

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Hill and Betancourt offered the following:

Amendment (with title amendment)

On page 1,
remove from the bill: Everything after the enacting clause
and insert in lieu thereof:

Section 1. Florida Committee on Minority Business Enterprise Contracting; creation; purpose; membership.-- There is created the Committee on Minority Business Enterprise Contracting.

(1)(a) The committee shall oversee a comprehensive study of the participation of minority business enterprises in contracting activities of the state and review of all provisions relating to minority business enterprise programs.

(b) In addition to the requirements in (1)(a), the committee shall determine whether practices currently utilized by the state to provide market, managerial, technical and financial assistance to minority owned businesses are based upon a compelling governmental interest and if such practices are narrowly tailored to achieve such interest and whether

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1 lower goals should be set over a broader range of state
2 spending.

3 (c) The study shall also identify areas where women
4 and minority firms are over-utilized and under-utilized.

5 (2) A report of findings and recommendations shall be
6 presented to the Governor, the President of the Senate, and
7 the Speaker of the House of Representatives by December 1,
8 2000.

9 (a) The report shall include a recommendation on
10 whether the Legislature should eliminate the goals established
11 in section 287.09451, Florida Statutes, governing the
12 participation of minority business enterprises in state
13 contracting.

14 (b) If the committee recommends elimination of such
15 goals, the report shall include recommendations for
16 alternative means to evaluate agency contracting activities,
17 ensure fairness in the utilization of women and minority owned
18 firms, across all state spending categories and prevent
19 discrimination in state contracting decisions.

20 (3) The committee shall be composed of seven members
21 as follows:

22 (a) President of the Florida Women's Consortium or
23 designee;

24 (b) Department of Legal Affairs, Director of Office of
25 Civil Rights or designee;

26 (c) Director of Minority Business Advocacy and
27 Assistance Office who shall serve as chairperson;

28 (d) Two representatives of the Florida Association of
29 Minority Business Enterprise Officials to be appointed by the
30 Governor;

31 (e) One member appointed by the Speaker of the House;

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1 and

2 (f) One member appointed by the President of the
3 Senate.

4 (4) The Minority Business Advocacy Office shall
5 provide staff to assist the committee. Technical assistance
6 may be provided to the committee by persons who are
7 knowledgeable in a subject area pertinent to the study
8 conducted.

9 (5) Members of the committee shall serve without
10 compensation, but are entitled to per diem and travel expenses
11 as provided in s. 112.061.

12 (6) The members of the committee shall be appointed 60
13 days after this act takes effect, and shall serve until the
14 duties within this act are completed.

15 Section 2. This act shall take effect upon becoming
16 law.

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

20 And the title is amended as follows:

21 On page 1, line 2 through page 2, line 21
22 remove from the title of the bill: all of said lines

23

24 and insert in lieu thereof:

25 An act relating to minority business enterprise
26 contracting; providing for the creation and
27 purpose of the Florida Committee on Minority
28 Business Enterprise Contracting; requiring a
29 study and report; providing for the membership
30 of the committee; providing committee staffing;
31 providing committee expenses; providing an

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1 effective date.

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3 WHEREAS, the Legislature has established in the Florida
4 Statutes spending goals for state-agency contracts with
5 certified minority business enterprises, and

6 WHEREAS, the Legislature adopted in 1994, section 26,
7 Chapter 94-322, Laws of Florida, which scheduled a repeal and
8 sunset review of all provisions of statutes relating to
9 minority business enterprise programs, scheduled for July 1,
10 2000, and

11 WHEREAS, under Florida Law, the repealed provisions
12 shall be reviewed prior to the repeal date by the Legislature
13 to determine the effectiveness in achieving stated goals and
14 to determine whether to revise or modify these provisions to
15 achieve such goals, and

16 WHEREAS, the Legislature will consider elimination of
17 such statutorily prescribed goals only upon the finding of an
18 objective committee that such goals are not enhancing the
19 participation of minority business enterprises in state
20 contracting and are not necessary to prevent or remedy
21 discrimination against minority business enterprises in state
22 contracting decisions, NOW, THEREFORE,

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