

By Senators Hargrett and Holzendorf

21-1593-00

1 A bill to be entitled
2 An act relating to the "One-Florida
3 Initiative"; expressing the legislative intent
4 to retain statutory goals on the participation
5 of minority business enterprises in state
6 contracting; providing for the creation,
7 membership, and purpose of the Commission on
8 Minority-Business-Enterprise Contracting;
9 requiring a report; providing an effective
10 date.
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12 WHEREAS, the Legislature has established in the Florida
13 Statutes spending goals for state-agency contracts with
14 certified minority business enterprises, and
15 WHEREAS, the Governor has unveiled a "One-Florida
16 Initiative" that seeks to prohibit many state agencies from
17 using racial or gender considerations or goals when making
18 state-contracting decisions, and
19 WHEREAS, the Legislature finds that such contracting
20 goals are laudable and necessary to address disparity among
21 minority and nonminority businesses for contracts with the
22 state and its agencies, and
23 WHEREAS, the Legislature will consider elimination of
24 such statutorily prescribed goals only upon the finding of an
25 objective commission that such goals are not enhancing the
26 participation of minority business enterprises in state
27 contracting and are not necessary to prevent or remedy
28 discrimination against minority business enterprises in state
29 contracting decisions, NOW, THEREFORE,
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31 Be It Enacted by the Legislature of the State of Florida:

1 Section 1. It is the intent of the Legislature to
2 retain the goals established in section 287.09451, Florida
3 Statutes, governing state-agency contracts with certified
4 minority business enterprises. It also is the intent of the
5 Legislature to consider elimination of such goals at a future
6 date, if such elimination is warranted based on the findings
7 and recommendations of an objective commission. It further is
8 the intent of the Legislature to ensure that state agencies
9 continue to follow these goals and to ensure that these goals
10 are used to measure and evaluate the contracting activities of
11 state agencies.

12 Section 2. Commission on Minority-Business-Enterprise
13 Contracting; creation; purpose; membership.--There is created
14 the Commission on Minority-Business-Enterprise Contracting, to
15 be composed of members appointed by the Governor, the
16 President of the Senate, and the Speaker of the House of
17 Representatives. The purpose of the commission is to study the
18 participation of minority business enterprises in contracting
19 activities of the state and to issue a report to the Governor,
20 the President of the Senate, and the Speaker of the House of
21 Representatives by December 1, 2000. The report shall include
22 a recommendation on whether the Legislature should eliminate
23 the goals established in section 287.09451, Florida Statutes,
24 governing the participation of minority business enterprises
25 in state contracts. If the commission recommends elimination
26 of such goals, the report shall include recommendations for
27 alternative means to evaluate agency activities and to prevent
28 discrimination against minority business enterprises in state
29 contracting decisions.

30 Section 3. This act shall take effect upon becoming a
31 law.

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SENATE SUMMARY

Expresses the legislative intent to retain statutory goals on the participation of minority business enterprises in state contracting unless the elimination of such goals is warranted based on the findings of a commission created by the act.