

Bill No. CS/CS/HB 163, 2nd Eng.

Amendment No.

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Meek moved the following amendment:		
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13	Senate Amendment (with title amendment)		
14	On page 16, between lines 9 and 10,		
15	Section 8. Section 163.055, Florida Statutes, is		
16	created to read:		
17	<u>163.055 Local Government Financial Technical</u>		
18	<u>Assistance Program.--</u>		
19	<u>(1) Among municipalities and special districts, the</u>		
20	<u>Legislature finds that:</u>		
21	<u>(a) Florida is a state comprised of 400 municipalities</u>		
22	<u>and almost 1,000 special districts statewide.</u>		
23	<u>(b) Of the 400 municipalities in the state, over 200</u>		
24	<u>have a population under 5,000.</u>		
25	<u>(c) State and federal mandates will continue to place</u>		
26	<u>additional funding demands on all municipalities and special</u>		
27	<u>districts.</u>		
28	<u>(d) State government lacks the specific technical</u>		
29	<u>expertise or resources to effectively perform ongoing</u>		
30	<u>educational support and financial emergency detection or</u>		
31	<u>assistance.</u>		

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1 (2) Recognizing the findings in subsection (1), the
2 Legislature declares that:

3 (a) The fiscal challenges confronting various
4 municipalities and special districts require an investment
5 that will facilitate efforts to improve the productivity and
6 efficiency of their financial structures and operating
7 procedures.

8 (b) Current and additional revenue enhancements
9 authorized by the Legislature should be managed and
10 administered using appropriate management practices and
11 expertise.

12 (3) The purpose of this section is to provide
13 technical assistance to municipalities and special districts
14 to enable them to implement workable solutions to financially
15 related problems.

16 (4) The Comptroller shall enter into contracts with
17 program providers who shall:

18 (a) Be a public agency or private, nonprofit
19 corporation, association, or entity.

20 (b) Use existing resources, services, and information
21 that are available from state or local agencies, universities,
22 or the private sector.

23 (c) Seek and accept funding from any public or private
24 source.

25 (d) Annually submit information to assist the
26 Legislative Committee on Intergovernmental Relations in
27 preparing a performance review that will include a analysis of
28 the effectiveness of the program.

29 (e) Assist municipalities and independent special
30 districts in developing alternative revenue sources.

31 (f) Provide for an annual independent financial audit

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1 of the program, if the program receives funding.

2 (g) Provide assistance to municipalities and special
3 districts in the areas of financial management, accounting,
4 investing, budgeting, and debt issuance.

5 (h) Develop a needs assessment to determine where
6 assistance should be targeted, and to establish a priority
7 system to deliver assistance to those jurisdictions most in
8 need through the most economical means available.

9 (i) Provide financial emergency assistance upon
10 direction from the Office of the Governor pursuant to s.
11 218.503.

12 (5)(a) The Comptroller shall issue a request for
13 proposals to provide assistance to municipalities and special
14 districts. At the request of the Comptroller, the Legislative
15 Committee on Intergovernmental Relations shall assist in the
16 preparation of the request for proposals.

17 (b) The Comptroller shall review each contract
18 proposal submitted.

19 (c) The Legislative Committee on Intergovernmental
20 Relations shall review each contract proposal and submit to
21 the Comptroller, in writing, advisory comments and
22 recommendations, citing with specificity the reasons for its
23 recommendations.

24 (d) The Comptroller and the Legislative Committee on
25 Intergovernmental Relations shall consider the following
26 factors in reviewing contract proposals:

27 1. The demonstrated capacity of the provider to
28 conduct needs assessments and implement the program as
29 proposed.

30 2. The number of municipalities and special districts
31 to be served under the proposal.

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1 3. The cost of the program as specified in a proposed
2 budget.

3 4. The short-term and long-term benefits of the
4 assistance to municipalities and special districts.

5 5. The form and extent to which existing resources,
6 services, and information that are available from state and
7 local agencies, universities, and the private sector will be
8 used by the provider under the contract.

9 (6) A decision of the Comptroller to award a contract
10 under this section is final and shall be in writing with a
11 copy provided to the Legislative Committee on
12 Intergovernmental Relations.

13 (7) The Comptroller may enter into contracts and
14 agreements with other state and local agencies and with any
15 person, association, corporation, or entity other than the
16 program providers, for the purpose of administering this
17 section.

18 (8) The Comptroller shall provide fiscal oversight to
19 ensure that funds expended for the program are used in
20 accordance with the contracts entered into pursuant to
21 subsection (4).

22 (9) The Legislative Committee on Intergovernmental
23 Relations shall annually conduct a performance review of the
24 program. The findings of the review shall be presented in a
25 report submitted to the Governor, the President of the Senate,
26 the Speaker of the House of Representatives, and the
27 Comptroller by January 15 of each year.

28 Section 9. Paragraph (d) of subsection (7) of section
29 163.01, Florida Statutes, is amended to read:

30 163.01 Florida Interlocal Cooperation Act of 1969.--

31 (7)(d) Notwithstanding the provisions of paragraph

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1 (c), any separate legal entity created pursuant to this
2 section and controlled by the municipalities or counties of
3 this state or by one or more municipality and one or more
4 county of this state, the membership of which consists or is
5 to consist of municipalities only, counties only, or one or
6 more municipality and one or more county, may, for the purpose
7 of financing or refinancing any capital projects, exercise all
8 powers in connection with the authorization, issuance, and
9 sale of bonds. Notwithstanding any limitations provided in
10 this section, all of the privileges, benefits, powers, and
11 terms of part I of chapter 125, part II of chapter 166, and
12 part I of chapter 159 shall be fully applicable to such
13 entity. Bonds issued by such entity shall be deemed issued on
14 behalf of the counties or municipalities which enter into loan
15 agreements with such entity as provided in this paragraph.
16 Any loan agreement executed pursuant to a program of such
17 entity shall be governed by the provisions of part I of
18 chapter 159 or, in the case of counties, part I of chapter
19 125, or in the case of municipalities and charter counties,
20 part II of chapter 166. Proceeds of bonds issued by such
21 entity may be loaned to counties or municipalities of this
22 state or a combination of municipalities and counties, whether
23 or not such counties or municipalities are also members of the
24 entity issuing the bonds. The issuance of bonds by such
25 entity to fund a loan program to make loans to municipalities
26 or counties or a combination of municipalities and counties
27 with one another for capital projects to be identified
28 subsequent to the issuance of the bonds to fund such loan
29 programs is deemed to be a paramount public purpose. Any
30 entity so created may also issue bond anticipation notes, as
31 provided by s. 215.431, in connection with the authorization,

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1 issuance, and sale of such bonds. In addition, the governing
2 body of such legal entity may also authorize bonds to be
3 issued and sold from time to time and may delegate, to such
4 officer, official, or agent of such legal entity as the
5 governing body of such legal entity may select, the power to
6 determine the time; manner of sale, public or private;
7 maturities; rate or rates of interest, which may be fixed or
8 may vary at such time or times and in accordance with a
9 specified formula or method of determination; and other terms
10 and conditions as may be deemed appropriate by the officer,
11 official, or agent so designated by the governing body of such
12 legal entity. However, the amounts and maturities of such
13 bonds and the interest rate or rates of such bonds shall be
14 within the limits prescribed by the governing body of such
15 legal entity and its resolution delegating to such officer,
16 official, or agent the power to authorize the issuance and
17 sale of such bonds. A local government self-insurance fund
18 established under this section may financially guarantee bonds
19 or bond anticipation notes issued or loans made under this
20 subsection. Bonds issued pursuant to this paragraph may be
21 validated as provided in chapter 75. The complaint in any
22 action to validate such bonds shall be filed only in the
23 Circuit Court for Leon County. The notice required to be
24 published by s. 75.06 shall be published only in Leon County,
25 and the complaint and order of the circuit court shall be
26 served only on the State Attorney of the Second Judicial
27 Circuit and on the state attorney of each circuit in each
28 county where the public agencies which were initially a party
29 to the agreement are located. Notice of such proceedings shall
30 be published in the manner and the time required by s. 75.06
31 in Leon County and in each county where the public agencies

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1 which were initially a party to the agreement are located.
2 Obligations of any county or municipality pursuant to a loan
3 agreement as described in this paragraph may be validated as
4 provided in chapter 75.

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6 (Redesignate subsequent sections.)

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9 ===== T I T L E A M E N D M E N T =====

10 And the title is amended as follows:

11 On page 1, lines 2 and 3, delete those lines

12

13 and insert:

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A bill to be entitled

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An act relating to local governmental entities;

16

creating s. 163.055, F.S.; creating the Local

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Government Financial Technical Assistance

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Program; providing legislative findings and

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declaration; requiring the Comptroller to enter

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into certain contracts; providing for review of

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contract proposals; providing for fiscal

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oversight by the Comptroller; providing for an

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annual performance review; providing for a

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report; amending s. 163.01, F.S.; allowing

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local government self-insurance reserves to be

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used to guarantee local government obligations

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under certain circumstances; amending s.

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125.69, F.S.;

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