

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 1748

SPONSOR: Senator McKay

SUBJECT: Florida Statutes

DATE: March 9, 2000

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Wimsett</u>	<u>Guthrie</u>	<u>RI</u>	<u>Favorable</u>
2.	_____	_____	<u>RC</u>	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

## I. Summary:

This bill amends or repeals the following sections of the Florida Statutes: 363.01, 364.025, 364.051, 364.052, 364.057, 364.162, 354.16, 364.245, 365.15, 365.171, 427.704, and 427.705.

## II. Present Situation:

During the 1999-2000 interim, staff of the House of Representatives reviewed the Florida Statutes and identified provisions that were obsolete. Senate staff reviewed and commented upon the draft list. The final list for amendment or repeal contained one or more of the following:

1. A reference to a dormant board, council or other non-governing authority;
2. An obsolete provision;
3. A nonrecurring requirement;
4. An unnecessary statement of legislative intent, findings or purpose;
5. A cross-reference to a repealed section;
6. An unnecessary use of standard or form language;
7. The creation of a short title, or popular name, unrelated to the purpose of the statute;
8. The use of archaic language or descriptions.

## III. Effect of Proposed Changes:

**Section 1** repeals s. 363.01, F.S., which establishes a cap on rates charged for telegraph messages based on number of words and distance transmitted. The cap was last amended in 1945. The Public Service Commission staff observes that the 1945 caps have no enforcement provision. In fact, American Telegram, a Tallahassee telegraph company, charges \$29.90 plus \$.89 per word, including the address, for same day, hand-delivered messages.

**Section 2** repeals s. 364.025(4)(d), F.S., which required the Public Service Commission to submit a report, addressing the cost of serving Lifeline telephone customers, to the President of the Senate and the Speaker of the House by February 15, 1999.

**Section 3** amends ss. 364.051(3) - (6), F.S., to eliminate language governing telecommunications rates during the first two years of the transition to a competitive market; the two year period has passed.

**Section 4** amends s. 364.052(2), F.S., to remove obsolete date references.

**Section 5** repeals s. 364.057(3), F.S., which authorizes experimental two-way, intrastate, residential communications services between July 1, 1995 and December 31, 1995.

**Section 6** amends s. 364.162, F.S., to remove obsolete date references and to clarify continuing rules regarding interconnection and resale negotiations.

**Section 7** amends s. 364.16(2), F.S., to correct a cross reference.

**Section 8** repeals s. 364.245(1), F.S., to remove unnecessary findings language regarding the use of telecommunications services for unlawful purposes.

**Section 9** repeals s. 365.15, F.S., which governs the use of party lines in the event of emergency calls. The Public Service Commission staff indicates that there are no longer any party lines in Florida.

**Section 10** amends s. 365.171(2), F.S., to remove unnecessary findings language regarding the Florida Emergency Telephone Act.

**Section 11** amends s. 427.704, F.S., to remove obsolete date references.

**Section 12** amends s. 427.705, F.S., to remove obsolete date references.

**Section 13** provides that the act shall take effect upon becoming law.

#### **IV. Constitutional Issues:**

##### **A. Municipality/County Mandates Restrictions:**

None.

##### **B. Public Records/Open Meetings Issues:**

None.

C. Trust Funds Restrictions:

None.

**V. Economic Impact and Fiscal Note:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Amendments:**

None.

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This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.

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