

STORAGE NAME: h4033a.tu

DATE: February 22, 2000

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
TOURISM
ANALYSIS**

BILL #: HB 4033 (PCB RC 00-17)

RELATING TO: Florida Statutes/Repeals

SPONSOR(S): Committee on Rules and Calendar and Representative Bradley

TIED BILL(S):

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

(1)	RULES & CALENDAR	YEAS	19	NAYS	0
(2)	TOURISM	YEAS	7	NAYS	0
(3)					
(4)					
(5)					

I. SUMMARY:

House Bill 4033 repeals obsolete and inoperative provisions from various provisions of law relating to art in state buildings; contracts for preservation of historic properties between the Department of State and the City of St. Augustine and not-for-profit organizations in the Florida Keys and Tallahassee; plans for the disposition, development, and operation of foreign offices; certification of the professional golf hall of fame facility; the Florida Commission on Tourism and its direct support organization; and firesafety requirements for public lodging establishments for which construction contracts were let prior to October 1, 1983. Statements of legislative intent and purpose are not repealed.

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:

During the 1999 interim, Speaker Thrasher, President Jennings, and Governor Bush requested their respective staffs to conduct a review of the Florida Statutes with the goal of repealing those statutory sections (and portions of statutory sections) that are obsolete, redundant, inoperative, or that no longer served their intended function. Statutory Revision participated in the review and drafted suggestions for changes in law. Public input was solicited through Online Sunshine.

Committee staff reviewed proposed changes and made suggestions for inclusion or deletion in what was to become the repeal bill for areas under the jurisdiction of the Tourism Committee. Prior to making suggestions staff consulted with the Departments of State, Management Services, and Business and Professional Regulation, the Florida Commission on Tourism and its direct support organization (VISIT FLORIDA), and the Florida Sports Foundation. Additionally, Statutory Revision developed reviser bills which were reviewed by substantive committee staff. After consultation with staff from Statutory Revision and the Rules Committee, the repeal bill was refined to delete some provisions included in the reviser bills and the same was done with the reviser bills.

C. EFFECT OF PROPOSED CHANGES:

House Bill 4033 repeals obsolete and inoperative provisions from various statutes, amends provisions to conform to repealed provisions, and corrects cross references. Statements of legislative intent and purpose are not addressed by this bill. Please see the Section-By-Section Analysis for a description of each change.

D. SECTION-BY-SECTION ANALYSIS:

Section 1. Repeals s. 255.043(4), F.S., to remove an obsolete provision stating that the requirement for a percentage of funds for construction of public buildings be used for art in state buildings does not apply to funds appropriated prior to July 1, 1979.

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- Section 2. Amends s. 267.171, F.S., to delete certain requirements that have already been fulfilled regarding the transfers of certain monies to the City of St. Augustine to assume the responsibilities for management of state historical properties from the Historic St. Augustine Preservation Board.
- Section 3. Amends s. 267.172, F.S., to delete language regarding appropriations from certain trust funds that are no longer in existence. The transfer of resources has already been accomplished.
- Section 4. Amends s. 288.012, F.S., deleting obsolete requirements for the development of a plan on foreign offices that was to be prepared by various entities, including the Florida Commission on Tourism, and submitted to the Office of Tourism, Trade, and Economic Development by September 1, 1997. Other past, nonfunctional dates were deleted and changes were made to conform to the deletion of paragraph (1)(c).
- Section 5. Amends s. 288.1168, F.S., relating to the professional golf hall of fame facility, to delete requirements for screening and certification that are now obsolete since Florida has a professional golf hall of fame facility. Other provisions were amended to conform to provisions deleted.
- Section 6. Amends s. 288.1223(2)(a), F.S., deleting obsolete dates regarding the appointment of members to the Florida Commission on Tourism.
- Section 7. Repeals subsection (8) and amends subsections (1), (4), and (5) of s. 288.1224, F.S., relating to the powers and duties of the Florida Commission on Tourism. An obsolete date requiring a time certain for contracting with a direct support organization is removed from subsection (1). Subsection (4) is amended to remove language regarding an OPPAGA report that has already been completed and to add specific language regarding report requirements for a future OPPAGA report that had only been included by reference to the earlier report requirements. Subsection (5) is amended to remove an obsolete date. Subsection (8), pertaining to a report to the Legislature by December 31, 1996, is repealed.
- Section 8. Repeals subsections (3) and (4) of s. 509.215, F.S., relating to certain firesafety standards for public lodging establishments for which construction contracts were let before October 1, 1983. The requirements are outdated and no longer needed.
- Section 9. Provides an effective date of becoming a law.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

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2. Expenditures:

None

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None

D. FISCAL COMMENTS:

None

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 take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate.

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

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

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

None

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B. RULE-MAKING AUTHORITY:

None

C. OTHER COMMENTS:

None

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VII. SIGNATURES:

COMMITTEE ON TOURISM:

Prepared by:

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