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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 unneeded 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 amending s. 216.212, F.S.; requiring a state agency or

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146 the judicial branch to pursue federal funds and notify
147 the Legislative Budget Commission of any decision
148 regarding the receipt of such funds; providing that
149 failure to provide such notice will result in the
150 placement of an equal amount of the agency's or
151 judicial branch's budget into mandatory reserve for
152 the remainder of the fiscal year; reenacting s.
153 110.12315(7) (a), F.S., relating to copayments for the
154 state employees' prescription drug program; directing
155 the Department of Management Services to use a tenant
156 broker to renegotiate all leases involving multiple
157 state agency tenants; requiring a report to the
158 Legislative Budget Commission; requiring the
159 department to renegotiate certain leases in order to
160 achieve a reduction in cost and provide a report to
161 the Governor and Legislature on such activities by a
162 certain date; requiring the department to issue a
163 solicitation for the Minnesota Multistate Contracting
164 Alliance for Pharmacy agreement as a state term
165 contract; requiring the department to use generic
166 drugs where feasible in developing its preferred drug
167 list; requiring the Agency for Health Care
168 Administration to reprocure the Florida Discount Drug
169 Card Program; providing requirements for the program;
170 providing that revenues derived from the contract be
171 deposited into the agency's Grants and Donations Trust
172 Fund; providing that a child who is eligible for
173 coverage under a state health benefit plan on the
174 basis of a family member's employment with a public

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175 agency in the state is eligible to participate in and
176 receive Title XXI-funded coverage from the Florida
177 Kidcare program if the child is otherwise eligible;
178 amending s. 409.814, F.S.; deleting a provision that
179 prohibits a child who is eligible for coverage under a
180 state health benefit plan on the basis of a family
181 member's employment with a public agency in the state
182 from receiving Title XXI-funded premium assistance for
183 health benefits coverage under the Florida Kidcare
184 program; providing for the effect of a veto of one or
185 more specific appropriations or proviso to which
186 implementing language refers; providing for reversion
187 of statutory text of certain provisions; providing for
188 the continued operation of certain provisions
189 notwithstanding a future repeal or expiration provided
190 by the act; providing for severability; providing
191 effective dates.

192
193 Be It Enacted by the Legislature of the State of Florida:

194
195 Section 1. It is the intent of the Legislature that the
196 implementing and administering provisions of this act apply to
197 the General Appropriations Act for the 2011-2012 fiscal year.

198 Section 2. In order to implement Specific Appropriations 6,
199 7, 8, 68, and 69 of the 2011-2012 General Appropriations Act,
200 the calculations of the Florida Education Finance Program for
201 the 2011-2012 fiscal year in the document entitled "Public
202 School Funding-The Florida Education Finance Program," dated
203 April 6, 2011, and filed with the Secretary of the Senate, are

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204 incorporated by reference for the purpose of displaying the
205 calculations used by the Legislature, consistent with the
206 requirements of the Florida Statutes, in making appropriations
207 for the Florida Education Finance Program.

208 Section 3. In order to implement Specific Appropriations
209 15A and 15B of the 2011-2012 General Appropriations Act,
210 paragraph (c) of subsection (3) of section 216.292, Florida
211 Statutes, is amended to read:

212 216.292 Appropriations nontransferable; exceptions.—

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

217 (c) The transfer of appropriations for fixed capital outlay
218 from the Survey Recommended Needs—Public Schools appropriation
219 category to the Maintenance, Repair, Renovation and Remodeling
220 appropriation category. The allocation of transferred funds must
221 ~~shall~~ be in accordance with s. 1013.62 ~~1013.64(1)~~. This
222 paragraph expires July 1, 2012 ~~2011~~.

223 Section 4. In order to implement Specific Appropriations
224 310 through 339 of the 2011-2012 General Appropriations Act,
225 paragraphs (b) and (c) of subsection (3) of section 394.908,
226 Florida Statutes, are amended to read:

227 394.908 Substance abuse and mental health funding equity;
228 distribution of appropriations.—In recognition of the historical
229 inequity in the funding of substance abuse and mental health
230 services for the department's districts and regions and to
231 rectify this inequity and provide for equitable funding in the
232 future throughout the state, the following funding process shall

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233 be used:

234 (3)

235 (b) Notwithstanding paragraph (a) and for the 2011-2012
236 ~~2010-2011~~ fiscal year only, funds appropriated for forensic
237 mental health treatment services shall be allocated to the areas
238 of the state having the greatest demand for services and
239 treatment capacity. This paragraph expires July 1, 2012 ~~2011~~.

240 (c) Notwithstanding paragraph (a) and for the 2011-2012
241 ~~2010-2011~~ fiscal year only, additional funds appropriated for
242 substance abuse and mental health services from funds available
243 through the Community-Based Medicaid Administrative Claiming
244 Program shall be allocated as provided in the 2010-2011 General
245 Appropriations Act and in proportion to contributed provider
246 earnings. This paragraph expires July 1, 2012 ~~2011~~.

247 Section 5. In order to implement Specific Appropriation 465
248 of the 2011-2012 General Appropriations Act, and for the 2011-
249 2012 fiscal year only, the following requirements govern Phase 3
250 of the Department of Health's Florida Onsite Sewage Nitrogen
251 Reduction Strategies Study:

252 (1) The Department of Health's underlying contract for the
253 study remains in full force and effect and funding for Phase 3
254 is through the Department of Health.

255 (2) The Department of Health, the Department of Health's
256 Research Review and Advisory Committee, and the Department of
257 Environmental Protection shall work together to provide the
258 necessary technical oversight of Phase 3.

259 (3) Management and oversight of Phase 3 must be consistent
260 with the terms of the existing contract. However, the main focus
261 and priority to be completed during Phase 3 shall be developing,

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262 testing, and recommending cost-effective passive technology
263 design criteria for nitrogen reduction.

264 (4) The systems installed at homesites are experimental in
265 nature and shall be installed with significant field testing and
266 monitoring. The Department of Health is specifically authorized
267 to allow installation of these experimental systems.
268 Notwithstanding any other law, before Phase 3 of the study is
269 completed, a state agency may not adopt or implement a rule or
270 policy that:

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

274 (b) Directly or indirectly requires the use of performance-
275 based treatment systems or similar technology if the Department
276 of Environmental Protection's administrative orders recognizing
277 onsite system modifications, developed through a basin
278 management action plan adopted pursuant to s. 403.067, Florida
279 Statutes, are not subject to the restrictions if the
280 implementation of onsite system modifications is to be phased in
281 after completion of Phase 3.

282 Section 6. In order to implement Specific Appropriation 536
283 of the 2011-2012 General Appropriations Act, notwithstanding s.
284 216.177, Florida Statutes, requiring only 3 days' notice to the
285 Legislature for the release of funds, budget amendments
286 recommending the release of funds shall be provided at least 14
287 days before the effective date of the action and are subject to
288 the objection procedures in s. 216.177(2)(b), Florida Statutes.

289 Section 7. Funds in Specific Appropriations 259 through
290 357, may not be used to pay for any leased space identified in

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291 writing by the Secretary of Children and Family Services as no
292 longer needed due to reductions in authorized department
293 functions and positions. The department shall provide affected
294 landlords at least 6 months' notification of lease termination.
295 In the event of termination, the department may negotiate a
296 lease for less space at the same location.

297 Section 8. In order to fulfill legislative intent regarding
298 the use of funds contained in Specific Appropriations 605, 616,
299 628 and 1135 of the 2011-2012 General Appropriations Act, the
300 Department of Corrections and the Department of Juvenile Justice
301 may expend appropriated funds to assist in defraying costs that
302 are incurred by a municipality or county and are associated with
303 opening or operating a facility under the authority of the
304 respective department. The amount paid for any facility may not
305 exceed 1 percent of the cost to construct the facility, less
306 building impact fees imposed by the municipality or county. This
307 section expires July 1, 2012.

308 Section 9. In order to implement Specific Appropriations
309 570 through 688A and 726 through 759 of the 2011-2012 General
310 Appropriations Act, subsection (4) of section 216.262, Florida
311 Statutes, is amended to read:

312 216.262 Authorized positions.—

313 (4) Notwithstanding the provisions of this chapter relating
314 to ~~en~~ increasing the number of authorized positions, and for the
315 2011-2012 ~~2010-2011~~ fiscal year only, if the actual inmate
316 population of the Department of Corrections exceeds the inmate
317 population projections of the February 21, 2011 ~~19, 2010~~,
318 Criminal Justice Estimating Conference by 1 percent for 2
319 consecutive months or 2 percent for any month, the Executive

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320 Office of the Governor, with the approval of the Legislative
321 Budget Commission, shall immediately notify the Criminal Justice
322 Estimating Conference, which shall convene as soon as possible
323 to revise the estimates. The Department of Corrections may then
324 submit a budget amendment requesting the establishment of
325 positions in excess of the number authorized by the Legislature
326 and additional appropriations from unallocated general revenue
327 sufficient to provide for essential staff, fixed capital
328 improvements, and other resources to provide classification,
329 security, food services, health services, and other variable
330 expenses within the institutions to accommodate the estimated
331 increase in the inmate population. All actions taken pursuant to
332 ~~the authority granted in this subsection~~ are ~~shall be~~ subject to
333 review and approval by the Legislative Budget Commission. This
334 subsection expires July 1, 2012 ~~2011~~.

335 Section 10. In order to implement Specific Appropriations
336 570 through 759, subsection (5) is added to section 945.025,
337 Florida Statutes, to read:

338 945.025 Jurisdiction of department.—

339 (5) The department must receive prior approval from the
340 Governor's Office of Policy and Budget and the Legislative
341 Budget Commission before closing, substantially reducing the use
342 of, or changing the purpose of any state correctional
343 institution as defined in s. 944.02. This subsection expires
344 July 1, 2012.

345 Section 11. In order to implement Specific Appropriations
346 1253, 1267, 1274, 1295, and 1305 of the 2011-2012 General
347 Appropriations Act, the Department of Legal Affairs may transfer
348 cash remaining after required disbursements for Attorney General

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349 case numbers 09-CV-51614, 16-2008-CA-01-3142CV-C, and
350 CACE08022328 from FLAIR account 41-74-2-601001-41100100-00-
351 181076-00 to the Operating Trust Fund to pay salaries and
352 benefits. This section expires July 1, 2012.

353 Section 12. In order to implement Specific Appropriation
354 1290 of the 2011-2012 General Appropriations Act, the Department
355 of Legal Affairs may expend appropriated funds in those specific
356 appropriations on the same programs that were funded by the
357 department pursuant to specific appropriations made in general
358 appropriations acts in prior years. This section expires July 1,
359 2012.

360 Section 13. In order to implement Specific Appropriations
361 1192 and 1198 of the 2011-2012 General Appropriations Act,
362 paragraph (d) of subsection (4) of section 932.7055, Florida
363 Statutes, is amended to read:

364 932.7055 Disposition of liens and forfeited property.—

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

367 (d) Notwithstanding any other provision of this subsection,
368 and for the 2011-2012 ~~2010-2011~~ fiscal year only, the funds in a
369 special law enforcement trust fund established by the governing
370 body of a municipality may be expended to reimburse the general
371 fund of the municipality for moneys advanced from the general
372 fund to the special law enforcement trust fund before ~~prior to~~
373 October 1, 2001. This paragraph expires July 1, 2012 ~~2011~~.

374 Section 14. (1) In order to implement Specific
375 Appropriations 1069, 1070, 1074, 1075, 1115, 1116, 1120, 1121,
376 1126, 1127, 1130, 1131, 1132, 1141, and 1146 of the 2011-2012
377 General Appropriations Act, the Department of Juvenile Justice

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378 must comply with the following reimbursement limitations:

379 (a) Payments to a hospital or a health care provider may
380 not exceed 110 percent of the Medicare allowable rate for any
381 health care services provided if no contract exists between the
382 department and the hospital or the health care provider
383 providing services at a hospital;

384 (b) The department may continue to make payments for health
385 care services at the currently contracted rates through the
386 current term of the contract if a contract has been executed
387 between the department and a hospital or a health care provider
388 providing services to a hospital; however, payments may not
389 exceed 110 percent of the Medicare allowable rate after the
390 current term of the contract expires or after the contract is
391 renewed during the 2011-2012 fiscal year;

392 (c) Payments may not exceed 110 percent of the Medicare
393 allowable rate under a contract executed on or after July 1,
394 2011, between the department and a hospital or health care
395 provider providing services at a hospital;

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

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

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

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

408 Section 15. In order to implement section 7 of the 2011-
409 2012 General Appropriations Act, subsection (3) of section
410 44.108, Florida Statutes, is amended to read:

411 44.108 Funding of mediation and arbitration.—

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

417 Section 16. In order to implement section 7 of the 2011-
418 2012 General Appropriations Act, and notwithstanding s. 215.18,
419 Florida Statutes, the state court system is relieved of loan
420 repayment obligations for loans made from the Mediation and
421 Arbitration Trust Fund and the Court Education Trust Fund to the
422 state court system during the 2010-2011 fiscal year. This
423 section is effective upon this act becoming a law.

424 Section 17. In order to implement section 7 of the 2011-
425 2012 General Appropriations Act, the Chief Justice of the
426 Supreme Court may request a loan of funds pursuant to s. 215.18,
427 Florida Statutes, notwithstanding the trust fund's ability to
428 repay the loan by the end of the fiscal year, if, at any time
429 during the 2011-2012 fiscal year, the Revenue Estimating
430 Conference projects that revenue deposited into the State Courts
431 Revenue Trust Fund, less payment of the general revenue service
432 charge, will be less than 98 percent of the amount appropriated
433 from the trust fund in the General Appropriations Act for the
434 2011-2012 fiscal year.

435 Section 18. In order to implement Specific Appropriation

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436 2989A of the 2011-2012 General Appropriations Act, the Judicial
437 Caseload Incentive Plan is established.-

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

444 (2) PERFORMANCE GOALS.-The Legislature shall prescribe
445 annual performance goals in the General Appropriations Act for
446 specified case types in each judicial circuit. The Office of the
447 State Courts Administrator shall calculate the performance of a
448 circuit toward meeting its performance goal using data collected
449 from the clerks of court. The office shall divide the annual
450 performance goals into equal quarterly goals.

451 (3) AWARDS.-

452 (a) Based on data collected from the clerks of court, the
453 Office of the State Courts Administrator shall collect data to
454 determine if a circuit meets the performance goals for a
455 quarter. The office shall evaluate performance relating to each
456 goal separately, but may not consider performance data from
457 prior quarters.

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

463 1. The office shall prorate the award of a judge who takes
464 office during the quarter that the circuit meets its quarterly

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465 goals or who transfers into or out of the relevant divisions
466 handling the types of cases specified in the Judicial Caseload
467 Incentive Plan.

468 2. A judge may not receive more than one full award per
469 quarter.

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

473 (4) REPORTS.—Within 30 days after the end of each quarter,
474 the Office of the State Courts Administrator shall report
475 electronically to the chairs of the appropriations committees of
476 the Senate and the House of Representatives the progress of each
477 circuit in meeting performance goals for the quarter and the
478 number and amount of awards provided.

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

480 Section 19. In order to implement Specific Appropriation
481 2701A of the 2011-2012 General Appropriation Act, subsection (3)
482 of section 282.709, Florida Statutes, is amended to read:

483 282.709 State agency law enforcement radio system and
484 interoperability network.—

485 (3) (a) The State Agency Law Enforcement Radio System Trust
486 Fund is established in the department and funded from surcharges
487 collected under ss. 318.18, 320.0802, and 328.72. Upon
488 appropriation, moneys in the trust fund may be used by the
489 department to acquire by competitive procurement the equipment,
490 software, and engineering, administrative, and maintenance
491 services it needs to construct, operate, and maintain the
492 statewide radio system. Moneys in the trust fund from ~~collected~~
493 ~~as a result of the surcharges set forth in ss. 318.18, 320.0802,~~

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494 ~~and 328.72~~ shall be used to help fund the costs of the system.
495 Upon completion of the system, moneys in the trust fund may also
496 be used by the department for payment of the recurring
497 maintenance costs of the system.

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

502 Section 20. In order to implement Specific Appropriation
503 2704 of the 2011-2012 General Appropriations Act, and
504 notwithstanding chapter 287, Florida Statutes, the Department of
505 Management Services shall issue a competitive solicitation for
506 the operation of the Statewide Law Enforcement Radio System by
507 September 1, 2011, to be awarded by December 31, 2011. The
508 current contract for the system shall become null and void no
509 later than June 30, 2012. This section expires July 1, 2012.

510 Section 21. In order to implement specific appropriation
511 2341A of the 2011-2012 General Appropriations Act, the Florida
512 Catastrophic Storm Risk Management Center at Florida State
513 University shall conduct the analysis as originally required in
514 s. 164 of chapter 2004-390, Laws of Florida. Notwithstanding
515 that section, the center shall use the most recent and available
516 premium data for personal lines property and casualty insurance
517 in completing the analysis.

518 Section 22. In order to implement Specific Appropriations
519 2173 through 2195 of the 2011-2012 General Appropriations Act,
520 subsection (13) of section 253.034, Florida Statutes, as amended
521 by chapter 2010-280, Laws of Florida, is amended to read:

522 253.034 State-owned lands; uses.-

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

528 Section 23. In order to implement Specific Appropriation
529 1580A of the 2011-2012 General Appropriations Act, subsection
530 (12) of section 373.59, Florida Statutes, is amended to read:

531 373.59 Water Management Lands Trust Fund.—

532 (12) Notwithstanding subsection (8), and for the 2011-2012
533 ~~2010-2011~~ fiscal year only, the moneys from the Water Management
534 Lands Trust Fund are ~~shall be~~ allocated as follows:

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

541 (b) Eight million dollars to be transferred to the General
542 Revenue Fund; and

543 (c) The remaining funds to be distributed to ~~equally~~
544 ~~between~~ the Suwannee River Water Management District, and ~~the~~
545 ~~Northwest Florida Water Management District; and~~

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

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

553 Section 24. In order to implement Specific Appropriation
554 1703A of the 2011-2012 General Appropriations Act, subsection
555 (5) of section 403.7095, Florida Statutes, is amended to read:
556 403.7095 Solid waste management grant program.—

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

564 Section 25. In order to implement Specific Appropriation
565 1430 of the 2011-2012 General Appropriations Act and to provide
566 consistency and continuity in the promotion of agriculture
567 throughout the state, notwithstanding s. 287.057, Florida
568 Statutes, the Department of Agriculture and Consumer Services
569 may extend, revise, and renew current contracts or agreements
570 created or entered into pursuant to chapter 2006-25, Laws of
571 Florida. This section expires July 1, 2012.

572 Section 26. In order to implement Specific Appropriation
573 1578A of the 2011-2012 General Appropriations Act, and
574 notwithstanding ss. 253.034, 253.0341, and 259.041, Florida
575 Statutes, the disposition of state-owned lands is exempt from
576 appraisal requirements under s. 253.034(6)(g)1., Florida
577 Statutes, and disposition requirements under s. 253.034(15),
578 Florida Statutes, if the proceeds of such conveyance will be
579 used to purchase state-owned lands for preservation,
580 conservation, or recreation purposes. On or before October 1,

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581 2011, all agencies shall submit a list of state-owned lands to
582 the Board of Trustees of the Internal Improvement Trust Fund, to
583 which the lands are titled, which are immediately available for
584 lease or are surplus lands. Proceeds from the sale of such lands
585 shall be deposited into the Florida Forever Trust Fund created
586 by s. 259.1051, Florida Statutes, and used to acquire lands for
587 preservation, conservation, or recreation purposes pursuant to
588 the requirements of s. 259.105, Florida Statutes. The board of
589 trustees shall ensure that, where appropriate, surplus or leased
590 conservation lands are subject to perpetual conservation
591 easements or other such restrictive covenants that run with the
592 land and are duly recorded in the same manner as any other
593 instrument affecting title to real property. This section
594 expires July 1, 2012.

595 Section 27. Notwithstanding ss. 216.292 and 216.351,
596 Florida Statutes, upon approval by the Legislative Budget
597 Commission, the Executive Office of the Governor may, if
598 necessary, transfer funds and positions among agencies to
599 implement the transfer of all or portions of the Department of
600 Community Affairs, the Agency for Workforce Innovation, the
601 Department of Education, and the Office of Tourism, Trade, and
602 Economic Development to the Department of Jobs Florida; the
603 Department of Community Affairs to the Department of
604 Environmental Protection or the Department of Business and
605 Professional Regulation; the Agency for Workforce Innovation to
606 the Department of Education; and the Office of Motor Carrier
607 Compliance within the Department of Transportation to the
608 Department of Highway Safety and Motor Vehicles.

609 Section 28. In order to implement section 99 of the 2011-

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610 2012 General Appropriations Act, paragraph (n) of subsection (1)
611 of section 339.08, Florida Statutes, is amended to read:

612 339.08 Use of moneys in State Transportation Trust Fund.—

613 (1) The department shall expend moneys in the State
614 Transportation Trust Fund accruing to the department, in
615 accordance with its annual budget. The use of such moneys shall
616 be restricted to the following purposes:

617 (n) To pay administrative expenses incurred in accordance
618 with applicable laws for a multicounty transportation or
619 expressway authority created under chapter 343 or chapter 348
620 ~~if, where~~ jurisdiction for the authority includes a portion of
621 the State Highway System and the administrative expenses are in
622 furtherance of the duties and responsibilities of the authority
623 in the development of improvements to the State Highway System.
624 This paragraph expires July 1, 2012 ~~2011~~.

625 Section 29. In order to implement Specific Appropriation
626 1938E of the 2011-2012 General Appropriations Act, and
627 notwithstanding any other law, for the 2011-2012 fiscal year,
628 \$80,007,529 from the State Transportation Trust Fund shall be
629 used for the County Incentive Grant Program created under s.
630 339.2817, Florida Statutes. This section expires July 1, 2012.

631 Section 30. In order to implement Specific Appropriation
632 1938C of the 2011-2012 General Appropriations Act, and
633 notwithstanding any other law, for the 2011-2012 fiscal year,
634 \$42,410,085 from the State Transportation Trust Fund shall be
635 used for the Small County Outreach Program created under s.
636 339.2818, Florida Statutes. This section expires July 1, 2012.

637 Section 31. In order to implement Specific Appropriation
638 1938I of the 2011-2012 General Appropriations Act, and

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639 notwithstanding any other law, for the 2011-2012 fiscal year,
640 \$72,242,353 from the State Transportation Trust Fund shall be
641 used for the Transportation Regional Incentive Program created
642 under s. 339.2819, Florida Statutes. This section expires July
643 1, 2012.

644 Section 32. In order to implement Specific Appropriation
645 1938S of the 2011-2012 General Appropriations Act, and
646 notwithstanding any other law, for the 2011-2012 fiscal year,
647 \$19,000,000 from the State Transportation Trust Fund shall be
648 used for contracts for transportation projects under s.
649 339.2821, Florida Statutes, as created by SB 7198. This section
650 expires July 1, 2012.

651 Section 33. Notwithstanding chapters 319 and 320, Florida
652 Statutes, the ownership of all vehicles currently used by the
653 Office of Motor Carrier Compliance within the Department of
654 Transportation shall be transferred to the Department of Highway
655 Safety and Motor Vehicles effective July 1, 2011, without
656 payment of any titling or registration fees.

657 Section 34. In order to implement Specific Appropriation
658 2535BW of the 2011-2012 General Appropriations Act, subsection
659 (11) of section 445.009, Florida Statutes, is amended to read:
660 445.009 One-stop delivery system.—

661 (11) ~~(a)~~ A participant in an adult or youth work experience
662 activity administered under this chapter ~~is shall be deemed~~ an
663 employee of the state for purposes of workers' compensation
664 coverage. In determining the average weekly wage, all
665 remuneration received from the employer ~~is shall be~~ considered a
666 gratuity, and the participant ~~is shall not be~~ entitled to any
667 benefits otherwise payable under s. 440.15, regardless of

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668 whether the participant may be receiving wages and remuneration
669 from other employment with another employer and regardless of
670 his or her future wage-earning capacity.

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

672 Section 35. In order to implement Specific Appropriation
673 2535AH, the Florida Base Realignment and Closure Task Force is
674 created. The mission of the task force is to make
675 recommendations to prepare the state to effectively compete in
676 any federal base realignment and closure action, to support the
677 state's position in research and development related to or
678 arising out of military missions and contracting, and to improve
679 the state's military-friendly environment for serving members,
680 military dependents, and military retirees and for businesses
681 that bring military and base-related jobs to the state. The task
682 force shall be comprised of the Governor or a designee, who
683 shall be chair of the commission, the President of the Senate
684 and Speaker of the House of Representatives, or their designees,
685 who shall be vice chairs, and 10 members appointed as follows:
686 four members appointed by the Governor, three members appointed
687 by the President of the Senate, and three members appointed by
688 the Speaker of the House of Representatives. The Commissioner of
689 Jobs Florida or a designee shall be the ex officio, nonvoting
690 executive director of the task force. Appointed members must
691 represent defense-related industries and communities that host
692 military bases and installations. All appointments must be made
693 by August 15, 2011, and the Governor or a designee shall
694 schedule and conduct the first meeting of the task force by
695 October 1, 2011. The task force shall submit a progress report
696 and work plan for the remainder of the 2011-2012 fiscal year to

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697 the Governor, the President of the Senate, and the Speaker of
698 the House of Representatives by February 1, 2012. Funding for
699 the task force shall be as provided in the General
700 Appropriations Act. This section expires July 1, 2012.

701 Section 36. In order to implement the appropriation of
702 funds in appropriation category "Special Categories-Risk
703 Management Insurance" in the 2011-2012 General Appropriations
704 Act, and pursuant to the notice, review, and objection
705 procedures of s. 216.177, Florida Statutes, the Executive Office
706 of the Governor may transfer funds appropriated in that category
707 between departments in order to align the budget authority
708 granted with the premiums paid by each department for risk
709 management insurance. This section expires July 1, 2012.

710 Section 37. In order to implement the appropriation of
711 funds in the appropriation category "Special Categories-Transfer
712 to Department of Management Services-Human Resources Services
713 Purchased Per Statewide Contract" in the 2011-2012 General
714 Appropriations Act," and pursuant to the notice, review, and
715 objection procedures of s. 216.177, Florida Statutes, the
716 Executive Office of the Governor may transfer funds appropriated
717 in that category between departments in order to align the
718 budget authority granted with the assessments that must be paid
719 by each agency to the Department of Management Services for
720 human resource management services. This section expires July 1,
721 2012.

722 Section 38. In order to implement section 8 of the 2011-
723 2012 General Appropriations Act, paragraph (j) of subsection (3)
724 of section 110.123, Florida Statutes, is amended to read:

725 110.123 State group insurance program.-

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726 (3) STATE GROUP INSURANCE PROGRAM.—

727 (j) Notwithstanding ~~the provisions of~~ paragraph (f)
728 requiring uniform contributions, and for the 2011-2012 ~~2010-2011~~
729 fiscal year only, the state contribution toward the cost of any
730 plan in the state group insurance plan is ~~shall be~~ the
731 difference between the overall premium and the employee
732 contribution. This subsection expires June 30, 2012 ~~2011~~.

733 Section 39. In order to implement specific appropriations
734 for salaries and benefits in the 2011-2012 General
735 Appropriations Act, paragraph (b) of subsection (3) of section
736 112.24, Florida Statutes, is amended to read:

737 112.24 Intergovernmental interchange of public employees.—
738 To encourage economical and effective utilization of public
739 employees in this state, the temporary assignment of employees
740 among agencies of government, both state and local, and
741 including school districts and public institutions of higher
742 education is authorized under terms and conditions set forth in
743 this section. State agencies, municipalities, and political
744 subdivisions are authorized to enter into employee interchange
745 agreements with other state agencies, the Federal Government,
746 another state, a municipality, or a political subdivision
747 including a school district, or with a public institution of
748 higher education. State agencies are also authorized to enter
749 into employee interchange agreements with private institutions
750 of higher education and other nonprofit organizations under the
751 terms and conditions provided in this section. In addition, the
752 Governor or the Governor and Cabinet may enter into employee
753 interchange agreements with a state agency, the Federal
754 Government, another state, a municipality, or a political

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755 subdivision including a school district, or with a public
756 institution of higher learning to fill, subject to the
757 requirements of chapter 20, appointive offices which are within
758 the executive branch of government and which are filled by
759 appointment by the Governor or the Governor and Cabinet. Under
760 no circumstances shall employee interchange agreements be
761 utilized for the purpose of assigning individuals to participate
762 in political campaigns. Duties and responsibilities of
763 interchange employees shall be limited to the mission and goals
764 of the agencies of government.

765 (3) Salary, leave, travel and transportation, and
766 reimbursements for an employee of a sending party that is
767 participating in an interchange program shall be handled as
768 follows:

769 (b)1. The assignment of an employee of a state agency
770 ~~either~~ on detail or on leave of absence may be made without
771 reimbursement by the receiving party for the travel and
772 transportation expenses to or from the place of the assignment
773 or for the pay and benefits, or a part thereof, of the employee
774 during the assignment.

775 2. For the 2011-2012 ~~2010-2011~~ fiscal year only, the
776 assignment of an employee of a state agency as provided in
777 subparagraph 1. may be made if recommended by the Governor or
778 Chief Justice, as appropriate, and approved by the chairs of the
779 legislative appropriations committees ~~Senate Policy and Steering~~
780 ~~Committee on Ways and Means and the House Full appropriations~~
781 ~~Council on Education and Economic Development~~. Such actions
782 shall be deemed approved if neither chair provides written
783 notice of objection within 14 days after the chair's receiving

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784 notice of the action pursuant to s. 216.177. This subparagraph
785 expires July 1, 2012 ~~2011~~.

786 Section 40. In order to implement Specific Appropriations
787 2536 and 2537 of the 2011-2012 General Appropriations Act:

788 (1) Notwithstanding s. 11.13(1), Florida Statutes, relating
789 to the annual adjustment of salaries for members of the
790 Legislature, for the 2011-2012 fiscal year only, the authorized
791 salaries of members of the Legislature in effect on June 30,
792 2010, are reduced by 7 percent.

793 (2) Effective June 30, 2012, the annual salaries of members
794 of the Legislature shall be set at the amounts authorized and in
795 effect on June 30, 2010, pursuant to subsection (2) of section
796 48 of chapter 2009-82, Laws of Florida.

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

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

803 215.32 State funds; segregation.—

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

806 (b)~~1~~. The trust funds shall consist of moneys received by
807 the state, which under law or under trust agreement are
808 segregated for a purpose authorized by law. The state agency or
809 branch of state government receiving or collecting such moneys
810 is shall be responsible for their proper expenditure as provided
811 by law.

812 1. Upon the request of the state agency or branch of state

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813 government responsible for the administration of the trust fund,
814 the Chief Financial Officer may establish accounts within the
815 trust fund at a level considered necessary for proper
816 accountability. Once an account is established within a trust
817 fund, the Chief Financial Officer may authorize payment from
818 that account only upon determining that there is sufficient cash
819 and releases at the level of the account.

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

823 a. Operations or operating trust fund, for use as a
824 depository for funds to be used for program operations funded by
825 program revenues, with the exception of administrative
826 activities if ~~when~~ the operations or operating trust fund is a
827 proprietary fund.

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

830 c. Administrative trust fund, for use as a depository for
831 funds to be used for management activities that are departmental
832 in nature and funded by indirect cost earnings and assessments
833 against trust funds. Proprietary funds are excluded from the
834 requirement of using an administrative trust fund.

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

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

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

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842 funds to account for collections pending distribution to lawful
843 recipients.

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

847
848 To the extent possible, each agency must adjust its internal
849 accounting to use existing trust funds in accordance ~~consistent~~
850 with the requirements of this subparagraph. If an agency does
851 not have trust funds listed in this subparagraph and cannot make
852 such adjustment, the agency must recommend the creation of the
853 necessary trust funds to the Legislature by the time of ~~no later~~
854 ~~than~~ the next scheduled review of the agency's trust funds
855 pursuant to s. 215.3206.

856 3. All such moneys are hereby appropriated to be expended
857 in accordance with the law or trust agreement under which they
858 were received, subject ~~always to the provisions of~~ chapter 216
859 relating to the appropriation of funds and to the applicable
860 laws relating to the deposit or expenditure of moneys in the
861 State Treasury.

862 4.a. Notwithstanding any provision of law restricting the
863 use of trust funds to specific purposes, unappropriated cash
864 balances from selected trust funds may be authorized by the
865 Legislature for transfer to the Budget Stabilization Fund and
866 General Revenue Fund in the General Appropriations Act.

867 b. This subparagraph does not apply to trust funds required
868 by federal programs or mandates; trust funds established for
869 bond covenants, indentures, or resolutions whose revenues are
870 legally pledged by the state or public body to meet debt service

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871 or other financial requirements of any debt obligations of the
872 state or any public body; the Division of Licensing Trust Fund
873 in the Department of Agriculture and Consumer Services; the
874 State Transportation Trust Fund; the trust fund containing the
875 net annual proceeds from the Florida Education Lotteries; the
876 Florida Retirement System Trust Fund; trust funds under the
877 management of the State Board of Education or the Board of
878 Governors of the State University System, if ~~where~~ such trust
879 funds are for auxiliary enterprises, self-insurance, and
880 contracts, grants, and donations, as those terms are defined by
881 general law; trust funds that serve as clearing funds or
882 accounts for the Chief Financial Officer or state agencies;
883 trust funds that account for assets held by the state in a
884 trustee capacity as an agent or fiduciary for individuals,
885 private organizations, or other governmental units; and other
886 trust funds authorized by the State Constitution.

887 Section 42. In order to implement the transfer of moneys to
888 the General Revenue Fund from trust funds in the 2011-2012
889 General Appropriations Act, paragraph (b) of subsection (4) of
890 section 215.5601, Florida Statutes, is reenacted and amended to
891 read:

892 215.5601 Lawton Chiles Endowment Fund.—

893 (4) ADMINISTRATION.—

894 (b) The endowment shall be managed as an annuity. The
895 investment objective is the ~~shall be~~ long-term preservation of
896 the real value of the net contributed principal and a specified
897 regular annual cash outflow for appropriation, as nonrecurring
898 revenue. From the annual cash outflow, a pro rata share shall be
899 used solely for biomedical research activities as provided in

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900 paragraph (3)(d), until such time as cures are found for
901 tobacco-related cancer and heart and lung disease. Five percent
902 of the annual cash outflow dedicated to the biomedical research
903 portion of the endowment shall be reinvested and applied to that
904 portion of the endowment's principal, with the remainder to be
905 spent on biomedical research activities consistent with this
906 section. The schedule of annual cash outflow must ~~shall~~ be
907 included within the investment plan adopted under paragraph (a).
908 Withdrawals other than specified regular cash outflow are ~~shall~~
909 ~~be~~ considered reductions in contributed principal for the
910 purposes of this subsection.

911 Section 43. In order to implement the issuance of new debt
912 authorized in the 2011-2012 General Appropriations Act, and
913 pursuant to s. 215.98, Florida Statutes, the Legislature
914 determines that the authorization and issuance of debt for the
915 2011-2012 fiscal year should be implemented, is in the best
916 interest of the state, and necessary to address a critical state
917 emergency. This section expires July 1, 2012.

918 Section 44. In order to implement the funds appropriated in
919 the 2011-2012 General Appropriations Act for state employee
920 travel, the funds appropriated to each state agency, which may
921 be used for travel by state employees, are limited during the
922 2011-2012 fiscal year to travel for activities that are critical
923 to each state agency's mission. Funds may not be used to pay for
924 travel by state employees to foreign countries, other states,
925 conferences, staff-training activities, or other administrative
926 functions unless the agency head has approved in writing that
927 such activities are critical to the agency's mission. The agency
928 head must consider the use of teleconferencing and other forms

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929 of electronic communication to meet the needs of the proposed
930 activity before approving mission-critical travel. This section
931 does not apply to travel for law enforcement purposes, military
932 purposes, emergency management activities, or public health
933 activities. This section expires July 1, 2012.

934 Section 45. In order to implement the appropriations
935 authorized in the 2011-2012 General Appropriations Act for each
936 of the state's designated primary data centers, which are funded
937 from the data processing appropriation category and other
938 categories used to pay for computing services of user agencies,
939 and pursuant to the notice, review, and objection procedures of
940 s. 216.177, Florida Statutes, the Executive Office of the
941 Governor may transfer funds appropriated in any appropriation
942 category used to pay for data processing in the 2011-2012
943 General Appropriations Act between agencies in order to align
944 the budget authority granted with the utilization rate of each
945 department. This section expires July 1, 2012.

946 Section 46. State agencies that are required to begin
947 planning for a data center consolidation scheduled for a
948 subsequent fiscal year may accelerate the consolidation into the
949 2011-2012 fiscal year, contingent upon approval by the
950 Legislative Budget Commission of budget adjustments necessary to
951 accomplish the consolidation. The primary data center may
952 establish positions contingent on an equal or greater number of
953 positions being placed in reserve from the agency data centers
954 being consolidated. This section expires July 1, 2012.

955 Section 47. In order to implement the appropriations in the
956 2011-2012 General Appropriations Act for the statewide e-mail
957 system established pursuant to s. 282.34, Florida Statutes, and

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958 notwithstanding s. 216.181(2)(c), Florida Statutes, an agency
959 may transfer funds from the data processing appropriation
960 categories established for the statewide e-mail system to
961 another appropriation category for the purpose of supporting and
962 managing its current e-mail system, subject to the limitations
963 in s. 282.34(6), Florida Statutes, until the agency's e-mail
964 function is transferred to the statewide e-mail service vendor
965 under contract with the Southwood Shared Resource Center. This
966 section expires July 1, 2012.

967 Section 48. In order to implement Specific Appropriation
968 2187 of the 2011-2012 General Appropriations Act, the Executive
969 Office of the Governor may transfer funds appropriated in the
970 appropriation category "Expenses" of the 2011-2012 General
971 Appropriations Act between agencies in order to allocate a
972 reduction relating to SUNCOM Services. This section expires July
973 1, 2012.

974 Section 49. In order to implement Sections 2 through 7 of
975 the 2011-2012 General Appropriations Act, the Executive Office
976 of the Governor may transfer funds appropriated for the American
977 Recovery and Reinvestment Act of 2009 (ARRA) in traditional
978 appropriation categories in the 2011-2012 General Appropriations
979 Act to appropriation categories established for the specific
980 purpose of tracking funds appropriated for the ARRA. This
981 section expires July 1, 2012.

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

985 216.292 Appropriations nontransferable; exceptions.—

986 (5) (a) A transfer of funds may not result in the initiation

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987 of a fixed capital outlay project that has not received a
988 specific legislative appropriation.

989 (b) Notwithstanding paragraph (a), and for the 2011-2012
990 ~~2010-2011~~ fiscal year only, the Governor may recommend the
991 initiation of fixed capital outlay projects funded by grants
992 awarded by the Federal Government through the American Recovery
993 and Reinvestment Act of 2009 or by any other federal economic
994 stimulus grant funding received. All actions taken pursuant to
995 the authority granted in the paragraph are subject to review and
996 approval by the Legislative Budget Commission. This paragraph
997 expires July 1, 2012 ~~2011~~.

998 Section 51. Subsection (4) is added to section 216.212,
999 Florida Statutes, to read:

1000 216.212 Budgets for federal funds; restrictions on
1001 expenditure of federal funds.—

1002 (4) (a) If a state agency or the judicial branch has
1003 qualified or can qualify to receive federal funds in excess of
1004 \$1 million without committing the state to make expenditures or
1005 implement policies that are inconsistent with state law, the
1006 agency or branch shall pursue receipt of such funds until the
1007 agency or branch:

1008 1. Provides notice, subject to the notice and review
1009 requirements in s. 216.177, that it intends to take an action or
1010 refrain from taking an action that will result in such funds not
1011 being received by the state; and

1012 2. Presents its decision and the rationale for such
1013 decision to the Legislative Budget Commission in accordance with
1014 s. 216.065.

1015 (b) Notwithstanding s. 216.195, if an agency or branch

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1016 fails to provide notice and present its decision to the
 1017 commission pursuant to paragraph (a), the Executive Office of
 1018 the Governor or the Chief Justice of the Supreme Court, subject
 1019 to the notice and review requirements in s. 216.177, shall place
 1020 an amount of approved budget equal to the amount of federal
 1021 funds involved into mandatory reserve for the remainder of the
 1022 fiscal year.

1023 Section 52. In order to implement Section 8 of the General
 1024 Appropriations Act for the 2011-2012 fiscal year, effective
 1025 January 1, 2011, paragraph (a) of subsection (7) of section
 1026 110.12315, Florida Statutes, is reenacted to read:

1027 110.12315 Prescription drug program.—The state employees'
 1028 prescription drug program is established. This program shall be
 1029 administered by the Department of Management Services, according
 1030 to the terms and conditions of the plan as established by the
 1031 relevant provisions of the annual General Appropriations Act and
 1032 implementing legislation, subject to the following conditions:

1033 (7) Under the state employees' prescription drug program
 1034 copayments must be made as follows:

1035 (a) Effective January 1, 2011, for the State Group Health
 1036 Insurance Standard Plan:

- 1037 1. For generic drug with card.....\$7.
- 1038 2. For preferred brand name drug with card.....\$30.
- 1039 3. For nonpreferred brand name drug with card.....\$50.
- 1040 4. For generic mail order drug.....\$14.
- 1041 5. For preferred brand name mail order drug.....\$60.
- 1042 6. For nonpreferred brand name mail order drug.....\$100.

1043
 1044 Section 53. In order to implement Specific Appropriations

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1045 2587 through 2600 of the 2011-2012 General Appropriations Act,
1046 and notwithstanding chapter 255, Florida Statutes, the
1047 Department of Management Services shall use the services of a
1048 tenant broker to renegotiate all leases involving multiple state
1049 agency tenants. Based on the renegotiations, and no later than
1050 September 30, 2011, the department shall report to the
1051 Legislative Budget Commission the projected savings and
1052 implementation costs from the renegotiations and any of the
1053 multiple state agency leases that should be terminated pursuant
1054 to any section of the lease agreements. The department may
1055 propose one or more budget amendments pursuant to chapter 216,
1056 Florida Statutes, to place any budget authority based on the
1057 anticipated savings in reserve or transfer budget authority to a
1058 different category. All leases as of September 30, 2011, which
1059 do not comply with state law or the Florida Constitution,
1060 including a nonappropriation clause, are null and void. This
1061 section expires July 1, 2012.

1062 Section 54. In order to implement appropriations used for
1063 the payments of existing lease contracts for private office or
1064 storage space, the Department of Management Services, with the
1065 cooperation of the agencies having the existing lease contracts,
1066 shall seek to renegotiate or reprocure all private lease
1067 agreements expiring before June 30, 2013, to achieve a reduction
1068 in costs in future years. The department shall use the
1069 department's 2010 Master Leasing Report and may use tenant
1070 broker services to explore the possibilities of collocation,
1071 review the space needs of each agency, and to review the length
1072 and terms of potential renewals or renegotiations. The
1073 department shall provide a report by March 1, 2012, to the

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1074 Executive Office of the Governor, the President of the Senate,
1075 and the Speaker of the House of Representatives which lists each
1076 lease contract for private office or storage space, the status
1077 of renegotiations, and the savings achieved. This section
1078 expires July 1, 2012.

1079 Section 55. Notwithstanding chapter 287, Florida Statutes,
1080 the Department of Management Services shall issue by September
1081 1, 2011, a solicitation for the Minnesota Multistate Contracting
1082 Alliance for Pharmacy (MMCAP) agreement as a state term
1083 contract. Provisions of the solicitation are subject to chapter
1084 119, Florida Statutes, including drug cost per unit pricing.
1085 Agencies that purchase drugs under the current MMCAP contract
1086 shall provide subject matter expertise in the development of the
1087 competitive procurement. The procurement shall be awarded to one
1088 group purchasing organization or vendor. The department shall
1089 use generic drugs where feasible in developing its preferred
1090 drug list. This section expires July 1, 2012.

1091 Section 56. In order to implement Specific Appropriation
1092 193 of the 2011-2012 General Appropriations Act, and
1093 notwithstanding chapter 287, Florida Statutes, the Agency for
1094 Health Care Administration shall competitively reprocure a
1095 Florida Discount Drug Card Program to provide market competitive
1096 discounts through a broad network of retail pharmacies and a
1097 mail order pharmacy within the state and return money to the
1098 state on a per prescription dispensed basis. Discounts shall be
1099 available to Florida residents without income restrictions.
1100 Residents shall be able to enroll and acquire a member
1101 identification card from the participating pharmacies, online
1102 and through text messaging, without a charge. Revenues derived

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1103 from this contract shall be deposited into the agency's Grants
1104 and Donations Trust Fund to reduce the cost of Medicaid pharmacy
1105 purchases. This section expires July 1, 2012.

1106 Section 57. Effective July 1, 2011, and notwithstanding s.
1107 409.814(4)(a), Florida Statutes, a child who is eligible for
1108 coverage under a state health benefit plan on the basis of a
1109 family member's employment with a public agency in the state is
1110 eligible to participate in and receive Title XXI-funded coverage
1111 from the Florida Kidcare program if the child is otherwise
1112 eligible.

1113 Section 58. Subsection (4) of section 409.814, Florida
1114 Statutes, is amended to read:

1115 409.814 Eligibility.—A child who has not reached 19 years
1116 of age whose family income is equal to or below 200 percent of
1117 the federal poverty level is eligible for the Florida Kidcare
1118 program as provided in this section. For enrollment in the
1119 Children's Medical Services Network, a complete application
1120 includes the medical or behavioral health screening. If,
1121 subsequently, an individual is determined to be ineligible for
1122 coverage, he or she must immediately be disenrolled from the
1123 respective Florida Kidcare program component.

1124 (4) The following children are not eligible to receive
1125 Title XXI-funded premium assistance for health benefits coverage
1126 under the Florida Kidcare program, except under Medicaid if the
1127 child would have been eligible for Medicaid under s. 409.903 or
1128 s. 409.904 as of June 1, 1997:

1129 ~~(a) A child who is eligible for coverage under a state~~
1130 ~~health benefit plan on the basis of a family member's employment~~
1131 ~~with a public agency in the state.~~

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1132 (a)~~(b)~~ A child who is covered under a family member's group
1133 health benefit plan or under other private or employer health
1134 insurance coverage, if the cost of the child's participation is
1135 not greater than 5 percent of the family's income. If a child is
1136 otherwise eligible for a subsidy under the Florida Kidcare
1137 program and the cost of the child's participation in the family
1138 member's health insurance benefit plan is greater than 5 percent
1139 of the family's income, the child may enroll in the appropriate
1140 subsidized Kidcare program.

1141 (b)~~(c)~~ A child who is seeking premium assistance for the
1142 Florida Kidcare program through employer-sponsored group
1143 coverage, if the child has been covered by the same employer's
1144 group coverage during the 60 days prior to the family's
1145 submitting an application for determination of eligibility under
1146 the program.

1147 (c)~~(d)~~ A child who is an alien, but who does not meet the
1148 definition of qualified alien, in the United States.

1149 (d)~~(e)~~ A child who is an inmate of a public institution or
1150 a patient in an institution for mental diseases.

1151 (e)~~(f)~~ A child who is otherwise eligible for premium
1152 assistance for the Florida Kidcare program and has had his or
1153 her coverage in an employer-sponsored or private health benefit
1154 plan voluntarily canceled in the last 60 days, except those
1155 children whose coverage was voluntarily canceled for good cause,
1156 including, but not limited to, the following circumstances:

1157 1. The cost of participation in an employer-sponsored
1158 health benefit plan is greater than 5 percent of the family's
1159 income;

1160 2. The parent lost a job that provided an employer-

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1161 sponsored health benefit plan for children;

1162 3. The parent who had health benefits coverage for the
1163 child is deceased;

1164 4. The child has a medical condition that, without medical
1165 care, would cause serious disability, loss of function, or
1166 death;

1167 5. The employer of the parent canceled health benefits
1168 coverage for children;

1169 6. The child's health benefits coverage ended because the
1170 child reached the maximum lifetime coverage amount;

1171 7. The child has exhausted coverage under a COBRA
1172 continuation provision;

1173 8. The health benefits coverage does not cover the child's
1174 health care needs; or

1175 9. Domestic violence led to loss of coverage.

1176 Section 59. Any section of this act which implements a
1177 specific appropriation or specifically identified proviso
1178 language in the 2011-2012 General Appropriations Act is void if
1179 the specific appropriation or specifically identified proviso
1180 language is vetoed. Any section of this act which implements
1181 more than one specific appropriation or more than one portion of
1182 specifically identified proviso language in the 2011-2012
1183 General Appropriations Act is void if all the specific
1184 appropriations or portions of specifically identified proviso
1185 language are vetoed.

1186 Section 60. If any other act passed during the 2011 Regular
1187 Session contains a provision that is substantively the same as a
1188 provision in this act, but that removes or is otherwise not
1189 subject to the future repeal applied to such provision by this

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1190 act, the Legislature intends that the provision in the other act
1191 takes precedence and continues to operate, notwithstanding the
1192 future repeal provided by this act.

1193 Section 61. If any provision of this act or its application
1194 to any person or circumstance is held invalid, the invalidity
1195 does not affect other provisions or applications of the act
1196 which can be given effect without the invalid provision or
1197 application, and to this end the provisions of this act are
1198 severable.

1199 Section 62. Except as otherwise expressly provided in this
1200 act and except for this section, which shall take effect June
1201 29, 2011, this act shall take effect July 1, 2011; or, if this
1202 act fails to become a law until after that date, it shall take
1203 effect upon becoming a law and shall operate retroactively to
1204 July 1, 2011.