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1  
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; authorizing the use of  
10 funds from the Workers' Compensation Administration  
11 Trust Fund for the Ready to Work Program; authorizing  
12 a university board of trustees to expend reserve or  
13 carry-forward balances for the establishment of a new  
14 campus; amending s. 394.908, F.S.; providing  
15 allocation requirements for specified funds  
16 appropriated for forensic mental health services;  
17 providing requirements relating to implementing phase  
18 3 of the Department of Health's Florida Onsite Sewage  
19 Nitrogen Reduction Strategies Study; amending s. 1 of  
20 chapter 2007-174, Laws of Florida; revising the  
21 expiration of provisions authorizing certain  
22 flexibility for the Department of Children and Family  
23 Services with respect to its organizational structure;  
24 incorporating by reference certain calculations of the  
25 Medicaid Low-Income Pool, Disproportionate Share  
26 Hospital, and Hospital Exemptions Programs; requiring  
27 certain budget amendments recommending the release of  
28 funds to provide more notice and be subject to certain  
29 objection procedures; revising specified

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30 appropriations in the General Appropriations Act with  
31 respect to the rates for the Title XIX Inpatient  
32 Hospital Reimbursement Plan; providing an  
33 appropriation for certain public hospitals; revising  
34 an appropriation in the General Appropriations Act to  
35 implement rates for the Title XIX Outpatient Hospital  
36 Reimbursement Plan; requiring the Department of Health  
37 to present a plan to the Legislative Budget Commission  
38 which estimates the workload and funding needs to  
39 implement the onsite sewage treatment and disposal  
40 system evaluation program; authorizing the Department  
41 of Corrections and the Department of Juvenile Justice  
42 to make certain expenditures to defray costs incurred  
43 by a municipality or county as a result of opening or  
44 operating a facility under the authority of the  
45 respective entity; amending s. 216.262, F.S.;  
46 providing for additional positions to operate  
47 additional prison bed capacity under certain  
48 circumstances; authorizing the Department of Legal  
49 Affairs to transfer certain funds to pay salaries and  
50 benefits; authorizing the Department of Legal Affairs  
51 to spend certain appropriated funds on programs that  
52 were funded by the department from specific  
53 appropriations in general appropriations acts in  
54 previous years; amending s. 932.7055, F.S.;  
55 authorizing a municipality to expend funds from its  
56 special law enforcement trust fund to reimburse the  
57 municipality's general fund; requiring that the  
58 Department of Juvenile Justice comply with specified

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59 reimbursement limitations with respect to payments to  
60 hospitals or health care providers for health care  
61 services; authorizing certain payments pursuant to a  
62 contracted rate only until the contract expires or is  
63 renewed; defining the term "hospital" for purposes of  
64 such limitations; relieving the state court system of  
65 certain loan repayment obligations; amending s.  
66 215.18, F.S.; providing for trust fund loans to the  
67 state court system sufficient to meet its  
68 appropriation; providing that any funds remaining in  
69 the Clerks of the Courts Trust Fund remain available  
70 to the clerks; amending s. 29.008, F.S.; providing  
71 counties with an exemption from the requirement to  
72 annually increase certain expenditures by a specified  
73 percentage; amending s. 282.709, F.S.; allowing funds  
74 from the State Agency Law Enforcement Radio System  
75 Trust Fund to be used for mutual aid buildout  
76 maintenance and sustainment; requiring the Florida  
77 Catastrophic Storm Risk Management Center at Florida  
78 State University to conduct an analysis using certain  
79 data; requiring the Department of Management Services  
80 to use certain interest earnings to fund the  
81 administration of the MyFlorida.com portal; amending  
82 s. 253.034, F.S.; authorizing the deposit of funds  
83 derived from the sale of property by the Department of  
84 Citrus into the Citrus Advertising Trust Fund;  
85 amending s. 601.15, F.S.; specifying the maximum tax  
86 rate for standard-packed boxes of citrus fruit;  
87 providing for the future expiration of such amendment

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88 and for the reversion of statutory text; amending s.  
89 601.10, F.S.; providing for the executive director of  
90 the Department of Citrus to be appointed by a majority  
91 vote of the commission, subject to confirmation by the  
92 Senate; providing for the future expiration of such  
93 amendment and for the reversion of statutory text;  
94 amending s. 375.041, F.S.; providing for the transfer  
95 of moneys from the Land Acquisition Trust Fund to  
96 support the Total Maximum Daily Loads programs;  
97 amending s. 373.59, F.S.; providing for the allocation  
98 of moneys from the Water Management Lands Trust Fund  
99 for certain purposes; reenacting s. 403.1651(1)(g),  
100 F.S., relating to the use of funds from the Ecosystem  
101 Management and Restoration Trust Fund for the purpose  
102 of funding activities to preserve and repair the  
103 state's beaches; providing for the future expiration  
104 of certain amendments to such provision and for the  
105 reversion of statutory text; amending s. 570.20, F.S.;  
106 delaying the expiration of provisions authorizing the  
107 Department of Agriculture and Consumer Services to use  
108 funds from the General Inspection Trust Fund for  
109 certain programs; amending s. 403.7095, F.S.;  
110 requiring that the Department of Environmental  
111 Protection award a specified amount in grants to  
112 certain counties for solid waste programs; authorizing  
113 the Department of Agriculture and Consumer Services to  
114 extend, revise, and renew current contracts or  
115 agreements created or entered into for the purpose of  
116 promotion of agriculture; providing that the

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117 disposition of state-owned lands is exempt from  
118 appraisal requirements and disposition requirements  
119 under certain circumstances; requiring state agencies  
120 to provide a list of lands that are immediately  
121 available for lease or are surplus lands; requiring  
122 that the proceeds from the sale of such lands be  
123 deposited into the Florida Forever Trust Fund;  
124 amending s. 379.204, F.S.; authorizing the Fish and  
125 Wildlife Conservation Commission to transfer funds to  
126 the Federal Grants Trust Fund to support cash flow  
127 needs; requiring the Fish and Wildlife Conservation  
128 Commission to suspend publication of the Florida  
129 Wildlife Magazine and the operations of the advisory  
130 council for the 2011-2012 fiscal year; amending s.  
131 339.135, F.S.; delaying the expiration of certain  
132 provisions that permit the Department of  
133 Transportation to reduce work program levels to  
134 balance the finance plan to revised funding levels;  
135 delaying the expiration of certain provisions relating  
136 to the specifications of the department's cash  
137 balances before a project or phase may be deferred;  
138 delaying the expiration of certain provisions relating  
139 to the specifications of the department's cash  
140 balances before a project or phase may be deferred;  
141 providing that certain reductions do not negatively  
142 impact safety or maintenance or project contingency  
143 percentage levels as of a specified date; providing  
144 for use of transportation revenues; amending s.  
145 339.08, F.S.; delaying the expiration of provisions

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146 relating to the use of moneys in the State  
147 Transportation Trust Fund for certain administrative  
148 expenses; authorizing the transfer of funds from the  
149 State Transportation Trust Fund to the State School  
150 Trust Fund under certain circumstances; providing for  
151 all vehicles within the Office of Motor Carrier  
152 Compliance to be transferred to the Department of  
153 Highway Safety and Motor Vehicles without the payment  
154 of certain fees; amending s. 445.009, F.S.; providing  
155 that a participant in an adult or youth work  
156 experience activity under ch. 445, F.S., is an  
157 employee of the state for purposes of workers'  
158 compensation coverage; reenacting s. 163.3247(3)(d),  
159 F.S., relating to members of the Century Commission  
160 for a Sustainable Florida serving without  
161 compensation; providing for the future expiration of  
162 certain amendments to such provision and for the  
163 reversion of statutory text; reenacting s.  
164 201.15(1)(c), F.S., relating to funds deposited into  
165 the Grants and Donations Trust Fund in the Department  
166 of Community Affairs which are used to fund technical  
167 assistance to local governments and school boards;  
168 providing for the future expiration of certain  
169 amendments to such provision and for the reversion of  
170 statutory text; amending s. 206.608, F.S.; providing  
171 for continued use of certain taxes deposited into the  
172 State Transportation Trust Fund by the Department of  
173 Transportation; prohibiting the transfer of funds from  
174 the Highway Safety Operating Trust Fund to the

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175 Transportation Disadvantaged Trust Fund; including  
176 funding for passenger rail in the Transportation  
177 Systems Development budget entity; providing that  
178 certain sworn law enforcement positions in the Office  
179 of Motor Carrier Compliance be placed in the career  
180 service upon transfer to the Department of Highway  
181 Safety and Motor Vehicles; providing for permanent  
182 status upon the transfer of certain positions;  
183 authorizing the Department of Transportation to use  
184 funds from the Toll Facilities Revolving Trust Fund  
185 for certain purposes; authorizing the Executive Office  
186 of the Governor to transfer funds between departments  
187 for purposes of aligning amounts paid for risk  
188 management premiums and for purposes of aligning  
189 amounts paid for human resource management services;  
190 amending s. 110.123, F.S., relating to the state group  
191 insurance program; providing that the state  
192 contribution toward the cost of a plan is the  
193 difference between the overall premium and the  
194 employee contribution; amending s. 112.24, F.S.;

195 providing conditions on the assignment of an employee  
196 of a state agency without reimbursement from the  
197 receiving agency; providing that the annual salary of  
198 the members of the Legislature be maintained at a  
199 specified level; amending s. 27.710, F.S.; clarifying  
200 certain duties of the executive director of the  
201 Justice Administration Commission on Capital Cases;  
202 providing for the future expiration of the amendment  
203 to such provision and for the reversion of statutory

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204 text; reenacting and amending s. 215.32(2)(b), F.S.,  
205 relating to the source and use of certain trust funds  
206 in order to implement the transfer of moneys in the  
207 General Revenue Fund from trust funds in the 2011-2012  
208 General Appropriations Act; providing for the future  
209 expiration of certain amendments to such provision and  
210 for the reversion of statutory text; reenacting and  
211 amending s. 215.5601(4)(b), F.S., relating to the  
212 administration of the Lawton Chiles Endowment Fund;  
213 providing for the future expiration of certain  
214 amendments to such provision and for the reversion of  
215 statutory text; providing a legislative finding that  
216 the issuance of new debt is in the best interests of  
217 the state and necessary to address a critical state  
218 emergency; limiting the use of travel funds to  
219 activities that are critical to an agency's mission;  
220 providing exceptions; authorizing agencies scheduled  
221 for data center consolidation to accelerate such  
222 consolidation; authorizing the establishment of data  
223 center positions in exchange for agency positions  
224 placed in reserve; authorizing the Executive Office of  
225 the Governor to transfer funds between agencies in  
226 order to allocate a reduction relating to SUNCOM;  
227 reenacting s. 110.12315(7)(a), F.S., relating to  
228 copayments for the state employees' prescription drug  
229 program; providing for the future expiration of  
230 certain amendments to such provision and for the  
231 reversion of statutory text; directing the Department  
232 of Management Services to use a tenant broker to



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233 renegotiate certain leases and provide a report to the  
234 Legislature; requiring the department to renegotiate  
235 certain leases and report to the Legislature;  
236 requiring the department to issue a solicitation for  
237 the Minnesota Multistate Contracting Alliance for  
238 Pharmacy agreement as a state term contract; requiring  
239 the department to use generic drugs were feasible in  
240 developing its preferred drug list; requiring the  
241 Agency for Health Care Administration to repro cure the  
242 Florida Discount Drug Card Program; providing  
243 requirements for the program; providing that revenues  
244 derived from the contract be deposited into the  
245 agency's Grants and Donations Trust Fund; amending s.  
246 946.515, F.S.; requiring each state agency to submit a  
247 report to the Legislature listing products or services  
248 obtained from sources other than the prison industries  
249 corporation; providing for the effect of a veto of one  
250 or more specific appropriations or proviso to which  
251 implementing language refers; providing for reversion  
252 of statutory text of certain provisions; providing for  
253 the continued operation of certain provisions  
254 notwithstanding a future repeal or expiration provided  
255 by the act; providing for severability; providing  
256 effective dates.

257  
258 Be It Enacted by the Legislature of the State of Florida:

259  
260 Section 1. It is the intent of the Legislature that the  
261 implementing and administering provisions of this act apply to

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262 the General Appropriations Act for the 2011-2012 fiscal year.

263 Section 2. In order to implement Specific Appropriations 6,  
264 7, 8, 68, and 69 of the 2011-2012 General Appropriations Act,  
265 the calculations of the Florida Education Finance Program for  
266 the 2011-2012 fiscal year in the document entitled "Public  
267 School Funding-The Florida Education Finance Program," dated May  
268 3, 2011, and filed with the Secretary of the Senate, are  
269 incorporated by reference for the purpose of displaying the  
270 calculations used by the Legislature, consistent with the  
271 requirements of the Florida Statutes, in making appropriations  
272 for the Florida Education Finance Program.

273 Section 3. In order to implement Specific Appropriations  
274 15A and 15B of the 2011-2012 General Appropriations Act,  
275 paragraph (c) of subsection (3) of section 216.292, Florida  
276 Statutes, is amended to read:

277 216.292 Appropriations nontransferable; exceptions.—

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

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

288 Section 4. Notwithstanding ss. 440.50 and 1010.87, Florida  
289 Statutes, for the 2011-2012 fiscal year, funds provided in  
290 Specific Appropriation 98 of the 2011-2012 General

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291 Appropriations Act from the Workers' Compensation Administration  
292 Trust Fund shall be used for the Ready to Work Program created  
293 under s. 1004.99, Florida Statutes. This section expires July 1,  
294 2012.

295 Section 5. In order to implement Specific Appropriation 119  
296 of the 2011-2012 General Appropriations Act and notwithstanding  
297 any other law, for the 2011-2012 fiscal year only, a university  
298 board of trustees may expend reserve or carry-forward balances  
299 from prior year operational and programmatic appropriations for  
300 legislatively approved fixed capital outlay projects authorized  
301 for the establishment of a new campus.

302 Section 6. In order to implement Specific Appropriations  
303 310 through 339 of the 2011-2012 General Appropriations Act,  
304 paragraphs (b) and (c) of subsection (3) of section 394.908,  
305 Florida Statutes, are amended to read:

306 394.908 Substance abuse and mental health funding equity;  
307 distribution of appropriations.—In recognition of the historical  
308 inequity in the funding of substance abuse and mental health  
309 services for the department's districts and regions and to  
310 rectify this inequity and provide for equitable funding in the  
311 future throughout the state, the following funding process shall  
312 be used:

313 (3)

314 (b) Notwithstanding paragraph (a) and for the 2011-2012  
315 ~~2010-2011~~ fiscal year only, funds appropriated for forensic  
316 mental health treatment services shall be allocated to the areas  
317 of the state having the greatest demand for services and  
318 treatment capacity. This paragraph expires July 1, 2012 ~~2011~~.

319 (c) Notwithstanding paragraph (a) and for the 2011-2012

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320 ~~2010-2011~~ fiscal year only, additional funds appropriated for  
321 substance abuse and mental health services from funds available  
322 through the Community-Based Medicaid Administrative Claiming  
323 Program shall be allocated as provided in the 2010-2011 General  
324 Appropriations Act and in proportion to contributed provider  
325 earnings. This paragraph expires July 1, 2012 ~~2011~~.

326 Section 7. In order to implement Specific Appropriation 465  
327 of the 2011-2012 General Appropriations Act, and for the 2011-  
328 2012 fiscal year only, the following requirements govern the  
329 completion of Phase 2 and Phase 3 of the Department of Health's  
330 Florida Onsite Sewage Nitrogen Reduction Strategies Study:

331 (1) The Department of Health's underlying contract for the  
332 study remains in full force and effect and funding for  
333 completion of Phase 2 and Phase 3 is through the Department of  
334 Health.

335 (2) The Department of Health, the Department of Health's  
336 Research Review and Advisory Committee, and the Department of  
337 Environmental Protection shall work together to provide the  
338 necessary technical oversight of the completion of Phase 2 and  
339 Phase 3 of the project.

340 (3) Management and oversight of the completion of Phase 2  
341 and Phase 3 must be consistent with the terms of the existing  
342 contract. However, the main focus and priority to be completed  
343 during Phase 3 shall be developing, testing, and recommending  
344 cost-effective passive technology design criteria for nitrogen  
345 reduction.

346 (4) The systems installed at homesites are experimental in  
347 nature and shall be installed with significant field testing and  
348 monitoring. The Department of Health is specifically authorized

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349 to allow installation of these experimental systems.  
350 Notwithstanding any other law, before Phase 3 of the study is  
351 completed, a state agency may not adopt or implement a rule or  
352 policy that:

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

356 (b) Directly or indirectly requires the use of performance-  
357 based treatment systems or similar technology, such as through  
358 an administrative order developed by the Department of  
359 Environmental Protection as part of a basin management action  
360 plan adopted pursuant to s. 403.067, Florida Statutes. However,  
361 the implementation of more restrictive nitrogen-reduction  
362 standards for onsite systems may be required through a basin  
363 management action plan if such plan is phased in after  
364 completion of Phase 3.

365 Section 8. Effective June 29, 2011, in order to implement  
366 Specific Appropriations 259 through 357 of the 2011-2012 General  
367 Appropriations Act, subsection (3) of section 1 of chapter 2007-  
368 174, Laws of Florida, is amended to read:

369 Section 1. Flexibility for the Department of Children and  
370 Family Services.-

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

372 Section 9. In order to implement Specific Appropriations  
373 171 and 177 through 179 and 182 of the 2011-2012 General  
374 Appropriations Act, the calculations of the Medicaid Low-Income  
375 Pool, Disproportionate Share Hospital, and Hospital Exemptions  
376 Programs for the 2011-2012 fiscal year in the document entitled  
377 "Medicaid Supplemental Hospital Funding Programs" dated May 3,

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378 2011, and filed with the Secretary of the Senate, are  
379 incorporated by reference for the purpose of displaying the  
380 calculations used by the Legislature, consistent with the  
381 requirements of the Florida Statutes, in making appropriations  
382 for the Low-Income Pool, Disproportionate Share Hospital, and  
383 Hospital Exemptions Programs.

384 Section 10. In order to implement Specific Appropriation  
385 536 of the 2011-2012 General Appropriations Act, notwithstanding  
386 s. 216.177, Florida Statutes, requiring only 3 days' notice to  
387 the Legislature for the release of funds, budget amendments  
388 recommending the release of funds must be provided at least 14  
389 days before the effective date of the action and are subject to  
390 the objection procedures in s. 216.177(2)(b), Florida Statutes.

391 Section 11. In order to implement Specific Appropriation  
392 177 of the 2011-2012 General Appropriations Act, and for the  
393 2011-2012 fiscal year only, the third and tenth paragraph of  
394 proviso following the appropriation is repealed and replaced  
395 with:

396  
397 Funds in Specific Appropriation 177 reflect a  
398 reduction of \$173,477,299 from the General Revenue  
399 Fund, \$220,252,391 from the Medical Care Trust Fund,  
400 and \$1,199,158 from the Refugee Assistance Trust Fund  
401 as a result of modifying the reimbursement for  
402 inpatient hospital rates. The agency shall implement a  
403 recurring methodology in the Title XIX Inpatient  
404 Hospital Reimbursement Plan to achieve this reduction.  
405 In establishing rates through the normal process,  
406 before including this reduction, if the unit cost is

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407 equal to or less than the unit cost used in  
408 establishing the budget, then no additional reduction  
409 in rates is necessary; however, if the unit cost is  
410 greater than the unit cost used in establishing the  
411 budget, then rates shall be reduced by an amount  
412 required to achieve this reduction, but may not be  
413 reduced below the unit cost used in establishing the  
414 budget. Hospitals that are licensed as a children's  
415 specialty hospital and whose Medicaid days plus  
416 charity care days divided by total adjusted patient  
417 days equals or exceeds 30 percent and rural hospitals,  
418 as defined in s. 395.602, Florida Statutes, are  
419 excluded from this reduction.

420  
421 From the funds in Specific Appropriation 177,  
422 \$239,417,562 from the Grants and Donations Trust Fund  
423 and \$303,972,274 from the Medical Care Trust Fund are  
424 provided for public hospitals, including any leased  
425 public hospital determined to be covered under the  
426 state's sovereign immunity; teaching hospitals, as  
427 defined in s. 408.07 or s. 395.805, Florida Statutes,  
428 which have 70 or more full-time equivalent resident  
429 physicians; hospitals that have graduate medical  
430 education positions that do not otherwise qualify; and  
431 designated trauma hospitals to buy back the Medicaid  
432 inpatient trend adjustment applied to their individual  
433 hospital rates and other Medicaid reductions to their  
434 inpatient rates up to actual Medicaid inpatient cost.  
435 The payments under this proviso are contingent on the

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436 state share being provided through grants and  
437 donations from state, county, or other governmental  
438 funds. This section of proviso does not include the  
439 buy back of the Medicaid inpatient trend adjustment  
440 applied to the individual state mental health  
441 hospitals.

442  
443 Section 12. In order to implement Specific Appropriation  
444 182 of the 2011-2012 General Appropriations Act, and for the  
445 2011-2012 fiscal year only, the second paragraph of proviso  
446 following the appropriation is repealed and replaced with:

447  
448 Funds in Specific Appropriation 182 reflect a  
449 reduction of \$43,572,721 from the General Revenue  
450 Fund, \$55,321,338 from the Medical Care Trust Fund,  
451 and \$151,174 from the Refugee Assistance Trust Fund as  
452 a result of implementing a reduction in outpatient  
453 hospital reimbursement rates. The agency shall  
454 implement a recurring methodology in the Title XIX  
455 Outpatient Hospital Reimbursement Plan to achieve this  
456 reduction. In establishing rates through the normal  
457 process, prior to including this reduction, if the  
458 unit cost is equal to or less than the unit cost used  
459 in establishing the budget, then no additional  
460 reduction in rates is necessary. In establishing rates  
461 through the normal process, prior to including this  
462 reduction, if the unit cost is greater than the unit  
463 cost used in establishing the budget, then rates shall  
464 be reduced by an amount required to achieve this



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465 reduction, but shall not be reduced below the unit  
466 cost used in establishing the budget. Hospitals that  
467 are licensed as a children's specialty hospital and  
468 whose Medicaid days plus charity care days divided by  
469 total adjusted patient days equals or exceeds 30  
470 percent and rural hospitals as defined in s. 395.602,  
471 Florida Statutes, are excluded from this reduction.  
472

473 Section 13. In order to implement Specific Appropriations  
474 459 through 469 of the 2011-2012 General Appropriations Act,  
475 before the implementation of the onsite sewage treatment and  
476 disposal system evaluation program described in s.  
477 381.0065(5) (a), Florida Statutes, the Department of Health shall  
478 submit a plan for approval by the Legislative Budget Commission  
479 which includes an estimate of agency workload and funding needs.  
480 The department may not expend funds in furtherance of the  
481 evaluation program before the plan is approved by the  
482 commission.

483 Section 14. In order to fulfill legislative intent  
484 regarding the use of funds contained in Specific Appropriations  
485 605, 616, 628, and 1135 of the 2011-2012 General Appropriations  
486 Act, the Department of Corrections and the Department of  
487 Juvenile Justice may expend appropriated funds to assist in  
488 defraying costs that are incurred by a municipality or county  
489 and are associated with opening or operating a facility under  
490 the authority of the respective department. The amount paid for  
491 any facility may not exceed 1 percent of the cost to construct  
492 the facility, less building impact fees imposed by the  
493 municipality or county. This section expires July 1, 2012.

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494 Section 15. In order to implement Specific Appropriations  
495 570 through 688A and 726 through 759 of the 2011-2012 General  
496 Appropriations Act, subsection (4) of section 216.262, Florida  
497 Statutes, is amended to read:

498 216.262 Authorized positions.—

499 (4) Notwithstanding the provisions of this chapter relating  
500 to ~~en~~ increasing the number of authorized positions, and for the  
501 2011-2012 ~~2010-2011~~ fiscal year only, if the actual inmate  
502 population of the Department of Corrections exceeds the inmate  
503 population projections of the February 21, 2011 ~~19, 2010~~,  
504 Criminal Justice Estimating Conference by 1 percent for 2  
505 consecutive months or 2 percent for any month, the Executive  
506 Office of the Governor, with the approval of the Legislative  
507 Budget Commission, shall immediately notify the Criminal Justice  
508 Estimating Conference, which shall convene as soon as possible  
509 to revise the estimates. The Department of Corrections may then  
510 submit a budget amendment requesting the establishment of  
511 positions in excess of the number authorized by the Legislature  
512 and additional appropriations from unallocated general revenue  
513 sufficient to provide for essential staff, fixed capital  
514 improvements, and other resources to provide classification,  
515 security, food services, health services, and other variable  
516 expenses within the institutions to accommodate the estimated  
517 increase in the inmate population. All actions taken pursuant to  
518 ~~the authority granted in~~ this subsection are ~~shall be~~ subject to  
519 review and approval by the Legislative Budget Commission. This  
520 subsection expires July 1, 2012 ~~2011~~.

521 Section 16. In order to implement Specific Appropriations  
522 1253, 1267, 1274, 1295, and 1305 of the 2011-2012 General

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523 Appropriations Act, the Department of Legal Affairs may transfer  
524 cash remaining after required disbursements for Attorney General  
525 case numbers 09-CV-51614, 16-2008-CA-01-3142CV-C, and  
526 CACE08022328 from FLAIR account 41-74-2-601001-41100100-00-  
527 181076-00 to the Operating Trust Fund to pay salaries and  
528 benefits. This section expires July 1, 2012.

529       Section 17. In order to implement Specific Appropriations  
530 1289 and 1290 of the 2011-2012 General Appropriations Act, the  
531 Department of Legal Affairs may expend appropriated funds in  
532 those specific appropriations on the same programs that were  
533 funded by the department pursuant to specific appropriations  
534 made in general appropriations acts in prior years. This section  
535 expires July 1, 2012.

536       Section 18. In order to implement Specific Appropriations  
537 1192 and 1198 of the 2011-2012 General Appropriations Act,  
538 paragraph (d) of subsection (4) of section 932.7055, Florida  
539 Statutes, is amended to read:

540       932.7055 Disposition of liens and forfeited property.—

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

543       (d) Notwithstanding any other provision of this subsection,  
544 and for the 2011-2012 ~~2010-2011~~ fiscal year only, the funds in a  
545 special law enforcement trust fund established by the governing  
546 body of a municipality may be expended to reimburse the general  
547 fund of the municipality for moneys advanced from the general  
548 fund to the special law enforcement trust fund before ~~prior to~~  
549 October 1, 2001. This paragraph expires July 1, 2012 ~~2011~~.

550       Section 19. (1) In order to implement Specific  
551 Appropriations 1069, 1070, 1074, 1075, 1115, 1116, 1120, 1121,

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552 1123, 1126, 1127, 1130, 1131, 1132, 1141, and 1146 of the 2011-  
553 2012 General Appropriations Act, the Department of Juvenile  
554 Justice must comply with the following reimbursement  
555 limitations:

556 (a) Payments to a hospital or a health care provider may  
557 not exceed 110 percent of the Medicare allowable rate for any  
558 health care services provided if no contract exists between the  
559 department and the hospital or the health care provider  
560 providing services at a hospital;

561 (b) The department may continue to make payments for health  
562 care services at the currently contracted rates through the  
563 current term of the contract if a contract has been executed  
564 between the department and a hospital or a health care provider  
565 providing services to a hospital; however, payments may not  
566 exceed 110 percent of the Medicare allowable rate after the  
567 current term of the contract expires or after the contract is  
568 renewed during the 2011-2012 fiscal year;

569 (c) Payments may not exceed 110 percent of the Medicare  
570 allowable rate under a contract executed on or after July 1,  
571 2011, between the department and a hospital or health care  
572 provider providing services at a hospital;

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

579 (e) The department may not execute a contract for health  
580 care services at a hospital for rates other than rates based on

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581 a percentage of the Medicare allowable rate.

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

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

585 Section 20. In order to implement section 7 of the 2011-  
586 2012 General Appropriations Act, and notwithstanding s. 215.18,  
587 Florida Statutes, the state court system is relieved of loan  
588 repayment obligations for loans made from the Mediation and  
589 Arbitration Trust Fund and the Court Education Trust Fund to the  
590 state court system during the 2010-2011 fiscal year. This  
591 section is effective upon this act becoming a law.

592 Section 21. In order to implement Section 7 of the 2011-  
593 2012 General Appropriations Act, section 215.18, Florida  
594 Statutes, is amended to read:

595 215.18 Transfers between funds; limitation.-

596 (1) Whenever there is a deficiency ~~exists~~ in any fund  
597 provided for by s. 215.32 ~~a deficiency~~ which would render such  
598 fund insufficient to meet its just requirements, and ~~there shall~~  
599 ~~exist in the~~ other funds in the State Treasury have moneys which  
600 are for the time being or otherwise in excess of the amounts  
601 necessary to meet the just requirements of such last-mentioned  
602 funds, the Governor may order a temporary transfer of moneys  
603 from one fund to another in order to meet temporary deficiencies  
604 in a particular fund without resorting to the necessity of  
605 borrowing money and paying interest thereon. Any action proposed  
606 under this section is subject to the notice and objection  
607 procedures set forth in s. 216.177, and the Governor shall  
608 provide notice of such action at least 7 days before ~~prior to~~  
609 the effective date of the transfer of funds. Except as otherwise

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610 provided in s. 216.222(1)(a)2., the fund from which any money is  
611 temporarily transferred must ~~shall~~ be repaid the amount  
612 transferred from it by ~~not later than~~ the end of the fiscal year  
613 in which such transfer is made, the date of repayment to be  
614 specified in the order of the Governor.

615 (2) The Chief Justice of the Supreme Court may receive one  
616 or more trust fund loans of up to \$54 million in total, the  
617 purpose of which is to ensure that the state court system has  
618 funds sufficient to meet its appropriations in the 2011-2012  
619 General Appropriations Act. If the Chief Justice accesses the  
620 loan, he or she must notify the Governor and the chairs of the  
621 legislative appropriations committees in writing. The loan must  
622 come from other funds in the State Treasury which are for the  
623 time being or otherwise in excess of the amounts necessary to  
624 meet the just requirements of such last-mentioned funds. The  
625 Governor shall order the transfer of funds within 5 days after  
626 the written notification from the Chief Justice. If the Governor  
627 does not order the transfer, the Chief Financial Officer shall  
628 transfer the requested funds. The loan of funds from which any  
629 money is temporarily transferred must be repaid by the end of  
630 the 2011-2012 fiscal year. This subsection expires July 1, 2012.

631 Section 22. In order to implement Specific Appropriation  
632 791 of the 2011-2012 General Appropriations Act, and not  
633 withstanding s. 28.2455, Florida Statutes, any funds remaining  
634 in the Clerks of Court Trust Fund may not be transferred to the  
635 General Revenue Fund and remain available to the clerks of court  
636 for expenditures during the 2011-2012 fiscal year. This section  
637 shall take effect upon becoming a law and expires July 1, 2012.

638 Section 23. In order to implement section 7 of the 2011-

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639 2012 General Appropriations Act, paragraph (c) of subsection (4)  
640 of section 29.008, Florida Statutes, is amended to read:

641 29.008 County funding of court-related functions.—

642 (4)

643 (c) Counties are exempt from all requirements and  
644 provisions of paragraph (a) for the 2011-2012 ~~2010-2011~~ fiscal  
645 year. Accordingly, for the 2011-2012 ~~2010-2011~~ fiscal year,  
646 counties shall maintain, but are not required to increase, their  
647 expenditures for the items specified in paragraphs (1)(a)-(h)  
648 and subsection (3). The requirements described in paragraph (a)  
649 shall be reinstated beginning with the 2012-2013 ~~2011-2012~~  
650 fiscal year. This paragraph expires July 1, 2012 ~~2011~~.

651 Section 24. In order to implement Specific Appropriation  
652 2701A of the 2011-2012 General Appropriation Act, subsection (3)  
653 of section 282.709, Florida Statutes, is amended to read:

654 282.709 State agency law enforcement radio system and  
655 interoperability network.—

656 (3) (a) The State Agency Law Enforcement Radio System Trust  
657 Fund is established in the department and funded from surcharges  
658 collected under ss. 318.18, 320.0802, and 328.72. Upon  
659 appropriation, moneys in the trust fund may be used by the  
660 department to acquire by competitive procurement the equipment,  
661 software, and engineering, administrative, and maintenance  
662 services it needs to construct, operate, and maintain the  
663 statewide radio system. Moneys in the trust fund from ~~collected~~  
664 ~~as a result of the surcharges set forth in ss. 318.18, 320.0802,~~  
665 ~~and 328.72~~ shall be used to help fund the costs of the system.  
666 Upon completion of the system, moneys in the trust fund may also  
667 be used by the department for payment of the recurring

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668 maintenance costs of the system.

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

673 Section 25. In order to implement Specific Appropriation  
674 2341A of the 2011-2012 General Appropriations Act, the Florida  
675 Catastrophic Storm Risk Management Center at Florida State  
676 University shall conduct the analysis as originally required in  
677 s. 164 of chapter 2004-390, Laws of Florida. Notwithstanding  
678 that section, the center shall use the most recent and available  
679 premium data for personal lines property and casualty insurance  
680 in completing the analysis.

681 Section 26. In order to implement Specific Appropriations  
682 2574 through 2584 of the 2011-2012 General Appropriations Act,  
683 the Department of Management Services shall use interest  
684 earnings of the Communications Working Capital Trust Fund as the  
685 funding source for its responsibilities for the administration  
686 of the MyFlorida.com portal.

687 Section 27. In order to implement Specific Appropriations  
688 2173 through 2195 of the 2011-2012 General Appropriations Act,  
689 subsection (13) of section 253.034, Florida Statutes, as amended  
690 by chapter 2010-280, Laws of Florida, is amended to read:

691 253.034 State-owned lands; uses.—

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



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697 Section 28. In order to implement Specific Appropriations  
698 2173 through 2195 of the 2011-2012 General Appropriations Act,  
699 paragraph (a) of subsection (3) of section 601.15, Florida  
700 Statutes, is amended to read:

701 601.15 Advertising campaign; methods of conducting; excise  
702 tax; emergency reserve fund; citrus research.—

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

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

715

Previous season crop size (millions of boxes)	1995- 1996	1996- 1997	1997- 1998	1998- 1999	1999-2000 and thereafter
716 80 and greater	33	34	35	36	37

717

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718	75-79.99	35	36	37	38	39
719	70-74.99	37	38	39	41	42
720	65-69.99	40	41	42	44	45
721	60-64.99	43	44	46	47	49
722	55-59.99	47	48	50	51	53
723	50-54.99	51	53	55	56	58
724	45-49.99	57	59	60	62	64
725	40-44.99	63	65	67	69	71
726	Less than 40	72	74	76	79	81
727	<u>However, effective July 1, 2011, the tax rate per box on</u>					
728	<u>grapefruit that enters the primary channel of trade for use in</u>					
729	<u>fresh form may not exceed the tax rate per box in effect on May</u>					
730	<u>1, 2011.</u>					
731	2. The following maximum tax rates, expressed in cents per					
732	box, shall apply to grapefruit which enters the primary channel					
733	of trade for use in processed forms:					
734	Previous season	1995- 1996	1996- 1997	1997- 1998	1998- 1999	1999-2000 and thereafter

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crop size  
(millions of  
boxes)

735	80 and greater	23	24	25	25	26
736	75-79.99	25	25	26	27	28
737	70-74.99	26	27	28	29	30
738	65-69.99	28	29	30	31	32
739	60-64.99	31	32	32	33	34
740	55-59.99	33	34	35	36	37
741	50-54.99	36	38	39	40	41
742	45-49.99	40	41	43	44	45
743	40-44.99	45	46	48	49	51
744	Less than 40	51	53	54	56	57

745  
746 However, effective July 1, 2011, the tax rate per box on  
747 grapefruit that enters the primary channel of trade for use in  
748 processed forms may not exceed the tax rate per box in effect on  
749 May 1, 2011.

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

753	Previous season crop size (millions of boxes)	1995- 1996	1996- 1997	1997- 1998	1998- 1999	1999-2000 and thereafter
754	255 and greater	23	24	25	26	26
755	245-254.9	24	25	26	27	27
756	235-244.9	25	26	27	28	28
757	225-234.9	26	27	28	29	30
758	215-224.9	28	28	29	30	31
759	205-214.9	29	30	31	32	33
760	195-204.9	30	31	32	33	34
761	185-194.9	32	33	34	35	36
762	175-184.9	34	35	36	37	38

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763	165-174.9	36	37	38	39	40
764	155-164.9	38	39	40	41	43
765	Less than 155	41	42	43	44	46

766  
767 However, effective July 1, 2011, the tax rate per box on oranges  
768 that enter the primary channel of trade for use in fresh form  
769 may not exceed the tax rate per box in effect on May 1, 2011.

770 4. The following maximum tax rates, expressed in cents per  
771 box, shall apply to oranges which enter the primary channel of  
772 trade for use in processed form:

773	Previous season crop size (millions of boxes)	1995- 1996	1996- 1997	1997- 1998	1998- 1999	1999-2000 and thereafter
774	255 and greater	15	16	16	17	17
775	245-254.9	16	16	17	17	18
776	235-244.9	17	17	18	18	19
777	225-234.9	17	18	18	19	19

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778	215-224.9	18	19	19	20	20
779	205-214.9	19	20	20	21	21
780	195-204.9	20	21	21	22	22
781	185-194.9	21	22	22	23	24
782	175-184.9	22	23	23	24	25
783	165-174.9	23	24	25	26	26
784	155-164.9	25	26	26	27	28
785	Less than 155	27	27	28	29	30

786  
787 However, effective July 1, 2011, the tax rate per box on oranges  
788 that enter the primary channel of trade for use in processed  
789 form may not exceed 25 cents per box.

790 5. The actual tax rate levied each year upon oranges which  
791 enter the primary channel of trade for use in processed form,  
792 pursuant to this paragraph, paragraph (e), and subsection (4),  
793 shall also apply in that year to tangerines and citrus hybrids  
794 regulated by the Department of Citrus which enter the primary  
795 channel of trade for use in processed form.

796 6. The following maximum tax rates, expressed in cents per  
797 box, shall apply to tangerines and citrus hybrids regulated by  
798 the Department of Citrus which enter the primary channel of

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799 trade for use in fresh form:

800	Previous season crop size (millions of boxes)	1995-1996	1996-1997	1997-1998	1998-1999	1999-2000 and thereafter
801	13 and greater	24	24	25	26	27
802	12 - 12.99	26	26	27	28	29
803	11 - 11.99	28	29	30	30	31
804	10 - 10.99	31	31	32	33	34
805	9 - 9.99	34	35	36	37	38
806	8 - 8.99	38	39	40	41	42
807	7 - 7.99	43	44	45	47	48
808	Less than 7	49	51	52	54	56

809  
810 However, effective July 1, 2011, the tax rate per box on  
811 tangerines and citrus hybrids regulated by the Department of  
812 Citrus which enter the primary channel of trade for use in fresh

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813 form may not exceed the tax rate per box in effect on May 1,  
814 2011.

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

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

826 601.10 Powers of the Department of Citrus.—The Department  
827 of Citrus shall have and shall exercise such general and  
828 specific powers as are delegated to it by this chapter and other  
829 statutes of the state, which powers shall include, but shall not  
830 be confined to, the following:

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

835 (a) The executive director of the department shall be  
836 appointed by a majority vote of the commission for a term of 4  
837 years, except for the initial term, and is subject to  
838 confirmation by the Senate in the legislative session following  
839 appointment.

840 1. The initial term of the executive director ends June 30,  
841 2011, and each subsequent 4-year term begins July 1, and shall



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842 be filled in the same manner as the original appointment.

843 2. A vacancy for the executive director shall be filled for  
844 the unexpired portion of the term in the same manner as the  
845 original appointment.

846 (b) The Department of Citrus may pay, or participate in the  
847 payment of, premiums for health, accident, and life insurance  
848 for its full-time employees, pursuant to such rules or  
849 regulations as it may adopt; and such payments are ~~shall be~~ in  
850 addition to the regular salaries of such full-time employees.  
851 The payment of such or similar benefits to its employees in  
852 foreign countries, including, but not limited to, social  
853 security, retirement, and other similar fringe benefit costs,  
854 may be in accordance with laws in effect in the country of  
855 employment, except that no benefits will be payable to employees  
856 not authorized for other state employees, as provided in the  
857 Career Service System.

858 Section 31. The amendment to s. 601.10(3), Florida  
859 Statutes, shall expire July 1, 2012, and the text of that  
860 subsection shall revert to that in existence on June 30, 2010,  
861 except that any amendments to such text enacted other than by  
862 this act shall be preserved and continue to operate to the  
863 extent that such amendments are not dependent upon the portions  
864 of text which expire pursuant to this section.

865 Section 32. In order to implement Specific Appropriation  
866 1648A of the 2011-2012 General Appropriations Act, paragraph (b)  
867 of subsection (3) of section 375.041, Florida Statutes, is  
868 amended to read:

869 375.041 Land Acquisition Trust Fund.—

870 (3)

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871 (b) In addition to the uses allowed under ~~in~~ paragraph (a),  
872 for the 2011-2012 ~~2010-2011~~ fiscal year, moneys in the Land  
873 Acquisition Trust Fund are authorized for transfer to support  
874 the Total Maximum Daily Loads Program ~~Clean Water State~~  
875 ~~Revolving Fund, the Drinking Water State Revolving Fund, the~~  
876 ~~Total Maximum Daily Loads programs, and the Marine Spatial~~  
877 ~~Planning programs~~ as provided in the General Appropriations Act.  
878 This paragraph expires July 1, 2012 ~~2011~~.

879 Section 33. In order to implement Specific Appropriation  
880 1580A of the 2011-2012 General Appropriations Act, subsection  
881 (12) of section 373.59, Florida Statutes, is amended to read:

882 373.59 Water Management Lands Trust Fund.—

883 (12) Notwithstanding subsection (8), and for the 2011-2012  
884 ~~2010-2011~~ fiscal year only, the moneys from the Water Management  
885 Lands Trust Fund are ~~shall be~~ allocated as follows:

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

892 (b) Eight million dollars to be transferred to the General  
893 Revenue Fund; and

894 (c) The remaining funds to be distributed to equally  
895 ~~between~~ the Suwannee River Water Management District, of which  
896 \$500,000 may be used for minimum flows and levels. ~~and the~~  
897 ~~Northwest Florida Water Management District; and~~

898 (d) ~~For the 2010-2011 fiscal year only, the sum of \$50,000~~  
899 ~~from the Water Management Lands Trust Fund shall be transferred~~

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900 ~~to the General Inspection Trust Fund in the Department of~~  
901 ~~Agriculture and Consumer Services for the soil and water~~  
902 ~~conservation districts for support services.~~

903

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

905 Section 34. In order to implement Specific Appropriations  
906 1649 through 1651, 1653, and section 34 of the 2011-2012 General  
907 Appropriations Act, paragraph (g) of subsection (1) of section  
908 403.1651, Florida Statutes, is reenacted to read:

909 403.1651 Ecosystem Management and Restoration Trust Fund.—

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

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

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

923 Section 36. In order to implement Specific Appropriations  
924 1324 through 1475 of the 2011-2012 General Appropriations Act,  
925 subsection (2) of section 570.20, Florida Statutes, is amended  
926 to read:

927 570.20 General Inspection Trust Fund.—

928 (2) For the 2011-2012 ~~2010-2011~~ fiscal year only and

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929 notwithstanding any other provision of law ~~to the contrary~~, in  
930 addition to the spending authorized in subsection (1), moneys in  
931 the General Inspection Trust Fund may be appropriated for  
932 programs operated by the department which are related to the  
933 programs authorized by this chapter. This subsection expires  
934 July 1, 2012 ~~2011~~.

935 Section 37. In order to implement Specific Appropriation  
936 1703AA of the 2011-2012 General Appropriations Act, subsection  
937 (5) of section 403.7095, Florida Statutes, is amended to read:  
938 403.7095 Solid waste management grant program.—

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

946 Section 38. In order to implement Specific Appropriation  
947 1430 of the 2011-2012 General Appropriations Act and to provide  
948 consistency and continuity in the promotion of agriculture  
949 throughout the state, notwithstanding s. 287.057, Florida  
950 Statutes, the Department of Agriculture and Consumer Services  
951 may extend, revise, and renew current contracts or agreements  
952 created or entered into pursuant to chapter 2006-25, Laws of  
953 Florida. This section expires July 1, 2012.

954 Section 39. In order to implement Specific Appropriation  
955 1578A of the 2011-2012 General Appropriations Act, and  
956 notwithstanding ss. 253.034, 253.0341, and 259.041, Florida  
957 Statutes, the disposition of state-owned lands is exempt from

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958 appraisal requirements under s. 253.034(6)(g)1., Florida  
959 Statutes, and disposition requirements under s. 253.034(15),  
960 Florida Statutes, if the proceeds of such conveyance will be  
961 used to purchase state-owned lands for preservation,  
962 conservation, or recreation purposes. On or before October 1,  
963 2011, all agencies shall submit a list of state-owned lands to  
964 the Board of Trustees of the Internal Improvement Trust Fund, to  
965 which the lands are titled, which are immediately available for  
966 lease or are surplus lands. Proceeds from the sale of such lands  
967 shall be deposited into the Florida Forever Trust Fund created  
968 by s. 259.1051, Florida Statutes, and used to acquire lands for  
969 preservation, conservation, or recreation purposes pursuant to  
970 the requirements of s. 259.105, Florida Statutes. The board of  
971 trustees shall ensure that, where appropriate, surplus or leased  
972 conservation lands are subject to perpetual conservation  
973 easements or other such restrictive covenants that run with the  
974 land and are duly recorded in the same manner as any other  
975 instrument affecting title to real property. This section  
976 expires July 1, 2012.

977 Section 40. In order to implement Specific Appropriations  
978 1814, 1831, 1895, and 1907, subsection (3) is added to section  
979 379.204, Florida Statutes, to read:

980 379.204 Federal Grants Trust Fund.—

981 (3) The commission may transfer the cash balance  
982 originating from hunting and fishing license fees from other  
983 trust funds into the Federal Grants Trust Fund for the purpose  
984 of supporting cash flow needs. This subsection expires July 1,  
985 2012.

986 Section 41. In order to implement Specific Appropriation

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987 1806 and notwithstanding the provisions of s. 379.2342(2),  
988 Florida Statutes, for the 2011-2012 fiscal year only, the Fish  
989 and Wildlife Conservation Commission shall suspend the  
990 publication of a printed version the Florida Wildlife Magazine  
991 and the operations of the Florida Wildlife Magazine Advisory  
992 Council.

993 Section 42. In order to implement Specific Appropriations  
994 1918A through 1919, 1938A through 1938C, 1938E through 1938V,  
995 and 1976A through 1976K of the 2011-2012 General Appropriations  
996 Act, paragraph (a) of subsection (4) of section 339.135, Florida  
997 Statutes, is amended to read:

998 339.135 Work program; legislative budget request;  
999 definitions; preparation, adoption, execution, and amendment.—

1000 (4) FUNDING AND DEVELOPING A TENTATIVE WORK PROGRAM.—

1001 (a)1. To assure that no district or county is penalized for  
1002 local efforts to improve the State Highway System, the  
1003 department shall, for the purpose of developing a tentative work  
1004 program, allocate funds for new construction to the districts,  
1005 except for the turnpike enterprise, based on equal parts of  
1006 population and motor fuel tax collections. Funds for  
1007 resurfacing, bridge repair and rehabilitation, bridge fender  
1008 system construction or repair, public transit projects except  
1009 public transit block grants as provided in s. 341.052, and other  
1010 programs with quantitative needs assessments shall be allocated  
1011 based on the results of these assessments. The department may  
1012 not transfer any funds allocated to a district under this  
1013 paragraph to any other district except as provided in subsection  
1014 (7). Funds for public transit block grants shall be allocated to  
1015 the districts pursuant to s. 341.052. Funds for the intercity

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1016 bus program provided for under s. 5311(f) of the federal  
1017 nonurbanized area formula program shall be administered and  
1018 allocated directly to eligible bus carriers as defined in s.  
1019 341.031(12) at the state level rather than the district. In  
1020 order to provide state funding to support the intercity bus  
1021 program provided for under provisions of the federal 5311(f)  
1022 program, the department shall allocate an amount equal to the  
1023 federal share of the 5311(f) program from amounts calculated  
1024 pursuant to s. 206.46(3).

1025 2. Notwithstanding the provisions of subparagraph 1., the  
1026 department shall allocate at least 50 percent of any new  
1027 discretionary highway capacity funds to the Florida Strategic  
1028 Intermodal System created pursuant to s. 339.61. Any remaining  
1029 new discretionary highway capacity funds shall be allocated to  
1030 the districts for new construction as provided in subparagraph  
1031 1. For the purposes of this subparagraph, the term "new  
1032 discretionary highway capacity funds" means any funds available  
1033 to the department above the prior year funding level for  
1034 capacity improvements, which the department has the discretion  
1035 to allocate to highway projects.

1036 3. Notwithstanding subparagraphs 1. and 2. and ss.  
1037 201.15(1)(c)1.a.-d., 206.46(3), 334.044(26), and 339.2819(3),  
1038 and for the 2011-2012 ~~2010-2011~~ fiscal year only, the department  
1039 shall reduce work program levels to balance the finance plan to  
1040 the revised funding levels resulting from any reduction in the  
1041 2011-2012 ~~2010-2011~~ General Appropriations Act. This  
1042 subparagraph expires July 1, 2012 ~~2011~~.

1043 4. For the 2011-2012 ~~2009-2010~~ fiscal year only, before  
1044 ~~prior to~~ any project or phase thereof is ~~being~~ deferred, the

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1045 department's cash balances shall be as provided in paragraph  
1046 (6) (b), and the reductions in subparagraph 3. shall be made to  
1047 financial projects not programmed for contract letting as  
1048 identified with a work program contract class code 8 and the box  
1049 code RV. These reductions shall not negatively impact safety or  
1050 maintenance or project contingency percentage levels as of April  
1051 21, 2011 ~~2009~~. This subparagraph expires July 1, 2012 ~~2010~~.

1052 5. Notwithstanding subparagraphs 1. and 2. and ss.  
1053 206.46(3) and 334.044(26), and for fiscal years 2009-2010  
1054 through 2013-2014 only, the department shall annually allocate  
1055 up to \$15 million of the first proceeds of the increased  
1056 revenues estimated by the November 2009 Revenue Estimating  
1057 Conference to be deposited into the State Transportation Trust  
1058 Fund to provide for the portion of the transfer of funds  
1059 included in s. 343.58(4) (a)1.a. or 2.a., as ~~whichever is~~  
1060 applicable. The transfer of funds included in s. 343.58(4) shall  
1061 not negatively impact projects included in fiscal years 2009-  
1062 2010 through 2013-2014 of the work program as of July 1, 2009,  
1063 as amended pursuant to subsection (7). This subparagraph expires  
1064 July 1, 2014.

1065 Section 43. In order to implement Specific Appropriations  
1066 1918B and 1938S of the 2011-2012 General Appropriations Act,  
1067 subsection (5) of section 339.135, Florida Statutes, is amended  
1068 to read:

1069 339.135 Work program; legislative budget request;  
1070 definitions; preparation, adoption, execution, and amendment.—

1071 (5) ADOPTION OF THE WORK PROGRAM.—

1072 (a) The original approved budget for operational and fixed  
1073 capital expenditures for the department shall be the Governor's



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1074 budget recommendation and the first year of the tentative work  
1075 program, as both are amended by the General Appropriations Act  
1076 and any other act containing appropriations. In accordance with  
1077 the appropriations act, the department shall, before ~~prior to~~  
1078 the beginning of the fiscal year, adopt a final work program  
1079 which shall only include the original approved budget for the  
1080 department for the ensuing fiscal year, together with any roll  
1081 forwards approved pursuant to paragraph (6)(c), and the portion  
1082 of the tentative work program for the following 4 fiscal years  
1083 revised in accordance with the original approved budget for the  
1084 department for the ensuing fiscal year together with the said  
1085 roll forwards. The adopted work program may include only those  
1086 projects submitted as part of the tentative work program  
1087 developed under the provisions of subsection (4), plus any  
1088 projects which are separately identified by specific  
1089 appropriation in the General Appropriations Act and any roll  
1090 forwards approved pursuant to paragraph (6)(c). However, any  
1091 transportation project of the department which is identified by  
1092 specific appropriation in the General Appropriations Act shall  
1093 be deducted from the funds annually distributed to the  
1094 respective district pursuant to paragraph (4)(a). In addition,  
1095 the department shall not in any year include any project or  
1096 allocate funds to a program in the adopted work program that is  
1097 contrary to existing law for that particular year. Projects  
1098 shall not be undertaken unless they are listed in the adopted  
1099 work program.

1100 (b) Notwithstanding paragraph (a), and for the 2011-2012  
1101 ~~2010-2011~~ fiscal year only, the Department of Transportation  
1102 shall transfer funds to the Office of Tourism, Trade, and

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1103 Economic Development in an amount equal to \$15 million  
1104 ~~\$20,300,000~~ for the purpose of funding transportation-related  
1105 needs of economic development projects. This transfer shall not  
1106 reduce, delete, or defer any existing projects funded, as of  
1107 July 1, 2011 ~~2009~~, in the Department of Transportation's 5-year  
1108 work program. This paragraph expires July 1, 2012 ~~2011~~.

1109 (c) Notwithstanding paragraph (a), and for the 2011-2012  
1110 fiscal year only, the Department of Transportation shall fund  
1111 airport development projects specified in the General  
1112 Appropriations Act and, unless requested by the airport sponsor,  
1113 may not reduce, delete, or defer any existing projects funded as  
1114 of July 1, 2011, in the Department of Transportation's 5-year  
1115 work program. This paragraph expires July 1, 2012.

1116 Section 44. In order to implement section 69 of the 2011-  
1117 2012 General Appropriations Act, paragraph (n) of subsection (1)  
1118 of section 339.08, Florida Statutes, is amended to read:

1119 339.08 Use of moneys in State Transportation Trust Fund.—

1120 (1) The department shall expend moneys in the State  
1121 Transportation Trust Fund accruing to the department, in  
1122 accordance with its annual budget. The use of such moneys shall  
1123 be restricted to the following purposes:

1124 (n) To pay administrative expenses incurred in accordance  
1125 with applicable laws for a multicounty transportation or  
1126 expressway authority created under chapter 343 or chapter 348  
1127 if, where jurisdiction for the authority includes a portion of  
1128 the State Highway System and the administrative expenses are in  
1129 furtherance of the duties and responsibilities of the authority  
1130 in the development of improvements to the State Highway System.  
1131 This paragraph expires July 1, 2012 ~~2011~~.

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1132 Section 45. In order to implement section 110 of the 2011-  
1133 2012 General Appropriations Act, subsection (4) of section  
1134 339.08, Florida Statutes, is amended to read:

1135 339.08 Use of moneys in State Transportation Trust Fund.—

1136 (4) For the 2011-2012 ~~2010-2011~~ fiscal year only and  
1137 notwithstanding ~~the provisions of~~ this section and ss. 339.09(1)  
1138 and 215.32(2)(b)4., funds may be transferred from the State  
1139 Transportation Trust Fund to the State School Trust Fund or the  
1140 General Revenue Fund as specified in the General Appropriations  
1141 Act. Notwithstanding ss. 206.46(3) and 206.606(2), the total  
1142 amount transferred shall be reduced from total state revenues  
1143 deposited into the State Transportation Trust Fund for the  
1144 calculation requirements of ss. 206.46(3) and 206.606(2). This  
1145 subsection expires July 1, 2012 ~~2011~~.

1146 Section 46. In order to implement Specific Appropriations  
1147 2484A through 2484K of the 2011-2012 General Appropriations Act  
1148 and notwithstanding chapters 319 and 320, Florida Statutes, the  
1149 ownership of all vehicles currently used by the Office of Motor  
1150 Carrier Compliance within the Department of Transportation shall  
1151 be transferred to the Department of Highway Safety and Motor  
1152 Vehicles effective July 1, 2011, without payment of any titling  
1153 or registration fees.

1154 Section 47. In order to implement Specific Appropriation  
1155 2008 of the 2011-2012 General Appropriations Act, subsection  
1156 (11) of section 445.009, Florida Statutes, is amended to read:

1157 445.009 One-stop delivery system.—

1158 (11) ~~(a)~~ A participant in an adult or youth work experience  
1159 activity administered under this chapter shall be deemed an  
1160 employee of the state for purposes of workers' compensation

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1161 coverage. In determining the average weekly wage, all  
1162 remuneration received from the employer shall be considered a  
1163 gratuity, and the participant shall not be entitled to any  
1164 benefits otherwise payable under s. 440.15, regardless of  
1165 whether the participant may be receiving wages and remuneration  
1166 from other employment with another employer and regardless of  
1167 his or her future wage-earning capacity.

1168 ~~(b)~~ This subsection expires July 1, 2012 ~~2011~~.

1169 Section 48. In order to implement Specific Appropriation  
1170 1498 of the 2011-2012 General Appropriations Act, paragraph (d)  
1171 of subsection (3) of section 163.3247, Florida Statutes, is  
1172 reenacted to read:

1173 163.3247 Century Commission for a Sustainable Florida.—

1174 (3) CENTURY COMMISSION FOR A SUSTAINABLE FLORIDA; CREATION;  
1175 ORGANIZATION.—The Century Commission for a Sustainable Florida  
1176 is created as a standing body to help the citizens of this state  
1177 envision and plan their collective future with an eye towards  
1178 both 25-year and 50-year horizons.

1179 (d) Members of the commission shall serve without  
1180 compensation.

1181 Section 49. The amendment to s. 163.3247(3)(d), Florida  
1182 Statutes, as carried forward by this act from chapter 2010-153,  
1183 Laws of Florida, shall expire July 1, 2012, and the text of that  
1184 subsection shall revert to that in existence on June 30, 2010,  
1185 except that any amendments to such text enacted other than by  
1186 this act shall be preserved and continue to operate to the  
1187 extent that such amendments are not dependent upon the portions  
1188 of text which expire pursuant to this section.

1189 Section 50. In order to implement Specific Appropriation

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1190 1498 of the 2011-2012 General Appropriations Act, paragraph (c)  
1191 of subsection (1) of section 201.15, Florida Statutes, is  
1192 reenacted to read:

1193       201.15 Distribution of taxes collected.—All taxes collected  
1194 under this chapter are subject to the service charge imposed in  
1195 s. 215.20(1). Prior to distribution under this section, the  
1196 Department of Revenue shall deduct amounts necessary to pay the  
1197 costs of the collection and enforcement of the tax levied by  
1198 this chapter. Such costs and the service charge may not be  
1199 levied against any portion of taxes pledged to debt service on  
1200 bonds to the extent that the costs and service charge are  
1201 required to pay any amounts relating to the bonds. After  
1202 distributions are made pursuant to subsection (1), all of the  
1203 costs of the collection and enforcement of the tax levied by  
1204 this chapter and the service charge shall be available and  
1205 transferred to the extent necessary to pay debt service and any  
1206 other amounts payable with respect to bonds authorized before  
1207 January 1, 2010, secured by revenues distributed pursuant to  
1208 subsection (1). All taxes remaining after deduction of costs and  
1209 the service charge shall be distributed as follows:

1210       (1) Sixty-three and thirty-one hundredths percent of the  
1211 remaining taxes shall be used for the following purposes:

1212       (c) After the required payments under paragraphs (a) and  
1213 (b), the remainder shall be paid into the State Treasury to the  
1214 credit of:

1215       1. The State Transportation Trust Fund in the Department of  
1216 Transportation in the amount of the lesser of 38.2 percent of  
1217 the remainder or \$541.75 million in each fiscal year, to be used  
1218 for the following specified purposes, notwithstanding any other

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1219 law to the contrary:

1220 a. For the purposes of capital funding for the New Starts  
1221 Transit Program, authorized by Title 49, U.S.C. s. 5309 and  
1222 specified in s. 341.051, 10 percent of these funds;

1223 b. For the purposes of the Small County Outreach Program  
1224 specified in s. 339.2818, 5 percent of these funds. Effective  
1225 July 1, 2014, the percentage allocated under this sub-  
1226 subparagraph shall be increased to 10 percent;

1227 c. For the purposes of the Strategic Intermodal System  
1228 specified in ss. 339.61, 339.62, 339.63, and 339.64, 75 percent  
1229 of these funds after allocating for the New Starts Transit  
1230 Program described in sub-subparagraph a. and the Small County  
1231 Outreach Program described in sub-subparagraph b.; and

1232 d. For the purposes of the Transportation Regional  
1233 Incentive Program specified in s. 339.2819, 25 percent of these  
1234 funds after allocating for the New Starts Transit Program  
1235 described in sub-subparagraph a. and the Small County Outreach  
1236 Program described in sub-subparagraph b. Effective July 1, 2014,  
1237 the first \$60 million of the funds allocated pursuant to this  
1238 sub-subparagraph shall be allocated annually to the Florida Rail  
1239 Enterprise for the purposes established in s. 341.303(5).

1240 2. The Grants and Donations Trust Fund in the Department of  
1241 Community Affairs in the amount of the lesser of .23 percent of  
1242 the remainder or \$3.25 million in each fiscal year to fund  
1243 technical assistance to local governments and school boards on  
1244 the requirements and implementation of this act.

1245 3. The Ecosystem Management and Restoration Trust Fund in  
1246 the amount of the lesser of 2.12 percent of the remainder or \$30  
1247 million in each fiscal year, to be used for the preservation and

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1248 repair of the state's beaches as provided in ss. 161.091-  
1249 161.212.

1250 4. General Inspection Trust Fund in the amount of the  
1251 lesser of .02 percent of the remainder or \$300,000 in each  
1252 fiscal year to be used to fund oyster management and restoration  
1253 programs as provided in s. 379.362(3).

1254  
1255 Moneys distributed pursuant to this paragraph may not be pledged  
1256 for debt service unless such pledge is approved by referendum of  
1257 the voters.

1258 Section 51. The amendment to s. 201.15(1)(c)2., Florida  
1259 Statutes, as carried forward by this act from chapter 2010-153,  
1260 Laws of Florida, shall expire July 1, 2012, and the text of that  
1261 subsection shall revert to that in existence on June 30, 2010,  
1262 except that any amendments to such text enacted other than by  
1263 this act shall be preserved and continue to operate to the  
1264 extent that such amendments are not dependent upon the portions  
1265 of text which expire pursuant to this section.

1266 Section 52. In order to implement Specific Appropriations  
1267 1918A through 1919, 1938A through 1938C, 1938E through 1939V,  
1268 and 1976A through 1976K of the 2011-2012 General Appropriations  
1269 Act, subsection (3) of section 206.608, Florida Statutes, is  
1270 amended to read:

1271 206.608 State Comprehensive Enhanced Transportation System  
1272 Tax; deposit of proceeds; distribution.—Moneys received pursuant  
1273 to ss. 206.41(1)(f) and 206.87(1)(d) shall be deposited in the  
1274 Fuel Tax Collection Trust Fund, and, after deducting the service  
1275 charge imposed in chapter 215 and administrative costs incurred  
1276 by the department in collecting, administering, enforcing, and

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1277 distributing the tax, which administrative costs may not exceed  
1278 2 percent of collections, shall be distributed as follows:

1279 (3) For the 2011-2012 ~~2010-2011~~ fiscal year only, and  
1280 notwithstanding ~~the provisions of~~ subsection (2), the remaining  
1281 proceeds of the tax levied pursuant to s. 206.41(1)(f) and all  
1282 of the proceeds from the tax imposed by s. 206.87(1)(d) shall be  
1283 transferred into the State Transportation Trust Fund and ~~shall~~  
1284 be used for the purposes stated in s. 339.08. This subsection  
1285 expires July 1, 2012 ~~2011~~.

1286 Section 53. In order to implement Specific Appropriations  
1287 2453 through 2535A and notwithstanding s. 320.204, Florida  
1288 Statutes, for the 2011-2012 fiscal year only, funds may not be  
1289 transferred from the Highway Safety Operating Trust Fund to the  
1290 Transportation Disadvantaged Trust Fund in the Department of  
1291 Transportation.

1292 Section 54. In order to implement Specific Appropriations  
1293 1918C, 1918H, 1918I and 1918J, and notwithstanding s.  
1294 341.303(6)(a), Florida Statutes, funding for passenger rail for  
1295 the 2011-2012 fiscal year is included in the Transportations  
1296 Systems Development budget entity.

1297 Section 55. In order to implement Specific Appropriation  
1298 2484A, all sworn law enforcement employee positions classified  
1299 as "captain" or "major" in the Office of Motor Carrier  
1300 Compliance who are exempt from the career service in accordance  
1301 with s. 110.205(2)(m)3., Florida Statutes, shall be placed in  
1302 the career service upon transfer to the Florida Highway Patrol  
1303 in the Department of Highway Safety and Motor Vehicles.  
1304 Incumbents of captains and majors positions in the Office of  
1305 Motor Carrier Compliance as of June 30, 2011, who have 1 year of



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1306 satisfactory service in their positions shall receive permanent  
1307 status in that position within the Department of Highway Safety  
1308 and Motor Vehicles. It is the intent of the Legislature that the  
1309 incumbent of any career service position in the Office of Motor  
1310 Carrier Compliance as of June 30, 2011, retain his or her  
1311 current status upon transfer to the Department of Highway Safety  
1312 and Motor Vehicles as provided in the General Appropriations  
1313 Act.

1314 Section 56. In order to implement Specific Appropriation  
1315 1938Q, for the 2011-2012 fiscal year only, and notwithstanding  
1316 s. 338.251, Florida Statutes, the Department of Transportation  
1317 is authorized to grant not more than \$3 million in total from  
1318 the Toll Facilities Revolving Trust Fund to authorities created  
1319 under chapter 348, Florida Statutes, for preliminary  
1320 engineering, traffic, and revenue studies, environmental impact  
1321 studies, financial advisory services, engineering design, right-  
1322 of-way map preparation, operations, other appropriate project-  
1323 related professional services, and advanced right-of-way  
1324 acquisition.

1325 Section 57. In order to implement the appropriation of  
1326 funds in appropriation category "Special Categories-Risk  
1327 Management Insurance" in the 2011-2012 General Appropriations  
1328 Act, and pursuant to the notice, review, and objection  
1329 procedures of s. 216.177, Florida Statutes, the Executive Office  
1330 of the Governor may transfer funds appropriated in that category  
1331 between departments in order to align the budget authority  
1332 granted with the premiums paid by each department for risk  
1333 management insurance. This section expires July 1, 2012.

1334 Section 58. In order to implement the appropriation of

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1335 funds in the appropriation category "Special Categories-Transfer  
1336 to Department of Management Services-Human Resources Services  
1337 Purchased Per Statewide Contract" in the 2011-2012 General  
1338 Appropriations Act," and pursuant to the notice, review, and  
1339 objection procedures of s. 216.177, Florida Statutes, the  
1340 Executive Office of the Governor may transfer funds appropriated  
1341 in that category between departments in order to align the  
1342 budget authority granted with the assessments that must be paid  
1343 by each agency to the Department of Management Services for  
1344 human resource management services. This section expires July 1,  
1345 2012.

1346 Section 59. In order to implement specific appropriations  
1347 for salaries and benefits in the 2011-2012 General  
1348 Appropriations Act, paragraph (a) of subsection (12) of section  
1349 110.123, Florida Statutes, is amended to read:

1350 110.123 State group insurance program.—

1351 (12) HEALTH SAVINGS ACCOUNTS.—The department is authorized  
1352 to establish health savings accounts for full-time and part-time  
1353 state employees in association with a health insurance plan  
1354 option authorized by the Legislature and conforming to the  
1355 requirements and limitations of federal provisions relating to  
1356 the Medicare Prescription Drug, Improvement, and Modernization  
1357 Act of 2003.

1358 (a)1. A member participating in this health insurance plan  
1359 option ~~is shall be~~ eligible to receive an employer contribution  
1360 into the employee's health savings account from the State  
1361 Employees Health Insurance Trust Fund in an amount to be  
1362 determined by the Legislature. A member is not eligible for an  
1363 employer contribution upon termination of employment. For the

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1364 2011-2012 ~~2010-2011~~ fiscal year, the state's monthly  
1365 contribution for employees having individual coverage shall be  
1366 \$41.66 and the monthly contribution for employees having family  
1367 coverage shall be \$83.33.

1368 2. A member participating in this health insurance plan  
1369 option is ~~shall be~~ eligible to deposit the member's own funds  
1370 into a health savings account.

1371 Section 60. In order to implement section 8 of the 2011-  
1372 2012 General Appropriations Act, paragraph (j) of subsection (3)  
1373 of section 110.123, Florida Statutes, is amended to read:

1374 110.123 State group insurance program.—

1375 (3) STATE GROUP INSURANCE PROGRAM.—

1376 (j) Notwithstanding ~~the provisions of~~ paragraph (f)  
1377 requiring uniform contributions, and for the 2011-2012 ~~2010-2011~~  
1378 fiscal year only, the state contribution toward the cost of any  
1379 plan in the state group insurance plan is ~~shall be~~ the  
1380 difference between the overall premium and the employee  
1381 contribution. This subsection expires June 30, 2012 ~~2011~~.

1382 Section 61. In order to implement specific appropriations  
1383 for salaries and benefits in the 2011-2012 General  
1384 Appropriations Act, paragraph (b) of subsection (3) of section  
1385 112.24, Florida Statutes, is amended to read:

1386 112.24 Intergovernmental interchange of public employees.—  
1387 To encourage economical and effective utilization of public  
1388 employees in this state, the temporary assignment of employees  
1389 among agencies of government, both state and local, and  
1390 including school districts and public institutions of higher  
1391 education is authorized under terms and conditions set forth in  
1392 this section. State agencies, municipalities, and political

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1393 subdivisions are authorized to enter into employee interchange  
1394 agreements with other state agencies, the Federal Government,  
1395 another state, a municipality, or a political subdivision  
1396 including a school district, or with a public institution of  
1397 higher education. State agencies are also authorized to enter  
1398 into employee interchange agreements with private institutions  
1399 of higher education and other nonprofit organizations under the  
1400 terms and conditions provided in this section. In addition, the  
1401 Governor or the Governor and Cabinet may enter into employee  
1402 interchange agreements with a state agency, the Federal  
1403 Government, another state, a municipality, or a political  
1404 subdivision including a school district, or with a public  
1405 institution of higher learning to fill, subject to the  
1406 requirements of chapter 20, appointive offices which are within  
1407 the executive branch of government and which are filled by  
1408 appointment by the Governor or the Governor and Cabinet. Under  
1409 no circumstances shall employee interchange agreements be  
1410 utilized for the purpose of assigning individuals to participate  
1411 in political campaigns. Duties and responsibilities of  
1412 interchange employees shall be limited to the mission and goals  
1413 of the agencies of government.

1414 (3) Salary, leave, travel and transportation, and  
1415 reimbursements for an employee of a sending party that is  
1416 participating in an interchange program shall be handled as  
1417 follows:

1418 (b)1. The assignment of an employee of a state agency  
1419 ~~either~~ on detail or on leave of absence may be made without  
1420 reimbursement by the receiving party for the travel and  
1421 transportation expenses to or from the place of the assignment

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1422 or for the pay and benefits, or a part thereof, of the employee  
1423 during the assignment.

1424 2. For the 2011-2012 ~~2010-2011~~ fiscal year only, the  
1425 assignment of an employee of a state agency as provided in  
1426 subparagraph 1. may be made if recommended by the Governor or  
1427 Chief Justice, as appropriate, and approved by the chairs of the  
1428 legislative appropriations committees ~~Senate Policy and Steering~~  
1429 ~~Committee on Ways and Means and the House Full appropriations~~  
1430 ~~Council on Education and Economic Development~~. Such actions  
1431 shall be deemed approved if neither chair provides written  
1432 notice of objection within 14 days after the chair's receiving  
1433 notice of the action pursuant to s. 216.177. This subparagraph  
1434 expires July 1, 2012 ~~2011~~.

1435 Section 62. In order to implement Specific Appropriations  
1436 2536 and 2537 of the 2011-2012 General Appropriations Act and  
1437 notwithstanding the provisions of s. 11.13(1), Florida Statutes,  
1438 the authorized salaries for members of the Legislature for the  
1439 2011-2012 fiscal year shall be set at the same level in effect  
1440 on July 1, 2010. This section expires July 1, 2012.

1441 Section 63. If HB 5011 or similar legislation fails to  
1442 become law and notwithstanding s. 27.709, Florida Statutes, in  
1443 order to implement Specific Appropriations 760 through 762 of  
1444 the 2011-2012 General Appropriations Act, subsection (1) of  
1445 section 27.710, Florida Statutes, is amended to read:

1446 27.710 Registry of attorneys applying to represent persons  
1447 in postconviction capital collateral proceedings; certification  
1448 of minimum requirements; appointment by trial court.-

1449 (1) The executive director of the Justice Administrative  
1450 Commission ~~on Capital Cases~~ shall compile and maintain a

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1451 statewide registry of attorneys in private practice who have  
1452 certified that they meet the minimum requirements of s.  
1453 27.704(2), who are available for appointment by the court under  
1454 this section to represent persons convicted and sentenced to  
1455 death in this state in postconviction collateral proceedings,  
1456 and who have attended within the last year a continuing legal  
1457 education program of at least 10 hours' duration devoted  
1458 specifically to the defense of capital cases, if available.  
1459 Continuing legal education programs meeting the requirements of  
1460 this rule offered by The Florida Bar or another recognized  
1461 provider and approved for continuing legal education credit by  
1462 The Florida Bar ~~shall~~ satisfy this requirement. The failure to  
1463 comply with this requirement may be cause for removal from the  
1464 list until the requirement is fulfilled. To ensure that  
1465 sufficient attorneys are available for appointment by the court,  
1466 if ~~when~~ the number of attorneys on the registry falls below 50,  
1467 the executive director shall notify the chief judge of each  
1468 circuit by letter and request the chief judge to promptly submit  
1469 the names of at least three private attorneys who regularly  
1470 practice criminal law in that circuit and who appear to meet the  
1471 minimum requirements to represent persons in postconviction  
1472 capital collateral proceedings. The executive director shall  
1473 send an application to each attorney identified by the chief  
1474 judge so that the attorney may register for appointment as  
1475 counsel in postconviction capital collateral proceedings. As  
1476 necessary, the executive director may also advertise in legal  
1477 publications and other appropriate media for qualified attorneys  
1478 interested in registering for appointment as counsel in  
1479 postconviction capital collateral proceedings. Not later than

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1480 September 1 of each year, and as necessary thereafter, the  
1481 executive director shall provide to the Chief Justice of the  
1482 Supreme Court, the chief judge and state attorney in each  
1483 judicial circuit, and the Attorney General a current copy of its  
1484 registry of attorneys who are available for appointment as  
1485 counsel in postconviction capital collateral proceedings. The  
1486 registry must be indexed by judicial circuit and must contain  
1487 the requisite information submitted by the applicants in  
1488 accordance with this section.

1489 Section 64. The amendment to s. 27.710(1), Florida  
1490 Statutes, shall expire July 1, 2012, and the text of that  
1491 subsection shall revert to that in existence on June 30, 2011,  
1492 except that any amendments to such text enacted other than by  
1493 this act shall be preserved and continue to operate to the  
1494 extent that such amendments are not dependent upon the portions  
1495 of text which expire pursuant to this section.

1496 Section 65. In order to implement the transfer of funds to  
1497 the State School Trust Fund from trust funds in the 2011-2012  
1498 General Appropriations Act, paragraph (b) of subsection (2) of  
1499 section 215.32, Florida Statutes, is reenacted and amended to  
1500 read:

1501 215.32 State funds; segregation.—

1502 (2) The source and use of each of these funds shall be as  
1503 follows:

1504 (b)1. The trust funds shall consist of moneys received by  
1505 the state which under law or under trust agreement are  
1506 segregated for a purpose authorized by law. The state agency or  
1507 branch of state government receiving or collecting such moneys  
1508 are ~~shall be~~ responsible for their proper expenditure as

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1509 provided by law. Upon the request of the state agency or branch  
1510 of state government responsible for the administration of the  
1511 trust fund, the Chief Financial Officer may establish accounts  
1512 within the trust fund at a level considered necessary for proper  
1513 accountability. Once an account is established ~~within a trust~~  
1514 ~~fund,~~ the Chief Financial Officer may authorize payment from  
1515 that account only upon determining that there is sufficient cash  
1516 and releases at the level of the account.

1517 2. In addition to other trust funds created by law, to the  
1518 extent possible, each agency shall use the following trust funds  
1519 as described in this subparagraph for day-to-day operations:

1520 a. Operations or operating trust fund, for use as a  
1521 depository for funds to be used for program operations funded by  
1522 program revenues, with the exception of administrative  
1523 activities when the operations or operating trust fund is a  
1524 proprietary fund.

1525 b. Operations and maintenance trust fund, for use as a  
1526 depository for client services funded by third-party payors.

1527 c. Administrative trust fund, for use as a depository for  
1528 funds to be used for management activities that are departmental  
1529 in nature and funded by indirect cost earnings and assessments  
1530 against trust funds. Proprietary funds are excluded from the  
1531 requirement of using an administrative trust fund.

1532 d. Grants and donations trust fund, for use as a depository  
1533 for funds to be used for allowable grant or donor agreement  
1534 activities funded by restricted contractual revenue from private  
1535 and public nonfederal sources.

1536 e. Agency working capital trust fund, for use as a  
1537 depository for funds to be used pursuant to s. 216.272.



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1538 f. Clearing funds trust fund, for use as a depository for  
1539 funds to account for collections pending distribution to lawful  
1540 recipients.

1541 g. Federal grant trust fund, for use as a depository for  
1542 funds to be used for allowable grant activities funded by  
1543 restricted program revenues from federal sources.

1544  
1545 To the extent possible, each agency must adjust its internal  
1546 accounting to use existing trust funds consistent with the  
1547 requirements of this subparagraph. If an agency does not have  
1548 trust funds listed in this subparagraph and cannot make such  
1549 adjustment, the agency must recommend the creation of the  
1550 necessary trust funds to the Legislature no later than the next  
1551 scheduled review of the agency's trust funds pursuant to s.  
1552 215.3206.

1553 3. All such moneys are hereby appropriated to be expended  
1554 in accordance with the law or trust agreement under which they  
1555 were received, subject always to the provisions of chapter 216  
1556 relating to the appropriation of funds and to the applicable  
1557 laws relating to the deposit or expenditure of moneys in the  
1558 State Treasury.

1559 4.a. Notwithstanding any provision of law restricting the  
1560 use of trust funds to specific purposes, unappropriated cash  
1561 balances from selected trust funds may be authorized by the  
1562 Legislature for transfer to the State School Trust Fund, Budget  
1563 Stabilization Fund, and General Revenue Fund in the General  
1564 Appropriations Act.

1565 b. This subparagraph does not apply to trust funds required  
1566 by federal programs or mandates; trust funds established for

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1567 bond covenants, indentures, or resolutions whose revenues are  
1568 legally pledged by the state or public body to meet debt service  
1569 or other financial requirements of any debt obligations of the  
1570 state or any public body; the Division of Licensing Trust Fund  
1571 in the Department of Agriculture and Consumer Services; the  
1572 State Transportation Trust Fund; the trust fund containing the  
1573 net annual proceeds from the Florida Education Lotteries; the  
1574 Florida Retirement System Trust Fund; trust funds under the  
1575 management of the State Board of Education or the Board of  
1576 Governors of the State University System, where such trust funds  
1577 are for auxiliary enterprises, self-insurance, and contracts,  
1578 grants, and donations, as those terms are defined by general  
1579 law; trust funds that serve as clearing funds or accounts for  
1580 the Chief Financial Officer or state agencies; trust funds that  
1581 account for assets held by the state in a trustee capacity as an  
1582 agent or fiduciary for individuals, private organizations, or  
1583 other governmental units; and other trust funds authorized by  
1584 the State Constitution.

1585       Section 66. The amendment to s. 215.32(2)(b), Florida  
1586 Statutes, as carried forward by this act from chapter 2010-153,  
1587 Laws of Florida, shall expire July 1, 2012, and the text of that  
1588 subsection shall revert to that in existence on June 30, 2010,  
1589 except that any amendments to such text enacted other than by  
1590 this act shall be preserved and continue to operate to the  
1591 extent that such amendments are not dependent upon the portions  
1592 of text which expire pursuant to this section.

1593       Section 67. In order to implement the transfer of moneys to  
1594 the General Revenue Fund from trust funds in the 2011-2012  
1595 General Appropriations Act, paragraph (b) of subsection (4) of

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1596 section 215.5601, Florida Statutes, is reenacted and amended to  
1597 read:

1598 215.5601 Lawton Chiles Endowment Fund.—

1599 (4) ADMINISTRATION.—

1600 (b) The endowment shall be managed as an annuity. The  
1601 investment objective is the ~~shall be~~ long-term preservation of  
1602 the real value of the net contributed principal and a specified  
1603 regular annual cash outflow for appropriation, as nonrecurring  
1604 revenue. From the annual cash outflow, a pro rata share shall be  
1605 used solely for biomedical research activities as provided in  
1606 paragraph (3)(d), until such time as cures are found for  
1607 tobacco-related cancer and heart and lung disease. Five percent  
1608 of the annual cash outflow dedicated to the biomedical research  
1609 portion of the endowment shall be reinvested and applied to that  
1610 portion of the endowment's principal, with the remainder to be  
1611 spent on biomedical research activities consistent with this  
1612 section. The schedule of annual cash outflow must ~~shall~~ be  
1613 included within the investment plan adopted under paragraph (a).  
1614 Withdrawals other than specified regular cash outflow are ~~shall~~  
1615 ~~be~~ considered reductions in contributed principal for the  
1616 purposes of this subsection.

1617 Section 68. The amendment to s. 215.5601(b), Florida  
1618 Statutes, as carried forward by this act from chapter 2010-153,  
1619 Laws of Florida, shall expire July 1, 2012, and the text of that  
1620 subsection shall revert to that in existence on June 30, 2010,  
1621 except that any amendments to such text enacted other than by  
1622 this act shall be preserved and continue to operate to the  
1623 extent that such amendments are not dependent upon the portions  
1624 of text which expire pursuant to this section.

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1625           Section 69. In order to implement the issuance of new debt  
1626 authorized in the 2011-2012 General Appropriations Act, and  
1627 pursuant to s. 215.98, Florida Statutes, the Legislature  
1628 determines that the authorization and issuance of debt for the  
1629 2011-2012 fiscal year should be implemented, is in the best  
1630 interest of the state, and necessary to address a critical state  
1631 emergency. This section expires July 1, 2012.

1632           Section 70. In order to implement the funds appropriated in  
1633 the 2011-2012 General Appropriations Act for state employee  
1634 travel, the funds appropriated to each state agency, which may  
1635 be used for travel by state employees, are limited during the  
1636 2011-2012 fiscal year to travel for activities that are critical  
1637 to each state agency's mission. Funds may not be used to pay for  
1638 travel by state employees to foreign countries, other states,  
1639 conferences, staff-training activities, or other administrative  
1640 functions unless the agency head has approved in writing that  
1641 such activities are critical to the agency's mission. The agency  
1642 head must consider the use of teleconferencing and other forms  
1643 of electronic communication to meet the needs of the proposed  
1644 activity before approving mission-critical travel. This section  
1645 does not apply to travel for law enforcement purposes, military  
1646 purposes, emergency management activities, or public health  
1647 activities. This section expires July 1, 2012.

1648           Section 71. In order to implement the appropriations  
1649 authorized in the 2011-2012 General Appropriations Act for each  
1650 of the state's designated primary data centers, which are funded  
1651 from the data processing appropriation category and other  
1652 categories used to pay for computing services of user agencies,  
1653 and pursuant to the notice, review, and objection procedures of

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1654 s. 216.177, Florida Statutes, the Executive Office of the  
1655 Governor may transfer funds appropriated in any appropriation  
1656 category used to pay for data processing in the 2011-2012  
1657 General Appropriations Act between agencies in order to align  
1658 the budget authority granted with the utilization rate of each  
1659 department. This section expires July 1, 2012.

1660 Section 72. State agencies that are required to begin  
1661 planning for a data center consolidation scheduled for a  
1662 subsequent fiscal year may accelerate the consolidation into the  
1663 2011-2012 fiscal year, contingent upon approval by the  
1664 Legislative Budget Commission of budget adjustments necessary to  
1665 accomplish the consolidation. The primary data center may  
1666 establish positions contingent on an equal or greater number of  
1667 positions being placed in reserve from the agency data centers  
1668 being consolidated. This section expires July 1, 2012.

1669 Section 73. In order to implement Specific Appropriation  
1670 2690 of the 2011-2012 General Appropriations Act, the Executive  
1671 Office of the Governor may transfer funds appropriated in the  
1672 appropriation category "Expenses" of the 2011-2012 General  
1673 Appropriations Act between agencies in order to allocate a  
1674 reduction relating to SUNCOM Services. This section expires July  
1675 1, 2012.

1676 Section 74. In order to implement section 8 of the General  
1677 Appropriations Act for the 2011-2012 fiscal year, paragraph (a)  
1678 of subsection (7) of section 110.12315, Florida Statutes, is  
1679 reenacted to read:

1680 110.12315 Prescription drug program.—The state employees'  
1681 prescription drug program is established. This program shall be  
1682 administered by the Department of Management Services, according

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1683 to the terms and conditions of the plan as established by the  
1684 relevant provisions of the annual General Appropriations Act and  
1685 implementing legislation, subject to the following conditions:

1686 (7) Under the state employees' prescription drug program  
1687 copayments must be made as follows:

1688 (a) Effective January 1, 2011, for the State Group Health  
1689 Insurance Standard Plan:

- 1690 1. For generic drug with card.....\$7.
- 1691 2. For preferred brand name drug with card.....\$30.
- 1692 3. For nonpreferred brand name drug with card.....\$50.
- 1693 4. For generic mail order drug.....\$14.
- 1694 5. For preferred brand name mail order drug.....\$60.
- 1695 6. For nonpreferred brand name mail order drug.....\$100.

1696 Section 75. The amendment to s. 110.12315(7)(a), Florida  
1697 Statutes, as carried forward by this act from chapter 2010-153,  
1698 Laws of Florida, shall expire on July 1, 2012, and the text of  
1699 that paragraph shall revert to that in existence on December 31,  
1700 2010, except that any amendments to such text enacted other than  
1701 by this act shall be preserved and continue to operate to the  
1702 extent that such amendments are not dependent upon the portions  
1703 of text which expire pursuant to this section.

1704 Section 76. In order to implement Specific Appropriations  
1705 2587 through 2597 of the 2011-2012 General Appropriations Act,  
1706 and notwithstanding chapter 255, Florida Statutes, the  
1707 Department of Management Services shall use the services of a  
1708 tenant broker to renegotiate all leases over 150,000 square  
1709 feet. Based on the renegotiations, and by September 30, 2011,  
1710 the department shall report to the Legislative Budget Commission  
1711 the projected savings, implementation costs, and recommendations

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1712 for leases to terminate.

1713 (1) The report shall also identify any leases that do not  
1714 comply with state law or the State Constitution, including  
1715 noncompliance due to a nonappropriation clause, and include  
1716 recommendations to bring such leases into compliance by June 30,  
1717 2012.

1718 (2) State agencies shall propose budget amendments pursuant  
1719 to chapter 216, Florida Statutes, to place the budget authority  
1720 associated with the cost savings into reserve. If it is  
1721 determined that additional savings may be derived from  
1722 consolidating, collocating, and or restacking office space, the  
1723 Executive Office of the Governor may transfer funds appropriated  
1724 between agencies, subject to the notice, review, and objection  
1725 procedures of s. 216.177, Florida Statutes.

1726 (3) This section expires July 1, 2012.

1727 Section 77. In order to implement appropriations used for  
1728 the payments of existing lease contracts for private office or  
1729 storage space in excess of 2,000 square feet, the Department of  
1730 Management Services, together with the cooperation of the  
1731 agencies having the existing lease contracts, shall seek to  
1732 renegotiate or reprocure all private lease agreements expiring  
1733 before June 30, 2013, in order to achieve a reduction in costs  
1734 in future years. The department shall incorporate this  
1735 initiative into its 2011 Master Leasing Report and may use  
1736 tenant broker services to explore the possibilities of  
1737 collocation, to review the space needs of each agency, and to  
1738 review the length and terms of potential renewals or  
1739 renegotiations. The department shall provide a report by March  
1740 1, 2012, to the Executive Office of the Governor, the President

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1741 of the Senate, and the Speaker of the House of Representatives  
1742 which lists each lease contract for private office or storage  
1743 space, the status of renegotiations, and the savings achieved.  
1744 This section expires July 1, 2012.

1745 Section 78. In order to implement specific appropriations  
1746 for the purchase of pharmacy products in the 2011-2012 General  
1747 Appropriations Act the Department of Management Services shall  
1748 issue by November 1, 2011, a competitive solicitation pursuant  
1749 to chapter 287 for a pharmaceutical purchasing arrangement as a  
1750 state term contract. The solicitation shall invite group  
1751 purchasing organizations or other vendors to offer a system for  
1752 drug purchasing, excluding those drugs purchased by Medicaid,  
1753 which provides transparent pricing to the extent permitted by  
1754 federal law, permits purchases outside the agreement if such  
1755 purchases offer the best value to the state, and establishes a  
1756 preferred drug list that utilizes generic drugs to the extent  
1757 feasible and cost effective. The department shall work with  
1758 other agencies with subject matter expertise in the  
1759 implementation of this section. Award of any contract is  
1760 contingent upon the approval of the Legislative Budget  
1761 Commission that the requirements of this section have been met.  
1762 Upon approval of the Legislative Budget Commission, the  
1763 Department of Health shall terminate its participation in the  
1764 Minnesota Multistate Contracting Alliance for Pharmacy.

1765 Section 79. In order to implement Specific Appropriation  
1766 193 of the 2011-2012 General Appropriations Act and  
1767 notwithstanding chapter 287, Florida Statutes, the Agency for  
1768 Health Care Administration shall competitively reprocure a  
1769 Florida Discount Drug Card Program to provide market competitive



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1770 discounts through a broad network of retail pharmacies and a  
1771 mail order pharmacy within the state and return money to the  
1772 state on a per prescription dispensed basis. Discounts shall be  
1773 available to Florida residents without income restrictions.  
1774 Residents shall be able to enroll and acquire a member  
1775 identification card from the participating pharmacies, online  
1776 and through text messaging, without a charge. Revenues derived  
1777 from this contract shall be deposited into the agency's Grants  
1778 and Donations Trust Fund to reduce the cost of Medicaid pharmacy  
1779 purchases. This section expires July 1, 2012.

1780 Section 80. In order to implement specific appropriations  
1781 for Expense and Other Capital Outlay in the 2011-2012 General  
1782 Appropriations Act, subsection (8) is added to section 946.515,  
1783 Florida Statutes, to read:

1784 946.515 Use of goods and services produced in correctional  
1785 work programs.—

1786 (8) On June 30, 2012, each state agency must submit a  
1787 report to the President of the Senate and the Speaker of the  
1788 House of Representatives which lists products or services  
1789 obtained from a source other than the corporation when a  
1790 comparable product or service could have been obtained from the  
1791 corporation. The report must include an explanation of why the  
1792 product or service was not obtained from the corporation. This  
1793 subsection expires July 1, 2012.

1794 Section 81. Any section of this act which implements a  
1795 specific appropriation or specifically identified proviso  
1796 language in the 2011-2012 General Appropriations Act is void if  
1797 the specific appropriation or specifically identified proviso  
1798 language is vetoed. Any section of this act which implements

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1799 more than one specific appropriation or more than one portion of  
1800 specifically identified proviso language in the 2011-2012  
1801 General Appropriations Act is void if all the specific  
1802 appropriations or portions of specifically identified proviso  
1803 language are vetoed.

1804       Section 82. If any other act passed during the 2011 Regular  
1805 Session contains a provision that is substantively the same as a  
1806 provision in this act, but that removes or is otherwise not  
1807 subject to the future repeal applied to such provision by this  
1808 act, the Legislature intends that the provision in the other act  
1809 takes precedence and continues to operate, notwithstanding the  
1810 future repeal provided by this act.

1811       Section 83. If any provision of this act or its application  
1812 to any person or circumstance is held invalid, the invalidity  
1813 does not affect other provisions or applications of the act  
1814 which can be given effect without the invalid provision or  
1815 application, and to this end the provisions of this act are  
1816 severable.

1817       Section 84. Except as otherwise expressly provided in this  
1818 act and except for this section, which shall take effect upon  
1819 this act becoming a law, this act shall take effect July 1,  
1820 2011; or, if this act fails to become a law until after that  
1821 date, it shall take effect upon becoming a law and shall operate  
1822 retroactively to July 1, 2011.