

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 1342

SPONSOR: Senator Constantine

SUBJECT: Elevator Safety Technical Committee

DATE: January 26, 2004 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Oxamendi</u>	<u>Imhof</u>	<u>RI</u>	<u>Favorable</u>
2.	_____	_____	<u>GO</u>	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

The bill recreates the Elevator Safety Technical Advisory Committee within the Department of Business and Professional Regulation, Division of Hotels and Restaurants.

The bill repeals s. 399.106, F.S., which initially created the Elevator Safety Technical Advisory Committee, but which terminated it effective December 31, 2003. The recreated committee's membership would be increased from that of the previous committee from seven to eight members by adding one member who is a certified elevator inspector from a private inspection service.

The bill provides for the appointment of committee members and for the reappointment of committee members whose appointments were terminated on December 31, 2003.

The bill would take effect upon becoming law.

This bill creates section 399.1061, Florida Statutes, and an unnumbered section of the Florida Statutes.

This bill repeals section 399.106, Florida Statutes.

II. Present Situation:

The seven member Elevator Safety Technical Advisory Committee was created under s. 399.106, F.S., within the Department of Business and Professional Regulation, Division of Hotels and Restaurants. The purpose of this committee was to provide technical assistance to the

Division of Hotels and Restaurants. Effective December 31, 2003, the committee was terminated by operation of s. 399.106(4), F.S.

III. Effect of Proposed Changes:

Section 1. The bill creates s. 399.1061, F.S., to recreated the Elevator Safety Technical Advisory Committee (“the committee”) within the Department of Business and Professional Regulation, Division of Hotels and Restaurants.

The bill duplicates the provisions of s. 199.106, F.S. (2003), which provisions terminated on December 31, 2003, but also increases the membership of the committee. The committee’s membership would be increased from seven to eight members by adding one member who is a certified elevator inspector from a private inspection service.

The bill does not provide for the termination of the committee on a fixed date.

Section 2. The bill provides for the reappointment of any committee member whose term of office was terminated on December 31, 2003, provided that the appointment was held for less than 4 years on that date. The reappointment would be for the remainder of the initial four year term. The bill provides that the Secretary of the Department of Business and Professional Regulation shall appoint the other members to staggered terms as provided by s. 399.1061, F.S.

Section 3. The bill repeals s. 399.106, F.S.

Section 4. The bill provides that this act shall take effect upon becoming law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

This bill recreates the Elevator Safety Technical Advisory Committee, but would increase the membership of the committee. According to the division, the cost of the per diem travel would be minimal and absorbed in the existing budget.

VI. Technical Deficiencies:

Section 1 of the bill is substantially similar to section 1 of the CS for SB 494 by the Regulated Industries Committee and Senator Bennett, section 2 of SB 680 by Senator Smith, and section 1 of SB 520 by Senator Constantine.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
