

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

BILL: SB 1406

SPONSOR: Judiciary Committee

SUBJECT: Review for Continued Existence-Joint Legislative Committee on Article V

DATE: February 4, 2004 REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Matthews	Lang	JU	Favorable
2.	_____	_____	GO	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

## I. Summary:

This bill repeals s. 11.75, F.S., which created the eight-member Joint Legislative Committee on Article V charged with the coordination and oversight of implementation of Revision 7 to Article V of the Florida Constitution.

## II. Present Situation:<sup>1</sup>

Section 11.75 provides for the mandatory review in 2004 of The Joint Legislative Committee on Article V to determine the need for its continued existence. In 2000, the Legislature provided for the creation of this Committee and charged it with the coordination and oversight of the four-year implementation of Revision 7 to Article V of the Florida Constitution.<sup>2</sup> See ch. 2000-237, Laws of Florida.

This committee consisted of eight members: four members appointed by the President of the Senate and four members appointed by the Speaker of the House of Representatives. The law required the chair to be appointed alternatively by the Senate President in even-numbered years and by the Speaker of the House of Representatives in odd-numbered years. The law also required the committee to submit reports with recommendations and proposed legislation annually on October 15. The committee was also directed to make recommendations including proposed legislation to the Legislature, and submit a report annually on October 15.

<sup>1</sup> Excerpted from summary in *Review for Continued Existence of the Joint Legislative Committee on Article V*, Interim Report 2004-207, November 2003. See the report for further details.

<sup>2</sup> In 1998, voters approved Revision 7 to Article V of the *Florida Constitution* based on a proposal by the 1997 Constitution Revision Commission. The crux of Revision 7 provided primarily for the funding re-allocation of the state courts system among state, counties, and users of courts. The emphasis was towards major cost-shifting from the county level to the state level.

During its tenure, the Committee only convened during the calendar year 2002. The Committee undertook only one formal action which involved the approval to contract with MGT of America, Inc., to collect information and data to assist with the implementation of Revision 7 to Article V. The Committee never submitted any annual reports. The Committee has been inactive since 2002.

Since that time, each respective legislative chamber has undertaken the statutory duty of the committee and worked independently to develop legislation in the continuing implementation of Revision 7. Therefore, the purpose for the committee no longer exists. The interim report recommended that s. 11.75, F.S., be repealed, and that issue-specific task forces or ad hoc committees could be appointed as needed to study and develop legislation for outstanding issues or issues that developed beyond the transition date of July 1, 2004.

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

This bill repeals s. 11.75, F.S., which created the eight-member Joint Legislative Committee on Article V charged with the coordination and oversight of implementation of Revision 7 to Article V of the Florida Constitution.

### **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:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**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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