

By Representative Merchant

1 A bill to be entitled
2 An act relating to planning and budgeting;
3 creating s. 216.1785, F.S.; providing
4 requirements for the funding of legislative
5 projects not recommended by the Governor or a
6 state agency; providing a contingent effective
7 date.

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

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11 Section 1. Section 216.1785, Florida Statutes, is
12 created to read:

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14 216.1785 Legislative projects not recommended by the
15 Governor or a state agency.--Unless funded as an exceptional
16 project under s. 216.1787, any project proposed by a member of
17 the Legislature that is not recommended by the Governor or a
18 state agency must have a public hearing in both the House of
19 Representatives and the Senate and must meet at least four of
20 the following minimum criteria in order to be funded:

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22 (1) OVERALL PUBLIC BENEFIT.--The project is one for
23 which there is substantial factual evidence that the public at
24 large benefits, as opposed to narrowly defined special
25 interests.

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27 (2) OVERALL STATEWIDE BENEFIT.--The project is one for
28 which there is significant factual evidence that the benefits
29 are primarily of a statewide nature, as opposed to a greater
30 local benefit more suitable for private, nonprofit, or local
31 government funding. Exceptions to this criterion would be
projects of local benefit recommended as part of a statewide
program utilizing objective criteria to determine project

1 funding or projects of local benefit recommended due to a
2 serious need or emergency.

3 (3) OVERALL FISCAL BENEFIT.--The project is one for
4 which the potential savings to the state exceed the cost.

5 (4) OBJECTIVE EVALUATION.--The project is within or
6 related to a statewide program and has been properly
7 evaluated. When funding is based on a formula or some type of
8 objective review, this would include any project that went
9 through the review process, was recommended for funding at the
10 level dictated by the formula or review, and was not
11 recommended for funding at the expense of, or at a level
12 greater than, other projects which scored higher on the
13 formula or review.

14 (5) COMPETITION.--The project is one whose funding
15 would not convey a significant benefit to a specific vendor or
16 vendors without the benefit of a competitive process.

17 (6) PARTNERSHIP.--The project is appropriately funded
18 as a cooperative effort between the state and other entities,
19 with existing local, private, or nonprofit financial
20 commitment.

21 (7) PERFORMANCE.--The project is one in which
22 performance data is available and which has met or promoted
23 the promised performance standards.

24 (8) CONSISTENT TREATMENT OF BENEFICIARIES.--The
25 project is within a statewide program and does not confer the
26 benefits to certain recipients in a manner different than the
27 treatment of other beneficiaries within the same program.

28 Section 2. This act shall take effect July 1, 1999, if
29 House Bill or similar legislation creating s. 216.1787,
30 Florida Statutes, is adopted in the same legislative session
31 or an extension thereof.

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HOUSE SUMMARY

Requires legislative projects that are not recommended by the Governor or a state agency to meet certain minimum criteria in order to be funded.