

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

Date: April 15, 1998 Revised: _____

Subject: Transportation Department

	<u>Analyst</u>	<u>Staff Director</u>	<u>Reference</u>	<u>Action</u>
1.	<u>McAuliffe</u>	<u>Johnson</u>	<u>TR</u>	<u>Fav/1 amendment</u>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

This proposed bill is the result of the State Government Function/Activity Review Interim Project in the Florida House of Representatives. As a part of the review, House 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 the agency's mission. During the review several statutory provisions were found to have incorrect and obsolete references.

HB 4199 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.

This bill substantially amends, creates, or repeals the following sections of the Florida Statutes: 20.23, 206.46, 215.47, 234.112, 288.9607, 311.09, 331.303, 331.305, 331.308, 331.331, 334.03, 334.0445, 335.074, 335.165, 335.182, 335.188, 336.01, 336.044, 337.015, 337.139, 337.29, 337.407, 338.22, 338.221, 338.222, 338.223, 338.225, 338.227, 338.228, 338.229, 338.231, 338.232, 338.239, 338.251, 339.08, 339.091, 339.135, 339.145, 339.147, 339.175, 339.2405, 339.241, 341.051, 341.052, 341.321, 341.3333, 341.352, 343.64, 343.74, 348.0005, 348.0009, 348.248, 348.948, 349.05, 349.21, 378.411, 427.012, 427.013, 479.01, and 951.05.

II. 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 Functions/Activity Review and Prioritization Project. Statutory provisions relating to the operations of DOT were reviews to determine whether they were consistent with the agency's mission.

As part of the project, staff was instructed to identify statutes that were 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.

III. Effect of Proposed Changes:

HB 4199 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. The proposed changes are technical in nature, therefore, the bill has no substantive impact.

What follows is a section-by-section analysis of the bill:

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.

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 s. 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.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None

C. Government Sector Impact:

None

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

#1 by Transportation:

Deletes section 55 of the bill correcting a technical area.