

STORAGE NAME: h1821.ed

DATE: April 14, 1999

**HOUSE OF REPRESENTATIVES
AS REVISED BY THE COMMITTEE ON
EDUCATION APPROPRIATIONS
ANALYSIS**

BILL #: HB 1821

RELATING TO: Collegiate Athletics

SPONSOR(S): Representative Lars Hafner

COMPANION BILL(S): SB 1988 (i)

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

- (1) COLLEGES & UNIVERSITIES YEAS 5 NAYS 3
 - (2) EDUCATION APPROPRIATIONS
 - (3)
 - (4)
 - (5)
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I. SUMMARY:

The bill finds that an intrastate men's collegiate basketball tournament involving the University of Miami, the University of South Florida, the University of Florida, and Florida State University is a logical concept that would promote economic development, increase interest in collegiate athletics, and foster university pride. This bill directs these universities to develop and participate in an annual men's collegiate basketball tournament held at Tropicana Field in St. Petersburg, Florida. The universities must develop this tournament by July 1, 2000.

This bill directs the Legislature to review the economic benefits produced by the annual men's collegiate basketball tournament at the end of the tournament's fifth year and at the end of each five-year period thereafter. This bill also authorizes the Legislature to examine the feasibility of withholding discretionary funding from each of the universities if they fail to develop and agree to participate in an annual men's collegiate basketball tournament by July 1, 2000.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

UNIVERSITY OF MIAMI

The University of Miami men's basketball team is a member of the Big East Conference and concluded the 1998-1999 season with a 23-7 record (15-3 in the Big East), a tenth place national ranking by the Associated Press, and a second consecutive invitation to the National Collegiate Athletic Association (NCAA) Tournament. During the 1998-1999 season, the basketball team played two collegiate teams from the State of Florida (Florida Atlantic University and the University of Central Florida). The Big East Conference is composed of 13 teams and requires the University of Miami men's basketball team to play 18 conference games. Beginning with the 1999-2000 season, the conference will require the basketball team to play 16 conference games. The NCAA permits each basketball team to play a maximum of 27 games. Games that are played as part of a tournament are not counted against this limit. The basketball team played 30 games during the 1998-1999 season, 5 of which were played as part of a tournament.

UNIVERSITY OF SOUTH FLORIDA

The University of South Florida men's basketball team is a member of Conference USA (C-USA). During the 1998-1999 season, the basketball team played three teams from the State of Florida (the University of Central Florida, Florida State University, and Florida Atlantic University). Conference USA is composed of two divisions (American and National), with six teams in each division. The University of South Florida is a member of the National Division and the conference requires the basketball team to play each team from the National Division twice, and each team from the American Division once. Consequently, the conference requires the basketball team to play 16 conference games. The NCAA permits each basketball team to play a maximum of 27 games. Games that are played as part of a tournament are not counted against this limit. The basketball team played 28 games during the 1998-1999 season, 2 of which were played as part of a tournament.

The university's athletic department expressed concerns regarding the development of an intrastate men's collegiate basketball tournament, including:

- ▶ the university may have to forfeit some home games in order to participate in a tournament held at a neutral site;
- ▶ approximately 85% of the games that will be played during the 1999-2000 season are already scheduled, approximately 75% of the games that will be played during the 2000-2001 season are already scheduled, and approximately 50% of the games that will be played during the 2001-2002 season and thereafter are already scheduled; and
- ▶ some of the basketball team's out-of-conference opponents may agree via contract to play an annual game for as many as six years.

UNIVERSITY OF FLORIDA

The University of Florida men's basketball team is a member of the Southeastern Conference (SEC) and concluded the 1998-1999 season with a 22-9 record (10-6 in the SEC), a twenty-third place national ranking by the Associated Press, and its first invitation to the National Collegiate Athletic Association Tournament since the 1994-1995 season. During the 1998-1999 season, the basketball team played three teams from the State of Florida (Florida State University, Bethune Cookman College, and Jacksonville University). The Southeastern Conference is composed of two divisions (East and West), with six teams in each division. The University of Florida is a member of the East Division and the conference requires the basketball team to play each team from the East Division twice, and each team from the West Division once. Consequently, the conference requires the basketball team to play 16 conference games. The NCAA permits each basketball team to play a maximum of 27 games. Games that are played as part of a tournament are not counted against this limit. The basketball team played 31 games during the 1998-1999 season, 6 of which were played as part of a tournament.

The university's athletic department expressed concerns regarding the development of an intrastate men's collegiate basketball tournament, including:

- ▶ schedules are set well ahead of time;
- ▶ most out-of-conference games are scheduled a year in advance;
- ▶ a men's collegiate basketball tournament involving Florida schools has not been successful in the past; and
- ▶ the development of an annual men's collegiate basketball tournament involving the University of Miami, the University of South Florida, the University of Florida, and Florida State University is currently not feasible.

FLORIDA STATE UNIVERSITY

The Florida State University men's basketball team is a member of the Atlantic Coast Conference (ACC). During the 1998-1999 season, the basketball team played three teams from the State of Florida (the University of Florida, the University of South Florida, and Jacksonville University). The Atlantic Coast Conference is composed of nine teams. The conference requires the basketball team to play each team in the conference twice. Consequently, the conference requires the basketball team to play 16 conference games. The NCAA permits each basketball team to play a maximum of 27 games. Games that are played as part of a tournament are not counted against this limit. The basketball team played 30 games during the 1998-1999 season, 5 of which were played as part of a tournament.

The university's athletic department expressed concerns regarding the development of an intrastate men's collegiate basketball tournament, including:

- ▶ schedules are set well ahead of time;
- ▶ the basketball team currently plays the University of Florida and the University of South Florida and is currently exploring the possibility of playing the University of Miami in the near future; and
- ▶ it is illogical to play an out-of-conference team more than once during the regular season.

B. EFFECT OF PROPOSED CHANGES:

The bill finds that an intrastate men's collegiate basketball tournament involving the University of Miami, the University of South Florida, the University of Florida, and Florida State University is a logical concept that would promote economic development, increase interest in collegiate athletics, and foster university pride. This bill directs these universities to develop and participate in an annual men's collegiate basketball tournament held at Tropicana Field in St. Petersburg, Florida. The tournament must consist of a two-game series between the four basketball teams. The universities must develop this tournament by July 1, 2000.

This bill directs the Legislature to review the economic benefits produced by the annual men's collegiate basketball tournament at the end of the tournament's fifth year and at the end of each five-year period thereafter. This bill also authorizes the Legislature to examine the feasibility of withholding discretionary funding from each of the universities if they fail to develop and agree to participate in an annual men's collegiate basketball tournament by July 1, 2000.

Since the University of Miami, the University of South Florida, the University of Florida, and Florida State University are contractually obligated to play specific teams from their respective conferences, it appears that an annual men's collegiate basketball tournament involving these institutions would have to be held prior to the commencement of conference play. Because schedules are set, in some cases, years in advance, the extent to which these institutions have common open dates is unknown. Consequently, it is difficult to determine the earliest possible date an annual men's collegiate basketball tournament involving all four institutions can be held.

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?

Yes. The University of Miami, the University of South Florida, the University of Florida, and Florida State University must develop and participate in an annual men's collegiate basketball tournament.

The Legislature must review the economic benefits produced by the annual men's collegiate basketball tournament at the end of the tournament's fifth year and at the end of each five-year period thereafter.

The Legislature must also examine the feasibility of withholding discretionary funding from each of the universities if they fail to develop and agree to participate in an annual men's collegiate basketball tournament.

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

No.

b. If an agency or program is eliminated or reduced:

This bill does not eliminate or reduce an agency or program.

(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?

The bill provides basketball fans with the additional option of viewing or attending an annual men's collegiate basketball tournament involving the University of Miami, the University of South Florida, the University of Florida, and Florida State University.

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:

This bill does not purport 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:

This bill does not create or change a program providing services to families or children.

- (1) parents and guardians?

N/A.

- (2) service providers?

N/A.

- (3) government employees/agencies?

N/A.

D. STATUTE(S) AFFECTED:

Creates an unspecified section of the Florida Statutes.

E. SECTION-BY-SECTION ANALYSIS:

SECTION 1: This bill (1) directs the University of Miami, the University of South Florida, the University of Florida, and Florida State University to develop and participate in an annual men's collegiate basketball tournament held at Tropicana Field in St. Petersburg, Florida; (2) directs the Legislature to review the economic benefits produced by the annual men's collegiate basketball tournament at the end of the tournament's fifth year and at the end of each five-year period thereafter; and (3) authorizes the Legislature to examine the feasibility of withholding discretionary funding from each of the universities if they fail to develop and agree to participate in an annual men's collegiate basketball tournament by July 1, 2000.

SECTION 2: Establishes an effective date of July 1, 1999.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

Please see FISCAL COMMENTS.

2. Recurring Effects:

Please see FISCAL COMMENTS.

3. Long Run Effects Other Than Normal Growth:

Please see FISCAL COMMENTS.

4. Total Revenues and Expenditures:

Please see FISCAL COMMENTS.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

Please see FISCAL COMMENTS.

2. Recurring Effects:

Please see FISCAL COMMENTS.

3. Long Run Effects Other Than Normal Growth:

Please see FISCAL COMMENTS.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

Please see FISCAL COMMENTS.

2. Direct Private Sector Benefits:

Please see FISCAL COMMENTS.

3. Effects on Competition, Private Enterprise and Employment Markets:

Please see FISCAL COMMENTS.

D. FISCAL COMMENTS:

Developing an intrastate men's collegiate basketball tournament involving the University of Miami, the University of South Florida, the University of Florida, and Florida State University could generate a substantial amount of revenues for the City of St. Petersburg, Florida and its surrounding areas.

This bill authorizes the Legislature to examine the feasibility of withholding discretionary funding from each of the universities if they fail to develop and agree to participate in an annual men's collegiate basketball tournament by July 1, 2000.

The ticket revenue generated from the basketball tournament is indeterminate. Currently, state universities deposit athletic ticket revenue in local funds for intercollegiate athletics which are nonappropriated funds.

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 spend funds or to take action which requires the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill 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 a state tax shared with counties and municipalities.

V. COMMENTS:

The amendment referenced below increases the number of institutions directed to develop and participate in the annual intrastate men's collegiate basketball tournament by including Florida Agricultural and Mechanical University. The amendment does not address references in the bill to "four" institutions or the requirement of "a two-game series between four institutions."

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

On March 31, 1999, the House Committee on Colleges & Universities adopted an amendment that is currently traveling with the bill. The amendment increases the number of institutions directed to develop and participate in the annual intrastate men's collegiate basketball tournament by including Florida Agricultural and Mechanical University.

VII. SIGNATURES:

COMMITTEE ON COLLEGES & UNIVERSITIES:

Prepared by:

Daniel Furman

Staff Director:

Betty H. Tilton, Ph.D.

AS REVISED BY THE COMMITTEE ON EDUCATION APPROPRIATIONS:

Prepared by:

Ruth Storm Feiock

Staff Director:

John Newman