HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB5069 PCB EEIC 08-09 An act related to approved budgets for operations and fixed capital outlay for the Executive Office of the Governor
SPONSOR(S): Economic Expansion & Infrastructure Council & Reps. Cannon, Hukill
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
Orig. Comm.: Economic Expansion & Infrastructure Council	12 Y, 1 N	Croom/Madsen	Tinker
1) Policy & Budget Council	32 Y, 0 N	Martin	Hansen
2)			
3)			
4)			
5)			

SUMMARY ANALYSIS

The bill eliminates the requirement of the general office program of the Executive Office of the Governor from having to meet salary rate requirements. By removing this requirement, statute will authorize the entire Executive Office of the Governor to be excluded from salary rate provisions. Currently, only the Office of Tourism, Trade and Economic Development within the Executive Office of the Governor is subject to the salary rate requirement.

The bill has no fiscal impact.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

The bill does not appear to implicate any of the House Principles.

B. EFFECT OF PROPOSED CHANGES:

The bill eliminates the requirement of the general office program of the Executive Office of the Governor from having to meet salary rate requirements in s. 216.181, F.S. By removing this requirement, statute will authorize the entire Executive Office of the Governor to be excluded from salary rate provisions.

"Annual Salary Rate" is defined in s. 216.011(1)(a), F.S., as the monetary compensation authorized to be paid for a position on an annualized basis. Base salary rate for a position does not include additives such as competitive area differentials or benefits such as health insurance or retirement.

The Florida Legislature provides an approved annual salary rate for all budget entities in the General Appropriations Act. At any time during the year, an agency may exceed its approved rate for all budget entities by no more than 5 percent; however, the agency must be within its approved rate on June 30 of every fiscal year. Any agency that exceeds its approved salary rate on June 30th is prohibited from making transfers of up to five percent of its original approved budget pursuant to s. 216.292(2)(a)3., F.S.

Currently, the Office of Tourism, Trade and Economic Development is the only section of the Executive Office of the Governor that is required to meet salary rate requirements. The bill will remove this rate requirement; however, salaries in the Executive Office of the Governor will continue to be limited by appropriations to the Salary and Benefits category made in the General Appropriations Act.

B. SECTION DIRECTORY:

Section 1: Amends s. 216.181(10)(d), F.S., relating to the salary rate of the Executive Office of the Governor.

Section 2: Provides that the bill shall take effect July 1, 2008.

II. 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:

This legislation has no fiscal impact on state agencies or state funds, on local governments as a whole or on the private sector.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

   This bill does not require counties or municipalities to spend funds or take action requiring the expenditure of funds. This bill does not reduce the percentage of state tax shared with counties or municipalities. This bill does not reduce the authority that municipalities have to raise revenue.

2. Other:

   None

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

None

D. STATEMENT OF THE SPONSOR

None

IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES