

STORAGE NAME: h1037a.go
DATE: April 15, 1997

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
GOVERNMENTAL OPERATIONS
BILL RESEARCH & ECONOMIC IMPACT STATEMENT**

BILL #: HB 1037

RELATING TO: The Repeal of Advisory Bodies and Other Governmental Entities

SPONSOR(S): Representative Hafner & others

STATUTE(S) AFFECTED: ss. 20.13, 27.36, 186.003(9), 186.022, 185.503(9), 186.508, 228.0875, 230.71, 239.505, 240.5121, 288, 288.1045, 395.604, 408.033, 408.038, 408.039, 408.0455

COMPANION BILL(S): 1st ENG/SB 0702 (s)

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) GOVERNMENTAL OPERATIONS YEAS 5 NAYS 0
 - (2)
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I. SUMMARY:

HB 1037 amends or repeals many provisions of law that create and assign duties to various advisory bodies and other governmental entities that are no longer active, were created to serve a particular purpose that has been accomplished, or have had their functions absorbed by another governmental entity.

The bill amends the following sections of the Florida Statutes: 20.13; 27.36; 228.0875; 230.71; 239.505; 288.1045; 408.033; 186.022; 186.508; 240.5121; 395.604; 408.038; 408.039; and 408.0455.

The bill repeals the following sections of the Florida Statutes: 186.003(9), F.S.; 186.503(9), F.S.; and Part X, Chapter 288, F.S.

The bill repeals the following sections of the Laws of Florida: ch. 30280 (1955), as amended; ch. 57-700, as amended; ch. 59-1939, as amended; ch. 67-2027; ch. 71-926; s. 79, ch. 90-201; s. 1, ch. 90-232; proviso language in s. 1, ch. 91-193; s. 63, ch. 93-164; ss. 23 and 24, ch. 94-292; and proviso language in s. 1A, ch. 94-357.

HB 1037 does not appear to have any material fiscal impact on state or local government.

II. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

Numerous bureaus, boards, commissions, councils, committees, and other organizational units are created by law within the executive, legislative, and judicial branches of government. Statutorily-created boards and commissions include, for example, the Board of Regents, the Public Service Commission, and the Parole Commission, among many others. Such entities may meet as few times as once or twice per year, others meet as frequently as weekly, and some are full-time, staffed organizations or programs.

The number of members who serve on these entities varies, as does the manner of their appointment. The number of members may range from as few as three members, to as many as 37 members, as in the Constitution Revision Commission. The length of member terms may vary also, depending upon when, or for what purpose, the entity was created. As provided in the enabling law that creates an advisory body, the manner of appointing members may vary, i.e., members may be appointed by a single official, such as the Governor, or by several officials, such as Speaker of the House and the President of the Senate, or other multiple appointing authorities. Many appointments are required to be confirmed either by the Senate or by specified Cabinet officials.

In some cases, the laws that create advisory bodies may require that members be appointed in accordance with specific criteria, such as residence, professional expertise, or other specified considerations. Many statutorily-created boards and commissions are comprised of lay members, while others include members who are ex officio, i.e., by virtue of their official positions, such as an agency head or division director.

Section 20.13, F.S., creates the Bureau of Information Systems within the Division of Administration of the Department of Insurance. Legislation pending in the 1997 Session would elevate the status of this Bureau to the Division level.

Chapter 27, F.S., relates to state attorneys, public defenders, and related officers. Section 27.36, F.S., creates the Office of Prosecution Coordination within the Executive Office of the Governor. The Office of Prosecution Coordination is responsible for providing assistance to the Council on Organized Crime and to the state attorneys throughout the state. Section 27.37, F.S., which created and assigned duties to the Council on Organized Crime was repealed in 1996.

Chapter 228, F.S., relates to the general provisions governing public education. Section 228.0875, F.S., creates the Governor's Summer Colleges, a residential program for qualified high school seniors. The program consists of a series of 4-week programs that are conducted at selected residential institutions in the state. The law also creates a Governor's Summer Colleges Council to advise the State Board of Education on the summer colleges program. The council has not been funded since 1994.

Section 230.71(3), F.S., provides for the creation of the Intergenerational School Volunteer Advisory Board. The board is to advise and assist the Commissioner of Education in the creation and improvement of intergenerational school volunteer programs. The board is composed of 22 members. The Commissioner of Education appoints four members. The Governor, the President of the Senate, the Speaker of the

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House, and the chairperson of the Statewide School Volunteer Advisory Council each appoint three members. The Secretary of Health and Rehabilitative Services appoints two members. The president of the Chamber of Commerce, the director of the Division of Cultural Affairs of the Department of State, the Department of Elderly Affairs, and the director of Grandpeople, Inc. each appoint one member.

Powers and duties of the board include: advising the commissioner on the implementation of certain provisions; identifying and disseminating information about model intergenerational programs; evaluating plans for intergenerational activities; making recommendations to the commissioner for approval of intergeneration school volunteer programs and the awarding of grants; developing a plan for more effective community awareness and support; advising the commissioner on the evaluation of current intergeneration school volunteer programs; and filing an annual report to the Legislature. The Governor's Office reports that the council, which was created in 1990, has never received appropriations to fund its activities.

Section 239.505(12), F.S., provides for the creation of the Advisory Board on Constructive Youth Programs. The board is to provide technical assistance to each school district or community college establishing a constructive youth program. The Commissioner of Education, the Secretary of Health and Rehabilitative Services, the Secretary of Community Affairs, and the Secretary of Labor and Employment Security each appoint two members to the board. Additionally, the Governor appoints a private sector representative of the State Job Training Coordinating Council. The board is to propose rules; establish a unified application procedure; establish criteria for recommending programs for approval; and to provide recommendations for ongoing technical assistance to school districts and community colleges. The Governor's Office reports that the last appointment to the advisory board was made in July 1994 and the board has been inactive recently.

Each school board or community college board of trustees requesting funding for a constructive youth program must submit an application to the Advisory Board on Constructive Youth programs. The board reviews all applications and forwards the applications, with the board's recommendation, to the Department of Education. The department approves, continues, or terminates constructive youth programs pursuant to rules established by the State Board of Education.

Sections 288.971-288.980, F.S., provide for the creation of the Florida Defense Conversion and Transition Commission. The purpose of the commission is to coordinate among state government agencies and departments, local governments, and statewide service providers in order to direct resources to appropriate defense-related activities, avoid duplication and waste, and pursue relevant federal grants; oversee statewide defense-related initiatives, and receive federal defense conversion and transition funding; identify an entity to serve as a central point of contact, disseminating conversion and transition information, services, and research to the commission and to affected communities, companies, and workers; coordinate with and provide information and technical advice to Enterprise Florida on matters related to the defense industry and defense conversion, reinvestment, and transition; facilitate community outreach and technical assistance; and explore the creation of information networks to assist companies transitioning into commercial markets.

Section 288.1045, F.S., relates to the qualified defense contractor tax refund program, and provides that the department shall submit a report by September 30 of each year to the Defense Conversion and Transition Commission, which reviews the report. The commission reports to the Governor, President of the Senate, and the Speaker of the House of Representatives by December 1 of each year.

Section 408.033(2), F.S., provides for the creation of the Statewide Health Council. The council is a state-level comprehensive health planning and policy advisory board. The council is composed of the State Health Officer; the Deputy Director for Health Policy and Cost Control; the Deputy Director for Health Quality Assurance of the Agency for Health Care Administration (AHCA); the director of the Health Care Board; the Insurance Commissioner or designee; the Vice Chancellor for Health Affairs of the Board of Regents; three chairs of the regional planning councils, and five chairs of local health councils; four members appointed by the Governor; and five members each appointed by the President of the Senate and the Speaker of the House.

The duties of the Statewide Health Council include: advising the Governor, the Legislature, and the AHCA on state health policy issues, state and local health planning activities, and state health regulation programs; preparing a state health plan; promoting public awareness of state health care issues; consulting with local health councils; serving as a forum for the discussion of local health planning issues; reviewing district health plans; reviewing the health components of agency functional plans; reviewing any strategic regional plans; assisting the Department of Community Affairs in the review of local government comprehensive plans; and conducting public forums to determine the opinions of health care consumers, providers, payers, and insurers. The Governor's Office notes that no appointments have been made to the council since 1993 and that the council has not received funding for its activities in the past several years.

Chapter 186, F.S., relates to state and regional planning. Section 186.003(9), F.S., contains a reference to the Statewide Health Council as does s. 186.503(9), F.S.

Section 186.022, F.S., relates to the preparation, form, and review of state agency strategic plans. The Statewide Health Council is directed by law to review portions of agency strategic plans to ensure consistency with the state comprehensive plan.

Section 186.508, F.S., requires regional planning councils throughout the state to submit strategic plans to the Executive Office of the Governor for inclusion in the state comprehensive plan. The Statewide Health Council is directed by law to review the plans submitted by regional planning councils for consistency with the health elements of the state plan.

Section 240.5121, F.S., creates the Cancer Control and Research Act and the Florida Cancer Control and Research Advisory Council. The council is created to advise the H. Lee Moffitt Cancer Center and Research Institute, Inc. in Tampa. The council is assigned by law to annually approve the Florida Cancer Plan, which includes a program for cancer control and research. The annual cancer plan is required to be consistent with the State Health Plan developed by the Statewide Health Council.

Chapter 395, F.S., relates to the regulation and licensing of hospitals by AHCA. Sections 395.602-395.605, F.S., relate to rural hospitals. There is a reference to s. 408.033, F.S., in s. 395.604, F.S., relating to licensure of and fees to be paid by rural hospitals.

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Section 408.038, F.S., directs the AHCA to collect fees with all certificate-of-need applications. The fees are to be used to fund a variety of health-care activities, including the duties assigned to the Statewide Health Council.

Section 408.039, F.S., establishes the review process for the AHCA to follow in assessing certificate-of-need applications. Part of the review process includes the State Agency Action Report that lists the AHCA's intention to grant or deny, or grant in part, the license. The agency's action report must state the agency's findings of fact with respect to the certificate-of-need application. If the agency differs in any findings of fact with the district plan of the respective local health council, the AHCA must notify the local health council and the Statewide Health Council of the differences in writing.

Sections 408.031-408.045, F.S., make up the Health Facility and Services Development Act. The act governs certificates of need, capital expenditures, and construction of health care facilities. Section 408.0455, F.S., states, in part, that nothing in the Health Facilities and Services Development Act is intended to modify the composition of the Statewide Health Council.

Chapter 30280, L.O.F., (1955) as amended by chs. 77-530, 86-395, and 94-421, L.O.F., creates the Clay County Hospital District.

Chapter 57-700, L.O.F., as amended by chs. 59-875, 61-545, and 67-952, L.O.F., provides for the creation of the Suwannee River Water Conservation and Control Authority.

Chapter 59-1939, L.O.F., as amended by ch. 83- 530, L.O.F., provides for the creation of the Union County Development Authority.

Chapter 67-2027, L.O.F., provides for the creation of the Santa Rosa County Airport and Industrial Authority.

Chapter 71-926, L.O.F., provides for the creation of the Sumter County Hospital Authority.

Section 79 of ch. 90-201, L.O.F., provides for the creation of the International Language Institute Advisory Council. The purpose of the council is to assess the need for the creation of a language institute to provide language and related instruction to persons interested in international trade and international affairs. The council consists of: the Commissioner of Education, the Chancellor of the State University System, and the executive director of the State Community College System; one member of a district school board and two persons experienced in international trade to be appointed by the Governor; one person experienced in English-as-a-second-language education; one person experienced in postsecondary foreign language instruction; and one person experienced in K-12 foreign language instruction, to be appointed by the Commissioner of Education. The council was required, on or before January 1, 1992, to submit a report to the Florida International Affairs Commission that sets forth its recommendations regarding the creation of an institute.

Section 1 of ch. 90-232, L.O.F., creates within the Executive Office of the Governor the Task Force on County Contributions to Medicaid.

The proviso language in s. 1 of ch. 91-193, L.O.F., provides funding for the creation of the Commission on Long Term Care in Florida. For administrative purposes, the commission is housed in the Joint Legislative Management Committee. The commission consists of 18 members. The commission was required to submit its first report on December 1, 1994.

Section 63 of ch. 93-164, L.O.F., provides for the creation within the Department of Transportation (DOT) a commission to study the safety and security of railroad-highway grade crossings, including work zone safety standards, traffic control devices, and public education relating to hazardous intersections. The commission consists of two senators appointed by the President of the Senate, two representatives appointed by the Speaker of the House of Representatives, and three members appointed by the Governor, one of whom must be a representative of the railroad industry, one of whom must be an employee of the DOT, and one of whom must be an employee of the Department of Highway Safety and Motor Vehicles. The commission must report its findings and recommendations to the Legislature and the Governor no later than 15 days before the beginning of the 1994 Legislative Session.

Sections 23 and 24 of ch. 94-292, L.O.F., provide for the creation of the Florida Education Facilities Study Committee for the purpose of evaluating problems relating to Florida's public education facilities. The committee was required to report back to the Legislature, the Governor, and the State Board of Education by November 1, 1994. The study committee was required to review current and projected capital facility needs; planning, design, and construction methodologies; emerging technology needs; program options that impact efficient use of facilities; capital financing methodologies and alternatives; and public-private options. Section 24 provides that members of the study committee must be appointed as follows: the Commissioner of Education must appoint six persons; the Speaker of the House of Representatives, the President of the Senate, and the Governor each appoint five persons. Each group of appointees must include at least one minority person.

The proviso language in s. 1A of ch. 94-357, L.O.F., creates a nine member task force on Productivity Enhancement which consists of three members appointed by the Governor, the Speaker of the House, and the President of the Senate. The task force was required to review all agency productivity plans and make recommendations on productivity enhancement that involves training, salaries, and benefits by January 1, 1992.

B. EFFECT OF PROPOSED CHANGES:

HB 1037 would amend s. 20.13, F.S., to remove the reference to the Bureau of Information Systems within the Division of Administration of the Insurance Department.

HB 1037 would amend s. 27.36(2), F.S., to remove the requirement that the Office of Prosecution Coordination coordinate and provide information, assistance, and staff support to the Council on Organized Crime. The office still would be required to coordinate and to provide support to the various state attorneys.

HB 1037 would repeal provisions relating to the Governor's Summer Colleges Council contained in s. 228.0875(3), F.S.

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HB 1037 would amend s. 230.71, F.S., to eliminate language creating the Intergenerational School Volunteer Advisory Board, as well as language referring to the board.

HB 1037 would amend s. 239.505, F.S., which provides eligibility requirements for the Florida Constructive Youth Program. The amendments would delete language in subsection (12) which creates the Advisory Board on Constructive Youth Programs, as well as delete language referring to the board.

HB 1037 would repeal ss. 288.971, 288.972, 288.974, 288.975, 288.976, 288.977, 288.980, F.S., as created by ch. 94-323, and s. 288.973, F.S., as created by ch. 94-323, L.O.F., and amended by ch. 95-148, L.O.F. Sections 288.971-288.980, F.S., provide for the creation of the Florida Defense Conversion and Transition Commission.

HB 1037 would amend s. 288.1045, F.S., relating to the qualified defense contractor tax refund program, and provide that the department shall submit a report by December 1 of each year to the Governor, President of the Senate, and the Speaker of the House of Representatives.

HB 1037 would amend s. 408.033, F.S., to delete language creating the Statewide Health Council, as well as language which refers to the council. Also, a reference to the Department of Health and Rehabilitative Services, and the Statewide Health Council is changed to the Agency for Health Care Administration.

HB 1037 would repeal s. 186.003(9), F.S., as amended by ch. 95-280, L.O.F., and s. 186.503(9), F.S., as amended by ch. 95-280, L.O.F., both of which contain a reference to the Statewide Health Council.

HB 1037 would amend s. 186.022, F.S., to delete references to the Statewide Health Council and to delete requirements that the Executive Office of the Governor consider the findings of the council when reviewing the health element of the state comprehensive plan.

HB 1037 would amend s. 186.508(1), F.S., to delete a requirement that the Executive Office of the Governor consider the findings of the Statewide Health Council's review of the consistency of the health elements of the strategic regional policy plans with the health element of the state comprehensive plan.

HB 1037 would amend s. 240.5121, F.S., to delete a reference to the Statewide Health Council.

HB 1037 would amend s. 395.604, F.S., to correct a cross-reference to conform with other changes made by the bill.

HB 1037 would amend s. 408.038, F.S., to delete a reference to the Statewide Health Council.

HB 1037 would amend s. 408.039(4), F.S., to delete a reference to the Statewide Health Council.

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HB 1037 would amend s. 408.0455, F.S., to delete a reference to the Statewide Health Council.

HB 1037 would repeal ch. 30280, L.O.F., (1955), as amended by chs. 77-530, 86-395, and 94-421, L.O.F., which provide for the creation of the Clay County Hospital District.

HB 1037 would repeal ch. 57-700, L.O.F., as amended, which provides for the creation of the Suwannee River Water Conservation and Control Authority.

HB 1037 would repeal ch. 59-1939, L.O.F., as amended, which provides for the creation of the Union County Development Authority.

HB 1037 would repeal ch. 67-2027, L.O.F., which provides for the creation of the Santa Rosa County Airport and Industrial Authority.

HB 1037 would repeal ch. 71-926, L.O.F., which provides for creation of the Sumter County Hospital Authority.

HB 1037 would repeal s. 79 of ch. 90-201, L.O.F., which creates the International Language Institute Advisory Council in the Executive Office of the Governor.

HB 1037 would repeal s. 1 of ch. 90-232, L.O.F., which creates within the Executive Office of the Governor the Task Force on County Contributions to Medicaid.

HB 1037 would repeal proviso language in s. 1 of ch. 91-193, L.O.F., in the General Appropriations Act for FY 1991-92, relating to the Commission on Long Term Care in Florida. The 18-member commission submitted its report in December 1994.

HB 1037 would repeal s. 63 of ch. 93-164, L.O.F., which created a commission, within the Department of Transportation, to study the safety of railroad-highway grade crossings and other dangerous intersections. The report of the commission was due to the Legislature prior to the 1994 legislative session.

HB 1037 would repeal ss. 23 and 24 of ch. 94-292, L.O.F., which created the Florida Education Facilities Study Committee for the purpose of evaluating problems relating to Florida's public education facilities. The committee was required to report back to the Legislature, the Governor, and the State Board of Education by November 1, 1994.

HB 1037 would repeal proviso language in s. 1A of ch. 94-357, L.O.F., which created a nine-member Task Force on Productivity Enhancement consisting of three members appointed by the Governor, the Speaker of the House, and the President of the Senate. The task force was required to review all agency productivity plans and make recommendations on productivity enhancement that involved training, salaries, and benefits by January 1, 1992.

HB 1037 would provide that, except as otherwise provided, the act will take effect upon becoming law.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

No.

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

No.

(3) any entitlement to a government service or benefit?

No.

a. If an agency or program is eliminated or reduced:

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

Not applicable.

(2) what is the cost of such responsibility at the new level/agency?

Not applicable.

(3) how is the new agency accountable to the people governed?

Not applicable.

2. Lower Taxes:

a. Does the bill increase anyone's taxes?

No.

b. Does the bill require or authorize an increase in any fees?

No.

c. Does the bill reduce total taxes, both rates and revenues?

No.

d. Does the bill reduce total fees, both rates and revenues?

No.

e. Does the bill authorize any fee or tax increase by any local government?

No.

3. Personal Responsibility:

Not applicable.

a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

4. Individual Freedom:

Not applicable.

a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

5. Family Empowerment:

Not applicable.

a. If the bill purports to provide services to families or children:

(1) Who evaluates the family's needs?

(2) Who makes the decisions?

(3) Are private alternatives permitted?

(4) Are families required to participate in a program?

(5) Are families penalized for not participating in a program?

b. Does the bill directly affect the legal rights and obligations between family members?

No.

c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

Not applicable.

(1) parents and guardians?

(2) service providers?

(3) government employees/agencies?

D. SECTION-BY-SECTION RESEARCH:

Section 1. Amends s. 20.13, F.S., to remove the reference to the Bureau of Information Systems.

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Section 2. Amends s. 27.36(2), F.S., to eliminate the requirement that the Office of Prosecution Coordination coordinate and provide information, assistance, and staff support to the Council on Organized Crime.

Section 3. Repeals provisions relating to the Governor's Summer Colleges Council contained in s. 228.0875(3), F.S.

Section 4. Amends s. 230.71, F.S., to eliminate language creating the Intergenerational School Volunteer Advisory Board, as well as language referring to the board.

Section 5. Amends s. 239.505, F.S., to delete language in subsection (12) which creates the Advisory Board on Constructive Youth Programs, as well as delete language referring to the board.

Section 6. Repeals ss. 288.971, 288.972, 288.974, 288.975, 288.976, 288.977, 288.980, F.S., as created by ch. 94-323, L.O.F., and s. 288.973, F.S., as created by ch. 94-323, L.O.F., and amended by ch. 95-148, L.O.F. Sections 288.971-288.980, F.S., provide for the creation of the Florida Defense Conversion and Transition Commission.

Section 7. Amends s. 288.1045, F.S., to provide that for the qualified defense contractor tax refund program, the department shall submit a report by December 1 of each year to the Governor, President of the Senate, and the Speaker of the House of Representatives, and deletes language referencing the Defense Conversion and Transition Commission.

Section 8. Amends s. 408.033, F.S., to delete language creating the Statewide Health Council, as well as language which refers to the council. Also, a reference to the Department of Health and Rehabilitative Services, and the Statewide Health Council is changed to the Agency for Health Care Administration.

Section 9. Repeals s. 186.003(9), F.S., as amended by ch. 95-280, L.O.F., and s. 186.503(9), F.S., as amended by ch. 95-280, L.O.F., both of which contain a reference to the Statewide Health Council.

Section 10. Amends s. 186.022, F.S., to delete references to the Statewide Health Council; deletes requirements that the Executive Office of the Governor consider the findings of the council when reviewing the health element of the state comprehensive plan.

Section 11. Amends s. 186.508(1), F.S., to delete a requirement that the Executive Office of the Governor consider the findings of the Statewide Health Council's review of the consistency of the health elements of the strategic regional policy plans with the health element of the state comprehensive plan.

Section 12. Amends s. 240.5121, F.S., to delete a reference to the Statewide Health Council.

Section 13. Amends s. 395.604, F.S., to correct a cross-reference to conform with other changes made by the bill.

Section 14. Amends s. 408.038, F.S., to delete a reference to the Statewide Health Council.

Section 15. Amends s. 408.039(4), F.S., to delete a reference to the Statewide Health Council.

Section 16. Amends s. 408.0455, F.S., to delete a reference to the Statewide Health Council.

Section 17. Repeals ch. 30280, L.O.F., (1955), as amended by chs. 77-530, 86-395, and 94-421, L.O.F., which provide for the creation of the Clay County Hospital District.

Section 18. Repeals ch. 57-700, L.O.F., as amended, which provides for the creation of the Suwannee River Water Conservation and Control Authority.

Section 19. Repeals ch. 59-1939, L.O.F., as amended, which provides for the creation of the Union County Development Authority.

Section 20. Repeals ch. 67-2027, L.O.F., which provides for the creation of the Santa Rosa County Airport and Industrial Authority.

Section 21. Repeals ch. 71-926, L.O.F., which provides for creation of the Sumter County Hospital Authority.

Section 22. Repeals s. 79 of ch. 90-201, L.O.F., which creates the International Language Institute Advisory Council in the Executive Office of the Governor.

Section 23. Repeals s. 1 of ch. 90-232, L.O.F., which creates within the Executive Office of the Governor the Task Force on County Contributions to Medicaid.

Section 24. Repeals proviso language in s. 1 of ch. 91-193, L.O.F., the General Appropriations Act for FY 1991-92, relating to the Commission on Long Term Care in Florida.

Section 25. Repeals s. 63 of ch. 93-164, L.O.F., which created a commission, within the Department of Transportation to study the safety of railroad-highway grade crossings and other dangerous intersections.

Section 26. Repeals ss. 23 and 24 of ch. 94-292, L.O.F., which created the Florida Education Facilities Study Committee for the purpose of evaluating problems relating to Florida's public education facilities.

Section 27. Repeals proviso language in s. 1A of ch. 94-357, L.O.F., which created a nine-member Task Force on Productivity Enhancement consisting of three members appointed by the Governor, the Speaker of the House, and the President of the Senate.

Section 28. Provides that, except as otherwise provided, the act will take effect upon becoming law.

III. FISCAL RESEARCH & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

4. Total Revenues and Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

None.

2. Direct Private Sector Benefits:

None.

3. Effects on Competition, Private Enterprise and Employment Markets:

None.

D. FISCAL COMMENTS:

Most of the advisory bodies, governmental entities, and statutory provisions which would be removed, or repealed from the statutes are removed, or repealed, because the advisory bodies and governmental entities are either: no longer active; have not received funding for 1 to 3 years; or their functions have been, or will be absorbed by another entity. To the extent that active advisory bodies are dissolved through repeal, there may be some savings realized due to reduced reporting requirements.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

HB 1037 does not require counties or municipalities to spend funds or to take action which requires the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

HB 1037 does not reduce the authority that counties or municipalities have to raise revenues in the aggregate.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

HB 1037 does not reduce the percentage of state tax shared with counties or municipalities.

V. COMMENTS:

The Senate companion, SB 702, provides for the transfer of the Commission on Government Accountability to the People, from the Executive Office of the Governor, the to Department of Management Services. SB 702 has been referred to the Committee on Governmental Operations. An amendment to SB 702 has been prepared to correct a scrivener's error; to make similar changes as the amendment to HB 1037; and to reflect amendments in s. 288.1045, F.S. SB 702, if amended, may be substituted for HB 1037.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

The House Committee on Governmental Operations, at its April 15, 1997, meeting adopted one amendment to HB 1037. The amendment provided that in Section 6, the repeal of the entire Part X of ch. 288, F.S., is replaced with a repeal of only ss. 288.973 and 288.974, F.S.

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VII. SIGNATURES:

COMMITTEE ON GOVERNMENTAL OPERATIONS:

Prepared by:

Legislative Research Director:

Russell J. Cyphers, Jr.

Jimmy O. Helms