

STORAGE NAME: h4555z.ep
DATE: June 17, 1998

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

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
ENVIRONMENTAL PROTECTION
FINAL BILL RESEARCH & ECONOMIC IMPACT STATEMENT**

BILL #: HB 4555

RELATING TO: Special Election/Issuance of Bonds

SPONSOR(S): Representative(s) Constantine; and others

COMPANION BILL(S): CS/SB 1338 by Senator Latvala

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

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

I. FINAL ACTION STATUS:

On April 23, HB 4555 was amended on the floor. The amendment clarified that the proposal creating Section 19 of Article VII of the State Constitution was provided in CS/HJR 4553. The amendment was adopted and HB 4555 passed by a vote of 113 to 3. HB 4553 died in the Senate Committee on Natural Resources upon adjournment of the Legislative Session.

II. SUMMARY:

This bill proposes that a special election be held on September 1, 1998, in order to submit an amendment to the electors for approval or rejection proposing the creation of Section 19 of Article VII of the State Constitution.

This bill provides the act will take effect upon becoming law, if passed by a vote of three-fourths of the membership of each house of the Legislature

III. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

A proposed amendment to or revision of the State Constitution is required to be submitted to the electors at the next general election held more than ninety days after the joint resolution proposing it is filed with the Secretary of State. It can be submitted at an earlier special election held more than ninety days after it is filed, if enacted by a law approved by three-fourths of the membership of each house of the Legislature.

B. EFFECT OF PROPOSED CHANGES:

This act requires county supervisors of elections to add a constitutional amendment on the September 1st primary election ballot.

Committee Substitute for House Joint Resolution 4553 provides the text of the proposed amendment that will be added to the primary election ballot on September 1, 1998. The Joint Resolution and this act will have to pass in order for the amendment to be voted on in a special election in September 1998.

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:

Section 1: Provides for a constitutional amendment to be added to the September 1, 1998 primary election ballot.

Section 2: Provides for publication of the notice for the special election.

Section 3: Provides this act will take effect upon becoming law, if passed by a vote of three-fourths of the membership of each house of the Legislature.

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

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

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

VI. COMMENTS:

None.

VII. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

On April 7, 1988, the Committee on Environmental Protection heard HB 4555. The bill was adopted unanimously with no amendments.

VIII. SIGNATURES:

COMMITTEE ON ENVIRONMENTAL PROTECTION:

Prepared by:

Legislative Research Director:

Chris Flack

Wayne Kiger

FINAL RESEARCH PREPARED BY COMMITTEE ON ENVIRONMENTAL PROTECTION:

Prepared by:

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