

Committee Substitute for Senate Bill No. 44-A

An act relating to governmental operations; requiring state agencies to review existing and proposed contracts for the purpose of reducing contract payments; authorizing agencies to renegotiate contracts; providing for future expiration of such provisions; establishing the policy of the state concerning limitations on travel by state employees for a specified period; providing for certain exceptions; requiring that agencies consider using electronic communications; requiring the Office of Program Policy Analysis and Government Accountability, in consultation with the Department of Management Services, to develop recommendations regarding the prudent issuance and use of state-owned wireless communications devices; requiring a report to the Legislature; requiring the Department of Management Services to compile a list of and review state-owned surplus real property of greater than a specified value; providing requirements for the review; requiring a report to the Legislature and the Executive Office of the Governor; requiring that the Chief Financial Officer consider methods to ensure that state agencies receive the maximum federal funds to which the state is entitled; requiring the Chief Financial Officer to make recommendations to the Office of Policy and Budget and the legislative appropriations committees; requiring each state agency to ensure the receipt of maximum federal funds to which the agency is entitled based on its current services; requiring the Office of Program Policy Analysis and Government Accountability to examine whether a private entity should be used to recover fraudulent Medicaid claims; requiring the office to assess the feasibility of consolidating statewide pharmaceutical services for state agencies; requiring the office to examine the use of alternative placements for low-risk inmates; requiring that the office submit reports to the President of the Senate and the Speaker of the House of Representatives by a specified date; providing an effective date.

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

Section 1. Notwithstanding any provision of law to the contrary, each state agency shall review existing and proposed contracts with private providers and public-private providers in an effort to reduce contract payments. It is the statewide goal to achieve substantial savings; however, it is the intent of the Legislature that the level and quality of services not be affected. Each agency may renegotiate contracts consistent with this section. The Legislature intends that its substantive and fiscal committees will review the results of this effort and the effectiveness of each agency in meeting the goal. This section expires July 1, 2009.

Section 2. It is the policy of the state that funds appropriated to each state agency which may be used for travel by state employees be limited, until July 1, 2009, to travel for activities that are critical to the state agency's mission. Funds may not be used to pay for travel by state employees to foreign countries, other states, conferences, staff-training activities, or other

administrative functions unless the respective agency head has determined that such activities are critical to the agency's mission. Travel for law enforcement purposes, military purposes, emergency management activities, and public health activities is not covered by this section. The agency head, or his or her designee, must consider the use of teleconferencing and other forms of electronic communication to meet the needs of the proposed activity before approving mission-critical travel.

Section 3. (1) The Office of Program Policy Analysis and Government Accountability, in consultation with the Department of Management Services, shall develop recommendations regarding the prudent issuance and use of state-owned wireless communications devices, including wireless telephones, personal digital assistants, and other electronic devices. In developing these recommendations, the office shall consider, at a minimum:

- (a) The need for the wireless communications device;
- (b) The need for the employee to be available via such wireless communications device;
- (c) The accountability for issuance of wireless communications devices;
- (d) The possibility of sharing wireless communications devices;
- (e) Methods to reduce the issuance and use of wireless communications devices;
- (f) Whether reimbursing employees for calls on personal wireless telephones might be cost-effective in some instances;
- (g) What controls are necessary for the prudent management of such wireless communications devices; and
- (h) Any available cost-saving measures that could be considered.

(2) The office shall report its findings and estimated cost savings to the President of the Senate and the Speaker of the House of Representatives by March 3, 2009.

Section 4. The Department of Management Services shall compile a list of all state-owned surplus real property that has a value greater than \$1,000 in order to determine potential cost savings and revenue opportunities from the sale or lease of assets. The review shall include a cost-benefit analysis of any proposed facility disposition, including the facility's current operating expenses, condition, projected capital depreciation costs, and market value, and the effect of the proposed facility's disposition on the state's financial status, including the effect on rental rates and the coverage requirement for bonds. In addition, the review shall identify current current contracts for leased office space in which the leased space is not fully used or occupied and include a plan for contract renegotiation or subletting unoccupied space. The department shall submit a report of its findings and recommendations to the President of the Senate, the Speaker of the House of Representatives, and the Executive Office of the Governor by March 3, 2009.

Section 5. (1) The Chief Financial Officer, as head of the Department of Financial Services, shall consider methods to ensure that state agencies receive the maximum amount of federal funds to which the state is entitled based on the services it currently provides. The Chief Financial Officer shall make initial recommendations to the Office of Policy and Budget and the legislative appropriations committees by March 3, 2009.

(2) Each state agency shall review its operations to ensure that the state receives the maximum amount of federal funds to which it is entitled based on the services the agency currently provides.

Section 6. The Office of Program Policy Analysis and Government Accountability shall examine the option of contracting with a private entity to identify and recover fraudulent Medicaid claims on a contingency-fee basis and submit its findings and recommendations to the President of the Senate and the Speaker of the House of Representatives by March 3, 2009.

Section 7. The Office of Program Policy Analysis and Government Accountability shall conduct a review to assess the feasibility of consolidating statewide pharmaceutical services for state agencies, including the purchasing, repackaging, and dispensing of pharmaceuticals. The office shall submit its report to the President of the Senate and the Speaker of the House of Representatives by March 3, 2009.

Section 8. The Office of Program Policy Analysis and Government Accountability shall examine the option of expanding the use of alternative inmate placements, such as work-release and work camps, for low-risk inmates and submit its findings and recommendations to the President of the Senate and the Speaker of the House of Representatives by March 3, 2009.

Section 9. This act shall take effect upon becoming a law.

Approved by the Governor January 27, 2009.

Filed in Office Secretary of State January 27, 2009.