

Committee Substitute for House Bill No. 1

An act relating to governmental agencies; amending s. 20.41, F.S.; providing that area agencies on aging are subject to ch. 119 and ss. 286.011-286.012, F.S., as specified; amending s. 186.022, F.S.; requiring each state agency annual performance report to include an assessment of performance measures approved by the Legislature and established in the General Appropriations Act or implementing legislation for the General Appropriations Act for the previous fiscal year and a summary of all moneys that were expended or encumbered by the agency, or for which the agency is otherwise responsible, during the preceding fiscal year and an estimate of such moneys for the current fiscal year; providing requirements for the reporting of such information; providing for a reduction in funding for failure to submit the required state agency annual performance report; amending s. 216.0235, F.S.; requiring instructions with respect to such information to be included in the performance-based legislative program budget instructions; requiring the Florida Financial Management Information System Coordinating Council to submit to the Governor and Legislature a report, with recommendations, relating to the reporting of such information; amending s. 216.241, F.S.; prohibiting the expenditure of revenues generated by any tax or fee imposed pursuant to amendment to the State Constitution after a specified date except pursuant to legislative appropriation; providing an effective date.

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

Section 1. Subsection (8) of section 186.022, Florida Statutes, 1998 Supplement, is amended to read:

186.022 State agency strategic plans; preparation, form, and review.—

(8) Each agency shall submit by September 1 of each year an annual performance report to the Executive Office of the Governor, with copies to the President of the Senate, the Speaker of the House of Representatives, ~~and the Auditor General, and the Office of Program Policy Analysis and Government Accountability.~~ The purpose of this report is to evaluate the attainment of the agency objectives in the agency strategic plan and the performance measures approved by the Legislature pursuant to s. 216.0166(3) and established in the General Appropriations Act or implementing legislation for the General Appropriations Act for the previous fiscal year. In addition, each state agency must include a one-page summary of all moneys that were expended or encumbered by the agency, or for which the agency was otherwise responsible, during the preceding fiscal year and an estimate of such moneys projected by the agency for the current fiscal year. All such expenditures and estimates of such expenditures must be divided by program and expressed in line items by unit costs for each output measure approved pursuant to s. 216.0166(3) for those agencies and programs operating under performance-based program budgeting and for major

services and products for those agencies and programs operating under traditional line-item budgeting. Unit-cost totals must equal the total amount of moneys that were expended or projected to be expended by each agency and must include expenditures or projected expenditures of state funds by subordinate governmental entities and contractors, as applicable. Moneys that agencies receive but are not responsible for, such as reversions or pass-throughs to entities over which the agency has no authority or responsibility, shall be shown in separate line items and expressed in total amounts only. At the regular session immediately following the submission of the agency performance report, the Legislature shall reduce in the General Appropriations Act for the ensuing fiscal year, by an amount equal to at least 10 percent of the allocation for the fiscal year preceding the current fiscal year, the funding of each state agency that fails to submit the report required by this subsection. All reports must be submitted in the form and manner prescribed by the instructions prepared pursuant to subsection (2) and s. 216.0235(3).

Section 2. Subsection (3) of section 216.0235, Florida Statutes, 1998 Supplement, is amended to read:

216.0235 Performance-based legislative program budget requests to be furnished by agencies.—

(3) The Executive Office of the Governor and the legislative appropriations committees shall jointly develop legislative program budget instructions from which each agency that has an approved program and the judicial branch, pursuant to ss. 216.0166 and 216.043, shall prepare its legislative program budget request. The program budget instructions must be consistent with s. 216.141 and must be transmitted to each agency and to the judicial branch no later than June 15 of each year. The budget instructions must also include instructions for agencies in submitting performance measures and standards as required by s. 216.0166. The budget instructions must also include instructions for agencies in submitting the assessment of performance measures and the unit-cost information required to be included in the agency annual performance report under s. 186.022(8). The Executive Office of the Governor, in consultation with the Office of Program Policy Analysis and Government Accountability, the Auditor General, the Department of Banking and Finance, and the legislative appropriations committees, shall develop instructions as to the calculation of the unit-cost information and the format and presentation of the summary required under s. 186.022(8). For fiscal year 1999 - 2000, the Executive Office of the Governor may provide interim instructions which allow for a phased-in implementation of unit cost reporting by agencies. Full implementation of unit cost reporting shall be effective with the submission of the September 1, 2000 agency performance report. In the event that agreement cannot be reached between the Executive Office of the Governor and the legislative appropriations committees regarding legislative program budget instructions, the issue shall be resolved by the Governor, the President of the Senate, and the Speaker of the House of Representatives.

Section 3. The Florida Financial Management Information System Coordinating Council shall submit to the Governor, the President of the Senate,

and the Speaker of the House of Representatives by October 1, 1999, a report, with recommendations, on the necessity and feasibility of, and the costs associated with, enhancements to the Florida Accounting Information Resource Subsystem required to support state agencies in providing the unit-cost information required to be reported under s. 186.022(8), Florida Statutes, as amended by this act.

Section 4. Subsection (3) is added to section 216.241, Florida Statutes, to read:

216.241 Initiation or commencement of new programs; approval.—

(3) Any revenues generated by any tax or fee imposed by amendment to the State Constitution after October 1, 1999, shall not be expended by any agency, as defined in s. 120.52(1), except pursuant to appropriation by the Legislature.

Section 5. Subsection (9) is added to section 20.41, Florida Statutes, to read:

20.41 Department of Elderly Affairs.—There is created a Department of Elderly Affairs.

(9) Area agencies on aging are subject to chapter 119, relating to public records, and, when considering any contracts requiring the expenditure of funds, are subject to ss. 286.011-286.012, relating to public meetings.

Section 6. This act shall take effect July 1, 1999.

Approved by the Governor June 18, 1999.

Filed in Office Secretary of State June 18, 1999.