

By Senators Mitchell, Lawson and Peaden

4-1568-02

See HB 1343

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 Department  
 6           of Agriculture and Consumer Services and  
 7           program providers; deleting responsibilities of  
 8           the Comptroller and the Legislative Committee  
 9           on Intergovernmental Relations; authorizing the  
 10          department to award contracts to provide  
 11          assistance to small counties; requiring the  
 12          department to provide fiscal oversight;  
 13          requiring a report to the Governor, the  
 14          Legislature, and the department; providing an  
 15          effective date.

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

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 19           Section 1. Paragraphs (a) and (c) of subsection (1)  
 20           and subsections (4), (5), (6), (7), (8), and (9) of section  
 21           163.05, Florida Statutes, are amended to read:

22           163.05 Small County Technical Assistance Program.--

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

24           (a) The percentage of the population of small counties  
 25           residing in the unincorporated areas is relatively high  
 26           according to the United States Decennial Census of 2000 ~~and~~  
 27           ~~increased substantially between 1980 and 1990.~~

28           (c) Fiscal shortfalls persist even though 12 ~~13~~ of the  
 29           small counties levied the maximum ad valorem millage  
 30           authorized in their jurisdictions in 2001 ~~1990~~ and an  
 31           additional 15 ~~13~~ small counties levied between 8 and 10 mills.

1           (4) The Department of Agriculture and Consumer  
2 Services ~~Comptroller~~ shall enter into contracts with program  
3 providers who shall:

4           (a) Be a foundation that meets the requirements for  
5 nonprofit status under s. 501(c)(3) of the Internal Revenue  
6 Code with a governing board which includes in its membership  
7 county commissioners and professional staff of the county  
8 ~~public agency or private, nonprofit corporation, association,~~  
9 ~~or entity.~~

10           (b) Have substantial, documented experience working  
11 directly with and providing educational and technical  
12 assistance to county governments.

13           (c)~~(b)~~ Use existing resources, services, and  
14 information that are available from state or local agencies,  
15 universities, or the private sector.

16           (d)~~(c)~~ Seek and accept funding from any public or  
17 private source.

18           (e)~~(d)~~ Annually submit information to assist the  
19 Legislative Committee on Intergovernmental Relations in  
20 preparing a performance review that will include an analysis  
21 of the effectiveness of the program.

22           (f)~~(e)~~ Assist small counties in developing alternative  
23 revenue sources.

24           (g)~~(f)~~ Provide assistance to small counties in ~~the~~  
25 areas such as ~~of~~ financial management, accounting, investing,  
26 purchasing, planning and budgeting, debt issuance, public  
27 management, management systems, computers and information  
28 technology, economic and community development, and public  
29 safety management.

30           (h)~~(g)~~ Provide for an annual independent financial  
31 audit of the program.

1           (i)~~(h)~~ In each county served, conduct a needs  
2 assessment upon which the assistance provided for that county  
3 will be designed.

4           ~~(5)(a) The Comptroller shall issue a request for~~  
5 ~~proposals to provide assistance to small counties. At the~~  
6 ~~request of the Comptroller, the Legislative Committee on~~  
7 ~~Intergovernmental Relations shall assist in the preparation of~~  
8 ~~the request for proposals.~~

9           ~~(b) The Comptroller shall review each contract~~  
10 ~~proposal submitted.~~

11           ~~(c) The Legislative Committee on Intergovernmental~~  
12 ~~Relations shall review each contract proposal and submit to~~  
13 ~~the Comptroller, in writing, advisory comments and~~  
14 ~~recommendations, citing with specificity the reasons for its~~  
15 ~~recommendations.~~

16           ~~(d) The Comptroller and the council shall consider the~~  
17 ~~following factors in reviewing contract proposals:~~

18           1. ~~The demonstrated capacity of the provider to~~  
19 ~~conduct needs assessments and implement the program as~~  
20 ~~proposed.~~

21           2. ~~The number of small counties to be served under the~~  
22 ~~proposal.~~

23           3. ~~The cost of the program as specified in a proposed~~  
24 ~~budget.~~

25           4. ~~The short-term and long-term benefits of the~~  
26 ~~assistance to small counties.~~

27           5. ~~The form and extent to which existing resources,~~  
28 ~~services, and information that are available from state and~~  
29 ~~local agencies, universities, and the private sector will be~~  
30 ~~used by the provider under the contract.~~

31

1           (5)~~(6)~~ A decision of the Department of Agriculture and  
2 Consumer Services Comptroller to award a contract under this  
3 section is final and shall be in writing with a copy provided  
4 to the Legislative Committee on Intergovernmental Relations.

5           ~~(7) The Comptroller may enter into contracts and~~  
6 ~~agreements with other state and local agencies and with any~~  
7 ~~person, association, corporation, or entity other than the~~  
8 ~~program providers, for the purpose of administering this~~  
9 ~~section.~~

10           (6)~~(8)~~ The Department of Agriculture and Consumer  
11 Services Comptroller shall provide fiscal oversight to ensure  
12 that funds expended for the program are used in accordance  
13 with the contracts entered into pursuant to subsection (4).

14           (7)~~(9)~~ The Legislative Committee on Intergovernmental  
15 Relations shall annually conduct a performance review of the  
16 program. The findings of the review shall be presented in a  
17 report submitted to the Governor, the President of the Senate,  
18 the Speaker of the House of Representatives, and the  
19 Department of Agriculture and Consumer Services Comptroller by  
20 January 15 of each year.

21           Section 2. This act shall take effect July 1, 2002.

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24           HOUSE SUMMARY

25  
26           Revises provisions relating to the Small County Technical  
27           Assistance Program. Revises legislative findings.  
28           Provides criteria for contracts between the Department of  
29           Agriculture and Consumer Services and program providers.  
30           Deletes responsibilities of the Comptroller and the  
31           Legislative Committee on Intergovernmental Relations.  
          Authorizes the department to award contracts to provide  
          assistance to small counties. Requires the department to  
          provide fiscal oversight. Requires a report to the  
          Governor, Legislature, and department.