

CHAPTER 2014-53

House Bill No. 5003

An act relating to implementing the 2014-2015 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program; providing that funds for instructional materials be released and expended as required in specified proviso language, notwithstanding other provisions of law; amending s. 1013.64, F.S.; revising the basis for allocating fixed capital outlay funds for existing satisfactory facilities; amending s. 1011.62, F.S.; providing procedure for school districts to use in determining unrealized required local effort funds or millage under certain circumstances; providing the required ad valorem tax millage contribution by certain district school boards for funded construction projects; incorporating by reference certain calculations of the Medicaid Low-Income Pool, Disproportionate Share Hospital, and Hospital Exemptions Programs for the 2014-2015 fiscal year; providing requirements governing the continuation of the Department of Health's Florida Onsite Sewage Nitrogen Reduction Strategies Study; prohibiting an agency from adopting or implementing a rule or policy before the study is completed; prioritizing which categories of individuals on the Agency for Persons with Disabilities' wait list will be offered slots in the Medicaid home and community-based waiver programs; allowing an individual to receive waiver services if his or her parent or guardian is an active-duty servicemember transferred to Florida and previously received these services in another state; providing that individuals remaining on the wait list are not entitled to an administrative proceeding or hearing in accordance with federal law; prohibiting community-based behavioral mental health managing entities that have contracted with the Department of Children and Families from conducting provider network procurements under certain circumstances during the 2014-2015 fiscal year; amending s. 296.37, F.S.; revising temporarily the amount of money that a resident of a veterans' nursing home must receive from outside sources before being required to contribute to his or her maintenance and support; requiring the Agency for Health Care Administration to ensure that nursing facility residents meet certain criteria before being eligible for funds to transition to home and community-based services waivers; requiring the agency and the Department of Elderly Affairs to prioritize and enroll individuals on the Medicaid Long-Term Care Waiver program using a frailty-based screening as funding is available; authorizing rulemaking and interagency agreements; authorizing the agency to extend current contract for certain consultant services; requiring the agency to submit a specified budget amendment to realign funding as part of the Medicaid program; providing direction for the funding realignments; authorizing the Executive Office of the Governor to void the action under certain circumstances; authorizing the Agency for Health Care Administration, with the Department of Health, to submit a budget amendment to reflect certain enrollment changes within the Children's

Medical Services Network; authorizing the Agency for Health Care Administration to seek nonoperating budget authority to transfer certain federal funds; amending s. 409.97, F.S.; delaying implementation of certain intergovernmental Medicaid transfers; authorizing the agency to retroactively adjust hospital payment rates under certain circumstances; providing direction for the calculation of the adjustments; authorizing the agency to make nonrecurring retroactive rate adjustments for certain hospitals providing inpatient services; amending s. 216.262, F.S.; authorizing the Department of Corrections under certain circumstances to submit a budget amendment for additional positions; authorizing the Department of Legal Affairs to expend 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 for moneys advanced from the general fund before a certain date; requiring the Department of Juvenile Justice to 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; amending s. 29.008, F.S., relating to county funding of court-related functions; providing counties with an exemption from the requirement to annually increase certain expenditures by a specified percentage; amending s. 215.18, F.S.; providing for trust fund loans to the state court system sufficient to meet its appropriation; providing procedures for accessing and repaying the loan; directing the Department of Management Services to use a tenant broker to renegotiate or reprocure leases for office or storage space and provide a report to the Legislature; reenacting s. 624.502, F.S., relating to the deposit of fees for service of process made upon the Chief Financial Officer or Office of Insurance Regulation; providing for deposit of such fees into the Administrative Trust Fund rather than the Insurance Regulatory Trust Fund; amending s. 282.709, F.S.; revising membership of Joint Task Force on State Agency Law Enforcement Communications; amending s. 161.143, F.S.; providing for an allocation in the General Appropriations Act for inlet management funding; amending s. 375.041, F.S.; authorizing the transfer of moneys from the Land Acquisition Trust Fund to support the Total Maximum Daily Loads Program; authorizing the transfer of moneys in the Land Acquisition Trust Fund to the Save Our Everglades Trust Fund for specific Everglades restoration projects and to the Florida Forever Trust Fund for the Florida Forever program; amending s. 373.59, F.S.; revising the allocation of moneys from the Water Management Lands Trust Fund; authorizing specified funds to be deposited into the Save Our Everglades Trust Fund to support certain Everglades restoration projects; amending s. 403.7095, F.S.; requiring the Department of Environmental Protection to award a specified amount in grants to certain small counties for waste tire and litter prevention, recycling education, and solid waste programs; amending s. 259.105, F.S.; providing that certain funds in the Florida Forever Trust Fund be distributed to the Department of

Agriculture and Consumer Services for the acquisition of agricultural lands for certain less-than-fee acquisitions; authorizing certain funds in the Florida Forever Trust Fund to be provided the water management districts for land acquisitions; amending s. 259.032, F.S.; authorizing moneys from the Conservation and Recreation Lands Trust Fund to be transferred to the Florida Forever Trust Fund for the Florida Forever program; amending s. 255.25001, F.S.; authorizing funds from the sale of certain property by the Department of Agriculture and Consumer Services to be deposited into the Market Improvements Working Capital Trust Fund; amending s. 216.181, F.S.; authorizing the Legislative Budget Commission to increase amounts appropriated to the Fish and Wildlife Conservation Commission or the Department of Environmental Protection for fixed capital outlay projects; providing direction to agencies for submitting budget amendments; authorizing the Fish and Wildlife Conservation Commission to pay a bounty for captured and destroyed lionfish in certain waters; amending s. 339.135, F.S.; authorizing the Department of Transportation to use appropriated funds to support the establishment of a statewide system of interconnected multiuse trails and related facilities; prohibiting these funds from causing the deferral, deletion, or reduction of other funded existing projects; amending s. 335.065, F.S.; authorizing the Department of Transportation to use certain funds to support the establishment of a statewide system of interconnected multiuse trails and related facilities; providing criteria for prioritizing trail projects; providing for the reversion of unobligated funds appropriated for certain transportation and economic development projects in 2013; defining the term “unobligated funds” for a limited purpose; amending s. 341.302, F.S.; revising provisions related to the Department of Transportation’s responsibilities for requiring and administering quiet zones as part of the statewide rail program; prohibiting a state agency from initiating a competitive solicitation for a product or service under certain circumstances; requiring the department to contract with specified contractor for redesigned license plates; providing parameters and establishing pricing for materials used; prohibiting county names from appearing on revised license tags; amending s. 339.135, F.S.; authorizing the Department of Transportation to use funds to pay for certain transportation projects; providing criteria for determining preferred projects; amending s. 216.292, F.S.; removing a restriction on the type of review a legislative appropriations committee may make when reviewing certain notices of proposed transfers by state agencies; prohibiting a state agency from initiating a competitive solicitation for a product or service under certain circumstances; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management premiums and aligning amounts paid for human resource management services; amending s. 112.24, F.S.; providing conditions on the assignment of an employee of a state agency under an employee interchange agreement; providing that the annual salary of the members of the Legislature be maintained at a specified level; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds; authorizing the transfer of unappropriated cash balances to

the general revenue or budget stabilization funds from certain trust funds; providing a legislative determination that the issuance of new debt is in the best interests of the state; limiting the use of travel funds to activities that are critical to an agency's mission; providing exceptions; authorizing certain agencies to request the transfer of resources between Data Processing Services appropriation categories and appropriation categories for operation based upon changes to the data center services consolidation schedule; authorizing the Executive Office of the Governor to transfer funds for use by the state's designated primary data centers; prohibiting an agency from transferring funds from a data processing category to another category that is not a data processing category; authorizing the Executive Office of the Governor to transfer funds between agencies in order to allocate a reduction relating to SUNCOM; reenacting and amending s. 110.12315, F.S., relating to the state employee prescription drug program; providing pharmacy reimbursement rates; requiring the Department of Management Services to maintain a preferred brand name drug list and a maintenance drug list; specifying pricing of certain copayments by health plan members; providing for the effect of a veto of one or more specific appropriations or proviso to which implementing language refers; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by this act; providing 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 2014-2015 fiscal year.

Section 2. In order to implement Specific Appropriations 9, 10, 11, 96, and 97 of the 2014-2015 General Appropriations Act, the calculations of the Florida Education Finance Program for the 2014-2015 fiscal year in the document titled "Public School Funding-The Florida Education Finance Program," dated April 29, 2014, and filed with the Clerk of the House of Representatives, are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with the requirements of state law, in making appropriations for the Florida Education Finance Program. This section expires July 1, 2015.

Section 3. In order to implement Specific Appropriations 9 and 96 of the 2014-2015 General Appropriations Act and notwithstanding the provisions of ss. 1006.28-1006.42, 1002.20, 1003.02, 1011.62(6)(b)5., and 1011.67, Florida Statutes, relating to the expenditure of funds provided for instructional materials, for the 2014-2015 fiscal year, funds provided for instructional materials shall be released and expended as required in the proviso language for Specific Appropriation 96 of the 2014-2015 General Appropriations Act. This section expires July 1, 2015.

Section 4. In order to implement Specific Appropriation 25 of the 2014-2015 General Appropriations Act, paragraph (a) of subsection (1) of section 1013.64, Florida Statutes, is amended to read:

1013.64 Funds for comprehensive educational plant needs; construction cost maximums for school district capital projects.—Allocations from the Public Education Capital Outlay and Debt Service Trust Fund to the various boards for capital outlay projects shall be determined as follows:

(1)(a)1. Funds for remodeling, renovation, maintenance, repairs, and site improvement for existing satisfactory facilities shall be given priority consideration by the Legislature for appropriations allocated to the boards from the total amount of the Public Education Capital Outlay and Debt Service Trust Fund appropriated. These funds shall be calculated pursuant to the following basic formula: the building value times the building age over the sum of the years' digits assuming a 50-year building life. For modular noncombustible facilities, a 35-year life shall be used, and for relocatable facilities, a 20-year life shall be used. "Building value" is calculated by multiplying each building's total assignable square feet times the appropriate net-to-gross conversion rate found in state board rules and that product times the current average new construction cost. "Building age" is calculated by multiplying the prior year's building age times 1 minus the prior year's sum received from this subsection divided by the prior year's building value. To the net result shall be added the number 1. Each board shall receive the percentage generated by the preceding formula of the total amount appropriated for the purposes of this section.

2. Notwithstanding subparagraph 1., and for the 2014-2015 fiscal year only, funds appropriated for remodeling, renovation, maintenance, repairs, and site improvement for existing satisfactory facilities shall be allocated by prorating the total appropriation based on each school district's share of the 2013-2014 reported fixed capital outlay full-time equivalent student. This subparagraph expires July 1, 2015.

Section 5. In order to implement Specific Appropriations 9 and 96 of the 2014-2015 General Appropriations Act, paragraph (e) of subsection (4) of section 1011.62, Florida Statutes, is amended to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The Legislature shall prescribe the aggregate required local effort for all school districts collectively as an item in the General Appropriations Act for each fiscal year. The amount that each district shall provide annually toward the cost of the Florida Education Finance Program for kindergarten through grade 12 programs shall be calculated as follows:

(e) Prior period funding adjustment millage.—

1. There shall be an additional millage to be known as the Prior Period Funding Adjustment Millage levied by a school district if the prior period unrealized required local effort funds are greater than zero. The Commissioner of Education shall calculate the amount of the prior period unrealized required local effort funds as specified in subparagraph 2. and the millage required to generate that amount as specified in this subparagraph. The Prior Period Funding Adjustment Millage shall be the quotient of the prior period unrealized required local effort funds divided by the current year taxable value certified to the Commissioner of Education pursuant to sub-subparagraph (a)1.a. This levy shall be in addition to the required local effort millage certified pursuant to this subsection. Such millage shall not affect the calculation of the current year's required local effort, and the funds generated by such levy shall not be included in the district's Florida Education Finance Program allocation for that fiscal year. For purposes of the millage to be included on the Notice of Proposed Taxes, the Commissioner of Education shall adjust the required local effort millage computed pursuant to paragraph (a) as adjusted by paragraph (b) for the current year for any district that levies a Prior Period Funding Adjustment Millage to include all Prior Period Funding Adjustment Millage. For the purpose of this paragraph, there shall be a Prior Period Funding Adjustment Millage levied for each year certified by the Department of Revenue pursuant to sub-subparagraph (a)2.a. since the previous year certification and for which the calculation in sub-subparagraph 2.b. is greater than zero.

2.a. As used in this subparagraph, the term:

(I) "Prior year" means a year certified under sub-subparagraph (a)2.a.

(II) "Preliminary taxable value" means:

(A) If the prior year is the 2009-2010 fiscal year or later, the taxable value certified to the Commissioner of Education pursuant to sub-subparagraph (a) 1.a.

(B) If the prior year is the 2008-2009 fiscal year or earlier, the taxable value certified pursuant to the final calculation as specified in former paragraph (b) as that paragraph existed in the prior year.

(III) "Final taxable value" means the district's taxable value as certified by the property appraiser pursuant to s. 193.122(2) or (3), if applicable. This is the certification that reflects all final administrative actions of the value adjustment board.

b. For purposes of this subsection and with respect to each year certified pursuant to sub-subparagraph (a)2.a., if the district's prior year preliminary taxable value is greater than the district's prior year final taxable value, the prior period unrealized required local effort funds are the difference between the district's prior year preliminary taxable value and the district's prior year

final taxable value, multiplied by the prior year district required local effort millage. If the district's prior year preliminary taxable value is less than the district's prior year final taxable value, the prior period unrealized required local effort funds are zero.

c. For the 2014-2015 fiscal year only, if a district's prior period unrealized required local effort funds and prior period district required local effort millage cannot be determined because such district's final taxable value has not yet been certified pursuant to s. 193.122(2) or (3), for the 2014 tax levy, the Prior Period Funding Adjustment Millage for such fiscal year shall be levied in 2014 in an amount equal to 75 percent of such district's most recent unrealized required local effort for which a Prior Period Funding Adjustment Millage was determined as provided in this section. Upon certification of the final taxable value for the 2013 tax roll in accordance with s. 193.122(2) or (3), the Prior Period Funding Adjustment Millage levied in 2015 shall be adjusted to include any shortfall or surplus in the prior period unrealized required local effort funds that would have been levied in 2014, had the district's final taxable value been certified pursuant to s. 193.122(2) or (3) for the 2014 tax levy. This provision shall be implemented by a district only if the millage calculated pursuant to this paragraph when added to the millage levied by the district for all purposes for the 2014-2015 fiscal year is less than or equal to the total millage levied for the 2013-2014 fiscal year. This subparagraph expires July 1, 2015.

Section 6. In order to implement Specific Appropriation 28A of the 2014-2015 General Appropriations Act and notwithstanding s. 1013.64(2), Florida Statutes, any district school board that generates less than \$1 million in revenue from a 1-mill levy of ad valorem tax shall contribute 0.75 mills for fiscal year 2014-2015 toward the cost of funded special facilities construction projects. This section expires July 1, 2015.

Section 7. In order to implement Specific Appropriations 203, 210, 211, 212, and 215 of the 2014-2015 General Appropriations Act, the calculations for the Medicaid Low-Income Pool, Disproportionate Share Hospital, and Hospital Reimbursement programs, and the parameters and calculations for the diagnosis-related group (DRG) methodology for hospital reimbursement, for the 2014-2015 fiscal year contained in the document titled "Medicaid Hospital Funding Programs," dated April 29, 2014, and filed with the Clerk of the House of Representatives, are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with the requirements of state law, in making appropriations for the Medicaid Low-Income Pool, Disproportionate Share Hospital, and Hospital Reimbursement programs, and the parameters and calculations for the diagnosis-related group methodology for hospital reimbursement. This section expires July 1, 2015.

Section 8. (1) In order to implement Specific Appropriation 490 of the 2014-2015 General Appropriations Act, the following requirements govern the continuation of the Department of Health's Florida Onsite Sewage Nitrogen Reduction Strategies Study:

(a) Funding for completion of the study is through the Department of Health. Notwithstanding s. 287.057, Florida Statutes, the current contract may be extended until the study is completed.

(b) 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 to complete the study.

(c) Management and oversight of the completion of the study must be consistent with the terms of the existing contract. However, the main focus and priority shall be developing, testing, and recommending cost-effective passive technology design criteria for nitrogen reduction. Notwithstanding any other provision of law, before the study is completed, a state agency may not adopt or implement a rule or policy that:

1. Mandates, establishes, or implements more restrictive nitrogen reduction standards to existing or new onsite sewage treatment systems or modification of such systems; or

2. Directly or indirectly, such as through an administrative order issued by the Department of Environmental Protection as part of a basin management action plan adopted pursuant to s. 403.067, Florida Statutes, requires the use of performance-based treatment systems or similar technologies. However, more restrictive nitrogen reduction standards for onsite systems may be required through a basin management action plan if such plan is phased in after the study is completed.

(d) Any systems installed at home sites 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.

(2) This section expires July 1, 2015.

Section 9. (1) In order to implement Specific Appropriation 268 of the 2014-2015 General Appropriations Act, and notwithstanding s. 393.065(5), Florida Statutes, individuals on the Medicaid home and community-based waiver programs wait list shall be offered a slot in the waiver as follows:

(a) Individuals in category 1, which includes clients deemed to be in crisis as described in rule, shall be given first priority in moving from the wait list to the waiver.

(b) Individuals in category 2 at the time of finalization of an adoption with placement in a family home, reunification with family members with placement in a family home, or permanent placement with a relative in a family home, shall be moved to the waiver.

(c) In selecting individuals in category 3 or category 4, the Agency for Persons with Disabilities shall use the Agency for Persons with Disabilities

Wait List Prioritization Tool, dated March 15, 2013. Those individuals whose needs score highest on the Wait List Prioritization Tool shall be moved to the waiver during the 2014-2015 fiscal year, to the extent funds are available.

(2) The agency shall allow an individual who meets the eligibility requirements of s. 393.065(1), Florida Statutes, to receive home and community-based services in this state if the individual's parent or legal guardian is an active-duty military servicemember and, at the time of the servicemember's transfer to Florida, the individual was receiving home and community-based services in another state.

(3) Upon the placement of individuals on the waiver pursuant to subsection (1), individuals remaining on the wait list are deemed not to have been substantially affected by agency action and are, therefore, not entitled to a hearing under s. 393.125, Florida Statutes, or administrative proceeding under chapter 120, Florida Statutes. This section expires July 1, 2015.

Section 10. In order to implement Specific Appropriations 350 through 366C and 371 through 374 of the 2014-2015 General Appropriations Act, and notwithstanding any other provision of law, in order to provide consistency and continuity in the provision of mental health and substance abuse treatment services to individuals throughout the state, behavioral health managing entities contracting with the Department of Children and Families pursuant to s. 394.9082, Florida Statutes, may not conduct provider network procurements during the 2014-2015 fiscal year. Procurements are authorized when required by federal funding requirements, to procure services due to new funding, or to use available existing funds no longer allocated to a provider. The department shall amend its contracts with each managing entity, if necessary, to remove contractual provisions that have the effect of requiring a managing entity to conduct a provider network procurement during the 2014-2015 fiscal year. This section expires July 1, 2015.

Section 11. In order to implement Specific Appropriations 572 through 577 and 578 through 580 of the 2014-2015 General Appropriations Act, subsection (3) is added to section 296.37, Florida Statutes, to read:

296.37 Residents; contribution to support.—

(3) Notwithstanding subsection (1), each resident of the home who receives a pension, compensation, or gratuity from the United States Government, or income from any other source, of more than \$105 per month shall contribute to his or her maintenance and support while a resident of the home in accordance with a payment schedule determined by the administrator and approved by the director. The total amount of such contributions shall be to the fullest extent possible, but in no case, shall exceed the actual cost of operating and maintaining the home. This subsection expires July 1, 2015.

Section 12. In order to implement Specific Appropriation 241 of the 2014-2015 General Appropriations Act, the Agency for Health Care Administration shall ensure that nursing facility residents who are eligible for funds to transition to home and community-based services waivers must first have resided in a skilled nursing facility for at least 60 consecutive days. This section expires July 1, 2015.

Section 13. In order to implement Specific Appropriation 242 of the 2014-2015 General Appropriations Act, the Agency for Health Care Administration and the Department of Elderly Affairs shall prioritize individuals for enrollment in the Medicaid Long-Term Care Waiver program using a frailty-based screening that provides a prioritization score (the "scoring process") and shall enroll individuals in the program according to the assigned priority score, as funds are available. The agency may adopt rules, pursuant to s. 409.919, Florida Statutes, and enter into interagency agreements necessary to administer s. 409.979(3), Florida Statutes. Such rules or interagency agreements adopted by the agency relating to the scoring process may delegate to the Department of Elderly Affairs, pursuant to s. 409.978, Florida Statutes, the responsibility for implementing and administering the scoring process, providing notice of Medicaid fair hearing rights, and the responsibility for defending, as needed, the scores assigned to persons on the program waitlist in any resulting Medicaid fair hearings. The Department of Elderly Affairs may delegate the provision of notice of Medicaid fair hearing rights to its contractors. This section expires July 1, 2015.

Section 14. In order to implement Specific Appropriation 189 of the 2014-2015 General Appropriations Act and notwithstanding s. 287.057, Florida Statutes, the Agency for Health Care Administration may extend through June 30, 2015, the current contract for consultant services related to Diagnostic Related Groups (DRG) for Medicaid hospital inpatient services. This section expires July 1, 2015.

Section 15. In order to implement Specific Appropriations 196 through 247 of the 2014-2015 General Appropriations Act, the Agency for Health Care Administration shall submit a budget amendment pursuant to chapter 216, Florida Statutes, to realign funding based on the implementation of the Managed Medical Assistance component of the Medicaid Managed Care program as authorized in chapter 2011-134, Laws of Florida. The funding realignment shall reflect the actual enrollment changes due to the transfer of beneficiaries from fee-for-service to capitated managed care plans for medical assistance services. Notwithstanding s. 216.177, Florida Statutes, if the chair or vice chair of the Legislative Budget Commission or the President of the Senate or the Speaker of the House of Representatives timely advises the Executive Office of the Governor, in writing, that the budget amendment exceeds the delegated authority of the Executive Office of the Governor or is contrary to legislative policy or intent, the Executive Office of the Governor shall void the action. This section expires July 1, 2015.

Section 16. In order to implement Specific Appropriations 196 through 235 and 543 of the General Appropriations Act and notwithstanding ss.

216.181 and 216.292, Florida Statutes, the Agency for Health Care Administration, in consultation with the Department of Health, may submit a budget amendment, subject to the notice and objection procedures set forth in s. 216.177, Florida Statutes, to realign funding within and between agencies based on implementation of the Statewide Medicaid Managed Care Medical Assistance program for Children's Medical Services program of the Department of Health. The funding realignment shall reflect the actual enrollment changes due to the transfer of beneficiaries from fee-for-service to the capitated Children's Medical Services network. The Agency for Health Care Administration may submit a request for nonoperating budget authority to transfer the federal funds to the Department of Health, pursuant to s. 216.181(12), Florida Statutes. This section expires July 1, 2015.

Section 17. In order to implement Specific Appropriations 210, 212, and 215 of the 2014-2015 General Appropriations Act, subsection (5) is added to section 409.97, Florida Statutes, to read:

409.97 State and local Medicaid partnerships.—

(5) Notwithstanding subsection (1), the provisions of this section shall take effect beginning in the 2015-2016 fiscal year. This section expires July 1, 2015.

Section 18. In order to implement Specific Appropriations 210 and 215 and notwithstanding s. 409.905, Florida Statutes, in the event the Agency for Health Care Administration determines the providers' average per-discharge Automatic Intergovernmental Transfer payments and self-funded Intergovernmental Transfer payments used in paying hospitals during state fiscal year 2013-2014 differs from appropriated state fiscal year 2013-2014 intergovernmental transfer allocations, the agency shall retroactively adjust hospital payment rates to align payments with available intergovernmental transfer funding by reprocessing all hospital claims for state fiscal year 2013-2014. Adjustments will cover differences between actual intergovernmental transfer payments and appropriated intergovernmental transfer amounts up to a limit equal to full hospital Medicaid inpatient cost. This section expires July 1, 2015.

Section 19. In order to implement Specific Appropriation 210 and notwithstanding s. 409.905, Florida Statutes, the Agency for Health Care Administration may make nonrecurring retroactive rate adjustments for hospital inpatient services for any hospital with a Medicaid utilization rate greater than 50 percent and that has reduced its chargemaster by at least 30 percent as of January 1, 2014. This section expires July 1, 2015.

Section 20. In order to implement Specific Appropriations 598 through 734 and 747 through 786 of the 2014-2015 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 increasing the number of authorized positions, and for the ~~2014-2015~~ ~~2013-2014~~ fiscal year only, if the actual inmate population of the Department of Corrections exceeds the inmate population projections of the February 27, 2014 ~~19, 2013~~, 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 this subsection are subject to review and approval by the Legislative Budget Commission. This subsection expires July 1, ~~2015~~ 2014.

Section 21. In order to implement Specific Appropriations 1322 and 1323 of the 2014-2015 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 previous years. This section expires July 1, 2015.

Section 22. In order to implement Specific Appropriations 1258 and 1263 of the 2014-2015 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 ~~2014-2015~~ ~~2013-2014~~ 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 October 1, 2001. This paragraph expires July 1, ~~2015~~ 2014.

Section 23. (1) In order to implement Specific Appropriations 1129, 1130, 1135, 1136, 1182, 1184, 1186, 1189, 1190, 1192, 1193, 1194, 1205, and 1210 of the 2014-2015 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

there is no contract 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 at 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 2014-2015 fiscal year.

(c) Payments may not exceed 110 percent of the Medicare allowable rate under a contract executed on or after July 1, 2014, between the department and a hospital or a health care provider providing services at a hospital.

(d) Notwithstanding paragraphs (a)-(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.

(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) As used in this section, the term “hospital” means a hospital licensed under chapter 395, Florida Statutes.

(3) This section expires July 1, 2015.

Section 24. In order to implement section 7 of the 2014-2015 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 2014-2015 2013-2014 fiscal year. Accordingly, for the 2014-2015 2013-2014 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 2015-2016 2014-2015 fiscal year. This paragraph expires July 1, 2015 2014.

Section 25. In order to implement section 7 of the 2014-2015 General Appropriations Act, subsection (2) of section 215.18, Florida Statutes, is amended to read:

215.18 Transfers between funds; limitation.—

(2) The Chief Justice of the Supreme Court may receive one or more trust fund loans to ensure that the state court system has funds sufficient to meet its appropriations in the 2014-2015 ~~2012-2013~~ 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 2014-2015 ~~2012-2013~~ fiscal year. This subsection expires July 1, 2015 ~~2013~~.

Section 26. In order to implement appropriations used for the payments of existing lease contracts for private lease space in excess of 2,000 square feet in the 2014-2015 General Appropriations Act, the Department of Management Services, with the cooperation of the agencies having the existing lease contracts for office or storage space, shall use tenant broker services to renegotiate or reprocur all private lease agreements for office or storage space expiring between July 1, 2015, and June 30, 2017, in order to reduce costs in future years. The department shall incorporate this initiative into its 2014 Master Leasing Report required under s. 255.249(7), Florida Statutes, and may use tenant broker services to explore the possibilities of colocating office or storage space, 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 to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives by November 1, 2014, which lists each lease contract for private office or storage space, the status of renegotiations, and the savings achieved. This section expires July 1, 2015.

Section 27. In order to implement Specific Appropriations 2277 through 2285 of the 2014-2015 General Appropriations Act, section 624.502, Florida Statutes, is reenacted to read:

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

Section 28. The amendment to s. 624.502, Florida Statutes, as carried forward by this act from chapter 2013-41, Laws of Florida, expires July 1, 2015, and the text of that section shall revert to that in existence on June 30, 2013, 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 that expire pursuant to this section.

Section 29. In order to implement Specific Appropriations 2896 through 2907 of the 2014-2015 General Appropriations Act, paragraph (a) of subsection (2) of section 282.709, Florida Statutes, is amended to read:

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

(2) The Joint Task Force on State Agency Law Enforcement Communications is created adjunct to the department to advise the department of member-agency needs relating to the planning, designing, and establishment of the statewide communication system.

(a) The Joint Task Force on State Agency Law Enforcement Communications shall consist of the following members:

1. A representative of the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation who shall be appointed by the secretary of the department.

2. A representative of the Division of Florida Highway Patrol of the Department of Highway Safety and Motor Vehicles who shall be appointed by the executive director of the department.

3. A representative of the Department of Law Enforcement who shall be appointed by the executive director of the department.

4. A representative of the Fish and Wildlife Conservation Commission who shall be appointed by the executive director of the commission.

5. A representative of the Department of Corrections who shall be appointed by the secretary of the department.

6. A representative of the Division of State Fire Marshal of the Department of Financial Services who shall be appointed by the State Fire Marshal.

7. A representative of the Department of Agriculture and Consumer Services ~~Transportation~~ who shall be appointed by the Commissioner of Agriculture ~~secretary~~ of the department.

Section 30. The amendment made by this act to s. 282.709, Florida Statutes, expires July 1, 2015, and the text of that section shall revert to that in existence on June 30, 2014, 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 that expire pursuant to this section.

Section 31. In order to implement Specific Appropriation 1653 and section 52 of the 2014-2015 General Appropriations Act, paragraph (e) of subsection (5) of section 161.143, Florida Statutes, is amended to read:

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

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

(e) Notwithstanding paragraphs (a) and (b), and for the 2014-2015 ~~2013-2014~~ fiscal year only, the amount allocated for inlet management funding is provided in the 2014-2015 General Appropriations Act. This paragraph expires July 1, 2015 ~~2014~~.

Section 32. In order to implement Specific Appropriations 1583, 1627A, and 1646 and sections 53 and 54 of the 2014-2015 General Appropriations Act, paragraphs (b) and (c) of subsection (3) of section 375.041, Florida Statutes, are amended to read:

375.041 Land Acquisition Trust Fund.—

(3)

(b) In addition to the uses allowed under paragraph (a), for the 2014-2015 ~~2013-2014~~ fiscal year, moneys in the Land Acquisition Trust Fund may be transferred to support the Total Maximum Daily Loads Program as provided in the General Appropriations Act. This paragraph expires July 1, 2015 ~~2014~~.

(c) For the 2014-2015 ~~2013-2014~~ fiscal year only, moneys in the Land Acquisition Trust Fund may be transferred to the Save Our Everglades Trust Fund to support Everglades restoration projects included in the final report of the Select Committee on Indian River Lagoon and Lake Okeechobee Basin, dated November 8, 2013, and to the Florida Forever Trust Fund for the Florida Forever program for Everglades restoration pursuant to nonoperating budget authority under s. 216.181(12). This paragraph expires July 1, 2015 ~~2014~~.

Section 33. In order to implement Specific Appropriations 1620A, 1621A, 1621B, 1621C, 1625, and 1627A and section 54 of the 2014-2015 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 2014-2015 ~~2013-2014~~ fiscal year only, the moneys from the Water Management Lands Trust Fund are 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.

(c) Seven million seven hundred thousand dollars to be transferred to the Save Our Everglades Trust Fund to support Everglades restoration projects included in the final report of the Select Committee on Indian River Lagoon and Lake Okeechobee Basin, dated November 8, 2013.

~~(d)(e) Any remaining funds to be provided in accordance with the General Appropriations Act Three million dollars to be distributed to the Suwannee River Water Management District for springs restoration and protection projects.~~

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

~~(e) Four million dollars to be distributed to the South Florida Water Management District for J.W. Corbett Levee system improvements.~~

~~(f) One million dollars to be distributed to the Southwest Florida Water Management District for Duck Slough/Thousand Oaks flood mitigation.~~

~~(g) The remaining appropriation to be distributed to the Suwannee River Water Management District.~~

This subsection expires July 1, 2015 2014.

Section 34. In order to implement Specific Appropriation 1627 of the 2014-2015 General Appropriations Act, the recurring \$12 million appropriated from the General Revenue Fund and the recurring \$20 million appropriated from the Water Management Lands Trust Fund to the Department of Environmental Protection for the Restoration Strategies Regional Water Quality Plan provided in chapter 2013-59, Laws of Florida, shall be deposited into the Save Our Everglades Trust Fund within the department to support Everglades restoration projects included in the final report of the Select Committee on Indian River Lagoon and Lake Okeechobee Basin, dated November 8, 2013. This section expires July 1, 2015.

Section 35. In order to implement Specific Appropriation 1700 of the 2014-2015 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, and for the 2014-2015 2013-2014 fiscal year only, the Department of Environmental Protection shall award the sum of \$3 million 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, ~~2015~~ 2014.

Section 36. In order to implement Specific Appropriations 1431A and 1583 and section 56 of the 2014-2015 General Appropriations Act, paragraph (m) of subsection (3) of section 259.105, Florida Statutes, is amended, and subsection (4) is added to that section, to read:

259.105 The Florida Forever Act.—

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

(m) Notwithstanding paragraphs (a)-(j) and for the ~~2014-2015~~ 2013-2014 fiscal year only:

1. Five million dollars to the Department of Agriculture and Consumer Services for the acquisition of agricultural lands through perpetual conservation easements and other perpetual less-than-fee techniques, which will achieve the objectives of Florida Forever and s. 570.71 Ten million dollars appropriated from the Florida Forever Trust Fund shall be distributed only to the Division of State Lands within the Department of Environmental Protection for Board of Trustees Florida Forever Priority List land acquisition projects that provide conservation lands to protect the state's military installations against encroachment.

2. The remaining moneys appropriated from the Florida Forever Trust Fund shall be distributed only to the Division of State Lands within the Department of Environmental Protection for land acquisitions that are less-than-fee interest, for partnerships in which the state's portion of the acquisition cost is no more than 50 percent, or for conservation lands needed for military buffering or springs or water resources protection.

This paragraph expires July 1, ~~2015~~ 2014.

(4) Notwithstanding subsection (3) and for the 2014-2015 fiscal year only, the funds appropriated in section 56 of the 2014-2015 General Appropriations Act may be provided to water management districts for land acquisitions, including less-than-fee interest, identified by water management districts as being needed for water resource protection or ecosystem restoration. This subsection expires July 1, 2015.

Section 37. In order to implement Specific Appropriations 1583 and 1627A and sections 53 and 54 of the 2014-2015 General Appropriations Act, paragraph (f) is added to subsection (11) of section 259.032, Florida Statutes, to read:

259.032 Conservation and Recreation Lands Trust Fund; purpose.—

(11)

(f) For the 2014-2015 fiscal year only, moneys in the Conservation and Recreation Lands Trust Fund may be transferred to the Florida Forever Trust Fund for the Florida Forever program and to the Save Our Everglades Trust Fund to support Everglades restoration projects included in the final report of the Select Committee on Indian River Lagoon and Lake Okeechobee Basin, dated November 8, 2013, pursuant to nonoperating budget authority under s. 216.181(12). This subsection expires July 1, 2015.

Section 38. In order to implement Specific Appropriations 1483 and 1484 of the 2014-2015 General Appropriations Act, subsection (3) is added to section 255.25001, Florida Statutes, to read:

255.25001 Department of Management Services not required to participate in PRIDE leasing process; Department of Agriculture and Consumer Services authorized to sell property without complying with specified laws, distribution of proceeds.—Notwithstanding the provisions of:

(3) Subsection (2), funds derived from the sale of property by the Department of Agriculture and Consumer Services located in Sanford, Florida, shall be deposited into the Market Improvements Working Capital Trust Fund. Before finalizing such sale, the department's proposed action shall be subject to the notice and review procedures set forth in s. 216.177. This subsection expires July 1, 2015.

Section 39. In order to implement Specific Appropriations 1727A, 1727B, 1777A, and 1843A of the 2014-2015 General Appropriations Act, paragraph (d) is added to subsection (11) of section 216.181, Florida Statutes, to read:

216.181 Approved budgets for operations and fixed capital outlay.—

(11)

(d) Notwithstanding paragraph (b) and paragraph (2)(b), and for the 2014-2015 fiscal year only, the Legislative Budget Commission may increase the amounts appropriated to the Fish and Wildlife Conservation Commission or the Department of Environmental Protection for fixed capital outlay projects, including additional fixed capital outlay projects, using funds provided to the state from the Gulf Environmental Benefit Fund administered by the National Fish and Wildlife Foundation; funds provided to the state from the Gulf Coast Restoration Trust Fund related to the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast Act of 2012 (RESTORE Act); or funds provided by the British Petroleum Corporation (BP) for natural resource damage assessment early restoration projects. Concurrent with submission of an amendment to the Legislative Budget Commission pursuant to this paragraph, any project that carries a continuing commitment for future appropriations by the Legislature must be specifically identified, together with the projected amount of the future commitment associated with the project and the fiscal

years in which the commitment is expected to commence. This paragraph expires July 1, 2015.

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

Section 40. In order to implement Specific Appropriation 1839A of the 2014-2015 General Appropriations Act, the Fish and Wildlife Conservation Commission may pay a bounty for each lionfish captured and destroyed from state or adjacent federal waters during participating lionfish derbies. This section expires July 1, 2015.

Section 41. In order to implement Specific Appropriation 1913 of the 2014-2015 General Appropriations Act, paragraph (i) is added to subsection (4) of section 339.135, Florida Statutes, and subsection (5) of that section 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.

(i) Notwithstanding paragraph (a), and for the 2014-2015 fiscal year only, the Department of Transportation may use appropriated funds to support the establishment of a statewide system of interconnected multiuse trails and to pay the costs of planning, land acquisition, design, and construction of such trails and related facilities. Funds specifically appropriated for this purpose may not reduce, delete, or defer any existing projects funded as of July 1, 2014, in the department's 5-year work program. This paragraph expires July 1, 2015.

(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 the beginning of the fiscal year, adopt a final work program that includes 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 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 that 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 may ~~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 may ~~shall~~ not be undertaken unless they are listed in the adopted work program.

(b) Notwithstanding paragraph (a), and for the 2014-2015 fiscal year only, the department may use appropriated funds to support the establishment of a statewide system of interconnected multiuse trails and to pay the costs of planning, land acquisition, design, and construction of such trails and related facilities. Funds specifically appropriated for this purpose may not reduce, delete, or defer any existing projects funded as of July 1, 2014, in the department’s 5-year work program. This paragraph expires July 1, 2015.

Section 42. In order to implement Specific Appropriation 1913 of the 2014-2015 General Appropriations Act, subsection (4) is added to section 335.065, Florida Statutes, to read:

335.065 Bicycle and pedestrian ways along state roads and transportation facilities.—

(4)(a) The department may use appropriated funds to support the establishment of a statewide system of interconnected multiuse trails and to pay the costs of planning, land acquisition, design, and construction of such trails and related facilities. The department shall give funding priority to projects that:

- 1. Are identified by the Florida Greenways and Trails Council as priorities within the Florida Greenways and Trails System pursuant to chapter 260.
- 2. Support the transportation needs of bicyclists and pedestrians.
- 3. Have national, statewide, or regional importance.
- 4. Facilitate an interconnected system of trails by completing gaps in existing trails.

(b) A project funded under subsection (4) shall:

- 1. Be included in the department’s work program developed pursuant to s. 339.135.
- 2. Be operated and maintained by an entity other than the department upon completion of construction. The department is not obligated to provide funds for the operation and maintenance of the project.

(c) This subsection expires July 1, 2015.

Section 43. In order to implement Specific Appropriation 1913 of the 2014-2015 General Appropriations Act, and notwithstanding s. 339.135(6)(c), Florida Statutes, the unobligated funds appropriated for transportation and economic development projects in Specific Appropriation 1891, chapter 2013-40, Laws of Florida, shall revert immediately. For the purposes of this section, the term “unobligated funds” does not include funding for projects for which grant awards have been executed for specific transportation economic development projects. This section expires July 1, 2015.

Section 44. In order to implement Specific Appropriation 1890 of the 2014-2015 General Appropriations Act, subsection (10) of section 341.302, Florida Statutes, is amended to read:

341.302 Rail program; duties and responsibilities of the department.— The department, in conjunction with other governmental entities, including the rail enterprise and the private sector, shall develop and implement a rail program of statewide application designed to ensure the proper maintenance, safety, revitalization, and expansion of the rail system to assure its continued and increased availability to respond to statewide mobility needs. Within the resources provided pursuant to chapter 216, and as authorized under federal law, the department shall:

(10)(a) Administer rail operating and construction programs, which programs shall include the regulation of maximum train operating speeds, the opening and closing of public grade crossings, the construction and rehabilitation of public grade crossings, and the installation of traffic control devices at public grade crossings, the approval and implementation of quiet zones, and administration ~~the administering~~ of the programs by the department including participation in the cost of the programs.

(b) Provide grant funding to assist with the implementation of quiet zones that have been approved by the department, which funding may not exceed 50 percent of the nonfederal and nonprivate share of the total costs of any quiet zone capital improvement project.

(c) Coordinate and work closely with local, state, and federal agencies to provide technical support to local agencies for the development of quiet zone plans.

(d) Monitor crossing incidents at approved quiet zone locations and suspend the operation of a quiet zone at any time the department determines that a significant deterioration in safety is resulting from quiet zone implementation.

Section 45. The amendments made by this act to s. 341.302, Florida Statutes, expire July 1, 2015, and the text of that section shall revert to that in existence on June 30, 2014, 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 that expire pursuant to this section.

Section 46. In order to implement Specific Appropriation 2654 of the 2014-2015 General Appropriations Act, the Department of Highway Safety and Motor Vehicles shall contract with the corporation organized pursuant to part II of chapter 946, Florida Statutes, to manufacture the current or newly redesigned license tags, such contract being in the same manner and for the same price as that paid by the department during the 2013-2014 fiscal year. The corporation shall seek sealed bids for the reflectorized sheeting used in the manufacture of such license tags, and in the event the sealed bids result in any savings in the sheeting costs, the corporation shall credit to the department an amount equal to 70 percent of the savings. The county name shall not appear on any redesigned license tag. This section expires July 1, 2015.

Section 47. In order to implement Specific Appropriation 1913 of the 2014-2015, General Appropriations Act, paragraph (i) is added to subsection (4) of section 339.135, Florida Statutes, and subsection (5) of that section 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.

(i) Notwithstanding paragraph (a) and for the 2014-2015 fiscal year only, the department may use up to \$15 million of appropriated funds to pay the costs of strategic and regionally significant transportation projects. Funds may be used to provide up to 75 percent of project costs for production-ready eligible projects. Preference shall be given to projects that support the state's economic regions, or that have been identified as regionally significant in accordance with s. 339.155(4)(c), (d), and (e), and that have an increased level of nonstate match. This paragraph expires July 1, 2015.

(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 the beginning of the fiscal year, adopt a final work program that includes 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 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 that 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 ~~may 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 ~~may shall~~ not be undertaken unless they are listed in the adopted work program.

(b) Notwithstanding paragraph (a), and for the 2014-2015 fiscal year only, the department may use appropriated funds to pay the costs of strategic and regionally significant transportation projects as provided in paragraph (4)(i). Funds specifically appropriated for this purpose may not reduce, delete, or defer any existing projects funded as of July 1, 2014, in the department's 5-year work program. This paragraph expires July 1, 2015.

Section 48. In order to implement the salary and benefits, expenses, other personal services, contracted services, special categories and operating capital outlay categories of the 2014-2015 General Appropriations Act, paragraph (a) of subsection (2) of section 216.292, Florida Statutes, is amended to read:

216.292 Appropriations nontransferable; exceptions.—

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

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

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

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

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

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

~~shall be limited to ensuring that the transfer is in compliance with the requirements of this paragraph.~~

Section 49. The amendment made by this act to s. 216.292, Florida Statutes, expires July 1, 2015, and the text of that section shall revert to that in existence on June 30, 2014, 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 that expire pursuant to this section.

Section 50. In order to implement the appropriation of funds in the contracted services and expenses categories of the 2014-2015 General Appropriations Act, no state agency may initiate a competitive solicitation for a product or service if the completion of such competitive solicitation would:

(1) Require a change in law; or

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

This section does not apply to a competitive solicitation for which the agency head certifies that a valid emergency exists. This section expires July 1, 2015.

Section 51. In order to implement the appropriation of funds in the appropriation category "Special Categories-Risk Management Insurance" in the 2014-2015 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, 2015.

Section 52. 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 2014-2015 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, 2015.

Section 53. In order to implement appropriations for salaries and benefits of the 2014-2015 General Appropriations Act, subsection (6) 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.

(6) For the 2014-2015 2013-2014 fiscal year only, the assignment of an employee of a state agency as provided in this section may be made if recommended by the Governor or Chief Justice, as appropriate, and approved by the chairs of the legislative appropriations committees. Such actions shall be deemed approved if neither chair provides written notice of objection within 14 days after receiving notice of the action pursuant to s. 216.177. This subsection expires July 1, 2015 2014.

Section 54. In order to implement Specific Appropriations 2674 and 2675 of the 2014-2015 General Appropriations Act and notwithstanding s. 11.13(1), Florida Statutes, the authorized salaries for members of the Legislature for the 2014-2015 fiscal year shall be set at the same level in effect on July 1, 2010. This section expires July 1, 2015.

Section 55. In order to implement the transfer of funds to the General Revenue Fund from trust funds in the 2014-2015 General Appropriations Act, paragraph (b) of subsection (2) of section 215.32, Florida Statutes, is reenacted 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 is 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, 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 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 56. The amendment to s. 215.32(2)(b), Florida Statutes, as carried forward by this act from chapter 2011-47, Laws of Florida, expires July 1, 2015, and the text of that paragraph 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 57. In order to implement the issuance of new debt authorized in the 2014-2015 General Appropriations Act, and pursuant to s. 215.98, Florida Statutes, the Legislature determines that the authorization and issuance of debt for the 2014-2015 fiscal year should be implemented and is in the best interest of the state. This section expires July 1, 2015.

Section 58. In order to implement appropriations in the 2014-2015 General Appropriations Act for state employee travel, the funds appropriated to each state agency, which may be used for travel by state employees, shall be limited during the 2014-2015 fiscal year to travel for activities that are critical to each state agency's mission. Funds may not be used 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 shall consider using

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, 2015.

Section 59. In order to implement appropriations authorized in the 2014-2015 General Appropriations Act for data center services scheduled for consolidation in the 2014-2015 fiscal year, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the consolidating agencies may request the transfer of resources between Data Processing Services appropriation categories and the appropriation categories for operations based upon changes to the consolidation schedule. This section expires July 1, 2015.

Section 60. In order to implement Specific Appropriations 2907A through 2907L and 2926A through 2926N of the 2014-2015 General Appropriations Act, funded from the data processing appropriation category 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 for data processing in the 2014-2015 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, 2015.

Section 61. In order to implement appropriations authorized in the 2014-2015 General Appropriations Act for data center services, and notwithstanding s. 216.292(2)(a), Florida Statutes, except as authorized in sections 59 and 60 of this act, no agency may transfer funds from a data processing category to a category other than another data processing category. This section expires July 1, 2015.

Section 62. In order to implement Specific Appropriation 2887 of the 2014-2015 General Appropriations Act, the Executive Office of the Governor may transfer funds appropriated in the appropriation category "Expenses" of the 2014-2015 General Appropriations Act between agencies in order to allocate a reduction relating to SUNCOM services. This section expires July 1, 2015.

Section 63. In order to implement section 8 of the 2014-2015 General Appropriations Act, section 110.12315, Florida Statutes, is amended 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:

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

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

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

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

~~(c) The current pharmacy dispensing fee shall be negotiated by the department remains in effect.~~

(3) Pharmacy reimbursement rates shall be as follows:

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

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

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

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

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

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

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

~~(7)(3) The department of Management Services shall establish the reimbursement schedule for prescription pharmaceuticals dispensed under the program. Reimbursement rates for a prescription pharmaceutical must be based on the cost of the generic equivalent drug if a generic equivalent exists, unless the physician prescribing the pharmaceutical clearly states on the prescription that the brand name drug is medically necessary or that the drug product is included on the formulary of drug products that may not be interchanged as provided in chapter 465, in which case reimbursement must be based on the cost of the brand name drug as specified in the reimbursement schedule adopted by the department of Management Services.~~

~~(8)(4) The department of Management Services shall conduct a prescription utilization review program. In order to participate in the state employees' prescription drug program, retail pharmacies dispensing prescription medicines to members of the state group health insurance plan or their covered dependents, or to subscribers or covered dependents of a health maintenance organization plan under the state group insurance program, shall make their records available for this review.~~

~~(9)(5) The department of Management Services shall implement such additional cost-saving measures and adjustments as may be required to balance program funding within appropriations provided, including a trial or starter dose program and dispensing of long-term-maintenance medication in lieu of acute therapy medication.~~

~~(10)(6) Participating pharmacies must use a point-of-sale device or an online computer system to verify a participant's eligibility for coverage. The state is not liable for reimbursement of a participating pharmacy for dispensing prescription drugs to any person whose current eligibility for coverage has not been verified by the state's contracted administrator or by the department of Management Services.~~

~~(11)(7) Under the state employees' prescription drug program copayments must be made as follows:~~

(a) Effective January 1, 2013, 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.

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

1. Retail coinsurance for generic drug with card.....30%.

2. Retail coinsurance for preferred brand name drug with card.....30%.

3. Retail coinsurance for nonpreferred brand name drug with card..... 50%.

4. Mail order coinsurance for generic drug..... 30%.

5. Mail order coinsurance for preferred brand name drug..... 30%.

6. Mail order coinsurance for nonpreferred brand name drug.....50%.

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

Section 64. (1) The amendment to s. 110.12315(2)(b), Florida Statutes, as carried forward by this act from chapter 2013-41, Laws of Florida, expires July 1, 2015, and the text of that paragraph shall revert to that in existence on June 30, 2012, 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.

(2) The amendments made by this act to s. 110.12315(2)(c), Florida Statutes and present s. 110.12315(3)-(6), Florida Statutes, which this act rennumbers as s. 110.12315(7)-(10), and new s. 110.12315(3)-(6), Florida Statutes, as created by this act, expire July 1, 2015, and the text of that paragraph and those subsections shall revert to those in existence on June 30, 2014, 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 that expire pursuant to this section.

(3) The amendment to present s. 110.12315(7)(a), Florida Statutes, as carried forward by this act from chapter 2013-41, Laws of Florida, and renumbered by this act as s. 110.12315(11)(a), Florida Statutes, expires July 1, 2015, 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 65. Any section of this act which implements a specific appropriation or specifically identified proviso language in the 2014-2015 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 2014-2015 General Appropriations Act is void if all the specific appropriations or portions of specifically identified proviso language are vetoed.

Section 66. If any other act passed during the 2014 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 67. 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 68. 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, 2014; or, if this act fails to become a law until after that date, it shall take effect upon becoming a law and operate retroactively to July 1, 2014.

Approved by the Governor June 2, 2014.

Filed in Office Secretary of State June 2, 2014.