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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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