

**STORAGE NAME:** h4553s1z.ep  
**DATE:** June 17, 1998

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

**HOUSE OF REPRESENTATIVES  
AS REVISED BY THE COMMITTEE ON  
ENVIRONMENTAL PROTECTION  
FINAL BILL RESEARCH & ECONOMIC IMPACT STATEMENT**

**BILL #:** CS/HJR 4553

**RELATING TO:** Florida 2020 Program/Bonding Authority

**SPONSOR(S):** Committee on Environmental Protection and Representative(s) Constantine, and others

**COMPANION BILL(S):** SB 2650 by Senator Laurent

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

- (1) ENVIRONMENTAL PROTECTION YEAS 12 NAYS 0
- (2) GENERAL GOVERNMENT APPROPRIATIONS YEAS 11 NAYS 0
- (3)
- (4)
- (5)

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**I. FINAL ACTION STATUS:**

On April 23, the House amended CS/HJR 4553 on the floor. The amendment stipulates that the net proceeds from bonds issued are to be distributed in the following manner: sixty-six and two-thirds percent for conservation and recreational purposes; and, thirty-three and one-third percent for educational purposes and the development of a telecommunications infrastructure for the postsecondary system in Florida. The amendment was adopted and the Resolution passed the House by a vote of 114 to 3. The Resolution was then sent to the Senate where it was referred to the Senate Committee on Natural Resources. It died in committee on May 1 with the adjournment of the Legislative Session.

**II. SUMMARY:**

This House Joint Resolution proposes a constitutional amendment proposed for ratification by the electors of the state to authorize the issuing of bonds pledging a dedicated state tax revenue or the full faith and credit of the state. These bonds would be issued to acquire land, water areas, related interests and resources for conservation, recreation, restoration, resource development, historical reservation, postsecondary education system construction, and for related capital improvements.

III. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

Pursuant to Section 11, Article VII of the State Constitution, state bonds pledging the full faith and credit of the state may be issued only to finance or refinance the cost of state fixed capital outlay projects authorized by law, and must be approved by the electors. The total outstanding principal of state bonds issued may not exceed fifty percent of the total tax revenues of the state for the preceding two fiscal years.

Revenue bonds may be issued by the state or its agencies without a vote of the electors to finance or refinance the cost of state fixed capital outlay projects authorized by law, and will be payable solely from funds derived directly from sources other than state tax revenues.

All projects financed or refinanced with revenue must be approved by the Legislature by an act relating to appropriations or general law.

B. EFFECT OF PROPOSED CHANGES:

This resolution will create Section 19 of Article VII of the State Constitution.

It proposes an amendment to be approved or rejected by the electors that will authorize the issuance of bonds pledging a dedicated state tax revenue or the full faith and credit of the state. Beginning in the year 2001, these bonds would be issued to acquire land, water areas, related interests and resources for conservation, recreation, restoration, resource development, historical reservation, postsecondary education system construction, and for related capital improvements. Net proceeds from bonds issued are to be distributed in the following manner: sixty-six and two-thirds percent for conservation and recreational purposes; and, thirty-three and one-third percent for educational purposes and the development of a telecommunications infrastructure for the postsecondary system in Florida.

Bonds issued must be authorized by the Legislature by an act relating to appropriations or by general law.

This resolution also provides the substance of the amendment proposed that will appear on the ballot.

The companion bill HB 4555 requires county supervisors of elections to add this constitutional amendment to the September 1, 1998 primary election ballot. HB 4555 and this House Joint Resolution will have to pass in order for the amendment to be voted on in the primary election.

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?

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.

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?

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:

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

No.

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

No.

4. Individual Freedom:

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

No.

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

No.

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?

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:

(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:

This section need be completed only in the discretion of the Committee.

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 resolution does not require counties or municipalities to spend funds or take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This resolution does not reduce the authority that counties or municipalities have to raise revenues.

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

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

VI. COMMENTS:

N/A

VII. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

On April 7, 1998, the Committee on Environmental Protection heard HB 4553. The bill was adopted unanimously with three amendments. The amendments did the following:

**Amendment 1:** This amendment conforms the resolution to House Bill 4555, proposing that a special election be held in September.

**Amendment 2:** This amendment allows for general bonding authority.

**Amendment 3:** This amendment is technical.

These amendments were adopted, and the bill passed as a committee substitute.

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VIII. SIGNATURES:

COMMITTEE ON ENVIRONMENTAL PROTECTION:

Prepared by:

Legislative Research Director:

Chris Flack

Wayne Kiger

AS REVISED BY THE COMMITTEE ON GENERAL GOVERNMENT APPROPRIATIONS:

Prepared by:

Legislative Research Director:

Cynthia P. Kelly

Cynthia P. Kelly

**FINAL RESEARCH PREPARED BY COMMITTEE ON ENVIRONMENTAL PROTECTION:**

Prepared by:

Legislative Research Director:

Chris Flack

Wayne Kiger