

**STORAGE NAME:** h1957a.wrm

**DATE:** April 7, 1999

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON  
WATER AND RESOURCE MANAGEMENT  
ANALYSIS**

**BILL #:** HB 1957

**RELATING TO:** Florida Oceans Study Committee

**SPONSOR(S):** Rep. Flanagan

**COMPANION BILL(S):** SB 2346 (s)

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

- (1) WATER AND RESOURCE MANAGEMENT YEAS 11 NAYS 0
  - (2) GENERAL GOVERNMENT APPROPRIATIONS
  - (3)
  - (4)
  - (5)
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**I. SUMMARY:**

HB 1957 renames the Florida Governor's Ocean Committee as the Florida Oceans Study Committee and extends the committee's existence with its current members through June 30, 2000.

A final report to the Governor, the President of the Senate, and the Speaker of the House is required by February 1, 2000. The report would address specific priorities for a coordinated management policy for Florida's oceans, including effective public outreach and education. It would also recommend priority research and scientific monitoring needs, and funding mechanisms for a comprehensive scientific assessment of the present status and future vitality and health of Florida's oceans in consultation with the Florida members of the Southern Association of Marine Laboratories.

After the submittal of the final report by the Florida Oceans Study Committee, the committee would be reformed with new members, appointed by the Governor, and termed the Florida Ocean Commission. The commission would exist through June 30, 2005, but could be extended subject to review and approval by the Legislature. The new commission would consist of twenty-four members appointed by the Governor.

The commission would be charged with implementation of the recommendations given by the Florida Oceans Study Committee. They would also provide ongoing coordination and oversight of ocean policy issues. In addition, the commission would submit annual reports with recommendations to the Governor, the President of the Senate, and the Speaker of the House.

The effective date of HB 1957 is upon becoming a law.

## II. SUBSTANTIVE ANALYSIS:

### A. PRESENT SITUATION:

The state of Florida is surrounded on three sides by ocean and has over 8,400 miles of coastline. Florida's economy and quality of life are dependent on its ocean resources, not only for recreation and tourism, but for its subsistence.

Worldwide, oceans are an important resource. As a result, the United Nations declared 1998 the International Year of the Ocean. In response to this designation, Governor Chiles issued Executive Order 98-13. This order declared 1998 the Year of the Ocean in Florida and established the Florida Governor's Ocean Committee.

Twenty-four members comprise the committee and include representatives from the Florida Departments of Community Affairs, Environmental Protection, State, and Agriculture and Consumer Services; the Executive Office of the Governor; the Marine Fisheries Commission; and local government. Additional members include two citizens' representatives and representatives from conservation, education, science, law, recreation and business interests as well as six ex officio members from the U.S. Department of Defense, the U.S. Army Corps of Engineers, the U.S. Department of the Interior, the National Oceanic and Atmospheric Administration, the U.S. Environmental Protection Agency, and the U.S. Coast Guard. Members are appointed for an eighteen-month term and serve at the pleasure of the Governor. The committee is staffed by the Department of Community Affairs' Florida Coastal Management Program and funded through a grant from the U.S. Department of Commerce and the National Oceanic and Atmospheric Administration.

The committee was charged with establishing goals and recommending and promoting ocean policies and strategies for the public benefit. Specifically, the committee was to address: identifying ocean resource management opportunities and conflicts; developing policies and strategies that address identified conflicts in a comprehensive and coordinated manner; providing for increased public awareness of ocean issues; and improving coordination and eliminating duplication among governments, agencies, task forces and organizations that implement ocean policy.

A final report summarizing these findings and recommendations is to be submitted to the Governor by June 30, 1999. The draft report, submitted in December of 1998, provided one overarching recommendation in addition to the suggested strategies and actions. The recommendation was that:

The Florida Legislature should create a Florida Ocean Council to provide leadership and policy direction on ocean issues, and to coordinate ocean resource management and identify priorities for research, education and information needs on Florida's ocean resources. The Council should follow a long-term adaptive approach that builds on existing efforts to collect information and integrate it across political, ecological, and physical boundaries, and across multiple uses.

As an interim step, the existing Florida Governor's Ocean Committee should be reappointed for a one-year term as the Florida Ocean Study Commission.

### B. EFFECT OF PROPOSED CHANGES:

HB 1957 renames the Florida Governor's Ocean Committee as the Florida Oceans Study Committee and extends the committee's existence with its current members through June 30, 2000. The Florida Coastal Zone Management section of the Department of Community Affairs would continue to provide staff to the Florida Oceans Study Committee.

A final report to the Governor, the President of the Senate, and the Speaker of the House is required by February 1, 2000. The report would address specific priorities for a coordinated management policy for Florida's oceans, including effective public outreach and education. It would also recommend priority research and scientific monitoring needs, and funding mechanisms for a comprehensive scientific assessment of the present status and future vitality and health of Florida's oceans in consultation with the Florida members of the Southern Association of Marine Laboratories.

This association is composed of Eckerd College, The Florida Institute of Technology, the Florida Marine Research Institute, Florida State University, Harbor Branch Oceanographic Institution, Mote Marine Laboratory, Nova Southeastern University, the University of Florida, the University of Miami, the University of South Florida, and the Florida Sea Grant Program. The committee would also explore cost-sharing avenues with the Federal Government and appropriate and equitable funding responsibilities of federal agencies which may be of benefit to the state.

After the submittal of the final report by the Florida Oceans Study Committee, the committee would be reformed with new members, appointed by the Governor, and termed the Florida Ocean Commission. The commission would exist through June 30, 2005, but could be extended subject to review and approval by the Legislature. The new commission would consist of twenty-four members appointed by the Governor. One representative each would be named from the Florida Departments of Community Affairs, Environmental Protection, State, and Agriculture and Consumer Services, Education; the Fish and Wildlife Conservation Commission; the Executive Office of the Governor and local representatives from the fields of conservation, education, science, law, recreation, and business. Six ex officio members representing the Federal Government from the Department of Defense, the Army Corps of Engineers, the Department of the Interior, the National Oceanic and Atmospheric Administration, the Environmental Protection Agency, and the Coast Guard would also be appointed. Members would not be compensated for their service, but would be reimbursed for per diem and travel expenses.

The commission would be charged with implementation of the recommendations given by the Florida Oceans Study Committee. They would also provide ongoing coordination and oversight of ocean policy issues. In addition, the commission would submit annual reports with recommendations to the Governor, the President of the Senate, and the Speaker of the House.

**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?

No.

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

No.

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

No.

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

No agency or program is eliminated or reduced.

(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?

No.

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

No.

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

No.

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

No.

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

No.

3. Personal Responsibility:

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

No.

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

No.

4. Individual Freedom:

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

No.

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

No.

5. Family Empowerment:

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

The bill does not purport 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?

No.

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:

The bill does not create or change a program providing services to families or children.

(1) parents and guardians?

N/A

(2) service providers?

N/A

(3) government employees/agencies?

N/A

D. STATUTE(S) AFFECTED:

None.

E. SECTION-BY-SECTION ANALYSIS:

**Section 1.** Renames the Florida Governor's Ocean Committee as the Florida Oceans Study Committee and extends the committee's existence with its current members through June 30, 2000. The Coastal Zone Management section of the Department of Community Affairs is directed to provide staff to the Florida Oceans Study Committee.

A final report to the Governor, the President of the Senate, and the Speaker of the House is required by February 1, 2000. The report shall address specific priorities for a coordinated management policy for Florida's oceans, including effective public outreach and education. It will also recommend priority research and scientific monitoring needs, and funding mechanisms for a comprehensive scientific assessment of the present status and future vitality and health of Florida's oceans in consultation with the Florida members of the Southern Association of Marine Laboratories. This association is composed of Eckerd College, The Florida Institute of Technology, the Florida Marine Research Institute, Florida State University, Harbor Branch Oceanographic Institution, Mote Marine Laboratory, Nova Southeastern University, the University of Florida, the University of Miami, the University of South Florida, and the Florida Sea Grant Program. The committee will also explore cost-sharing avenues with the Federal Government and appropriate and equitable funding responsibilities of federal agencies which may be of benefit to the state.

**Section 2.** After the submittal of the final report by the Florida Oceans Study Committee, the committee will be reformed with new members, appointed by the Governor, and termed the Florida Ocean Commission. The commission will exist through June 30, 2005, but may be extended subject to review and approval by the Legislature. The commission would consist of twenty-four members appointed by the Governor. One representative each would be named from the Florida Departments of Community Affairs, Environmental Protection, State, and Agriculture and Consumer Services, Education; the Fish and Wildlife Conservation Commission; the Executive Office of the Governor and local representatives from the fields of conservation, education, science, law, recreation, and business. Six ex officio members representing the Federal Government from the Department of Defense, the Army Corps of Engineers, the Department of the Interior, the National Oceanic and Atmospheric Administration, the Environmental Protection Agency, and the Coast Guard would also be appointed. Members would not be compensated for their service, but would be reimbursed for per diem and travel expenses.

The commission would be charged with implementation of the recommendations given by the Florida Oceans Study Committee. They would also provide ongoing coordination and oversight of ocean policy issues. In addition, the commission would submit annual reports with recommendations to the Governor, the President of the Senate, and the Speaker of the House.

**Section 3.** Appropriates \$80,000 from the General Revenue Fund for fiscal year 1999 for the expenses of the Florida Oceans Committee. Of these funds, up to \$30,000 may be used for workshops and activities related to developing priority research and scientific monitoring needs for Florida's waters.

**Section 4.** Provides an effective date of upon the bill becoming a law.

### III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

#### A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

##### 1. Non-recurring Effects:

Appropriates \$80,000 from the General Revenue Fund for fiscal year 1999 for the expenses of the Florida Oceans Committee. Of these funds, up to \$30,000 may be used for workshops and activities related to developing priority research and scientific monitoring needs for Florida's waters. DCA has indicated the remaining funds will be used to fund committee meetings which are estimated at \$10,000 each. Staffing will be provided through the current year by DCA with funds from a grant from the U.S. Department of Commerce and the National Oceanic and Atmospheric Administration.

##### 2. Recurring Effects:

Additional appropriations would be necessary to cover per diem and travel costs of commission members if those reimbursements were not covered by their respective agencies. In addition, DCA has indicated an additional FTE at the Planning Manager level would be necessary to support Florida Ocean Commission activities.

##### 3. Long Run Effects Other Than Normal Growth:

None.

##### 4. Total Revenues and Expenditures:

Indeterminate.

#### B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

None.

2. Direct Private Sector Benefits:

An improved coordinated management policy with research and scientific monitoring needs could lead to improvements in Florida's oceans resulting in increased or improved ocean resources, including economic benefits relating to recreation and tourism.

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

None.

D. FISCAL COMMENTS:

None.

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

A. APPLICABILITY OF THE MANDATES PROVISION:

HB 1957 does not require counties or municipalities to expend funds or take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

HB 1957 does not reduce the authority that municipalities or counties have to raise revenues in the aggregate.

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

HB 1957 does not reduce the percentage of state tax shared with counties and municipalities.

V. COMMENTS:

None.

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VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

On April 7, 1999, the Committee on Water and Resource Management adopted one amendment to HB 1957. The amendment clarifies that the local Florida Ocean Commission representatives be from the fields of conservation, education, science, law, recreational boating, and marine business.

VII. SIGNATURES:

COMMITTEE ON WATER AND RESOURCE MANAGEMENT:

Prepared by:

Staff Director:

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Kellie R. Ralston

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Joyce Pugh