

By the Council for Competitive Commerce and
Representatives Stansel, Bean, Brown, Spratt, Kilmer and
Kendrick

1 A bill to be entitled

2 An act relating to the Small County Technical

3 Assistance Program; amending s. 163.05, F.S.;

4 revising legislative findings; providing

5 criteria for contracts between the Commissioner

6 of Agriculture and program providers; deleting

7 responsibilities of the Comptroller and the

8 Legislative Committee on Intergovernmental

9 Relations; authorizing the Commissioner of

10 Agriculture to award contracts to provide

11 assistance to small counties; requiring the

12 Commissioner of Agriculture to provide fiscal

13 oversight and performance reviews; providing an

14 appropriation; providing an effective date.

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

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18 Section 1. Paragraphs (a) and (c) of subsection (1)

19 and subsections (4), (5), (6), (7), (8), and (9) of section

20 163.05, Florida Statutes, are amended to read:

21 163.05 Small County Technical Assistance Program.--

22 (1) Among small counties, the Legislature finds that:

23 (a) The percentage of the population of small counties

24 residing in the unincorporated areas is relatively high based

25 on the United States Decennial Census of 2000 ~~and increased~~

26 ~~substantially between 1980 and 1990.~~

27 (c) Fiscal shortfalls persist even though 12 ~~13~~ of the

28 small counties levied the maximum ad valorem millage

29 authorized in their jurisdictions in 2001 ~~1990~~ and an

30 additional 15 ~~13~~ small counties levied between 8 and 10 mills.

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- 1 (4) The Commissioner of Agriculture ~~Comptroller~~ shall
2 enter into contracts with program providers who shall:
- 3 (a) Be a foundation that meets the requirements for
4 nonprofit status under s. 501(c)(3) of the Internal Revenue
5 Code with a governing board which includes in its membership
6 county commissioners and professional staff of the county
7 ~~public agency or private, nonprofit corporation, association,~~
8 ~~or entity.~~
- 9 (b) Have substantial and documented experience working
10 closely with county governments in providing both educational
11 and technical assistance.
- 12 (c)~~(b)~~ Use existing resources, services, and
13 information that are available from state or local agencies,
14 universities, or the private sector.
- 15 (d)~~(c)~~ Seek and accept funding from any public or
16 private source.
- 17 ~~(d) Annually submit information to assist the~~
18 ~~Legislative Committee on Intergovernmental Relations in~~
19 ~~preparing a performance review that will include an analysis~~
20 ~~of the effectiveness of the program.~~
- 21 (e) Assist small counties in developing alternative
22 revenue sources.
- 23 (f) Provide assistance to small counties in ~~the~~ areas
24 such as of financial management, accounting, investing,
25 purchasing, planning and budgeting, debt issuance, public
26 management, management systems, computers and information
27 technology, economic and community development, and public
28 safety management.
- 29 (g) Provide for an annual independent financial audit
30 of the program.
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1 (h) In each county served, conduct a needs assessment
2 upon which the assistance provided for that county will be
3 designed.

4 (5)(a) The Commissioner of Agriculture ~~Comptroller~~
5 shall issue a request for proposals to provide assistance to
6 small counties. The request for proposals shall be required no
7 more frequently than every third year beginning with fiscal
8 year 2004-2005. All contracts in existence on the effective
9 date of this act between the Comptroller and any other party
10 with respect to the Small County Technical Assistance Program
11 may be accepted by the Commissioner of Agriculture as the
12 party in interest and said contracts shall remain in full
13 force and effect according to their terms.~~At the request of~~
14 ~~the Comptroller, the Legislative Committee on~~
15 ~~Intergovernmental Relations shall assist in the preparation of~~
16 ~~the request for proposals.~~

17 (b) The Commissioner of Agriculture ~~Comptroller~~ shall
18 review each contract 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 ~~(c)(d)~~ The Commissioner of Agriculture ~~Comptroller~~ and
25 ~~the council~~ shall consider the following factors in reviewing
26 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 small counties to be served under the
31 proposal.

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 small counties.

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 Commissioner of Agriculture
10 ~~Comptroller~~ to award a contract under this section is final
11 and shall be in writing ~~with a copy provided to the~~
12 ~~Legislative Committee on 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 (7)(8) The Commissioner of Agriculture Comptroller
19 shall provide fiscal oversight to ensure that funds expended
20 for the program are used in accordance with the contracts
21 entered into pursuant to subsection (4) and shall conduct a
22 performance review of the program as may be necessary to
23 ensure that the goals and objectives of the program are being
24 met.

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

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1 Section 2. Specific Appropriation 2252 in the
2 2002-2003 General Appropriations Act is hereby repealed and an
3 identical amount is hereby appropriated to the Department of
4 Agriculture and Consumer Services from the General Revenue
5 Fund for the purposes of this act.

6 Section 3. This act shall take effect June 30, 2002.
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