

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1859 CS PCB GO 05-14 Reports and Programs
SPONSOR(S): Governmental Operations Committee
TIED BILLS: None **IDEN./SIM. BILLS:** SB 2546

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
Orig. Comm.: Governmental Operations Committee	6 Y, 0 N	Everhart	Everhart
1) State Administration Council	8 Y, 0 N, w/CS	Williamson/Tuck	Bussey
2)			
3)			
4)			
5)			

SUMMARY ANALYSIS

This bill repeals from the Florida Statutes obsolete and outdated agency plans, reports, and programs.

This bill may reduce state expenditures by deleting requirements to prepare unnecessary plans and reports

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

This bill does not affect House Principles. The sections of law proposed for repeal are obsolete (for instance, the due date for a report has passed or the program is not operating) or outdated.

B. EFFECT OF PROPOSED CHANGES:

During the interim, staff of the Governor's Office of Policy and Budget (OPB) reviewed the Florida Statutes for obsolete and outdated plans, reports, and programs. The OPB solicited recommendations from the executive agencies regarding possible repeal of certain statutes. Based on agency recommendations, OPB provided a draft bill to the House Governmental Operations Committee.

House Members, the Auditor General, the Office of Program Policy and Government Accountability, the Joint Administrative Procedures Committee staff, and all House staff reviewed and recommended action on the bill. Additionally, two private citizens provided comments.

The Section Directory summarizes the contents of the bill based on the input of all parties identified above.

C. SECTION DIRECTORY:

Section 1 repeals s.16.58, F.S., relating to the Florida Legal Resource Center.

Section 2 amends s. 20.19, F.S., revising provisions relating to plans, projections, and the mission of the Department of Children and Family Services.

Section 3 amends s. 20.315, F.S., revising provisions relating to an evaluation of the Department of Corrections by the Florida Corrections Commission.

Section 4 amends s. 20.316, F.S., revising provisions relating to reports of the Department of Juvenile Justice.

Sections 5 through 7 amend ss. 20.43, 39.001, and 39.3065, F.S., revising and deleting provisions relating to specified obsolete and outdated plans, reports, and programs.

Section 8 repeals s. 39.40386, F.S., relating to a pilot program for attorneys ad litem for dependent children.

Sections 9 and 10 amend ss 39.523 and 98.255, F.S., revising and deleting provisions relating to specified obsolete and outdated plans, reports, and programs.

Section 11 amends s. 120.695, F.S., relating to a review of administrative rules.

Section 12 amends s. 161.053, F.S., deleting obsolete provisions relating to the establishment of coastal construction control lines.

Section 13 amends s. 370.12, F.S., conforming a cross reference.

Section 14 amends s. 161.161, F.S., revising provisions relating to reporting requirements for beach erosion control projects.

Section 15 repeals s. 163.2526, F.S., relating to review and evaluation of specified provisions relating to urban infill and redevelopment.

Sections 16 through 26 amend ss. 163.3167, 163.3177, 163.3178, 163.519, 186.007, 189.4035, 189.412, 194.034, 206.606, 212.054, and 212.08, F.S., revising and deleting provisions relating to specified obsolete and outdated plans, reports, and programs.

Section 27 repeals s. 213.0452, F.S., relating to certain required reporting by the Department of Revenue.

Section 28 repeals s. 213.054, F.S., relating to an annual report concerning persons claiming certain tax exemptions or deductions.

Sections 29 and 30 amend ss. 215.5601 and 215.70, F.S., revising and deleting provisions relating to specified obsolete and outdated plans, reports, and programs.

Section 31 amends s. 253.7825, F.S., deleting provisions relating to a conceptual recreational plan for the Cross Florida Greenways State Recreation and Conservation Area.

Section 32 repeals s. 253.7826, F.S., relating to canal structures.

Section 33 repeals s. 253.7829, F.S., relating to management plan for retention or dispositions of former Cross Florida Barge Canal Lands.

Section 34 amends s. 259.037, F.S., revising provisions relating to a report by the Land Management Uniform Accounting Council.

Section 35 repeals s. 265.56, F.S., relating to a specified annual report by the Department of State.

Section 36 amends s. 267.074, F.S., deleting requirements for a specified plan relating to historical markers.

Sections 37 through 41 amend ss. 282.102, 284.50, 287.045, 287.16, and 288.108, F.S., revising and deleting provisions relating to specified obsolete and outdated plans, reports, and programs.

Sections 42 through 50 amend ss. 288.1226, 288.1229, 288.7015, 288.853, 288.95155, 288.9604, 288.9610, 292.04, and 292.05, F.S., revising and deleting provisions relating to specified obsolete and outdated plans, reports, and programs.

Section 51 repeals s. 296.16, F.S., relating to a report concerning the Veterans' Domiciliary Home of Florida.

Section 52 repeals s. 296.39, F.S., relating to reports concerning Veterans' Nursing Home.

Sections 53 through 64 amend ss. 315.03, 319.324, 322.181, 322.251, 365.171, 365.172, 365.173, 366.82, 369.22, 370.26, 372.5712, and 372.5715, F.S., revising and deleting provisions relating to specified obsolete and outdated plans, reports, and programs.

Section 65 repeals s. 372.673, F.S., relating to the Florida Panther Technical Advisory Council.

Section 66 repeals s. 372.674, F.S., relating to Advisory Council on Environmental Education.

Section 67 amends s. 372.672, F.S., conforming to the repeal of s. 372.675, F.S.

Sections 68 through 71 amend ss. 373.0391, 373.046, 373.1963, and 376.121, F.S., revising and deleting provisions relating to specified obsolete and outdated plans, reports, and programs.

Section 72 repeals s. 376.17, F.S., relating to reports concerning the operation of a specified pollution control program.

Sections 73 through 75 amend ss. 376.30713, 377.703, and 380.0677, F.S., revising and deleting provisions relating to specified obsolete and outdated plans, reports, and programs.

Sections 76 and 77 amend ss. 259.041 and 259.101, F.S., correcting cross references.

Section 78 amends s. 381.0011, F.S., deleting specified requirements for a Department of Health strategic plan.

Section 79 repeals s. 381.0036, F.S., relating to planning for implementation of educational requirements concerning HIV and AIDS for specified professional licensure applicants.

Sections 80 and 81 amend ss. 381.732 and 381.733, F.S., conforming cross references.

Sections 82 through 85 amend ss. 381.795, 381.90, 381.931, and 383.19, F.S., revising and deleting provisions relating to specified obsolete and outdated plans, reports, and programs.

Section 86 repeals s. 383.21, F.S., relating to review of certain perinatal intensive care programs.

Sections 87 through 91 amend ss. 383.2161, 384.25, 394.4573, 394.4985, and 394.75, F.S., revising and deleting provisions relating to specified obsolete and outdated plans, reports, and programs.

Section 92 repeals s. 394.82, F.S., relating to expanded funding or certain services.

Section 93 amends s. 394.655, F.S., conforming provisions to the repeal of s. 394.82, F.S.

Section 94 amends s. 394.9082, F.S., revising provisions relating to behavioral health service strategies.

Section 95 repeals s. 394.9083, F.S., relating to the Behavioral Health Services Integration Workgroup.

Sections 96 through 111 amend ss. 395.807, 397.321, 397.333, 397.94, 400.0067, 400.0075, 400.0089, 400.407, 400.419, 400.441, 400.967, 402.3016, 402.40, 402.73, 403.067, and 403.4131, F.S., revising and deleting provisions relating to specified obsolete and outdated plans, reports, and programs.

Section 112 repeals s. 403.756, F.S., relating to a report concerning oil recycling.

Sections 113 and 114 amend ss. 403.7226 and 403.7265, F.S., revising and deleting provisions relating to specified obsolete and outdated plans, reports, and programs.

Section 115 amends s. 403.7264, F.S., correcting a cross reference.

Sections 116 through 120 amend ss. 403.7895, 406.02, 408.033, 408.914, and 408.915, F.S., revising and deleting provisions relating to specified obsolete and outdated plans, reports, and programs.

Section 121 repeals s. 408.917, F.S., relating to evaluation of a health care eligibility pilot project.

Section 122 amends s. 409.1451, F.S., revising reporting requirements relating to independent living transition services.

Section 123 repeals s. 409.146, F.S., relating to a children and families client and management information system.

Section 124 repeals s. 409.152, F.S., relating to service integration and family preservation.

Sections 125 through 136 amend ss. 409.1679, 409.1685, 409.178, 409.221, 409.25575, 409.2558, 409.2567, 409.441, 409.906, 409.9065, 409.91188, and 409.912, F.S., revising and deleting provisions relating to specified obsolete and outdated plans, reports, and programs.

Sections 137 through 140 amend ss. 394.9082, 409.9065, 409.91196, and 641.386, F.S., conforming cross references.

Section 141 repeals s. 410.0245, F.S., relating to a study of service needs.

Section 142 amends s. 410.604, F.S., deleting a requirement for an evaluation and report concerning a specified community care for disabled adults program.

Section 143 repeals s. 411.221, F.S., relating to a prevention and early assistance strategic plan.

Sections 144 and 145 amend ss. 411.01 and 411.232, F.S., conforming provisions to the repeal of s. 411.221, F.S.

Section 146 repeals s. 411.242, F.S., relating to the Florida Education Now and Babies Later program.

Sections 147 through 161 amend ss. 413.402, 414.1251, 414.14, 414.36, 414.391, 415.1045, 420.622, 420.623, 427.704, 427.706, 430.04, 430.502, 430.707, 445.003, 445.004, and 445.006, F.S., revising and deleting provisions relating to specified obsolete and outdated plans, reports, and programs.

Sections 162 and 163 amend ss. 445.022 and 445.049, F.S., revising and deleting provisions relating to specified obsolete and outdated plans, reports, and programs.

Section 164 repeals s. 446.27, F.S., relating to a youth-at-risk pilot program annual report.

Section 165 amends s. 446.50 F.S., revising and deleting provisions relating to specified obsolete and outdated plans, reports, and programs.

Section 166 repeals s. 455.204, F.S., relating to long-range policy planning.

Sections 167 through 174 amend ss. 455.2226, 455.2228, 456.005, 456.025, 456.031, 456.033, 456.034, and 517.302, F.S., revising and deleting provisions relating to specified obsolete and outdated plans, reports, and programs.

Section 175 repeals s. 526.3135, F.S., relating to reports by the Division of Standards.

Section 176 amends s. 531.415, F.S., relating to a required notice to the Legislature concerning certain fees.

Section 177 repeals s. 553.975, F.S., relating to a report concerning energy conservation standards.

Sections 178 through 202 amend ss. 570.0705, 570.0725, 570.235, 570.543, 570.952, 603.204, 627.351, 627.64872, 744.7021, 744.708, 765.5215, 768.295, 775.084, 790.22, 932.7055, 943.125, 943.68, 944.023, 944.801, 945.35, 958.045, 960.045, 985.02, 985.08, and 985.3045, F.S., revising and deleting provisions relating to specified obsolete and outdated plans, reports, and programs.

Section 203 repeals s. 985.3046, F.S., relating to certain reports concerning agencies and entities providing prevention services.

Sections 204 and 205 amend ss. 985.305 and 985.3155, F.S., revising and deleting provisions relating to specified obsolete and outdated plans, reports, and programs.

Section 206 repeals s. 985.403, F. S., relating to a task force on juvenile sexual offenders and their victims.

Section 207 amends s. 985.412, F.S., revising and deleting provisions relating to specified obsolete and outdated plans, reports, and programs.

Sections 208 through 210 amend ss. 1003.492, 1003.61, and 1004.50, F.S., revising and deleting provisions relating to specified obsolete and outdated plans, reports, and programs.

Section 211 repeals s. 1006.0605, F.S., relating to student summer nutrition programs.

Sections 212 through 217 amend ss. 1007.27, 1009.70, 1011.32, 1011.62, 1012.42, and 1013.03, F.S., revising and deleting provisions relating to specified obsolete and outdated plans, reports, and programs.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None. The bill does not create, modify, amend, or eliminate a state revenue source.

2. Expenditures:

Unknown. The bill may reduce state expenditures by deleting requirements to prepare unnecessary plans and reports.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None. The bill does not create, modify, amend, or eliminate a local revenue source.

2. Expenditures:

None. The bill does not create, modify, amend, or eliminate a local expenditure.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The bill does not regulate or remove a regulation of the conduct of the private sector.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The bill does not appear to: require the counties or cities to spend funds or take an action requiring 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/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES

On April 20, 2005, the State Administration Council adopted a strike-all amendment and reported the bill favorably with committee substitute. The strike-all amendment removes from repeal:

- Section 14.25, F.S., relating to the Florida State Commission on Hispanic Affairs.
- Section 14.26, F.S., relating to reporting requirements of the Citizen's Assistance Office.
- Section 14.27, F.S., relating to the Florida Commission on African-American Affairs.
- Sections 17.32, 17.325 and 20.057, F.S., relating to reports on trust funds, the governmental efficiency hotline, and interagency agreements.
- Section 98.255, F.S., relating to voter education programs.
- Section 106.22, F.S., relating to an annual report regarding activities by the division of elections.
- Section 110.1227, F.S., relating to an annual report of the Florida Long-Term-Care Plan.
- Section 120.542, F.S., relating to an annual report regarding petitions by citizens requiring variances and waivers.
- Section 120.60, F.S., relating to licensing.
- Section 120.74, F.S., relating to annual agency reports regarding compliance with rules review.
- Section 121.45, F.S., relating to an actuarial study regarding interstate compacts relating to retirement systems.
- Section 186.022, F.S., relating to information technology strategic plans.
- Section 216.011, F.S., relating to the definition of the term "long-range program plan."
- Section 216.013, F.S., relating to provisions regarding long-range program plans.
- Section 216.103, F.S., relating to agencies receiving federal funds.
- Section 216.172, F.S., relating to meetings of legislative appropriations committees.
- Section 216.181, F.S., relating to quarterly reports regarding filled and vacant agency and judicial branch positions.
- Section 216.1825, F.S., relating to zero-based budgeting.
- Section 252.55, F.S., relating to the annual projection of Civil Air Patrol goals and objectives.
- Section 272.121, F.S., relating to Capitol Center long-range planning.
- Section 287.059, F.S., relating to submittal of proposed private attorney services fee schedules for approval before adopted by rule.
- Section 288.1045, F.S., relating to an annual report by the Office of Tourism, Trade, and Economic Development regarding tax refunds under the qualified defense contractor tax refund program.
- Section 288.1185, F.S., relating to the Recycling Markets Advisory Committee.
- Section 288.8175, F.S., relating to an annual review of linkage institute program activity.
- Section 380.06, F.S., relating to annual transmittal of revisions to statewide guidelines and standards of the Administration Commission regarding developments of regional impact.
- Section 381.731, F.S., relating to Department of Health strategic planning.
- Section 397.332, F.S., relating to an annual report by the Office of Drug Control.
- Sections 400.148 and 400.0239, F.S., relating to the Medicaid "Up-or-Out" Quality of Care Contract Management Program.
- Section 400.408, F.S., relating to local coordinating workgroups regarding identification of unlicensed facilities.

- Section 415.111, F.S., relating to annual reporting requirements regarding referred false reports of abuse, neglect, or exploitation of vulnerable adults.
- Section 430.707, F.S., relating to quarterly evaluations and reports regarding contracts with managed care organizations and other qualified providers to provide long-term care within community diversion pilot project areas.
- Section 446.609, F.S., relating to a review and report of the assessment of the Jobs for Florida's Graduates Program and the annual transmittal of related findings.
- Section 943.08, F.S., relating to the Criminal and Juvenile Justice Information Systems Council development and approval of a strategic plan.
- Section 948.10, F.S., relating to an annual report by the Department of Corrections regarding placement of ineligible offenders on community control.
- Section 985.309, F.S., relating to a notice requirement regarding taking corrective action of a noncompliant boot camp for children.
- Section 985.31, F.S., relating to an annual report by the Department of Juvenile Justice regarding the assessment and treatment services for serious or habitual juvenile offenders.
- Section 985.311, F.S., relating to an annual report by the Department of Juvenile Justice regarding assessment and treatment services for intensive residential treatment programs for offenders less than 13 years of age.
- Section 1001.02, F.S., relating to an annual report by the State Board of Education regarding baccalaureate degree programs exceeding 120 hours.
- Section 1001.03, F.S., relating to recommendations by the State Board of Education regarding a uniform classification system for school district administrative and management personnel.
- Section 1002.34, F.S., relating to an annual evaluation and report by the Commissioner of Education regarding charter technical career centers.
- Section 1004.22, F.S., relating to an annual report regarding the divisions of sponsored research at state universities.
- Section 1004.94, F.S., an annual report regarding the adult literacy program.
- Section 1004.95, F.S., relating to an annual report by the State Board of Education regarding adult literacy centers.
- Section 1006.67, F.S., relating to a report of campus crime statistics at postsecondary educational institutions.
- Section 1011.4105, F.S., relating to the transition of universities to FLAIR.
- Section 1012.05, F.S., relating to the development of a plan by the Department of Education for assessing and identifying resources in the state's workforce system for enhancing teacher recruitment and retention.
- Section 1013.11, F.S., relating to annual reports by the Commission of Education regarding postsecondary institutions assessment of physical plant safety.