

By Representatives Merchant, Wallace, C. Green, Feeney, Henriquez, Wiles, Argenziano, Detert, Brown, Edwards and Alexander

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

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

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

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

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

(2) OVERALL STATEWIDE BENEFIT.--The project is one for  
which there is significant factual evidence that the benefits  
are primarily of a statewide nature, as opposed to a greater  
local benefit more suitable for private, nonprofit, or local  
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, 2001, 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.