

Department of Management Services

2011 Session Summary

2011 Legislative Session Statistics

SENATE BILLS	FILED	PASSED SENATE	PASSED BOTH CHAMBERS
CONCURRENT RESOLUTIONS	6	5	3
RESOLUTIONS (ONE CHAMBER)	67	0	0
GENERAL BILLS	959	157	102
LOCAL BILLS	36	3	0
JOINT RESOLUTIONS	29	3	3
MEMORIALS	13	8	3
TOTALS	1110	176	111

HOUSE BILLS	FILED	PASSED HOUSE	PASSED BOTH CHAMBERS
CONCURRENT RESOLUTIONS	4	0	0
RESOLUTIONS (ONE CHAMBER)	64	0	0
GENERAL BILLS	891	250	143
LOCAL BILLS	67	35	32
JOINT RESOLUTIONS	30	7	6
MEMORIALS	20	9	3
TOTALS	1076	301	184

SENATE AND HOUSE BILLS	FILED	PASSED FIRST CHAMBER	PASSED BOTH CHAMBERS
CONCURRENT RESOLUTIONS	10	5	3
RESOLUTIONS (ONE CHAMBER)	131	0	0
GENERAL BILLS	1850	407	245
LOCAL BILLS	103	38	32
JOINT RESOLUTIONS	59	10	9
MEMORIALS	33	17	6
TOTALS	2186	477	295

DMS Bill Tracking Statistics

Division	# of Bills	Division	# of Bills
Administration	4	OSD	6
Budget	27	People First	6
CIO	2	Private Prisons	6
State Group Insurance	37	Purchasing	6
General Counsel	2	Real Estate	29
Human Resource Management	39	Retirement	70
Inspector General	2	Specialized Services	3
Bills monitored for potential Impact – no specific Division	31	DivTel	9
Total Bills Tracked: 303			

Quick Stats:

- Of the 303 bills DMS tracked, only 43 passed this session.
- In 2011, the Florida Legislature filed 2,186 bills. DMS tracked 14% or 303 bills.

2011 Legislation Impacting Department of Management Services

Select Bill Summaries:

Retirement:

- **SB 2100 Retirement:**
 - All Employees
 - Mandates 3% employee contributions for all employees, except those in DROP, beginning July 1, 2011. DROP participants are considered retired for benefit accrual purposes and will not pay any contributions.
 - Reduces DROP interest rate to 1.3% for any member entering DROP on and after July 1, 2011
 - Eliminates the Cost-of-Living increase for service earned on and after July 1, 2011. There is intent language to return the COLA effective July 1, 2016, if funding is provided.
 - Employees initially enrolled in the Florida Retirement System (FRS) on and after July 1, 2011
 - Increases vesting to 8 years – from the current 6 years
 - Increases the Average Final Compensation to 8 years – from the current 5 years
 - Increases Normal Retirement:
 - Special Risk – Age 60 with 8 years of service or 30 years of service at any age
 - All Other Classes – Age 65 with 8 years of service or 33 years of service at any age
- **SB 1128 Public Retirement Plans:**
 - Requires local retirement plans to provide an additional disclosure of the present value of accrued benefits using a uniform interest rate assumption to improve comparability of actuarial data between plans.
 - Local plans may not include more than 300 hours of overtime, or accrued unused annual or sick leave in the calculation of retirement benefits.
 - Actuarial surpluses cannot be used for expenses outside the plan and local governments may not reduce contributions below the normal cost. Effective July 1, 2011

Purchasing:

- **HB 7223 OGSR/Competitive Solicitations:**
 - Extends the effective term through 2016 for the temporary general exemption from public records for bids, proposals or replies received by an agency during a competitive solicitation.
 - Broadens the application for the temporary general exemption from public meetings for any negotiation session with a vendor and for strategy sessions between negotiators held during competitive solicitations.
- **SB 1314 State Financial Matters:**
 - Adds a definition related to appropriations and fiscal affairs for “Lease of lease/purchase of equipment.”
 - Requires all agencies submit with any legislative budget request a description of each contract where spending is over \$10 million during the contract term and where part of the consideration to be paid by an agency is a percentage of the vendor revenue. The description must include:
 - Description of services
 - Term of contract and remaining years
 - Revenue generated from the contract
 - Revenue remitted to the agency
 - Value of any capital improvements
 - Remaining value of any capital improvements, not fully amortized

- Amount of appropriation requested to pay vendor
- Creates section 216.313, F.S, prohibiting employees of the judicial and executive branches of government from entering into contracts for services or personal property worth more than \$5 million unless the agency specifies in the contract the specific appropriation from which the contract will be paid, unless expressly permitted by the Legislature.
- **SB 444 Scrutinized Companies:**
 - Creates section 287.135, Florida Statutes, prohibiting a company on the Scrutinized Companies with Activities in Sudan List or on the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List from bidding on, submitting a proposal for, or entering into or renewing a contract with an agency or local governmental entity for goods or services of \$1 million or more. Companies submitting bids will have to certify that its not a scrutinized business operation.
 - Requires the Department of Management Services must submit a written notice describing the act to the Attorney General of the United States within 30 days after July 1, 2011. Also, the bill states that the act will become inoperative on the date that federal law ceases to authorize the state to adopt and enforce the contracting prohibitions of the type provided for in the act.

Budget Bills:

- **SB 2000 General Appropriations Act (Highlights of proviso listed below):**
 - No changes to health insurance premiums.
 - Division of State Group Insurance (DSGI) to continue mail order pharmacy program for PPO.
 - Expands private prison program – Department of Corrections South Florida Region 4.
 - \$1.2 M to restore funding for positions cut in 2010 budget. Must get approval from the Legislative Budget Commission (LBC) for these positions and funding.
 - DMS management of the Aircraft Hangar is repealed.
 - 3 new FTE for State Purchasing.
 - Revised due date for My Florida Marketplace (MFMP) business case – August 15, 2011.
 - Loss of 3 FTE for People First and 5 FTE for Human Resource Management (HRM).
 - 4 FTE for Retirement to implement employee contributions.
- **SB 2002 Implementing Bill:**
 - Authorizes DMS to use SLERS funding for Mutual Aide – for one year only.
 - Authorizes DMS to use interest earnings from the Communications Working Capital Trust Fund to fund the MyFlorida.Com portal – the official internet portal for the State of Florida.
 - Establishes drug co-pays (no changes from last year).
 - Real Estate Development and Management (REDM) is required to use the services of a tenant broker to renegotiate all leases over 150,000 square feet. By September 30, 2011 (based on the renegotiations) DMS is required to report to the LBC the projected savings, implementation costs, and recommendations for leases to terminate.
 - The report is to identify any leases that do not comply with state law or the State Constitution, including noncompliance due to a non-appropriation clause, and include recommendations to bring these type of leases into compliance by June 30, 2012.
 - Requires state agencies to propose budget amendments (by way of Chapter 216, F.S.) to place the budget authority associated with the cost savings into reserve. If it is determined that additional savings may be derived from consolidating, collocating, and or restacking office space, the Executive Office of the Governor may transfer funds appropriated between agencies, subject to the notice, review, and objection procedures of s. 216.177, F.S.
 - Procure statewide pharmaceutical contract – procurement must be released by November 1, 2011.

- **SB 2098 State Information Technology Services:**
 - Provides AEIT with more authority for planning and implementation over state IT services.
 - Requires DMS State Purchasing to work with AEIT on aggregate IT purchasing methodologies.

Real Estate Development and Management:

- **HB 465 Florida Veteran's Hall of Fame:**
 - Creates the Florida Veterans' Hall of Fame to be erected by DMS in the Capitol.
- **HB 849 Building Construction and Inspection:**
 - Requires that state agencies, local governments, and the court system adopt a sustainable building rating system or use a national model green building code for new and renovated buildings.
- **SB 2156 Government Reorganization:**
 - Requires DMS to coordinate the energy conservation program for state agencies.

Human Resource Management:

- **SB 146 Criminal Justice:**
 - Requires state agencies to prepare reports identifying and evaluating restrictions on licensing and employment for ex-offenders.
 - Prohibits state agencies from denying an application for a license, permit, certificate, or employment based solely on a person's lack of civil rights.

General Counsel/Administration:

- **HB 993 Rulemaking:**
 - Changes reporting requirements for rulemaking:
 - Requires an enhanced biennial review for existing rules by December 1, 2011 and allows for public comment and objections to this report.
 - Requires a compliance economic review and report for all rules and subparts. One half of the rules to be completed by May 1, 2012 and the other in 2013. If agencies complied with EO 2011-01, they do not have to complete this report for 2011.