

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCB TED 09-05 Department of Community Affairs
SPONSOR(S): Transportation & Economic Development Appropriations Committee
TIED BILLS: **IDEN./SIM. BILLS:**

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
Orig. Comm.:	Transportation & Economic Development Appropriations Committee		Fennell	Creamer
1)				
2)				
3)				
4)				
5)				

SUMMARY ANALYSIS

PCB 09-05 eliminates the Century Commission and redirects the documentary stamp tax proceeds previously used to support of the Century Commission to fund the Department’s cost of providing technical assistance to local governments and school boards on the requirements and implementation of growth management.

There is no fiscal impact to General Revenue. The change directs a portion of the documentary stamp tax distribution to technical assistance instead of the Century Commission. Any documentary stamp taxes up to the maximum amount (or cap) allowable in statute would be received by the Department and any dollars over the maximum would still flow to general revenue.

The increased amount estimated to be deposited into the trust fund in fiscal year 2009-10 is \$100,000. The maximum amount allowable under current law is \$3,250,000.

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:

Current Situation

Century Commission for a Sustainable Florida

The Florida Legislature established the Century Commission for a Sustainable Florida in 2005 to bring a broader, longer-term context to decision making.

The broad goal of the Century Commission is to create a sustainable Florida over generations and to make specific recommendations each year about how to achieve that vision for a sustainable Florida. The specific objective of the Century Commission is to develop recommendations to help Florida's citizens and state leaders prepare for a continued increase in population and to craft a plan that meets the challenges and opportunities this growth presents.

The commission is made up of 15 members representing local governments, school boards, homebuilders, developers, and the business, agriculture, and environmental communities. Five members are appointed by the Governor, 5 by the Speaker of the House of Representatives, and 5 by the President of the Senate.

The Commission has made three annual reports to the Governor and the Florida Legislature with recommendations on public policy they believe is necessary to ensure a sustainable future for Florida. The third annual report can be found at:

<https://www.communicationsmgr.com/projects/1349/docs/ThirdAnnRpt.pdf>

Departmental Support

The Department funds support of the Century Commission by a specific distribution of Documentary Stamp Taxes. Pursuant to Section 201.15(1)(c)3., F.S., an amount not to exceed \$260,000 (8% of the maximum allowable distribution of \$3,250,000) is deposited into the Grants and Donations Trust Fund at the Department of Community Affairs for the purpose of funding the Century Commission.

For the Program Year 2008-2009, a recurring appropriation of \$116,000 from the Grants and Donations trust fund is provided for the Century Commission. The amount was decreased from the \$260,000 due to declining revenues from documentary stamp taxes.

Proposed Changes

PCB 09-05 eliminates the Century Commission by repealing the governing statute.

In addition, the bill redirects the documentary stamp tax proceeds previously used to fund support of the Century Commission to fund the Department's cost of providing technical assistance to local governments and school boards on the requirements and implementation of growth management.

The bill has an effective date of July 1, 2009.

B. SECTION DIRECTORY:

Section 1: repeals section 163.3247, F.S.

Section 2: eliminates documentary stamp tax proceed distributions for the Century Commission and increases by this same amount documentary stamp tax proceeds for technical assistance to local governments and school boards.

Section 3: Allows for an effective date of July 1, 2009.

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:

No known direct economic impact on the private sector.

D. FISCAL COMMENTS:

There is no fiscal impact to General Revenue. The bill directs a portion of the documentary stamp tax distribution to technical assistance instead of the Century Commission. Any documentary stamp taxes up to the maximum amount (or cap) allowable in statute would be received by the Department and any dollars over the maximum would still flow to general revenue.

The increased amount estimated to be deposited into the trust fund in fiscal year 2009-10 is \$100,000. The maximum amount allowable under statute is \$3,250,000.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

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

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES