

STORAGE NAME: hb4355

DATE: March 16, 1998

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
TOURISM
BILL RESEARCH & ECONOMIC IMPACT STATEMENT**

BILL #: HB 4355 (PCB TU 98-05)

RELATING TO: Tourism

SPONSOR(S): Committee on Tourism

COMPANION BILL(S): SB 1298 (I)

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

(1) TOURISM YEAS 10 NAYS 0

(2)

(3)

(4)

(5)

I. SUMMARY:

The bill amends several sections of the statutes which relate to the Florida Commission on Tourism. It corrects one of the references to the commission's strategic plan by changing the time frame from 5-years to 4-years, thereby making it the same as the other references. A correction is made in the definition of "tourist" to reflect that a person who participates in trade or recreation activities outside of his or her home county and not country is considered a tourist. The bill also removes an obsolete reference to when the commission's first meeting must take place and provides that the commission will elect its vice-chair annually instead of biennially. Finally, the bill adds a provision relating to the term lengths of the 17 general-tourism-industry members to make the 2, four-year consecutive term limit apply only after July 31, 1996.

The bill has no fiscal impact.

II. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

Section 288.1221, F.S., provides the legislative intent for the creation of the public-private partnership charged with promoting Florida tourism. In this section, the Legislature authorizes the partnership to recommend a 5-year industry-standard marketing plan and a comparable organization to carry out such a plan. Further intent is given by the Legislature in this section to consider the recommendations made in a 1992 report to the Legislature by the Florida Tourism Commission. This report contained a 5-year strategic plan for marketing tourism. During the 1992 Regular Session, the Legislature created the currently existing Florida Commission on Tourism and required this permanent commission to develop and recommend a 4-year marketing plan based on the original 5-year plan (due to passage of the year it took to pass the legislation). Consequently, the other references in the statutes relating to the commission and the marketing plan speak of a 4-year plan.

Section 288.1222, F.S., provides definitions for the body of law which relates to the State's tourism promotion efforts. Part of the Commission on Tourism's strategic plan initiatives is to promote in-state tourism to Florida's residents in an effort to keep that market share within the State. To describe such "tourists" the definition was intended to encompass Florida's resident tourists who cross county, not country lines.

Section 288.1223, F.S., provides for the creation and activities of the Florida Commission on Tourism. This section requires the commission to hold its first meeting by no later than September 1992. Additionally, this section provides that the commission is to elect a vice-chair on a biennial basis. This provision was originally intended to provide leadership continuity for the commission in an election year since the Governor is required to serve as the Commission chair. The original commission has been in existence since 1992 and feels that its stability warrants the election of a vice-chair on an annual basis.

Section 288.1223, F.S., also provides limits to the number of consecutive terms the 17 general-tourism-industry members may be eligible to serve. Prior to 1996, the commission was an advisory body and when the public/private partnership became such, the original 17 general-tourism-industry members continued on as members of the revised commission. Consequently, a number of those carry-over members will not be eligible to continue to serve the commission in its new status as a public/private partnership.

B. EFFECT OF PROPOSED CHANGES:

The bill amends s. 288.1221, F.S., to correct one of the references to the commission's strategic plan by changing the time frame from 5-years to 4-years, thereby making it the same as the other references. Section 288.1222, F.S., is amended to correct the definition of "tourist" to reflect that a person who participates in trade or recreation activities outside of his or her home county and not country is considered a tourist. The bill also amends s. 288.1223, F.S., to remove an obsolete reference to when the commission's first meeting must take place and to provide that the commission will elect its vice-chair annually instead of biennially. Finally, the bill adds a provision relating to the term lengths of the 17 general-tourism-industry members to make the 2, four-year

consecutive term limit apply only after July 31, 1996. The extension of term eligibility for the original 17 general-tourism-industry members will allow those members who served during the time the commission was an advisory body to be eligible to continue to serve now that the commission has administrative authority over the State's tourism promotion programs.

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?

No.

(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?

No.

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

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

N/A

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

N/A

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

N/A

2. Lower Taxes:

- a. Does the bill increase anyone's taxes?

N/A

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

N/A

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

N/A

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

N/A

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

N/A

3. Personal Responsibility:

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

N/A

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

N/A

4. Individual Freedom:

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

N/A

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

N/A

5. Family Empowerment:

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

(1) Who evaluates the family's needs?

N/A

(2) Who makes the decisions?

N/A

(3) Are private alternatives permitted?

N/A

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

N/A

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

N/A

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

N/A

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:

(1) parents and guardians?

N/A

(2) service providers?

N/A

(3) government employees/agencies?

N/A

D. STATUTE(S) AFFECTED:

Sections 288.1221, 288.1222, and 288.1223, F.S.

E. SECTION-BY-SECTION RESEARCH:

A section-by-section analysis is not required.

III. FISCAL RESEARCH & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

4. Total Revenues and Expenditures:

None.

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.

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C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

None.

2. Direct Private Sector Benefits:

None.

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

None.

D. FISCAL COMMENTS:

N/A

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 expend funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority of counties or municipalities to raise revenue.

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

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

V. COMMENTS:

None

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

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VII. SIGNATURES:

COMMITTEE ON TOURISM:

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