

STORAGE NAME: h4829.rre

DATE: April 22, 1998

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
RULES, RESOLUTIONS & ETHICS
BILL RESEARCH & ECONOMIC IMPACT STATEMENT**

BILL #: HCCR 4829 (formally PCCR RRE 98-04)

RELATING TO: Joint Task Force on Ethics Laws

SPONSOR(S): Committee on Rules, Resolutions & Ethics, Thrasher & Crady

COMPANION BILL(S):

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

(1) RULES, RESOLUTIONS & ETHICS YEAS 8 NAYS 0

(2)

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(5)

I. SUMMARY:

This resolution would authorize the President of the Senate and the Speaker of the House to form an interim task force study in order to review and clarify the current provisions of Florida's ethics laws. The six-member task force would consist of a member of the Senate as the chair and two other members from the Senate appointed by the Senate President, and a member of the House as the vice-chair and two other members of the House appointed by the Speaker, with at least one member from the minority party in each chamber. The task force would make recommendations to improve Florida's ethics laws. State and local government associations, in addition to the public, would be invited to contribute to the task force study.

The task force would be assisted and supported by the staff of the Florida Senate and the Florida House of Representatives.

II. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

The current provisions of Florida's ethics laws contain ambiguities and inconsistencies in their application to elected officials and government personnel. Current laws are often unclear on the issue of jurisdiction over alleged ethics violations. Furthermore, the requirements and procedures for gift reporting and filing financial disclosure forms can impose a substantial burden for compliance.

B. EFFECT OF PROPOSED CHANGES:

The task force would make recommendations to resolve ambiguities, generally improve and maintain a uniform administration of the provisions of Florida's ethics laws.

The six-member task force would consist of a member of the Senate as the chair and two other members from the Senate appointed by the Senate President, and a member of the House as the vice-chair and two other members of the House appointed by the Speaker, including at least one member from the minority party from each chamber.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

N/A

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

N/A

(3) any entitlement to a government service or benefit?

N/A

b. If an agency or program is eliminated or reduced:

STORAGE NAME: h4829.rre

DATE: April 22, 1998

PAGE 3

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

N/A

(2) what is the cost of such responsibility at the new level/agency?

N/A

(3) how is the new agency accountable to the people governed?

N/A

2. Lower Taxes:

a. Does the bill increase anyone's taxes?

N/A

b. Does the bill require or authorize an increase in any fees?

N/A

c. Does the bill reduce total taxes, both rates and revenues?

N/A

d. Does the bill reduce total fees, both rates and revenues?

N/A

e. Does the bill authorize any fee or tax increase by any local government?

N/A

3. Personal Responsibility:

a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

N/A

b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

N/A

4. Individual Freedom:

- a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

N/A

- b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

N/A

5. Family Empowerment:

- a. If the bill purports to provide services to families or children:

- (1) Who evaluates the family's needs?

N/A

- (2) Who makes the decisions?

N/A

- (3) Are private alternatives permitted?

N/A

- (4) Are families required to participate in a program?

N/A

- (5) Are families penalized for not participating in a program?

N/A

- b. Does the bill directly affect the legal rights and obligations between family members?

N/A

- c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

STORAGE NAME: h4829.rre

DATE: April 22, 1998

PAGE 5

(1) parents and guardians?

N/A

(2) service providers?

N/A

(3) government employees/agencies?

N/A

D. STATUTE(S) AFFECTED:

N/A

E. SECTION-BY-SECTION RESEARCH:

N/A

III. FISCAL RESEARCH & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

N/A

2. Recurring Effects:

N/A

3. Long Run Effects Other Than Normal Growth:

N/A

4. Total Revenues and Expenditures:

N/A

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

N/A

STORAGE NAME: h4829.rre

DATE: April 22, 1998

PAGE 6

2. Recurring Effects:

N/A

3. Long Run Effects Other Than Normal Growth:

N/A

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

N/A

2. Direct Private Sector Benefits:

N/A

3. Effects on Competition, Private Enterprise and Employment Markets:

N/A

D. FISCAL COMMENTS:

N/A

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

N/A

B. REDUCTION OF REVENUE RAISING AUTHORITY:

N/A

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

N/A

V. COMMENTS:

N/A

STORAGE NAME: h4829.rre

DATE: April 22, 1998

PAGE 7

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VII. SIGNATURES:

COMMITTEE ON RULES, RESOLUTIONS & ETHICS:

Prepared by:

Legislative Research Director:

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