

1 A bill to be entitled
 2 An act relating to repealing budget provisions; amending
 3 s. 216.023, F.S.; deleting certain budget summary
 4 requirements; repealing s. 339.1371, F.S., relating to
 5 Mobility 2000 funding; amending ss. 216.013 and 489.145,
 6 F.S.; conforming cross-references; providing an effective
 7 date.

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

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 11 Section 1. Subsection (4) of section 216.023, Florida
 12 Statutes, is amended to read:

13 216.023 Legislative budget requests to be furnished to
 14 Legislature by agencies.—

15 (4)~~(a)~~ The legislative budget request must contain for
 16 each program:

17 (a)~~1.~~ The constitutional or statutory authority for a
 18 program, a brief purpose statement, and approved program
 19 components.

20 (b)~~2.~~ Information on expenditures for 3 fiscal years
 21 (actual prior-year expenditures, current-year estimated
 22 expenditures, and agency budget requested expenditures for the
 23 next fiscal year) by appropriation category.

24 (c)~~3.~~ Details on trust funds and fees.

25 (d)~~4.~~ The total number of positions (authorized, fixed,
 26 and requested).

27 (e)~~5.~~ An issue narrative describing and justifying changes
 28 in amounts and positions requested for current and proposed

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29 programs for the next fiscal year.

30 ~~(f)6.~~ Information resource requests.

31 (g)7. Supporting information, including applicable cost-
32 benefit analyses, business case analyses, performance
33 contracting procedures, service comparisons, and impacts on
34 performance standards for any request to outsource or privatize
35 agency functions. The cost-benefit and business case analyses
36 must include an assessment of the impact on each affected
37 activity ~~from those identified in accordance with paragraph (b).~~
38 Performance standards must include standards for each affected
39 activity and be expressed in terms of the associated unit of
40 activity.

41 (h)8. An evaluation of any major outsourcing and
42 privatization initiatives undertaken during the last 5 fiscal
43 years having aggregate expenditures exceeding \$10 million during
44 the term of the contract. The evaluation shall include an
45 assessment of contractor performance, a comparison of
46 anticipated service levels to actual service levels, and a
47 comparison of estimated savings to actual savings achieved.
48 Consolidated reports issued by the Department of Management
49 Services may be used to satisfy this requirement.

50 (i)9. Supporting information for any proposed consolidated
51 financing of deferred-payment commodity contracts including
52 guaranteed energy performance savings contracts. Supporting
53 information must also include narrative describing and
54 justifying the need, baseline for current costs, estimated cost
55 savings, projected equipment purchases, estimated contract
56 costs, and return on investment calculation.

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57 (j)~~10~~. For projects that exceed \$10 million in total cost,
58 the statutory reference of the existing policy or the proposed
59 substantive policy that establishes and defines the project's
60 governance structure, planned scope, main business objectives
61 that must be achieved, and estimated completion timeframes.
62 Information technology budget requests for the continuance of
63 existing hardware and software maintenance agreements, renewal
64 of existing software licensing agreements, or the replacement of
65 desktop units with new technology that is similar to the
66 technology currently in use are exempt from this requirement.

67 ~~(b) It is the intent of the Legislature that total~~
68 ~~accountability measures, including unit cost data, serve not~~
69 ~~only as a budgeting tool but also as a policymaking tool and an~~
70 ~~accountability tool. Therefore, each state agency and the~~
71 ~~judicial branch must submit a summary of information for the~~
72 ~~preceding year in accordance with the legislative budget~~
73 ~~instructions. Each summary must provide a one-page overview and~~
74 ~~must contain:~~

75 1. ~~The final budget for the agency and the judicial~~
76 ~~branch.~~

77 2. ~~Total funds from the General Appropriations Act.~~

78 3. ~~Adjustments to the General Appropriations Act.~~

79 4. ~~The line-item listings of all activities.~~

80 5. ~~The number of activity units performed or accomplished.~~

81 6. ~~Total expenditures for each activity, including amounts~~
82 ~~paid to contractors and subordinate entities. Expenditures~~
83 ~~related to administrative activities not aligned with output~~
84 ~~measures must consistently be allocated to activities with~~

85 ~~output measures prior to computing unit costs.~~

86 ~~7. The cost per unit for each activity, including the~~
 87 ~~costs allocated to contractors and subordinate entities.~~

88 ~~8. The total amount of reversions and pass-through~~
 89 ~~expenditures omitted from unit-cost calculations.~~

90
 91 ~~At the regular session immediately following the submission of~~
 92 ~~the agency unit cost summary, the Legislature shall reduce in~~
 93 ~~the General Appropriations Act for the ensuing fiscal year, by~~
 94 ~~an amount equal to at least 10 percent of the allocation for the~~
 95 ~~fiscal year preceding the current fiscal year, the funding of~~
 96 ~~each state agency that fails to submit the report required under~~
 97 ~~this paragraph.~~

98 Section 2. Section 339.1371, Florida Statutes, is
 99 repealed.

100 Section 3. Paragraph (h) of subsection (1) of section
 101 216.013, Florida Statutes, is amended to read:

102 216.013 Long-range program plan.—State agencies and the
 103 judicial branch shall develop long-range program plans to
 104 achieve state goals using an interagency planning process that
 105 includes the development of integrated agency program service
 106 outcomes. The plans shall be policy based, priority driven,
 107 accountable, and developed through careful examination and
 108 justification of all agency and judicial branch programs.

109 (1) Long-range program plans shall provide the framework
 110 for the development of budget requests and shall identify or
 111 update:

112 (h) Legislatively approved output and outcome performance

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113 | ~~measures. Each performance measure must identify the associated~~
114 | ~~activity contributing to the measure from those identified in~~
115 | ~~accordance with s. 216.023(4)(b).~~

116 | Section 4. Paragraph (a) of subsection (6) of section
117 | 489.145, Florida Statutes, is amended to read:

118 | 489.145 Guaranteed energy, water, and wastewater
119 | performance savings contracting.—

120 | (6) PROGRAM ADMINISTRATION AND CONTRACT REVIEW.—The
121 | Department of Management Services, with the assistance of the
122 | Office of the Chief Financial Officer, shall, within available
123 | resources, provide technical content assistance to state
124 | agencies contracting for energy, water, and wastewater
125 | efficiency and conservation measures and engage in other
126 | activities considered appropriate by the department for
127 | promoting and facilitating guaranteed energy, water, and
128 | wastewater performance contracting by state agencies. The
129 | Department of Management Services shall review the investment-
130 | grade audit for each proposed project and certify that the cost
131 | savings are appropriate and sufficient for the term of the
132 | contract. The Office of the Chief Financial Officer, with the
133 | assistance of the Department of Management Services, shall,
134 | within available resources, develop model contractual and
135 | related documents for use by state agencies. Prior to entering
136 | into a guaranteed energy, water, and wastewater performance
137 | savings contract, any contract or lease for third-party
138 | financing, or any combination of such contracts, a state agency
139 | shall submit such proposed contract or lease to the Office of
140 | the Chief Financial Officer for review and approval. A proposed

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141 contract or lease shall include:

142 (a) Supporting information required by s. 216.023(4)(i) ~~s.~~
143 ~~216.023(4)(a)9.~~ in ss. 287.063(5) and 287.064(11). For contracts
144 approved under this section, the criteria may, at a minimum,
145 include the specification of a benchmark cost of capital and
146 minimum real rate of return on energy, water, or wastewater
147 savings against which proposals shall be evaluated.

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149 The Office of the Chief Financial Officer shall not approve any
150 contract submitted under this section from a state agency that
151 does not meet the requirements of this section.

152 Section 5. This act shall take effect July 1, 2011.