

CHAPTER 2011-47

Senate Bill No. 2002

An act implementing the 2011-2012 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program for the 2011-2012 fiscal year; amending s. 216.292, F.S.; authorizing the transfer of funds between appropriation categories to fund fixed capital outlay projects for public schools upon certain approval; authorizing the use of funds from the Workers' Compensation Administration Trust Fund for the Ready to Work Program; authorizing a university board of trustees to expend reserve or carry-forward balances for the establishment of a new campus; amending s. 394.908, F.S.; providing allocation requirements for specified funds appropriated for forensic mental health services; providing requirements relating to implementing phase 3 of the Department of Health's Florida Onsite Sewage Nitrogen Reduction Strategies Study; amending s. 1 of chapter 2007-174, Laws of Florida; revising the expiration of provisions authorizing certain flexibility for the Department of Children and Family Services with respect to its organizational structure; incorporating by reference certain calculations of the Medicaid Low-Income Pool, Disproportionate Share Hospital, and Hospital Exemptions Programs; requiring certain budget amendments recommending the release of funds to provide more notice and be subject to certain objection procedures; revising specified appropriations in the General Appropriations Act with respect to the rates for the Title XIX Inpatient Hospital Reimbursement Plan; providing an appropriation for certain public hospitals; revising an appropriation in the General Appropriations Act to implement rates for the Title XIX Outpatient Hospital Reimbursement Plan; requiring the Department of Health to present a plan to the Legislative Budget Commission which estimates the workload and funding needs to implement the onsite sewage treatment and disposal system evaluation program; authorizing the Department of Corrections and the Department of Juvenile Justice to make certain expenditures to defray costs incurred by a municipality or county as a result of opening or operating a facility under the authority of the respective entity; amending s. 216.262, F.S.; providing for additional positions to operate additional prison bed capacity under certain circumstances; authorizing the Department of Legal Affairs to transfer certain funds to pay salaries and benefits; authorizing the Department of Legal Affairs to spend certain appropriated funds on programs that were funded by the department from specific appropriations in general appropriations acts in previous years; amending s. 932.7055, F.S.; authorizing a municipality to expend funds from its special law enforcement trust fund to reimburse the municipality's general fund; requiring that the Department of Juvenile Justice comply with specified reimbursement limitations with respect to payments to hospitals or health care providers for health care services; authorizing certain payments pursuant to a contracted rate only until the contract expires or is renewed;

defining the term “hospital” for purposes of such limitations; relieving the state court system of certain loan repayment obligations; amending s. 215.18, F.S.; providing for trust fund loans to the state court system sufficient to meet its appropriation; providing that any funds remaining in the Clerks of the Courts Trust Fund remain available to the clerks; amending s. 29.008, F.S.; providing counties with an exemption from the requirement to annually increase certain expenditures by a specified percentage; amending s. 282.709, F.S.; allowing funds from the State Agency Law Enforcement Radio System Trust Fund to be used for mutual aid buildout maintenance and sustainment; requiring the Florida Catastrophic Storm Risk Management Center at Florida State University to conduct an analysis using certain data; requiring the Department of Management Services to use certain interest earnings to fund the administration of the MyFlorida.com portal; amending s. 253.034, F.S.; authorizing the deposit of funds derived from the sale of property by the Department of Citrus into the Citrus Advertising Trust Fund; amending s. 601.15, F.S.; specifying the maximum tax rate for standard-packed boxes of citrus fruit; providing for the future expiration of such amendment and for the reversion of statutory text; amending s. 601.10, F.S.; providing for the executive director of the Department of Citrus to be appointed by a majority vote of the commission, subject to confirmation by the Senate; providing for the future expiration of such amendment and for the reversion of statutory text; amending s. 375.041, F.S.; providing for the transfer of moneys from the Land Acquisition Trust Fund to support the Total Maximum Daily Loads programs; amending s. 373.59, F.S.; providing for the allocation of moneys from the Water Management Lands Trust Fund for certain purposes; reenacting s. 403.1651(1)(g), F.S., relating to the use of funds from the Ecosystem Management and Restoration Trust Fund for the purpose of funding activities to preserve and repair the state’s beaches; providing for the future expiration of certain amendments to such provision and for the reversion of statutory text; amending s. 570.20, F.S.; delaying the expiration of provisions authorizing the Department of Agriculture and Consumer Services to use funds from the General Inspection Trust Fund for certain programs; amending s. 403.7095, F.S.; requiring that the Department of Environmental Protection award a specified amount in grants to certain counties for solid waste programs; authorizing the Department of Agriculture and Consumer Services to extend, revise, and renew current contracts or agreements created or entered into for the purpose of promotion of agriculture; providing that the disposition of state-owned lands is exempt from appraisal requirements and disposition requirements under certain circumstances; requiring state agencies to provide a list of lands that are immediately available for lease or are surplus lands; requiring that the proceeds from the sale of such lands be deposited into the Florida Forever Trust Fund; amending s. 379.204, F.S.; authorizing the Fish and Wildlife Conservation Commission to transfer funds to the Federal Grants Trust Fund to support cash flow needs; requiring the Fish and Wildlife Conservation Commission to suspend publication of the Florida Wildlife Magazine and the operations of the advisory council for the 2011-2012 fiscal year; amending s. 339.135,

F.S.; delaying the expiration of certain provisions that permit the Department of Transportation to reduce work program levels to balance the finance plan to revised funding levels; delaying the expiration of certain provisions relating to the specifications of the department's cash balances before a project or phase may be deferred; delaying the expiration of certain provisions relating to the specifications of the department's cash balances before a project or phase may be deferred; providing that certain reductions do not negatively impact safety or maintenance or project contingency percentage levels as of a specified date; providing for use of transportation revenues; amending s. 339.08, F.S.; delaying the expiration of provisions relating to the use of moneys in the State Transportation Trust Fund for certain administrative expenses; authorizing the transfer of funds from the State Transportation Trust Fund to the State School Trust Fund under certain circumstances; providing for all vehicles within the Office of Motor Carrier Compliance to be transferred to the Department of Highway Safety and Motor Vehicles without the payment of certain fees; amending s. 445.009, F.S.; providing that a participant in an adult or youth work experience activity under ch. 445, F.S., is an employee of the state for purposes of workers' compensation coverage; reenacting s. 163.3247(3)(d), F.S., relating to members of the Century Commission for a Sustainable Florida serving without compensation; providing for the future expiration of certain amendments to such provision and for the reversion of statutory text; reenacting s. 201.15(1)(c), F.S., relating to funds deposited into the Grants and Donations Trust Fund in the Department of Community Affairs which are used to fund technical assistance to local governments and school boards; providing for the future expiration of certain amendments to such provision and for the reversion of statutory text; amending s. 206.608, F.S.; providing for continued use of certain taxes deposited into the State Transportation Trust Fund by the Department of Transportation; prohibiting the transfer of funds from the Highway Safety Operating Trust Fund to the Transportation Disadvantaged Trust Fund; including funding for passenger rail in the Transportation Systems Development budget entity; providing that certain sworn law enforcement positions in the Office of Motor Carrier Compliance be placed in the career service upon transfer to the Department of Highway Safety and Motor Vehicles; providing for permanent status upon the transfer of certain positions; authorizing the Department of Transportation to use funds from the Toll Facilities Revolving Trust Fund for certain purposes; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management premiums and for purposes of aligning amounts paid for human resource management services; amending s. 110.123, F.S., relating to the state group insurance program; providing that the state contribution toward the cost of a plan is the difference between the overall premium and the employee contribution; amending s. 112.24, F.S.; providing conditions on the assignment of an employee of a state agency without reimbursement from the receiving agency; providing that the annual salary of the members of the Legislature be maintained at a specified level; amending s. 27.710, F.S.; clarifying certain duties of the executive director of the

Justice Administration Commission on Capital Cases; providing for the future expiration of the amendment to such provision and for the reversion of statutory text; reenacting and amending s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds in order to implement the transfer of moneys in the General Revenue Fund from trust funds in the 2011-2012 General Appropriations Act; providing for the future expiration of certain amendments to such provision and for the reversion of statutory text; reenacting and amending s. 215.5601(4)(b), F.S., relating to the administration of the Lawton Chiles Endowment Fund; providing for the future expiration of certain amendments to such provision and for the reversion of statutory text; providing a legislative finding that the issuance of new debt is in the best interests of the state and necessary to address a critical state emergency; limiting the use of travel funds to activities that are critical to an agency's mission; providing exceptions; authorizing agencies scheduled for data center consolidation to accelerate such consolidation; authorizing the establishment of data center positions in exchange for agency positions placed in reserve; authorizing the Executive Office of the Governor to transfer funds between agencies in order to allocate a reduction relating to SUNCOM; reenacting s. 110.12315(7)(a), F.S., relating to copayments for the state employees' prescription drug program; providing for the future expiration of certain amendments to such provision and for the reversion of statutory text; directing the Department of Management Services to use a tenant broker to renegotiate certain leases and provide a report to the Legislature; requiring the department to renegotiate certain leases and report to the Legislature; requiring the department to issue a solicitation for the Minnesota Multistate Contracting Alliance for Pharmacy agreement as a state term contract; requiring the department to use generic drugs were feasible in developing its preferred drug list; requiring the Agency for Health Care Administration to repro cure the Florida Discount Drug Card Program; providing requirements for the program; providing that revenues derived from the contract be deposited into the agency's Grants and Donations Trust Fund; amending s. 946.515, F.S.; requiring each state agency to submit a report to the Legislature listing products or services obtained from sources other than the prison industries corporation; providing for the effect of a veto of one or more specific appropriations or proviso to which implementing language refers; providing for reversion of statutory text of certain provisions; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing for severability; providing effective dates.

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

Section 1. It is the intent of the Legislature that the implementing and administering provisions of this act apply to the General Appropriations Act for the 2011-2012 fiscal year.

Section 2. In order to implement Specific Appropriations 6, 7, 8, 68, and 69 of the 2011-2012 General Appropriations Act, the calculations of the

Florida Education Finance Program for the 2011-2012 fiscal year in the document entitled “Public School Funding-The Florida Education Finance Program,” dated May 3, 2011, and filed with the Secretary of the Senate, are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with the requirements of the Florida Statutes, in making appropriations for the Florida Education Finance Program.

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

216.292 Appropriations nontransferable; exceptions.—

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

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

Section 4. Notwithstanding ss. 440.50 and 1010.87, Florida Statutes, for the 2011-2012 fiscal year, funds provided in Specific Appropriation 98 of the 2011-2012 General Appropriations Act from the Workers’ Compensation Administration Trust Fund shall be used for the Ready to Work Program created under s. 1004.99, Florida Statutes. This section expires July 1, 2012.

Section 5. In order to implement Specific Appropriation 119 of the 2011-2012 General Appropriations Act and notwithstanding any other law, for the 2011-2012 fiscal year only, a university board of trustees may expend reserve or carry-forward balances from prior year operational and programmatic appropriations for legislatively approved fixed capital outlay projects authorized for the establishment of a new campus.

Section 6. In order to implement Specific Appropriations 310 through 339 of the 2011-2012 General Appropriations Act, paragraphs (b) and (c) of subsection (3) of section 394.908, Florida Statutes, are amended to read:

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

(3)

(b) Notwithstanding paragraph (a) and for the 2011-2012 ~~2010-2011~~ fiscal year only, funds appropriated for forensic mental health treatment

services shall be allocated to the areas of the state having the greatest demand for services and treatment capacity. This paragraph expires July 1, ~~2012~~ 2011.

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

Section 7. In order to implement Specific Appropriation 465 of the 2011-2012 General Appropriations Act, and for the 2011-2012 fiscal year only, the following requirements govern the completion of Phase 2 and Phase 3 of the Department of Health's Florida Onsite Sewage Nitrogen Reduction Strategies Study:

(1) The Department of Health's underlying contract for the study remains in full force and effect and funding for completion of Phase 2 and Phase 3 is through the Department of Health.

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

(3) Management and oversight of the completion of Phase 2 and Phase 3 must be consistent with the terms of the existing contract. However, the main focus and priority to be completed during Phase 3 shall be developing, testing, and recommending cost-effective passive technology design criteria for nitrogen reduction.

(4) The systems installed at homesites are experimental in nature and shall be installed with significant field testing and monitoring. The Department of Health is specifically authorized to allow installation of these experimental systems. Notwithstanding any other law, before Phase 3 of the study is completed, a state agency may not adopt or implement a rule or policy that:

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

(b) Directly or indirectly requires the use of performance-based treatment systems or similar technology, such as through an administrative order developed by the Department of Environmental Protection as part of a basin management action plan adopted pursuant to s. 403.067, Florida Statutes. However, the implementation of more restrictive nitrogen-reduction standards for onsite systems may be required through a basin management action plan if such plan is phased in after completion of Phase 3.

Section 8. Effective June 29, 2011, in order to implement Specific Appropriations 259 through 357 of the 2011-2012 General Appropriations Act, subsection (3) of section 1 of chapter 2007-174, Laws of Florida, is amended to read:

Section 1. Flexibility for the Department of Children and Family Services.—

(3) This section expires July 1, 2012 ~~June 30, 2008~~.

Section 9. In order to implement Specific Appropriations 171 and 177 through 179 and 182 of the 2011-2012 General Appropriations Act, the calculations of the Medicaid Low-Income Pool, Disproportionate Share Hospital, and Hospital Exemptions Programs for the 2011-2012 fiscal year in the document entitled “Medicaid Supplemental Hospital Funding Programs” dated May 3, 2011, and filed with the Secretary of the Senate, are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with the requirements of the Florida Statutes, in making appropriations for the Low-Income Pool, Disproportionate Share Hospital, and Hospital Exemptions Programs.

Section 10. In order to implement Specific Appropriation 536 of the 2011-2012 General Appropriations Act, notwithstanding s. 216.177, Florida Statutes, requiring only 3 days’ notice to the Legislature for the release of funds, budget amendments recommending the release of funds must be provided at least 14 days before the effective date of the action and are subject to the objection procedures in s. 216.177(2)(b), Florida Statutes.

Section 11. In order to implement Specific Appropriation 177 of the 2011-2012 General Appropriations Act, and for the 2011-2012 fiscal year only, the third and tenth paragraph of proviso following the appropriation is repealed and replaced with:

Funds in Specific Appropriation 177 reflect a reduction of \$173,477,299 from the General Revenue Fund, \$220,252,391 from the Medical Care Trust Fund, and \$1,199,158 from the Refugee Assistance Trust Fund as a result of modifying the reimbursement for inpatient hospital rates. The agency shall implement a recurring methodology in the Title XIX Inpatient Hospital Reimbursement Plan to achieve this reduction. In establishing rates through the normal process, before including this reduction, if the unit cost is equal to or less than the unit cost used in establishing the budget, then no additional reduction in rates is necessary; however, if the unit cost is greater than the unit cost used in establishing the budget, then rates shall be reduced by an amount required to achieve this reduction, but may not be reduced below the unit cost used in establishing the budget. Hospitals that are licensed as a children’s specialty hospital and whose Medicaid days plus charity care days divided by total adjusted patient days equals or exceeds 30 percent and rural hospitals, as defined in s. 395.602, Florida Statutes, are excluded from this reduction.

From the funds in Specific Appropriation 177, \$239,417,562 from the Grants and Donations Trust Fund and \$303,972,274 from the Medical Care Trust Fund are provided for public hospitals, including any leased public hospital determined to be covered under the state's sovereign immunity; teaching hospitals, as defined in s. 408.07 or s. 395.805, Florida Statutes, which have 70 or more full-time equivalent resident physicians; hospitals that have graduate medical education positions that do not otherwise qualify; and designated trauma hospitals to buy back the Medicaid inpatient trend adjustment applied to their individual hospital rates and other Medicaid reductions to their inpatient rates up to actual Medicaid inpatient cost. The payments under this proviso are contingent on the state share being provided through grants and donations from state, county, or other governmental funds. This section of proviso does not include the buy back of the Medicaid inpatient trend adjustment applied to the individual state mental health hospitals.

Section 12. In order to implement Specific Appropriation 182 of the 2011-2012 General Appropriations Act, and for the 2011-2012 fiscal year only, the second paragraph of proviso following the appropriation is repealed and replaced with:

Funds in Specific Appropriation 182 reflect a reduction of \$43,572,721 from the General Revenue Fund, \$55,321,338 from the Medical Care Trust Fund, and \$151,174 from the Refugee Assistance Trust Fund as a result of implementing a reduction in outpatient hospital reimbursement rates. The agency shall implement a recurring methodology in the Title XIX Outpatient Hospital Reimbursement Plan to achieve this reduction. In establishing rates through the normal process, prior to including this reduction, if the unit cost is equal to or less than the unit cost used in establishing the budget, then no additional reduction in rates is necessary. In establishing rates through the normal process, prior to including this reduction, if the unit cost is greater than the unit cost used in establishing the budget, then rates shall be reduced by an amount required to achieve this reduction, but shall not be reduced below the unit cost used in establishing the budget. Hospitals that are licensed as a children's specialty hospital and whose Medicaid days plus charity care days divided by total adjusted patient days equals or exceeds 30 percent and rural hospitals as defined in s. 395.602, Florida Statutes, are excluded from this reduction.

Section 13. In order to implement Specific Appropriations 459 through 469 of the 2011-2012 General Appropriations Act, before the implementation of the onsite sewage treatment and disposal system evaluation program described in s. 381.0065(5)(a), Florida Statutes, the Department of Health shall submit a plan for approval by the Legislative Budget Commission which includes an estimate of agency workload and funding needs. The

department may not expend funds in furtherance of the evaluation program before the plan is approved by the commission.

Section 14. In order to fulfill legislative intent regarding the use of funds contained in Specific Appropriations 605, 616, 628, and 1135 of the 2011-2012 General Appropriations Act, the Department of Corrections and the Department of Juvenile Justice may expend appropriated funds to assist in defraying costs that are incurred by a municipality or county and are associated with opening or operating a facility under the authority of the respective department. The amount paid for any facility may not exceed 1 percent of the cost to construct the facility, less building impact fees imposed by the municipality or county. This section expires July 1, 2012.

Section 15. In order to implement Specific Appropriations 570 through 688A and 726 through 759 of the 2011-2012 General Appropriations Act, subsection (4) of section 216.262, Florida Statutes, is amended to read:

216.262 Authorized positions.—

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

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

Section 17. In order to implement Specific Appropriations 1289 and 1290 of the 2011-2012 General Appropriations Act, the Department of Legal Affairs may expend appropriated funds in those specific appropriations on

the same programs that were funded by the department pursuant to specific appropriations made in general appropriations acts in prior years. This section expires July 1, 2012.

Section 18. In order to implement Specific Appropriations 1192 and 1198 of the 2011-2012 General Appropriations Act, paragraph (d) of subsection (4) of section 932.7055, Florida Statutes, is amended to read:

932.7055 Disposition of liens and forfeited property.—

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

(d) Notwithstanding any other provision of this subsection, and for the 2011-2012 ~~2010-2011~~ fiscal year only, the funds in a special law enforcement trust fund established by the governing body of a municipality may be expended to reimburse the general fund of the municipality for moneys advanced from the general fund to the special law enforcement trust fund before ~~prior to~~ October 1, 2001. This paragraph expires July 1, 2012 ~~2011~~.

Section 19. (1) In order to implement Specific Appropriations 1069, 1070, 1074, 1075, 1115, 1116, 1120, 1121, 1123, 1126, 1127, 1130, 1131, 1132, 1141, and 1146 of the 2011-2012 General Appropriations Act, the Department of Juvenile Justice must comply with the following reimbursement limitations:

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

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

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

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

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

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

(3) This section expires July 1, 2012.

Section 20. In order to implement section 7 of the 2011-2012 General Appropriations Act, and notwithstanding s. 215.18, Florida Statutes, the state court system is relieved of loan repayment obligations for loans made from the Mediation and Arbitration Trust Fund and the Court Education Trust Fund to the state court system during the 2010-2011 fiscal year. This section is effective upon this act becoming a law.

Section 21. In order to implement Section 7 of the 2011-2012 General Appropriations Act, section 215.18, Florida Statutes, is amended to read:

215.18 Transfers between funds; limitation.—

(1) Whenever there is a deficiency exists in any fund provided for by s. 215.32 a deficiency which would render such fund insufficient to meet its just requirements, and there shall exist in the other funds in the State Treasury have moneys which are for the time being or otherwise in excess of the amounts necessary to meet the just requirements of such last-mentioned funds, the Governor may order a temporary transfer of moneys from one fund to another in order to meet temporary deficiencies in a particular fund without resorting to the necessity of borrowing money and paying interest thereon. Any action proposed under this section is subject to the notice and objection procedures set forth in s. 216.177, and the Governor shall provide notice of such action at least 7 days before prior to the effective date of the transfer of funds. Except as otherwise provided in s. 216.222(1)(a)2., the fund from which any money is temporarily transferred must shall be repaid the amount transferred from it by not later than the end of the fiscal year in which such transfer is made, the date of repayment to be specified in the order of the Governor.

(2) The Chief Justice of the Supreme Court may receive one or more trust fund loans of up to \$54 million in total, the purpose of which is to ensure that the state court system has funds sufficient to meet its appropriations in the 2011-2012 General Appropriations Act. If the Chief Justice accesses the loan, he or she must notify the Governor and the chairs of the legislative appropriations committees in writing. The loan must come from other funds in the State Treasury which are for the time being or otherwise in excess of the amounts necessary to meet the just requirements of such last-mentioned funds. The Governor shall order the transfer of funds within 5 days after the written notification from the Chief Justice. If the Governor does not order the transfer, the Chief Financial Officer shall transfer the requested funds. The loan of funds from which any money is temporarily

transferred must be repaid by the end of the 2011-2012 fiscal year. This subsection expires July 1, 2012.

Section 22. In order to implement Specific Appropriation 791 of the 2011-2012 General Appropriations Act, and notwithstanding s. 28.2455, Florida Statutes, any funds remaining in the Clerks of Court Trust Fund may not be transferred to the General Revenue Fund and remain available to the clerks of court for expenditures during the 2011-2012 fiscal year. This section shall take effect upon becoming a law and expires July 1, 2012.

Section 23. In order to implement section 7 of the 2011-2012 General Appropriations Act, paragraph (c) of subsection (4) of section 29.008, Florida Statutes, is amended to read:

29.008 County funding of court-related functions.—

(4)

(c) Counties are exempt from all requirements and provisions of paragraph (a) for the 2011-2012 ~~2010-2011~~ fiscal year. Accordingly, for the 2011-2012 ~~2010-2011~~ fiscal year, counties shall maintain, but are not required to increase, their expenditures for the items specified in paragraphs (1)(a)-(h) and subsection (3). The requirements described in paragraph (a) shall be reinstated beginning with the 2012-2013 ~~2011-2012~~ fiscal year. This paragraph expires July 1, 2012 ~~2011~~.

Section 24. In order to implement Specific Appropriation 2701A of the 2011-2012 General Appropriation Act, subsection (3) of section 282.709, Florida Statutes, is amended to read:

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

(3)(a) The State Agency Law Enforcement Radio System Trust Fund is established in the department and funded from surcharges collected under ss. 318.18, 320.0802, and 328.72. Upon appropriation, moneys in the trust fund may be used by the department to acquire by competitive procurement the equipment, software, and engineering, administrative, and maintenance services it needs to construct, operate, and maintain the statewide radio system. Moneys in the trust fund from ~~collected as a result of the surcharges set forth in ss. 318.18, 320.0802, and 328.72~~ shall be used to help fund the costs of the system. Upon completion of the system, moneys in the trust fund may also be used by the department for payment of the recurring maintenance costs of the system.

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

Section 25. In order to implement Specific Appropriation 2341A of the 2011-2012 General Appropriations Act, the Florida Catastrophic Storm Risk Management Center at Florida State University shall conduct the analysis as originally required in s. 164 of chapter 2004-390, Laws of Florida. Notwithstanding that section, the center shall use the most recent and available premium data for personal lines property and casualty insurance in completing the analysis.

Section 26. In order to implement Specific Appropriations 2574 through 2584 of the 2011-2012 General Appropriations Act, the Department of Management Services shall use interest earnings of the Communications Working Capital Trust Fund as the funding source for its responsibilities for the administration of the MyFlorida.com portal.

Section 27. In order to implement Specific Appropriations 2173 through 2195 of the 2011-2012 General Appropriations Act, subsection (13) of section 253.034, Florida Statutes, as amended by chapter 2010-280, Laws of Florida, is amended to read:

253.034 State-owned lands; uses.—

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

Section 28. In order to implement Specific Appropriations 2173 through 2195 of the 2011-2012 General Appropriations Act, paragraph (a) of subsection (3) of section 601.15, Florida Statutes, is amended to read:

601.15 Advertising campaign; methods of conducting; excise tax; emergency reserve fund; citrus research.—

(3)(a) There is hereby levied and imposed upon each standard-packed box of citrus fruit grown and placed into the primary channel of trade in this state an excise tax at maximum annual rates for each citrus season as determined from the tables in this paragraph and based upon the previous season’s actual statewide production as reported in the United States Department of Agriculture Citrus Crop Production Forecast as of June 1. The rates may be set at any lower rate in any year pursuant to paragraph (e).

1. The following maximum tax rates, expressed in cents per box, shall apply to grapefruit which enters the primary channel of trade for use in fresh form:

Previous season crop size (millions of boxes)	1995- 1996	1996- 1997	1997- 1998	1998- 1999	1999-2000 and thereafter
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80 and greater	33	34	35	36	37
75-79.99	35	36	37	38	39
70-74.99	37	38	39	41	42
65-69.99	40	41	42	44	45
60-64.99	43	44	46	47	49
55-59.99	47	48	50	51	53
50-54.99	51	53	55	56	58
45-49.99	57	59	60	62	64
40-44.99	63	65	67	69	71
Less than 40	72	74	76	79	81

However, effective July 1, 2011, the tax rate per box on grapefruit that enters the primary channel of trade for use in fresh form may not exceed the tax rate per box in effect on May 1, 2011.

2. The following maximum tax rates, expressed in cents per box, shall apply to grapefruit which enters the primary channel of trade for use in processed forms:

Previous season crop size (millions of boxes)	1995- 1996	1996- 1997	1997- 1998	1998- 1999	1999-2000 and thereafter
80 and greater	23	24	25	25	26
75-79.99	25	25	26	27	28
70-74.99	26	27	28	29	30
65-69.99	28	29	30	31	32
60-64.99	31	32	32	33	34
55-59.99	33	34	35	36	37
50-54.99	36	38	39	40	41
45-49.99	40	41	43	44	45
40-44.99	45	46	48	49	51
Less than 40	51	53	54	56	57

However, effective July 1, 2011, the tax rate per box on grapefruit that enters the primary channel of trade for use in processed forms may not exceed the tax rate per box in effect on May 1, 2011.

3. The following maximum tax rates, expressed in cents per box, shall apply to oranges which enter the primary channel of trade for use in fresh form:

Previous season crop size (millions of boxes)	1995- 1996	1996- 1997	1997- 1998	1998- 1999	1999-2000 and thereafter
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255 and greater	23	24	25	26	26
245-254.9	24	25	26	27	27
235-244.9	25	26	27	28	28
225-234.9	26	27	28	29	30
215-224.9	28	28	29	30	31
205-214.9	29	30	31	32	33
195-204.9	30	31	32	33	34
185-194.9	32	33	34	35	36
175-184.9	34	35	36	37	38
165-174.9	36	37	38	39	40
155-164.9	38	39	40	41	43
Less than 155	41	42	43	44	46

However, effective July 1, 2011, the tax rate per box on oranges that enter the primary channel of trade for use in fresh form may not exceed the tax rate per box in effect on May 1, 2011.

4. The following maximum tax rates, expressed in cents per box, shall apply to oranges which enter the primary channel of trade for use in processed form:

Previous season crop size (millions of boxes)	1995-1996	1996-1997	1997-1998	1998-1999	1999-2000 and thereafter
255 and greater	15	16	16	17	17
245-254.9	16	16	17	17	18
235-244.9	17	17	18	18	19
225-234.9	17	18	18	19	19
215-224.9	18	19	19	20	20
205-214.9	19	20	20	21	21
195-204.9	20	21	21	22	22
185-194.9	21	22	22	23	24
175-184.9	22	23	23	24	25
165-174.9	23	24	25	26	26
155-164.9	25	26	26	27	28
Less than 155	27	27	28	29	30

However, effective July 1, 2011, the tax rate per box on oranges that enter the primary channel of trade for use in processed form may not exceed 25 cents per box.

5. The actual tax rate levied each year upon oranges which enter the primary channel of trade for use in processed form, pursuant to this paragraph, paragraph (e), and subsection (4), shall also apply in that year to tangerines and citrus hybrids regulated by the Department of Citrus which enter the primary channel of trade for use in processed form.

6. The following maximum tax rates, expressed in cents per box, shall apply to tangerines and citrus hybrids regulated by the Department of Citrus which enter the primary channel of trade for use in fresh form:

Previous season crop size (millions of boxes)	1995-1996	1996-1997	1997-1998	1998-1999	1999-2000 and thereafter
13 and greater	24	24	25	26	27
12 - 12.99	26	26	27	28	29
11 - 11.99	28	29	30	30	31
10 - 10.99	31	31	32	33	34
9 - 9.99	34	35	36	37	38
8 - 8.99	38	39	40	41	42
7 - 7.99	43	44	45	47	48
Less than 7	49	51	52	54	56

However, effective July 1, 2011, the tax rate per box on tangerines and citrus hybrids regulated by the Department of Citrus which enter the primary channel of trade for use in fresh form may not exceed the tax rate per box in effect on May 1, 2011.

Section 29. The amendment to s. 601.15(3)(a), Florida Statutes, shall expire July 1, 2012, and the text of that subsection shall revert to that in existence on June 30, 2010, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 30. Effective upon this act becoming a law and in order to implement Specific Appropriations 2173 through 2195 of the 2011-2012 General Appropriations Act, subsection (3) of section 601.10, Florida Statutes, is amended to read:

601.10 Powers of the Department of Citrus.—The Department of Citrus shall have and shall exercise such general and specific powers as are delegated to it by this chapter and other statutes of the state, which powers shall include, but shall not be confined to, the following:

(3) ~~To employ and, at its pleasure, discharge an executive director, a secretary, and such attorneys, clerks, and employees as it deems necessary and to outline his or her their powers and duties and fix his or her their compensation.~~

(a) The executive director of the department shall be appointed by a majority vote of the commission for a term of 4 years, except for the initial term, and is subject to confirmation by the Senate in the legislative session following appointment.

1. The initial term of the executive director ends June 30, 2011, and each subsequent 4-year term begins July 1, and shall be filled in the same manner as the original appointment.

2. A vacancy for the executive director shall be filled for the unexpired portion of the term in the same manner as the original appointment.

(b) The Department of Citrus may pay, or participate in the payment of, premiums for health, accident, and life insurance for its full-time employees, pursuant to such rules or regulations as it may adopt; and such payments are shall be in addition to the regular salaries of such full-time employees. The payment of such or similar benefits to its employees in foreign countries, including, but not limited to, social security, retirement, and other similar fringe benefit costs, may be in accordance with laws in effect in the country of employment, except that no benefits will be payable to employees not authorized for other state employees, as provided in the Career Service System.

Section 31. The amendment to s. 601.10(3), Florida Statutes, shall expire July 1, 2012, and the text of that subsection shall revert to that in existence on June 30, 2010, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 32. In order to implement Specific Appropriation 1648A of the 2011-2012 General Appropriations Act, paragraph (b) of subsection (3) of section 375.041, Florida Statutes, is amended to read:

375.041 Land Acquisition Trust Fund.—

(3)

(b) In addition to the uses allowed under ~~in~~ paragraph (a), for the 2011-2012 ~~2010-2011~~ fiscal year, moneys in the Land Acquisition Trust Fund are authorized for transfer to support the Total Maximum Daily Loads Program Clean Water State Revolving Fund, the Drinking Water State Revolving Fund, the Total Maximum Daily Loads programs, and the Marine Spatial Planning programs as provided in the General Appropriations Act. This paragraph expires July 1, 2012 ~~2011~~.

Section 33. In order to implement Specific Appropriation 1580A of the 2011-2012 General Appropriations Act, subsection (12) of section 373.59, Florida Statutes, is amended to read:

373.59 Water Management Lands Trust Fund.—

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

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

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

(c) ~~The remaining funds to be distributed to equally between the Suwannee River Water Management District, of which \$500,000 may be used for minimum flows and levels, and the Northwest Florida Water Management District; and~~

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

This subsection expires July 1, 2012 2011.

Section 34. In order to implement Specific Appropriations 1649 through 1651, 1653, and section 34 of the 2011-2012 General Appropriations Act, paragraph (g) of subsection (1) of section 403.1651, Florida Statutes, is reenacted to read:

403.1651 Ecosystem Management and Restoration Trust Fund.—

(1) There is created the Ecosystem Management and Restoration Trust Fund to be administered by the Department of Environmental Protection for the purposes of:

(g) Funding activities to preserve and repair the state's beaches as provided in ss. 161.091-161.212.

Section 35. The amendment to s. 403.1651(1)(g), Florida Statutes, as carried forward by this act from chapter 2010-153, Laws of Florida, shall expire July 1, 2012, and the text of that subsection shall revert to that in existence on June 30, 2009, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 36. In order to implement Specific Appropriations 1324 through 1475 of the 2011-2012 General Appropriations Act, subsection (2) of section 570.20, Florida Statutes, is amended to read:

570.20 General Inspection Trust Fund.—

(2) For the 2011-2012 2010-2011 fiscal year only and notwithstanding any other provision of law ~~to the contrary~~, in addition to the spending

authorized in subsection (1), moneys in the General Inspection Trust Fund may be appropriated for programs operated by the department which are related to the programs authorized by this chapter. This subsection expires July 1, 2012 ~~2011~~.

Section 37. In order to implement Specific Appropriation 1703AA of the 2011-2012 General Appropriations Act, subsection (5) of section 403.7095, Florida Statutes, is amended to read:

403.7095 Solid waste management grant program.—

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

Section 38. In order to implement Specific Appropriation 1430 of the 2011-2012 General Appropriations Act and to provide consistency and continuity in the promotion of agriculture throughout the state, notwithstanding s. 287.057, Florida Statutes, the Department of Agriculture and Consumer Services may extend, revise, and renew current contracts or agreements created or entered into pursuant to chapter 2006-25, Laws of Florida. This section expires July 1, 2012.

Section 39. In order to implement Specific Appropriation 1578A of the 2011-2012 General Appropriations Act, and notwithstanding ss. 253.034, 253.0341, and 259.041, Florida Statutes, the disposition of state-owned lands is exempt from appraisal requirements under s. 253.034(6)(g)1., Florida Statutes, and disposition requirements under s. 253.034(15), Florida Statutes, if the proceeds of such conveyance will be used to purchase state-owned lands for preservation, conservation, or recreation purposes. On or before October 1, 2011, all agencies shall submit a list of state-owned lands to the Board of Trustees of the Internal Improvement Trust Fund, to which the lands are titled, which are immediately available for lease or are surplus lands. Proceeds from the sale of such lands shall be deposited into the Florida Forever Trust Fund created by s. 259.1051, Florida Statutes, and used to acquire lands for preservation, conservation, or recreation purposes pursuant to the requirements of s. 259.105, Florida Statutes. The board of trustees shall ensure that, where appropriate, surplus or leased conservation lands are subject to perpetual conservation easements or other such restrictive covenants that run with the land and are duly recorded in the same manner as any other instrument affecting title to real property. This section expires July 1, 2012.

Section 40. In order to implement Specific Appropriations 1814, 1831, 1895, and 1907, subsection (3) is added to section 379.204, Florida Statutes, to read:

379.204 Federal Grants Trust Fund.—

(3) The commission may transfer the cash balance originating from hunting and fishing license fees from other trust funds into the Federal Grants Trust Fund for the purpose of supporting cash flow needs. This subsection expires July 1, 2012.

Section 41. In order to implement Specific Appropriation 1806 and notwithstanding the provisions of s. 379.2342(2), Florida Statutes, for the 2011-2012 fiscal year only, the Fish and Wildlife Conservation Commission shall suspend the publication of a printed version the Florida Wildlife Magazine and the operations of the Florida Wildlife Magazine Advisory Council.

Section 42. In order to implement Specific Appropriations 1918A through 1919, 1938A through 1938C, 1938E through 1938V, and 1976A through 1976K of the 2011-2012 General Appropriations Act, paragraph (a) of subsection (4) of section 339.135, Florida Statutes, is amended to read:

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

(4) FUNDING AND DEVELOPING A TENTATIVE WORK PROGRAM.

(a)1. To assure that no district or county is penalized for local efforts to improve the State Highway System, the department shall, for the purpose of developing a tentative work program, allocate funds for new construction to the districts, except for the turnpike enterprise, based on equal parts of population and motor fuel tax collections. Funds for resurfacing, bridge repair and rehabilitation, bridge fender system construction or repair, public transit projects except public transit block grants as provided in s. 341.052, and other programs with quantitative needs assessments shall be allocated based on the results of these assessments. The department may not transfer any funds allocated to a district under this paragraph to any other district except as provided in subsection (7). Funds for public transit block grants shall be allocated to the districts pursuant to s. 341.052. Funds for the intercity bus program provided for under s. 5311(f) of the federal non-urbanized area formula program shall be administered and allocated directly to eligible bus carriers as defined in s. 341.031(12) at the state level rather than the district. In order to provide state funding to support the intercity bus program provided for under provisions of the federal 5311(f) program, the department shall allocate an amount equal to the federal share of the 5311(f) program from amounts calculated pursuant to s. 206.46(3).

2. Notwithstanding the provisions of subparagraph 1., the department shall allocate at least 50 percent of any new discretionary highway capacity funds to the Florida Strategic Intermodal System created pursuant to s. 339.61. Any remaining new discretionary highway capacity funds shall be allocated to the districts for new construction as provided in subparagraph 1. For the purposes of this subparagraph, the term “new discretionary highway

capacity funds” means any funds available to the department above the prior year funding level for capacity improvements, which the department has the discretion to allocate to highway projects.

3. Notwithstanding subparagraphs 1. and 2. and ss. 201.15(1)(c)1.a.-d., 206.46(3), 334.044(26), and 339.2819(3), and for the 2011-2012 ~~2010-2011~~ fiscal year only, the department shall reduce work program levels to balance the finance plan to the revised funding levels resulting from any reduction in the 2011-2012 ~~2010-2011~~ General Appropriations Act. This subparagraph expires July 1, 2012 ~~2011~~.

4. For the 2011-2012 ~~2009-2010~~ fiscal year only, before ~~prior to~~ any project or phase thereof is being deferred, the department’s cash balances shall be as provided in paragraph (6)(b), and the reductions in subparagraph 3. shall be made to financial projects not programmed for contract letting as identified with a work program contract class code 8 and the box code RV. These reductions shall not negatively impact safety or maintenance or project contingency percentage levels as of April 21, 2011 ~~2009~~. This subparagraph expires July 1, 2012 ~~2010~~.

5. Notwithstanding subparagraphs 1. and 2. and ss. 206.46(3) and 334.044(26), and for fiscal years 2009-2010 through 2013-2014 only, the department shall annually allocate up to \$15 million of the first proceeds of the increased revenues estimated by the November 2009 Revenue Estimating Conference to be deposited into the State Transportation Trust Fund to provide for the portion of the transfer of funds included in s. 343.58(4)(a)1.a. or 2.a., as whichever is applicable. The transfer of funds included in s. 343.58(4) shall not negatively impact projects included in fiscal years 2009-2010 through 2013-2014 of the work program as of July 1, 2009, as amended pursuant to subsection (7). This subparagraph expires July 1, 2014.

Section 43. In order to implement Specific Appropriations 1918B and 1938S of the 2011-2012 General Appropriations Act, subsection (5) of section 339.135, Florida Statutes, is amended to read:

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

(5) ADOPTION OF THE WORK PROGRAM.—

(a) The original approved budget for operational and fixed capital expenditures for the department shall be the Governor’s budget recommendation and the first year of the tentative work program, as both are amended by the General Appropriations Act and any other act containing appropriations. In accordance with the appropriations act, the department shall, before ~~prior to~~ the beginning of the fiscal year, adopt a final work program which shall only include the original approved budget for the department for the ensuing fiscal year, together with any roll forwards approved pursuant to paragraph (6)(c), and the portion of the tentative work program for the following 4 fiscal years revised in accordance with the original approved

budget for the department for the ensuing fiscal year together with the said roll forwards. The adopted work program may include only those projects submitted as part of the tentative work program developed under the provisions of subsection (4), plus any projects which are separately identified by specific appropriation in the General Appropriations Act and any roll forwards approved pursuant to paragraph (6)(c). However, any transportation project of the department which is identified by specific appropriation in the General Appropriations Act shall be deducted from the funds annually distributed to the respective district pursuant to paragraph (4)(a). In addition, the department shall not in any year include any project or allocate funds to a program in the adopted work program that is contrary to existing law for that particular year. Projects shall not be undertaken unless they are listed in the adopted work program.

(b) Notwithstanding paragraph (a), and for the ~~2011-2012~~ 2010-2011 fiscal year only, the Department of Transportation shall transfer funds to the Office of Tourism, Trade, and Economic Development in an amount equal to ~~\$15 million~~ \$20,300,000 for the purpose of funding transportation-related needs of economic development projects. This transfer shall not reduce, delete, or defer any existing projects funded, as of July 1, ~~2011~~ 2009, in the Department of Transportation's 5-year work program. This paragraph expires July 1, ~~2012~~ 2011.

(c) Notwithstanding paragraph (a), and for the 2011-2012 fiscal year only, the Department of Transportation shall fund airport development projects specified in the General Appropriations Act and, unless requested by the airport sponsor, may not reduce, delete, or defer any existing projects funded as of July 1, 2011, in the Department of Transportation's 5-year work program. This paragraph expires July 1, 2012.

Section 44. In order to implement section 69 of the 2011-2012 General Appropriations Act, paragraph (n) of subsection (1) of section 339.08, Florida Statutes, is amended to read:

339.08 Use of moneys in State Transportation Trust Fund.—

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

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

Section 45. In order to implement section 110 of the 2011-2012 General Appropriations Act, subsection (4) of section 339.08, Florida Statutes, is amended to read:

339.08 Use of moneys in State Transportation Trust Fund.—

(4) For the ~~2011-2012~~ 2010-2011 fiscal year only and notwithstanding the provisions of this section and ss. 339.09(1) and 215.32(2)(b)4., funds may be transferred from the State Transportation Trust Fund to the State School Trust Fund or the General Revenue Fund as specified in the General Appropriations Act. Notwithstanding ss. 206.46(3) and 206.606(2), the total amount transferred shall be reduced from total state revenues deposited into the State Transportation Trust Fund for the calculation requirements of ss. 206.46(3) and 206.606(2). This subsection expires July 1, ~~2012~~ 2011.

Section 46. In order to implement Specific Appropriations 2484A through 2484K of the 2011-2012 General Appropriations Act and notwithstanding chapters 319 and 320, Florida Statutes, the ownership of all vehicles currently used by the Office of Motor Carrier Compliance within the Department of Transportation shall be transferred to the Department of Highway Safety and Motor Vehicles effective July 1, 2011, without payment of any titling or registration fees.

Section 47. In order to implement Specific Appropriation 2008 of the 2011-2012 General Appropriations Act, subsection (11) of section 445.009, Florida Statutes, is amended to read:

445.009 One-stop delivery system.—

(11)(a) A participant in an adult or youth work experience activity administered under this chapter shall be deemed an employee of the state for purposes of workers' compensation coverage. In determining the average weekly wage, all remuneration received from the employer shall be considered a gratuity, and the participant shall not be entitled to any benefits otherwise payable under s. 440.15, regardless of whether the participant may be receiving wages and remuneration from other employment with another employer and regardless of his or her future wage-earning capacity.

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

Section 48. In order to implement Specific Appropriation 1498 of the 2011-2012 General Appropriations Act, paragraph (d) of subsection (3) of section 163.3247, Florida Statutes, is reenacted to read:

163.3247 Century Commission for a Sustainable Florida.—

(3) CENTURY COMMISSION FOR A SUSTAINABLE FLORIDA; CREATION; ORGANIZATION.—The Century Commission for a Sustainable Florida is created as a standing body to help the citizens of this state

envison and plan their collective future with an eye towards both 25-year and 50-year horizons.

(d) Members of the commission shall serve without compensation.

Section 49. The amendment to s. 163.3247(3)(d), Florida Statutes, as carried forward by this act from chapter 2010-153, Laws of Florida, shall expire July 1, 2012, and the text of that subsection shall revert to that in existence on June 30, 2010, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 50. In order to implement Specific Appropriation 1498 of the 2011-2012 General Appropriations Act, paragraph (c) of subsection (1) of section 201.15, Florida Statutes, is reenacted to read:

201.15 Distribution of taxes collected.—All taxes collected under this chapter are subject to the service charge imposed in s. 215.20(1). Prior to distribution under this section, the Department of Revenue shall deduct amounts necessary to pay the costs of the collection and enforcement of the tax levied by this chapter. Such costs and the service charge may not be levied against any portion of taxes pledged to debt service on bonds to the extent that the costs and service charge are required to pay any amounts relating to the bonds. After distributions are made pursuant to subsection (1), all of the costs of the collection and enforcement of the tax levied by this chapter and the service charge shall be available and transferred to the extent necessary to pay debt service and any other amounts payable with respect to bonds authorized before January 1, 2010, secured by revenues distributed pursuant to subsection (1). All taxes remaining after deduction of costs and the service charge shall be distributed as follows:

(1) Sixty-three and thirty-one hundredths percent of the remaining taxes shall be used for the following purposes:

(c) After the required payments under paragraphs (a) and (b), the remainder shall be paid into the State Treasury to the credit of:

1. The State Transportation Trust Fund in the Department of Transportation in the amount of the lesser of 38.2 percent of the remainder or \$541.75 million in each fiscal year, to be used for the following specified purposes, notwithstanding any other law to the contrary:

a. For the purposes of capital funding for the New Starts Transit Program, authorized by Title 49, U.S.C. s. 5309 and specified in s. 341.051, 10 percent of these funds;

b. For the purposes of the Small County Outreach Program specified in s. 339.2818, 5 percent of these funds. Effective July 1, 2014, the percentage allocated under this sub-subparagraph shall be increased to 10 percent;

c. For the purposes of the Strategic Intermodal System specified in ss. 339.61, 339.62, 339.63, and 339.64, 75 percent of these funds after allocating for the New Starts Transit Program described in sub-subparagraph a. and the Small County Outreach Program described in sub-subparagraph b.; and

d. For the purposes of the Transportation Regional Incentive Program specified in s. 339.2819, 25 percent of these funds after allocating for the New Starts Transit Program described in sub-subparagraph a. and the Small County Outreach Program described in sub-subparagraph b. Effective July 1, 2014, the first \$60 million of the funds allocated pursuant to this sub-subparagraph shall be allocated annually to the Florida Rail Enterprise for the purposes established in s. 341.303(5).

2. The Grants and Donations Trust Fund in the Department of Community Affairs in the amount of the lesser of .23 percent of the remainder or \$3.25 million in each fiscal year to fund technical assistance to local governments and school boards on the requirements and implementation of this act.

3. The Ecosystem Management and Restoration Trust Fund in the amount of the lesser of 2.12 percent of the remainder or \$30 million in each fiscal year, to be used for the preservation and repair of the state's beaches as provided in ss. 161.091-161.212.

4. General Inspection Trust Fund in the amount of the lesser of .02 percent of the remainder or \$300,000 in each fiscal year to be used to fund oyster management and restoration programs as provided in s. 379.362(3).

Moneys distributed pursuant to this paragraph may not be pledged for debt service unless such pledge is approved by referendum of the voters.

Section 51. The amendment to s. 201.15(1)(c)2., Florida Statutes, as carried forward by this act from chapter 2010-153, Laws of Florida, shall expire July 1, 2012, and the text of that subsection shall revert to that in existence on June 30, 2010, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 52. In order to implement Specific Appropriations 1918A through 1919, 1938A through 1938C, 1938E through 1939V, and 1976A through 1976K of the 2011-2012 General Appropriations Act, subsection (3) of section 206.608, Florida Statutes, is amended to read:

206.608 State Comprehensive Enhanced Transportation System Tax; deposit of proceeds; distribution.—Moneys received pursuant to ss. 206.41(1)(f) and 206.87(1)(d) shall be deposited in the Fuel Tax Collection Trust Fund, and, after deducting the service charge imposed in chapter 215 and administrative costs incurred by the department in collecting,

administering, enforcing, and distributing the tax, which administrative costs may not exceed 2 percent of collections, shall be distributed as follows:

(3) For the ~~2011-2012~~ 2010-2011 fiscal year only, and notwithstanding ~~the provisions of subsection (2)~~, the remaining proceeds of the tax levied pursuant to s. 206.41(1)(f) and all of the proceeds from the tax imposed by s. 206.87(1)(d) shall be transferred into the State Transportation Trust Fund and shall be used for the purposes stated in s. 339.08. This subsection expires July 1, ~~2012~~ 2011.

Section 53. In order to implement Specific Appropriations 2453 through 2535A and notwithstanding s. 320.204, Florida Statutes, for the 2011-2012 fiscal year only, funds may not be transferred from the Highway Safety Operating Trust Fund to the Transportation Disadvantaged Trust Fund in the Department of Transportation.

Section 54. In order to implement Specific Appropriations 1918C, 1918H, 1918I and 1918J, and notwithstanding s. 341.303(6)(a), Florida Statutes, funding for passenger rail for the 2011-2012 fiscal year is included in the Transportations Systems Development budget entity.

Section 55. In order to implement Specific Appropriation 2484A, all sworn law enforcement employee positions classified as “captain” or “major” in the Office of Motor Carrier Compliance who are exempt from the career service in accordance with s. 110.205(2)(m)3., Florida Statutes, shall be placed in the career service upon transfer to the Florida Highway Patrol in the Department of Highway Safety and Motor Vehicles. Incumbents of captains and majors positions in the Office of Motor Carrier Compliance as of June 30, 2011, who have 1 year of satisfactory service in their positions shall receive permanent status in that position within the Department of Highway Safety and Motor Vehicles. It is the intent of the Legislature that the incumbent of any career service position in the Office of Motor Carrier Compliance as of June 30, 2011, retain his or her current status upon transfer to the Department of Highway Safety and Motor Vehicles as provided in the General Appropriations Act.

Section 56. In order to implement Specific Appropriation 1938Q, for the 2011-2012 fiscal year only, and notwithstanding s. 338.251, Florida Statutes, the Department of Transportation is authorized to grant not more than \$3 million in total from the Toll Facilities Revolving Trust Fund to authorities created under chapter 348, Florida Statutes, for preliminary engineering, traffic, and revenue studies, environmental impact studies, financial advisory services, engineering design, right-of-way map preparation, operations, other appropriate project-related professional services, and advanced right-of-way acquisition.

Section 57. In order to implement the appropriation of funds in appropriation category “Special Categories-Risk Management Insurance” in the 2011-2012 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the

Executive Office of the Governor may transfer funds appropriated in that category between departments in order to align the budget authority granted with the premiums paid by each department for risk management insurance. This section expires July 1, 2012.

Section 58. In order to implement the appropriation of funds in the appropriation category “Special Categories-Transfer to Department of Management Services-Human Resources Services Purchased Per Statewide Contract” in the 2011-2012 General Appropriations Act,” and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in that category between departments in order to align the budget authority granted with the assessments that must be paid by each agency to the Department of Management Services for human resource management services. This section expires July 1, 2012.

Section 59. In order to implement specific appropriations for salaries and benefits in the 2011-2012 General Appropriations Act, paragraph (a) of subsection (12) of section 110.123, Florida Statutes, is amended to read:

110.123 State group insurance program.—

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

(a)1. A member participating in this health insurance plan option is shall be eligible to receive an employer contribution into the employee’s health savings account from the State Employees Health Insurance Trust Fund in an amount to be determined by the Legislature. A member is not eligible for an employer contribution upon termination of employment. For the 2011-2012 ~~2010-2011~~ fiscal year, the state’s monthly contribution for employees having individual coverage shall be \$41.66 and the monthly contribution for employees having family coverage shall be \$83.33.

2. A member participating in this health insurance plan option is shall be eligible to deposit the member’s own funds into a health savings account.

Section 60. In order to implement section 8 of the 2011-2012 General Appropriations Act, paragraph (j) of subsection (3) of section 110.123, Florida Statutes, is amended to read:

110.123 State group insurance program.—

(3) STATE GROUP INSURANCE PROGRAM.—

(j) Notwithstanding ~~the provisions of~~ paragraph (f) requiring uniform contributions, and for the 2011-2012 ~~2010-2011~~ fiscal year only, the state

contribution toward the cost of any plan in the state group insurance plan is shall be the difference between the overall premium and the employee contribution. This subsection expires June 30, 2012 ~~2011~~.

Section 61. In order to implement specific appropriations for salaries and benefits in the 2011-2012 General Appropriations Act, paragraph (b) of subsection (3) of section 112.24, Florida Statutes, is amended to read:

112.24 Intergovernmental interchange of public employees.—To encourage economical and effective utilization of public employees in this state, the temporary assignment of employees among agencies of government, both state and local, and including school districts and public institutions of higher education is authorized under terms and conditions set forth in this section. State agencies, municipalities, and political subdivisions are authorized to enter into employee interchange agreements with other state agencies, the Federal Government, another state, a municipality, or a political subdivision including a school district, or with a public institution of higher education. State agencies are also authorized to enter into employee interchange agreements with private institutions of higher education and other nonprofit organizations under the terms and conditions provided in this section. In addition, the Governor or the Governor and Cabinet may enter into employee interchange agreements with a state agency, the Federal Government, another state, a municipality, or a political subdivision including a school district, or with a public institution of higher learning to fill, subject to the requirements of chapter 20, appointive offices which are within the executive branch of government and which are filled by appointment by the Governor or the Governor and Cabinet. Under no circumstances shall employee interchange agreements be utilized for the purpose of assigning individuals to participate in political campaigns. Duties and responsibilities of interchange employees shall be limited to the mission and goals of the agencies of government.

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

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

2. For the 2011-2012 ~~2010-2011~~ fiscal year only, the assignment of an employee of a state agency as provided in subparagraph 1. may be made if recommended by the Governor or Chief Justice, as appropriate, and approved by the chairs of the legislative appropriations committees ~~Senate Policy and Steering Committee on Ways and Means and the House Full appropriations Council on Education and Economic Development~~. Such actions shall be deemed approved if neither chair provides written notice of

objection within 14 days after the chair's receiving notice of the action pursuant to s. 216.177. This subparagraph expires July 1, ~~2012~~ 2011.

Section 62. In order to implement Specific Appropriations 2536 and 2537 of the 2011-2012 General Appropriations Act and notwithstanding the provisions of s. 11.13(1), Florida Statutes, the authorized salaries for members of the Legislature for the 2011-2012 fiscal year shall be set at the same level in effect on July 1, 2010. This section expires July 1, 2012.

Section 63. If HB 5011 or similar legislation fails to become law and notwithstanding s. 27.709, Florida Statutes, in order to implement Specific Appropriations 760 through 762 of the 2011-2012 General Appropriations Act, subsection (1) of section 27.710, Florida Statutes, is amended to read:

27.710 Registry of attorneys applying to represent persons in postconviction capital collateral proceedings; certification of minimum requirements; appointment by trial court.—

(1) The executive director of the Justice Administrative Commission on Capital Cases shall compile and maintain a statewide registry of attorneys in private practice who have certified that they meet the minimum requirements of s. 27.704(2), who are available for appointment by the court under this section to represent persons convicted and sentenced to death in this state in postconviction collateral proceedings, and who have attended within the last year a continuing legal education program of at least 10 hours' duration devoted specifically to the defense of capital cases, if available. Continuing legal education programs meeting the requirements of this rule offered by The Florida Bar or another recognized provider and approved for continuing legal education credit by The Florida Bar ~~shall~~ satisfy this requirement. The failure to comply with this requirement may be cause for removal from the list until the requirement is fulfilled. To ensure that sufficient attorneys are available for appointment by the court, if when the number of attorneys on the registry falls below 50, the executive director shall notify the chief judge of each circuit by letter and request the chief judge to promptly submit the names of at least three private attorneys who regularly practice criminal law in that circuit and who appear to meet the minimum requirements to represent persons in postconviction capital collateral proceedings. The executive director shall send an application to each attorney identified by the chief judge so that the attorney may register for appointment as counsel in postconviction capital collateral proceedings. As necessary, the executive director may also advertise in legal publications and other appropriate media for qualified attorneys interested in registering for appointment as counsel in postconviction capital collateral proceedings. Not later than September 1 of each year, and as necessary thereafter, the executive director shall provide to the Chief Justice of the Supreme Court, the chief judge and state attorney in each judicial circuit, and the Attorney General a current copy of its registry of attorneys who are available for appointment as counsel in postconviction capital collateral proceedings. The registry must be indexed by judicial circuit and must contain the requisite information submitted by the applicants in accordance with this section.

Section 64. The amendment to s. 27.710(1), Florida Statutes, shall expire July 1, 2012, and the text of that subsection shall revert to that in existence on June 30, 2011, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 65. In order to implement the transfer of funds to the State School Trust Fund from trust funds in the 2011-2012 General Appropriations Act, paragraph (b) of subsection (2) of section 215.32, Florida Statutes, is reenacted and amended to read:

215.32 State funds; segregation.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 66. The amendment to s. 215.32(2)(b), Florida Statutes, as carried forward by this act from chapter 2010-153, Laws of Florida, shall expire July 1, 2012, and the text of that subsection shall revert to that in

existence on June 30, 2010, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 67. In order to implement the transfer of moneys to the General Revenue Fund from trust funds in the 2011-2012 General Appropriations Act, paragraph (b) of subsection (4) of section 215.5601, Florida Statutes, is reenacted and amended to read:

215.5601 Lawton Chiles Endowment Fund.—

(4) ADMINISTRATION.—

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

Section 68. The amendment to s. 215.5601(b), Florida Statutes, as carried forward by this act from chapter 2010-153, Laws of Florida, shall expire July 1, 2012, and the text of that subsection shall revert to that in existence on June 30, 2010, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 69. In order to implement the issuance of new debt authorized in the 2011-2012 General Appropriations Act, and pursuant to s. 215.98, Florida Statutes, the Legislature determines that the authorization and issuance of debt for the 2011-2012 fiscal year should be implemented, is in the best interest of the state, and necessary to address a critical state emergency. This section expires July 1, 2012.

Section 70. In order to implement the funds appropriated in the 2011-2012 General Appropriations Act for state employee travel, the funds appropriated to each state agency, which may be used for travel by state employees, are limited during the 2011-2012 fiscal year to travel for activities that are critical to each 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 agency head has approved in writing that such activities are critical to the agency's mission. The agency head 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. This section does not apply to travel for law enforcement purposes, military purposes, emergency management activities, or public health activities. This section expires July 1, 2012.

Section 71. In order to implement the appropriations authorized in the 2011-2012 General Appropriations Act for each of the state's designated primary data centers, which are funded from the data processing appropriation category and other categories used to pay for computing services of user agencies, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in any appropriation category used to pay for data processing in the 2011-2012 General Appropriations Act between agencies in order to align the budget authority granted with the utilization rate of each department. This section expires July 1, 2012.

Section 72. State agencies that are required to begin planning for a data center consolidation scheduled for a subsequent fiscal year may accelerate the consolidation into the 2011-2012 fiscal year, contingent upon approval by the Legislative Budget Commission of budget adjustments necessary to accomplish the consolidation. The primary data center may establish positions contingent on an equal or greater number of positions being placed in reserve from the agency data centers being consolidated. This section expires July 1, 2012.

Section 73. In order to implement Specific Appropriation 2690 of the 2011-2012 General Appropriations Act, the Executive Office of the Governor may transfer funds appropriated in the appropriation category "Expenses" of the 2011-2012 General Appropriations Act between agencies in order to allocate a reduction relating to SUNCOM Services. This section expires July 1, 2012.

Section 74. In order to implement section 8 of the General Appropriations Act for the 2011-2012 fiscal year, paragraph (a) of subsection (7) of section 110.12315, Florida Statutes, is reenacted to read:

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

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

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

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

Section 75. The amendment to s. 110.12315(7)(a), Florida Statutes, as carried forward by this act from chapter 2010-153, Laws of Florida, shall expire on July 1, 2012, and the text of that paragraph shall revert to that in existence on December 31, 2010, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 76. In order to implement Specific Appropriations 2587 through 2597 of the 2011-2012 General Appropriations Act, and notwithstanding chapter 255, Florida Statutes, the Department of Management Services shall use the services of a tenant broker to renegotiate all leases over 150,000 square feet. Based on the renegotiations, and by September 30, 2011, the department shall report to the Legislative Budget Commission the projected savings, implementation costs, and recommendations for leases to terminate.

(1) The report shall also identify any leases that do not comply with state law or the State Constitution, including noncompliance due to a nonappropriation clause, and include recommendations to bring such leases into compliance by June 30, 2012.

(2) State agencies shall propose budget amendments pursuant to chapter 216, Florida Statutes, to place the budget authority associated with the cost savings into reserve. If it is determined that additional savings may be derived from consolidating, collocating, and or restacking office space, the Executive Office of the Governor may transfer funds appropriated between agencies, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes.

(3) This section expires July 1, 2012.

Section 77. In order to implement appropriations used for the payments of existing lease contracts for private office or storage space in excess of 2,000 square feet, the Department of Management Services, together with the cooperation of the agencies having the existing lease contracts, shall seek to renegotiate or reprocur all private lease agreements expiring before June

30, 2013, in order to achieve a reduction in costs in future years. The department shall incorporate this initiative into its 2011 Master Leasing Report and may use tenant broker services to explore the possibilities of collocation, to review the space needs of each agency, and to review the length and terms of potential renewals or renegotiations. The department shall provide a report by March 1, 2012, to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives which lists each lease contract for private office or storage space, the status of renegotiations, and the savings achieved. This section expires July 1, 2012.

Section 78. In order to implement specific appropriations for the purchase of pharmacy products in the 2011-2012 General Appropriations Act the Department of Management Services shall issue by November 1, 2011, a competitive solicitation pursuant to chapter 287 for a pharmaceutical purchasing arrangement as a state term contract. The solicitation shall invite group purchasing organizations or other vendors to offer a system for drug purchasing, excluding those drugs purchased by Medicaid, which provides transparent pricing to the extent permitted by federal law, permits purchases outside the agreement if such purchases offer the best value to the state, and establishes a preferred drug list that utilizes generic drugs to the extent feasible and cost effective. The department shall work with other agencies with subject matter expertise in the implementation of this section. Award of any contract is contingent upon the approval of the Legislative Budget Commission that the requirements of this section have been met. Upon approval of the Legislative Budget Commission, the Department of Health shall terminate its participation in the Minnesota Multistate Contracting Alliance for Pharmacy.

Section 79. In order to implement Specific Appropriation 193 of the 2011-2012 General Appropriations Act and notwithstanding chapter 287, Florida Statutes, the Agency for Health Care Administration shall competitively procure a Florida Discount Drug Card Program to provide market competitive discounts through a broad network of retail pharmacies and a mail order pharmacy within the state and return money to the state on a per prescription dispensed basis. Discounts shall be available to Florida residents without income restrictions. Residents shall be able to enroll and acquire a member identification card from the participating pharmacies, online and through text messaging, without a charge. Revenues derived from this contract shall be deposited into the agency's Grants and Donations Trust Fund to reduce the cost of Medicaid pharmacy purchases. This section expires July 1, 2012.

Section 80. In order to implement specific appropriations for Expense and Other Capital Outlay in the 2011-2012 General Appropriations Act, subsection (8) is added to section 946.515, Florida Statutes, to read:

946.515 Use of goods and services produced in correctional work programs.—

(8) On June 30, 2012, each state agency must submit a report to the President of the Senate and the Speaker of the House of Representatives which lists products or services obtained from a source other than the corporation when a comparable product or service could have been obtained from the corporation. The report must include an explanation of why the product or service was not obtained from the corporation. This subsection expires July 1, 2012.

Section 81. Any section of this act which implements a specific appropriation or specifically identified proviso language in the 2011-2012 General Appropriations Act is void if the specific appropriation or specifically identified proviso language is vetoed. Any section of this act which implements more than one specific appropriation or more than one portion of specifically identified proviso language in the 2011-2012 General Appropriations Act is void if all the specific appropriations or portions of specifically identified proviso language are vetoed.

Section 82. If any other act passed during the 2011 Regular Session contains a provision that is substantively the same as a provision in this act, but that removes or is otherwise not subject to the future repeal applied to such provision by this act, the Legislature intends that the provision in the other act takes precedence and continues to operate, notwithstanding the future repeal provided by this act.

Section 83. If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

Section 84. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2011; or, if this act fails to become a law until after that date, it shall take effect upon becoming a law and shall operate retroactively to July 1, 2011.

Approved by the Governor May 26, 2011.

Filed in Office Secretary of State May 26, 2011.