STORAGE NAME: h01069.go
DATE: March 25, 1997

HOUSE OF REPRESENTATIVES
COMMITTEE ON
GOVERNMENTAL OPERATIONS
BILL ANALYSIS & ECONOMIC IMPACT STATEMENT

BILL #: HB 1069

RELATING TO: Secretary of State (State Song Commission)

SPONSOR(S): Representative Logan & others

STATUTE(S) AFFECTED: Unnumbered Section

COMPANION BILL(S): SB 1026 (s)

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:
(1) GOVERNMENTAL OPERATIONS
(2) TRANSPORTATION & ECONOMIC DEVELOPMENT APPROPRIATIONS
(3)
(4)
(5)

I. SUMMARY:

HB 1069 provides for the creation of a State Song Commission comprised of eleven unsalaried members, for the purpose of developing and holding a contest for the selection of a new official state song.

The winner of the contest, who must be a resident of Florida, or any person nominated by the winner, will be awarded a full four-year, tuition waived scholarship to any state university in Florida, or to any other school in the United States.

This bill provides that after selecting the song, the commission will prepare legislation for introduction by a member of the Florida Legislature amending Chapter 15, F.S., and declaring an official state song. This bill provides for repeal of the act creating the State Song Commission effective July 1, 1998.

HB 1069 does not appear to have a fiscal impact on local governments.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

The current official song of the State of Florida is "*Old Folks At Home*", pursuant to House Concurrent Resolution Number 22. It was introduced by S.P. Robineau, of Miami, during the 1935 legislative session.

B. EFFECT OF PROPOSED CHANGES:

HB 1069 provides for the creation of a State Song Commission ("Commission") of eleven persons from varied backgrounds. The commission is charged with the responsibility of conducting a contest for the selection of a new state song. The Commission must, upon selection of the official state song, prepare legislation amending Chapter 15, of The Florida Statutes, declaring Florida's official state song. HB 1069 also provides for a full four-year tuition waived scholarship, or its equivalent, to the winner of the contest, or their nominee. This bill provides for a one year life for the attendant Act, from July 1, 1997, to July 1, 1998.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

Yes. The Commission is charged with establishing rules to conduct the new state song contest.

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

No.

(3) any entitlement to a government service or benefit?

Yes. There will be a four year tuition waived scholarship, or the equivalent, awarded to the winner of the official state song contest, or the winner's nominee.

b. If an agency or program is eliminated or reduced:

Not Applicable.

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

(2) what is the cost of such responsibility at the new level/agency?

(3) how is the new agency accountable to the people governed?

2. Lower Taxes:

a. Does the bill increase anyone's taxes?

Due to the small total cost, there would be no material increase in taxes.

b. Does the bill require or authorize an increase in any fees?

No.

c. Does the bill reduce total taxes, both rates and revenues?

No.

d. Does the bill reduce total fees, both rates and revenues?

No.

e. Does the bill authorize any fee or tax increase by any local government?

No.

3. Personal Responsibility:

a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

No.

b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

No.

4. Individual Freedom:

a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

Yes. The scholarship will increase the educational options of one individual.

b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

No.

5. Family Empowerment:

a. If the bill purports to provide services to families or children:

Not Applicable.

(1) Who evaluates the family's needs?

(2) Who makes the decisions?

(3) Are private alternatives permitted?

(4) Are families required to participate in a program?

(5) Are families penalized for not participating in a program?

b. Does the bill directly affect the legal rights and obligations between family members?

Not Applicable.

c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

Not Applicable.

(1) parents and guardians?

(2) service providers?

(3) government employees/agencies?

D. SECTION-BY-SECTION ANALYSIS:

Section 1 - Creates a State Song Commission composed of eleven members reflecting the ethnic, cultural, and geographic makeup of the state, six members to be appointed by the Secretary of State, and five members to be appointed by the Governor.

The commission members will serve without compensation or honorarium, but will receive travel expenses and per diem.

All actions taken by the commission shall be by a vote of two-thirds of those present, and it shall make rules for, and hold a contest, open to any resident of the state, for the selection of the new official state song of Florida. The winner of the contest, or their nominee, will be awarded a full four-year tuition waived scholarship to any state university in Florida, or a scholarship in an equivalent amount, to any other school in the United States.

The commission shall, upon selection of the new official state song, prepare legislation amending Chapter 15, of the Florida Statutes, declaring Florida's official state song for introduction by a member of either house of the Legislature, at the next regular session of the Florida Legislature. HB 1069 provides for repeal of the act creating the State Song Commission effective July 1, 1998.

Section 2 - Provides for an effective date of July 1, 1997.

III. <u>FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT</u>:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. <u>Non-recurring Effects</u>:

The new state song contest winner, or the winner's nominee, will be awarded a four year tuition waived scholarship. The education is estimated to be valued at approximately $8,000 (in 1997 dollars). The travel expenses and per diem for the eleven member commission have been estimated at approximately $3,500 to $4,000 each time the commission meets.

2. Recurring Effects:

   None. The life of the commission would be one year.

3. Long Run Effects Other Than Normal Growth:

   None.

4. Total Revenues and Expenditures:

   This amount is difficult to determine, as it is unknown how many times the commission will have to meet to complete its work.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

   None.

2. Recurring Effects:

   None.

3. Long Run Effects Other Than Normal Growth:

   None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

   None.

2. Direct Private Sector Benefits:

   A resident, or the resident's nominee, will be awarded a scholarship with an estimated value of $8,000.

3. Effects on Competition, Private Enterprise and Employment Markets:

   None.

D. FISCAL COMMENTS:

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

A. APPLICABILITY OF THE MANDATES PROVISION:

HB 1069 does not require counties or municipalities to spend funds or to take action which requires the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

HB 1069 does not reduce the authority that counties or municipalities have to raise revenues in the aggregate.

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

HB 1069 does not reduce the percentage of state tax shared with counties and municipalities.

V. COMMENTS:

HB 1069 does not limit the type of school the contest winner (or their nominee) could choose to attend. The only limitation to the choice of schools is that the school must be in the United States. The entrants to the contest must be Florida residents, but the winner's nominee (if the winner chooses a nominee), does not have to be a Florida resident.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

VII. SIGNATURES:

COMMITTEE ON GOVERNMENTAL OPERATIONS:

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