

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCB RCC 10-04 Repealer Bill - Florida Commission on Interstate Cooperation and The Florida Legislative Law Revision Council

SPONSOR(S): Rules & Calendar Council

TIED BILLS: **IDEN./SIM. BILLS:**

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
Orig. Comm.:	Rules & Calendar Council		Williams	Birtman
1)				
2)				
3)				
4)				
5)				

SUMMARY ANALYSIS

The PCB abolishes the Florida Commission on Interstate Cooperation and the Florida Legislative Law Revision Council and repeals related provisions. Both the Commission and Council are obsolete, have not been active since 1977, and are no longer a part of the current governmental structure.

The PCB repeals Part I of Chapter 13, regarding the Florida Commission on Interstate Cooperation, and Part II of Chapter 13, regarding the Florida Legislative Law Revision Council.

Section 13.10, F.S., which relates to the Commissioners appointed to the National Conference of Commissioners on Uniform State Laws, is still active; therefore this section is not repealed, but transferred and renumbered as section 14.35, Florida Statutes.

This PCB either repeals or transfers the entirety of Chapter 13, F.S.

The act has an effective date upon becoming a law.

HOUSE PRINCIPLES

Members are encouraged to evaluate proposed legislation in light of the following guiding principles of the House of Representatives

- Balance the state budget.
- Create a legal and regulatory environment that fosters economic growth and job creation.
- Lower the tax burden on families and businesses.
- Reverse or restrain the growth of government.
- Promote public safety.
- Promote educational accountability, excellence, and choice.
- Foster respect for the family and for innocent human life.
- Protect Florida's natural beauty.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

This PCB abolishes the Florida Commission on Interstate Cooperation and the Florida Legislative Law Revision Council and repeals related provisions.

Background:

The Florida Commission on Interstate Cooperation was established in 1953 to further the cooperation among the states, federal and local units of governments.

House and Senate committees were formed through the Commission, however random checks of the House and Senate Journals from 1950s through 1990's show no evidence that such House and Senate Committees were ever implemented. Recent House and Senate journals and directories do not provide for these committees. Therefore the Commission appears to be obsolete.

Similarly, the Florida Legislative Law Revision Council was established in 1967 to further examine the common law and statutory law of the state and recommend changes.

According to the Division of Statutory Revision, the Council has not met since 1977. Section 13.995, F.S., provides that at each regular session of the Legislature an appropriation shall be made to carry out the purpose of the Law Revision Council; however, the Council has not been funded since 1976.

Section 11.242 (1), F.S., however, provides that the Office of Legislative Services shall conduct a systematic and continuing study of the statutes and laws of this state for the purpose of reducing their number and bulk, removing inconsistencies, redundancies, and unnecessary repetitions and otherwise improving their clarity and facilitating their correct and proper interpretation. The Division of Statutory Revision operates the continuous statutory revision system, for publishing and distribution of the Florida Statutes and Laws of Florida.

In 1995, the Speaker filed HB 1187, which would have repealed provisions relating to the Florida Commission on Interstate Cooperation and the Florida Legislative Law Revision Council; at that time, the bill was passed by the House but not acted on by the Senate.

B. SECTION DIRECTORY:

Section 1. Repeals s. 13.01, F.S., which establishes the Florida Commission on Interstate Cooperation (hereinafter referred to as “the Commission”), and creates its membership.

Section 2. Repeals s. 13.02, F.S., which establishes the Senate Committee on Interstate Cooperation and creates its membership.

Section 3. Repeals s. 13.03, F.S., which establishes the House of Representatives Committee on Interstate Cooperation and creates its membership.

Section 4. Repeals s. 13.04, F.S., which provides terms and functions of both the House and Senate standing committees of the Commission.

Section 5. Repeals s. 13.05, F.S., which establishes the Governor’s Committee on Interstate Cooperation and creates its membership.

Section 6. Repeals s. 13.06, F.S., which designates informal names of the committees and the Commission.

Section 7. Repeals s. 13.07, F.S., which provides for the functions of the Commission.

Section 8. Repeals s. 13.08, F.S., which defines the powers and duties of the Commission.

Section 9. Repeals s. 13.09, F.S., which declares the Council of State Government to be a joint governmental agency of Florida.

Section 10. Transfers and renumbers s.13.10, F.S., relating to the appointment of Commissioners to the National Conference of Commissioners on Uniform State Laws, to s.14.35, F.S.

Section 11. Repeals s. 13.90, F.S., which establishes the Florida Legislative Law Revision Council (hereinafter referred to as “the Council”).

Section 12. Repeals s. 13.91, F.S., which establishes the membership of the Council.

Section 13. Repeals s. 13.92, F.S., which establishes the term limits for the members of the Council.

Section 14. Repeals s. 13.93, F.S., which relates to member reappointment to the Council.

Section 15. Repeals s. 13.94, F.S., which relates to the chair and vice chair of the Council.

Section 16. Repeals s. 13.95, F.S., which relates to the compensation of members of the Council.

Section 17. Repeals s. 13.96, F.S., which provides for the functions of the Council.

Section 18. Repeals s. 13.97, F.S., which requires the Council to be the recipient of proposed changes in the law.

Section 19. Repeals s. 13.98, F.S., which relates to the report of the Council.

Section 20. Repeals s. 13.99, F.S., which relates to the personnel staff of the Council.

Section 21. Repeals s. 13.992, F.S., which defines the powers of the Council.

Section 22. Repeals s. 13.993, F.S., which authorizes the Council to procure information and assistance from the state, municipal corporation, public officer, or governmental department or agency.

Section 23. Repeals s. 13.994, F.S., which authorizes the Council to create rules and regulations for the conduct of business.

Section 24. Repeals s. 13.995, F.S., which requires appropriations to carry out the purposes of the Council.

Section 25. Repeals s. 13.996, F.S., which provides that the first duty of the Council shall be a complete revision of the criminal laws of this state.

Section 26. Amends s. 590.33, F.S., to conform a cross reference.

Section 27. Provides an effective date of upon becoming a law.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

See Fiscal Comments below

2. Expenditures:

See Fiscal Comments below.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

See Fiscal Comments below.

2. Expenditures:

See Fiscal Comments below.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

See Fiscal Comments below.

D. FISCAL COMMENTS:

This PCB repeals provisions that haven't been funded since 1977, thus it has no fiscal impact.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because this bill does not appear to require counties or cities to: spend funds or take action requiring the expenditure of funds; reduce the authority of counties or cities to raise revenues in the aggregate; or reduce the percentage of a sales tax shared with counties or cities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

In order to conform to the repeal of the Law Revision Council in the PCB, the PCB also repeals s. 13.994, F.S., which authorized the Law Revision Council to make rules and regulations.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES