

STORAGE NAME: h4199.tr
DATE: March 19, 1998

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

BILL #: House Bill 4199 (PCB TR 98-02)
RELATING TO: Transportation Code/Technical Revisions
SPONSOR(S): Committee on Transportation and Rep. Fuller
COMPANION BILL(S): None

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

- (1) TRANSPORTATION YEAS 7 NAYS 0
 - (2)
 - (3)
 - (4)
 - (5)
-

I. SUMMARY:

This proposed bill is the result of the State Government Function/Activity Review Interim Project. As a part of the review, committee staff was instructed to identify statutes that are obsolete or in need of technical amendment. Statutory provisions primarily relating to the operations of the Department of Transportation (DOT) were reviewed to determine whether they were consistent with each agency's mission. During the review several statutory provisions were found to have incorrect and obsolete references.

PCB TR 98-02 revises, reenacts, and amends various provisions of the Florida Statutes relating to transportation to delete obsolete language, to correct cross-references, to make grammatical corrections, and to make other technical changes to the state statutes governing transportation issues.

Because the proposed changes are technical in nature, the bill has no substantive or fiscal impact.

II. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

On November 17, 1997, the Speaker of the Florida House of Representatives directed House committees to perform several activities relating to the State Agency Function/Activity Review and Prioritization Project. Statutory provisions relating to the operations of DOT were reviewed to determine whether they were consistent with the agency's mission.

As part of the project, staff was instructed to identify statutes that are obsolete or in need of technical revision. During the review several statutory provisions were found to have incorrect and obsolete references.

In January 1998 a report was issued in response to the Speaker's directive for the Committee on Transportation. As part of the Transportation Committee's report, this proposed committee bill was prepared to make technical changes to the state statutes governing transportation issues.

B. EFFECT OF PROPOSED CHANGES:

PCB TR 98-02 revises, reenacts, and amends various provisions of the Florida Statutes relating to transportation to delete obsolete language, to correct cross-references, to make grammatical corrections, and to make other technical changes to the state statutes governing transportation issues.

Because the proposed changes are technical in nature, the bill has no substantive impact.

For detailed descriptions of the technical changes, see E. Section-by-Section Research below.

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

(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:

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- 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:

Chapters 20, 206, 215, 234, 288, 311, 331, 334 - 339, 341, 343, 348, 349, 378, 427, 479, and 951, F.S. (See Section by Section Research for detailed list).

E. SECTION-BY-SECTION RESEARCH:

Section 1. Amends s. 20.23, F.S., to correct a statutory cross reference.

Section 2. Amends s. 206.46, F.S., to correct a statutory cross reference.

Section 3. Amends s. 215.47, F.S., to correct a statutory cross reference.

Section 4. Repeals s. 234.112, F.S., which is duplicative of s. 234.012 (12)(c), F.S.

Section 5. Amends s. 288.9607, F.S., to correct a statutory cross reference.

Section 6. Amends s. 311.09, F.S., to delete an obsolete date reference.

Section 7. Amends s. 331.303, F.S., to change a reference to an abolished council to a reference to Enterprise Florida, Inc.

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Section 8. Amends s. 331.305, F.S., to correct a reference to the title of Chapter 607, F.S.; to delete a reference to an obsolete report requirement; and to delete a reference to obsolete bond restrictions.

Section 9. Amends s. 331.308, F.S., to delete a reference to obsolete initial appointment requirements.

Section 10. Amends s. 331.331, F.S., to delete a reference to obsolete bond restrictions.

Section 11. Amends s. 334.03, F.S., to delete an obsolete reference to a repealed statutory section.

Section 12. Amends s. 334.0445, F.S., to conform statutory dates to provisions of Section 3 of Chapter 97-280, Laws of Florida.

Section 13. Amends s. 335.074, F.S., to delete a reporting requirement which was part of an agency annual report; the requirement for this annual report was repealed in 1994.

Section 14. Repeals s. 335.165, F.S., which is an obsolete provision relating to budgeting for improvements to Welcome Stations by the Department of Commerce. The Department of Commerce has been abolished, and s. 335.166, F.S., sets up the Welcome Station Office within DOT.

Section 15. Amends s. 335.182, F.S., to delete an obsolete date reference.

Section 16. Amends s. 335.188, F.S., to delete obsolete date references.

Section 17. Reenacts s. 336.01, F.S. to incorporate a change made by statutory revision editors.

Section 18. Amends s. 336.044, F.S., to delete an obsolete date reference; and to delete an obsolete reporting requirement.

Section 19. Amends s. 337.015, F.S., to delete a reporting requirement which was a part of a agency annual report; the requirement for this annual report was repealed in 1994.

Section 20. Amends s. 337.139, F.S., to delete an obsolete reporting requirement.

Section 21. Amends s. 337.29, F.S., to correct statutory cross references.

Section 22. Repeals s. 137 of Chapter 96-320, Laws of Florida, to delete an obsolete requirement related to utility relocation cost write-offs.

Section 23. Amends s. 337.407, F.S., to correct an internal reference.

Section 24. Amends s. 338.22, F.S., to correct a statutory cross reference.

Section 25. Amends s. 338.221, F.S., to correct statutory cross references; and to reenact subsection (8) to incorporate a change made by statutory revision editors.

Section 26. Reenacts s. 338.222, F.S., to incorporate a change made by statutory revision editors.

Section 27. Amends and reenacts s. 338.223, F.S., to incorporate a change made by statutory revision editors in subsection (1); and to correct a statutory cross reference.

Section 28. Amends s. 338.225, F.S., to correct a statutory cross reference.

Section 29. Amends s. 338.227, F.S., to correct statutory cross references.

Section 30. Amends s. 338.228, F.S., to correct statutory cross references.

Section 31. Amends s. 338.229, F.S., to correct statutory cross references.

Section 32. Amends s. 338.231, F.S., to correct statutory cross references.

Section 33. Amends s. 338.232, F.S., to correct a statutory cross reference.

Section 34. Amends s. 338.239, F.S., to correct statutory cross references.

Section 35. Amends s. 338.251, F.S., to delete an obsolete provision related to an advance from the Toll Facility Revolving Trust Fund.

Section 36. Amends s. 339.08, F.S., to correct a statutory cross reference.

Section 37. Repeals s. 339.091, F.S., to delete an obsolete program created in 1971.

Section 38. Reenacts subsection (7)(e) of s. 339.135, F.S., to incorporate a change made by statutory revision editors.

Section 39. Repeals s. 339.145, F.S., to delete authorization for a trust fund that is no longer needed; and repeals s. 339.147, F.S., to delete an obsolete provision for DOT reimbursement of Auditor General audit expenses.

Section 40. Amends s. 339.175, F.S., to correct a statutory cross reference.

Section 41. Amends s. 339.2405, F.S., to delete an obsolete reporting requirement.

Section 42. Amends s. 339.241, F.S., to change a reference to a repealed Florida Statute to a reference of a U.S. Code provision relating to certain definitions.

Section 43. Amends s. 341.051, F.S., to delete an obsolete requirement for providing the legislature with certain documents; and to clarify the applicability of a definition provided at the end of the section.

Section 44. Amends s. 341.052, F.S., to delete redundant language concerning local comprehensive plans.

Section 45. Reenacts subsection (1) of s. 341.321, F.S., to incorporate changes made by statutory revision editors.

Section 46. Amends s. 341.3333, F.S., to correct a statutory cross reference.

Section 47. Amends s. 341.352, F.S., to delete a reference to the Department of Commerce which was abolished; and to provide authorization for Enterprise Florida to participate in High Speed Rail certification proceedings.

Section 48. Amends s. 343.64, F.S., to delete an obsolete date reference.

Section 49. Amends s. 343.74, F.S., to delete an obsolete date reference.

Section 50. Amends s. 348.0005, F.S., to correct a scrivener's error.

Section 51. Amends s. 348.0009, F.S., to correct a statutory cross reference.

Section 52. Amends s. 348.248, F.S., to correct a statutory cross reference.

Section 53. Amends s. 348.948, F.S., to correct a statutory cross reference.

Section 54. Amends s. 349.05, F.S., to correct an internal cross reference.

Section 55. Amends s. 349.21, F.S., to correct a statutory cross reference.

Section 56. Amends 378.411, F.S., to delete provisions related to DOT being certified by the Department of Environmental Protection to receive and review notices of intent to mine; these provisions are no longer needed.

Section 57. Amends s. 427.012, F.S., to change a reference to the "Department of Health and Rehabilitative Services" representative on the Commission for the Transportation Disadvantaged to a representative for the "Department of Children and Family Services".

Section 58. Amends s. 427.013, F.S., to make a grammatical correction.

Section 59. Amends s. 479.01, F.S., to correct an internal cross reference.

Section 60. Amends s. 951.05, F.S., to delete a reference to DOT's "Division of Road Operation" which was abolished.

Section 61. Effective Date: July 1 of the year in which the bill is enacted.

III. FISCAL RESEARCH & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

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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

IV. 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 expend funds or take action requiring the expenditure of funds.

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.

V. COMMENTS:

None

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None

VII. SIGNATURES:

COMMITTEE ON TRANSPORTATION:

Prepared by:

Legislative Research Director:

Phillip B. Miller

John R. Johnston