

STORAGE NAME: h1971.sec.doc
DATE: February 28, 2002

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
SELECT COMMITTEE ON SECURITY
ANALYSIS**

BILL #: HB 1971 (PCB SEC 02-19)
RELATING TO: Succession to the Office of Governor
SPONSOR(S): Select Committee on Security
TIED BILL(S):

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

- (1) SELECT COMMITTEE ON SECURITY YEAS 9 NAYS 0
 - (2)
 - (3)
 - (4)
 - (5)
-

THIS DOCUMENT IS NOT INTENDED TO BE USED FOR THE PURPOSE OF CONSTRUING STATUTES, OR TO BE CONSTRUED AS AFFECTING, DEFINING, LIMITING, CONTROLLING, SPECIFYING, CLARIFYING, OR MODIFYING ANY LEGISLATION OR STATUTE.

I. SUMMARY:

The bill amends s. 14.055, F.S., by deleting the offices of Secretary of State, Comptroller, Treasurer, and Commissioner of Education from the line of succession to the office of Governor. The office of Chief Financial Officer is added to the succession order.

The bill provides that the act will take effect January 7, 2003.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|------------------------------|-----------------------------|---|
| 1. <u>Less Government</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

Article IV, Section 3, Florida Constitution, provides "Upon vacancy in the office of governor, the lieutenant governor shall become governor. Further succession to the office of governor shall be prescribed by law."

In 1970, the Florida Legislature passed chapter 70-171, Laws of Florida, which provides for the current line of succession to the office of Governor. This succession includes the statewide elected offices of Secretary of State, Comptroller, Treasurer, and Commissioner of Education.

During the 1998 general election, Florida voters amended through referendum the Florida Constitution to consolidate the offices of Secretary of State, Comptroller, and Treasurer into one office to be known as the Chief Financial Officer. In the same election, the voters also passed a constitutional amendment that reformed the state's education system and called for the replacement of the Commissioner of Education with the Governor-appointed State Board of Education. Both constitutional amendments will take effect January 7, 2003.

C. EFFECT OF PROPOSED CHANGES:

The bill amends s. 14.055, F.S., by deleting the offices of Secretary of State, Comptroller, Treasurer, and Commissioner of Education from the line of succession to the office of Governor. The office of Chief Financial Officer is added to the succession order.

The bill provides that the act will take effect January 7, 2003.

D. SECTION-BY-SECTION ANALYSIS:

Please refer to the Effect of Proposed Changes for a description of the bill.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

None

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None

D. FISCAL COMMENTS:

None

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 spend funds or to take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

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

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

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

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

None

B. RULE-MAKING AUTHORITY:

None

C. OTHER COMMENTS:

None

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PAGE: 4

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None

VII. SIGNATURES:

COMMITTEE ON SELECT COMMITTEE ON SECURITY:

Prepared by:

Staff Director:

C. Scott Jenkins

Thomas J. Randle/Richard Hixson