

**STORAGE NAME:** h4023.grr

**DATE:** February 4, 2000

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON  
GOVERNMENTAL RULES AND REGULATIONS  
ANALYSIS**

**BILL #:** HB 4023 (PCB RC 00-12)

**RELATING TO:** Florida Statutes

**SPONSOR(S):** Committee on Rules and Calendar and Representative Sublette

**TIED BILL(S):** None

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

- (1) RULES AND CALENDAR YEAS 15 NAYS 0
  - (2) GOVERNMENTAL RULES AND REGULATIONS
  - (3)
  - (4)
  - (5)
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I. SUMMARY:

This bill repeals portions of Fla. Stat. Ch. 120, the Administrative Procedure Act, that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- |                                   |                              |                             |                                         |
|-----------------------------------|------------------------------|-----------------------------|-----------------------------------------|
| 1. <u>Less Government</u>         | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" 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 type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" 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 Committee on Governmental Rules and Regulations was asked to review a number of sections of the Florida Statutes to determine if those sections have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded. The committee identified a number of such sections and referred that information to the House Committee on Rules and Calendar, which resulted in the drafting and passage of Proposed Committee Bill RC 00-12 by that committee. That Proposed Committee Bill is now before the Committee on Governmental Rules and Regulations as House Bill 4023. See "Section-by-Section Analysis" for present situation on each of the sections of the bill.

C. EFFECT OF PROPOSED CHANGES:

N/A

D. SECTION-BY-SECTION ANALYSIS:

Section one. Repeals Fla. Stat. s. 120.536(2)(a). This section provided for the 1998 rule review and authorization process which concluded July 1, 1999. Renumbers subsequent subsection.

Section two. Repeals Fla. Stat. s. 120.574(2)(g). This section was a requirement of the Division of Administrative Hearings to maintain a registry for 2 years of proceedings filed under section 120.57(1), and concluded October 1, 1998.

Section three. Repeals Fla. Stat. s. 120.695(2)(b) - (f). This section was a requirement of state agencies to identify and designate rules for which a violation is a minor violation. This activity concluded January 1, 1996.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

N/A

2. Expenditures:

N/A

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

N/A

2. Expenditures:

N/A

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

N/A

D. FISCAL COMMENTS:

N/A

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

N/A

B. REDUCTION OF REVENUE RAISING AUTHORITY:

N/A

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

N/A

V. COMMENTS:

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A. CONSTITUTIONAL ISSUES:

N/A

B. RULE-MAKING AUTHORITY:

N/A

C. OTHER COMMENTS:

Section two of the bill, repealing Fla. Stat. s. 120.574(2)(g), is included in a Reviser's Bill and must be stricken from this bill.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VII. SIGNATURES:

COMMITTEE ON GOVERNMENTAL RULES AND REGULATIONS:

Prepared by:

Staff Director:

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David M. Greenbaum

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