003 tenant broker to renegotiate all leases involving multiple state  
 1004 agency tenants. Based on the renegotiations, and no later than  
 1005 September 30, 2011, the department shall report to the  
 1006 Legislative Budget Commission the projected savings and  
 1007 implementation costs from the renegotiations and any of the  
 1008 multiple state agency leases that should be terminated pursuant  
 1009 to any section of the lease agreements. The department may  
 1010 propose one or more budget amendments pursuant to chapter 216,  
 1011 Florida Statutes, to place any budget authority based on the  
 1012 anticipated savings in reserve or transfer budget authority to a  
 1013 different category. All leases as of September 30, 2011, which  
 1014 do not comply with state law or the Florida Constitution,  
 1015 including a nonappropriation clause, are null and void. This

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1016 section expires July 1, 2012.

1017 Section 53. In order to implement appropriations used for  
1018 the payments of existing lease contracts for private office or  
1019 storage space, the Department of Management Services, with the  
1020 cooperation of the agencies having the existing lease contracts,  
1021 shall seek to renegotiate or reprocure all private lease  
1022 agreements expiring before June 30, 2013, to achieve a reduction  
1023 in costs in future years. The department shall use the  
1024 department's 2010 Master Leasing Report and may use tenant  
1025 broker services to explore the possibilities of collocation,  
1026 review the space needs of each agency, and to review the length  
1027 and terms of potential renewals or renegotiations. The  
1028 department shall provide a report by March 1, 2012, to the  
1029 Executive Office of the Governor, the President of the Senate,  
1030 and the Speaker of the House of Representatives which lists each  
1031 lease contract for private office or storage space, the status  
1032 of renegotiations, and the savings achieved. This section  
1033 expires July 1, 2012.

1034 Section 54. Notwithstanding chapter 287, Florida Statutes,  
1035 the Department of Management Services shall issue by September  
1036 1, 2011, a solicitation for the Minnesota Multistate Contracting  
1037 Alliance for Pharmacy (MMCAP) agreement as a state term  
1038 contract. Provisions of the solicitation are subject to chapter  
1039 119, Florida Statutes, including drug cost per unit pricing.  
1040 Agencies that purchase drugs under the current MMCAP contract  
1041 shall provide subject matter expertise in the development of the  
1042 competitive procurement. The procurement shall be awarded to one  
1043 group purchasing organization or vendor. The department shall  
1044 use generic drugs where feasible in developing its preferred

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1045 drug list. This section expires July 1, 2012.

1046 Section 55. In order to implement Specific Appropriation  
1047 193 of the 2011-2012 General Appropriations Act, and  
1048 notwithstanding chapter 287, Florida Statutes, the Agency for  
1049 Health Care Administration shall competitively reprocure a  
1050 Florida Discount Drug Card Program to provide market competitive  
1051 discounts through a broad network of retail pharmacies and a  
1052 mail order pharmacy within the state and return money to the  
1053 state on a per prescription dispensed basis. Discounts shall be  
1054 available to Florida residents without income restrictions.  
1055 Residents shall be able to enroll and acquire a member  
1056 identification card from the participating pharmacies, online  
1057 and through text messaging, without a charge. Revenues derived  
1058 from this contract shall be deposited into the agency's Grants  
1059 and Donations Trust Fund to reduce the cost of Medicaid pharmacy  
1060 purchases. This section expires July 1, 2012.

1061 Section 56. Any section of this act which implements a  
1062 specific appropriation or specifically identified proviso  
1063 language in the 2011-2012 General Appropriations Act is void if  
1064 the specific appropriation or specifically identified proviso  
1065 language is vetoed. Any section of this act which implements  
1066 more than one specific appropriation or more than one portion of  
1067 specifically identified proviso language in the 2011-2012  
1068 General Appropriations Act is void if all the specific  
1069 appropriations or portions of specifically identified proviso  
1070 language are vetoed.

1071 Section 57. If any other act passed during the 2011 Regular  
1072 Session contains a provision that is substantively the same as a  
1073 provision in this act, but that removes or is otherwise not

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1074 subject to the future repeal applied to such provision by this  
1075 act, the Legislature intends that the provision in the other act  
1076 takes precedence and continues to operate, notwithstanding the  
1077 future repeal provided by this act.

1078       Section 58. If any provision of this act or its application  
1079 to any person or circumstance is held invalid, the invalidity  
1080 does not affect other provisions or applications of the act  
1081 which can be given effect without the invalid provision or  
1082 application, and to this end the provisions of this act are  
1083 severable.

1084       Section 59. Except as otherwise expressly provided in this  
1085 act and except for this section, which shall take effect June  
1086 29, 2011, this act shall take effect July 1, 2011; or, if this  
1087 act fails to become a law until after that date, it shall take  
1088 effect upon becoming a law and shall operate retroactively to  
1089 July 1, 2011.