

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

BILL: SB 1218

SPONSOR: Senator McKay

SUBJECT: Legislature

DATE: April 21, 2000 REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Wilson</u>	<u>Wilson</u>	<u>GO</u>	<u>Favorable</u>
2.	<u>Hendon</u>	<u>Hadi</u>	<u>FP</u>	<u>Favorable</u>
3.	_____	_____	<u>RC</u>	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

## I. Summary:

The bill creates a Joint Legislative Committee on Statutory Oversight charged with conducting a continuous review of obsolete and inactive statutes and governmental functions no longer needing to be performed.

This bill creates section 11.65, Florida Statutes.

## II. Present Situation:

Chapter 11, Florida Statutes, delineates the functions to be performed by many of the internal units of the Legislative Branch of Government. Chief among them are the Auditor General and its supervising body, the Joint Legislative Auditing Committee, the Office of Program Policy and Governmental Accountability, the general services operations which provide administrative support to the Legislature, the Division of Statutory Revision, along with three other joint legislative entities. The statutory revision unit is responsible for the continuous updating of the Florida Statutes and is directed to develop revision bills which provide necessary grammatical and syntactical consistency to acts of the Legislature.

For a number of years beginning in 1972 the Legislature undertook the periodic review of advisory and regulatory bodies embedded by law in the Executive Branch. These initiatives popularly entitled *Sunset*, *Sundown*, and *Sunrise* attempted to provide a predetermined end to a regulatory or advisory function, or establish the prerequisites for the creation of a regulatory activity, unless it satisfied several criteria established in ch. 11, F.S. Following the issuance of an interim report on the usefulness of this approach by a Senate committee in 1991 the Legislature subsequently abandoned this periodic exercise, although it retained in s. 11.62, F.S., criteria for the review of the proposed regulation of unregulated functions. Periodic review is still undertaken in the area of exemptions from the public records law in ch. 119, F.S. Amendments to an exemption or the creation of a new exemption under that chapter places the amended or created statute on a 5-year review cycle.

During the 1999-2000 legislative interim the House of Representatives undertook a project in which several committees examined archaic or time-limited provisions of law throughout the Florida Statutes and proposed several bills for the repeal of these outdated or redundant provisions.

### **III. Effect of Proposed Changes:**

**Section 1.** The bill creates s. 11.65, F.S., and authorizes the creation of a Joint Legislative Committee on Statutory Oversight. The six-member committee is comprised of an equal number of members from the Senate and House of Representatives. Leadership of the committee alternates between the chambers with the Senate chairing in even-numbered years and House of Representatives in odd-numbered years.

**Section 2.** The bill is effective upon becoming a 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:

Expenses associated with the committee could be assumed within the budget for joint operations of the Legislature or assigned to existing budget categories within the respective houses through their standing committee structure. While it has been customary for joint committees to receive separate funding, the nature of the committee's tasks also involves significant overlap with the Division of Statutory Revision and its continuous updating of the

Florida Statutes database. The range of fiscal estimates thus will vary as a function of these policy choices. A separate staff complement would place the estimates at high as \$267,000 according to the Office of Legislative Services or as little as one additional FTE to the Division. Scheduling of the periodic meetings of the panel to coincide with the interim meeting process would further lessen the fiscal impact.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

The organizational relationship of the joint committee to the parent legislative organization can be further clarified by the Joint Rule process of the respective chambers.

**VIII. Amendments:**

None.

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

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