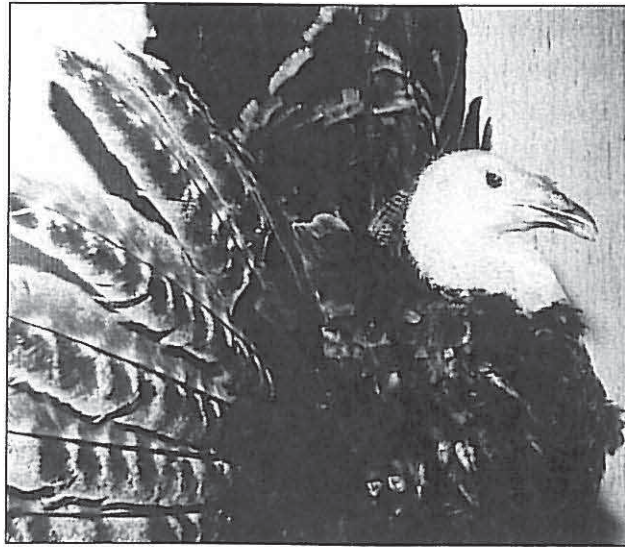


1994 TURKEY WATCH



**1994 State Budget Stuffed With 60 Turkeys
Worth \$43.8 Million**

June 1994

**Updated to include
June 16, 1994 Governor's Vetoes**

Florida
TaxWatch
Inc.





Dominic M. Calabro
PRESIDENT
CHIEF EXECUTIVE OFFICER

Dr. Neil S. Crispo
DIRECTOR OF RESEARCH
AND OPERATIONS

June 1994

Dear Fellow Taxpayer:

As the 1994 legislative session convened, many hoped we would not see a repeat of last year's "return of the budget turkey." Following the 1993 legislative session, Florida TaxWatch spotted 22 budget turkeys worth \$33 million, marking an end to the "no turkey pledge" that candidate Lawton Chiles and Governor Lawton Chiles took in 1990 and 1991. In 1992, with the economic downturn of the two previous years still stinging, there were few if any budget turkeys to be found. But, by 1993, the economic downturn was over. With more dollars to spend, the "turkey moratorium" was, unfortunately, at an end. It was widely hoped that 1994 would begin to reverse this trend.

But it was not to be. While most, if not all, of the projects listed in this report have merit, all also met Florida TaxWatch's long established criteria for what constitutes a budget turkey. Most alarming of all was the increase in these budget items over last year's list -- the one Florida TaxWatch and others hoped would be an aberration. The 1994 legislative session produced 60 budget turkeys worth \$43.8 million--38 more than 1993. Of that amount, \$25.5 million worth were found in General Revenue, \$12.7 million in Public Education Capital Outlay (PECO) and \$5.6 million in other trust funds.

The result: 1994's turkey crop will cost \$7.73 for each Florida household, with budget turkeys costing every man, woman and child in Florida \$3.12. But maybe more importantly, these budget items, pushed through without proper review, will cost Floridians many of the public services that are so desperately needed. More effective state law enforcement, better and more accessible day care, additional prison beds and staffing all are examples of the kinds of state services that \$43.8 million in budget turkeys could purchase.

While the 1994 Legislature did a statesmanlike job of passing the landmark Government Performance and Accountability Act, setting a statutory framework for ongoing budget reform, the regression back to the days of passing out pork before elections is a distressing and discouraging trend. Your continuing help is needed to drive home one point: until a stronger commitment is made to curtail budget turkeys forever, taxpayers and needy Floridians will pay--either through their hard-earned income, or through the loss of higher priority items that they need, want and deserve.

Sincerely,

L. Charles Hilton, Jr.
Chairman

Dominic M. Calabro
President and Chief Executive Officer

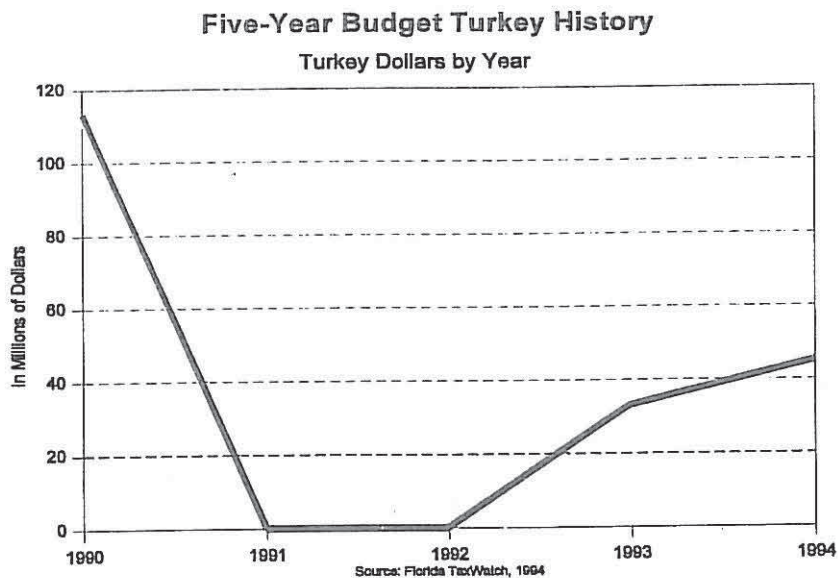
1994 Turkey Watch

The 1994-95 State Budget Contained 60 Turkeys Worth \$43.8 Million

Last year, Florida TaxWatch noted that budget turkeys had returned--a frustrating phenomenon that came on the heels of two relatively turkey-free years. It was hoped that 1993's regression would prove to be a one-time aberration. But it was not to be.

In 1991, a concerted effort by appropriations chairs in both the House and the Senate almost totally eliminated budget turkeys. The following year, the final budget was not passed until the first day of the fiscal year and was immediately signed into law by the governor. This precluded an extensive review, but the budget appeared to lack a significant number of turkeys.

During the 1994 legislative session, which ended in April, lawmakers generated 60 budget turkeys worth \$43.8 million -- a whopping 2 1/2 times more than last year. So not only has the moratorium on budget turkeys ended, it has been obliterated amid rising special interests that circumvent the open review process. The graph below illustrates the path taken by these budget bogies and the current move is clearly up.



But all of the blame for rising turkey crops should not be placed solely on lawmakers' shoulders. Florida voters, who often place greater importance on projects within their community than they do projects that are clearly more important for the state, must share the responsibility. Legislators, who are almost always well intentioned when first elected, quickly learn that petty parochialism pays off when voters tally the score of legislative sessions. Voters, businesses, editorial boards, electronic media, special interest groups and campaign contributors all have a hand in re-electing turkey-prone lawmakers. They are no less guilty of abuse of the state's trust than are the lawmakers themselves. Floridians deserve the kind of leadership that places the good of the many over the good of the few.

What Is A Budget Turkey?

As noted in previous years, the "turkey" label is not meant as a condemnation of a particular project's worthiness. The name merely suggests that with the state's vast and pressing needs and limited resources, the question must be asked: "Is this the best use of the Floridians' state tax dollars?" The priorities of all citizens must be considered.

This and previous Turkey Watch reports are not attempts to record government waste or inefficiency. Rather, Turkey Watch is an attempt to offer independent taxpayer accountability about the honesty, integrity and public review of the state's \$38.4 billion 1994-95 budget.

Most budget turkeys are added onto the state budget during the legislative session, circumventing the normal planning and budgeting process which, by necessity, requires close scrutiny by state agencies, the Governor's Office of Planning and Budgeting and legislative committees and staff. Florida TaxWatch allows for legislative initiative and the definition of what constitutes sufficient budgetary review includes passages of substantive legislation regarding budget items and substantial review at legislative committee hearings.

Legislators who got the turkeys into the budget this year claimed not to understand how TaxWatch identifies turkeys. Sen. Ken Jenne, D-Fort Lauderdale, for instance, greeted Florida TaxWatch's list by saying to reporters: "What in the hell is a turkey? Is it what they don't like? I don't know what is wrong with those people."

Jenne, chairman of the powerful Senate Appropriations Committee, was reacting angrily to some budget items for his district being placed on the turkey list. In fact, Jenne later said that if TaxWatch didn't perform this valuable public service, instead of the \$43.8 million in turkeys it uncovered this year, there might be several hundred million dollars in turkeys.

Turkey Criteria

1. Projects or programs that did not go through any review process allowing for proper evaluation: agency budget requests, governor's recommended budget or legislative committee hearings.
2. Subsidies to private organizations, councils or committees which can and should obtain funding from private sources.
3. Local government projects benefiting local area residents but lacking significant local funding support and/or overall benefit to the state as a whole.
4. Projects having no empirically demonstrated public benefit but instead benefit some special interest.
5. Low priority projects that get funded over higher priority items.
6. Fiscally offensive appropriations -- e.g., only partially funded with a large annualized cost in subsequent years, funded from inappropriate sources and/or duplicative of existing programs.

Special Note: The Governor's Vetoes

Florida TaxWatch's 1994 Turkey Watch was originally released on May 27, 1994. On June 16, Gov. Lawton Chiles vetoed 14 items worth \$8.1 million from the budget. The governor's veto list included five of the items TaxWatch identified that are worth \$1.4 million. These are denoted in this report by a red "vetoed" stamp. Although the governor was urged by Florida TaxWatch and some agency heads to veto more budget items on this year's Turkey Watch list, the governor chose not to do so.

What Else Could a Turkey Buy?

Perhaps the best illustration of why budget turkeys should be avoided is the many urgently needed state services that the funds spent on turkeys could purchase. Florida TaxWatch investigated other funding opportunities for the revenue appropriated to this year's turkey crop. Listed below are the estimated number of additional resources that the \$ 43.8 million spent on turkeys could buy with taxpayers' hard-earned money.

The \$25 million of general revenue currently slated for budget turkeys could provide funding for any of the following:

Corrections and Child Care

375 state troopers to patrol Florida's highways and provide needed public safety

1,457 prison beds

7,500 child care slots -- one full year's worth of care

1,264 secure drug treatment beds

1,879 non-secure drug treatment beds

34,218 additional children could receive developmental evaluations and intervention for one year

7,237 children could be placed in foster homes for one year

Education

800 beginning public school teachers

An additional \$10.50 for every student in every public school

5,000 additional students (3,500 FTEs) in the state university system

In addition, \$12.7 million in PECO (Public Education Capital Outlay) funds could build two additional elementary schools

1994-95 Florida TaxWatch Turkey Watch List

Department of Agriculture



110B International Market Ornamental Horticulture. This is the fifth time in the Florida TaxWatch Turkey Report for this item which was vetoed last year. The appropriation is for marketing of ornamental horticulture exports, including a European retail program, multilingual tapes, international trade shows, etc.. Proviso language in the 1991-92 appropriations act stated, "It is the intent of the Legislature that this be the last year of general revenue funding for this item," yet once again, it is appropriated from general revenue. The governor's office says this item was not recommended in the governor's budget because "general revenue was too tight." While the agency requested this item, it was not in the final House or Senate bills -- it surfaced in the conference bill.

\$300,000 General Revenue (GR)

Department of Business and Professional Regulation



236 Health warning signs for alcoholic beverage package vendors. This proviso language provides that up to \$60,000 of the Division of Alcoholic Beverages and Tobacco's expense allocation be used to produce and mail health warning signs to vendors to display in their stores. This was neither requested by the department nor recommended by the governor. Legislation has been introduced for several years requiring this, but it has always failed. This year the language was put into the House appropriations

bill. Issues of contention include: who should bear the cost of the signs; singling out package vendors from by-the-drink sellers and vendors of other products with health risks; and most importantly, if the signs will be effective. The division also points out that it received no additional money for this and has concerns that the way the language is written might make it hard to enforce. The General Appropriation Act should not be used for substantive law. This should be debated through the normal process for substantive legislation so these issues can be addressed.

\$60,000 Trust Fund (TF)

Department of Commerce



2065 The Center for Health Technologies. Proviso language added to line item 2065, which funds Enterprise Florida, contains an appropriation to the Center for Health Technologies. The Center for Health Technologies was one of seven organizations that applied as an innovation corporation for funds available from Enterprise Florida. According to officials at Enterprise Florida, the Center for Health Technologies did not meet the criteria established in law for a project to receive funds from the Enterprise Florida Technology grant program, and was thus not recommended for funding. This proviso language was not recommended by the governor, and was not in the final Senate or House bills -- it was added in the conference bill.

\$300,000 GR



2065 Florida Export Finance Corporation. This proviso language appeared only in the conference bill.

The project is not clearly technology related, and has not gone through any statutorily established (s. 288.9515(1), Florida Statutes) procedures to attain funds from this expenditure category. A bill was filed (CS for SB 1508) that would have provided funding for this project out of the International Trade and Promotion Trust Fund, but it failed to pass either house of the Legislature.

Funds are already limited for innovation projects, and \$550,000 of non-requested proviso language only worsens the situation. The agency didn't request this item, and the governor did not recommend it. Neither the Senate nor the House had it in their final bills. Programs should be funded by appropriate funding sources, and follow the lawfully established procedures pertaining to those funding sources.

\$250,000 GR



2068A Super Bowl Host Committee. Sports turkeys have made their way into the appropriations bills many times. The Super Bowl is one of the

largest commercial sporting events in the world and will provide Florida with many economic benefits. This item fit the strict criteria for appropriations which do not meet the proper prioritized planning and budgeting procedures: the agency did not request it; it was not in the governor's budget recommendation; the Senate placed it in its budget; and it wound up in the conference bill. But following the initial public issuance of this report, TaxWatch was advised that the appropriation would be matched by local-public agencies and the private sector by as much as 10:1 to 15:1.

\$250,000 GR



2069B World Cup Soccer. There is no agency request for this item, no governor recommendation, and only the Senate included this item in its final budget. This is the second time this topic has been on the a TaxWatch Turkey Watch list.

\$250,000 GR



2070 Economic Development Transportation Projects. The proviso language in this line item sets aside a total of \$877,936 for non-transportation

issues to be paid from the Economic Development Transportation Trust Fund. This proviso language appeared in the conference bill, but was not in either of the final House or Senate bills. The governor's office isn't clear on how some of these projects relate to the funding source, and did not include any of them in its budget recommendation. The agency did not request funds for any of the projects added in proviso language. After questioning the agency, the governor's office and the legislative staff, TaxWatch researchers were unable to get a clear indication that any of the funds in the proviso language in this line item will be used for purposes set forth in s. 288.063, Florida Statutes that establishes both the procedures for applying for funds and the specific uses of funds from the Economic Development Transportation Trust Fund. This trust fund is intended to be used to pay for *transportation projects* as defined in s. 334.03(31), Florida Statutes: "... any means for the transportation of people and property from place to place which is constructed, operated or maintained in whole or in part from public funds."

Spaceport Florida. According to Spaceport Florida officials, \$300,000 of the \$877,936 would be used for general administrative expenses, grant programs, launch programs, educational programs and general operations. While Spaceport Florida may be

a good program for Florida to support, the appropriation item should be subject to the procedures that are established by state law to attain funding from appropriate sources. In the final Senate bill, this item is funded under Enterprise Florida Technology grants from general revenue.

\$300,000 TF

Escambia County. According to agency officials, \$377,936 of the \$877,936 would go to Escambia County to reimburse 1992-93 expenditures incurred when the county spent funds before they were appropriated in 1992-93. These expenditures were to give Florida an advantage in its attempt to convince the U.S. Defense Department to locate a Defense Finance and Accounting Service Center in the state. The agency is not sure if this money was used for transportation projects.

\$377,936 TF

Defense and Aerospace Diversification Project. According to the Department of Commerce, \$200,000 of the \$877,936 is appropriated for a defense and aerospace diversification project. Once again, funding for this project should not come from this source without going through procedures established in s. 334.03(31), Florida Statutes.

\$200,000 TF

The Department of Education



475B African American Cultural Institute. Not requested by the Department of Education or recommended by the governor and not in the final House bill. It was in the final Senate bill to create a cultural institute in

Jacksonville. This proposed cultural institute would be more appropriately funded in the Department of State budget under the Cultural Institutions Program (s. 265.2861, Florida Statutes). The department awards grants based upon criteria established by rule.

\$205,000 GR



528 Florida Education Finance Program. Proviso within this line item funds a \$20 million Sparsity Supplement to be allocated among school districts with 20,000 and fewer FTEs in 1994-95. This raises the sparsity threshold from 19,000 FTEs in 1993-94 and affects only one school district that received a supplement in 1993-94 but because of student growth, would be ineligible in 1994-95. This change in the sparsity threshold was neither requested by the agency nor recommended by the governor. The final Senate bill retained the 19,000 FTE threshold for 1994-95. The final House bill was silent as to the sparsity threshold. The increase to 20,000 FTEs only appears in the conference bill. S. 236.081(6), Florida Statutes requires the Legislature to prescribe a sparsity threshold each year in the appropriations act, within a range of 17,000 to 24,000 FTEs.

A sparsity supplement should be fixed, not relative, in the student enrollment threshold. In addition, Florida's threshold is extraordinarily generous. Of the 14,807 school districts in the nation having student membership in 1991-92, 14,612 (98.7%) had less than a 25,000 student membership. Florida's statutory threshold would provide sparsity funding to districts that are larger than 90% of the school districts nationally.

The governor should have vetoed the proviso language that increases the sparsity threshold to 20,000 FTEs that benefits only one school district. The Legislature, in the upcoming special session, should restore the threshold to a level that is

publicly reviewed and debated in an open manner. In addition, the entire sparsity issue should be re-evaluated to ensure that funding is provided to truly small school districts.



533A The Youth Co-Op Project. Proviso language in the Cities in Schools appropriation directs that \$100,000 shall be used for the continuation of The Youth Co-Op Project. This project is a drop-out prevention program located at Hialeah High School in Dade County. The program did not receive direct state funding last year but was funded by the Dade County School District. This issue was not requested by the Department of Education or recommended by the governor and was not in the final House or Senate bills. This was included in the conference bill. It is a local program that should be funded locally, not from funds appropriated for a statewide public interest drop-out prevention initiative.

\$100,000 GR



540A Parent Involvement in Education. This would provide funds to "enhance the involvement of parents in the education of their children." This program was the subject of HB 2035 which did not pass either house in the 1994 legislative session. As described in HB 2035, the program was to be funded from the Lottery funds distributed to school districts, consistent with the funding provided for school advisory councils. A school advisory council and the school principal jointly were to submit proposals to the local school board describing how funds were to be utilized to increase parent involvement in education. Until substantive legislation passes, beginning a new program of this magnitude should be deferred. This issue was not requested by the Department of Education or

recommended by the governor and was not in the final Senate bill. It was in the final House bill.

\$5,000,000 GR



540C PAEC Grant. This would provide funding to renovate the Panhandle Area Education Cooperative (PAEC) facility located in Chipley. Funding for this type of purpose should be through the Public Education Capital Outlay program (PECO), not through operating funds. This was not requested by the agency or recommended by the governor and was not in the final Senate bill. It was in the final House bill.

\$300,000 GR



556A Miami Book Fair. This item has appeared on the Turkey Watch list as far back as 1989-90. Although not funded the last three years, it is back again. This is a joint venture between Miami-Dade Community College and the City of Miami that is a week-long series of activities attracting international authors and publishers. This issue was not specifically requested by the agency or recommended by the governor and was not in the final House bill. It was in the final Senate bill.

\$100,000 GR



574A Lump Sum-Educational and General Activities. This item is the primary funding component of the State University System. Although appropriated in "lump sum," the Legislature has earmarked \$12,747,261 for 21 programs in proviso language. Of these, the Board of

Regents requested 13 programs to be funded under the "Preservation of Quality" category. The final House and Senate bills did not contain proviso language earmarking these programs. Legislative staff has indicated that these programs were earmarked in proviso language in the conference bill because they were either new, did not have a consistent funding policy in the past or were not recommended by the agency. The governor did not recommend 20 of these projects but did include funding of \$11 million for the University System to implement the State University System Accountability/Master Planning process. Allocated on a prorata basis, individual universities could implement the requested programs.

To fully implement a lump sum funding policy and accountability requirements, the university system (Board of Regents) should receive funding for programs and activities that it deems necessary to meet its goals and objectives as identified in its master plan and budget request. The following programs were not requested by the Board of Regents:

Law Intern Program	\$400,000 GR
Center for Employee Relations & Law	\$141,000 GR
Institute of Government	\$400,000 GR
Black Male Explorers	\$400,000 GR
Building Construction Research and Continuing Education Program	\$200,000 GR
Enhancement of Undergraduate Education at FIU	\$350,000 GR



575 Aquaculture Farm. This item provides funding for the Institute of Food and Agricultural Sciences (IFAS). Proviso language within this item earmarks \$19,000 for the Aquaculture Farm. This was not requested by the agency or recommended by the governor and was not in the final House or Senate bills. This was included in the conference bill.

\$19,000 GR



577 Spinal Cord Research. Including this item in this year's list is in no way meant to suggest that the program lacks merit. However, proviso language within this item earmarks \$200,000 for spinal cord research. The University of Florida and the University of Miami each currently receive \$500,000 for spinal cord research. This was not requested by the agency or recommended by the governor and was not specifically identified in the final House or Senate bills. This was included in the conference bill.

\$200,000 GR



2001 State University System Projects - Land Acquisition. The original agency request and governor's recommendation totaled \$7 million. Through subsequent amendments, the agency increased its request (within allocated resources) to \$14.4 million during the 1994 legislative session. Subsequently, the agency added a request for \$5.5 million (without having the necessary funding allocation) and the Legislature added another project at a cost of \$4.7 million. The Legislature appropriated \$25 million. By increasing the appropriation for state university land acquisition above the allocated amount, funding was diverted from

the public schools and community college systems. Although not specified, discussions with staff in the agency, governor's office and Legislature have identified these projects as:

**FAU - Sea Fare Marina
in Dania** \$5,500,000 TF

**USF - Property Adjacent to Bayboro
Campus (St. Petersburg)** \$4,700,000 TF

Because these projects are not identified in the proviso language, it would have been necessary for the governor to veto the entire land acquisition appropriation of \$25 million to remove funding for these projects. However, the Legislature could have restored the appropriate level of funding (\$14.4 million) in the June special legislative session -- prior to the beginning of the 1994-95 fiscal year (July 1, 1994.).

In addition to the above, three projects included in appropriation line item 2001 were not deemed of high enough priority to be included in the agency's three-year capital facilities funding plan. These are:

**FAMU - School of Business and Industry -
West Wing Addition (p)** \$538,000 TF

**UF-IFAS - North Florida Research
Facility (s,p)** \$1,400,000 TF

UF-Equine Hospital (e) \$600,000 TF

[Note: p = planning, e = equipment and s = site]

Department of Elder Affairs



613 Dade County Teaching Nursing Home Study. The line item contains proviso language permitting -- the Legislature did not direct the department to take action -- the Department of

Elder Affairs to conduct a study to determine the need for a teaching nursing home in Dade County. Gratuitously, the Legislature indicated that it did not intend for this issue to influence ("expedite") the process. It should also be pointed out that the Agency for Health Care Administration (AHCA) is authorized and funded to conduct studies on the projected need for nursing homes and to conduct Certificate of Need studies. Of course, there is nothing to preclude the Department of Elderly Affairs (DOEA) from also examining nursing home capacity needs. However, the conduct of such studies should be scheduled and prioritized based upon a consideration of statewide needs. Proviso language permitting the agency to conduct such studies in a particular county is not needed unless special interests are at work. Neither DOEA or ACHA know what is intended by this proviso language, and further point out that there currently is no Certificate of Need (CON) category for "teaching nursing homes," and that this terminology is unfamiliar. The issue was not requested by the agency, not recommended by the governor and not proposed in the Senate budget. The House bill contains the proviso language which was changed slightly in the conference committee to indicate the Legislature did not intend to influence the CON process.

\$10,000 GR



619 ACLF, Day Care and Respite Project (Broward County). The Legislature increased the appropriation above the department's current year estimate of expenditures and the governor's recommendation by \$790,000 and specified in proviso language the purposes for some of the additional money -- \$300,000 for an Alzheimer's Adult Congregate Living Facility, Day Care and Respite project in Area 10 (Broward County), and \$190,000 for an Alzheimer's project for the Mayo Clinic in Duval County. The department's legislative budget

request and the Senate proposed budget included the Mayo Clinic project. However, the legislative intention to fund the ACLF in Broward County appeared for the first time in the conference committee bill.

\$300,000 GR



627 Local Services Programs.

Identical to action taken last year, the Legislature has once again circumvented the allocation formula established for local services programs by earmarking in proviso language a special allocation to Pinellas, Pasco and Broward counties. The supplemental appropriation to these three counties was not requested by the agency, not recommended by the governor, and not proposed in the Senate and House budgets. Special interests were served through the conference committee process that violates previously established fair and equitable allocation formulas.

\$250,000 GR

Department of Environmental Protection



663A Mosquito Research. This item was included in the House bill even though the agency did not request it and the governor did not recommend it. The only link between this project and the Pollution Recovery Trust Fund (PRTF), which is usually used for restoration projects, is that it might be intended to reduce the use of pesticides that pollute the environment. While this may be a good project, it should go through a prioritization process along with all other projects funded out of the PRTF. It is ironic that line item 663 contains proviso language that establishes a procedure for attaining and ranking

project proposals to be funded out of the PRTF, only to have item 663A violate such a procedure.

\$500,000 TF



2089C Children's Environmental Exposition Center - Fort Myers.

This project was not requested by the agency, not recommended by the governor and was not in Senate or House bills. This item is clearly not an environmental issue, and was originally inappropriately identified for funding in the Public Education Capital Outlay program as the Imaginarium. In conference, it was moved to the Department of Environmental Protection and received a name change. The Land Acquisition Trust Fund is designated for purchasing land in areas of critical state concern. The Children's Environmental Exposition Center does not fit the criteria for funding from this source, and did not go through the proper procedures to attain funding from this source.

\$1,000,000 TF

Department of Health and Rehabilitative Services



784 Community Care for Disabled Adults (Pinellas County). This line item contains an appropriation for community care for disabled adults in the Aging and Adult Services program. Proviso language allocates \$254,300 of the appropriation for a community care for disabled adults demonstration project in District 5 (Pinellas County). Funds for a demonstration project in Pinellas County were not requested by the agency not recommended by the governor, and not proposed in the House or Senate budgets.

This item shows up for the first time in the conference committee report.

\$254,300 GR



784A Geriatric Mobile Crisis Response Team (Pinellas County). Aging and Adult Services projects in District 5 are receiving special attention again. Once again, proviso language in this line-item allocates \$273,000 for a Geriatric Mobile Crisis Response Team in District 5. Funding for the project was not requested by the agency, not recommended by the governor and not proposed in the Senate budget. Although the House bill contained the appropriation, there was no proviso language specifying the dollars were for a particular local project. Therefore, neither the agency, the governor, the Senate nor the House considered such a project (proviso language) until the conference committee report was released.

\$273,000 GR



788 Domestic Violence Programs (Hernando County). Domestic violence programs in Aging and Adult Services received a supplemental non-recurring appropriation of \$1.4 million of which \$150,000 is provided for a domestic violence project in Hernando County. Funds for a project in Hernando were not requested by HRS, not recommended by the governor, and not proposed in the Senate budget. Only the House bill and the governor's recommendations contained the \$1.4 non-recurring appropriation, and through the conference committee the project in Hernando County was added to the purposes of these funds. No formal process was followed to review the merits of this issue.

\$150,000 TF



800 Women's Intervention Services and Education Program. This line-item contains the appropriation for grants and aids for community substance abuse services in the Alcohol, Drug Abuse and Mental Health Program. Through the conference committee, proviso language was added requiring the department to provide \$185,035 for this program in District 1. According to HRS, this was a "district specific issue" necessary to replace lost federal funding in this particular program. The special treatment of substance abuse priorities in District 1 ignores statewide needs and concerns. When considering various need-based workload indicators, HRS conducted analyses of substance abuse services allocation formulas that indicate District 1 receives more than its fair share of the available dollars already. The Senate bill recognized this problem. The Senate expanded community substance abuse services by \$2 million and through proviso allocated the additional dollars to 10 districts -- District 1 was not included among them. The governor did not recommend the issue and it was not included in the House proposed budget. It appears this "district specific issue" received some special considerations.

\$185,035 GR



814 Contracted Services. Proviso language in the Children and Family Services contracted services line allocates \$78,387 for the Junior League Family Visitation Center and \$105,172 for the Foster Care Citizen Review Board in Duval County. Both projects were "district specific issues" submitted as part of the department's legislative budget request. Relevance to statewide needs were not considered. The governor did not recommend funding for these two local projects and the House proposed

budget did not include them either. Only the Senate bill contains the proviso with these special appropriations. However, it was not until the conference committee report that the words "in Duval County" showed up after the specification for the Junior League Family Visitation Center. The Foster Care Citizen Review Board may also be a meritorious program concept, but data on length of stay in foster care indicates that children in Duval County stay in foster care for periods less than the statewide average. This would indicate that other areas in the state may have more of a need for such a program.

Junior League Family Visitation Center \$78,387 GR

The Foster Care Citizen Review Board \$105,172 GR



868B Sickle Cell Projects. This is a lump sum appropriation in the Children's Medical Services program for sickle cell trait counseling and tracking projects in Districts 5 and 6. This issue was not included in the department's legislative budget request, not recommended by the governor and not included in the House proposed budget. The department already operates a statewide program for children with metabolic problems. It also should be noted that of the state's 450 children with sickle cell disease, more than one-half of the cases are in Dade County which has a half-time position to provide counseling and tracking. The issue was in the Senate bill, but is recommended for veto because it ignores the capabilities of current initiatives in this area and lacks consideration of statewide needs. The appropriation also includes four staff positions.

\$100,000 GR



868D Florida Cleft Lip, Cleft Palate and Cranio-Facial Anomaly Association. Proviso associated with the overall appropriation for the Cleft Lip, Cleft Palate and Cranio-Facial Anomaly Program (\$198,196) directs the department to contract with this association for \$50,000 for the provision of family support services, outreach programs and infant feeding education and camperships. The department's legislative budget request, as well as, the governor, House and Senate did not specify dollars for the association. The proviso appeared for the first time in the conference committee report.

\$50,000 GR



868F University Medical Center/Jacksonville. The Children's Medical Services sickle cell education and screening program contains proviso language specifying the University Medical Center to receive \$75,000 to enhance the existing program. The issue was not in the department's legislative budget request, not in the governor's recommendations and not in the House or Senate proposed budgets. Earmarking some of the appropriation for expanding the program at the University Medical Center appeared for the first time in the conference committee.

\$75,000 GR



871/873C University of Florida Pediatric Liver Transplant Program. The inclusion of this item as a budget turkey is **in no way** meant to suggest that it lacks merit. The work performed by this and many other life saving organizations is to be applauded. However, Florida already has a liver transplant program in Dade County and the incidence of need does not make a compelling argument for another program given other

statewide priorities. The issue was neither recommended by the governor nor proposed in the House budget. The funding for a liver transplant program originated in the Senate bill (line-item 873C) under the auspices of a statewide program, but the proviso language restricting the dollars for the University of Florida was a product of the conference committee. The Summary Statement of Intent states that the proviso language was placed under line-item 871 by mistake and directs the governor's office to move it to 873C.

\$175,000 GR



1974 County Public Health Units.

From a legislative budget request involving 34 county health units totaling almost \$25.5 million -- clearly a request that is not within any reasoned consideration of targeted resources -- the Legislature appropriated \$13,081,750 for 10 projects. Notwithstanding this, a prioritization process is proscribed for establishing requirements in fixed capital outlay projects. However, four of those projects selected for funding are inconsistent with the department's priority listing. The governor recommended \$2.8 million and the Senate proposed \$2.9 million without specifying the projects to receive the funds. The House proposed budget included a \$20.8 million appropriation specifying the following (in priority order) county public units to receive the funds: Bradford (\$551,750), Hendry (\$1,843,000), Monroe (\$2,000,000), Nassau (\$1,332,030), Polk (\$975,000), Hardee (\$2,000,000), Palm Beach (\$2,000,000), Pinellas (\$2,000,000), Duval (\$150,000), Orange (\$495,000), Pasco (\$2,000,000), Broward (\$2,000,000), Santa Rosa (\$1,000,000), St. Lucie (\$1,927,000), and Little Havana/Overtown (\$600,000). The House proposal is consistent with the priorities established by HRS with the exception of the inclusion of Little Havana/Overtown. The basis for priority setting changed significantly during the

conference committee process. Monroe, Nassau, Palm Beach, Duval and Orange were eliminated from funding and the dollars earmarked for St. Lucie were reduced substantially. Applying the \$13,081,750 total appropriation to the department's priority listing eliminates the available dollars for funding projects in Broward, Santa Rosa, St. Lucie, and Little Havana/Overtown. If a fair and equitable process is established for requesting funding regarding fixed capital outlay projects, the Legislature should work within that framework.

Broward County	\$2,000,000 GR
Santa Rosa County	\$1,000,000 GR
St. Lucie County	\$112,000 GR
Little Havana/Overtown	\$600,000 GR



2089E through 2089J Alcohol, Drug Abuse and Mental Health Agencies.

All six line items are grants and aids for fixed capital outlay appropriations for local alcohol, drug abuse and mental health agencies. However, there was no process at HRS used to evaluate needs and prioritize the department's request for funds in this area. According to department officials, the "prioritized" request is developed and ranked based on provider supplied cost requirements that are not validated by the department and the priority ranking is established when the provider submits its request to the department -- "a first come first served basis." Further, the department's legislative budget request totaled more than \$120 million, an amount clearly beyond consideration of targeted resources. The net result of this situation is that of the six projects funded, only four were included in the department's legislative budget request. Those included the following "priorities;" 5th, 25th, 40th and 42nd out of 55. None of these issues

were recommended by the governor or proposed in the House budget. Five of the six line items evolved from the Senate bill with the final one appearing for the first time in the conference bill. Interestingly, the \$1 million appropriation to the Apalachee Center for Human Services was included in the Senate bill in Aging and Adult Services for renovating a portion of the Florida State Hospital to be used as an adult congregate living facility. Evidently, our legislative leaders are uncertain about what the money designated for the Apalachee Center for Human Services is for -- services for the aging or for persons with mental health needs. There are other problems with these appropriations. Legislative appropriations for fixed capital outlay requirements of some providers and not others without reasoned departmental consideration of service needs, also serves to increase the severity of issues associated with historical inequities in provider rate agreements and district resources. This practice is also anticompetitive in its impact on the current service procurement environment and will become more problematic under future managed care service provision arrangements.

Mental Health Care, Inc. -	
Bay Life Project	\$600,000 GR
Henderson Clinic - New Vista	
DayTreatment Facility	\$853,454 GR
New Horizons Crisis	
Stabilization Unit	\$3,200,000 GR
Miami Mental Health	
Center	\$1,200,000 GR
Apalachee Community Mental Health	
Center Quincy Project	\$1,000,000 GR
South Florida State Hospital	
Catchment Area	\$1,500,000 GR

Department of Highway Safety and Motor Vehicles



951 Data Processing Services. Part of this \$4 million appropriation for the computer needs of the Florida Highway Patrol is \$1,295,000 in general revenue for an automatic ticket writing system. This system, although requested by the agency, was not recommended by the governor and did not appear in the budget until the end of the session during conference. In fact, many involved were not even aware it made it in. The Information Resources Commission did not recommend it and the Florida Association of State Troopers opposes the project. There are potential problems with the computers, which failed a pilot test in Orange County two years ago. Since the department is in the process of other technological changes, this equipment probably will have to be adapted in two years. However, since this project is included in the FHP's data processing line-item, it cannot be vetoed without losing the entire \$4 million appropriation. The governor should have vetoed this and had the Legislature readdress the department's data processing appropriation when it returned in special session.

\$1,295,000 GR

The Department of Management Services



1933A Planning and Design - Knott Building. Although everyone agrees something needs to be done with this vacant, asbestos-filled building adjacent to the Capitol, what to do has not been agreed upon. This appropriation was not specifically requested by the department or

recommended by the governor. The state's capital improvements plan includes the demolition of the building and the governor recommended \$50,000 for a study to determine the best use of the building. The confusion and uncertainty about what is the best course of action for the Knott Building should be cleared up before significant dollars are appropriated.

\$400,000 TF



1933B Planning and Design - Gainesville Regional Service Center.

This was not requested by the department or recommended by the governor. It was put in the Senate appropriations bill. There are many questions about the wisdom of this \$19.7 million project. In fact, the Gainesville City Commission, which requested it, is now publicly questioning the need for it. The idea of consolidating all the office space the state leases in Gainesville in one state-owned building has been discussed for some time. In 1990, then-Governor Bob Martinez vetoed the project at a site near the airport because the state plan encourages that these buildings be built downtown to avoid urban sprawl and because the site would be less accessible to clients than one downtown. Further, the city wanted it for downtown revitalization. This debate led the Department of Management Services to drop it from its capital improvement plan. The proviso language requires that it be built on land donated to or already owned by the state. In effect, this means the site near the airport, unless the city buys a building downtown and donates it to the state.

More importantly, there are doubts as to whether it would be a cost-effective move. Lease rates in Gainesville are currently well below those in other areas where these office complexes have been built. The state currently pays an average of about \$12 per square foot (including electricity) on its Gainesville leases. This compares to more than \$16 in counties such

as Leon, Dade and Broward. The state charges the individual agencies in state owned office complexes \$14.38 per square foot. So, agencies' costs would actually increase, at least in the short term.

\$605,012 TF

Department of State



2090B Afro American Life Insurance Building.

This project competed for funds given in line item 2090A, but did not make the list of the 51 funded projects (ranked 74 out of 77). A Department of State analyst reports that the project to renovate an underused building has merit, but did not make the list of 51 funded projects. A process has been established in state law for the evaluation, prioritization and funding of these projects. The Legislature clearly circumvented this process to fund this item, which was included in the final Senate bill, but not in the House bill. The governor did not recommend funding for this project.

\$407,338 GR



2090C Courthouse Renovation in Quincy.

According to Department of State officials, project coordinators for this project decided not to compete for funds in line item 2090A, even though the project was eligible, and probably would have been funded through the process. The agency did not request funding for this project since it did not compete for funds. The building needs funds for rewiring, roof repair, American Disability Act modifications, etc.. This renovation was included in the Senate bill, but was not in the House bill or the governor's recommendations. Projects that get funded without going through application, evaluation

and prioritization procedures established in state law may not be subject to the requirements of the projects that are funded through such procedures. Aside from overriding systematic funding of the highest priority projects, such circumventing of state law creates problems of oversight and accountability for how funds are being spent.

\$500,000 GR



2090D Baker Block. This item competed for and received funding of \$137,000 as one of the 51 projects in line item 2090A. In a separate request, the agency had asked for \$175,000 for the site to be included in the Florida Heritage Network -- sites to be visited by the touring public -- for four buildings in Okaloosa County. 2090A provides funds for floor and roof repairs on Baker Block, and 2090D is supposed to "initiate development of the Florida Heritage network." The agency says that the issue was requested by the Department of State last year, and continued that request for capital improvement this year, even though the North Okaloosa Historical Association was applying for funding in line item 2090A. This overrides the process by which the funds in item 2090A were distributed among the most worthy applicants. In addition, the funds are being taken from general revenue rather than the Historical Preservation Trust Fund created for such uses in s. 267.0617, Florida Statutes. Baker Block was not in the governor's recommendations, or in the final Senate bill -- it was only included in the final House bill (2090B) and agency request.

\$175,000 GR

Department of Transportation



1703A Highway Patrol Services. The Department of Highway Safety and Motor Vehicles requested 300 additional state troopers and the governor recommended 119. The Legislature funded 48 additional positions. The Florida Highway Patrol is understaffed so the problem here is not that more troopers were funded, but rather how they were funded. The non-recurring costs (cars, etc.) of the troopers came from non-recurring general revenue but the Legislature did not find the general revenue for the recurring costs (salaries and benefits, etc.) In conference, it was decided to take \$2 million from DOT's road building fund -- the State Transportation Trust Fund (STTF) -- and transfer it to Highway Safety. This money came from funds earmarked for DOT contracts for private rest area security that were begun in the wake of tourist slayings. Although the Legislature traditionally funds Highway Patrol services on Florida's turnpike through DOT's budget, "raiding" the STTF for non-DOT specific services sets a bad precedent and violates the intended purpose of the trust fund. The funds to continue these positions will have to be found again next year. This Turkey Watch report contains numerous general revenue appropriations that could have been better spent on hiring additional troopers (see line-item 951 under the Department of Highway Safety and Motor Vehicles.) The secretary of the Department of Transportation also has requested that the governor veto this item.

\$2,000,000 TF