

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1143

Century Commission for a Sustainable Florida

SPONSOR(S): Davis

TIED BILLS:

IDEN./SIM. BILLS: CS/SB 318

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Committee on Infrastructure</u>	<u>8 Y, 0 N</u>	<u>Peterson</u>	<u>Miller</u>
2) <u>Economic Expansion & Infrastructure Council</u>	<u></u>	<u>Peterson</u>	<u>Tinker</u>
3) <u>Policy & Budget Council</u>	<u></u>	<u></u>	<u></u>
4) <u></u>	<u></u>	<u></u>	<u></u>
5) <u></u>	<u></u>	<u></u>	<u></u>

SUMMARY ANALYSIS

The bill provides a number of revisions to the Century Commission for a Sustainable Florida, created in the 2005 legislative session. In particular, the bill:

- Expands the membership of the Century Commission from 15 to 18 members, requires the new appointments to be made by October 1, 2007, and revises the appointment criteria for commission members.
- Restricts commission members from having a direct or indirect interest in any contract or benefit awarded by the commission during the member's term and for two years after the end of that member's term.
- Expands the responsibilities of the commission to include the creation and dissolution of advisory committees as necessary, the receipt of contributions from any source to further the mission of the commission, and the preparation and submission of a budget.

The bill assigns the commission to the Office of Legislative Services for purposes of administration and fiscal accountability, but provides that it shall function independently. The commission will appoint an executive director and is authorized to fix the salary for the position. Further the bill authorizes the executive director to hire staff necessary with the consent of the commission.

The bill provides a recurring appropriation of \$300,000 to the commission for salaries and other administrative expenses and makes the conforming changes to distribute such funds.

The bill provides an effective date of July 1, 2007.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Provide limited government: The bill expands the membership of the Century Commission for a Sustainable Florida and expands the powers and duties of the commission. The commission is assigned to the Office of Legislative Services for the purposes of administration and fiscal responsibility, but the commission will function independently.

B. EFFECT OF PROPOSED CHANGES:

Present Situation

In 2005, the Legislature created the 15 member Century Commission for a Sustainable Florida (commission) as a standing body to assist citizens with envisioning and planning the state's future using a 25-year and 50-year horizon (s. 163.3247, Florida Statutes). The commission has an executive director who is appointed by and serves at the pleasure of the Secretary of the Department of Community Affairs (DCA). DCA provides staff and resources as necessary to the commission.

As part of its responsibilities, each year the commission shall:

- Develop and recommend policies or strategies to achieve the citizens' vision of the state's future;
- Inquire how the state and local governments can best accommodate the projected population increase while maintaining those qualities that are the basis for our quality of life;
- Bring various interests together to develop a shared image of the state's developed and natural areas;
- Focus on essential state interests that are most appropriately conserved, protected, and promoted at the state level; and
- Serve as a repository of community building ideas and a source of strategies and practices that encourage collaborative approaches to growth management issues.

In addition, the commission is to submit an annual report to the Legislature and the Governor which contains specific recommendations for addressing growth management in the state. Those recommendations are to be reviewed by a joint select committee of the Legislature. The commission's recommendations were presented to the Joint Select Committee to Receive the Century Commission Report on March 12, 2007.

Effect of Proposed Changes:

The bill expands the membership of the commission from 15 to 18 members. These three additional appointments are to be made by October 1, 2007, six each to be appointed by the Governor, the President of the Senate and the Speaker of the House of Representatives. It revises the criteria for appointments to the commission, requiring that the membership reflect the racial, ethnic, and gender diversity, as well as the geographic distribution, of the population. It also deletes obsolete language.

The bill restricts a member of the commission from having an interest, either direct or indirect, in any contract or benefit awarded by the commission while the member serves on the commission and for two years after termination of the member's appointment.

In addition, the bill expands the powers and duties of the commission to:

- Create and dissolve advisory committees or similar committees as necessary;

- Receive and accept contributions from any source to use in furtherance of the mission of the commission; and
- Prepare and submit a budget under ch. 216. F.S.

The bill moves the appointment of the executive director of the commission from the Secretary of the DCA to the commission. It authorizes the commission to fix the salary of the executive director. The executive director may employ staff as necessary within budgetary limitations and with the consent of the commission. The commission is assigned to the Office of Legislative Services for the purposes of administration and fiscal responsibility, but the commission will function independently. The Office of Legislative Services will provide staff and other resources to the commission based on the recommendations of the Legislature.

The bill appropriates \$300,000 in recurring funds to the commission for salaries and other administrative expenses during the 2007-08 fiscal year. It revises s. 201.15(1)(d), F.S., to distribute the \$300,000 (in addition to the existing \$250,000 in recurring funding for a total of \$550,000) to the Grants and Donations Trust Fund in the DCA for the support of the commission.

The bill takes effect July 1, 2007.

C. SECTION DIRECTORY:

- Section 1:** Amends s. 163.3247, F.S., relating to the Century Commission for a Sustainable Florida, to: expand the membership of the commission, revise provisions governing appointments to the commission, prohibit a member of the commission from having certain interests in contracts or benefits awarded by the commission, provide for additional powers and duties of the commission, revise provisions concerning appointment and oversight of the executive director of the commission, and transfer the commission to the Office of Legislative Services for administrative purposes.
- Section 2:** Provides that the three additional appointments to the commission be made by October 1, 2007.
- Section 3:** Amends s. 201.15, F.S., to increase the appropriation to the DCA of proceeds from the excise tax on documents, and that such an increase is to fund the commission.
- Section 4:** Provides for \$300,000 in recurring funds to be appropriated to fund the commission for the purpose of paying salaries and other administrative expenses during the 2007-08 fiscal year.
- Section 5:** Provides that the act shall take effect July 1, 2007.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

The bill authorizes the commission to receive and accept contributions from any source to use in furtherance of its mission.

2. Expenditures:

The bill appropriates \$300,000 in recurring funds to the commission for the purpose of paying salaries and other administrative expenses of the commission during the 2007-08 fiscal year.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

The bill appropriates \$300,000 in recurring funds to the commission for salaries and other administrative expenses during the 2007-08 fiscal year. It revises s. 201.15(1)(d), F.S., to distribute the \$300,000 (in addition to the existing \$250,000 in recurring funding for a total of \$550,000) to the Grants and Donations Trust Fund in the DCA for the support of the commission.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

The text of this bill conforms to the Senate Community Affairs strike-all amendment adopted February 21, 2007.

D. STATEMENT OF THE SPONSOR

No statement submitted.

IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES

The Committee on Infrastructure considered HB 1143 on March 20, 2007 and adopted one amendment which removed a provision for a recurring increase in documentary stamp tax funds in support of the Century Commission, and removed an appropriation. The bill was reported favorably with the amendment.