

1                   A bill to be entitled  
2           An act relating to governmental agencies;  
3           amending s. 20.41, F.S.; providing that area  
4           agencies on aging are subject to ch. 119 and  
5           ss. 286.011-286.012, F.S., as specified;  
6           amending s. 186.022, F.S.; requiring each state  
7           agency annual performance report to include an  
8           assessment of performance measures approved by  
9           the Legislature and established in the General  
10          Appropriations Act or implementing legislation  
11          for the General Appropriations Act for the  
12          previous fiscal year and a summary of all  
13          moneys that were expended or encumbered by the  
14          agency, or for which the agency is otherwise  
15          responsible, during the preceding fiscal year  
16          and an estimate of such moneys for the current  
17          fiscal year; providing requirements for the  
18          reporting of such information; providing for a  
19          reduction in funding for failure to submit the  
20          required state agency annual performance  
21          report; amending s. 216.0235, F.S.; requiring  
22          instructions with respect to such information  
23          to be included in the performance-based  
24          legislative program budget instructions;  
25          requiring the Florida Financial Management  
26          Information System Coordinating Council to  
27          submit to the Governor and Legislature a  
28          report, with recommendations, relating to the  
29          reporting of such information; amending s.  
30          216.241, F.S.; prohibiting the expenditure of  
31          revenues generated by any tax or fee imposed

1           pursuant to amendment to the State Constitution  
2           after a specified date except pursuant to  
3           legislative appropriation; providing an  
4           effective date.  
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6 Be It Enacted by the Legislature of the State of Florida:  
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8           Section 1. Subsection (8) of section 186.022, Florida  
9 Statutes, 1998 Supplement, is amended to read:

10           186.022 State agency strategic plans; preparation,  
11 form, and review.--

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

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

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

23 216.0235 Performance-based legislative program budget  
24 requests to be furnished by agencies.--

25 (3) The Executive Office of the Governor and the  
26 legislative appropriations committees shall jointly develop  
27 legislative program budget instructions from which each agency  
28 that has an approved program and the judicial branch, pursuant  
29 to ss. 216.0166 and 216.043, shall prepare its legislative  
30 program budget request. The program budget instructions must  
31 be consistent with s. 216.141 and must be transmitted to each

1 agency and to the judicial branch no later than June 15 of  
2 each year. The budget instructions must ~~also~~ include  
3 instructions for agencies in submitting performance measures  
4 and standards as required by s. 216.0166. The budget  
5 instructions must also include instructions for agencies in  
6 submitting the assessment of performance measures and the  
7 unit-cost information required to be included in the agency  
8 annual performance report under s. 186.022(8). The Executive  
9 Office of the Governor, in consultation with the Office of  
10 Program Policy Analysis and Government Accountability, the  
11 Auditor General, the Department of Banking and Finance, and  
12 the legislative appropriations committees, shall develop  
13 instructions as to the calculation of the unit-cost  
14 information and the format and presentation of the summary  
15 required under s. 186.022(8). For fiscal year 1999 - 2000,  
16 the Executive Office of the Governor may provide interim  
17 instructions which allow for a phased-in implementation of  
18 unit cost reporting by agencies. Full implementation of unit  
19 cost reporting shall be effective with the submission of the  
20 September 1, 2000 agency performance report. In the event  
21 that agreement cannot be reached between the Executive Office  
22 of the Governor and the legislative appropriations committees  
23 regarding legislative program budget instructions, the issue  
24 shall be resolved by the Governor, the President of the  
25 Senate, and the Speaker of the House of Representatives.

26 Section 3. The Florida Financial Management  
27 Information System Coordinating Council shall submit to the  
28 Governor, the President of the Senate, and the Speaker of the  
29 House of Representatives by October 1, 1999, a report, with  
30 recommendations, on the necessity and feasibility of, and the  
31 costs associated with, enhancements to the Florida Accounting

1 Information Resource Subsystem required to support state  
2 agencies in providing the unit-cost information required to be  
3 reported under s. 186.022(8), Florida Statutes, as amended by  
4 this act.

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

7 216.241 Initiation or commencement of new programs;  
8 approval.--

9 (3) Any revenues generated by any tax or fee imposed  
10 by amendment to the State Constitution after October 1, 1999,  
11 shall not be expended by any agency, as defined in s.  
12 120.52(1), except pursuant to appropriation by the  
13 Legislature.

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

16 20.41 Department of Elderly Affairs.--There is created  
17 a Department of Elderly Affairs.

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

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