

STORAGE NAME: h4113z.uco
DATE: May 5, 1998

****FINAL ACTION****
****SEE FINAL ACTION STATUS SECTION****

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
UTILITIES AND COMMUNICATIONS
FINAL BILL RESEARCH & ECONOMIC IMPACT STATEMENT**

BILL #: HB 4113

RELATING TO: The Florida Public Service Commission

SPONSOR(S): Committee on Utilities and Communications and Representative Arnall

COMPANION BILL(S):

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

- (1) UTILITIES AND COMMUNICATIONS YEAS 13 NAYS 0
- (2)
- (3)
- (4)
- (5)

I. FINAL ACTION STATUS:

HB 4113 died in the Senate Committee on Regulated Industries.

II. SUMMARY:

This bill deletes obsolete language concerning the appointment, terms, and vacancies for the Public Service Commissioners during the transition between an elected and appointed commission.

The bill also deletes obsolete language regarding the transfer of powers of the former Florida Railroad and Public Utilities Commission and the Florida Public Utilities Commission to the current Public Service Commission. It clarifies and simplifies the current commission's jurisdiction, powers, and duties.

This bill does not appear to have a fiscal impact.

III. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

During the interim, the Speaker directed the House committees to work jointly with the Senate and the Governor to identify all the functions and activities assigned to the various agencies by the Legislature. The Committee on Utilities and Communications and the Committee on Transportation and Economic Development Appropriations identified those functions and activities statutorily assigned to the Public Service Commission. One phase of the project was to identify unnecessary and obsolete language in the statutes governing the Public Service Commission. Several provisions that contained unnecessary or obsolete language were identified in chapter 350, Florida Statutes.

Section 350.01(2), Florida Statutes, provides for the appointment and terms for the Public Service Commissioners during the transition between an elected and appointed commission. The Public Service Commission has been an appointed body since 1979.

The transfer of the jurisdiction, powers, and duties of the Florida Railroad and Public Utilities Commission and the Florida Public Utilities Commission to the current Public Service Commission is provided in section 350.011, Florida Statutes. This transfer occurred in 1965.

B. EFFECT OF PROPOSED CHANGES:

This bill deletes obsolete language concerning the appointment, terms, and vacancies for the Public Service Commissioners during the transition between an elected and appointed commission.

The bill also deletes obsolete language regarding the transfer of powers of the former Florida Railroad and Public Utilities Commission and the Florida Public Utilities Commission to the current Public Service Commission. It clarifies and simplifies the current commission's jurisdiction, powers, and duties.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

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

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

N/A.

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

N/A.

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

N/A.

- b. 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?

N/A.

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

N/A.

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

N/A.

2. Lower Taxes:

- a. Does the bill increase anyone's taxes?

N/A.

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

N/A.

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

N/A.

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

N/A.

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

N/A.

3. Personal Responsibility:

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

N/A.

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

N/A.

4. Individual Freedom:

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

N/A.

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

N/A.

5. Family Empowerment:

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

- (1) Who evaluates the family's needs?

N/A.

- (2) Who makes the decisions?

N/A.

- (3) Are private alternatives permitted?

N/A.

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

N/A.

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

N/A.

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

N/A.

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:

(1) parents and guardians?

N/A.

(2) service providers?

N/A.

(3) government employees/agencies?

N/A.

D. STATUTE(S) AFFECTED:

N/A.

E. SECTION-BY-SECTION RESEARCH:

N/A.

IV. 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:

None.

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

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to spend or to take an action requiring the expenditure of fund.

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B. REDUCTION OF REVENUE RAISING AUTHORITY:

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

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

This bill does not reduce the percentage of a state tax shared with counties or municipalities.

VI. COMMENTS:

The bill was passed unanimously by committee. The committee recommended that the Economic Impact Council close this bill under Rule 67.

VII. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A.

VIII. SIGNATURES:

COMMITTEE ON UTILITIES AND COMMUNICATIONS:

Prepared by:

Legislative Research Director:

Thomas W. Mote

Patrick L. "Booter" Imhof

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