

FOR CONSIDERATION By the Committee on Budget

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

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

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

87 delaying the expiration of provisions relating to the

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

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

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

171

172 Be It Enacted by the Legislature of the State of Florida:

173

174 Section 1. It is the intent of the Legislature that the

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175 implementing and administering provisions of this act apply to
176 the General Appropriations Act for the 2011-2012 fiscal year.

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

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

191 216.292 Appropriations nontransferable; exceptions.—

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

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

202 Section 4. In order to implement Specific Appropriations
203 310 through 339 of the 2011-2012 General Appropriations Act,

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204 paragraphs (b) and (c) of subsection (3) of section 394.908,
205 Florida Statutes, are amended to read:

206 394.908 Substance abuse and mental health funding equity;
207 distribution of appropriations.—In recognition of the historical
208 inequity in the funding of substance abuse and mental health
209 services for the department's districts and regions and to
210 rectify this inequity and provide for equitable funding in the
211 future throughout the state, the following funding process shall
212 be used:

213 (3)

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

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

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

231 (1) The Department of Health's underlying contract for the
232 study remains in full force and effect and funding for Phase 3

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233 is through the Department of Health.

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

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

243 (4) The systems installed at homesites are experimental in
244 nature and shall be installed with significant field testing and
245 monitoring. The Department of Health is specifically authorized
246 to allow installation of these experimental systems.

247 Notwithstanding any other law, before Phase 3 of the study is
248 completed, a state agency may not adopt or implement a rule or
249 policy that:

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

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

261 Section 6. In order to implement Specific Appropriation 536

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

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

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

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

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291 216.262 Authorized positions.—

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

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

317 945.025 Jurisdiction of department.—

318 (5) The department must receive prior approval from the
319 Governor's Office of Policy and Budget and the Legislative

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

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

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

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

343 932.7055 Disposition of liens and forfeited property.-

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

346 (d) Notwithstanding any other provision of this subsection,
347 and for the 2011-2012 ~~2010-2011~~ fiscal year only, the funds in a
348 special law enforcement trust fund established by the governing

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

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

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

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

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

375 (d) Notwithstanding paragraphs (a), (b), and (c), the
376 department may pay up to 125 percent of the Medicare allowable
377 rate for health care services at a hospital that reports or has

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378 reported a negative operating margin for the previous fiscal
379 year to the Agency for Health Care Administration through
380 hospital-audited financial data; and

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

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

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

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

390 44.108 Funding of mediation and arbitration.—

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

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

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

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

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

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

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

430 (3) AWARDS.-

431 (a) Based on data collected from the clerks of court, the
432 Office of the State Courts Administrator shall collect data to
433 determine if a circuit meets the performance goals for a
434 quarter. The office shall evaluate performance relating to each
435 goal separately, but may not consider performance data from

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436 prior quarters.

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

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

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

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

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

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

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

462 282.709 State agency law enforcement radio system and
463 interoperability network.—

464 (3) (a) The State Agency Law Enforcement Radio System Trust

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

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

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

489 Section 21. In order to implement specific appropriation
490 2341A of the 2011-2012 General Appropriations Act, the Florida
491 Catastrophic Storm Risk Management Center at Florida State
492 University shall conduct the analysis as originally required in
493 s. 164 of chapter 2004-390, Laws of Florida. Notwithstanding

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494 that section, the center shall use the most recent and available
495 premium data for personal lines property and casualty insurance
496 in completing the analysis.

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

501 253.034 State-owned lands; uses.-

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

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

510 373.59 Water Management Lands Trust Fund.-

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

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

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

522 (c) The remaining funds to be distributed to ~~equally~~

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523 ~~between the Suwannee River Water Management District, and the~~
524 ~~Northwest Florida Water Management District; and~~

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

530

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

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

535 403.7095 Solid waste management grant program.—

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

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

551 Section 26. In order to implement Specific Appropriation

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552 1578A of the 2011-2012 General Appropriations Act, and
553 notwithstanding ss. 253.034 and 259.041, Florida Statutes, the
554 acquisition and disposition of state-owned lands are exempt from
555 appraisal requirements if the proceeds of such conveyance will
556 be used to purchase state-owned lands for preservation,
557 conservation, or recreation purposes. On or before October 1,
558 2011, all executive agencies shall submit a list of state-owned
559 lands to the Board of Trustees of the Internal Improvement Trust
560 Fund, to which the lands are titled, that are immediately
561 available for lease or are surplus lands. Proceeds from the sale
562 of such lands shall be deposited into the Florida Forever Trust
563 Fund created by s. 259.1051, Florida Statutes, and used to
564 acquire state-owned lands for preservation, conservation, or
565 recreation purposes pursuant to the requirements of chapter 259,
566 Florida Statutes. The board of trustees shall ensure that all
567 surplus or leased state-owned lands are subject to perpetual
568 conservation easements or other such restrictive covenants that
569 run with the land and are duly recorded in the same manner as
570 any other instrument affecting title to real property. This
571 section expires July 1, 2012.

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

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581 Environmental Protection or the Department of Business and
582 Professional Regulation; the Agency for Workforce Innovation to
583 the Department of Education; and the Office of Motor Carrier
584 Compliance within the Department of Transportation to the
585 Department of Highway Safety and Motor Vehicles.

586 Section 28. In order to implement section 98 of the 2011-
587 2012 General Appropriations Act, paragraph (n) of subsection (1)
588 of section 339.08, Florida Statutes, is amended to read:

589 339.08 Use of moneys in State Transportation Trust Fund.—

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

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

602 Section 29. In order to implement Specific Appropriation
603 1938E of the 2011-2012 General Appropriations Act, and
604 notwithstanding any other law, for the 2011-2012 fiscal year,
605 \$80,007,529 from the State Transportation Trust Fund shall be
606 used for the County Incentive Grant Program created under s.
607 339.2817, Florida Statutes. This section expires July 1, 2012.

608 Section 30. In order to implement Specific Appropriation
609 1938C of the 2011-2012 General Appropriations Act, and

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610 notwithstanding any other law, for the 2011-2012 fiscal year,
611 \$42,410,085 from the State Transportation Trust Fund shall be
612 used for the Small County Outreach Program created under s.
613 339.2818, Florida Statutes. This section expires July 1, 2012.

614 Section 31. In order to implement Specific Appropriation
615 1938I of the 2011-2012 General Appropriations Act, and
616 notwithstanding any other law, for the 2011-2012 fiscal year,
617 \$72,242,353 from the State Transportation Trust Fund shall be
618 used for the Transportation Regional Incentive Program created
619 under s. 339.2819, Florida Statutes. This section expires July
620 1, 2012.

621 Section 32. In order to implement Specific Appropriation
622 1938S of the 2011-2012 General Appropriations Act, and
623 notwithstanding any other law, for the 2011-2012 fiscal year,
624 \$19,000,000 from the State Transportation Trust Fund shall be
625 used for contracts for transportation projects under s.
626 339.2821, Florida Statutes, as created by SB 7198. This section
627 expires July 1, 2012.

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

634 Section 34. In order to implement Specific Appropriation
635 2535BW of the 2011-2012 General Appropriations Act, subsection
636 (11) of section 445.009, Florida Statutes, is amended to read:
637 445.009 One-stop delivery system.-

638 (11)~~(a)~~ A participant in an adult or youth work experience

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

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

649 Section 35. In order to implement Specific Appropriation
650 2535AH, the Florida Base Realignment and Closure Task Force is
651 created. The mission of the task force is to make
652 recommendations to prepare the state to effectively compete in
653 any federal base realignment and closure action, to support the
654 state's position in research and development related to or
655 arising out of military missions and contracting, and to improve
656 the state's military-friendly environment for serving members,
657 military dependents, and military retirees and for businesses
658 that bring military and base-related jobs to the state. The task
659 force shall be comprised of the Governor or a designee, who
660 shall be chair of the commission, the President of the Senate
661 and Speaker of the House of Representatives, or their designees,
662 who shall be vice chairs, and 10 members appointed as follows:
663 four members appointed by the Governor, three members appointed
664 by the President of the Senate, and three members appointed by
665 the Speaker of the House of Representatives. The Commissioner of
666 Jobs Florida or a designee shall be the ex officio, nonvoting
667 executive director of the task force. Appointed members must

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

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

687 Section 37. In order to implement the appropriation of
688 funds in the appropriation category "Special Categories-Transfer
689 to Department of Management Services-Human Resources Services
690 Purchased Per Statewide Contract" in the 2011-2012 General
691 Appropriations Act," and pursuant to the notice, review, and
692 objection procedures of s. 216.177, Florida Statutes, the
693 Executive Office of the Governor may transfer funds appropriated
694 in that category between departments in order to align the
695 budget authority granted with the assessments that must be paid
696 by each agency to the Department of Management Services for

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697 human resource management services. This section expires July 1,
698 2012.

699 Section 38. In order to implement section 8 of the 2011-
700 2012 General Appropriations Act, paragraph (j) of subsection (3)
701 of section 110.123, Florida Statutes, is amended to read:

702 110.123 State group insurance program.—

703 (3) STATE GROUP INSURANCE PROGRAM.—

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

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

714 112.24 Intergovernmental interchange of public employees.—

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

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

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

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

752 2. For the 2011-2012 ~~2010-2011~~ fiscal year only, the
753 assignment of an employee of a state agency as provided in
754 subparagraph 1. may be made if recommended by the Governor or

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755 Chief Justice, as appropriate, and approved by the chairs of the
756 legislative appropriations committees ~~Senate Policy and Steering~~
757 ~~Committee on Ways and Means and the House Full appropriations~~
758 ~~Council on Education and Economic Development~~. Such actions
759 shall be deemed approved if neither chair provides written
760 notice of objection within 14 days after the chair's receiving
761 notice of the action pursuant to s. 216.177. This subparagraph
762 expires July 1, 2012 ~~2011~~.

763 Section 40. In order to implement Specific Appropriations
764 2536 and 2537 of the 2011-2012 General Appropriations Act:

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

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

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

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

780 215.32 State funds; segregation.—

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

783 (b)~~1~~. The trust funds shall consist of moneys received by

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784 the state, which under law or under trust agreement are
785 segregated for a purpose authorized by law. The state agency or
786 branch of state government receiving or collecting such moneys
787 ~~is shall be~~ responsible for their proper expenditure as provided
788 by law.

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

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

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

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

807 c. Administrative trust fund, for use as a depository for
808 funds to be used for management activities that are departmental
809 in nature and funded by indirect cost earnings and assessments
810 against trust funds. Proprietary funds are excluded from the
811 requirement of using an administrative trust fund.

812 d. Grants and donations trust fund, for use as a depository

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813 for funds to be used for allowable grant or donor agreement
814 activities funded by restricted contractual revenue from private
815 and public nonfederal sources.

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

818 f. Clearing funds trust fund, for use as a depository for
819 funds to account for collections pending distribution to lawful
820 recipients.

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

824

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

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

839 4.a. Notwithstanding any provision of law restricting the
840 use of trust funds to specific purposes, unappropriated cash
841 balances from selected trust funds may be authorized by the

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842 Legislature for transfer to the Budget Stabilization Fund and
843 General Revenue Fund in the General Appropriations Act.

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

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

869 215.5601 Lawton Chiles Endowment Fund.—

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

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

895 Section 44. In order to implement the funds appropriated in
896 the 2011-2012 General Appropriations Act for state employee
897 travel, the funds appropriated to each state agency, which may
898 be used for travel by state employees, are limited during the
899 2011-2012 fiscal year to travel for activities that are critical

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

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

923 Section 46. State agencies that are required to begin
924 planning for a data center consolidation scheduled for a
925 subsequent fiscal year may accelerate the consolidation into the
926 2011-2012 fiscal year, contingent upon approval by the
927 Legislative Budget Commission of budget adjustments necessary to
928 accomplish the consolidation. The primary data center may

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929 establish positions contingent on an equal or greater number of
930 positions being placed in reserve from the agency data centers
931 being consolidated. This section expires July 1, 2012.

932 Section 47. In order to implement the appropriations in the
933 2011-2012 General Appropriations Act for the statewide e-mail
934 system established pursuant to s. 282.34, Florida Statutes, and
935 notwithstanding s. 216.181(2)(c), Florida Statutes, an agency
936 may transfer funds from the data processing appropriation
937 categories established for the statewide e-mail system to
938 another appropriation category for the purpose of supporting and
939 managing its current e-mail system, subject to the limitations
940 in s. 282.34(6), Florida Statutes, until the agency's e-mail
941 function is transferred to the statewide e-mail service vendor
942 under contract with the Southwood Shared Resource Center. This
943 section expires July 1, 2012.

944 Section 48. In order to implement Specific Appropriation
945 2187 of the 2011-2012 General Appropriations Act, the Executive
946 Office of the Governor may transfer funds appropriated in the
947 appropriation category "Expenses" of the 2011-2012 General
948 Appropriations Act between agencies in order to allocate a
949 reduction relating to SUNCOM Services. This section expires July
950 1, 2012.

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

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958 section expires July 1, 2012.

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

962 216.292 Appropriations nontransferable; exceptions.—

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

966 (b) Notwithstanding paragraph (a), and for the 2011-2012
967 ~~2010-2011~~ fiscal year only, the Governor may recommend the
968 initiation of fixed capital outlay projects funded by grants
969 awarded by the Federal Government through the American Recovery
970 and Reinvestment Act of 2009 or by any other federal economic
971 stimulus grant funding received. All actions taken pursuant to
972 the authority granted in the paragraph are subject to review and
973 approval by the Legislative Budget Commission. This paragraph
974 expires July 1, 2012 ~~2011~~.

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

979 110.12315 Prescription drug program.—The state employees'
980 prescription drug program is established. This program shall be
981 administered by the Department of Management Services, according
982 to the terms and conditions of the plan as established by the
983 relevant provisions of the annual General Appropriations Act and
984 implementing legislation, subject to the following conditions:

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

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

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

995

996 Section 52. In order to implement Specific Appropriations
 997 2863 through 2882 of the 2011-2012 General Appropriations Act,
 998 and notwithstanding chapter 255, Florida Statutes, the
 999 Department of Management Services shall use the services of a
 1000 tenant broker to renegotiate all leases involving multiple state
 1001 agency tenants. Based on the renegotiations, and no later than
 1002 September 30, 2011, the department shall report to the
 1003 Legislative Budget Commission the projected savings and
 1004 implementation costs from the renegotiations and any of the
 1005 multiple state agency leases that should be terminated pursuant
 1006 to any section of the lease agreements. The department may
 1007 propose one or more budget amendments pursuant to chapter 216,
 1008 Florida Statutes, to place any budget authority based on the
 1009 anticipated savings in reserve or transfer budget authority to a
 1010 different category. All leases as of September 30, 2011, which
 1011 do not comply with state law or the Florida Constitution,
 1012 including a nonappropriation clause, are null and void. This
 1013 section expires July 1, 2012.

1014 Section 53. In order to implement appropriations used for
 1015 the payments of existing lease contracts for private office or

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1016 storage space, the Department of Management Services, with the
1017 cooperation of the agencies having the existing lease contracts,
1018 shall seek to renegotiate or reprocure all private lease
1019 agreements expiring before June 30, 2013, to achieve a reduction
1020 in costs in future years. The department shall use the
1021 department's 2010 Master Leasing Report and may use tenant
1022 broker services to explore the possibilities of collocation,
1023 review the space needs of each agency, and to review the length
1024 and terms of potential renewals or renegotiations. The
1025 department shall provide a report by March 1, 2012, to the
1026 Executive Office of the Governor, the President of the Senate,
1027 and the Speaker of the House of Representatives which lists each
1028 lease contract for private office or storage space, the status
1029 of renegotiations, and the savings achieved. This section
1030 expires July 1, 2012.

1031 Section 54. Notwithstanding chapter 287, Florida Statutes,
1032 the Department of Management Services shall issue by September
1033 1, 2011, a solicitation for the Minnesota Multistate Contracting
1034 Alliance for Pharmacy (MMCAP) agreement as a state term
1035 contract. Provisions of the solicitation are subject to chapter
1036 119, Florida Statutes, including drug cost per unit pricing.
1037 Agencies that purchase drugs under the current MMCAP contract
1038 shall provide subject matter expertise in the development of the
1039 competitive procurement. The procurement shall be awarded to one
1040 group purchasing organization or vendor. The department shall
1041 use generic drugs where feasible in developing its preferred
1042 drug list. This section expires July 1, 2012.

1043 Section 55. In order to implement Specific Appropriation
1044 193 of the 2011-2012 General Appropriations Act, and

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1045 notwithstanding chapter 287, Florida Statutes, the Agency for
1046 Health Care Administration shall competitively reprocure a
1047 Florida Discount Drug Card Program to provide market competitive
1048 discounts through a broad network of retail pharmacies and a
1049 mail order pharmacy within the state and return money to the
1050 state on a per prescription dispensed basis. Discounts shall be
1051 available to Florida residents without income restrictions.
1052 Residents shall be able to enroll and acquire a member
1053 identification card from the participating pharmacies, online
1054 and through text messaging, without a charge. Revenues derived
1055 from this contract shall be deposited into the agency's Grants
1056 and Donations Trust Fund to reduce the cost of Medicaid pharmacy
1057 purchases. This section expires July 1, 2012.

1058 Section 56. Any section of this act which implements a
1059 specific appropriation or specifically identified proviso
1060 language in the 2011-2012 General Appropriations Act is void if
1061 the specific appropriation or specifically identified proviso
1062 language is vetoed. Any section of this act which implements
1063 more than one specific appropriation or more than one portion of
1064 specifically identified proviso language in the 2011-2012
1065 General Appropriations Act is void if all the specific
1066 appropriations or portions of specifically identified proviso
1067 language are vetoed.

1068 Section 57. If any other act passed during the 2011 Regular
1069 Session contains a provision that is substantively the same as a
1070 provision in this act, but that removes or is otherwise not
1071 subject to the future repeal applied to such provision by this
1072 act, the Legislature intends that the provision in the other act
1073 takes precedence and continues to operate, notwithstanding the

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1074 future repeal provided by this act.

1075 Section 58. If any provision of this act or its application
1076 to any person or circumstance is held invalid, the invalidity
1077 does not affect other provisions or applications of the act
1078 which can be given effect without the invalid provision or
1079 application, and to this end the provisions of this act are
1080 severable.

1081 Section 59. Except as otherwise expressly provided in this
1082 act and except for this section, which shall take effect June
1083 29, 2011, this act shall take effect July 1, 2011; or, if this
1084 act fails to become a law until after that date, it shall take
1085 effect upon becoming a law and shall operate retroactively to
1086 July 1, 2011.