

Amendment No.

CHAMBER ACTION

Senate

House

.

1 Representative Trujillo offered the following:

2
3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. It is the intent of the Legislature that the
6 implementing and administering provisions of this act apply to
7 the General Appropriations Act for the 2017-2018 fiscal year.

8 Section 2. In order to implement Specific Appropriations
9 7, 8, 9, 91, and 92 of the 2017-2018 General Appropriations Act,
10 the calculations of the Florida Education Finance Program for
11 the 2017-2018 fiscal year in the document titled "Public School
12 Funding: The Florida Education Finance Program," dated March 30,
13 2017, and filed with the Clerk of the House of Representatives,

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

14 are incorporated by reference for the purpose of displaying the
15 calculations used by the Legislature, consistent with the
16 requirements of state law, in making appropriations for the
17 Florida Education Finance Program. This section expires July 1,
18 2018.

19 Section 3. In order to implement Specific Appropriation 22
20 of the 2017-2018 General Appropriations Act and notwithstanding
21 s. 1013.64(2), Florida Statutes, any district school board that
22 generates less than \$2 million in revenue from a 1-mill levy of
23 ad valorem tax shall contribute 0.75 mills for the 2017-2018
24 fiscal year toward the cost of funded special facilities
25 construction projects. This section expires July 1, 2018.

26 Section 4. In order to implement Specific Appropriation
27 100A of the 2017-2018 General Appropriations Act, section
28 1012.731, Florida Statutes, is reenacted and amended to read:

29 1012.731 The Florida Best and Brightest Teacher
30 Scholarship Program.—

31 (1) The Legislature recognizes that, second only to
32 parents, teachers play the most critical role within schools in
33 preparing students to achieve a high level of academic
34 performance. The Legislature further recognizes that research
35 has linked student outcomes to a teacher's own academic
36 achievement. Therefore, it is the intent of the Legislature to
37 designate teachers who have achieved high academic standards

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

38 during their own education as Florida's best and brightest
39 teacher scholars.

40 (2) There is created the Florida Best and Brightest
41 Teacher Scholarship Program to be administered by the Department
42 of Education. The scholarship program shall provide categorical
43 funding for scholarships to be awarded to classroom teachers, as
44 defined in s. 1012.01(2)(a), who have demonstrated a high level
45 of academic achievement.

46 (3)(a) To be eligible for a scholarship, a classroom
47 teacher must:

48 1. Have achieved a composite score at or above the 77th
49 80th percentile on either the SAT, or the ACT, GRE, LSAT, GMAT,
50 or MCAT based on the National Percentile Ranks in effect when
51 the classroom teacher took the assessment. and

52 2. Have been evaluated as highly effective pursuant to s.
53 1012.34, or have been evaluated as highly effective based on a
54 commissioner-approved student learning growth formula adopted by
55 rule pursuant to s. 1012.34(8), in the school year immediately
56 preceding the year in which the scholarship will be awarded,
57 unless the classroom teacher is newly hired by the district
58 school board and has not been evaluated pursuant to s. 1012.34.

59 (b) In order to demonstrate eligibility for an award, an
60 eligible classroom teacher must submit to the school district,
61 no later than November 1, an official record of his or her
62 qualifying assessment ~~SAT or ACT score~~ demonstrating that the

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

63 classroom teacher scored at or above the 77th ~~80th~~ percentile
64 based on the National Percentile Ranks in effect when the
65 teacher took the assessment. Once a classroom teacher is deemed
66 eligible by the school district, ~~including teachers deemed~~
67 ~~eligible in the 2015-2016 fiscal year,~~ the teacher shall remain
68 eligible as long as he or she remains employed by the school
69 district as a classroom teacher at the time of the award and
70 receives an annual performance evaluation rating of highly
71 effective pursuant to s. 1012.34 or is evaluated as highly
72 effective based on a commissioner-approved student learning
73 growth formula adopted by rule pursuant to s. 1012.34(8).

74 (4) Annually, by December 1, each school district shall
75 submit to the department:

76 (a) The number of eligible classroom teachers who qualify
77 for the scholarship.

78 (b) The name and Master School Identification Number of
79 each school in the district to which an eligible classroom
80 teacher is assigned.

81 (c) The name of the school principal of each eligible
82 classroom teacher's school if he or she has served as the school
83 principal for at least 2 consecutive school years, including the
84 current school year.

85 (5) Annually, by February 1, the department shall disburse
86 scholarship funds to each school district for each eligible
87 classroom teacher to receive a scholarship as provided in the

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

88 General Appropriations Act. A scholarship in the amount provided
89 in the General Appropriations Act shall be awarded to every
90 eligible classroom teacher. If the number of eligible classroom
91 teachers exceeds the total appropriation authorized in the
92 General Appropriations Act, the department shall prorate the
93 per-teacher scholarship amount.

94 (6) Annually, by April 1, each school district shall award
95 the scholarship to each eligible classroom teacher.

96 (7) For purposes of this section, the term "school
97 district" includes the Florida School for the Deaf and the Blind
98 and charter school governing boards.

99 (8) This section expires July 1, 2018 ~~2017~~.

100 Section 5. In order to implement Specific Appropriation
101 100A of the 2017-2018 General Appropriations Act, section
102 1012.732, Florida Statutes, is created to read:

103 1012.732 The Florida Best and Brightest Principal
104 Scholarship Program.—

105 (1) The Legislature recognizes that the most effective
106 school principals establish a safe and supportive school
107 environment for students and faculty. Research shows that these
108 principals increase student learning by providing opportunities
109 for the professional growth, collaboration, and autonomy that
110 classroom teachers need to become and remain highly effective
111 educational professionals. As a result, these principals are
112 able to recruit and retain more of the best classroom teachers

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

113 and improve student outcomes at their schools, including schools
114 servicing low-income and high-need student populations. Therefore,
115 it is the intent of the Legislature to designate school
116 principals whose faculty consists of a high percentage of
117 classroom teachers designated as Florida's best and brightest
118 teachers pursuant to s. 1012.731.

119 (2) There is created the Florida Best and Brightest
120 Principal Scholarship Program to be administered by the
121 Department of Education. The program shall provide categorical
122 funding for scholarships to be awarded to school principals, as
123 defined in s. 1012.01(3)(c)1., who have recruited and retained a
124 high percentage of best and brightest teachers.

125 (3) A school principal identified pursuant to s.
126 1012.731(4)(c) is eligible to receive a scholarship under this
127 section if he or she has served as the school principal for at
128 least 2 consecutive school years, including the current school
129 year and his or her school has a ratio of best and brightest
130 teachers to other classroom teachers that is at the 80th
131 percentile or higher for schools within the same grade group,
132 statewide, including elementary schools, middle schools, high
133 schools, and schools with a combination of grade levels.

134 (4) Annually, by February 1, the department shall identify
135 eligible school principals and disburse funds to each school
136 district for each eligible school principal to receive a
137 scholarship as provided in the General Appropriations Act. A

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

138 scholarship must be awarded to every eligible school principal,
139 with a greater scholarship amount awarded to school principals
140 who are assigned to a Title I school. If the number of eligible
141 school principals exceeds the total appropriation authorized in
142 the General Appropriations Act, the department shall prorate
143 each school principal's scholarship in a manner consistent with
144 this subsection.

145 (5) Annually, by April 1, each school district must award
146 a scholarship to each eligible school principal.

147 (6) A school district must provide a best and brightest
148 principal with the additional authority and responsibilities
149 provided in s. 1012.28(8) for a minimum of 2 years.

150 (7) For purposes of this section, the term "school
151 district" includes the Florida School for the Deaf and the Blind
152 and charter school governing boards.

153 (8) This section expires July 1, 2018.

154 Section 6. In order to implement Specific Appropriation
155 141 of the 2017-2018 General Appropriations Act, subsection (1)
156 of section 1004.345, Florida Statutes, is amended to read:

157 1004.345 The Florida Polytechnic University.—

158 (1) By December 31, 2018 ~~2017~~, the Florida Polytechnic
159 University shall meet the following criteria as established by
160 the Board of Governors:

161 (a) Achieve accreditation from the Commission on Colleges
162 of the Southern Association of Colleges and Schools;

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

163 (b) Initiate the development of the new programs in the
164 fields of science, technology, engineering, and mathematics;

165 (c) Seek discipline-specific accreditation for programs;

166 (d) Attain a minimum FTE of 1,244, with a minimum 50
167 percent of that FTE in the fields of science, technology,
168 engineering, and mathematics and 20 percent in programs related
169 to those fields;

170 (e) Complete facilities and infrastructure, including the
171 Science and Technology Building, Phase I of the Wellness Center,
172 and a residence hall or halls containing no fewer than 190 beds;
173 and

174 (f) Have the ability to provide, either directly or where
175 feasible through a shared services model, administration of
176 financial aid, admissions, student support, information
177 technology, and finance and accounting with an internal audit
178 function.

179 Section 7. The amendment made by this act to s. 1004.345,
180 Florida Statutes, expires July 1, 2018, and the text of that
181 section shall revert to that in existence on June 30, 2016,
182 except that any amendments to such text enacted other than by
183 this act shall be preserved and continue to operate to the
184 extent that such amendments are not dependent upon the portions
185 of text which expire pursuant to this section.

186 Section 8. In order to implement Specific Appropriation
187 141 of the 2017-2018 General Appropriations Act:

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

188 (1) Notwithstanding s. 1004.70, Florida Statutes, the
189 board of trustees of a Florida College System institution may
190 not allow the use of personal services of the institution by an
191 institution direct-support organization. A Florida College
192 System institution direct-support organization may not give,
193 either directly or indirectly, any gift to a political committee
194 as defined in s. 106.011, Florida Statutes.

195 (2) Notwithstanding s. 1004.28, Florida Statutes, the
196 board of trustees of a state university may not allow the use of
197 personal services of the university by a university direct-
198 support organization. A state university direct-support
199 organization may not give, either directly or indirectly, any
200 gift to a political committee as defined in s. 106.011, Florida
201 Statutes.

202 (3) This section expires July 1, 2018.

203 Section 9. In order to implement Specific Appropriations
204 198, 199, and 203 of the 2017-2018 General Appropriations Act,
205 the calculations for the Medicaid, Disproportionate Share
206 Hospital, and Hospital Reimbursement programs for the 2017-2018
207 fiscal year contained in the document titled "Medicaid Hospital
208 Funding Programs," dated March 30, 2017, and filed with the
209 Clerk of the House of Representatives, are incorporated by
210 reference for the purpose of displaying the calculations used by
211 the Legislature, consistent with the requirements of state law,
212 in making appropriations for the Medicaid Low-Income Pool,

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

213 Disproportionate Share Hospital, and Hospital Reimbursement
214 programs. This section expires July 1, 2018.

215 Section 10. In order to implement Specific Appropriations
216 191 through 212A and 522 of the 2017-2018 General Appropriations
217 Act and notwithstanding ss. 216.181 and 216.292, Florida
218 Statutes, the Agency for Health Care Administration, in
219 consultation with the Department of Health, may submit a budget
220 amendment, subject to the notice, review, and objection
221 procedures of s. 216.177, Florida Statutes, to realign funding
222 within and between agencies based on implementation of the
223 Managed Medical Assistance component of the Statewide Medicaid
224 Managed Care program for the Children's Medical Services program
225 of the Department of Health. The funding realignment shall
226 reflect the actual enrollment changes due to the transfer of
227 beneficiaries from fee-for-service to the capitated Children's
228 Medical Services Network. The Agency for Health Care
229 Administration may submit a request for nonoperating budget
230 authority to transfer the federal funds to the Department of
231 Health pursuant to s. 216.181(12), Florida Statutes. This
232 section expires July 1, 2018.

233 Section 11. In order to implement Specific Appropriation
234 241 of the 2017-2018 General Appropriations Act:

235 (1) If, during the 2017-2018 fiscal year, the Agency for
236 Persons with Disabilities ceases to have an algorithm and
237 allocation methodology adopted by valid rule pursuant to s.

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

238 393.0662, Florida Statutes, the agency shall use the following
239 until it adopts a new algorithm and allocation methodology:

240 (a) Each client's iBudget shall remain at that funding
241 level in effect as of the date the agency ceases to have an
242 algorithm and allocation methodology adopted by valid rule
243 pursuant to s. 393.0662, Florida Statutes.

244 (b) The Agency for Persons with Disabilities shall
245 determine the iBudget for each client newly enrolled in the home
246 and community-based services waiver program using the same
247 algorithm and allocation methodology used for the iBudgets
248 determined between January 1, 2017, and June 30, 2017.

249 (2) After a new algorithm and allocation methodology is
250 adopted by final rule, a client's new iBudget shall be
251 determined based on the new algorithm and allocation methodology
252 and shall take effect as of the client's next support plan
253 update.

254 (3) Funding allocated under subsections (1) and (2) may be
255 increased under s. 393.0662(1)(b), Florida Statutes, or as
256 necessary to comply with federal regulations.

257 (4) This section expires July 1, 2018.

258 Section 12. In order to implement Specific Appropriations
259 191 through 220A, 338 through 358A, and 481 through 493 of the
260 2017-2018 General Appropriations Act and notwithstanding ss.
261 216.181 and 216.292, Florida Statutes, in the event that CS/HB
262 427 or similar legislation fails to become law, agencies are

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

263 authorized to submit budget amendments, subject to the notice,
264 review, and objection procedures of s. 216.177, Florida
265 Statutes, to fully implement the Federal Refugee Resettlement
266 Program. This section expires July 1, 2018.

267 Section 13. In order to implement Specific Appropriations
268 532 through 542 of the 2017-2018 General Appropriations Act,
269 subsection (18) is added to section 893.055, Florida Statutes,
270 to read:

271 893.055 Prescription drug monitoring program.—

272 (18) For the 2017-2018 fiscal year only, neither the
273 Attorney General nor the department may use funds received as
274 part of a settlement agreement to administer the prescription
275 drug monitoring program. This subsection expires July 1, 2018.

276 Section 14. In order to implement Specific Appropriations
277 582 through 706 and 722 through 756 of the 2017-2018 General
278 Appropriations Act, subsection (4) of section 216.262, Florida
279 Statutes, is amended to read:

280 216.262 Authorized positions.—

281 (4) Notwithstanding the provisions of this chapter
282 relating to increasing the number of authorized positions, and
283 for the 2017-2018 ~~2016-2017~~ fiscal year only, if the actual
284 inmate population of the Department of Corrections exceeds the
285 inmate population projections of the February 23, 2017 ~~December~~
286 ~~17, 2015~~, Criminal Justice Estimating Conference by 1 percent
287 for 2 consecutive months or 2 percent for any month, the

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

288 Executive Office of the Governor, with the approval of the
289 Legislative Budget Commission, shall immediately notify the
290 Criminal Justice Estimating Conference, which shall convene as
291 soon as possible to revise the estimates. The Department of
292 Corrections may then submit a budget amendment requesting the
293 establishment of positions in excess of the number authorized by
294 the Legislature and additional appropriations from unallocated
295 general revenue sufficient to provide for essential staff, fixed
296 capital improvements, and other resources to provide
297 classification, security, food services, health services, and
298 other variable expenses within the institutions to accommodate
299 the estimated increase in the inmate population. All actions
300 taken pursuant to this subsection are subject to review and
301 approval by the Legislative Budget Commission. This subsection
302 expires July 1, 2018 ~~2017~~.

303 Section 15. In order to implement Specific Appropriations
304 3145 through 3212 of the 2017-2018 General Appropriations Act,
305 subsection (2) of section 215.18, Florida Statutes, is amended
306 to read:

307 215.18 Transfers between funds; limitation.—

308 (2) The Chief Justice of the Supreme Court may receive one
309 or more trust fund loans to ensure that the state court system
310 has funds sufficient to meet its appropriations in the 2017-2018
311 ~~2016-2017~~ General Appropriations Act. If the Chief Justice
312 accesses the loan, he or she must notify the Governor and the

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

313 chairs of the legislative appropriations committees in writing.
314 The loan must come from other funds in the State Treasury which
315 are for the time being or otherwise in excess of the amounts
316 necessary to meet the just requirements of such last-mentioned
317 funds. The Governor shall order the transfer of funds within 5
318 days after the written notification from the Chief Justice. If
319 the Governor does not order the transfer, the Chief Financial
320 Officer shall transfer the requested funds. The loan of funds
321 from which any money is temporarily transferred must be repaid
322 by the end of the 2017-2018 ~~2016-2017~~ fiscal year. This
323 subsection expires July 1, 2018 ~~2017~~.

324 Section 16. In order to implement Specific Appropriation
325 727 of the 2017-2018 General Appropriations Act and
326 notwithstanding s. 216.292, Florida Statutes, the Department of
327 Corrections is authorized to submit budget amendments to
328 transfer funds from categories within the department other than
329 fixed capital outlay categories into the Inmate Health Services
330 category in order to continue the current level of care in the
331 provision of health services. Such transfers are subject to the
332 notice, review, and objection procedures of s. 216.177, Florida
333 Statutes. This section expires July 1, 2018.

334 Section 17. (1) In order to implement Specific
335 Appropriations 1104 through 1116 of the 2017-2018 General
336 Appropriations Act, the Department of Juvenile Justice is
337 required to review county juvenile detention payments to ensure

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

338 that counties fulfill their financial responsibilities required
339 in s. 985.6865, Florida Statutes. If the Department of Juvenile
340 Justice determines that a county has not met its obligations,
341 the department shall direct the Department of Revenue to deduct
342 the amount owed to the Department of Juvenile Justice from the
343 funds provided to the county under s. 218.23, Florida Statutes.
344 The Department of Revenue shall transfer the funds withheld to
345 the Shared County/State Juvenile Detention Trust Fund.

346 (2) As an assurance to holders of bonds issued by counties
347 before July 1, 2017, for which distributions made pursuant to s.
348 218.23, Florida Statutes, are pledged, or bonds issued to refund
349 such bonds which mature no later than the bonds they refunded
350 and which result in a reduction of debt service payable in each
351 fiscal year, the amount available for distribution to a county
352 shall remain as provided by law and continue to be subject to
353 any lien or claim on behalf of the bondholders. The Department
354 of Revenue must ensure, based on information provided by an
355 affected county, that any reduction in amounts distributed
356 pursuant to subsection (1) does not reduce the amount of
357 distribution to a county below the amount necessary for the
358 timely payment of principal and interest when due on the bonds
359 and the amount necessary to comply with any covenant under the
360 bond resolution or other documents relating to the issuance of
361 the bonds. If a reduction to a county's monthly distribution
362 must be decreased in order to comply with this subsection, the

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

363 Department of Revenue must notify the Department of Juvenile
364 Justice of the amount of the decrease, and the Department of
365 Juvenile Justice must send a bill for payment of such amount to
366 the affected county.

367 (3) This section expires July 1, 2018.

368 Section 18. In order to implement appropriations used to
369 pay existing lease contracts for private lease space in excess
370 of 2,000 square feet in the 2017-2018 General Appropriations
371 Act, the Department of Management Services, with the cooperation
372 of the agencies having the existing lease contracts for office
373 or storage space, shall use tenant broker services to
374 renegotiate or reprocure all private lease agreements for office
375 or storage space expiring between July 1, 2018 and June 30,
376 2020, in order to reduce costs in future years. The department
377 shall incorporate this initiative into its 2017 master leasing
378 report required under s. 255.249(7), Florida Statutes, and may
379 use tenant broker services to explore the possibilities of
380 collocating office or storage space, to review the space needs
381 of each agency, and to review the length and terms of potential
382 renewals or renegotiations. The department shall provide a
383 report to the Executive Office of the Governor, the President of
384 the Senate, and the Speaker of the House of Representatives by
385 November 1, 2017, which lists each lease contract for private
386 office or storage space, the status of renegotiations, and the
387 savings achieved. This section expires July 1, 2018.

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

388 Section 19. In order to implement Specific Appropriations
389 2768 through 2780A of the 2017-2018 General Appropriations Act
390 and notwithstanding rule 60A-1.031, Florida Administrative Code,
391 the transaction fee collected for use of the online procurement
392 system authorized in ss. 287.042(1)(h)1. and 287.057(22)(c),
393 Florida Statutes, shall be seven-tenths of 1 percent for the
394 2017-2018 fiscal year. This section expires July 1, 2018.

395 Section 20. In order to implement the appropriation of
396 funds in the appropriation category "Data Processing Services-
397 State Data Center" in the 2017-2018 General Appropriations Act,
398 and pursuant to the notice, review, and objection procedures of
399 s. 216.177, Florida Statutes, the Executive Office of the
400 Governor may transfer funds appropriated in that category
401 between departments in order to align the budget authority
402 granted based on the estimated billing cycle and methodology
403 used by the State Data Center for data processing services. This
404 section expires July 1, 2018.

405 Section 21. In order to implement appropriations
406 authorized in the 2017-2018 General Appropriations Act for data
407 center services, and notwithstanding s. 216.292(2)(a), Florida
408 Statutes, except as authorized in section 20, an agency may not
409 transfer funds from a data processing category to a category
410 other than another data processing category. This section
411 expires July 1, 2018.

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

412 Section 22. In order to implement the appropriation of
413 funds in the appropriation category "Special Categories-Risk
414 Management Insurance" in the 2017-2018 General Appropriations
415 Act, and pursuant to the notice, review, and objection
416 procedures of s. 216.177, Florida Statutes, the Executive Office
417 of the Governor may transfer funds appropriated in that category
418 between departments in order to align the budget authority
419 granted with the premiums paid by each department for risk
420 management insurance. This section expires July 1, 2018.

421 Section 23. In order to implement the appropriation of
422 funds in the appropriation category "Special Categories-Transfer
423 to Department of Management Services-Human Resources Services
424 Purchased per Statewide Contract" in the 2017-2018 General
425 Appropriations Act, and pursuant to the notice, review, and
426 objection procedures of s. 216.177, Florida Statutes, the
427 Executive Office of the Governor may transfer funds appropriated
428 in that category between departments in order to align the
429 budget authority granted with the assessments that must be paid
430 by each agency to the Department of Management Services for
431 human resource management services. This section expires July 1,
432 2018.

433 Section 24. In order to implement Specific Appropriation
434 2334 of the 2017-2018 General Appropriations Act:

435 (1) The Department of Financial Services shall replace the
436 four main components of the Florida Accounting Information

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

437 Resource Subsystem (FLAIR), which include central FLAIR,
438 departmental FLAIR, payroll, and information warehouse, and
439 shall replace the cash management and accounting management
440 components of the Cash Management Subsystem (CMS) with an
441 integrated enterprise system that allows the state to organize,
442 define, and standardize its financial management business
443 processes and that complies with ss. 215.90-215.96, Florida
444 Statutes. The department shall not include in the replacement of
445 FLAIR and CMS:

446 (a) Functionality that duplicates any of the other
447 information subsystems of the Florida Financial Management
448 Information System; or

449 (b) Agency business processes related to any of the
450 functions included in the Personnel Information System, the
451 Purchasing Subsystem, or the Legislative Appropriations
452 System/Planning and Budgeting Subsystem.

453 (2) For purposes of replacing FLAIR and CMS, the
454 Department of Financial Services shall:

455 (a) Take into consideration the cost and implementation
456 data identified for Option 3 as recommended in the March 31,
457 2014, Florida Department of Financial Services FLAIR Study,
458 version 031.

459 (b) Ensure that all business requirements and technical
460 specifications have been provided to all state agencies for

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

461 their review and input and approved by the executive steering
462 committee established in paragraph (c).

463 (c) Implement a project governance structure that includes
464 an executive steering committee composed of:

465 1. The Chief Financial Officer or the executive sponsor of
466 the project.

467 2. A representative of the Division of Treasury of the
468 Department of Financial Services appointed by the Chief
469 Financial Officer.

470 3. A representative of the Division of Information Systems
471 of the Department of Financial Services appointed by the Chief
472 Financial Officer.

473 4. Four employees from the Division of Accounting and
474 Auditing of the Department of Financial Services appointed by
475 the Chief Financial Officer. Each employee must have experience
476 relating to at least one of the four main components that
477 comprise FLAIR.

478 5. Two employees from the Executive Office of the Governor
479 appointed by the Governor. One employee must have experience
480 relating to the Legislative Appropriations System/Planning and
481 Budgeting Subsystem.

482 6. One employee from the Department of Revenue appointed
483 by the executive director of the department who has experience
484 relating to the department's SUNTAX system.

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

485 7. Two employees from the Department of Management
486 Services appointed by the Secretary of Management Services. One
487 employee must have experience relating to the department's
488 personnel information subsystem and one employee must have
489 experience relating to the department's purchasing subsystem.

490 8. Three state agency administrative services directors
491 appointed by the Governor. One director must represent a
492 regulatory and licensing state agency and one director must
493 represent a health care-related state agency.

494 (3) The Chief Financial Officer or the executive sponsor
495 of the project shall serve as chair of the executive steering
496 committee, and the committee shall take action by a vote of at
497 least eight affirmative votes with the Chief Financial Officer
498 or the executive sponsor of the project voting on the prevailing
499 side. A quorum of the executive steering committee consists of
500 at least ten members.

501 (4) The executive steering committee has the overall
502 responsibility for ensuring that the project to replace FLAIR
503 and CMS meets its primary business objectives and shall:

504 (a) Identify and recommend to the Executive Office of the
505 Governor, the President of the Senate, and the Speaker of the
506 House of Representatives any statutory changes needed to
507 implement the replacement subsystem that will standardize to the
508 fullest extent possible the state's financial management
509 business processes.

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

510 (b) Review and approve any changes to the project's scope,
511 schedule, and budget that do not conflict with the requirements
512 of subsection (1).

513 (c) Ensure that adequate resources are provided throughout
514 all phases of the project.

515 (d) Approve all major project deliverables.

516 (e) Approve all solicitation-related documents associated
517 with the replacement of FLAIR and CMS.

518 (5) This section expires July 1, 2018.

519 Section 25. In order to implement Specific Appropriations
520 1603A, 1603B, 1604, and 1743 of the 2017-2018 General
521 Appropriations Act, paragraph (d) of subsection (11) of section
522 216.181, Florida Statutes, is amended to read:

523 216.181 Approved budgets for operations and fixed capital
524 outlay.—

525 (11)

526 (d) Notwithstanding paragraph (b) and paragraph (2)(b),
527 and for the 2017-2018 ~~2016-2017~~ fiscal year only, the
528 Legislative Budget Commission may increase the amounts
529 appropriated to the Fish and Wildlife Conservation Commission or
530 the Department of Environmental Protection for fixed capital
531 outlay projects, including additional fixed capital outlay
532 projects, using funds provided to the state from the Gulf
533 Environmental Benefit Fund administered by the National Fish and
534 Wildlife Foundation; funds provided to the state from the Gulf

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

535 Coast Restoration Trust Fund related to the Resources and
536 Ecosystems Sustainability, Tourist Opportunities, and Revived
537 Economies of the Gulf Coast Act of 2012 (RESTORE Act); or funds
538 provided by the British Petroleum Corporation (BP) for natural
539 resource damage assessment restoration projects. Concurrent with
540 submission of an amendment to the Legislative Budget Commission
541 pursuant to this paragraph, any project that carries a
542 continuing commitment for future appropriations by the
543 Legislature must be specifically identified, together with the
544 projected amount of the future commitment associated with the
545 project and the fiscal years in which the commitment is expected
546 to commence. This paragraph expires July 1, 2018 ~~2017~~.

547
548 The provisions of this subsection are subject to the notice and
549 objection procedures set forth in s. 216.177.

550 Section 26. In order to implement specific appropriations
551 from the land acquisition trust funds within the Department of
552 Agriculture and Consumer Services, the Department of
553 Environmental Protection, the Department of State, and the Fish
554 and Wildlife Conservation Commission which are contained in the
555 2017-2018 General Appropriations Act, subsection (3) of section
556 215.18, Florida Statutes, is reenacted and amended to read:

557 215.18 Transfers between funds; limitation.—

558 (3) Notwithstanding subsection (1) and only with respect
559 to a land acquisition trust fund in the Department of

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

560 Agriculture and Consumer Services, the Department of
561 Environmental Protection, the Department of State, or the Fish
562 and Wildlife Conservation Commission, whenever there is a
563 deficiency in a land acquisition trust fund which would render
564 that trust fund temporarily insufficient to meet its just
565 requirements, including the timely payment of appropriations
566 from that trust fund, and other trust funds in the State
567 Treasury have moneys that are for the time being or otherwise in
568 excess of the amounts necessary to meet the just requirements,
569 including appropriated obligations, of those other trust funds,
570 the Governor may order a temporary transfer of moneys from one
571 or more of the other trust funds to a land acquisition trust
572 fund in the Department of Agriculture and Consumer Services, the
573 Department of Environmental Protection, the Department of State,
574 or the Fish and Wildlife Conservation Commission. Any action
575 proposed pursuant to this subsection is subject to the notice,
576 review, and objection procedures of s. 216.177, and the Governor
577 shall provide notice of such action at least 7 days before the
578 effective date of the transfer of trust funds, except that
579 during July 2017 ~~2016~~, notice of such action shall be provided
580 at least 3 days before the effective date of a transfer unless
581 such 3-day notice is waived by the chair and vice-chair of the
582 Legislative Budget Commission. Any transfer of trust funds to a
583 land acquisition trust fund in the Department of Agriculture and
584 Consumer Services, the Department of Environmental Protection,

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

585 the Department of State, or the Fish and Wildlife Conservation
586 Commission must be repaid to the trust funds from which the
587 moneys were loaned by the end of the 2017-2018 ~~2016-2017~~ fiscal
588 year. The Legislature has determined that the repayment of the
589 other trust fund moneys temporarily loaned to a land acquisition
590 trust fund in the Department of Agriculture and Consumer
591 Services, the Department of Environmental Protection, the
592 Department of State, or the Fish and Wildlife Conservation
593 Commission pursuant to this subsection is an allowable use of
594 the moneys in a land acquisition trust fund because the moneys
595 from other trust funds temporarily loaned to a land acquisition
596 trust fund shall be expended solely and exclusively in
597 accordance with s. 28, Art. X of the State Constitution. This
598 subsection expires July 1, 2018 ~~2017~~.

599 Section 27. (1) In order to implement specific
600 appropriations from the land acquisition trust funds within the
601 Department of Agriculture and Consumer Services, the Department
602 of Environmental Protection, the Department of State, and the
603 Fish and Wildlife Conservation Commission which are contained in
604 the 2017-2018 General Appropriations Act, the Department of
605 Environmental Protection shall transfer revenues from the Land
606 Acquisition Trust Fund within the department to the land
607 acquisition trust funds within the Department of Agriculture and
608 Consumer Services, the Department of State, and the Fish and
609 Wildlife Conservation Commission, as provided in this section.

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

610 As used in this section, the term "department" means the
611 Department of Environmental Protection.

612 (2) After subtracting any required debt service payments,
613 the proportionate share of revenues to be transferred to each
614 land acquisition trust fund shall be calculated by dividing the
615 appropriations from each of the land acquisition trust funds for
616 the fiscal year by the total appropriations from the Land
617 Acquisition Trust Fund within the department and the land
618 acquisition trust funds within the Department of Agriculture and
619 Consumer Services, the Department of State, and the Fish and
620 Wildlife Commission for the fiscal year. The department shall
621 transfer the proportionate share of the revenues in the Land
622 Acquisition Trust Fund within the department on a monthly basis
623 to the appropriate land acquisition trust funds within the
624 Department of Agriculture and Consumer Services, the Department
625 of State, and the Fish and Wildlife Commission and shall retain
626 its proportionate share of the revenues in the Land Acquisition
627 Trust Fund within the department. Total distributions to a land
628 acquisition trust fund within the Department of Agriculture and
629 Consumer Services, the Department of State, and the Fish and
630 Wildlife Commission may not exceed the total appropriations from
631 such trust fund for the fiscal year.

632 (3) This section expires July 1, 2018.

633 Section 28. In order to implement Specific Appropriation
634 1594 of the 2017-2018 General Appropriations Act, paragraph (a)

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

635 of subsection (6) of section 373.470, Florida Statutes, is
636 amended to read:

637 373.470 Everglades restoration.—

638 (6) DISTRIBUTIONS FROM SAVE OUR EVERGLADES TRUST FUND.—

639 (a) Except as provided in paragraphs (d) and (e) and for
640 funds appropriated for debt service, the department shall
641 distribute funds in the Save Our Everglades Trust Fund to the
642 district in accordance with a legislative appropriation and s.
643 373.026(8)(b). Distribution of funds to the district from the
644 Save Our Everglades Trust Fund or the Land Acquisition Trust
645 Fund shall be equally matched by the cumulative contributions
646 from the district by fiscal year 2019-2020 by providing funding
647 or credits toward project components. The dollar value of in-
648 kind project design and construction work by the district in
649 furtherance of the comprehensive plan and existing interest in
650 public lands needed for a project component are credits towards
651 the district's contributions.

652 Section 29. The amendment made by this act to s.
653 373.470(6)(a), Florida Statutes, expires July 1, 2018, and the
654 text of that paragraph shall revert to that in existence on June
655 30, 2017, except that any amendments to such text enacted other
656 than by this act shall be preserved and continue to operate to
657 the extent that such amendments are not dependent upon the
658 portions of text which expire pursuant to this section.

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

659 Section 30. In order to implement Specific Appropriation
660 1606 of the 2017-2018 General Appropriations Act, paragraph (b)
661 of subsection (3) of section 375.041, Florida Statutes, is
662 amended to read:

663 375.041 Land Acquisition Trust Fund.—

664 (3) Funds distributed into the Land Acquisition Trust Fund
665 pursuant to s. 201.15 shall be applied:

666 (b) Of the funds remaining after the payments required
667 under paragraph (a), but before funds may be appropriated,
668 pledged, or dedicated for other uses:

669 1. A minimum of the lesser of 25 percent or \$200 million
670 shall be appropriated annually for Everglades projects that
671 implement the Comprehensive Everglades Restoration Plan as set
672 forth in s. 373.470, including the Central Everglades Planning
673 Project subject to Congressional authorization; the Long-Term
674 Plan as defined in s. 373.4592(2); and the Northern Everglades
675 and Estuaries Protection Program as set forth in s. 373.4595.
676 From these funds, \$32 million shall be distributed each fiscal
677 year through the 2023-2024 fiscal year to the South Florida
678 Water Management District for the Long-Term Plan as defined in
679 s. 373.4592(2). After deducting the \$32 million distributed
680 under this subparagraph, from the funds remaining, a minimum of
681 the lesser of 76.5 percent or \$100 million shall be appropriated
682 each fiscal year through the 2025-2026 fiscal year for the
683 planning, design, engineering, and construction of the

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

684 Comprehensive Everglades Restoration Plan as set forth in s.
685 373.470, including the Central Everglades Planning Project
686 subject to Congressional authorization. The Department of
687 Environmental Protection and the South Florida Water Management
688 District shall give preference to those Everglades restoration
689 projects that reduce harmful discharges of water from Lake
690 Okeechobee to the St. Lucie or Caloosahatchee estuaries in a
691 timely manner. For the purpose of performing the calculation
692 provided in this subparagraph, the amount of debt service paid
693 pursuant to paragraph (a) for bonds issued after July 1, 2016,
694 for the purposes set forth under paragraph (b) shall be added to
695 the amount remaining after the payments required under paragraph
696 (a). The amount of the distribution calculated shall then be
697 reduced by an amount equal to the debt service paid pursuant to
698 paragraph (a) on bonds issued after July 1, 2016, for the
699 purposes set forth under this subparagraph.

700 2. A minimum of the lesser of 7.6 percent or \$50 million
701 shall be appropriated annually for spring restoration,
702 protection, and management projects. For the purpose of
703 performing the calculation provided in this subparagraph, the
704 amount of debt service paid pursuant to paragraph (a) for bonds
705 issued after July 1, 2016, for the purposes set forth under
706 paragraph (b) shall be added to the amount remaining after the
707 payments required under paragraph (a). The amount of the
708 distribution calculated shall then be reduced by an amount equal

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

709 to the debt service paid pursuant to paragraph (a) on bonds
710 issued after July 1, 2016, for the purposes set forth under this
711 subparagraph.

712 3. The sum of \$5 million shall be appropriated annually
713 each fiscal year through the 2025-2026 fiscal year to the St.
714 Johns River Water Management District for projects dedicated to
715 the restoration of Lake Apopka. This distribution shall be
716 reduced by an amount equal to the debt service paid pursuant to
717 paragraph (a) on bonds issued after July 1, 2016, for the
718 purposes set forth in this subparagraph.

719 4. Notwithstanding subparagraphs 2 and 3, for the 2017-
720 2018 fiscal year, funds shall be appropriated as provided in the
721 General Appropriations Act. This subparagraph expires July 1,
722 2018.

723 Section 31. In order to implement Specific Appropriations
724 1869 through 1882, 1888 through 1891, 1905 through 1925, and
725 1964 through 1976 of the 2017-2018 General Appropriations Act,
726 paragraph (e) of subsection (7) of section 339.135, Florida
727 Statutes, is amended to read:

728 339.135 Work program; legislative budget request;
729 definitions; preparation, adoption, execution, and amendment.—

730 (7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

731 (e) Notwithstanding paragraphs (d), ~~and~~ (g), and (h) and
732 ss. 216.177(2) and 216.351, the secretary may request the
733 Executive Office of the Governor to amend the adopted work

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

734 program when an emergency exists, as defined in s. 252.34, and
735 the emergency relates to the repair or rehabilitation of any
736 state transportation facility. The Executive Office of the
737 Governor may approve the amendment to the adopted work program
738 and amend that portion of the department's approved budget if a
739 delay incident to the notification requirements in paragraph (d)
740 would be detrimental to the interests of the state. However, the
741 department shall immediately notify the parties specified in
742 paragraph (d) and provide such parties written justification for
743 the emergency action within 7 days after approval by the
744 Executive Office of the Governor of the amendment to the adopted
745 work program and the department's budget. The adopted work
746 program may not be amended under this subsection without
747 certification by the comptroller of the department that there
748 are sufficient funds available pursuant to the 36-month cash
749 forecast and applicable statutes.

750 Section 32. The amendment made by this act to s.
751 339.135(7), Florida Statutes, expires July 1, 2018, and the text
752 of that section shall revert to that in existence on June 30,
753 2017, except that any amendments to such text enacted other than
754 by this act shall be preserved and continue to operate to the
755 extent that such amendments are not dependent upon the portions
756 of text which expire pursuant to this section.

757 Section 33. In order to implement the salaries and
758 benefits, expenses, other personal services, contracted

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

759 services, special categories, and operating capital outlay
760 categories of the 2017-2018 General Appropriations Act,
761 paragraph (a) of subsection (2) of section 216.292, Florida
762 Statutes, is reenacted to read:

763 216.292 Appropriations nontransferable; exceptions.—

764 (2) The following transfers are authorized to be made by
765 the head of each department or the Chief Justice of the Supreme
766 Court whenever it is deemed necessary by reason of changed
767 conditions:

768 (a) The transfer of appropriations funded from identical
769 funding sources, except appropriations for fixed capital outlay,
770 and the transfer of amounts included within the total original
771 approved budget and plans of releases of appropriations as
772 furnished pursuant to ss. 216.181 and 216.192, as follows:

773 1. Between categories of appropriations within a budget
774 entity, if no category of appropriation is increased or
775 decreased by more than 5 percent of the original approved budget
776 or \$250,000, whichever is greater, by all action taken under
777 this subsection.

778 2. Between budget entities within identical categories of
779 appropriations, if no category of appropriation is increased or
780 decreased by more than 5 percent of the original approved budget
781 or \$250,000, whichever is greater, by all action taken under
782 this subsection.

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

783 3. Any agency exceeding salary rate established pursuant
784 to s. 216.181(8) on June 30th of any fiscal year shall not be
785 authorized to make transfers pursuant to subparagraphs 1. and 2.
786 in the subsequent fiscal year.

787 4. Notice of proposed transfers under subparagraphs 1. and
788 2. shall be provided to the Executive Office of the Governor and
789 the chairs of the legislative appropriations committees at least
790 3 days prior to agency implementation in order to provide an
791 opportunity for review.

792 Section 34. The amendment to s. 216.292(2)(a), Florida
793 Statutes, as carried forward by this act from chapter 2015-222,
794 Laws of Florida, expires July 1, 2018, and the text of that
795 paragraph shall revert to that in existence on June 30, 2014,
796 except that any amendments to such text enacted other than by
797 this act shall be preserved and continue to operate to the
798 extent that such amendments are not dependent upon the portions
799 of text which expire pursuant to this section.

800 Section 35. In order to implement the appropriation of
801 funds in the special categories, contracted services, and
802 expenses categories of the 2017-2018 General Appropriations Act,
803 a state agency may not initiate a competitive solicitation for a
804 product or service if the completion of such competitive
805 solicitation would:

806 (1) Require a change in law; or

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

807 (2) Require a change to the agency's budget other than a
808 transfer authorized in s. 216.292(2) or (3), Florida Statutes,
809 unless the initiation of such competitive solicitation is
810 specifically authorized in law, in the General Appropriations
811 Act, or by the Legislative Budget Commission.

812

813 This section does not apply to a competitive solicitation for
814 which the agency head certifies that a valid emergency exists.
815 This section expires July 1, 2018.

816 Section 36. In order to implement appropriations for
817 salaries and benefits in the 2017-2018 General Appropriations
818 Act, subsection (6) of section 112.24, Florida Statutes, is
819 amended to read:

820 112.24 Intergovernmental interchange of public employees.—
821 To encourage economical and effective utilization of public
822 employees in this state, the temporary assignment of employees
823 among agencies of government, both state and local, and
824 including school districts and public institutions of higher
825 education is authorized under terms and conditions set forth in
826 this section. State agencies, municipalities, and political
827 subdivisions are authorized to enter into employee interchange
828 agreements with other state agencies, the Federal Government,
829 another state, a municipality, or a political subdivision
830 including a school district, or with a public institution of
831 higher education. State agencies are also authorized to enter

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

832 into employee interchange agreements with private institutions
833 of higher education and other nonprofit organizations under the
834 terms and conditions provided in this section. In addition, the
835 Governor or the Governor and Cabinet may enter into employee
836 interchange agreements with a state agency, the Federal
837 Government, another state, a municipality, or a political
838 subdivision including a school district, or with a public
839 institution of higher learning to fill, subject to the
840 requirements of chapter 20, appointive offices which are within
841 the executive branch of government and which are filled by
842 appointment by the Governor or the Governor and Cabinet. Under
843 no circumstances shall employee interchange agreements be
844 utilized for the purpose of assigning individuals to participate
845 in political campaigns. Duties and responsibilities of
846 interchange employees shall be limited to the mission and goals
847 of the agencies of government.

848 (6) For the 2017-2018 ~~2016-2017~~ fiscal year only, the
849 assignment of an employee of a state agency as provided in this
850 section may be made if recommended by the Governor or Chief
851 Justice, as appropriate, and approved by the chairs of the
852 legislative appropriations committees. Such actions shall be
853 deemed approved if neither chair provides written notice of
854 objection within 14 days after receiving notice of the action
855 pursuant to s. 216.177. This subsection expires July 1, 2018
856 ~~2017~~.

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

857 Section 37. In order to implement Specific Appropriations
858 2681 and 2682 of the 2017-2018 General Appropriations Act and
859 notwithstanding s. 11.13(1), Florida Statutes, the authorized
860 salaries for members of the Legislature for the 2017-2018 fiscal
861 year shall be set at the same level in effect on July 1, 2010.
862 This section expires July 1, 2018.

863 Section 38. In order to implement the transfer of funds to
864 the General Revenue Fund from trust funds in the 2017-2018
865 General Appropriations Act, paragraph (b) of subsection (2) of
866 section 215.32, Florida Statutes, is reenacted to read:

867 215.32 State funds; segregation.—

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

870 (b)1. The trust funds shall consist of moneys received by
871 the state which under law or under trust agreement are
872 segregated for a purpose authorized by law. The state agency or
873 branch of state government receiving or collecting such moneys
874 is responsible for their proper expenditure as provided by law.
875 Upon the request of the state agency or branch of state
876 government responsible for the administration of the trust fund,
877 the Chief Financial Officer may establish accounts within the
878 trust fund at a level considered necessary for proper
879 accountability. Once an account is established, the Chief
880 Financial Officer may authorize payment from that account only

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

881 upon determining that there is sufficient cash and releases at
882 the level of the account.

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

886 a. Operations or operating trust fund, for use as a
887 depository for funds to be used for program operations funded by
888 program revenues, with the exception of administrative
889 activities when the operations or operating trust fund is a
890 proprietary fund.

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

893 c. Administrative trust fund, for use as a depository for
894 funds to be used for management activities that are departmental
895 in nature and funded by indirect cost earnings and assessments
896 against trust funds. Proprietary funds are excluded from the
897 requirement of using an administrative trust fund.

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

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

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

904 f. Clearing funds trust fund, for use as a depository for
905 funds to account for collections pending distribution to lawful
906 recipients.

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

910
911 To the extent possible, each agency must adjust its internal
912 accounting to use existing trust funds consistent with the
913 requirements of this subparagraph. If an agency does not have
914 trust funds listed in this subparagraph and cannot make such
915 adjustment, the agency must recommend the creation of the
916 necessary trust funds to the Legislature no later than the next
917 scheduled review of the agency's trust funds pursuant to s.
918 215.3206.

919 3. All such moneys are hereby appropriated to be expended
920 in accordance with the law or trust agreement under which they
921 were received, subject always to the provisions of chapter 216
922 relating to the appropriation of funds and to the applicable
923 laws relating to the deposit or expenditure of moneys in the
924 State Treasury.

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

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

928 Legislature for transfer to the Budget Stabilization Fund and
929 General Revenue Fund in the General Appropriations Act.

930 b. This subparagraph does not apply to trust funds
931 required by federal programs or mandates; trust funds
932 established for bond covenants, indentures, or resolutions whose
933 revenues are legally pledged by the state or public body to meet
934 debt service or other financial requirements of any debt
935 obligations of the state or any public body; the Division of
936 Licensing Trust Fund in the Department of Agriculture and
937 Consumer Services; the State Transportation Trust Fund; the
938 trust fund containing the net annual proceeds from the Florida
939 Education Lotteries; the Florida Retirement System Trust Fund;
940 trust funds under the management of the State Board of Education
941 or the Board of Governors of the State University System, where
942 such trust funds are for auxiliary enterprises, self-insurance,
943 and contracts, grants, and donations, as those terms are defined
944 by general law; trust funds that serve as clearing funds or
945 accounts for the Chief Financial Officer or state agencies;
946 trust funds that account for assets held by the state in a
947 trustee capacity as an agent or fiduciary for individuals,
948 private organizations, or other governmental units; and other
949 trust funds authorized by the State Constitution.

950 Section 39. The amendment to s. 215.32(2)(b), Florida
951 Statutes, as carried forward by this act from chapter 2011-47,
952 Laws of Florida, expires July 1, 2018, and the text of that

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

953 paragraph shall revert to that in existence on June 30, 2011,
954 except that any amendments to such text enacted other than by
955 this act shall be preserved and continue to operate to the
956 extent that such amendments are not dependent upon the portions
957 of text which expire pursuant to this section.

958 Section 40. In order to implement appropriations in the
959 2017-2018 General Appropriations Act for state employee travel,
960 the funds appropriated to each state agency which may be used
961 for travel by state employees shall be limited during the 2017-
962 2018 fiscal year to travel for activities that are critical to
963 each state agency's mission. Funds may not be used for travel by
964 state employees to foreign countries, other states, conferences,
965 staff training activities, or other administrative functions
966 unless the agency head has approved, in writing, that such
967 activities are critical to the agency's mission. The agency head
968 shall consider using teleconferencing and other forms of
969 electronic communication to meet the needs of the proposed
970 activity before approving mission-critical travel. This section
971 does not apply to travel for law enforcement purposes, military
972 purposes, emergency management activities, or public health
973 activities. This section expires July 1, 2018.

974 Section 41. In order to implement appropriations in the
975 2017-2018 General Appropriations Act for state employee travel
976 and notwithstanding s. 112.061, Florida Statutes, costs for
977 lodging associated with a meeting, conference, or convention

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

978 organized or sponsored in whole or in part by a state agency or
979 the judicial branch may not exceed \$150 per day. An employee may
980 expend his or her own funds for any lodging expenses in excess
981 of \$150 per day. For purposes of this section, a meeting does
982 not include travel activities for conducting an audit,
983 examination, inspection, or investigation or travel activities
984 related to a litigation or emergency response. This section
985 expires July 1, 2018.

986 Section 42. In order to implement appropriations in the
987 2017-2018 General Appropriations Act for executive branch and
988 judicial branch employee travel, the executive branch state
989 agencies and the judicial branch must collaborate with the
990 Executive Office of the Governor and the Department of
991 Management Services to implement the statewide travel management
992 system funded in Specific Appropriation 2718A in the 2017-2018
993 General Appropriations Act. For the purpose of complying with s.
994 112.061, Florida Statutes, all executive branch state agencies
995 and the judicial branch must use the statewide travel management
996 system. This section expires July 1, 2018.

997 Section 43. In order to implement section 8 of the 2017-
998 2018 General Appropriations Act, section 110.12315, Florida
999 Statutes, is reenacted and subsection (12) is added to that
1000 section, to read:

1001 110.12315 Prescription drug program.—The state employees'
1002 prescription drug program is established. This program shall be

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

1003 administered by the Department of Management Services, according
1004 to the terms and conditions of the plan as established by the
1005 relevant provisions of the annual General Appropriations Act and
1006 implementing legislation, subject to the following conditions:

1007 (1) The department shall allow prescriptions written by
1008 health care providers under the plan to be filled by any
1009 licensed pharmacy pursuant to contractual claims-processing
1010 provisions. Nothing in this section may be construed as
1011 prohibiting a mail order prescription drug program distinct from
1012 the service provided by retail pharmacies.

1013 (2) In providing for reimbursement of pharmacies for
1014 prescription medicines dispensed to members of the state group
1015 health insurance plan and their dependents under the state
1016 employees' prescription drug program:

1017 (a) Retail pharmacies participating in the program must be
1018 reimbursed at a uniform rate and subject to uniform conditions,
1019 according to the terms and conditions of the plan.

1020 (b) There shall be a 30-day supply limit for prescription
1021 card purchases, a 90-day supply limit for maintenance
1022 prescription drug purchases, and a 90-day supply limit for mail
1023 order or mail order prescription drug purchases.

1024 (c) The pharmacy dispensing fee shall be negotiated by the
1025 department.

1026 (3) Pharmacy reimbursement rates shall be as follows:

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

1027 (a) For mail order and specialty pharmacies contracting
1028 with the department, reimbursement rates shall be as established
1029 in the contract.

1030 (b) For retail pharmacies, the reimbursement rate shall be
1031 at the same rate as mail order pharmacies under contract with
1032 the department.

1033 (4) The department shall maintain the preferred brand name
1034 drug list to be used in the administration of the state
1035 employees' prescription drug program.

1036 (5) The department shall maintain a list of maintenance
1037 drugs.

1038 (a) Preferred provider organization health plan members
1039 may have prescriptions for maintenance drugs filled up to three
1040 times as a 30-day supply through a retail pharmacy; thereafter,
1041 prescriptions for the same maintenance drug must be filled as a
1042 90-day supply either through the department's contracted mail
1043 order pharmacy or through a retail pharmacy.

1044 (b) Health maintenance organization health plan members
1045 may have prescriptions for maintenance drugs filled as a 90-day
1046 supply either through a mail order pharmacy or through a retail
1047 pharmacy.

1048 (6) Copayments made by health plan members for a 90-day
1049 supply through a retail pharmacy shall be the same as copayments
1050 made for a 90-day supply through the department's contracted
1051 mail order pharmacy.

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

1052 (7) The department shall establish the reimbursement
1053 schedule for prescription pharmaceuticals dispensed under the
1054 program. Reimbursement rates for a prescription pharmaceutical
1055 must be based on the cost of the generic equivalent drug if a
1056 generic equivalent exists, unless the physician, advanced
1057 registered nurse practitioner, or physician assistant
1058 prescribing the pharmaceutical clearly states on the
1059 prescription that the brand name drug is medically necessary or
1060 that the drug product is included on the formulary of drug
1061 products that may not be interchanged as provided in chapter
1062 465, in which case reimbursement must be based on the cost of
1063 the brand name drug as specified in the reimbursement schedule
1064 adopted by the department.

1065 (8) The department shall conduct a prescription
1066 utilization review program. In order to participate in the state
1067 employees' prescription drug program, retail pharmacies
1068 dispensing prescription medicines to members of the state group
1069 health insurance plan or their covered dependents, or to
1070 subscribers or covered dependents of a health maintenance
1071 organization plan under the state group insurance program, shall
1072 make their records available for this review.

1073 (9) The department shall implement such additional cost-
1074 saving measures and adjustments as may be required to balance
1075 program funding within appropriations provided, including a

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

1076 trial or starter dose program and dispensing of long-term-
1077 maintenance medication in lieu of acute therapy medication.

1078 (10) Participating pharmacies must use a point-of-sale
1079 device or an online computer system to verify a participant's
1080 eligibility for coverage. The state is not liable for
1081 reimbursement of a participating pharmacy for dispensing
1082 prescription drugs to any person whose current eligibility for
1083 coverage has not been verified by the state's contracted
1084 administrator or by the department.

1085 (11) Under the state employees' prescription drug program
1086 copayments must be made as follows:

1087 (a) Effective January 1, 2013, for the State Group Health
1088 Insurance Standard Plan:

- 1089 1. For generic drug with card.....\$7.
- 1090 2. For preferred brand name drug with card.....\$30.
- 1091 3. For nonpreferred brand name drug with card.....\$50.
- 1092 4. For generic mail order drug.....\$14.
- 1093 5. For preferred brand name mail order drug.....\$60.
- 1094 6. For nonpreferred brand name mail order drug.....\$100.

1095 (b) Effective January 1, 2006, for the State Group Health
1096 Insurance High Deductible Plan:

- 1097 1. Retail coinsurance for generic drug with card.....30%.
- 1098 2. Retail coinsurance for preferred brand name drug with
1099 card 30%.

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

- 1100 3. Retail coinsurance for nonpreferred brand name drug
- 1101 with card.....50%.
- 1102 4. Mail order coinsurance for generic drug.....30%.
- 1103 5. Mail order coinsurance for preferred brand name drug30%.
- 1104 6. Mail order coinsurance for nonpreferred brand name drug50%.

1105 (c) The department shall create a preferred brand name
 1106 drug list to be used in the administration of the state
 1107 employees' prescription drug program.

1108 (12) Notwithstanding section 8 of chapter 99-255, Laws of
 1109 Florida, the department shall implement formulary management
 1110 measures by which prescription drugs and supplies shall be
 1111 subject to formulary inclusion and exclusion. Prescription drugs
 1112 and supplies that are excluded may be made available to an
 1113 individual member of the state employee prescription drug
 1114 program or his or her covered dependents for inclusion by
 1115 medical necessity review. This subsection expires July 1, 2018.

1116 Section 44. (1) The amendment to s. 110.12315(2)(b),
 1117 Florida Statutes, as carried forward by this act from chapter
 1118 2014-53, Laws of Florida, expires July 1, 2018, and the text of
 1119 that paragraph shall revert to that in existence on June 30,
 1120 2012, except that any amendments to such text enacted other than
 1121 by this act shall be preserved and continue to operate to the
 1122 extent that such amendments are not dependent upon the portions
 1123 of text which expire pursuant to this section.

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

1124 (2) The amendments to s. 110.12315(2)(c) and (3)-(6),
1125 Florida Statutes, as carried forward by this act from chapter
1126 2014-53, Laws of Florida, expire July 1, 2018, and the text and
1127 numbering of those provisions shall revert to that in existence
1128 on June 30, 2014, except that any amendments to such text
1129 enacted other than by this act shall be preserved and continue
1130 to operate to the extent that such amendments are not dependent
1131 upon the portions of text that expire pursuant to this section.

1132 (3) The amendment to s. 110.12315(7), Florida Statutes, as
1133 carried forward by this act from chapter 2014-53, Laws of
1134 Florida, expires July 1, 2018, and shall revert to the text of
1135 that subsection in existence on December 31, 2010, except that
1136 any amendments to such text enacted other than by this act shall
1137 be preserved and continue to operate to the extent that such
1138 amendments are not dependent upon the portions of text which
1139 expire pursuant to this section.

1140 Section 45. In order to implement the appropriation of
1141 funds in the special categories, contracted services, and
1142 expenses categories of the 2017-2018 General Appropriations Act,
1143 a state agency may not enter into a contract containing a
1144 nondisclosure clause that prohibits the contractor from
1145 disclosing information relevant to the performance of the
1146 contract to members or staff of the Senate or the House of
1147 Representatives. This section expires July 1, 2018.

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

1148 Section 46. Any section of this act which implements a
1149 specific appropriation or specifically identified proviso
1150 language in the 2017-2018 General Appropriations Act is void if
1151 the specific appropriation or specifically identified proviso
1152 language is vetoed. Any section of this act which implements
1153 more than one specific appropriation or more than one portion of
1154 specifically identified proviso language in the 2017-2018
1155 General Appropriations Act is void if all the specific
1156 appropriations or portions of specifically identified proviso
1157 language are vetoed.

1158 Section 47. If any other act passed during the 2017
1159 Regular Session of the Legislature contains a provision that is
1160 substantively the same as a provision in this act, but that
1161 removes or is otherwise not subject to the future repeal applied
1162 to such provision by this act, the Legislature intends that the
1163 provision in the other act takes precedence and continues to
1164 operate, notwithstanding the future repeal provided by this act.

1165 Section 48. If any provision of this act or its
1166 application to any person or circumstance is held invalid, the
1167 invalidity does not affect other provisions or applications of
1168 the act which can be given effect without the invalid provision
1169 or application, and to this end the provisions of this act are
1170 severable.

1171 Section 49. Except as otherwise expressly provided in this
1172 act and except for this section, which shall take effect upon

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

1173 becoming a law, this act shall take effect July 1, 2017; or, if
1174 this act fails to become a law until after that date, it shall
1175 take effect upon becoming a law and shall operate retroactively
1176 to July 1, 2017.

1177

1178 -----

1179 **T I T L E A M E N D M E N T**

1180 Remove everything before the enacting clause and insert:

1181 A bill to be entitled

1182 An act implementing the 2017-2018 General
1183 Appropriations Act; providing legislative intent;
1184 incorporating by reference certain calculations of the
1185 Florida Education Finance Program; specifying the
1186 required ad valorem tax millage contribution by
1187 certain district school boards for certain funded
1188 construction projects; amending s. 1012.731, F.S.;
1189 delaying the expiration of the Florida Best and
1190 Brightest Teacher Scholarship Program; revising
1191 criteria for eligibility for scholarships; revising
1192 information submitted by school districts to the
1193 Department of Education; creating s. 1012.732, F.S.;
1194 creating the Florida Best and Brightest Principal
1195 Scholarship Program; providing legislative intent;
1196 providing a program to provide scholarship funding for
1197 principals who meet certain criteria; requiring school

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

1198 districts to award scholarships to eligible school
1199 principals; amending s. 1004.345, F.S.; delaying by 1
1200 year the date by which the Florida Polytechnic
1201 University must meet specified criteria established by
1202 the Board of Governors; providing for the future
1203 expiration and reversion of statutory text related to
1204 the Florida Polytechnic University in meeting
1205 specified criteria; prohibiting personal services of
1206 college system institutions and state universities to
1207 be used by certain direct-support organizations;
1208 incorporating by reference certain calculations of the
1209 Medicaid Low-Income Pool, Disproportionate Share
1210 Hospital, and Hospital Reimbursement programs;
1211 authorizing the Agency for Health Care Administration,
1212 with the Department of Health, to submit a budget
1213 amendment to realign funding for certain agencies
1214 based on a specific component of the Statewide
1215 Medicaid Managed Care program of the Department of
1216 Health; requiring the funding realignment to meet
1217 certain criteria; authorizing the Agency for Health
1218 Care administration to submit a request to transfer
1219 federal funds to the Department of Health; requiring
1220 the Agency for Persons with Disabilities to use
1221 specified methodologies if it ceases to have an
1222 algorithm and allocation methodology adopted by valid

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

1223 rule; authorizing increases in iBudget funding under
1224 certain circumstances; authorizing agencies, for 1
1225 year, to submit budget amendments, subject to notice,
1226 review, and objection procedures, to implement the
1227 Federal Refugee Resettlement Program under certain
1228 circumstances; amending s. 893.055, F.S.; prohibiting
1229 the Attorney General and the Department of Health
1230 from using certain settlement agreement funds to
1231 administer the prescription drug monitoring program;
1232 amending s. 216.262, F.S.; extending for 1 fiscal year
1233 the authority of the Department of Corrections to
1234 submit a budget amendment for additional positions and
1235 appropriations under certain circumstances; amending
1236 s. 215.18, F.S.; extending for 1 fiscal year the
1237 authority and related repayment requirements for
1238 temporary trust fund loans to the state court system
1239 which are sufficient to meet the system's
1240 appropriation; authorizing the Department of
1241 Corrections to submit certain budget amendments to
1242 transfer funds into the Inmate Health Services
1243 category; providing that such transfers are subject to
1244 notice, review, and objection procedures; requiring
1245 the Department of Juvenile Justice to review county
1246 juvenile detention payments to determine if the county
1247 has met specified financial responsibilities;

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

1248 requiring amounts owed by the county for such
1249 financial responsibilities to be deducted from certain
1250 county funds; requiring the Department of Revenue to
1251 transfer funds withheld to specified trust funds;
1252 requiring the Department of Revenue to ensure that
1253 such reductions in amounts distributed do not reduce
1254 distributions below amounts necessary for certain
1255 payments due on bonds and comply with bond covenants;
1256 requiring the Department of Revenue to notify the
1257 Department of Juvenile Justice if bond payment
1258 requirements require a reduction in deductions for
1259 amounts owed by a county; requiring the Department of
1260 Management Services to use tenant broker services to
1261 renegotiate or reprocure certain private lease
1262 agreements for office or storage space; requiring the
1263 Department of Management Services to provide a report
1264 to the Governor and Legislature by a specified date;
1265 specifying the amount of the transaction fee to be
1266 collected for use of an online procurement system;
1267 authorizing the Executive Office of the Governor,
1268 subject to notice, review, and objection procedures,
1269 to transfer funds appropriated for certain data
1270 processing services between departments for a
1271 specified purpose; prohibiting an agency from
1272 transferring funds from a data processing category to

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

1273 another category that is not a data processing
1274 category; authorizing the Executive Office of the
1275 Governor, subject to notice, review, and objection
1276 procedures, to transfer funds between departments for
1277 purposes of aligning amounts paid for risk management
1278 insurance and for human resource management services;
1279 providing for replacement of the Florida Accounting
1280 Information Resource Subsystem; providing for project
1281 governance structure; amending s. 216.181, F.S.;
1282 extending by 1 fiscal year the authority for the
1283 Legislative Budget Commission to increase amounts
1284 appropriated to the Fish and Wildlife Conservation
1285 Commission or the Department of Environmental
1286 Protection for certain fixed capital outlay projects
1287 from specified sources; amending s. 215.18, F.S.;
1288 authorizing the Governor, if there is a specified
1289 deficiency in a land acquisition trust fund in the
1290 Department of Agriculture and Consumer Services, the
1291 Department of Environmental Protection, the Department
1292 of State, or the Fish and Wildlife Conservation
1293 Commission, to transfer funds from other trust funds
1294 in the State Treasury as a temporary loan to such
1295 trust fund for a specified period; providing
1296 procedures for the transfer and repayment of the loan;
1297 requiring the Department of Environmental Protection

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

1298 to transfer designated proportions of the revenues
1299 deposited in the Land Acquisition Trust Fund within
1300 the department to land acquisition trust funds in the
1301 Department of Agriculture and Consumer Services, the
1302 Department of State, and the Fish and Wildlife
1303 Conservation Commission according to specified
1304 parameters and calculations; requiring the department
1305 to retain a proportionate share of revenues;
1306 specifying a limit on distributions; amending s.
1307 373.470, F.S.; requiring distribution of funds to the
1308 South Florida Water Management District from the Land
1309 Acquisition Trust Fund to be equally matched by
1310 cumulative district contributions for certain
1311 Everglades restoration efforts; providing for the
1312 future expiration and reversion of statutory text
1313 related to distribution of funds to the South Florida
1314 Water Management District; amending s. 375.041, F.S.;
1315 specifying that certain funds for spring restoration,
1316 protection, and management projects and certain
1317 projects dedicated to restoring Lake Apopka shall be
1318 appropriated under the General Appropriations Act;
1319 amending s. 339.135, F.S.; authorizing the Department
1320 of Transportation to request the Executive Office of
1321 the Governor to amend the adopted work program for
1322 emergencies for certain projects, or phases thereof;

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

1323 providing for the future expiration and reversion of
1324 specified statutory text; reenacting s. 216.292(2)(a),
1325 F.S., relating to exceptions for nontransferable
1326 appropriations; providing for the future expiration
1327 and reversion of statutory text related to
1328 nontransferable appropriations; prohibiting a state
1329 agency from initiating a competitive solicitation for
1330 a product or service under certain circumstances;
1331 providing an exception; amending s. 112.24, F.S.;
1332 extending by 1 fiscal year the authorization, subject
1333 to specified requirements, for the assignment of an
1334 employee of a state agency under an employee
1335 interchange agreement; providing that the annual
1336 salaries of the members of the Legislature shall be
1337 maintained at a specified level; reenacting s.
1338 215.32(2)(b), F.S., relating to the source and use of
1339 certain trust funds; providing for the future
1340 expiration and reversion of statutory text related to
1341 the source and use of specified trust funds; limiting
1342 the use of travel funds to activities that are
1343 critical to an agency's mission; providing exceptions;
1344 placing a monetary cap on the amount of money
1345 available for state employee travel to certain
1346 meetings organized or sponsored by a state agency or
1347 the judicial branch; authorizing employees to expend

782653

Approved For Filing: 4/11/2017 10:04:56 AM

Amendment No.

1348 their own funds for lodging expenses in excess of the
1349 monetary caps; requiring executive branch state
1350 agencies and the judicial branch to collaborate with
1351 the Executive Office of the Governor regarding the
1352 statewide travel management system and to use such
1353 system; reenacting and amending s. 110.12315, F.S.,
1354 relating to the state employees' prescription drug
1355 program; requiring the Department of Management
1356 Services to implement certain formulary management
1357 measures for prescription drugs and supplies;
1358 specifying mechanism for inclusion by medical
1359 necessity review if excluded from the formulary;
1360 providing for the future expiration and reversion of
1361 statutory text related to the state employees'
1362 prescription drug program; prohibiting agencies from
1363 entering into contracts containing certain
1364 nondisclosure agreements; providing conditions under
1365 which the veto of certain appropriations or proviso
1366 language in the General Appropriations Act voids
1367 language that implements such appropriation; providing
1368 for the continued operation of certain provisions
1369 notwithstanding a future repeal or expiration provided
1370 by the act; providing severability; providing an
1371 effective date.

782653

Approved For Filing: 4/11/2017 10:04:56 AM