

1 A bill to be entitled
2 An act relating to implementing the 2013-2014 General
3 Appropriations Act; providing legislative intent;
4 incorporating by reference certain calculations of the
5 Florida Education Finance Program for the 2013-2014
6 fiscal year; providing that funds for instructional
7 materials shall be released and expended as required
8 in specified proviso language, notwithstanding certain
9 other provisions of law; incorporating by reference
10 certain calculations for the Accelerated Connectivity
11 Highway for the 2013-2014 fiscal year; providing
12 bandwidth purchasing requirements; amending s.
13 1002.32, F.S.; providing for the distribution of
14 capital improvement funding for lab schools; providing
15 requirements to govern the Department of Health's
16 Florida Onsite Sewage Nitrogen Reduction Strategies
17 Study; incorporating by reference certain calculations
18 of the Medicaid Low-Income Pool, Disproportionate
19 Share Hospital, and Hospital Reimbursement Programs
20 for the 2013-2014 fiscal year; amending s. 216.262,
21 F.S.; authorizing the Department of Corrections to
22 submit a budget amendment for additional positions to
23 operate additional prison bed capacity under certain
24 circumstances; amending s. 932.7055, F.S.; authorizing
25 a municipality to expend funds from its special law
26 enforcement trust fund to reimburse the municipality's
27 general fund; requiring the Department of Juvenile
28 Justice to comply with specified reimbursement

HB 5003

2013

29 | limitations with respect to payments to hospitals or
30 | health care providers for health care services;
31 | authorizing certain payments pursuant to a contracted
32 | rate only until the contract expires or is renewed;
33 | defining the term "hospital" for purposes of such
34 | limitations; amending s. 29.008, F.S., relating to
35 | county funding of court-related functions; providing
36 | counties with an exemption from the requirement to
37 | annually increase certain expenditures by a specified
38 | percentage; directing the Department of Management
39 | Services to use a tenant broker to renegotiate certain
40 | leases and provide a report to the Legislature;
41 | authorizing funds available in the Audit and Warrant
42 | Clearing Trust Fund to be available for certain
43 | interest payments to the Federal Government; amending
44 | s. 624.502, F.S.; requiring that fees for service of
45 | process upon the Chief Financial Officer or Office of
46 | Insurance Regulation be deposited into the
47 | Administrative Trust Fund rather than the Insurance
48 | Regulatory Trust Fund; amending s. 161.143, F.S.;
49 | providing an allocation in the General Appropriations
50 | Act for inlet management funding; amending s. 375.041,
51 | F.S.; providing for the transfer of moneys from the
52 | Land Acquisition Trust Fund to support the Total
53 | Maximum Daily Loads Program and the Small Community
54 | Wastewater Treatment Grant Program; amending s.
55 | 373.59, F.S.; providing for the allocation and
56 | distribution of moneys from the Water Management Lands

57 Trust Fund for certain purposes; amending s. 403.7095,
58 F.S.; requiring the Department of Environmental
59 Protection to award a specified amount in grants to
60 certain counties for solid waste programs; authorizing
61 the Department of Agriculture and Consumer Services to
62 extend, revise, and renew current contracts or
63 agreements created or entered into for the purpose of
64 promotion of agriculture; amending s. 259.105, F.S.;
65 providing that funds in the Florida Forever Trust Fund
66 may be distributed only to the Division of State Lands
67 for certain land acquisitions including conservation
68 lands needed for military buffering or springs or
69 water resources protection; amending s. 376.30711,
70 F.S.; providing that competitive bidding for
71 preapproved site rehabilitation is subject to the
72 requirements of s. 287.055, F.S.; prohibiting a state
73 agency from initiating a competitive solicitation for
74 a product or service under certain circumstances;
75 authorizing the Executive Office of the Governor to
76 transfer funds between departments for purposes of
77 aligning amounts paid for risk management premiums and
78 for purposes of aligning amounts paid for human
79 resource management services; amending s. 110.123,
80 F.S., relating to the state group insurance program;
81 providing the amounts of the state's monthly
82 contribution; amending s. 112.24, F.S.; providing
83 conditions on the assignment of an employee of a state
84 agency; reenacting s. 215.32, F.S., relating to the

85 source and use of certain trust funds to implement the
86 transfer of funds to the General Revenue Fund in the
87 2013-2014 General Appropriations Act; providing a
88 legislative finding that the issuance of new debt is
89 in the best interests of the state and necessary to
90 address a critical state emergency; limiting the use
91 of travel funds for state employees to activities that
92 are critical to an agency's mission; providing
93 exceptions; authorizing certain agencies to request
94 the transfer of resources between Data Processing
95 Services appropriation categories and appropriation
96 categories for operation based upon changes to the
97 data center services consolidation schedule;
98 authorizing the Executive Office of the Governor to
99 transfer funds appropriated for data processing
100 between agencies; prohibiting an agency from
101 transferring funds from a data processing category to
102 any category other than another data processing
103 category; authorizing the Executive Office of the
104 Governor to transfer funds between agencies in order
105 to allocate a reduction relating to SUNCOM; amending
106 s. 110.12315, F.S.; reenacting provisions specifying
107 copayment amounts for the state employees'
108 prescription drug program; providing for reversion of
109 statutory text of certain provisions; providing for
110 the effect of a veto of one or more specific
111 appropriations or provisos to which implementing
112 language refers; providing for the continued operation

HB 5003

2013

113 of certain provisions notwithstanding a future repeal
114 or expiration provided by this act; providing for
115 severability; providing an effective date.

116

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

118

119 Section 1. It is the intent of the Legislature that the
120 implementing and administering provisions of this act apply to
121 the General Appropriations Act for the 2013-2014 fiscal year.

122 Section 2. In order to implement Specific Appropriations
123 7, 8, 9, 87, and 88 of the 2013-2014 General Appropriations Act,
124 the calculations of the Florida Education Finance Program for
125 the 2013-2014 fiscal year in the document entitled "Public
126 School Funding-The Florida Education Finance Program," dated
127 March 28, 2013, and filed with the Clerk of the House of
128 Representatives, are incorporated by reference for the purpose
129 of displaying the calculations used by the Legislature,
130 consistent with the requirements of the Florida Statutes, in
131 making appropriations for the Florida Education Finance Program.
132 This section expires July 1, 2014.

133 Section 3. In order to implement Specific Appropriations 7
134 and 87 of the 2013-2014 General Appropriations Act and
135 notwithstanding the provisions of ss. 1006.28 through 1006.42,
136 1002.20, 1003.02, 1011.62(6)(b)5., and 1011.67, Florida
137 Statutes, relating to the expenditure of funds provided for
138 instructional materials, for the 2013-2014 fiscal year, funds
139 provided for instructional materials shall be released and

HB 5003

2013

140 expended as required in the proviso language attached to
141 Specific Appropriation 87. This section expires July 1, 2014.

142 Section 4. In order to implement Specific Appropriation
143 89A of the 2013-2014 General Appropriations Act, the
144 calculations for the Accelerated Connectivity Highway for the
145 2013-2014 fiscal year in the document entitled "Public School
146 Funding Accelerated Connectivity Highway School District
147 Bandwidth," dated March 28, 2013, and filed with the Clerk of
148 the House of Representatives, are incorporated by reference for
149 the purpose of displaying the calculations used by the House of
150 Representatives in making appropriations for the Accelerated
151 Connectivity Highway. For purposes of acquiring only the
152 additional bandwidth capacity identified in the "Public School
153 Funding Accelerated Connectivity Highway School District
154 Bandwidth" document, each school must purchase the identified
155 amount of bandwidth from the contract (number DMS-08-09-061)
156 executed on January 12, 2009, by and between AT&T and the
157 Department of Management Services for the provision of internet
158 access and telecommunications services unless a school verifies
159 to the Department of Education that it can purchase the
160 identified amount of bandwidth from a service provider at a
161 price that is less than the price indicated in the contract
162 cited above. This section expires July 1, 2014.

163 Section 5. In order to implement Specific Appropriation 19,
164 paragraph (e) of subsection (9) of section 1002.32, Florida
165 Statutes, is amended to read:

166 1002.32 Developmental research (laboratory) schools.—

167 (9) FUNDING.—Funding for a lab school, including a charter

168 lab school, shall be provided as follows:

169 (e)1. Each lab school shall receive funds for capital
 170 improvement purposes in an amount determined as follows:
 171 multiply the maximum allowable nonvoted discretionary millage
 172 for capital improvements pursuant to s. 1011.71(2) by the value
 173 of 96 percent of the current year's taxable value for school
 174 purposes for the district in which each lab school is located;
 175 divide the result by the total full-time equivalent membership
 176 of the district; and multiply the result by the full-time
 177 equivalent membership of the lab school. The amount thus
 178 obtained shall be discretionary capital improvement funds and
 179 shall be appropriated from state funds in the General
 180 Appropriations Act to the Lab School Educational Facility Trust
 181 Fund.

182 2. Notwithstanding the provisions of subparagraph 1., for
 183 the 2013-2014 fiscal year, funds appropriated for capital
 184 improvement purposes will be divided equally between the lab
 185 schools. This subparagraph expires July 1, 2014.

186 Section 6. (1) In order to implement Specific
 187 Appropriation 493 of the 2013-2014 General Appropriations Act,
 188 and for the 2013-2014 fiscal year only, the following
 189 requirements govern the completion of Phase 3 of the Department
 190 of Health's Florida Onsite Sewage Nitrogen Reduction Strategies
 191 Study:

192 (a) The Department of Health's underlying contract for the
 193 study remains in full force and effect and funding for
 194 completion of the project is through the Department of Health.

HB 5003

2013

195 (b) The Department of Health, the Department of Health's
196 Research Review and Advisory Committee, and the Department of
197 Environmental Protection shall work together to provide the
198 necessary technical oversight of the completion of the project.

199 (c) Management and oversight of the completion of the
200 project must be consistent with the terms of the existing
201 contract. However, the main focus and priority to be completed
202 during Phase 3 shall be developing, testing, and recommending
203 cost-effective passive technology design criteria for nitrogen
204 reduction.

205 (d) The systems installed at homesites are experimental in
206 nature and shall be installed with significant field testing and
207 monitoring. The Department of Health is specifically authorized
208 to allow installation of these experimental systems.

209 (2) This section expires July 1, 2014.

210 Section 7. In order to implement Specific Appropriations
211 202, 208 through 210, and 213 of the 2013-2014 General
212 Appropriations Act, the calculations of the Medicaid Low-Income
213 Pool, Disproportionate Share Hospital, and Hospital
214 Reimbursement Programs for the 2013-2014 fiscal year in the
215 document entitled "Medicaid Supplemental Hospital Funding
216 Programs" dated March 28, 2013, and filed with the Clerk of the
217 House of Representatives, are incorporated by reference for the
218 purpose of displaying the calculations used by the Legislature,
219 consistent with the requirements of the Florida Statutes, in
220 making appropriations for the Low-Income Pool, Disproportionate
221 Share Hospital, and Hospital Reimbursement Programs. This
222 section expires July 1, 2014.

HB 5003

2013

223 Section 8. In order to implement Specific Appropriations
 224 602 through 678 and 701 through 736 of the 2013-2014 General
 225 Appropriations Act, subsection (4) of section 216.262, Florida
 226 Statutes, is amended to read:

227 216.262 Authorized positions.—

228 (4) Notwithstanding the provisions of this chapter
 229 relating to increasing the number of authorized positions, and
 230 for the 2013-2014 ~~2012-2013~~ fiscal year only, if the actual
 231 inmate population of the Department of Corrections exceeds the
 232 inmate population projections of the February 19 ~~December 14,~~
 233 2013 ~~2011~~, Criminal Justice Estimating Conference by 1 percent
 234 for 2 consecutive months or 2 percent for any month, the
 235 Executive Office of the Governor, with the approval of the
 236 Legislative Budget Commission, shall immediately notify the
 237 Criminal Justice Estimating Conference, which shall convene as
 238 soon as possible to revise the estimates. The Department of
 239 Corrections may then submit a budget amendment requesting the
 240 establishment of positions in excess of the number authorized by
 241 the Legislature and additional appropriations from unallocated
 242 general revenue sufficient to provide for essential staff, fixed
 243 capital improvements, and other resources to provide
 244 classification, security, food services, health services, and
 245 other variable expenses within the institutions to accommodate
 246 the estimated increase in the inmate population. All actions
 247 taken pursuant to this subsection are subject to review and
 248 approval by the Legislative Budget Commission. This subsection
 249 expires July 1, 2014 ~~2013~~.

250 Section 9. In order to implement Specific Appropriations

251 1211 and 1216 of the 2013-2014 General Appropriations Act,
 252 paragraph (d) of subsection (4) of section 932.7055, Florida
 253 Statutes, is amended to read:

254 932.7055 Disposition of liens and forfeited property.—

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

257 (d) Notwithstanding any other provision of this
 258 subsection, and for the 2013-2014 ~~2012-2013~~ fiscal year only,
 259 the funds in a special law enforcement trust fund established by
 260 the governing body of a municipality may be expended to
 261 reimburse the general fund of the municipality for moneys
 262 advanced from the general fund to the special law enforcement
 263 trust fund before October 1, 2001. This paragraph expires July
 264 1, 2014 ~~2013~~.

265 Section 10. (1) In order to implement Specific
 266 Appropriations 1075, 1076, 1081, 1082, 1129, 1130, 1134, 1135,
 267 1137, 1141, 1142, 1145, 1146, 1147, 1158, and 1163 of the 2013-
 268 2014 General Appropriations Act, the Department of Juvenile
 269 Justice must comply with the following reimbursement
 270 limitations:

271 (a) Payments to a hospital or a health care provider may
 272 not exceed 110 percent of the Medicare allowable rate for any
 273 health care services provided if there is no contract between
 274 the department and the hospital or the health care provider
 275 providing services at a hospital.

276 (b) The department may continue to make payments for
 277 health care services at the currently contracted rates through
 278 the current term of the contract if a contract has been executed

HB 5003

2013

279 between the department and a hospital or a health care provider
280 providing services at a hospital; however, payments may not
281 exceed 110 percent of the Medicare allowable rate after the
282 current term of the contract expires or after the contract is
283 renewed during the 2013-2014 fiscal year.

284 (c) Payments may not exceed 110 percent of the Medicare
285 allowable rate under a contract executed on or after July 1,
286 2013, between the department and a hospital or a health care
287 provider providing services at a hospital.

288 (d) Notwithstanding paragraphs (a), (b), and (c), the
289 department may pay up to 125 percent of the Medicare allowable
290 rate for health care services at a hospital that reports or has
291 reported a negative operating margin for the previous fiscal
292 year to the Agency for Health Care Administration through
293 hospital-audited financial data.

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

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

299 (3) This section expires July 1, 2014.

300 Section 11. In order to implement section 7 of the 2013-
301 2014 General Appropriations Act, paragraph (c) of subsection (4)
302 of section 29.008, Florida Statutes, is amended to read:

303 29.008 County funding of court-related functions.—

304 (4)

305 (c) Counties are exempt from all requirements and
306 provisions of paragraph (a) for the 2013-2014 ~~2012-2013~~ fiscal

HB 5003

2013

307 | year. Accordingly, for the 2013-2014 ~~2012-2013~~ fiscal year,
308 | counties shall maintain, but are not required to increase, their
309 | expenditures for the items specified in paragraphs (1)(a)-(h)
310 | and subsection (3). The requirements described in paragraph (a)
311 | shall be reinstated beginning with the 2014-2015 ~~2013-2014~~
312 | fiscal year. This paragraph expires July 1, 2014 ~~2013~~.

313 | Section 12. In order to implement appropriations used for
314 | the payments of existing lease contracts for private lease space
315 | in excess of 2,000 square feet in the 2013-2014 General
316 | Appropriations Act, the Department of Management Services,
317 | together with the cooperation of the agencies having the
318 | existing lease contracts for office or storage space, shall
319 | utilize tenant broker services to renegotiate or reprocure all
320 | private lease agreements for office or storage space expiring
321 | between July 1, 2014, and June 30, 2016, in order to achieve a
322 | reduction in costs in future years. The department shall
323 | incorporate this initiative into its 2013 Master Leasing Report
324 | and may use tenant broker services to explore the possibilities
325 | of collocation of office or storage space, to review the space
326 | needs of each agency, and to review the length and terms of
327 | potential renewals or renegotiations. The department shall
328 | provide a report by November 1, 2013, to the Executive Office of
329 | the Governor, the President of the Senate, and the Speaker of
330 | the House of Representatives which lists each lease contract for
331 | private office or storage space, the status of renegotiations,
332 | and the savings achieved. This section expires July 1, 2014.

333 | Section 13. In order to implement Specific Appropriations
334 | 3073A through 3073L of the 2013-2014 General Appropriations Act,

335 notwithstanding s. 215.199(2), Florida Statutes, funds available
 336 in the Audit and Warrant Clearing Trust Fund for subsequent
 337 distribution to the General Revenue Fund shall be available to
 338 the tax collection service provider, as defined in s.
 339 443.036(43), Florida Statutes, who shall make the interest
 340 payment required by s. 443.131(5), Florida Statutes, to the
 341 Federal Government in the amount directed by the Governor or the
 342 Governor's designee. This section expires July 1, 2014.

343 Section 14. In order to implement Specific Appropriations
 344 2245 through 2254 of the 2013-2014 General Appropriations Act,
 345 section 624.502, Florida Statutes, is amended to read:

346 624.502 Service of process fee.—In all instances as
 347 provided in any section of the insurance code and s. 48.151(3)
 348 in which service of process is authorized to be made upon the
 349 Chief Financial Officer or the director of the office, the
 350 plaintiff shall pay to the department or office a fee of \$15 for
 351 such service of process, which fee shall be deposited into the
 352 Administrative Trust Fund ~~Insurance Regulatory Trust Fund~~.

353 Section 15. The amendment made by this act to s. 624.502,
 354 Florida Statutes, shall expire July 1, 2014, and the text of
 355 that section shall revert to that in existence on June 30, 2013,
 356 except that any amendments to such text enacted other than by
 357 this act shall be preserved and continue to operate to the
 358 extent that such amendments are not dependent upon the portions
 359 of text that expire pursuant to this section.

360 Section 16. In order to implement Specific Appropriation
 361 1626 of the 2013-2014 General Appropriations Act, paragraph (e)
 362 is added to subsection (5) of section 161.143, Florida Statutes,

363 to read:

364 161.143 Inlet management; planning, prioritizing, funding,
365 approving, and implementing projects.—

366 (5) The department shall annually provide an inlet
367 management project list, in priority order, to the Legislature
368 as part of the department's budget request. The list must
369 include studies, projects, or other activities that address the
370 management of at least 10 separate inlets and that are ranked
371 according to the criteria established under subsection (2).

372 (e) Notwithstanding paragraphs (a) and (b), and for the
373 2013-2014 fiscal year only, the amount allocated for inlet
374 management funding is provided in the General Appropriations
375 Act. This paragraph expires July 1, 2014.

376 Section 17. In order to implement Specific Appropriations
377 1619 and 1644 of the 2013-2014 General Appropriations Act,
378 paragraph (b) of subsection (3) of section 375.041, Florida
379 Statutes, is amended to read:

380 375.041 Land Acquisition Trust Fund.—

381 (3)

382 (b) In addition to the uses allowed under paragraph (a),
383 for the 2013-2014 ~~2012-2013~~ fiscal year, moneys in the Land
384 Acquisition Trust Fund are authorized for transfer to support
385 the Total Maximum Daily Loads Program and the Small Community
386 Wastewater Treatment Grant Program, ~~Drinking Water Revolving~~
387 ~~Loan Trust Fund, and Wastewater Treatment and Stormwater~~
388 ~~Management Revolving Loan Trust Fund~~ as provided in the General
389 Appropriations Act. This paragraph expires July 1, 2014 ~~2013~~.

390 Section 18. In order to implement Specific Appropriation

391 1599 and 1600 of the 2013-2014 General Appropriations Act,
 392 subsections (1) and (12) of section 373.59, Florida Statutes,
 393 are amended to read:

394 373.59 Water Management Lands Trust Fund.—

395 (1) There is established within the Department of
 396 Environmental Protection the Water Management Lands Trust Fund
 397 to be used as a nonlapsing fund for the purposes of this
 398 section. The moneys in this fund are hereby continually
 399 appropriated for the purposes of land acquisition, management,
 400 maintenance, capital improvements of land titled to the
 401 districts, payments in lieu of taxes, debt service on bonds
 402 issued prior to July 1, 1999, debt service on bonds issued on or
 403 after July 1, 1999, which are issued to refund bonds issued
 404 before July 1, 1999, preacquisition costs associated with land
 405 purchases, the Everglades Restoration Strategies Regional Water
 406 Quality Plan, and the department's costs of administration of
 407 the fund. No refunding bonds may be issued which mature after
 408 the final maturity date of the bonds being refunded or which
 409 provide for higher debt service in any year than is payable on
 410 such bonds as of February 1, 2009. The department's costs of
 411 administration shall be charged proportionally against each
 412 district's allocation using the formula provided in subsection
 413 (8). Capital improvements shall include, but need not be limited
 414 to, perimeter fencing, signs, firelanes, control of invasive
 415 exotic species, controlled burning, habitat inventory and
 416 restoration, law enforcement, access roads and trails, and
 417 minimal public accommodations, such as primitive campsites,
 418 garbage receptacles, and toilets. The moneys in the fund may

419 | also be appropriated to supplement operational expenditures at
 420 | the Northwest Florida Water Management District and the Suwannee
 421 | River Water Management District, with such appropriations
 422 | allocated prior to the allocations set out in subsection (8) to
 423 | the five water management districts.

424 | (12) Notwithstanding subsection (8), and for the 2013-2014
 425 | ~~2012-2013~~ fiscal year only, the moneys from the Water Management
 426 | Lands Trust Fund are allocated as follows:

427 | (a) An amount necessary to pay debt service on bonds
 428 | issued before February 1, 2009, by the South Florida Water
 429 | Management District and the St. Johns River Water Management
 430 | District, which are secured by revenues provided pursuant to
 431 | this section, or to fund debt service reserve funds, rebate
 432 | obligations, or other amounts payable with respect to such
 433 | bonds. ~~†~~

434 | (b) Eight million dollars to be transferred to the General
 435 | Revenue Fund. ~~†~~ and

436 | (c) An amount appropriated in CS/HB 7065, 2013 Regular
 437 | Session, or similar legislation, if such legislation is enacted
 438 | and becomes law, to be transferred to the Save Our Everglades
 439 | Trust Fund for the Everglades Restoration Strategies Regional
 440 | Water Quality Plan.

441 | (d) Three million dollars to be distributed to the
 442 | Northwest Florida Water Management District for Apalachicola Bay
 443 | water quality improvement projects.

444 | (e) Three million dollars to be distributed to the
 445 | Suwannee River Water Management District for springs restoration
 446 | and protection.

447 (f) Eight million three hundred thousand dollars to be
 448 distributed to the South Florida Water Management District for
 449 J.W. Corbett Levee system improvements.

450 (g) ~~(e)~~ The remaining appropriation to be equally
 451 distributed between the Northwest Florida Water Management
 452 District, which may be used to establish minimum flows and
 453 levels, and ~~to~~ the Suwannee River Water Management District.

454
 455 This subsection expires July 1, 2014 ~~2013~~.

456 Section 19. The amendment made by this act to s.
 457 373.59(1), Florida Statutes, shall expire July 1, 2014, and the
 458 text of that section shall revert to that in existence on June
 459 30, 2013, except that any amendments to such text enacted other
 460 than by this act shall be preserved and continue to operate to
 461 the extent that such amendments are not dependent upon the
 462 portions of text that expire pursuant to this section.

463 Section 20. In order to implement Specific Appropriation
 464 1671 of the 2013-2014 General Appropriations Act, subsection (5)
 465 of section 403.7095, Florida Statutes, is amended to read:

466 403.7095 Solid waste management grant program.—

467 (5) Notwithstanding any other provision of this section,
 468 and for the 2013-2014 ~~2012-2013~~ fiscal year only, the Department
 469 of Environmental Protection shall award the sum of \$3 million
 470 ~~\$2,400,000~~ in grants equally to counties having populations of
 471 fewer than 100,000 for waste tire and litter prevention,
 472 recycling education, and general solid waste programs. This
 473 subsection expires July 1, 2014 ~~2013~~.

474 Section 21. In order to implement Specific Appropriation

475 1439 of the 2013-2014 General Appropriations Act and to provide
 476 consistency and continuity in the promotion of agriculture
 477 throughout the state, notwithstanding s. 287.057, Florida
 478 Statutes, the Department of Agriculture and Consumer Services
 479 may extend, revise, and renew current contracts or agreements
 480 created or entered into pursuant to chapter 2006-25, Laws of
 481 Florida. This section expires July 1, 2014.

482 Section 22. In order to implement Specific Appropriation
 483 1544 of the 2013-2014 General Appropriations Act, paragraph (m)
 484 of subsection (3) of section 259.105, Florida Statutes, is
 485 amended to read:

486 259.105 The Florida Forever Act.—

487 (3) Less the costs of issuing and the costs of funding
 488 reserve accounts and other costs associated with bonds, the
 489 proceeds of cash payments or bonds issued pursuant to this
 490 section shall be deposited into the Florida Forever Trust Fund
 491 created by s. 259.1051. The proceeds shall be distributed by the
 492 Department of Environmental Protection in the following manner:

493 (m) Notwithstanding paragraphs (a)-(j) and for the 2013-
 494 2014 ~~2012-2013~~ fiscal year only, the moneys appropriated from
 495 the Florida Forever Trust Fund shall be distributed only to the
 496 Division of State Lands within the Department of Environmental
 497 Protection for land acquisitions that are less-than-fee interest
 498 or for partnerships in which the state's portion of the
 499 acquisition cost is no more than 50 percent, or for conservation
 500 lands needed for military buffering or springs or water
 501 resources protection. This paragraph expires July 1, 2014 ~~2013~~.

502 Section 23. In order to implement Specific Appropriation

HB 5003

2013

503 1668 of the 2013-2014 General Appropriations Act, paragraph (d)
504 is added to subsection (2) of section 376.30711, Florida
505 Statutes, to read:

506 376.30711 Preapproved site rehabilitation, effective March
507 29, 1995.—

508 (2) (a) Competitive bidding pursuant to this section shall
509 not be subject to the requirements of s. 287.055. The department
510 is authorized to use competitive bid procedures or negotiated
511 contracts for preapproving all costs and rehabilitation
512 procedures for site-specific rehabilitation projects through
513 performance-based contracts. Site rehabilitation shall be
514 conducted according to the priority ranking order established
515 pursuant to s. 376.3071(5).

516 (d) Notwithstanding paragraph (a), for the 2013-2014
517 fiscal year, competitive bidding pursuant to this section is
518 subject to the requirements of s. 287.055. This paragraph
519 expires July 1, 2014.

520 Section 24. In order to implement the appropriation of
521 funds in the contracted services and expense categories of the
522 2013-2014 General Appropriations Act, no state agency may
523 initiate a competitive solicitation for a product or service if
524 the completion of such competitive solicitation would:

525 (1) Require a change in law; or

526 (2) Require a change to the agency's budget other than a
527 transfer authorized in s. 216.292(2) or (3), Florida Statutes,
528 unless the initiation of such competitive solicitation is
529 specifically authorized in law or in the General Appropriations
530 Act.

531
532 This section does not apply to a competitive solicitation for
533 which the agency head certifies that a valid emergency exists.
534 This section expires July 1, 2014.

535 Section 25. In order to implement the appropriation of
536 funds in appropriation category "Special Categories-Risk
537 Management Insurance" in the 2013-2014 General Appropriations
538 Act, and pursuant to the notice, review, and objection
539 procedures of s. 216.177, Florida Statutes, the Executive Office
540 of the Governor may transfer funds appropriated in that category
541 between departments in order to align the budget authority
542 granted with the premiums paid by each department for risk
543 management insurance. This section expires July 1, 2014.

544 Section 26. In order to implement the appropriation of
545 funds in the appropriation category "Special Categories-Transfer
546 to Department of Management Services-Human Resources Services
547 Purchased Per Statewide Contract" in the 2013-2014 General
548 Appropriations Act, and pursuant to the notice, review, and
549 objection procedures of s. 216.177, Florida Statutes, the
550 Executive Office of the Governor may transfer funds appropriated
551 in that category between departments in order to align the
552 budget authority granted with the assessments that must be paid
553 by each agency to the Department of Management Services for
554 human resource management services. This section expires July 1,
555 2014.

556 Section 27. In order to implement specific appropriations
557 for salaries and benefits in the 2013-2014 General
558 Appropriations Act, paragraph (a) of subsection (12) of section

559 | 110.123, Florida Statutes, is amended to read:

560 | 110.123 State group insurance program.—

561 | (12) HEALTH SAVINGS ACCOUNTS.—The department is authorized
 562 | to establish health savings accounts for full-time and part-time
 563 | state employees in association with a health insurance plan
 564 | option authorized by the Legislature and conforming to the
 565 | requirements and limitations of federal provisions relating to
 566 | the Medicare Prescription Drug, Improvement, and Modernization
 567 | Act of 2003.

568 | (a)1. A member participating in this health insurance plan
 569 | option is eligible to receive an employer contribution into the
 570 | employee's health savings account from the State Employees
 571 | Health Insurance Trust Fund in an amount to be determined by the
 572 | Legislature. A member is not eligible for an employer
 573 | contribution upon termination of employment. For the 2013-2014
 574 | ~~2012-2013~~ fiscal year, the state's monthly contribution for
 575 | employees having individual coverage shall be \$41.66 and the
 576 | monthly contribution for employees having family coverage shall
 577 | be \$83.33.

578 | 2. A member participating in this health insurance plan
 579 | option is eligible to deposit the member's own funds into a
 580 | health savings account.

581 | Section 28. In order to implement specific appropriations
 582 | for salaries and benefits in the 2013-2014 General
 583 | Appropriations Act, subsection (6) of section 112.24, Florida
 584 | Statutes, is amended to read:

585 | 112.24 Intergovernmental interchange of public employees.—
 586 | To encourage economical and effective utilization of public

HB 5003

2013

587 employees in this state, the temporary assignment of employees
588 among agencies of government, both state and local, and
589 including school districts and public institutions of higher
590 education is authorized under terms and conditions set forth in
591 this section. State agencies, municipalities, and political
592 subdivisions are authorized to enter into employee interchange
593 agreements with other state agencies, the Federal Government,
594 another state, a municipality, or a political subdivision
595 including a school district, or with a public institution of
596 higher education. State agencies are also authorized to enter
597 into employee interchange agreements with private institutions
598 of higher education and other nonprofit organizations under the
599 terms and conditions provided in this section. In addition, the
600 Governor or the Governor and Cabinet may enter into employee
601 interchange agreements with a state agency, the Federal
602 Government, another state, a municipality, or a political
603 subdivision including a school district, or with a public
604 institution of higher learning to fill, subject to the
605 requirements of chapter 20, appointive offices which are within
606 the executive branch of government and which are filled by
607 appointment by the Governor or the Governor and Cabinet. Under
608 no circumstances shall employee interchange agreements be
609 utilized for the purpose of assigning individuals to participate
610 in political campaigns. Duties and responsibilities of
611 interchange employees shall be limited to the mission and goals
612 of the agencies of government.

613 (6) For the 2013-2014 ~~2012-2013~~ fiscal year only, the
614 assignment of an employee of a state agency as provided in this

615 section may be made if recommended by the Governor or Chief
 616 Justice, as appropriate, and approved by the chairs of the
 617 legislative appropriations committees. Such actions shall be
 618 deemed approved if neither chair provides written notice of
 619 objection within 14 days after the chair's receiving notice of
 620 the action pursuant to s. 216.177. This subsection expires July
 621 1, 2014 ~~2013~~.

622 Section 29. In order to implement the transfer of funds to
 623 the General Revenue Fund from trust funds in the 2013-2014
 624 General Appropriations Act, paragraph (b) of subsection (2) of
 625 section 215.32, Florida Statutes, is reenacted to read:

626 215.32 State funds; segregation.—

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

629 (b)1. The trust funds shall consist of moneys received by
 630 the state which under law or under trust agreement are
 631 segregated for a purpose authorized by law. The state agency or
 632 branch of state government receiving or collecting such moneys
 633 is responsible for their proper expenditure as provided by law.
 634 Upon the request of the state agency or branch of state
 635 government responsible for the administration of the trust fund,
 636 the Chief Financial Officer may establish accounts within the
 637 trust fund at a level considered necessary for proper
 638 accountability. Once an account is established, the Chief
 639 Financial Officer may authorize payment from that account only
 640 upon determining that there is sufficient cash and releases at
 641 the level of the account.

642 2. In addition to other trust funds created by law, to the

HB 5003

2013

643 | extent possible, each agency shall use the following trust funds
644 | as described in this subparagraph for day-to-day operations:

645 | a. Operations or operating trust fund, for use as a
646 | depository for funds to be used for program operations funded by
647 | program revenues, with the exception of administrative
648 | activities when the operations or operating trust fund is a
649 | proprietary fund.

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

652 | c. Administrative trust fund, for use as a depository for
653 | funds to be used for management activities that are departmental
654 | in nature and funded by indirect cost earnings and assessments
655 | against trust funds. Proprietary funds are excluded from the
656 | requirement of using an administrative trust fund.

657 | d. Grants and donations trust fund, for use as a
658 | depository for funds to be used for allowable grant or donor
659 | agreement activities funded by restricted contractual revenue
660 | from private and public nonfederal sources.

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

663 | f. Clearing funds trust fund, for use as a depository for
664 | funds to account for collections pending distribution to lawful
665 | recipients.

666 | g. Federal grant trust fund, for use as a depository for
667 | funds to be used for allowable grant activities funded by
668 | restricted program revenues from federal sources.

669 |
670 | To the extent possible, each agency must adjust its internal

HB 5003

2013

671 accounting to use existing trust funds consistent with the
672 requirements of this subparagraph. If an agency does not have
673 trust funds listed in this subparagraph and cannot make such
674 adjustment, the agency must recommend the creation of the
675 necessary trust funds to the Legislature no later than the next
676 scheduled review of the agency's trust funds pursuant to s.
677 215.3206.

678 3. All such moneys are hereby appropriated to be expended
679 in accordance with the law or trust agreement under which they
680 were received, subject always to the provisions of chapter 216
681 relating to the appropriation of funds and to the applicable
682 laws relating to the deposit or expenditure of moneys in the
683 State Treasury.

684 4.a. Notwithstanding any provision of law restricting the
685 use of trust funds to specific purposes, unappropriated cash
686 balances from selected trust funds may be authorized by the
687 Legislature for transfer to the Budget Stabilization Fund and
688 General Revenue Fund in the General Appropriations Act.

689 b. This subparagraph does not apply to trust funds
690 required by federal programs or mandates; trust funds
691 established for bond covenants, indentures, or resolutions whose
692 revenues are legally pledged by the state or public body to meet
693 debt service or other financial requirements of any debt
694 obligations of the state or any public body; the Division of
695 Licensing Trust Fund in the Department of Agriculture and
696 Consumer Services; the State Transportation Trust Fund; the
697 trust fund containing the net annual proceeds from the Florida
698 Education Lotteries; the Florida Retirement System Trust Fund;

HB 5003

2013

699 trust funds under the management of the State Board of Education
700 or the Board of Governors of the State University System, where
701 such trust funds are for auxiliary enterprises, self-insurance,
702 and contracts, grants, and donations, as those terms are defined
703 by general law; trust funds that serve as clearing funds or
704 accounts for the Chief Financial Officer or state agencies;
705 trust funds that account for assets held by the state in a
706 trustee capacity as an agent or fiduciary for individuals,
707 private organizations, or other governmental units; and other
708 trust funds authorized by the State Constitution.

709 Section 30. The amendment to s. 215.32(2)(b), Florida
710 Statutes, as carried forward by this act from chapter 2011-47,
711 Laws of Florida, shall expire July 1, 2014, and the text of that
712 paragraph shall revert to that in existence on June 30, 2011,
713 except that any amendments to such text enacted other than by
714 this act shall be preserved and continue to operate to the
715 extent that such amendments are not dependent upon the portions
716 of text which expire pursuant to this section.

717 Section 31. In order to implement the issuance of new debt
718 authorized in the 2013-2014 General Appropriations Act, and
719 pursuant to s. 215.98, Florida Statutes, the Legislature
720 determines that the authorization and issuance of debt for the
721 2013-2014 fiscal year should be implemented, is in the best
722 interest of the state, and necessary to address a critical state
723 emergency. This section expires July 1, 2014.

724 Section 32. In order to implement the funds appropriated
725 in the 2013-2014 General Appropriations Act for state employee
726 travel, the funds appropriated to each state agency, which may

HB 5003

2013

727 be used for travel by state employees, are limited during the
728 2013-2014 fiscal year to travel for activities that are critical
729 to each state agency's mission. Funds may not be used to pay for
730 travel by state employees to foreign countries, other states,
731 conferences, staff-training activities, or other administrative
732 functions unless the agency head has approved in writing that
733 such activities are critical to the agency's mission. The agency
734 head must consider the use of teleconferencing and other forms
735 of electronic communication to meet the needs of the proposed
736 activity before approving mission-critical travel. This section
737 does not apply to travel for law enforcement purposes, military
738 purposes, emergency management activities, or public health
739 activities. This section expires July 1, 2014.

740 Section 33. In order to implement appropriations
741 authorized in the 2013-2014 General Appropriations Act for data
742 center services scheduled for consolidation in the 2013-2014
743 fiscal year, pursuant to the notice, review, and objection
744 procedures of s. 216.177, Florida Statutes, the consolidating
745 agencies may request the transfer of resources between Data
746 Processing Services appropriation categories and the
747 appropriation categories for operations based upon changes to
748 the consolidation schedule. This section expires July 1, 2014.

749 Section 34. In order to implement the appropriations
750 authorized in the 2013-2014 General Appropriations Act for the
751 Northwood Shared Resource Center, the Southwood Shared Resource
752 Center, and the Northwest Regional Data Center, which are funded
753 from the data processing appropriation category for computing
754 services of user agencies, and pursuant to the notice, review,

755 and objection procedures of s. 216.177, Florida Statutes, the
756 Executive Office of the Governor may transfer funds appropriated
757 for data processing in the 2013-2014 General Appropriations Act
758 between agencies in order to align the budget authority granted
759 with the utilization rate of each department. This section
760 expires July 1, 2014.

761 Section 35. In order to implement appropriations
762 authorized in the 2013-2014 General Appropriations Act for data
763 center services, and notwithstanding s. 216.292(2)(a), Florida
764 Statutes, except as authorized in section 33 or section 34, no
765 agency may transfer funds from a data processing category to any
766 category other than another data processing category. This
767 section expires July 1, 2014.

768 Section 36. In order to implement Specific Appropriation
769 2825 of the 2013-2014 General Appropriations Act, the Executive
770 Office of the Governor may transfer funds appropriated in the
771 appropriation category "Expenses" of the 2013-2014 General
772 Appropriations Act between agencies in order to allocate a
773 reduction relating to SUNCOM services. This section expires July
774 1, 2014.

775 Section 37. In order to implement section 8 of the 2013-
776 2014 General Appropriations Act, paragraph (b) of subsection (2)
777 of section 110.12315, Florida Statutes, is reenacted and
778 subsection (7) of that section is reenacted and amended to read:
779 110.12315 Prescription drug program.—The state employees'
780 prescription drug program is established. This program shall be
781 administered by the Department of Management Services, according
782 to the terms and conditions of the plan as established by the

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

785 (2) In providing for reimbursement of pharmacies for
 786 prescription medicines dispensed to members of the state group
 787 health insurance plan and their dependents under the state
 788 employees' prescription drug program:

789 (b) There shall be a 30-day supply limit for prescription
 790 card purchases and 90-day supply limit for mail order or mail
 791 order prescription drug purchases. The Department of Management
 792 Services may implement a 90-day supply limit program for certain
 793 maintenance drugs as determined by the department at retail
 794 pharmacies participating in the program if the department
 795 determines it to be in the best financial interest of the state.

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

798 (a) Effective January 1, 2013 ~~2012~~, for the State Group
 799 Health Insurance Standard Plan:

- 800 1. For generic drug with card.....\$7.
- 801 2. For preferred brand name drug with card.....\$30.
- 802 3. For nonpreferred brand name drug with card.....\$50.
- 803 4. For generic mail order drug.....\$14.
- 804 5. For preferred brand name mail order drug.....\$60.
- 805 6. For nonpreferred brand name mail order drug.....\$100.

806 Section 38. (1) The amendment to s. 110.12315(2)(b),
 807 Florida Statutes, as carried forward by this act from chapter
 808 2012-119, Laws of Florida, shall expire July 1, 2014, and the
 809 text of that paragraph shall revert to that in existence on June
 810 30, 2012, except that any amendments to such text enacted other

HB 5003

2013

811 than by this act shall be preserved and continue to operate to
812 the extent that such amendments are not dependent upon the
813 portions of text which expire pursuant to this sect.

814 (2) The amendment to s. 110.12315(7) (a), Florida Statutes,
815 as carried forward by this act from chapter 2012-119, Laws of
816 Florida, shall expire July 1, 2014, and the text of that
817 paragraph shall revert to that in existence on December 31,
818 2010, except that any amendments to such text enacted other than
819 by 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 39. Any section of this act that implements a
823 specific appropriation or specifically identified proviso
824 language in the 2013-2014 General Appropriations Act is void if
825 the specific appropriation or specifically identified proviso
826 language is vetoed. Any section of this act that implements more
827 than one specific appropriation or more than one portion of
828 specifically identified proviso language in the 2013-2014
829 General Appropriations Act is void if all the specific
830 appropriations or portions of specifically identified proviso
831 language are vetoed.

832 Section 40. If any other act passed during the 2013
833 Regular Session contains a provision that is substantively the
834 same as a provision in this act, but that removes or is
835 otherwise not subject to the future repeal applied to such
836 provision by this act, the Legislature intends that the
837 provision in the other act takes precedence and continues to
838 operate, notwithstanding the future repeal provided by this act.

HB 5003

2013

839 Section 41. If any provision of this act or its
840 application to any person or circumstance is held invalid, the
841 invalidity does not affect other provisions or applications of
842 the act which can be given effect without the invalid provision
843 or application, and to this end the provisions of this act are
844 severable.

845 Section 42. This act shall take effect July 1, 2013, or if
846 this act fails to become a law until after that date, it shall
847 take effect upon becoming a law and shall operate retroactively
848 to July 1, 2013.