

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 Exemptions Programs for

20 the 2013-2014 fiscal year; amending s. 216.262, F.S.;

21 authorizing the Department of Corrections to submit a

22 budget amendment for additional positions to operate

23 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

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 | requiring competitive bidding pursuant to the section
 71 | to be subject to certain requirements; prohibiting a
 72 | state agency from initiating a competitive
 73 | solicitation for a new product or service under
 74 | certain circumstances; authorizing the Executive
 75 | Office of the Governor to transfer funds between
 76 | departments for purposes of aligning amounts paid for
 77 | risk management premiums and for purposes of aligning
 78 | amounts paid for human resource management services;
 79 | amending s. 110.123, F.S., relating to the state group
 80 | insurance program; providing the amounts of the
 81 | state's monthly contribution; amending s. 112.24,
 82 | F.S.; providing conditions on the assignment of an
 83 | employee of a state agency; reenacting s. 215.32,
 84 | F.S., relating to the source and use of certain trust

85 funds to implement the transfer of funds to the
86 General Revenue Fund in the 2013-2014 General
87 Appropriations Act; providing a legislative finding
88 that the issuance of new debt is in the best interests
89 of the state and necessary to address a critical state
90 emergency; limiting the use of travel funds for state
91 employees to activities that are critical to an
92 agency's mission; providing exceptions; authorizing
93 certain agencies to request the transfer of resources
94 between Data Processing Services appropriation
95 categories and appropriation categories for operation
96 based upon changes to the data center services
97 consolidation schedule; authorizing the Executive
98 Office of the Governor to transfer funds for use by
99 the state's designated primary data centers;
100 prohibiting an agency from transferring funds from a
101 data processing category to any category other than
102 another data processing category; authorizing the
103 Executive Office of the Governor to transfer funds
104 between agencies in order to allocate a reduction
105 relating to SUNCOM; amending s. 110.12315, F.S.;

106 reenacting provisions specifying copayment amounts for
107 the state employees' prescription drug program;
108 providing for reversion of statutory text of certain
109 provisions; providing for the effect of a veto of one
110 or more specific appropriations or provisos to which
111 implementing language refers; providing for the
112 continued operation of certain provisions

113 notwithstanding a future repeal or expiration provided
 114 by this act; providing for severability; providing an
 115 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

140 expended as required in the proviso language attached to
 141 Specific Appropriations 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 the
 148 House of Representatives, are incorporated by reference for the
 149 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.

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.

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

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

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 levels
 453 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

503 1668 of the 2013-2014 General Appropriations Act, a new
 504 paragraph (d) is added to subsection (2) of section 376.30711,
 505 Florida 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 fiscal
 517 year, competitive bidding pursuant to this section shall be
 518 subject to the requirements of s. 287.055. This paragraph shall
 519 expire July 1, 2014.

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

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

531 Act.

532

533 This section does not apply to a competitive solicitation for
 534 which the agency head certifies that a valid emergency exists.

535 This section expires July 1, 2014.

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

545 Section 26. In order to implement the appropriation of
 546 funds in the appropriation category "Special Categories-Transfer
 547 to Department of Management Services-Human Resources Services
 548 Purchased Per Statewide Contract" in the 2013-2014 General
 549 Appropriations Act, and pursuant to the notice, review, and
 550 objection procedures of s. 216.177, Florida Statutes, the
 551 Executive Office of the Governor may transfer funds appropriated
 552 in that category between departments in order to align the
 553 budget authority granted with the assessments that must be paid
 554 by each agency to the Department of Management Services for
 555 human resource management services. This section expires July 1,
 556 2014.

557 Section 27. In order to implement specific appropriations
 558 for salaries and benefits in the 2013-2014 General

559 Appropriations Act, paragraph (a) of subsection (12) of section
 560 110.123, Florida Statutes, is amended to read:

561 110.123 State group insurance program.—

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

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

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

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

586 112.24 Intergovernmental interchange of public employees.—

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

614 (6) For the 2013-2014 ~~2012-2013~~ fiscal year only, the

615 assignment of an employee of a state agency as provided in this
 616 section may be made if recommended by the Governor or Chief
 617 Justice, as appropriate, and approved by the chairs of the
 618 legislative appropriations committees. Such actions shall be
 619 deemed approved if neither chair provides written notice of
 620 objection within 14 days after the chair's receiving notice of
 621 the action pursuant to s. 216.177. This subsection expires July
 622 1, 2014 ~~2013~~.

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

627 215.32 State funds; segregation.—

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

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

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

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

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

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

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

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

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

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

670

671 To the extent possible, each agency must adjust its internal
 672 accounting to use existing trust funds consistent with the
 673 requirements of this subparagraph. If an agency does not have
 674 trust funds listed in this subparagraph and cannot make such
 675 adjustment, the agency must recommend the creation of the
 676 necessary trust funds to the Legislature no later than the next
 677 scheduled review of the agency's trust funds pursuant to s.
 678 215.3206.

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

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

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

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

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

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

725 Section 32. In order to implement the funds appropriated
 726 in the 2013-2014 General Appropriations Act for state employee

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

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

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

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

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

769 Section 36. In order to implement Specific Appropriation
 770 2825 of the 2013-2014 General Appropriations Act, the Executive
 771 Office of the Governor may transfer funds appropriated in the
 772 appropriation category "Expenses" of the 2013-2014 General
 773 Appropriations Act between agencies in order to allocate a
 774 reduction relating to SUNCOM services. This section expires July
 775 1, 2014.

776 Section 37. In order to implement section 8 of the 2013-
 777 2014 General Appropriations Act, paragraph (b) of subsection (2)
 778 of section 110.12315, Florida Statutes, is reenacted and
 779 subsection (7) of that section is reenacted and amended to read:

780 110.12315 Prescription drug program.—The state employees'
 781 prescription drug program is established. This program shall be
 782 administered by the Department of Management Services, according

783 to the terms and conditions of the plan as established by the
 784 relevant provisions of the annual General Appropriations Act and
 785 implementing legislation, subject to the following conditions:

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

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

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

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

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

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

811 30, 2012, except that any amendments to such text enacted other
 812 than by this act shall be preserved and continue to operate to
 813 the extent that such amendments are not dependent upon the
 814 portions of text which expire pursuant to this sect.

815 (2) The amendment to s. 110.12315(7) (a), Florida Statutes,
 816 as carried forward by this act from chapter 2012-119, Laws of
 817 Florida, shall expire July 1, 2014, and the text of that
 818 paragraph shall revert to that in existence on December 31,
 819 2010, except that any amendments to such text enacted other than
 820 by this act shall be preserved and continue to operate to the
 821 extent that such amendments are not dependent upon the portions
 822 of text which expire pursuant to this section.

823 Section 39. Any section of this act that implements a
 824 specific appropriation or specifically identified proviso
 825 language in the 2013-2014 General Appropriations Act is void if
 826 the specific appropriation or specifically identified proviso
 827 language is vetoed. Any section of this act that implements more
 828 than one specific appropriation or more than one portion of
 829 specifically identified proviso language in the 2013-2014
 830 General Appropriations Act is void if all the specific
 831 appropriations or portions of specifically identified proviso
 832 language are vetoed.

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

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839 | operate, notwithstanding the future repeal provided by this act.

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

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