

1 A bill to be entitled
2 An act relating to state and federal relations; amending
3 s. 14.23, F.S.; revising legislative intent; providing for
4 the Chief Financial Officer, the Governor's Office of
5 Federal Revenue Maximization, and the Legislative
6 Committee on Intergovernmental Relations to have direct
7 access to the staff of the Office of State-Federal
8 Relations; requiring the Office of State-Federal Relations
9 to cooperate with the Chief Financial Officer, the
10 Governor's Office of Federal Revenue Maximization, the
11 Legislature, and the Legislative Committee on
12 Intergovernmental Relations; requiring that the Office of
13 State-Federal Relations submit an annual report to the
14 Governor and Legislature; amending s. 216.212, F.S.;
15 creating the Office of Federal Revenue Maximization within
16 the Governor's Office of Policy and Budget; requiring that
17 the office respond to federal grant opportunities and
18 coordinate the use of federal funds in the state; revising
19 duties of executive branch offices and procedures for
20 state agencies with respect to requests for and the
21 receipt of federal funds; requiring that the Office of
22 Federal Revenue Maximization prepare an annual report on
23 its activities during the preceding calendar year;
24 amending s. 403.061, F.S.; eliminating certain duties of
25 the Department of Environmental Protection with respect to
26 its review of applications for federal grants and the
27 operation of the Florida State Clearinghouse; amending s.
28 427.013, F.S.; conforming a cross-reference; providing an

29 | effective date.

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

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33 | Section 1. Section 14.23, Florida Statutes, is amended to
 34 | read:

35 | 14.23 State-Federal relations.—

36 | (1) LEGISLATIVE INTENT.—It is the intent of the
 37 | Legislature to establish mechanisms through which the
 38 | legislative and executive branches of state government can work
 39 | together in a cooperative alliance, to strengthen the state's
 40 | relationship with our Congressional Delegation and with federal
 41 | executive branch agencies, to improve our position in relation
 42 | to federal legislative initiatives which have a fiscal impact or
 43 | substantive policy impact on the state, and to establish and
 44 | maintain a viable network and communications structure to
 45 | facilitate the transmittal of essential information between
 46 | executive and legislative branch state officials and
 47 | congressional and federal officials, and to take all necessary
 48 | steps to maximize the receipt of various federal funds by the
 49 | State of Florida. Florida's Congressional Delegation is, in this
 50 | regard, the most important linkage in representing Florida's
 51 | interests in the nation's capital. Therefore, the mechanisms and
 52 | resources created herein, for the furtherance of the state's
 53 | intergovernmental efforts, shall include the Congressional
 54 | Delegation and be available to meet its needs.

55 | (2) CREATION OF THE OFFICE OF STATE-FEDERAL RELATIONS.—

56 | (a) There is created, within the Executive Office of the

57 Governor, the Office of State-Federal Relations for the State of
 58 Florida, hereinafter referred to as the "office," to be located
 59 in Washington, D.C. The office shall represent both the
 60 legislative and executive branches of state government. The
 61 Chief Financial Officer, the Governor's Office of Federal
 62 Revenue Maximization, as authorized by s. 216.212, the
 63 Legislature, and the Legislative Committee on Intergovernmental
 64 Relations shall have direct access to the staff of the office.

65 (b) The duties of the office shall be determined by the
 66 Governor, in consultation with the President of the Senate and
 67 the Speaker of the House of Representatives, and shall include,
 68 but not be limited to, the following:

69 1. To provide legislative and administrative liaison
 70 between executive and legislative branch state officials and
 71 federal officials and agencies and with Congress.

72 2. To provide grants assistance and advice to state
 73 agencies.

74 3. To assist in the development and implementation of
 75 strategies for the evaluation and management of the state's
 76 federal legislative program and intergovernmental efforts.

77 4. To facilitate the activities of Florida officials
 78 traveling to Washington, D.C., in the performance of their
 79 official duties.

80 (c) The head of the office shall be the director, who
 81 shall be appointed by and serve at the pleasure of the Governor.

82 (3) COOPERATION AND COORDINATION.—For the purpose of
 83 centralizing the state-federal relations efforts of the state,
 84 state agencies and their representatives shall cooperate and

85 | coordinate their state-federal efforts and activities with the
 86 | office. The office shall cooperate with the Chief Financial
 87 | Officer, the Governor's Office of Federal Revenue Maximization,
 88 | the Legislature, and the Legislative Committee on
 89 | Intergovernmental Relations. State agencies which have
 90 | representatives headquartered in Washington, D.C., are
 91 | encouraged to station their representatives in the office.

92 | (4) ANNUAL REPORT.—The office shall transmit to the
 93 | Governor, the President of the Senate, the Speaker of the House
 94 | of Representatives, and the executive director of the
 95 | Legislative Committee on Intergovernmental Relations by February
 96 | 1 of each year a report on its activities to cooperate,
 97 | coordinate, and satisfy the duties specified in subsections (2)
 98 | and (3) during the preceding calendar year.

99 | (5)~~(4)~~(a) NOMINATIONS TO FEDERAL REGIONAL FISHERIES
 100 | MANAGEMENT COUNCILS.—The Governor is prohibited from nominating
 101 | for appointment to any one of the federal fisheries management
 102 | councils established under 16 U.S.C. ss. 1801 et seq., as
 103 | amended, the name of any person who is, or who has been at any
 104 | time during the 24 months preceding such nomination, a lobbyist
 105 | for any entity of any kind whatsoever whose interests are or
 106 | could be affected by actions or decisions of such fisheries
 107 | management councils.

108 | (b) For purposes of this section, the term "lobbyist"
 109 | means any natural person who is required to register pursuant to
 110 | s. 11.045 or the equivalent federal statute and who, for
 111 | compensation, seeks, or sought during the preceding 24 months,
 112 | to influence the governmental decisionmaking of a reporting

113 individual or procurement employee, as those terms are defined
 114 under s. 112.3148, or his or her agency, to encourage the
 115 passage, defeat, or modification of any proposal or
 116 recommendation by such reporting individual or procurement
 117 employee or his or her agency.

118 Section 2. Section 216.212, Florida Statutes, is amended
 119 to read:

120 216.212 Office of Federal Revenue Maximization; budgets
 121 for federal funds; restrictions on expenditure of federal
 122 funds.—

123 (1) The Office of Federal Revenue Maximization is created
 124 within the Office of Policy and Budget in the Executive Office
 125 of the Governor. The Office of Federal Revenue Maximization
 126 shall develop the capacity to respond to federal grant
 127 opportunities and coordinate the use of federal funds in the
 128 state with the Chief Financial Officer, the Governor's Office of
 129 State-Federal Relations, as authorized by s. 14.23, the
 130 judiciary, the Legislature, and the Legislative Committee on
 131 Intergovernmental Relations.

132 ~~(2)(1) The Office of Federal Revenue Maximization~~
 133 ~~Executive Office of the Governor and the office of the Chief~~
 134 ~~Financial Officer shall develop and implement procedures for~~
 135 ~~accelerating the drawdown of, and minimizing the payment of~~
 136 ~~interest on, federal funds. The Executive Office of the Governor~~
 137 ~~shall establish a clearinghouse for federal programs and~~
 138 ~~activities. The clearinghouse shall develop the capacity to~~
 139 ~~respond to federal grant opportunities and to coordinate the use~~
 140 ~~of federal funds in the state.~~

141 (a) Every state agency, when making a request or preparing
 142 a budget to be submitted to the Federal Government for funds,
 143 equipment, material, or services, shall submit such request or
 144 budget to the Office of Federal Revenue Maximization ~~Executive~~
 145 ~~Office of the Governor~~ for review and approval before submitting
 146 it to the proper federal authority. However, the Office of
 147 Federal Revenue Maximization ~~Executive Office of the Governor~~
 148 may specifically authorize any agency to submit specific types
 149 of grant proposals directly to the Federal Government.

150 (b) Every office or court of the judicial branch, when
 151 making a request or preparing a budget to be submitted to the
 152 Federal Government for funds, equipment, material, or services,
 153 shall submit such request or budget to the Chief Justice of the
 154 Supreme Court for approval before submitting it to the proper
 155 federal authority. However, the Chief Justice may specifically
 156 authorize any court to submit specific types of grant proposals
 157 directly to the Federal Government. A copy of each request,
 158 budget, or grant proposal submitted to the Federal Government
 159 must be provided to the Office of Federal Revenue Maximization.

160 (3)~~(2)~~ When such federal authority has approved the
 161 request or budget, the state agency or the judicial branch shall
 162 submit to the Office of Federal Revenue Maximization ~~Executive~~
 163 ~~Office of the Governor~~ such documentation showing approval as
 164 that office prescribes. The Office of Federal Revenue
 165 Maximization ~~Executive Office of the Governor~~ must acknowledge
 166 each approved request or budget by entering that approval into
 167 an Automated Grant Management System ~~developed in consultation~~
 168 ~~with the chairs of the House of Representatives and Senate~~

HB 1465

2010

169 ~~appropriations committees.~~

170 (4)~~(3)~~ Federal money appropriated by Congress or received
171 from court settlements to be used for state purposes, whether by
172 itself or in conjunction with moneys appropriated by the
173 Legislature, may not be expended unless appropriated by the
174 Legislature. However, the Office of Federal Revenue Maximization
175 within the Executive Office of the Governor or the Chief Justice
176 of the Supreme Court may, after consultation with the
177 legislative appropriations committees, approve the receipt and
178 expenditure of funds from federal sources by state agencies or
179 by the judicial branch. Any federal programs requiring state
180 matching funds which funds were eliminated, or were requested
181 and were not approved, by the Legislature may not be implemented
182 during the interim. However, federal and other fund sources for
183 the State University System which do not carry a continuing
184 commitment on future appropriations are hereby appropriated for
185 the purpose received.

186 (5) The Office of Federal Revenue Maximization shall
187 transmit to the Governor, the Chief Financial Officer, the Chief
188 Justice of the Supreme Court, the President of the Senate, the
189 Speaker of the House of Representatives, and the executive
190 director of the Legislative Committee on Intergovernmental
191 Relations by February 1 of each year a report that details the
192 office's efforts during the preceding calendar year to respond
193 to federal grant opportunities; coordinate the use of federal
194 funds in the state; and accelerate the drawdown of, and minimize
195 the payment of interest on, federal funds.

196 Section 3. Subsection (40) of section 403.061, Florida

197 Statutes, is amended to read:

198 403.061 Department; powers and duties.—The department
 199 shall have the power and the duty to control and prohibit
 200 pollution of air and water in accordance with the law and rules
 201 adopted and promulgated by it and, for this purpose, to:

202 (40) ~~Serve as the state's single point of contact for~~
 203 ~~performing the responsibilities described in Presidential~~
 204 ~~Executive Order 12372, including administration and operation of~~
 205 ~~the Florida State Clearinghouse. The Florida State Clearinghouse~~
 206 ~~shall~~ Be responsible for coordinating interagency reviews of ~~the~~
 207 ~~following:~~ federal activities and actions subject to the federal
 208 consistency requirements of s. 307 of the Coastal Zone
 209 Management Act and; documents prepared pursuant to the National
 210 Environmental Policy Act, 42 U.S.C. ss. 4321 et seq., and the
 211 Outer Continental Shelf Lands Act, 43 U.S.C. ss. 1331 et seq. ~~+~~
 212 ~~applications for federal funding pursuant to s. 216.212; and~~
 213 ~~other notices and information regarding federal activities in~~
 214 ~~the state, as appropriate. The Florida State Clearinghouse shall~~
 215 ~~ensure that state agency comments and recommendations on the~~
 216 ~~environmental, social, and economic impact of proposed federal~~
 217 ~~actions are communicated to federal agencies, applicants, local~~
 218 ~~governments, and interested parties.~~

219
 220 The department shall implement such programs in conjunction with
 221 its other powers and duties and shall place special emphasis on
 222 reducing and eliminating contamination that presents a threat to
 223 humans, animals or plants, or to the environment.

224 Section 4. Subsection (17) of section 427.013, Florida

HB 1465

2010

225 Statutes, is amended to read:

226 427.013 The Commission for the Transportation
227 Disadvantaged; purpose and responsibilities.—The purpose of the
228 commission is to accomplish the coordination of transportation
229 services provided to the transportation disadvantaged. The goal
230 of this coordination is to assure the cost-effective provision
231 of transportation by qualified community transportation
232 coordinators or transportation operators for the transportation
233 disadvantaged without any bias or presumption in favor of
234 multioperator systems or not-for-profit transportation operators
235 over single operator systems or for-profit transportation
236 operators. In carrying out this purpose, the commission shall:

237 (17) Review, monitor, and coordinate all transportation
238 disadvantaged local government, state, and federal fund requests
239 and plans for conformance with commission policy, without
240 delaying the application process. Such funds shall be available
241 only to those entities participating in an approved coordinated
242 transportation system or entities which have received a
243 commission-approved waiver to obtain all or part of their
244 transportation through another means. This process shall
245 identify procedures for coordinating with the state's
246 intergovernmental coordination and review procedures and s.
247 216.212~~(1)~~ and any other appropriate grant review process.

248 Section 5. This act shall take effect July 1, 2010.