

STORAGE NAME: h1627z.ca
DATE: May 12, 2000

****AS PASSED BY THE LEGISLATURE****
CHAPTER #: 00-440, Laws of Florida

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
COMMUNITY AFFAIRS
FINAL ANALYSIS - LOCAL LEGISLATION**

BILL #: 1ST ENG/HB 1627
RELATING TO: Hillsborough County/Performance Audits
SPONSOR(S): Representative Murman and others
TIED BILL(S): None

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

- (1) COMMUNITY AFFAIRS (PRC) YEAS 7 NAYS 0
 - (2)
 - (3)
 - (4)
 - (5)
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I. SUMMARY:

This bill provides for repeal of all performance auditing requirements relating to the Hillsborough County Aviation Authority, Hillsborough County Civil Service Board, Hillsborough County Environmental Protection Commission, Hillsborough County Hospital Authority, Hillsborough County City-County Planning Commission, Tampa Port Authority, Hillsborough County Public Transportation Commission, and the Tampa Sports Authority.

According to the Economic Impact Statement, there is a positive fiscal impact.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|---|-----------------------------|---|
| 1. <u>Less Government</u> | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

The 1994 Florida Legislature mandated performance audits for the Hillsborough County Aviation Authority, the Hillsborough County Civil Service Board, the Hillsborough County Environmental Protection Commission, the Hillsborough County Hospital Authority, the Hillsborough County City-County Planning Commission, the Tampa Port Authority, the Hillsborough County Public Transportation Commission, and the Tampa Sports Authority.

Every four years the audits are required to be repeated, under the guidelines of the Government Auditing Standards by the U.S. Comptroller General. In earlier years, some agencies did not use auditors meeting those standards, resulting in 1996 and 1998 clarifying amendments.

The Hillsborough County Local Legislative Delegation, by internal rule, appointed a subcommittee, the Delegation Oversight Committee, to review the audits and advise the Delegation on the question of whether the agency should continue, under special act, and whether it is operating under optimum efficiency. The Delegation also created the Citizens' Audit Advisory Board, to review audits and report its findings to the Committee. The Delegation used the Board for three out of five required audits.

The Hospital Authority did not perform its first audit and the Public Transportation Commission audit failed to comply with law. The various entities required to undergo audits frequently questioned this requirement. Due to their complaints, and some concern about the auditors chosen, the Legislature passed ch. 99-476, L.O.F., to postpone audits for one year, to allow the Delegation to appoint a committee to examine the situation.

The committee's report contains the following suggestions:

The Delegation could repeal the special act requirements for the three entities (Civil Service, EPC, and Planning) funded by the county and allow the Board of County Commissioners to audit, at will, pursuant to general law; repeal the requirement for the Hospital Authority which has limited responsibilities following the privatization of Tampa General Hospital; and retain some form of audit requirement for the independent special districts, perhaps in conjunction with one of the other options recommended for consideration.

The report additionally points out that Hillsborough County is the only county which mandates recurring performance audits.

C. EFFECT OF PROPOSED CHANGES:

This bill provides for the repeal of provisions requiring performance audits for the following Hillsborough County entities: Aviation Authority, Civil Service Board, Environmental Protection Commission, Hospital Authority, City-County Planning Commission, Public Transportation Commission, and for the Tampa Port Authority and the Tampa Sports Authority.

Each designated entity can reallocate the funds currently earmarked for audits, which amounts to about \$15,000 a year, according to the Economic Impact Statement. This bill is also thought to facilitate a more level playing field between designated entities and other similarly situated entities statewide, regarding competition. On the other hand, audit findings present the opportunity to maximize efficiency, which necessarily involves achieving the best results at the lowest cost.

D. SECTION-BY-SECTION ANALYSIS:

Section 1: Repeals the following Laws of Florida: Chapters 94-405, 94-408, 94-412, 96-513, 96-515, 96-516, 96-518, 98-476, 98-477, 98-478, 98-479, 98-480, 98-481, 98-482, 99-476, s. 27 of 95-488, s.10 of 96-449, s.20 of 96-519, only s.13A, 13B, and 13C of 96-520, and s.7 of 97-351.

Section 2: Provides for an effective date upon becoming a law.

III. NOTICE/REFERENDUM AND OTHER REQUIREMENTS:

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN? January 25, 2000

WHERE? The Times, St. Petersburg Times

B. REFERENDUM(S) REQUIRED? Yes No

IF YES, WHEN?

C. LOCAL BILL CERTIFICATION FILED? Yes, attached No

D. ECONOMIC IMPACT STATEMENT FILED? Yes, attached No

IV. COMMENTS:

A. CONSTITUTIONAL ISSUES:

N/A

B. RULE-MAKING AUTHORITY:

N/A

C. OTHER COMMENTS:

The Economic Impact Statement indicates that this bill will reduce the quadrennial cost to each of the agencies by a minimum of \$60,000. The Delegation is unable to estimate the additional savings resulting from reduced staff attention to coordination with auditors.

V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

Committee on Community Affairs

The Committee on Community Affairs adopted an amendment on March 30, 2000. This technical amendment clarifies the intent to repeal only the performance auditing requirement for the Tampa Sports Authority. The House approved the amendment on April 28, 2000 and subsequently engrossed the amendment into HB 1627, 1st Eng.

VI. SIGNATURES:

COMMITTEE ON COMMUNITY AFFAIRS:

Prepared by:

Cindy M. Brown, J.D.

Staff Director:

Joan Highsmith-Smith

FINAL ANALYSIS PREPARED BY THE COMMITTEE ON COMMUNITY AFFAIRS:

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