



Transportation & Economic Development Appropriations Committee

**Tuesday, March 16, 2010
2:15 p.m. – 6:00 p.m.
Morris Hall
17 House Office Building**

MEETING PACKET

**Larry Cretul
Speaker**

**Richard Glorioso
Chair**



The Florida House of Representatives
Transportation & Economic Development Appropriations Committee

Larry Cretul
Speaker

Richard Glorioso
Chair

MEETING AGENDA

Tuesday, March 16 2010
2:15 p.m. to 6:00 p.m.
Morris Hall
17 House Office Building



- I. Call to Order
- II. Roll Call
- III. HB 1113 – Road Designations by Drake
- IV. HB 1195 – Road & Bridge Designation by Frishe
- V. HB 1229 – New Markets Development Program by Schenk
- VI. PCB TED 10-01 - Trust Funds/Transportation Revenue Bond Trust Fund/DOT by Transportation & Economic Development Appropriations
- VII. PCB TED 10-02 - Trust Funds/Transportation Governmental Bond Trust Fund/DOT by Transportation & Economic Development Appropriations
- VIII. PCB TED 10-03 - Trust Funds/Clearing Funds Trust Fund/DOS by Transportation & Economic Development Appropriations
- IX. PCB TED 10-04 - Trust Funds/Federal Grants Trust Fund/DOS by Transportation & Economic Development Appropriations
- X. PCB TED 10-05 - Trust Funds/Florida Forever Program Trust Fund/DCA by Transportation & Economic Development Appropriations
- XI. PCB TED 10-06 - Trust Funds/Emergency Response Trust Fund/DMA by Transportation & Economic Development Appropriations
- XII. PCB TED 10-07 - Trust Funds/Federal Grants Trust Fund/DCA by Transportation & Economic Development Appropriations
- XIII. PCB TED 10-08 - Department of Highway Safety and Motor Vehicles by Transportation & Economic Development Appropriations
- XIV. PCB TED 10-09 - Transportation Revenue by Transportation & Economic Development Appropriations
- XV. PCB TED 10-10 - Supplemental Corporate Fee by Transportation & Economic Development Appropriations
- XVI. Budget Workshop
- XVII. Adjournment

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1113 Road Designations

SPONSOR(S): Drake and others

TIED BILLS: IDEN./SIM. BILLS: SB 2054

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1)	Roads, Bridges & Ports Policy Committee	12 Y, 0 N	Johnson	Miller
2)	Transportation & Economic Development Appropriations Committee		Fennell 	Creamer 
3)	Economic Development & Community Affairs Policy Council			
4)				
5)				

SUMMARY ANALYSIS

Section 334.071, F.S., provides for legislative designations of transportation facilities for honorary or memorial purposes, or to distinguish a particular facility. The legislative designations do not “officially” change the current names of the facilities, nor does the statute require local governments and private entities to change street signs, mailing addresses, or 911 emergency telephone-number system listings.

The bill provides the following road designations:

- State Road 285 in Okaloosa and Walton Counties that is north of College Boulevard in the City of Niceville as the “Doolittle Raiders Highway.”
- U.S. Highway 331 between the Alabama State Line and U.S. Highway 98 that includes the incorporated area of Walton Highway as “The Beach Highway.”

The bill requires DOT to erect suitable markers designating each of these road designations.

This cost is insignificant and can be absorbed within the Department of Transportation’s existing budget.

The bill does not create any constitutional or other legal issues. It takes effect July 1, 2010.

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

Section 334.071, F.S., provides for legislative designations of transportation facilities for honorary or memorial purposes, or to distinguish a particular facility. The legislative designations do not "officially" change the current names of the facilities, nor does the statute require local governments and private entities to change street signs, mailing addresses, or 911 emergency telephone-number system listings.

The statute requires the Department of Transportation (DOT) to place a marker at each termini or intersection of an identified road or bridge, and to erect other markers it deems appropriate for the transportation facility. The statute also provides that a city or county must pass a resolution in support of a particular designation before road markers are erected. Additionally, if the designated road segment extends through multiple cities or counties, a resolution must be passed by each affected local government.

Effect of Proposed Change

The bill provides the following road designations:

- State Road 285 in Okaloosa and Walton Counties that is north of College Boulevard in the City of Niceville as the "Doolittle Raiders Highway."
- U.S. Highway 331 between the Alabama State Line and U.S. Highway 98 that includes the incorporated area of Walton Highway as "The Beach Highway."

The bill requires DOT to erect suitable markers designating each of these road designations.

The bill takes effect on July 1, 2010.

B. SECTION DIRECTORY:

Section 1 Designates the "Doolittle Raiders Highway;" directs DOT to erect suitable markers.

Section 2 Designates "The Beach Highway;" directs DOT to erect suitable markers.

Section 3 Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

This cost is insignificant and can be absorbed within the Department of Transportation's existing budget.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None

D. FISCAL COMMENTS:

None

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because the 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:

The Doolittle raiders were involved in the bombing of Tokyo during World War II, and planned and practiced for their mission at Eglin Air Force Base.

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

None

1 A bill to be entitled
 2 An act relating to road designations; designating
 3 Doolittle Raiders Highway in Okaloosa and Walton Counties;
 4 designating The Beach Highway in Walton County; directing
 5 the Department of Transportation to erect suitable
 6 markers; providing an effective date.

7
 8 Be It Enacted by the Legislature of the State of Florida:

9
 10 Section 1. Doolittle Raiders Highway designated;
 11 Department of Transportation to erect suitable markers.-

12 (1) That portion of State Road 285 between College
 13 Boulevard in Okaloosa County and U.S. Highway 90 in Walton
 14 County is designated as "Doolittle Raiders Highway."

15 (2) The Department of Transportation is directed to erect
 16 suitable markers designating Doolittle Raiders Highway as
 17 described in subsection (1).

18 Section 2. The Beach Highway designated; Department of
 19 Transportation to erect suitable markers.-

20 (1) That portion of U.S. Highway 331 between the Alabama
 21 state line and U.S. Highway 98 in Walton County, including those
 22 portions within incorporated areas of Walton County, is
 23 designated as "The Beach Highway."

24 (2) The Department of Transportation is directed to erect
 25 suitable markers designating The Beach Highway as described in
 26 subsection (1).

27 Section 3. This act shall take effect July 1, 2010.

1 A bill to be entitled
 2 An act relating to road designations; designating
 3 Doolittle Raiders Highway in Okaloosa and Walton Counties;
 4 designating The Beach Highway in Walton County; directing
 5 the Department of Transportation to erect suitable
 6 markers; providing an effective date.

7
 8 Be It Enacted by the Legislature of the State of Florida:

9
 10 Section 1. Doolittle Raiders Highway designated;
 11 Department of Transportation to erect suitable markers.-

12 (1) That portion of State Road 285 between College
 13 Boulevard in Okaloosa County and U.S. Highway 90 in Walton
 14 County is designated as "Doolittle Raiders Highway."

15 (2) The Department of Transportation is directed to erect
 16 suitable markers designating Doolittle Raiders Highway as
 17 described in subsection (1).

18 Section 2. The Beach Highway designated; Department of
 19 Transportation to erect suitable markers.-

20 (1) That portion of U.S. Highway 331 between the Alabama
 21 state line and U.S. Highway 98 in Walton County, including those
 22 portions within incorporated areas of Walton County, is
 23 designated as "The Beach Highway."

24 (2) The Department of Transportation is directed to erect
 25 suitable markers designating The Beach Highway as described in
 26 subsection (1).

27 Section 3. This act shall take effect July 1, 2010.

Amendment No. 1

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

1 Council/Committee hearing bill: Transportation & Economic
2 Development Appropriations Committee
3 Representative(s) Patronis offered the following:
4

Amendment (with title amendment)

6 Remove line 27 and insert:

7 Section 3. K. Earl Durden Highway designated; Department
8 of Transportation to erect suitable markers.-

9 (1) That portion of State Road 79 between U.S. Highway 98
10 and the B.V. Buchanan Bridge in West Bay in Bay County is
11 designated as "K. Earl Durden Highway."

12 (2) The Department of Transportation is directed to erect
13 suitable markers designating K. Earl Durden Highway as described
14 in subsection (1).

15 Section 4. This act shall take effect July 1, 2010.
16
17

18 -----
19 **T I T L E A M E N D M E N T**

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 1113 (2010)

Amendment No. 1

20 Remove line 4 and insert:
21 designating The Beach Highway in Walton County; designating
22 The K. Earl Durden Highway in Bay County; directing

HOUSE OF REPRESENTATIVES STAFF ANALYSIS



BILL #: HB 1195

Road & Bridge Designations

SPONSOR(S): Frishe

TIED BILLS:

IDEN./SIM. BILLS: SB 2076

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1)	Roads, Bridges & Ports Policy Committee	12 Y, 0 N	Johnson	Miller
2)	Transportation & Economic Development Appropriations Committee		Fennell 	Creamer 
3)	Economic Development & Community Affairs Policy Council			
4)				
5)				

SUMMARY ANALYSIS

Section 334.071, F.S., provides for legislative designations of transportation facilities for honorary or memorial purposes, or to distinguish a particular facility. The legislative designations do not "officially" change the current names of the facilities, nor does the statute require local governments and private entities to change street signs, mailing addresses, or 911 emergency telephone-number system listings.

The bill designates that portion of State Road 682 (Pinellas Bayway) from State Road 699 (Gulf Boulevard) to U.S. 19 in Pinellas County as the "Command Sergeant Major Gary Lee Littrell Medal of Honor Causeway and Bridge."

The bill requires DOT to erect suitable markers designating the "Command Sergeant Major Gary Lee Littrell Medal of Honor Causeway and Bridge."

This cost is insignificant and can be absorbed within the Department of Transportation's existing budget.

The bill does not create any constitutional or other legal issues. It takes effect July 1, 2010.

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

Section 334.071, F.S., provides for legislative designations of transportation facilities for honorary or memorial purposes, or to distinguish a particular facility. The legislative designations do not "officially" change the current names of the facilities, nor does the statute require local governments and private entities to change street signs, mailing addresses, or 911 emergency telephone-number system listings.

The statute requires the Department of Transportation (DOT) to place a marker at each termini or intersection of an identified road or bridge, and to erect other markers it deems appropriate for the transportation facility. The statute also provides that a city or county must pass a resolution in support of a particular designation before road markers are erected. Additionally, if the designated road segment extends through multiple cities or counties, a resolution must be passed by each affected local government.

Effect of Proposed Changes

The bill designates that portion of State Road 682 (Pinellas Bayway) from State Road 699 (Gulf Boulevard) to U.S. 19 in Pinellas County as the "Command Sergeant Major Gary Lee Littrell Medal of Honor Causeway and Bridge."

The bill requires DOT to erect suitable markers designating the "Command Sergeant Major Gary Lee Littrell Medal of Honor Causeway and Bridge."

The bill takes effect on July 1, 2010.

B. SECTION DIRECTORY:

Section 1 Designates the "Command Sergeant Major Gary Lee Littrell Medal of Honor Causeway and Bridge;" directs DOT to erect suitable markers.

Section 2 Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

This cost is insignificant and can be absorbed within the Department of Transportation's existing budget.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None

D. FISCAL COMMENTS:

None

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because the 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:

Gary Lee Littrell is a retired Command Sergeant Major in the United States Army who, while serving in the Vietnam War, acted with extraordinary courage during a four day siege of his battalion — for which he was awarded the Medal of Honor on October 15, 1973.

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

None

1 A bill to be entitled
2 An act relating to road and bridge designations;
3 designating the Command Sergeant Major Gary Lee Littrell
4 Medal of Honor Causeway and Bridge in Pinellas County;
5 directing the Department of Transportation to erect
6 markers; providing an effective date.

7
8 Be It Enacted by the Legislature of the State of Florida:

9
10 Section 1. Command Sergeant Major Gary Lee Littrell Medal
11 of Honor Causeway and Bridge designated; Department of
12 Transportation to erect suitable markers.-

13 (1) That portion of State Road 682 (Pinellas Bayway) from
14 State Road 699 (Gulf Boulevard) to U.S. 19 in Pinellas County is
15 designated as "Command Sergeant Major Gary Lee Littrell Medal of
16 Honor Causeway and Bridge."

17 (2) The Department of Transportation is directed to erect
18 suitable markers designating the Command Sergeant Major Gary Lee
19 Littrell Medal of Honor Causeway and Bridge as described in
20 subsection (1).

21 Section 2. This act shall take effect July 1, 2010.

1 A bill to be entitled
2 An act relating to road and bridge designations;
3 designating the Command Sergeant Major Gary Lee Littrell
4 Medal of Honor Causeway and Bridge in Pinellas County;
5 directing the Department of Transportation to erect
6 markers; providing an effective date.

7
8 Be It Enacted by the Legislature of the State of Florida:

9
10 Section 1. Command Sergeant Major Gary Lee Littrell Medal
11 of Honor Causeway and Bridge designated; Department of
12 Transportation to erect suitable markers.-

13 (1) That portion of State Road 682 (Pinellas Bayway) from
14 State Road 699 (Gulf Boulevard) to U.S. 19 in Pinellas County is
15 designated as "Command Sergeant Major Gary Lee Littrell Medal of
16 Honor Causeway and Bridge."

17 (2) The Department of Transportation is directed to erect
18 suitable markers designating the Command Sergeant Major Gary Lee
19 Littrell Medal of Honor Causeway and Bridge as described in
20 subsection (1).

21 Section 2. This act shall take effect July 1, 2010.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS



BILL #: HB 1229

New Markets Development Program

SPONSOR(S): Schenck

TIED BILLS:

IDEN./SIM. BILLS: SB 2426

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1)	Economic Development Policy Committee	12 Y, 0 N	Tait	Kruse
2)	Transportation & Economic Development Appropriations Committee		Fennell 	Creamer 
3)	Economic Development & Community Affairs Policy Council			
4)				
5)				

SUMMARY ANALYSIS

In 2009, the Florida Legislature created the Florida New Markets Development Program (NMDP) to provide state tax credits for investments in low-income communities. Tax credits allocated may be used to offset corporate income or insurance premium tax liabilities. The program is designed to make the state more attractive to national investors who are deciding where to invest funds raised under the federal New Markets Tax Credits program by creating a state NMDP similar to the federal program.

The bill changes the definition of “qualified active low-income community business” to match the regulations for the federal New Markets Tax Credits. The bill allows for a business to qualify as a “qualified active low-income community business” even if it does not derive at least 50 percent of its total gross income by conducting business in a low-income community either if it uses at least 50 percent of its tangible property within a low-income community or if at least 50 percent of its services are performed through its employees in a low-income community.

The bill also amends the provision that prevents eligible companies from deriving or projecting to derive 15 percent or more of its annual revenue from the rental or sale of real estate. This change will allow companies to derive such revenues from the rental of real estate on the condition that the primary lessee and user of such real estate is another qualified active low-income community business that is owned or controlled by, or that is under common ownership or control with, such corporation or partnership. These two qualifications of common ownership and status as a “qualified active low-income community business” parallel the federal program.

The bill has no fiscal impact.

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:

Present Situation

In 2009, the Florida Legislature created the Florida New Markets Development Program (NMDP) to provide state tax credits for investments in low-income communities. Tax credits allocated may be used to offset corporate income or insurance premium tax liabilities. The program is designed to make the state more attractive to national investors who are deciding where to invest funds raised under the federal New Markets Tax Credits program by creating a state NMDP similar to the federal program.

There is no credit provided for the first two years after the original date of investment. The credit provided in the third year after investment is seven percent of the investment amount. The credit provided between the fourth and seven year after the investment is equal to eight percent of the investment amount. Over seven years this credit totals 39 percent of the original investment amount.

The federal program provides credits totaling 39 percent of the investment over a seven year period. A company with a qualified investment for both the federal and state program would receive 78 percent of the purchase price of the investment in tax credits. An entity could qualify for the state program and not qualify for the federal program. If a taxpayer's state tax liability is less than their available tax credits, then the tax credits may be carried forward for future taxable years, however all tax credits expire December 31, 2022. The tax credits are allocated on a first-come, first-serve basis. Enterprise Florida, Inc. or any entity created by Enterprise Florida, Inc., is considered a qualified community development entity and may participate in the program.

Current statutes define "qualified active low-income community business" as a corporation, including a nonprofit corporation, or partnership that: derives at least 50 percent of its total gross income from the active conduct of business within any low-income community for any taxable year; uses a substantial portion of its tangible property, whether owned or leased, within any low-income community for any taxable year; performs a substantial portion of its services through its employees in a low-income community for any taxable year; attributes less than 5 percent of the property of the entity to collectibles; and attributes less than 5 percent of the average of the property of the entity to nonqualified financial property.

Current statutes also prohibit any "qualified active low-income community business" from deriving 15 percent or more of its annual revenue from the rental or sale of real estate.

Effects of Proposed Changes

The bill changes the definition of “qualified active low-income community business.” These changes are designed to ensure that the state program’s definitions are consistent with federal regulations. In addition, these changes allow for a quantitative determination of what constitutes a “qualified active low-income community business,” as there is currently no definition for “substantial portion” in the statutes.

Under the provisions of the bill, a “qualified active low-income community business” must use at least 40 percent of its tangible property, whether owned or leased, within any low-income community for any taxable year. The calculation for determining the 40 percent is defined as the “average value of the tangible property owned or leased and used within a low-income community by the corporation or partnership divided by the average value of the total tangible property owned or leased and used by the corporation or partnership during the taxable year.” The value assigned to leased property must be reasonable.

The bill also requires that a “qualified active low-income community business” perform at least 40 percent of its services through its employees in a low-income community for any taxable year. The calculation for determining the 40 percent is “the amount paid by the corporation or partnership for salaries, wages, and benefits to employees in a low-income community divided by the total amount paid by the corporation or partnership for salaries, wages, and benefits during the taxable year.”

The bill allows for a business to qualify as a “qualified active low-income community business” even if it does not derive at least 50 percent of its total gross income by conducting business in a low-income community either if it uses at least 50 percent of its tangible property within a low-income community or if at least 50 percent of its services are performed through its employees in a low-income community.

Option 1	Option 2	Option 3
50% of total gross income is derived from active conduct of business within in any low-income community	Gross income requirement is met if the other criteria are met as follows:	Gross income requirement is met if the other criteria are met as follows:
40% of its tangible property is used with any low-income community	At least 50% of its tangible property is used with any low-income community	40% of its tangible property is used with any low-income community
40% of its services are performed through its employees in a low-income community	40% of its services are performed through its employees in a low-income community	At least 50% of its services are performed through its employees in a low-income community
<5% of its property is attributed to collectibles (other than those held for sale to customers)	<5% of its property is attributed to collectibles (other than those held for sale to customers)	<5% of its property is attributed to collectibles (other than those held for sale to customers)
<5% of its property is attributed to nonqualified financial property	<5% of its property is attributed to nonqualified financial property	<5% of its property is attributed to nonqualified financial property

The bill also amends the provision that prevent eligible companies from deriving or projecting to derive 15 percent or more of its annual revenue from the rental or sale of real estate. This change will allow companies to derive such revenues from the rental of real estate on the condition that the primary lessee and user of such real estate is another qualified active low-income community business that is owned or controlled by, or that is under common ownership or control with, such corporation or partnership. These two qualifications of common ownership and “qualified active low-income community business” parallel the federal program, and are designed to allow these special purpose entities to shield the operating company from liability.

The bill takes effect upon becoming a law.

B. SECTION DIRECTORY:

Section 1: Amends s. 288.9913, F.S., relating to the New Markets Development Program, amending the definition of "qualified active low-income community business".

Section 2: Provides an effective date of upon becoming a law.

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:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because the 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

1 A bill to be entitled
 2 An act relating to the New Markets Development Program;
 3 amending s. 288.9913, F.S.; revising the definition of the
 4 term "qualified active low-income community business" for
 5 purposes of the New Markets Development Program Act;
 6 providing an effective date.

7
 8 Be It Enacted by the Legislature of the State of Florida:

9
 10 Section 1. Subsection (7) of section 288.9913, Florida
 11 Statutes, is amended to read:

12 288.9913 Definitions.—As used in ss. 288.991-288.9922, the
 13 term:

14 (7) "Qualified active low-income community business" means
 15 a corporation, including a nonprofit corporation, or partnership
 16 that complies with each of the following:

17 (a)1. Derives at least 50 percent of its total gross
 18 income from the active conduct of business within any low-income
 19 community for any taxable year. ~~‡~~

20 2. Uses at least 40 percent ~~a substantial portion~~ of its
 21 tangible property, whether owned or leased, within any low-
 22 income community for any taxable year, which percentage shall be
 23 the average value of the tangible property owned or leased and
 24 used within a low-income community by the corporation or
 25 partnership divided by the average value of the total tangible
 26 property owned or leased and used by the corporation or
 27 partnership during the taxable year. The value assigned to
 28 leased property by the corporation or partnership must be

29 reasonable.†

30 3. Performs at least 40 percent ~~a substantial portion~~ of
 31 its services through its employees in a low-income community for
 32 any taxable year, which percentage shall be the amount paid by
 33 the corporation or partnership for salaries, wages, and benefits
 34 to employees in a low-income community divided by the total
 35 amount paid by the corporation or partnership for salaries,
 36 wages, and benefits during the taxable year.†

37 4. Attributes less than 5 percent of the average of the
 38 aggregate unadjusted bases of the property of the entity to
 39 collectibles, as defined in 26 U.S.C. s. 408(m)(2), other than
 40 collectibles that are held primarily for sale to customers in
 41 the ordinary course of the business for any taxable year.† ~~and~~

42 5. Attributes less than 5 percent of the average of the
 43 aggregate unadjusted bases of the property of the entity to
 44 nonqualified financial property, as defined in 26 U.S.C. s.
 45 1397C(e), for any taxable year.

46
 47 A corporation or partnership complies with subparagraph 1. if,
 48 as calculated in subparagraph 2., it uses at least 50 percent of
 49 its tangible property, whether owned or leased, within any low-
 50 income community for any taxable year or if, as calculated in
 51 subparagraph 3., the corporation or partnership performs at
 52 least 50 percent of its services through its employees in a low-
 53 income community for any taxable year.

54 (b) Is reasonably expected by a qualified community
 55 development entity at the time of an investment to continue to
 56 satisfy the requirements of paragraphs (a), (c), and (d) for the

57 duration of the investment.

58 (c) Satisfies the requirements of paragraphs (a) and (b),
59 but does not:

60 1. Derive or project to derive 15 percent or more of its
61 annual revenue from the rental or sale of real estate, unless
62 the corporation or partnership derives such revenue from the
63 rental of real estate and the primary lessee and user of such
64 real estate is another qualified active low-income community
65 business that is owned or controlled by, or that is under common
66 ownership or control with, such corporation or partnership;

67 2. Engage predominantly in the development or holding of
68 intangibles for sale or license;

69 3. Operate a private or commercial golf course, country
70 club, massage parlor, hot tub facility, suntan facility,
71 racetrack, gambling facility, or a store the principal business
72 of which is the sale of alcoholic beverages for consumption off
73 premises; or



74 4. Engage principally in farming and owns or leases assets
75 the sum of the aggregate unadjusted bases or the fair market
76 value of which exceeds \$500,000.

77 (d) Will create or retain jobs that pay an average wage of
78 at least 115 percent of the federal poverty income guidelines
79 for a family of four.

80 Section 2. This act shall take effect upon becoming a law.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCB TED 10-01 Trust Funds/Transportation Revenue Bond Trust Fund/DOT
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)				
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SUMMARY ANALYSIS

This legislation creates the Transportation Governmental Bond Trust Fund within the Department of Transportation. This trust fund will serve as a depository of bond proceeds, issued for eligible transportation projects.

The bill adds a trust fund termination date of July 1, 2014.

This bill has an effective date of July 1, 2010; however, a three-fifths vote of the membership or each house of the Legislature is required for it to take effect.

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:

Section 215.615, F.S., provides the Department of Transportation the authority to issue fixed-guideway bonds and section 215.616, F.S., provides the Department the authority to issue federal grant revenue anticipation bonds. Typically, bond covenants require segregation of bond issuance proceeds. The Department does not believe existing trust funds within the Department whose purpose it is to hold bond proceeds will be sufficient to meet this requirement.

Article III, Section 19(f) of the Florida Constitution requires the termination of all state trust funds within four years of their initial creation, unless exempt by the Constitution or operation of law.

Article III, section 19(f)(1), of the Florida Constitution, provides no trust fund of the state or other public body may be created without three-fifths vote of the membership of each house of the Legislature in a separate bill for that purpose only.

Potential Changes:

The Transportation Governmental Bond Trust Fund will be created effective July 1, 2010. Proceeds from bonds will be deposited into the trust fund.

B. SECTION DIRECTORY:

Section 1 creates the Transportation Governmental Bond Trust Fund.

Section 2 provides an effective date of July 1, 2010; however, requires a three-fifths vote of both houses of the Legislature to become effective.

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:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

Article III, section 19(f)(1), of the Florida Constitution, provides no trust fund of the state or other public body may be created without three-fifths vote of the membership of each house of the Legislature in a separate bill for that purpose only.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

PCB TED 10-01

ORIGINAL

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29 unless terminated sooner, be terminated on July 1, 2014. Before
30 its scheduled termination, the trust fund shall be reviewed as
31 provided in s. 215.3206(1) and (2).

32 Section 2. This act shall take effect July 1, 2010, but it
33 shall not take effect unless it is enacted by a three-fifths
34 vote of the membership of each house of the Legislature.



HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCB TED 10-02 Trust Funds/Transportation Governmental Bond Trust

Fund/DOT

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)				
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SUMMARY ANALYSIS

This legislation reenacts the Transportation Revenue Bond Trust Fund, FLAIR code 55-2-734, within the Department of Transportation. This trust fund serves as a depository of revenue bond proceeds secured by state and federal revenues.

The bill adds a trust fund termination date of July 1, 2014.

This bill has an effective date of July 1, 2010; however, it does not take effect without a three-fifths vote of the membership or each house of the Legislature.

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:

Article III, Section 19(f) of the Florida Constitution requires the termination of all state trust funds within four years of their initial creation, unless exempt by the Constitution or operation of law. The Transportation Revenue Bond Trust Fund within the Department of Transportation was initially considered exempt from this provision. However, it has since been determined that this trust fund should not have been exempted.

The Transportation Revenue Bond Trust Fund, FLAIR code 55-2-734, consists of funds collected from proceeds of revenue bond sales secured by state and federal revenues for eligible transportation projects.

Article III, section 19(f)(1), of the Florida Constitution, provides no trust fund of the state or other public body may be created without three-fifths vote of the membership of each house of the Legislature in a separate bill for that purpose only.

There were no 2009-2010 appropriations from this fund.

Potential Changes:

The Transportation Revenue Bond Trust Fund, FLAIR code 55-2-734, will be reenacted effective July 1, 2010.

B. SECTION DIRECTORY:

Section 1 amends s 339.0815, F.S., adding subsection (4) terminating the Transportation Revenue Bond Trust Fund on July 1, 2014, unless terminated sooner. Also, requires the trust fund to be reviewed as provided in s. 215.3206(1) and (2), F.S. prior to termination.

Section 2 provides an effective date of July 1, 2010; however, requires a three-fifths vote of both houses of the Legislature to become effective.

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:

None

D. FISCAL COMMENTS:

None

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

Article III, section 19(f)(1), of the Florida Constitution, provides no trust fund of the state or other public body may be created without three-fifths vote of the membership of each house of the Legislature in a separate bill for that purpose only.

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

None

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

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A bill to be entitled
An act relating to trust funds; creating the
Transportation Governmental Bond Trust Fund within the
Department of Transportation; providing for the purpose of
the trust fund and sources of funds; providing for future
review and termination or re-creation of the trust fund;
providing a contingent effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Transportation Governmental Bond Trust Fund.—

(1) The Transportation Governmental Bond Trust Fund is created within the Department of Transportation. The purpose of the trust fund is for the deposit of funds received from the proceeds upon issuance of bonds.

(2) Net proceeds from bonds issued for eligible transportation projects shall be credited to the trust fund to provide for the payment of eligible project costs.

(3) In accordance with s. 19(f)(2), Article III of the State Constitution, the Transportation Governmental Bond Trust Fund shall, unless terminated sooner, be terminated on July 1, 2014. Before its scheduled termination, the trust fund shall be reviewed as provided in s. 215.3206(1) and (2), Florida Statutes.

Section 2. This act shall take effect July 1, 2010, but this act shall not take effect unless it is enacted by a three-fifths vote of the membership of each house of the Legislature.

Amendment No. 1

COUNCIL/COMMITTEE ACTION

ADOPTED ___ (Y/N)
ADOPTED AS AMENDED ___ (Y/N)
ADOPTED W/O OBJECTION ___ (Y/N)
FAILED TO ADOPT ___ (Y/N)
WITHDRAWN ___ (Y/N)
OTHER _____

1 Council/Committee hearing PCB: Transportation & Economic
2 Development Appropriations Committee
3 Representative Jenne offered the following:
4

5 **Amendment (with title amendment)**

6 Between lines 24 and 25, insert:

7 Section 2. Paragraph (b) of subsection (2) of section
8 215.32, Florida Statutes, is amended to read:

9 215.32 State funds; segregation.—

10 (2) The source and use of each of these funds shall be as
11 follows:

12 (b)1. The trust funds shall consist of moneys received by
13 the state which under law or under trust agreement are
14 segregated for a purpose authorized by law. The state agency or
15 branch of state government receiving or collecting such moneys
16 shall be responsible for their proper expenditure as provided by
17 law. Upon the request of the state agency or branch of state
18 government responsible for the administration of the trust fund,
19 the Chief Financial Officer may establish accounts within the

Amendment No. 1

20 trust fund at a level considered necessary for proper
21 accountability. Once an account is established within a trust
22 fund, the Chief Financial Officer may authorize payment from
23 that account only upon determining that there is sufficient cash
24 and releases at the level of the account.

25 2. In addition to other trust funds created by law, to the
26 extent possible, each agency shall use the following trust funds
27 as described in this subparagraph for day-to-day operations:

28 a. Operations or operating trust fund, for use as a
29 depository for funds to be used for program operations funded by
30 program revenues, with the exception of administrative
31 activities when the operations or operating trust fund is a
32 proprietary fund.

33 b. Operations and maintenance trust fund, for use as a
34 depository for client services funded by third-party payors.

35 c. Administrative trust fund, for use as a depository for
36 funds to be used for management activities that are departmental
37 in nature and funded by indirect cost earnings and assessments
38 against trust funds. Proprietary funds are excluded from the
39 requirement of using an administrative trust fund.

40 d. Grants and donations trust fund, for use as a
41 depository for funds to be used for allowable grant or donor
42 agreement activities funded by restricted contractual revenue
43 from private and public nonfederal sources.

44 e. Agency working capital trust fund, for use as a
45 depository for funds to be used pursuant to s. 216.272.

Amendment No. 1

46 f. Clearing funds trust fund, for use as a depository for
47 funds to account for collections pending distribution to lawful
48 recipients.

49 g. Federal grant trust fund, for use as a depository for
50 funds to be used for allowable grant activities funded by
51 restricted program revenues from federal sources.

52

53 To the extent possible, each agency must adjust its internal
54 accounting to use existing trust funds consistent with the
55 requirements of this subparagraph. If an agency does not have
56 trust funds listed in this subparagraph and cannot make such
57 adjustment, the agency must recommend the creation of the
58 necessary trust funds to the Legislature no later than the next
59 scheduled review of the agency's trust funds pursuant to s.
60 215.3206.

61 3. All such moneys are hereby appropriated to be expended
62 in accordance with the law or trust agreement under which they
63 were received, subject always to the provisions of chapter 216
64 relating to the appropriation of funds and to the applicable
65 laws relating to the deposit or expenditure of moneys in the
66 State Treasury.

67 4.a. Notwithstanding any provision of law restricting the
68 use of trust funds to specific purposes, unappropriated cash
69 balances from selected trust funds may be authorized by the
70 Legislature for transfer to the Budget Stabilization Fund and
71 General Revenue Fund in the General Appropriations Act.

72 b. This subparagraph does not apply to trust funds
73 required by federal programs or mandates; trust funds

Amendment No. 1

74 established for bond covenants, indentures, or resolutions whose
75 revenues are legally pledged by the state or public body to meet
76 debt service or other financial requirements of any debt
77 obligations of the state or any public body; the Transportation
78 Governmental Bond Trust Fund in the Department of
79 Transportation; the State Transportation Trust Fund; the trust
80 fund containing the net annual proceeds from the Florida
81 Education Lotteries; the Florida Retirement System Trust Fund;
82 trust funds under the management of the State Board of Education
83 or the Board of Governors of the State University System, where
84 such trust funds are for auxiliary enterprises, self-insurance,
85 and contracts, grants, and donations, as those terms are defined
86 by general law; trust funds that serve as clearing funds or
87 accounts for the Chief Financial Officer or state agencies;
88 trust funds that account for assets held by the state in a
89 trustee capacity as an agent or fiduciary for individuals,
90 private organizations, or other governmental units; and other
91 trust funds authorized by the State Constitution.

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93
94 -----
95 **T I T L E A M E N D M E N T**

96 Between lines 6 and 7, insert:

97
98 amending s. 215.32, F.S.; providing that unappropriated
99 cash balances within the Transportation Governmental Bond
100 Trust Fund may not be transferred by the Legislature to

COUNCIL/COMMITTEE AMENDMENT
PCB Name: PCB TED 10-02 (2010)

Amendment No. 1

101 | the Budget Stabilization Fund and General Revenue Fund in
102 | the General Appropriations Act;

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCB TED 10-03 Trust Funds/Clearing Funds Trust Fund/DOS

SPONSOR(S): Transportation & Economic Development Appropriations Committee

TIED BILLS: IDEN./SIM. BILLS:

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
Orig. Comm.:	Transportation & Economic Development Appropriations Committee		Lolley <i>[Signature]</i>	Creamer <i>[Signature]</i>
1)				
2)				
3)				
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SUMMARY ANALYSIS

Proposed Committee Bill TED 10-03 creates the Clearing Funds Trust Fund within the Department of State. The Clearing Funds Trust Fund is established as a depository for funds to account for collections pending distribution to lawful recipients. Funds shall be distributed pursuant to the applicable provisions of Florida Statutes.

This bill amends the following sections of the Florida Statutes: 99.092, 99.093, 105.031, 106.24, and 610.104.

The trust fund is scheduled to terminate on July 1, 2014.

The bill has an effective date of July 1, 2010, provided that the act is enacted by a three-fifths vote of the membership of each house of the Legislature.

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

Article III, Section 19(f) of the Florida Constitution requires the termination of all state trust funds within 4 years of their initial creation, unless exempt by the Constitution. During a review of trust funds, it was found that the Department of State uses the Operating Trust Fund as a depository for funds that must be distributed to authorized recipients. These funds include candidate filing fees, notary surcharges, campaign finance contributions, elections assessments, and cable franchise fees. According to s. 215.32, F.S., a Clearing Funds Trust Fund serves as a depository for funds to account for collections pending distribution to lawful recipients.

Effect of Proposed Changes

Proposed Committee Bill TED 10-03 creates the Clearing Funds Trust Fund within the Department of State. The fund is established as a depository for funds to account for collections pending distribution to lawful recipients. Funds shall be expended pursuant to the applicable provisions of Florida Statutes. It terminates the trust fund on July 1, 2014, if not terminated sooner.

PCB TED 10-03 amends s. 99.092, F.S., to require election assessments to be deposited into the Clearing Funds Trust Fund for transfer to the Department of Legal Affairs.

The bill amends s. 99.093, F.S., to clarify that municipal candidate election assessments shall be collected by the Department of State for transfer to the Department of Legal Affairs.

The bill also amends s. 105.031, F.S., to clarify that candidate filing fees are collected by the Department of State and transferred to the Department of Legal Affairs.

The bill amends s. 106.24, F.S., to clarify that the Elections Commission Trust Fund is not utilized by the Division of Elections. This is a trust fund within the Department of Legal Affairs to be used by the Florida Elections Commission.

PCB TED 10-03 amends s. 601.104, F.S., to redirect the deposit of cable and video application filing fees to the Clearing Funds Trust Fund, rather than the Operating Trust Fund.

B. SECTION DIRECTORY:

- Section 1 Creates the Clearing Funds Trust Fund within the Department of State; provides for sources of funds and purposes; provides for future review and termination or re-creation of the trust fund.

- Section 2 Amends s. 99.092, F.S.; clarifies provisions requiring that election assessments be deposited in the Clearing Funds Trust Fund to be transferred to the Elections Commission Trust Fund within the Department of Legal Affairs.

- Section 3 Amends s. 99.093, F.S.; clarifies provisions requiring that election assessments be transferred to the Elections Commission Trust Fund within the Department of Legal Affairs.

- Section 4 Amends s. 105.031, F.S.; requires that the filing fees for certain offices be transferred to the Department of Legal Affairs rather than the Department of Revenue for deposit into the Elections Commission Trust Fund.

- Section 5 Amends s. 106.24, F.S.; clarifies that the Elections Commission Trust Fund is a trust fund within the Department of Legal Affairs to be used by the Florida Elections Commission.

- Section 6 Amends s. 601.104, F.S.; requires that certain funds paid to the Department of State by cable and video providers be deposited into the Clearing Funds Trust Fund rather than the Operating Trust Fund.

- Section 7 Provides an effective date with required vote by the membership.

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:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

Trust Funds Restrictions:

Article III, section 19(f)(1), of the Florida Constitution, provides no trust fund of the state or other public body may be created without three-fifths vote of the membership of each house of the Legislature in a separate bill for that purpose only.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

1 A bill to be entitled
 2 An act relating to trust funds; creating the Clearing
 3 Funds Trust Fund within the Department of State; providing
 4 for sources of funds and purposes; providing for future
 5 review and termination or re-creation of the trust fund;
 6 amending ss. 99.092 and 99.093, F.S.; clarifying
 7 provisions requiring that election assessments be
 8 transferred to the Elections Commission Trust Fund within
 9 the Department of Legal Affairs; amending s. 105.031,
 10 F.S.; requiring that the filing fees for certain offices
 11 be transferred to the Department of Legal Affairs rather
 12 than the Department of Revenue for deposit into the
 13 Elections Commission Trust Fund; amending s. 106.24, F.S.;
 14 deleting an obsolete reference to the Division of
 15 Elections with respect to the use of funds in the
 16 Elections Commission Trust Fund; amending s. 610.104,
 17 F.S.; requiring that certain funds paid to the Department
 18 of State by cable or video providers be deposited into the
 19 Clearing Funds Trust Fund rather than the Operating Trust
 20 Fund; providing a contingent effective date.

21
 22 Be It Enacted by the Legislature of the State of Florida:

23
 24 Section 1. Clearing Funds Trust Fund.—

25 (1) The Clearing Funds Trust Fund is created within the
 26 Department of State.

27 (2) The trust fund is established for use as a depository
 28 for funds to account for collections pending distribution to

PCB TED 10-03

ORIGINAL

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29 lawful recipients. Funds shall be expended only pursuant to
30 legislative appropriation or an approved amendment to the
31 department's operating budget pursuant to the provisions of
32 chapter 216, Florida Statutes.

33 (3) In accordance with s. 19(f)(2), Article III of the
34 State Constitution, the Clearing Funds Trust Fund shall, unless
35 terminated sooner, be terminated on July 1, 2014. Before its
36 scheduled termination, the trust fund shall be reviewed as
37 provided in s. 215.3206(1) and (2), Florida Statutes.

38 Section 2. Subsection (1) of section 99.092, Florida
39 Statutes, is amended to read:

40 99.092 Qualifying fee of candidate; notification of
41 Department of State.—

42 (1) Each person seeking to qualify for nomination or
43 election to any office, except a person seeking to qualify by
44 the petition process pursuant to s. 99.095 and except a person
45 seeking to qualify as a write-in candidate, shall pay a
46 qualifying fee, which shall consist of a filing fee and election
47 assessment, to the officer with whom the person qualifies, and
48 any party assessment levied, and shall attach the original or
49 signed duplicate of the receipt for his or her party assessment
50 or pay the same, in accordance with the provisions of s.
51 103.121, at the time of filing his or her other qualifying
52 papers. The amount of the filing fee is 3 percent of the annual
53 salary of the office. The amount of the election assessment is 1
54 percent of the annual salary of the office sought. The election
55 assessment shall be deposited into the Clearing Funds Trust Fund
56 and transferred to the Elections Commission Trust Fund within

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57 | the Department of Legal Affairs. The amount of the party
 58 | assessment is 2 percent of the annual salary. The annual salary
 59 | of the office for purposes of computing the filing fee, election
 60 | assessment, and party assessment shall be computed by
 61 | multiplying 12 times the monthly salary, excluding any special
 62 | qualification pay, authorized for such office as of July 1
 63 | immediately preceding the first day of qualifying. No qualifying
 64 | fee shall be returned to the candidate unless the candidate
 65 | withdraws his or her candidacy before the last date to qualify.
 66 | If a candidate dies prior to an election and has not withdrawn
 67 | his or her candidacy before the last date to qualify, the
 68 | candidate's qualifying fee shall be returned to his or her
 69 | designated beneficiary, and, if the filing fee or any portion
 70 | thereof has been transferred to the political party of the
 71 | candidate, the Secretary of State shall direct the party to
 72 | return that portion to the designated beneficiary of the
 73 | candidate.

74 | Section 3. Subsection (1) of section 99.093, Florida
 75 | Statutes, is amended to read:

76 | 99.093 Municipal candidates; election assessment.—

77 | (1) Each person seeking to qualify for nomination or
 78 | election to a municipal office shall pay, at the time of
 79 | qualifying for office, an election assessment. The election
 80 | assessment shall be an amount equal to 1 percent of the annual
 81 | salary of the office sought. Within 30 days after the close of
 82 | qualifying, the qualifying officer shall forward all assessments
 83 | collected pursuant to this section to the Department of State
 84 | for transfer to ~~deposit in~~ the Elections Commission Trust Fund

PCB TED 10-03

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2010

85 within the Department of Legal Affairs.

86 Section 4. Subsection (3) of section 105.031, Florida
87 Statutes, is amended to read:

88 105.031 Qualification; filing fee; candidate's oath; items
89 required to be filed.—

90 (3) QUALIFYING FEE.—Each candidate qualifying for election
91 to a judicial office or the office of school board member,
92 except write-in judicial or school board candidates, shall,
93 during the time for qualifying, pay to the officer with whom he
94 or she qualifies a qualifying fee, which shall consist of a
95 filing fee and an election assessment, or qualify by the
96 petition process. The amount of the filing fee is 3 percent of
97 the annual salary of the office sought. The amount of the
98 election assessment is 1 percent of the annual salary of the
99 office sought. The Department of State shall transfer ~~forward~~
100 all filing fees to the Department of Legal Affairs Revenue for
101 deposit in the Elections Commission Trust Fund. The supervisor
102 of elections shall forward all filing fees to the Elections
103 Commission Trust Fund. The election assessment shall be
104 deposited into the Elections Commission Trust Fund. The annual
105 salary of the office for purposes of computing the qualifying
106 fee shall be computed by multiplying 12 times the monthly salary
107 authorized for such office as of July 1 immediately preceding
108 the first day of qualifying. This subsection does ~~shall~~ not
109 apply to candidates qualifying for retention to judicial office.

110 Section 5. Subsection (6) of section 106.24, Florida
111 Statutes, is amended to read:

112 106.24 Florida Elections Commission; membership; powers;

113 duties.-

114 (6) There is ~~hereby~~ established in the State Treasury an
 115 Elections Commission Trust Fund to be used ~~utilized~~ by the
 116 ~~Division of Elections and~~ the Florida Elections Commission in
 117 order to carry out its ~~their~~ duties pursuant to ss. 106.24-
 118 106.28. The trust fund may also be used by the Secretary of
 119 State, pursuant to his or her authority under s. 97.012(14), to
 120 provide rewards for information leading to criminal convictions
 121 related to voter registration fraud, voter fraud, and vote
 122 scams.

123 Section 6. Subsection (12) of section 610.104, Florida
 124 Statutes, is amended to read:

125 610.104 State authorization to provide cable or video
 126 service.-

127 (12) Beginning 5 years after approval of the
 128 certificateholder's initial certificate of franchise issued by
 129 the department, and every 5 years thereafter, the
 130 certificateholder shall update the information contained in the
 131 original application for a certificate of franchise. At the time
 132 of filing the information update, the certificateholder shall
 133 pay a processing fee of \$1,000. Any certificateholder that fails
 134 to file the updated information and pay the processing fee on
 135 the 5-year anniversary dates shall be subject to cancellation of
 136 its state-issued certificate of franchise authority if, upon
 137 notice given to the certificateholder at its last address on
 138 file with the department, the certificateholder fails to file
 139 the updated information and pay the processing fee within 30
 140 days after the date notice was mailed. The application and

PCB TED 10-03

ORIGINAL

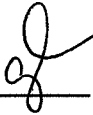

2010

141 processing fees imposed in this section shall be paid to the
142 Department of State for deposit into the Clearing Funds
143 ~~Operating~~ Trust Fund for immediate transfer by the Chief
144 Financial Officer to the General Inspection Trust Fund of the
145 Department of Agriculture and Consumer Services. The Department
146 of Agriculture and Consumer Services shall maintain a separate
147 account within the General Inspection Trust Fund to distinguish
148 cable franchise revenues from all other funds. The application,
149 any amendments to the certificate, or information updates must
150 be accompanied by a fee to the Department of State equal to that
151 for filing articles of incorporation pursuant to s. 607.0122(1).

152 Section 7. This act shall take effect July 1, 2010, but
153 this act shall not take effect unless it is enacted by a three-
154 fifths vote of the membership of each house of the Legislature.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCB TED 10-04 Trust Funds/Federal Grants Trust Fund/DOS
SPONSOR(S): Transportation & Economic Development Appropriations Committee
TIED BILLS: **IDEN./SIM. BILLS:**

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

SUMMARY ANALYSIS

Proposed Committee Bill TED 10-04 creates the Federal Grants Trust Fund within the Department of State. The Federal Grants Trust Fund is established as a depository for allowable grant activities funded by restricted program revenues from federal sources. Funds shall be expended only pursuant to legislative appropriation or an approved amendment to the department's operating budget pursuant to the provisions of chapter 216, Florida Statutes.

The trust fund is scheduled to terminate on July 1, 2014.

The bill has an effective date of July 1, 2010, provided that the act is enacted by a three-fifths vote of the membership of each house of the Legislature.

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

Article III, Section 19(f) of the Florida Constitution requires the termination of all state trust funds within 4 years of their initial creation, unless exempt by the Constitution or operation of law. The Legislature has placed agency funds on a staggered review cycle to facilitate the review process associated with trust fund termination, modification, or recreation. Included in the review of the department's existing trust funds is the creation of additional trust funds pursuant to s. 215.32, F.S. The section requires agencies, to the extent possible, to use the following trust funds for their day-to-day operations:

Operating Trust Fund
Operations and Maintenance Trust Fund
Administrative Trust Fund
Grants and Donations Trust Fund
Agency Working Capital Trust Fund
Clearing Funds Trust Fund
Federal Grant Trust Fund

Currently, the department uses the Operating Trust Fund, the Grants and Donations Trust Fund, the Library Services Trust Fund, and the Fine Arts Trust Fund as depositories for all grants and funding from the federal government.

Effect of Proposed Changes

This bill creates the Federal Grants Trust Fund within the Department of State effective July 1, 2010. The fund is established as a depository for allowable grant activities funded by restricted program revenues from federal sources. Funds shall be expended only pursuant to legislative appropriation or an approved amendment to the department's operating budget pursuant to the provisions of chapter 216, F.S. The trust fund is scheduled to terminate on July 1, 2014.

B. SECTION DIRECTORY:

Section 1 Creates the Federal Grants Trust Fund within the Department of State; provides for the purpose of the trust fund and sources of funds; provides for future review and termination or re-creation of the trust fund.

Section 2 Provides an effective date with required vote by the membership.

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:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

Trust funds Restrictions:

Article III, section 19(f)(1), of the Florida Constitution, provides no trust fund of the state or other public body may be created without three-fifths vote of the membership of each house of the Legislature in a separate bill for that purpose only.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

PCB TED 10-04

ORIGINAL

2010

1 A bill to be entitled
2 An act relating to trust funds; creating the Federal
3 Grants Trust Fund within the Department of State;
4 providing for the purpose of the trust fund and sources of
5 funds; providing for future review and termination or re-
6 creation of the trust fund; providing a contingent
7 effective date.

8
9 Be It Enacted by the Legislature of the State of Florida:

10
11 Section 1. Federal Grants Trust Fund.—

12 (1) The Federal Grants Trust Fund is created within the
13 Department of State.

14 (2) The trust fund is established for use as a depository
15 for funds to be used for allowable grant activities funded by
16 restricted program revenues from federal sources. Moneys to be
17 credited to the trust fund shall consist of grants and funding
18 from the Federal Government, interest earnings, and cash
19 advances from other trust funds. Funds shall be expended only
20 pursuant to legislative appropriation or an approved amendment
21 to the department's operating budget pursuant to the provisions
22 of chapter 216, Florida Statutes.

23 (3) In accordance with s. 19(f)(2), Article III of the
24 State Constitution, the Federal Grants Trust Fund shall, unless
25 terminated sooner, be terminated on July 1, 2014. Before its
26 scheduled termination, the trust fund shall be reviewed as
27 provided in s. 215.3206(1) and (2), Florida Statutes.

28 Section 2. This act shall take effect July 1, 2010, but

PCB TED 10-04



ORIGINAL

2010

29 | this act shall not take effect unless it is enacted by a three-
30 | fifths vote of the membership of each house of the Legislature.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCB TED 10-05 Trust Funds/Florida Forever Program Trust Fund/DCA
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

This legislation re-creates the Florida Forever Program Trust Fund, FLAIR number 52-2-349, within the Department of Community Affairs. This trust fund serves as a depository of Florida Forever bond proceeds transferred from the Department of Environmental Protection.

The bill changes the trust fund's termination date to July 1, 2014.

This bill has an effective date of July 1, 2010; however, it does not take effect without a three-fifths vote of the membership or each house of the Legislature.

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:

Article III, Section 19(f) of the Florida Constitution requires the termination of all state trust funds within four years of their initial creation, unless exempt by the Constitution or operation of law. The Florida Forever Trust Fund at the Department of Community Affairs terminated on July 1, 2004. The Florida Forever Trust Fund consists of funds collected from proceeds of Florida Forever bond sales transferred from the Department of Environmental Protection.

There were no 2009-2010 appropriations from this fund, since the state did not issue any Florida Forever bonds.

Article III, section 19(f)(1), of the Florida Constitution, provides no trust fund of the state or other public body may be created without three-fifths vote of the membership of each house of the Legislature in a separate bill for that purpose only.

Potential Changes:

The Florida Forever Trust Fund at the Department of Community Affairs, FLAIR number 52-2-349, will be re-created effective July 1, 2010.

B. SECTION DIRECTORY:

- Section 1 re-creates the Florida Forever Trust Fund at the Department of Community Affairs.
- Section 2 amends s. 380.5115(3), changing the termination date of the trust fund to July 1, 2014.
- Section 3 provides an effective date of July 1, 2010; however, requires a three-fifths vote of both houses of the Legislature to become effective.

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:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

Article III, section 19(f)(1), of the Florida Constitution, provides no trust fund of the state or other public body may be created without three-fifths vote of the membership of each house of the Legislature in a separate bill for that purpose only.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

1 A bill to be entitled
 2 An act relating to trust funds; re-creating the Florida
 3 Forever Program Trust Fund within the Department of
 4 Community Affairs; reenacting and amending s. 380.5115,
 5 F.S., relating to the Florida Forever Program Trust Fund;
 6 providing for sources of funds and purposes; providing for
 7 the annual carryforward of funds; providing for future
 8 review and termination or re-creation of the trust fund;
 9 providing a contingent effective date.

10

11 Be It Enacted by the Legislature of the State of Florida:

12

13 Section 1. The Florida Forever Program Trust Fund, FLAIR
 14 number 52-2-349, is re-created within the Department of
 15 Community Affairs.

16 Section 2. Notwithstanding the repeal contained in section
 17 1 of chapter 2000-281, Laws of Florida, and notwithstanding the
 18 exemption from termination contained in section 2 of chapter
 19 2004-235, Laws of Florida, section 380.5115, Florida Statutes,
 20 is reenacted and amended to read:

21 380.5115 Florida Forever Program Trust Fund of the
 22 Department of Community Affairs.—

23 (1) There is created a Florida Forever Program Trust Fund
 24 within the Department of Community Affairs to further the
 25 purposes of this part as specified in s. 259.105(3)(c) and (j).
 26 The trust fund shall receive funds pursuant to s. 259.105(3)(c)
 27 and (j).

28 (2) Notwithstanding the provisions of s. 216.301 and

PCB TED 10-05

ORIGINAL

2010

29 | pursuant to s. 216.351, any balance in the trust fund at the end
 30 | of any fiscal year shall remain in the trust fund at the end of
 31 | the year and shall be available for carrying out the purposes of
 32 | the trust fund.

33 | (3) Pursuant to the provisions of s. 19(f)(2), Art. III of
 34 | the State Constitution, the trust fund shall, unless terminated
 35 | sooner, be terminated on July 1, 2014 ~~2004~~. Prior to its
 36 | scheduled termination, the trust fund shall be reviewed as
 37 | provided in s. 215.3206(1) and (2).

38 | Section 3. This act shall take effect July 1, 2010, but
 39 | this act shall not take effect unless it is enacted by a three-
 40 | fifths vote of the membership of each house of the Legislature.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCB TED 10-06 Trust Funds/Emergency Response Trust Fund/DMA
SPONSOR(S): Transportation & Economic Development Appropriations Committee
TIED BILLS: **IDEN./SIM. BILLS:**

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
Orig. Comm.:	Transportation & Economic Development Appropriations Committee		Rayman <i>JK</i>	Creamer <i>JK</i>
1)				
2)				
3)				
4)				
5)				

SUMMARY ANALYSIS

This legislation recreates the Emergency Response Trust Fund, FLAIR number 62-2-087, which is administered by the Department of Military Affairs. The trust fund serves as a repository for funds received from Federal Emergency Management Agency (FEMA) reimbursements and transfers of state funds when approved by budget amendments processed pursuant to chapter 216, Florida Statutes.

This bill amends section 250.175(2)(a) of the Florida Statutes.

This bill has an effective date of July 1, 2010; however, it does not take effect without a three-fifths vote of the membership or each house of the Legislature.

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:

Article III, Section 19(f) of the Florida Constitution requires the termination of all state trust funds within four years of their initial creation, unless exempt by the Constitution or operation of law. The Emergency Response Trust Fund will terminate on July 1, 2011 if no action is taken by the Legislature to re-create.

Section 250.175(2)(a) of the Florida Statutes, created the Emergency Response Trust Fund, FLAIR number 62-2-087, which is administered by the Department of Military Affairs.¹ The trust fund is used to pay all operational costs incurred by the Florida National Guard when called to active duty. The revenue sources for this trust fund are Federal Emergency Management Agency (FEMA) reimbursements and transfers of state funds when approved by budget amendments processed pursuant to chapter 216, Florida Statutes.

Potential Changes:

This bill recreates the Emergency Response Trust Fund within the Department of Military Affairs prior to the scheduled termination date of July 1, 2011.

B. SECTION DIRECTORY:

Section 1. Recreates the Emergency Response Trust Fund within the Department of Military Affairs.

Section 2. Repeals paragraph (b) of subsection (2) of section 250.175, Florida Statutes.

Section 3. Provides an effective date of July 1, 2010.

¹ Chapter 2007-9, Laws of Florida.

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:

N/A

D. FISCAL COMMENTS:

This legislation has no fiscal impact on state agencies or state funds, on local governments as a whole or on the private sector. It simply re-creates, without modification, an existing state trust fund and continues the current use of the fund.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

Article III, Section 19(f)(1), of the Florida Constitution, provides no trust fund of the state or other public body may be created without three-fifths vote of the membership of each house of the Legislature in a separate bill for that purpose only.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

1 A bill to be entitled
 2 An act relating to trust funds; re-creating the Emergency
 3 Response Trust Fund within the Department of Military
 4 Affairs without modification; repealing s. 250.175 (2) (b),
 5 F.S.; abrogating provisions relating to the termination of
 6 the trust fund, to conform; providing a contingent
 7 effective date.

8
 9 WHEREAS, the Legislature wishes to extend the life of the
 10 Emergency Response Trust Fund within the Department of Military
 11 Affairs, which is otherwise scheduled to be terminated pursuant
 12 to constitutional mandate, and

13 WHEREAS, the Legislature has reviewed the trust fund before
 14 its scheduled termination date and has found it continues to
 15 meet an important public purpose, and

16 WHEREAS, the Legislature has found that existing public
 17 policy concerning the trust fund sets adequate parameters for
 18 its use, NOW, THEREFORE,

19
 20 Be It Enacted by the Legislature of the State of Florida:

21
 22 Section 1. The Emergency Response Trust Fund within the
 23 Department of Military Affairs, FLAIR number 62-2-087, which is
 24 to be terminated pursuant to Section 19(f), Article III of the
 25 State Constitution on July 1, 2011, is re-created.

26 Section 2. Paragraph (b) of subsection (2) of section
 27 250.175, Florida Statutes, is repealed.

28 Section 3. This act shall take effect July 1, 2010, but

PCB TED 10-06



ORIGINAL

2010

29 | this act shall not take effect unless it is enacted by a three -
30 | fifths vote of the membership of each house of the Legislature .

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCB TED 10-07 Trust Funds/Federal Grants Trust Fund/DCA
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

This legislation creates the Federal Grants Trust Fund within the Department of Community Affairs. This trust fund will serve as a depository of grants and funding from the federal government, interest earnings, and cash advances from other trust funds.

The bill adds a trust fund termination date of July 1, 2014.

This bill has an effective date of July 1, 2010; however, a three-fifths vote of the membership or each house of the Legislature is required for it to take effect.

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:

The Department of Community Affairs has multiple trust funds that contain grants and funding from the federal government, which causes multiple accounting entries when allocating departmental costs.

Article III, Section 19(f) of the Florida Constitution requires the termination of all state trust funds within four years of their initial creation, unless exempt by the Constitution or operation of law.

Article III, section 19(f)(1), of the Florida Constitution, provides no trust fund of the state or other public body may be created without three-fifths vote of the membership of each house of the Legislature in a separate bill for that purpose only.

Potential Changes:

The Federal Grants Trust Fund will be created at the Department of Community Affairs effective July 1, 2010. Proceeds from grants and funding from the federal government will be deposited into the trust fund.

B. SECTION DIRECTORY:

Section 1 creates the Federal Grants Trust Fund.

Section 2 provides an effective date of July 1, 2010; however, requires a three-fifths vote of both houses of the Legislature to become effective.

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:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

Article III, section 19(f)(1), of the Florida Constitution, provides no trust fund of the state or other public body may be created without three-fifths vote of the membership of each house of the Legislature in a separate bill for that purpose only.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

1 A bill to be entitled
 2 An act relating to trust funds; creating the Federal
 3 Grants Trust Fund within the Department of Community
 4 Affairs; providing for sources of funds and purposes;
 5 providing for future review and termination or re-creation
 6 of the trust fund; providing a contingent effective date.

7
 8 Be It Enacted by the Legislature of the State of Florida:
 9

10 Section 1. Federal Grants Trust Fund.-

11 (1) The Federal Grants Trust Fund is created within the
 12 Department of Community Affairs.

13 (2) The trust fund is established for use as a depository
 14 for funds to be used for allowable grant activities funded by
 15 restricted program revenues from federal sources. Moneys to be
 16 credited to the trust fund shall consist of grants and funding
 17 from the Federal Government, interest earnings, and cash
 18 advances from other trust funds. Funds shall be expended only
 19 pursuant to legislative appropriation or an approved amendment
 20 to the department's operating budget pursuant to the provisions
 21 of chapter 216, Florida Statutes.

22 (3) In accordance with s. 19(f)(2), Article III of the
 23 State Constitution, the Federal Grants Trust Fund shall, unless
 24 terminated sooner, be terminated on July 1, 2014. Before its
 25 scheduled termination, the trust fund shall be reviewed as
 26 provided in s. 215.3206(1) and (2), Florida Statutes.

27 Section 2. This act shall take effect July 1, 2010, but it
 28 shall not take effect unless it is enacted by a three-fifths

PCB TED 10-07

ORIGINAL

2010

29 | vote of the membership of each house of the Legislature.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCB TED 10-08 Department of Highway Safety and Motor Vehicles
SPONSOR(S): Transportation & Economic Development Appropriations Committee
TIED BILLS: IDEN./SIM. BILLS:

Table with 4 columns: REFERENCE, ACTION, ANALYST, STAFF DIRECTOR. Row 1: Orig. Comm.: Transportation & Economic Development Appropriations Committee, ANALYST: Rayman, STAFF DIRECTOR: Creamer. Rows 2-5 are empty.

SUMMARY ANALYSIS

Proposed Committee Bill TED 10-08 provides for the elimination of certain crash reports as well as requiring a plan for the transition of all driver license issuance services to tax collectors who are Constitutional officers no later than June 30, 2015.

The bill conforms to the House of Representatives proposed General Appropriations Act by reducing the state trust fund budget authority to align to the Department of Highway Safety and Motor Vehicles (DHSMV) revenues.

The bill is estimated to have a positive fiscal impact on the Highway Safety Operating Trust Fund.

The bill has an effective date of July 1, 2010.

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

Section 316.066, F.S., provides that all crash reports written by law enforcement regardless of the severity of the crash must be reported to the DHSMV on a form provided by the department. There are currently two forms used which include a short-form crash report and a long-form crash report. All data from the forms submitted to the department are currently retained electronically by the department. Currently accidents involving damages of \$500.00 or less are reported on short-form crash reports and accidents involving more than \$500.00 in damages are reported on long-form crash reports.

Section 322.02, F.S., articulates the Legislature's intent that Tax Collectors would be authorized as agents of the DHSMV to provide driver license services in order to create efficiencies.

Section 322.135, F.S., requires tax collectors who wish to provide driver license services to apply to the DHSMV for approval. It also outlines the requirements for tax collectors to obtain approval to be agents of the department. This approval allows for services to be rendered by both a tax collector's office and a state office. Current law also outlines the requirements for tax collectors to be exclusive agents of the DHSMV where they would be the only provider of driver license services in their county. Currently 42 Tax Collectors are authorized agents of the state.

Currently, section 322.20, F.S., authorizes only the clerks of court and the DHSMV to provide the public with a driver record, but does not authorize Tax Collectors to do so.

Proposed Changes

The changes to section 316.066, F.S., as proposed would eliminate the requirement that local law enforcement agencies submit the short-form crash report to the department for retention. This would result in a savings due to the elimination of 1 position within the DHSMV and related expenses. Elimination of this form will not affect the department's ability to report the required crash data to the federal government as the long-form crash report will continue to be retained.

The proposed language amends sections 322.02 and 322.135, F.S., requiring a transition plan for tax collectors that are Constitutional officers under s. 1(d) Art. VIII under the State Constitution to render all driver licenses services by June 30, 2015. The changes would also allow charter appointed tax

collectors, comprised of Miami-Dade, Broward, and Volusia counties, to provide driver licenses services on a limited basis as directed by the Department.

The Department, in conjunction with the Tax Collectors Association, must develop the transition plan, to include a timeline to comply with full transition no later than June 30, 2015. The plan may include recommendations on the use of regional service centers to be manned by the state. This plan must be submitted to the Speaker of the House and President of the Senate by February 11, 2011.

The proposed language amends section 322.20, F.S., to allow the tax collectors providing driver license services to provide driver records. These changes also allow both the tax collector's and clerks of court to assess the \$6.25 fee listed in s. 322.135(1)(c), F.S., for this service.

The proposed language amends sections 322.2615, 324.051, and 921.0022, F.S., conforming cross references.

B. SECTION DIRECTORY:

Section 1. Amends section 316.066, F.S., relating to written crash reports, eliminates the requirement that local law enforcement agencies submit the short-form crash report to the DHSMV for retention.

Section 2. Amends section 322.02, F.S., relating to legislative intent, administration that Tax Collectors would be authorized as agents of the DHSMV to provide driver license services.

Section 3. Amends section 322.135, F.S., relating to driver's license agents, DHSMV, in conjunction with the Tax Collectors Association, shall develop the transition plan, to include a timeline to comply with full transition no later than June 30, 2015.

Section 4. Amends section 322.20, F.S., allowing the tax collectors providing driver license services, to provide driver records. The section also allows both the tax collector's and clerks of court to assess the \$6.25 fee listed in subsection 322.135(1)(c), F.S., for this service.

Section 5. Amends section 322.2615, F.S., conforming to a cross reference.

Section 6. Amends section 324.051, F.S., conforming to a cross reference.

Section 7. Amends section 921.0022, F.S., conforming to a cross reference.

Section 8. Provides the bill an effective date of July 1, 2010.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

See fiscal comments.

2. Expenditures:

Elimination of the short form crash report reduces expenditures from the Highway Safety Operating Trust Fund by \$106,642 each year.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

Clerks of court and tax collectors would be authorized to assess a \$6.25 service fee for the sale of driving records.

2. Expenditures:

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Unknown.

D. FISCAL COMMENTS:

None

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not require counties or municipalities to spend funds or to take an action requiring the expenditure of funds. This bill does not reduce the percentage of a state tax shared with counties or municipalities. This bill does not reduce the authority that municipalities have to raise revenue.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

* None.

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

1 A bill to be entitled
 2 An act relating to the Department of Highway Safety and
 3 Motor Vehicles; amending s. 316.066, F.S.; revising
 4 provisions for motor vehicle crash reports; providing for
 5 short-form crash reports to be completed under certain
 6 circumstances and maintained by the local law enforcement
 7 agency; authorizing law enforcement agencies to request
 8 supplemental reports from drivers and written reports from
 9 witnesses under certain circumstances; amending s. 322.02,
 10 F.S.; revising legislative intent relating to delivery of
 11 driver's license services by tax collectors; providing
 12 that it is the intent of the Legislature to transition all
 13 driver license issuance services from the Department of
 14 Highway Safety and Motor Vehicles to tax collectors;
 15 conforming a cross-reference; amending s. 322.135, F.S.;
 16 requiring the department to authorize any or all of the
 17 tax collectors in the several counties of the state to
 18 serve as its agent for the provision of specified driver's
 19 license services; removing an exemption from a fee charged
 20 by such agents; directing the department, in conjunction
 21 with the Florida Tax Collectors Association, to develop a
 22 plan to transition all driver's license issuance services
 23 to county tax collectors; requiring the plan to be
 24 submitted to the Legislature; removing procedures for
 25 approval of tax collectors as agents upon application by
 26 the tax collector; amending s. 322.20, F.S.; providing for
 27 county clerks of court and tax collectors to provide 3-
 28 year, 7-year, or complete driver records to any person

29 upon collection of specified fees; requiring certain fees
 30 collected to be remitted to the department within a
 31 certain time period; amending ss. 322.2615, 324.051,
 32 921.0022, F.S.; conforming cross-references; providing an
 33 effective date.

34
 35 Be It Enacted by the Legislature of the State of Florida:

36
 37 Section 1. Section 316.066, Florida Statutes, is amended
 38 to read:

39 316.066 Written reports of crashes.-

40 ~~(1) The driver of a vehicle which is in any manner~~
 41 ~~involved in a crash resulting in bodily injury to or death of~~
 42 ~~any person or damage to any vehicle or other property in an~~
 43 ~~apparent amount of at least \$500 shall, within 10 days after the~~
 44 ~~crash, forward a written report of such crash to the department~~
 45 ~~or traffic records center. However, when the investigating~~
 46 ~~officer has made a written report of the crash pursuant to~~
 47 ~~subsection (3), no written report need be forwarded to the~~
 48 ~~department or traffic records center by the driver.~~

49 ~~(2) The receiving entity may require any driver of a~~
 50 ~~vehicle involved in a crash of which a written report must be~~
 51 ~~made as provided in this section to file supplemental written~~
 52 ~~reports whenever the original report is insufficient in the~~
 53 ~~opinion of the department and may require witnesses of crashes~~
 54 ~~to render reports to the department.~~

55 (1)(3)(a) A Florida Traffic Crash Report, Long Form is
 56 required to be completed and submitted to the department within

57 10 days after completing an investigation by every law
 58 enforcement officer who in the regular course of duty
 59 investigates a motor vehicle crash:

60 1. ~~That Which crash~~ resulted in death or personal injury
 61 ~~shall, within 10 days after completing the investigation,~~
 62 ~~forward a written report of the crash to the department or~~
 63 ~~traffic records center.~~

64 2. ~~That Which crash~~ involved a violation of s. 316.061(1)
 65 or s. 316.193 ~~shall, within 10 days after completing the~~
 66 ~~investigation, forward a written report of the crash to the~~
 67 ~~department or traffic records center.~~

68 3. In which ~~crash~~ a vehicle was rendered inoperative to a
 69 degree that which required a wrecker to remove it from traffic
 70 ~~may, within 10 days after completing the investigation, forward~~
 71 ~~a written report of the crash to the department or traffic~~
 72 ~~records center~~ if such action is appropriate, in the officer's
 73 discretion.

74 (b) In every crash for ease in which a Florida Traffic
 75 Crash Report, Long Form is not required by this section ~~and a~~
 76 ~~written report to a law enforcement officer is not prepared,~~ the
 77 law enforcement officer may complete a short-form crash report
 78 or provide a short-form crash report to be completed by ~~shall~~
 79 ~~provide each party involved in the crash a short-form report,~~
 80 ~~prescribed by the state, to be completed by the party.~~ The
 81 short-form report must include:

- 82 1. The date, time, and location of the crash .
- 83 2. A description of the vehicles involved .
- 84 3. The names and addresses of the parties involved .

85 4. The names and addresses of witnesses. ~~†~~

86 5. The name, badge number, and law enforcement agency of
87 the officer investigating the crash. ~~†~~ and

88 6. The names of the insurance companies for the respective
89 parties involved in the crash.

90 (c) Each party to the crash shall provide the law
91 enforcement officer with proof of insurance to be included in
92 the crash report. If a law enforcement officer submits a report
93 on the accident, proof of insurance must be provided to the
94 officer by each party involved in the crash. Any party who fails
95 to provide the required information commits a noncriminal
96 traffic is guilty of an infraction, punishable as for a
97 nonmoving violation, punishable as provided in chapter 318,
98 unless the officer determines that due to injuries or other
99 special circumstances such insurance information cannot be
100 provided immediately. If the person provides the law enforcement
101 agency, within 24 hours after the crash, proof of insurance that
102 was valid at the time of the crash, the law enforcement agency
103 may void the citation.

104 (d) The driver of a vehicle that was in any manner
105 involved in a crash resulting in damage to any vehicle or other
106 property in an amount of \$500 or more, which crash was not
107 investigated by a law enforcement agency, shall, within 10 days
108 after the crash, submit a written report of the crash to the
109 local law enforcement agency. The local law enforcement agency
110 receiving the report may require witnesses of the crash to
111 submit reports of the crash to the agency and may require any
112 driver of a vehicle involved in a crash requiring a written

113 report pursuant to this section to file supplemental written
 114 reports of the crash with the agency whenever the original crash
 115 report is deemed insufficient by the agency.

116 (e) A law enforcement agency receiving any report required
 117 under this section may require any driver of a vehicle involved
 118 the crash to file supplemental written reports of the crash
 119 whenever the original crash report is deemed insufficient by the
 120 agency and may require witnesses of a crash to submit reports of
 121 the crash to the law enforcement agency.

122 (f) Short-form crash reports prepared by law enforcement
 123 officers or parties involved in a crash shall be maintained by
 124 the local law enforcement agency.

125 (2) ~~(4)~~(a) One or more counties may enter into an agreement
 126 with the appropriate state agency to be certified by the agency
 127 to have a traffic records center for the purpose of tabulating
 128 and analyzing countywide traffic crash reports. The agreement
 129 must include: certification by the agency that the center has
 130 adequate auditing and monitoring mechanisms in place to ensure
 131 the quality and accuracy of the data; the time period in which
 132 the traffic records center must report crash data to the agency;
 133 and the medium in which the traffic records must be submitted to
 134 the agency.

135 (b) In the case of a county or multicounty area that has a
 136 certified central traffic records center, a law enforcement
 137 agency or driver must submit to the center within the time limit
 138 prescribed in this section a written report of the crash. A
 139 driver who is required to file a crash report must be notified
 140 of the proper place to submit the completed report.

141 (c) Fees for copies of public records provided by a
142 certified traffic records center shall be charged and collected
143 as follows:

- 144
- 145 For a crash report.....\$10 per copy.
- 146 For a homicide report.....\$25 per copy.
- 147 For a uniform traffic citation.....\$0.50 per copy.
- 148

149 The fees collected for copies of the public records provided by
150 a certified traffic records center shall be used to fund the
151 center or otherwise as designated by the county or counties
152 participating in the center.

153 (3)~~(5)~~(a) Crash reports that reveal the identity, home or
154 employment telephone number or home or employment address of, or
155 other personal information concerning the parties involved in
156 the crash and that are held by any agency that regularly
157 receives or prepares information from or concerning the parties
158 to motor vehicle crashes are confidential and exempt from s.
159 119.07(1) and s. 24(a), Art. I of the State Constitution for a
160 period of 60 days after the date the report is filed.

161 (b) Crash reports held by an agency under paragraph (a)
162 may be made immediately available to the parties involved in the
163 crash, their legal representatives, their licensed insurance
164 agents, their insurers or insurers to which they have applied
165 for coverage, persons under contract with such insurers to
166 provide claims or underwriting information, prosecutorial
167 authorities, victim services programs, radio and television
168 stations licensed by the Federal Communications Commission,

169 newspapers qualified to publish legal notices under ss. 50.011
 170 and 50.031, and free newspapers of general circulation,
 171 published once a week or more often, available and of interest
 172 to the public generally for the dissemination of news. For the
 173 purposes of this section, the following products or publications
 174 are not newspapers as referred to in this section: those
 175 intended primarily for members of a particular profession or
 176 occupational group; those with the primary purpose of
 177 distributing advertising; and those with the primary purpose of
 178 publishing names and other personal identifying information
 179 concerning parties to motor vehicle crashes.

180 (c) Any local, state, or federal agency that is authorized
 181 to have access to crash reports by any provision of law shall be
 182 granted such access in the furtherance of the agency's statutory
 183 duties.

184 (d) As a condition precedent to accessing a crash report
 185 within 60 days after the date the report is filed, a person must
 186 present a valid driver's license or other photographic
 187 identification, proof of status, or identification that
 188 demonstrates his or her qualifications to access that
 189 information, and file a written sworn statement with the state
 190 or local agency in possession of the information stating that
 191 information from a crash report made confidential and exempt by
 192 this section will not be used for any commercial solicitation of
 193 accident victims, or knowingly disclosed to any third party for
 194 the purpose of such solicitation, during the period of time that
 195 the information remains confidential and exempt. In lieu of
 196 requiring the written sworn statement, an agency may provide

197 crash reports by electronic means to third-party vendors under
 198 contract with one or more insurers, but only when such contract
 199 states that information from a crash report made confidential
 200 and exempt by this section will not be used for any commercial
 201 solicitation of accident victims by the vendors, or knowingly
 202 disclosed by the vendors to any third party for the purpose of
 203 such solicitation, during the period of time that the
 204 information remains confidential and exempt, and only when a
 205 copy of such contract is furnished to the agency as proof of the
 206 vendor's claimed status.

207 (e) This subsection does not prevent the dissemination or
 208 publication of news to the general public by any legitimate
 209 media entitled to access confidential and exempt information
 210 pursuant to this section.

211 (4)~~(6)~~(a) Any driver failing to file the written report
 212 required under subsection (1) or subsection (2) commits a
 213 noncriminal traffic infraction, punishable as a nonmoving
 214 violation as provided in chapter 318.

215 (b) Any employee of a state or local agency in possession
 216 of information made confidential and exempt by this section who
 217 knowingly discloses such confidential and exempt information to
 218 a person not entitled to access such information under this
 219 section is guilty of a felony of the third degree, punishable as
 220 provided in s. 775.082, s. 775.083, or s. 775.084.

221 (c) Any person, knowing that he or she is not entitled to
 222 obtain information made confidential and exempt by this section,
 223 who obtains or attempts to obtain such information commits ~~is~~
 224 ~~guilty of~~ a felony of the third degree, punishable as provided

225 | in s. 775.082, s. 775.083, or s. 775.084.

226 | (d) Any person who knowingly uses confidential and exempt
 227 | information in violation of a filed written sworn statement or
 228 | contractual agreement required by this section commits a felony
 229 | of the third degree, punishable as provided in s. 775.082, s.
 230 | 775.083, or s. 775.084.

231 | (5)~~(7)~~ Except as specified in this subsection, each crash
 232 | report made by a person involved in a crash and any statement
 233 | made by such person to a law enforcement officer for the purpose
 234 | of completing a crash report required by this section shall be
 235 | without prejudice to the individual so reporting. No such report
 236 | or statement shall be used as evidence in any trial, civil or
 237 | criminal. However, subject to the applicable rules of evidence,
 238 | a law enforcement officer at a criminal trial may testify as to
 239 | any statement made to the officer by the person involved in the
 240 | crash if that person's privilege against self-incrimination is
 241 | not violated. The results of breath, urine, and blood tests
 242 | administered as provided in s. 316.1932 or s. 316.1933 are not
 243 | confidential and shall be admissible into evidence in accordance
 244 | with the provisions of s. 316.1934(2). Crash reports made by
 245 | persons involved in crashes shall not be used for commercial
 246 | solicitation purposes; however, the use of a crash report for
 247 | purposes of publication in a newspaper or other news periodical
 248 | or a radio or television broadcast shall not be construed as
 249 | "commercial purpose."

250 | (6)~~(8)~~ A law enforcement officer, as defined in s.
 251 | 943.10(1), may enforce this section.

252 Section 2. Subsections (1) and (5) of section 322.02,
 253 Florida Statutes, are amended to read:

254 322.02 Legislative intent; administration.—

255 (1) The Legislature finds that over the past several years
 256 the department and individual county tax collectors have entered
 257 into contracts for the delivery of full and limited driver
 258 license services where such contractual relationships best
 259 served the public interest through state administration and
 260 enforcement and local government implementation. It is the
 261 intent of the Legislature that the complete transition of all
 262 driver license issuance services to tax collectors who are
 263 constitutional officers under s. 1(d), Art. VIII of the State
 264 Constitution be completed no later than June 30, 2015. The
 265 transition of services to appointed charter county tax
 266 collectors may occur on a limited basis as directed by the
 267 department ~~future interests and processes for developing and~~
 268 ~~expanding the department's relationship with tax collectors~~
 269 ~~through contractual relationships for the delivery of driver~~
 270 ~~license services be achieved through the provisions of this~~
 271 ~~chapter, thereby serving best the public interest considering~~
 272 ~~accountability, cost-effectiveness, efficiency, responsiveness,~~
 273 ~~and high-quality service to the drivers in Florida.~~

274 (5) The tax collector in and for his or her county may be
 275 designated the exclusive agent of the department to implement
 276 and administer the provisions of this chapter as provided by s.
 277 322.135(5).

278 Section 3. Section 322.135, Florida Statutes, is amended
 279 to read:

280 322.135 Driver's license agents.—

281 (1) The department shall ~~may~~, upon application, authorize
 282 any or all of the tax collectors in the several counties of the
 283 state, subject to the requirements of law, in accordance with
 284 rules of the department, to serve as its agent for the provision
 285 of specified driver's license services.

286 (a) These services shall be limited to the issuance of
 287 driver's licenses and identification cards as authorized by this
 288 chapter.

289 (b) Each tax collector who is authorized by the department
 290 to provide driver's license services shall bear all costs
 291 associated with providing those services.

292 (c) A service fee of \$6.25 shall be charged, in addition
 293 to the fees set forth in this chapter, for providing all
 294 services pursuant to this chapter. The service fee may not be
 295 charged:

296 1. More than once per customer during a single visit to a
 297 tax collector's office.

298 2. For a reexamination requested by the Medical Advisory
 299 Board or required pursuant to s. 322.221.

300 3. For a voter registration transaction.

301 ~~4. For changes in an organ donation registration.~~

302 ~~4.5.~~ In violation of any federal or state law.

303 (2) Each tax collector is required to give a good and
 304 sufficient surety bond, payable to the department, conditioned
 305 upon his or her faithfully and truly performing the duties
 306 imposed upon him or her according to the requirements of law and
 307 the rules of the department and upon his or her accounting for

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308 | all materials, records, and other property and money that come
 309 | into his or her possession or control by reason of performing
 310 | these duties.

311 | (a) The amount of the bond must be determined by the
 312 | department as an amount not less than 10 percent above the
 313 | average of the daily deposits of each tax collector.

314 | (b) If a tax collector is also an agent of the department
 315 | for purposes of s. 320.03, the amount of the bond must be at
 316 | least 10 percent above the average of the total daily deposits
 317 | of all funds received by the tax collector on behalf of the
 318 | department.

319 | (c) Notwithstanding the provisions of s. 320.03, only one
 320 | bond is required in order for a tax collector to serve as an
 321 | agent of the department under chapters 320 and 322.

322 | (3) Each tax collector shall keep a full and complete
 323 | record of all materials, records, and other properties received
 324 | by him or her from the department, or from any other source, and
 325 | shall make prompt remittance of moneys collected by him or her
 326 | at such times and in such manner as prescribed by law, in
 327 | accordance with departmental rules.

328 | (4) A tax collector may not issue or renew a driver's
 329 | license if he or she has any reason to believe that the licensee
 330 | or prospective licensee is physically or mentally unqualified to
 331 | operate a motor vehicle. The tax collector may direct any such
 332 | licensee to the department for examination or reexamination
 333 | under s. 322.221.

334 | (5) The department, in conjunction with the Florida Tax
 335 | Collectors Association, shall develop a plan to transition all

336 driver's license issuance services to the county tax collectors
 337 who are constitutional officers under s. 1(d), Art. VIII of the
 338 State Constitution. The transition plan must be submitted to the
 339 President of the Senate and the Speaker of the House of
 340 Representatives on or before February 1, 2011. The transition
 341 plan must include a timeline to complete the full transition of
 342 all driver's license issuance services no later than June 30,
 343 2015, and may include, but is not limited to, recommendations on
 344 the use of regional service centers, interlocal agreements, and
 345 equipment. The county tax collector at his or her option may
 346 apply to the department for approval by the executive director
 347 to be the exclusive agent of the department for his or her
 348 county to administer driver license services as provided and
 349 authorized in this chapter.

350 ~~(a) The application by the county tax collector shall be~~
 351 ~~in writing to the executive director of the department. The~~
 352 ~~application must be submitted by September 1 to be effective for~~
 353 ~~the state's subsequent fiscal year beginning July 1.~~

354 ~~(b) The department shall provide a form for such~~
 355 ~~application, which shall include the following information:~~

356 ~~1. Locations within the county where offices and branch~~
 357 ~~offices for driver license services are proposed.~~

358 ~~2. The designation by the tax collector of the driver~~
 359 ~~license functions to be performed by the tax collector in the~~
 360 ~~county.~~

361 ~~3. Any anticipated capital acquisition or construction~~
 362 ~~costs.~~

363 ~~4. A projection of equipment available or to be provided~~

364 | ~~by the department.~~

365 | ~~5. All anticipated operating costs, including facilities,~~
 366 | ~~equipment, and personnel to administer driver license services.~~

367 | ~~(c) The department shall review applications on or before~~
 368 | ~~September 1 of each year. The department shall compare the costs~~
 369 | ~~included in the information submitted in the application with~~
 370 | ~~the related costs incurred by the department to accomplish the~~
 371 | ~~same level of services. The department shall approve or deny an~~
 372 | ~~application within 60 calendar days after the application is~~
 373 | ~~received unless the department and the applicant agree mutually~~
 374 | ~~to a specific alternative date.~~

375 | ~~(d) The department may provide technical assistance to an~~
 376 | ~~applicant upon request.~~

377 | ~~(6) Administration of driver license services by a county~~
 378 | ~~tax collector as the exclusive agent of the department must be~~
 379 | ~~revenue neutral with no adverse state fiscal impact and with no~~
 380 | ~~adverse unfunded mandate to the tax collector.~~

381 | ~~(7) Upon approval by the department for a tax collector to~~
 382 | ~~provide exclusive driver license services in a county, the~~
 383 | ~~department and the applicable tax collector shall develop a~~
 384 | ~~transition plan for the orderly transfer of service~~
 385 | ~~responsibilities to the tax collector. This plan shall include,~~
 386 | ~~but is not limited to:~~

387 | ~~(a) The specifics of any possible use of any state-owned~~
 388 | ~~or leased facilities giving consideration to lease expiration~~
 389 | ~~date, cancellation provisions, and possibilities for sublease of~~
 390 | ~~such facilities.~~

391 | ~~(b) Consideration of staffing needs of the tax collector,~~

392 ~~either the assumption by the collector or departmental~~
 393 ~~relocation of employees adversely affected.~~

394 ~~(c) The execution of a standard agreement between the~~
 395 ~~department and the tax collector for providing driver license~~
 396 ~~services.~~

397 ~~(8) The county tax collector, as the exclusive agent of~~
 398 ~~the Department of Highway Safety and Motor Vehicles, shall be~~
 399 ~~paid fees for driver license services.~~

400 (6)~~(9)~~ Notwithstanding chapter 116, each county officer
 401 within this state who is authorized to collect funds provided
 402 for in this chapter shall pay all sums officially received by
 403 the officer into the State Treasury no later than 5 working days
 404 after the close of the business day in which the officer
 405 received the funds. Payment by county officers to the state
 406 shall be made by means of electronic funds transfers.

407 Section 4. Subsection (11) of section 322.20, Florida
 408 Statutes, is amended to read:

409 322.20 Records of the department; fees; destruction of
 410 records.—

411 (11)(a) The department may charge the following fees for
 412 the following services and documents:

413 1. For providing a transcript of any one individual's
 414 driver history record or any portion thereof for the past 3
 415 years or for searching for such record when no record is found
 416 on file \$8

417 2. For providing a transcript of any one individual's
 418 driver history record or any portion thereof for the past 7
 419 years or for searching for such record when no record is found

420 on file \$10

421 3. For providing a certified copy of a transcript of the
 422 driver history record or any portion thereof for any one
 423 individual \$10

424 4. For providing a certified photographic copy of a
 425 document, per page \$1

426 5. For providing an exemplified record \$15

427 6. For providing photocopies of documents, papers,
 428 letters, clearances, or license or insurance status reports, per
 429 page \$0.50

430 7. For assisting persons in searching any one individual's
 431 driver record at a terminal located at the department's general
 432 headquarters in Tallahassee \$2

433 (b) The department shall furnish such information without
 434 charge to any local, state, or federal law enforcement agency or
 435 court upon proof satisfactory to the department as to the
 436 purpose of the investigation.

437 (c) The clerks of court and tax collectors authorized
 438 under s. 322.135 may provide 3-year, 7-year, or complete driver
 439 records to any person requesting such records upon payment of
 440 the appropriate fees. In addition to the fees authorized under
 441 paragraph (a), clerks of court and tax collectors may assess the
 442 fee listed in s. 322.135(1)(c) for this service. The applicable
 443 fees listed in paragraph (a) must be remitted to the department
 444 no later than 5 days after payment is received unless a shorter
 445 remittance period is required by law.

446 Section 5. Subsection (2) of section 322.2615, Florida
 447 Statutes, is amended to read:

448 322.2615 Suspension of license; right to review.—
 449 (2) Except as provided in paragraph (1)(a), the law
 450 enforcement officer shall forward to the department, within 5
 451 days after issuing the notice of suspension, the driver's
 452 license; an affidavit stating the officer's grounds for belief
 453 that the person was driving or in actual physical control of a
 454 motor vehicle while under the influence of alcoholic beverages
 455 or chemical or controlled substances; the results of any breath
 456 or blood test or an affidavit stating that a breath, blood, or
 457 urine test was requested by a law enforcement officer or
 458 correctional officer and that the person refused to submit; the
 459 officer's description of the person's field sobriety test, if
 460 any; the notice of suspension; and a copy of the crash report,
 461 if any. The failure of the officer to submit materials within
 462 the 5-day period specified in this subsection and in subsection
 463 (1) does not affect the department's ability to consider any
 464 evidence submitted at or prior to the hearing. The officer may
 465 also submit a copy of a videotape of the field sobriety test or
 466 the attempt to administer such test. Materials submitted to the
 467 department by a law enforcement agency or correctional agency
 468 shall be considered self-authenticating and shall be in the
 469 record for consideration by the hearing officer. Notwithstanding
 470 s. 316.066 (5) ~~(7)~~, the crash report shall be considered by the
 471 hearing officer.

472 Section 6. Paragraph (a) of subsection (1) of section
 473 324.051, Florida Statutes, is amended to read:

474 324.051 Reports of crashes; suspensions of licenses and
 475 registrations.—

476 (1) (a) Every law enforcement officer who, in the regular
 477 course of duty either at the time of and at the scene of the
 478 crash or thereafter by interviewing participants or witnesses,
 479 investigates a motor vehicle crash which he or she is required
 480 to report pursuant to s. 316.066 (1) ~~(3)~~ shall forward a written
 481 report of the crash to the department within 10 days of
 482 completing the investigation. However, when the investigation o f
 483 a crash will take more than 10 days to complete, a preliminary
 484 copy of the crash report shall be forwarded to the department
 485 within 10 days after ~~of~~ the occurrence of the crash, to be
 486 followed by a final report within 10 days after completion of
 487 the investigation. The report shall be on a form and contain
 488 information consistent with the requirements of s. 316.068.

489 Section 7. Paragraph (c) of subsection (3) of section
 490 921.0022, Florida Statutes, is amended to read:

491 921.0022 Criminal Punishment Code; offense severity
 492 ranking chart.—

493 (3) OFFENSE SEVERITY RANKING CHART

494 (c) LEVEL 3

495

Florida Statute	Felony Degree	Description
119.10 (2) (b)	3rd	Unlawful use of confidential information from police reports.
316.066 <u>(4)</u> (6) (b) -	3rd	Unlawfully obtaining or using

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498	(d)		confidential crash reports.
499	316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.
500	316.1935 (2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
501	319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
502	319.33 (1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
503	319.33 (1) (c)	3rd	Procure or pass title on stolen vehicle.
504	319.33 (4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
505	327.35 (2) (b)	3rd	Felony BUI.
	328.05 (2)	3rd	Possess, sell, or counterfeit

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506	328.07(4)	3rd	fictitious, stolen, or fraudulent titles or bills of sale of vessels.
507	376.302(5)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
508	379.2431(1)(e)5.	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
509	379.2431(1)(e)6.	3rd	Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring, selling, offering to sell, molesting, or harassing marine turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.
510	400.9935(4)	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.
			Operating a clinic without a

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			license or filing false license application or other required information.
511	440.1051(3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
512	501.001(2)(b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
513	624.401(4)(a)	3rd	Transacting insurance without a certificate of authority.
514	624.401(4)(b)1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
515	626.902(1)(a) & (b)	3rd	Representing an unauthorized insurer.
516	697.08	3rd	Equity skimming.
517	790.15(3)	3rd	Person directs another to

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518			discharge firearm from a vehicle.
	796.05 (1)	3rd	Live on earnings of a prostitute.
519			
	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
520			
	806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.
521			
	810.09 (2) (c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
522			
	812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
523			
	812.0145 (2) (c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
524			
	815.04 (4) (b)	2nd	Computer offense devised to defraud or obtain property.

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525

817.034 (4) (a) 3. 3rd Engages in scheme to defraud
(Florida Communications Fraud
Act), property valued at less
than \$20,000.

526

817.233 3rd Burning to defraud insurer.

527

817.234 (8) (b) - 3rd Unlawful solicitation of
(c) persons involved in motor
vehicle accidents.

528

817.234 (11) (a) 3rd Insurance fraud; property value
less than \$20,000.

529

817.236 3rd Filing a false motor vehicle
insurance application.

530

817.2361 3rd Creating, marketing, or
presenting a false or
fraudulent motor vehicle
insurance card.

531

817.413 (2) 3rd Sale of used goods as new.

532

817.505 (4) 3rd Patient brokering.

533

828.12 (2) 3rd Tortures any animal with intent

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534	831.28(2)(a)	3rd	to inflict intense pain, serious physical injury, or death.
535	831.28(2)(a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
536	831.29	2nd	Possession of instruments for counterfeiting drivers' licenses or identification cards.
537	838.021(3)(b)	3rd	Threatens unlawful harm to public servant.
538	843.19	3rd	Injure, disable, or kill police dog or horse.
539	860.15(3)	3rd	Overcharging for repairs and parts.
540	870.01(2)	3rd	Riot; inciting or encouraging.
	893.13(1)(a)2.	3rd	Sell, manufacture, or deliver cannabis (or other s. 893.03(1)(c), (2)(c)1.,

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541	893.13(1)(d)2.	2nd	<p>(2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs).</p> <p>Sell, manufacture, or deliver s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs within 1,000 feet of university.</p>
542	893.13(1)(f)2.	2nd	<p>Sell, manufacture, or deliver s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs within 1,000 feet of public housing facility.</p>
543	893.13(6)(a)	3rd	<p>Possession of any controlled substance other than felony possession of cannabis.</p>
544	893.13(7)(a)8.	3rd	<p>Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.</p>

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893.13(7)(a)9. 3rd Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.

546

893.13(7)(a)10. 3rd Affix false or forged label to package of controlled substance.

547

893.13(7)(a)11. 3rd Furnish false or fraudulent material information on any document or record required by chapter 893.

548

893.13(8)(a)1. 3rd Knowingly assist a patient, other person, or owner of an animal in obtaining a controlled substance through deceptive, untrue, or fraudulent representations in or related to the practitioner's practice.

549

893.13(8)(a)2. 3rd Employ a trick or scheme in the practitioner's practice to assist a patient, other person, or owner of an animal in

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			obtaining a controlled substance.
550	893.13(8)(a)3.	3rd	Knowingly write a prescription for a controlled substance for a fictitious person.
551	893.13(8)(a)4.	3rd	Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.
552	918.13(1)(a)	3rd	Alter, destroy, or conceal investigation evidence.
553	944.47(1)(a)1.- 2.	3rd	Introduce contraband to correctional facility.
554	944.47(1)(c)	2nd	Possess contraband while upon the grounds of a correctional institution.
555	985.721	3rd	Escapes from a juvenile facility (secure detention or residential commitment

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facility).



556

557

Section 8. This act shall take effect July 1, 2010.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCB TED 10-09 Transportation Revenue
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

This bill reinstates the general revenue service charge of 8 percent on fuel and transportation tax revenues collected and deposited into the State Transportation Trust Fund (STTF). The bill also redirects a portion of initial registration fees imposed on certain antique vehicles, trucks and recreational type vehicles (e.g. camping trailer) from the STTF into the Highway Safety Operating Trust Fund.

The bill requires the Department of Transportation to reduce work program levels to balance the finance plan resulting from reductions in the General Appropriations Act or the reinstatement of the general revenue service charge on taxes deposited into the STTF, except for funds provided to the Florida Rail Enterprise in fiscal year 2014-15 for maintenance, safety, revitalization, and expansion of the State's rail system. However, the Department must first reduce financial projects not programmed for contract letting before any other project or phase thereof is deferred. These reductions shall not negatively impact safety, maintenance, financial projects for the purchase of Central Florida Commuter Rail Corridor, or project contingency levels as of July 1, 2009.

This bill conforms to the House of Representatives proposed General Appropriations Act by allowing for the redirection of current State Transportation Trust Fund revenues at the Florida Department of Transportation to the General Revenue fund in order to fund legislative priorities. In addition, the bill changes the distribution of a portion of initial vehicle registration fees from the State Transportation Trust Fund to the Highway Safety Operating Trust Fund. This redirect is due to an estimated decline in the Highway Safety Operating Trust Fund revenues.

There bill would result in a significant positive fiscal impact to the General Revenue fund; however, the bill would reduce the revenues received by the STTF by the same amount.

This bill shall take effect July 1, 2010.

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.
Estimated revenues are less than the 3 year outlook of base funding, critical needs and high priority needs. This bill will increase recurring revenues to the general revenue fund.
- 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:

Service Charge Exemptions; Department of Transportation (Sections 1 and 2)

Current Situation

Section 215.20, F.S., levies service charges on an array of state trust funds which receive "income of a revenue nature." These service charges are deposited into the General Revenue Fund as a reimbursement of the estimated pro rata share of the "cost of general government" paid from the General Revenue Fund.

Pursuant to s. 215.211(1) and (2), F.S., the Department of Transportation is exempt from paying the service charges under s. 215.20, F.S., on certain fuel and transportation taxes deposited into the State Transportation Trust Fund. The amount exempted from the General Revenue Fund service charge is deposited into the State Transportation Trust Fund.

Proposed Changes

The bill eliminates Department of Transportation exemptions in s. 215.211(1) and (2), F.S. The fuel and transportation taxes deposited into the State Transportation Trust Fund will be subject to the 8 percent General Revenue Fund service charges described in s. 215.20, F.S.

Redirect of a portion of the fees collected for initial registration of certain motor vehicles (Section 3)

Current Situation

Section 320.072, F.S., imposes a fee of \$225 on the initial registration of antique automobiles, trucks and recreational type vehicles with certain exemptions. Forty four and a half percent of the proceeds

are remitted to the Department of Transportation and deposited into the State Transportation Trust Fund, with the remaining 55.5 percent deposited into the General Revenue fund.

Proposed Changes

The bill redirects 10 percent of the 44.5 percent being deposited into the State Transportation Trust Fund into the Highway Safety Operating Trust Fund.

Transportation Work Program and Financing Plan adjustments (Section 4)

Current Situation

Section 339.135, F.S., requires the Department of Transportation to reduce work program levels to balance the finance plan to revised funding levels resulting from any reduction in the 2009-10 General Appropriations Act. Additionally, for the 2009-2010 fiscal year, before reducing any project or phase thereof, the Department is required to reduce financial projects not programmed for contract letting. These reductions should not negatively impact safety or maintenance, or project contingency levels as of April 21, 2009.

Proposed Changes

The bill extends the provisions requiring the Department to reduce work program levels to balance the finance plan due to reductions in the 2010-11 General Appropriations Act to include the 2010-11 through 2014-15 fiscal years. The bill also requires the Department to reduce work program levels to balance the finance plan due to the reinstatement of the general revenue service charge on proceeds of certain fuel and transportation tax revenues.

The bill extends the provision requiring reductions to the work program to first come from projects not programmed for contract letting to include the fiscal years 2010-11 through 2014-15, and mandates that these reductions shall not negatively impact financial projects for the purchase of the Central Florida Commuter Rail Corridor or project contingency levels as of July 1, 2009.

B. SECTION DIRECTORY:

- Section 1. Amends s. 215.211, F.S., removing provisions that eliminate the service charge provided in s. 215.20(1) and (3) from the proceeds of the taxes distributed under ss. 206.606(1), 207.026, 212.0501(6), 319.32(5), 216.608 and 320.072(4).
- Section 2. Reenacts s. 215.20, F.S.
- Section 3. Amends ss. 320.072(4), F.S., revising the distribution of fees collected under the section.
- Section 4. Amends ss. 339.135(4)(a), F.S., changing the effective fiscal years; requires reductions to the work program levels to balance to the finance plan due to reinstatement of the service charge under 215.20(1); making funds provided to the Florida Rail Enterprise not applicable; requiring reductions to projects not programmed for contract letting to not negatively impact financial projects for the purchase of the Florida Commuter Rail Corridor; and changes the date of applicable project contingency levels referenced in the section.
- Section 5. Provides an effective date of July 1, 2010.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

Section 1 of the bill increases the General Revenue Fund in fiscal year 2010-2011, based on the 8 percent service charge that will be imposed on certain State Transportation Trust Fund revenues, by \$148.1 million while reducing the State Transportation Trust Fund by the same amount.

Section 2 of the bill increases the Highway Safety Operating Trust Fund in fiscal year 2010-2011 by approximately \$8.5 million while reducing the State Transportation Trust Fund by the same amount.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

N/A

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

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

2. Other:

None.

B. RULE-MAKING AUTHORITY:

This bill does not provide rule-making authority.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

1 A bill to be entitled
 2 An act relating to transportation revenue; amending s.
 3 215.211, F.S.; removing provisions that eliminate
 4 imposition of a specified service charge on specified
 5 income of a revenue nature; reenacting s. 215.20(1), F.S.,
 6 relating to a service charge appropriated from income of a
 7 revenue nature deposited in trust funds to provide for
 8 imposition of the service charge pursuant to changes made
 9 by the act to s. 215.211, F.S.; amending s. 320.072, F.S.;
 10 revising the disposition of proceeds collected on the
 11 initial application for registration of specified motor
 12 vehicles; providing for deduction of the service charge
 13 prior to distribution; amending s. 339.135, F.S.;
 14 providing for effect of revised funding levels on
 15 department projects; providing an effective date.

16
 17 Be It Enacted by the Legislature of the State of Florida:

18
 19 Section 1. Section 215.211, Florida Statutes, is amended
 20 to read:

21 215.211 Service charge; elimination or reduction for
 22 specified proceeds.—

23 ~~(1) Notwithstanding the provisions of s. 215.20(1) and~~
 24 ~~(3), the service charge provided in s. 215.20(1) and (3), which~~
 25 ~~is deducted from the proceeds of the taxes distributed under ss.~~
 26 ~~206.606(1), 207.026, 212.0501(6), and 319.32(5), shall be~~
 27 ~~eliminated beginning July 1, 2000.~~

28 ~~(2) Notwithstanding the provisions of s. 215.20(1) and~~

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29 ~~(3), the service charge provided in s. 215.20(1) and (3), which~~
 30 ~~is deducted from the proceeds of the taxes distributed under ss.~~
 31 ~~206.608 and 320.072(4), shall be eliminated beginning July 1,~~
 32 ~~2001.~~

33 (1)~~(3)~~ Notwithstanding the provisions of s. 215.20(1), the
 34 service charge provided in s. 215.20(1) may not be deducted from
 35 the proceeds of the local option fuel tax distributed under s.
 36 336.025(1)(a).

37 (2)~~(4)~~ From the revenues derived from s. 336.025(1)(a), an
 38 amount equal to 7 percent of those revenues shall be deposited
 39 in the State Transportation Trust Fund and used to fund the
 40 County Incentive Grant Program and the Small County Outreach
 41 Program. Up to 20 percent of such funds shall be used for the
 42 purpose of implementing the Small County Outreach Program as
 43 provided in this act. Notwithstanding any other laws to the
 44 contrary, the requirements of ss. 339.135, 339.155, and 339.175
 45 shall not apply to these funds and programs.

46 Section 2. For the purpose of incorporating the amendment
 47 made by this act to section 215.211, Florida Statutes,
 48 subsection (1) of section 215.20, Florida Statutes, is reenacted
 49 to read:

50 215.20 Certain income and certain trust funds to
 51 contribute to the General Revenue Fund.—

52 (1) A service charge of 8 percent, representing the
 53 estimated pro rata share of the cost of general government paid
 54 from the General Revenue Fund, is hereby appropriated from all
 55 income of a revenue nature deposited in all trust funds except
 56 those enumerated in s. 215.22. Income of a revenue nature shall

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57 | include all earnings received or credited by such trust funds,
58 | including the interest or benefit received from the investment
59 | of the principal of such trust funds as may be permitted by law.
60 | This provision shall be construed in favor of the General
61 | Revenue Fund in each instance. All such appropriations shall be
62 | deposited in the General Revenue Fund.

63 | Section 3. Subsection (4) of section 320.072, Florida
64 | Statutes, is amended to read:

65 | 320.072 Additional fee imposed on certain motor vehicle
66 | registration transactions.—

67 | (4) A tax collector or other authorized agent of the
68 | department shall promptly remit ~~44.5 percent~~ of all moneys
69 | collected pursuant to this section, less any refunds granted
70 | pursuant to subsection (3), to the department. After deducting
71 | the service charge imposed pursuant to s. 215.20, the department
72 | shall deposit 34.5 percent of the remaining funds to be
73 | deposited into the State Transportation Trust Fund and 10
74 | percent into the Highway Safety Operating Trust Fund. The
75 | remaining 55.5 percent shall be deposited into the General
76 | Revenue Fund.

77 | Section 4. Paragraph (a) of subsection (4) of section
78 | 339.135, Florida Statutes, as amended by chapter 2009-271, Laws
79 | of Florida, is amended to read:

80 | 339.135 Work program; legislative budget request;
81 | definitions; preparation, adoption, execution, and amendment.—

82 | (4) FUNDING AND DEVELOPING A TENTATIVE WORK PROGRAM.—

83 | (a)1. To assure that no district or county is penalized
84 | for local efforts to improve the State Highway System, the

85 department shall, for the purpose of developing a tentative work
 86 program, allocate funds for new construction to the districts,
 87 except for the turnpike enterprise, based on equal parts of
 88 population and motor fuel tax collections. Funds for
 89 resurfacing, bridge repair and rehabilitation, bridge fender
 90 system construction or repair, public transit projects except
 91 public transit block grants as provided in s. 341.052, and other
 92 programs with quantitative needs assessments shall be allocated
 93 based on the results of these assessments. The department may
 94 not transfer any funds allocated to a district under this
 95 paragraph to any other district except as provided in subsection
 96 (7). Funds for public transit block grants shall be allocated to
 97 the districts pursuant to s. 341.052. Funds for the intercity
 98 bus program provided for under s. 5311(f) of the federal
 99 nonurbanized area formula program shall be administered and
 100 allocated directly to eligible bus carriers as defined in s.
 101 341.031(12) at the state level rather than the district. In
 102 order to provide state funding to support the intercity bus
 103 program provided for under provisions of the federal 5311(f)
 104 program, the department shall allocate an amount equal to the
 105 federal share of the 5311(f) program from amounts calculated
 106 pursuant to s. 206.46(3).

107 2. Notwithstanding the provisions of subparagraph 1., the
 108 department shall allocate at least 50 percent of any new
 109 discretionary highway capacity funds to the Florida Strategic
 110 Intermodal System created pursuant to s. 339.61. Any remaining
 111 new discretionary highway capacity funds shall be allocated to
 112 the districts for new construction as provided in subparagraph

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113 1. For the purposes of this subparagraph, the term "new
114 discretionary highway capacity funds" means any funds available
115 to the department above the prior year funding level for
116 capacity improvements, which the department has the discretion
117 to allocate to highway projects.

118 3. Notwithstanding subparagraphs ~~subparagraph~~ 1. and 2.
119 and ss. 201.15(1)(c)1.a.-d., 206.46(3), 206.608(2), 215.211(2),
120 334.044(26), and 339.2819(3), and for the 2009-2010 fiscal years
121 2010-2011 through 2014-2015 year only, the department shall
122 reduce work program levels to balance the finance plan to the
123 revised funding levels resulting from any reduction in the 2010-
124 2011 2009-2010 General Appropriations Act and the reinstatement
125 of the service charge under s. 215.20(1) which is deducted from
126 the proceeds of the taxes distributed under ss. 206.606(1),
127 206.608, 207.026, 212.0501(6), 319.32(5), and 320.072(4). This
128 subparagraph does not apply to funds provided to the Florida
129 Rail Enterprise in fiscal year 2014-2015 for the purposes
130 established in s. 341.303(5) expires July 1, 2010.

131 4. For ~~the 2009-2010 fiscal years~~ 2010-2011 through 2014-
132 2015 year only, prior to any project or phase thereof being
133 deferred, the department's cash balances shall be as provided in
134 paragraph (6)(b), and the reductions in subparagraph 3. shall be
135 made to financial projects not programmed for contract letting
136 as identified with a work program contract class code 8 and the
137 box code RV. These reductions shall not negatively impact
138 safety, or maintenance, financial projects for the purchase of
139 the Central Florida Commuter Rail Corridor, financial projects
140 for the Florida Rail Enterprise, or project contingency

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141 percentage levels as of July 1 ~~April 21~~, 2009. ~~This subparagraph~~
 142 ~~expires July 1, 2010.~~

143 5. Notwithstanding subparagraphs 1. and 2. and ss.
 144 206.46(3) and 334.044(26), and for fiscal years 2009-2010
 145 through 2013-2014 only, the department shall annually allocate
 146 up to \$15 million of the first proceeds of the increased
 147 revenues estimated by the November 2009 Revenue Estimating
 148 Conference to be deposited into the State Transportation Trust
 149 Fund to provide for the portion of the transfer of funds
 150 included in s. 343.58(4)(a)1.a. or 2.a., whichever is
 151 applicable. The transfer of funds included in s. 343.58(4) shall
 152 not negatively impact projects included in fiscal years 2009-
 153 2010 through 2013-2014 of the work program as of July 1, 2009,
 154 as amended pursuant to subsection (7). This subparagraph expires
 155 July 1, 2014.

156 Section 5. This act shall take effect July 1, 2010.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCB TED 10-10 Supplemental Corporate Fee
SPONSOR(S): Transportation & Economic Development Appropriations Committee
TIED BILLS: **IDEN./SIM. BILLS:**

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
Orig. Comm.:	Transportation & Economic Development Appropriations Committee		Lolley <i>jl</i>	Creamer <i>JC</i>
1)				
2)				
3)				
4)				
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SUMMARY ANALYSIS

Proposed Committee Bill TED 10-10 amends s. 607.193, F.S., deleting an exception to a \$400 late charge that is imposed when a corporation, a limited liability company, or a limited partnership fails to meet the deadline and files its annual report after May 1. As a result, the late fee will be due regardless of whether the business entity professes to have received the uniform business report prescribed by the department, or not.

The bill amends subsection (13) of s. 607.0122, F.S., clarifying the \$600 reinstatement fee for a corporation includes the \$400 late charge imposed under s. 607.193(2)(b), F.S.

The bill also amends s. 607.1422, F.S. clarifying that all fees owed by a corporation at the time of reinstatement include the reinstatement fee required under s. 607.0122(13), F.S.

This bill conforms to the House of Representatives proposed General Appropriations Act increasing revenues to the General Revenue Fund in order to fund legislative priorities.

The bill has an estimated positive fiscal impact to the General Revenue Fund of \$51.6 million in fiscal year 2010-11, \$38.1 million in fiscal year 2011-12, and \$33.7 million in fiscal year 2012-13.

The bill has an effective date of July 1, 2010.

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

Section 607.193(1), F.S. provides for an annual supplemental corporate fee of \$88.75 imposed on each business entity that is authorized to transact business in Florida and is required to file an annual report with the Department of State. The supplemental corporate fee is in addition to the fee for filing an annual report and is paid at the time the annual report is filed.¹

Section 607.193(2), F.S. provides that in addition to the fees levied under ss. 607.0122, 608.452, and 620.1109, F.S. and the supplemental corporate fee, a late charge of \$400 is imposed if the supplemental corporate fee is remitted after May 1. The late charge may be waived if the business entity did not receive the uniform business report prescribed by the department. The department uses the uniform business report as the annual report.²

As provided in s. 607.1420(1), F.S., a corporation may be administratively dissolved for failure to file its annual report and pay the annual report filing fee by the third Friday in September. If a corporation is administratively dissolved, the corporation may apply for reinstatement. The corporation must submit a reinstatement form and all fees then owed by the corporation.³ Pursuant to s. 607.0122, F.S., the reinstatement fee for corporations is \$600.

It should be noted that corporations brought class action against Secretary of State alleging late annual report and reinstatement fees violated the Excessive Punishments section of the Florida constitution. The Circuit Court for Miami-Dade County granted motion for class certification, and Secretary of State appealed. This is an ongoing lawsuit.

Effect of Proposed Changes

¹ Section 607.193(2)(a), F.S.

² Section 606.06(2), F.S.

³ Section 607.1422(1), F.S.

The bill amends subsection (13) of s. 607.0122, F.S., clarifying the \$600 reinstatement fee for a corporation includes the \$400 late charge imposed under s. 607.193(2)(b), F.S., which is the current practice of the department.

The bill amends s. 607.193, F.S. deleting the exception to the late charge being imposed. If the annual report is filed after May 1, a late charge of \$400 would be imposed, regardless of whether the business entity professes to have received the uniform business report prescribed by the department, or not.

The bill also amends s. 607.1422, F.S. clarifying that a corporation must pay a \$600 reinstatement fee in addition to any other fees owed at the time of reinstatement.

B. SECTION DIRECTORY:

- Section 1 Amends subsection (13) of s. 607.0122, F.S.; clarifies that the reinstatement fee includes the late charge imposed under s. 607.193, F.S.
- Section 2 Amends s. 607.193, F.S.; deletes an exception to a required supplemental corporate fee late charge.
- Section 3 Amends s. 607.1422, F.S.; clarifies fees owed for reinstatement.
- Section 4 Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

According to the Department of State (Department), in FY 2008-09, 15,321 electronic filers were late and paid the late charge. In the same period, 136,400 electronic filers claimed no notice had been provided and the Department waived the fee as required by law. If the 136,400 late filers who claimed the exception were assessed the \$400 late charge, additional revenues to the General Revenue Fund would have been \$54,560,000.

In FY 2008-09, the \$600 reinstatement fee for administrative dissolution was waived for 45,346 corporations.⁴ Total additional revenues to the General Revenue Fund would have been \$27,207,600.

For FY 2010-11, the estimated increased revenue as high as \$51.6 million to the General Revenue Fund based on the changes in this bill.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

⁴ Statistics furnished by Department of State.

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

If a business entity specified in s. 607.193, F.S. fails to file its annual report before the May 1 deadline, it will be required to pay the \$400 late charge. If a corporation does not comply with the May 1 deadline and fails to file its annual report before the third Friday in September, the corporation may be administratively dissolved⁵ and must apply for reinstatement. At that time, all fees owed by the corporation must be paid including the reinstatement fee of \$600.⁶

D. FISCAL COMMENTS:

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

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

2. Other:

B. RULE-MAKING AUTHORITY:

C. DRAFTING ISSUES OR OTHER COMMENTS:

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

⁵ Section 607.1420(1)(a), F.S.

⁶ Section 607.1422(1), F.S.

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A bill to be entitled
 An act relating to the supplemental corporate fee;
 amending s. 607.0122, F.S.; specifying that a
 reinstatement application fee includes a certain late
 charge; amending s. 607.193, F.S.; deleting an exception
 for liability for a late charge; amending s. 607.1422,
 F.S.; requiring inclusion of a reinstatement application
 fee under fees owed by a corporation seeking reinstatement
 after administrative dissolution; providing an effective
 date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (13) of section 607.0122, Florida
 Statutes, is amended to read:

607.0122 Fees for filing documents and issuing
 certificates.—The Department of State shall collect the
 following fees when the documents described in this section are
 delivered to the department for filing:

(13) Application for reinstatement following
 administrative dissolution: \$600. This fee includes the late
 charge imposed under s. 607.193(2)(b).

Section 2. Paragraph (b) of subsection (2) of section
 607.193, Florida Statutes, is amended to read:

607.193 Supplemental corporate fee.—

(2)

(b) In addition to the fees levied under ss. 607.0122,
 608.452, and 620.1109 and the supplemental corporate fee, a late

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29 charge of \$400 shall be imposed if the supplemental corporate
 30 fee is remitted after May 1 ~~except in circumstances in which a~~
 31 ~~business entity did not receive the uniform business report~~
 32 ~~prescribed by the department.~~

33 Section 3. Subsection (1) of section 607.1422, Florida
 34 Statutes, is amended to read:

35 607.1422 Reinstatement following administrative
 36 dissolution.-

37 (1) A corporation administratively dissolved under s.
 38 607.1421 may apply to the Department of State for reinstatement
 39 at any time after the effective date of dissolution. The
 40 corporation must submit a reinstatement form prescribed and
 41 furnished by the Department of State or a current uniform
 42 business report signed by the registered agent and an officer or
 43 director and all fees then owed by the corporation including the
 44 reinstatement application fee required under s. 607.0122(13),
 45 computed at the rate provided by law at the time the corporation
 46 applies for reinstatement.

47 Section 4. This act shall take effect July 1, 2010.

Transportation and Economic Development Appropriations Committee

	A	B	C	D	E	F	G	H	I
1			Chair's FINAL Proposal- FY 2010-11						
2	D3A Issue	D3A Issue Title	FTE	GENERAL REVENUE	NR GEN REVENUE	STATE TFs	FEDERAL TFs	ALL FUNDS	Comments
3		AGENCY/WORKFORCE INNOVATN							
4	1100000	STARTUP (RECURRING LAW AND POLICY)	1,533.00	143,473,540		337,551,374	921,860,699	1,402,885,613	
5	2503080	Direct Billing For Administrative Hearings					16,624	16,624	Statewide Issue
6	3000100	Increased Unemployment Compensation Appeals And Initial Claims Workload	25.00				1,525,327	1,525,327	This issue provides 25 positions and recurring trust fund budget authority to spend federal funding available to the State of Florida on the Unemployment Compensation (UC) program. During FY 2009-2010, the UC program is projected to process unemployment applications for over 900,000 individuals and issue payments to over 500,000 individuals. The program anticipates the increased workload will continue throughout FY 2010-2011 and an increased level of funding will be required to meet the demand for services.
7	3000110	Increased Unemployment Compensation Contracted Services Staff					18,011,127	18,011,127	This issue provides additional contracted services budget authority for federal funds consisting of: -\$5 million to continue the contracted staff level in the Orlando Call Center and in the statewide Appeals offices. The staff in the Orlando Call Center answer thousands of inquiries each day from claimants and persons who wish to apply for unemployment compensation. The contracted staff in the Appeals office provides clerical support to the Unemployment Appeals Special Deputies who hold approximately 13,600 hearings per month and provide translation services in those hearings with Spanish or Creole participants. -\$2 million for the increase in the service level agreement with the Florida Department of Revenue for the Unemployment SunTax System. -\$11 million to continue the private call center contract to reduce wait times for individuals seeking unemployment services.

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8	3000160	Increased Unemployment Compensation Workload					16,821,621	16,821,621	This issue provides OPS and Expense recurring trust fund budget authority to spend federal funding available to the State of Florida on the Unemployment Compensation (UC) program. During FY 2009-2010, the UC program is projected to process unemployment applications for over 900,000 individuals and issue payments to over 500,000 individuals. The program anticipates the increased workload will continue throughout FY 2010-2011 and an increased level of funding will be required to meet the demand for services.
9	3000270	Increased Unemployment Appeals Commission Operating Costs					29,989	29,989	This issue provides recurring trust fund budget authority for the Unemployment Appeals Commission for increased postage costs associated with the increased number of appeals performed. The Commission has experienced a 55% increase in appeals and a 79% increase in appeals to the District Courts of Appeal in FY 2008-2009.
10	33B0110	Executive Leadership - Reduce General Revenue Budget Authority		(2,500)				(2,500)	This issue will reduce General Revenue provided for the administration of the Voluntary Prekindergarten (VPK) program. This reduction in funding will be accomplished by reducing the amount of legal services and audit services provided for the VPK program in Fiscal Year 2010-2011.
11	33B0210	Agency Support Services - Reduce General Revenue Budget Authority		(4,250)				(4,250)	This issue will reduce General Revenue provided for the administration of the Voluntary Prekindergarten (VPK) program. This reduction in funding will be accomplished by reducing the amount of support services and financial monitoring performed for the VPK program.
12	33B5060	Funding To Early Learning Coalitions For School Readiness Program		0			0	0	No reductions to the School Readiness Program.

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13	33B5110	Early Learning Services - Reduce General Revenue Operating Budget Authority		(24,280)				(24,280)	This issue will reduce General Revenue provided for the administration of the Voluntary Prekindergarten (VPK) program. This reduction in funding will be accomplished by decreasing the program support services and information technology assistance provided to the Early Learning Coalitions (ELCs).
14	3400180	Shift Budget Authority Between Trust Funds - Deduct					(113,800)	(113,800)	Technical Agency Realignments.
15	3400190	Shift Budget Authority Between Trust Funds - Add					113,800	113,800	
16	36318C0	Unemployment Compensation Benefits System Replacement					26,301,727	26,301,727	This issue provides non-recurring trust fund budget authority for the third year of the project to replace the Unemployment Compensation (UC) Claims and Benefits Information System.
17	40S0080	Performance Based Initiative Funding Program - State Fiscal Stabilization (ARRA)					0	0	This issue provides non-recurring trust fund budget authority for the Quick Response Training Program to perform activities required to meet the provisions of an audit settlement agreement with the U.S. Department of Labor (USDOL). The agreement addresses an audit disallowance from activities that occurred more than ten years ago.
18	4500400	Performance Based Initiative Funding Program				3,376,904		3,376,904	\$2M will be transferred to the Department of Military Affairs to fund the About Face and Forward March programs and \$1.4M will be provided to the Regional Workforce Boards.
19	4500020	Workforce Projects				750,000		750,000	This issue provides non-recurring trust fund budget authority for Workforce Projects. Specifically, the issue provides \$750k to Goodwill Industries. This maintains the current fiscal year funding levels for these program to benefit disabled workers.

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20	40S0090	Increase Quick Response Training Program-State Fiscal Stabilization (ARRA)					3,000,000	3,000,000	This issue requests \$3,300,000 million of non-recurring budget authority for the Quick-Response Training Program (QRT) to restore non-recurring budget authority. The program provides grant funding for customized training and attracts both new and expanding, value-added industries to the state. The funding will generate approximately \$14.5 million in private company leveraged funds and job creation and training for 4,125 jobs.
21	4500650	Increase Quick Response Training Program				300,000		300,000	
22	4500660	Administrative Support For Employer Quarterly Contributions					941,447	941,447	This issue provides trust fund budget authority to fund additional administrative costs associated with the employer tax quarterly contributions.
23	4500750	Workforce Investment And Accountability - Green Jobs Survey And Green Labor Exchange					389,933	389,933	This issue provides non-recurring federal stimulus budget authority to conduct the second year of the Green Jobs Survey. In November, 2009, the Agency for Workforce Innovation received a \$1.25 million stimulus funded grant provided by the American Recovery and Reinvestment Act of 2009 to conduct a Green Jobs Survey. In December, 2009, the Legislative Budget Commission approved EOG Amendment Number B0285 providing \$738,230 in budget authority for the first year of the survey. This issue will allow the completion of the statewide green jobs survey for the purpose of identifying occupations linked to green activities and for the collection of information on the skills and certifications relating to those occupations.
24	5200630	Convert Contract Staff To State Staff - Deduct					(1,667,783)	(1,667,783)	These issues convert contract staff to full time equivalent employees. By insourcing the maintenance and enhancements to the Unemployment Application System and the One Stop Service Tracking System, the issue provides a net savings of approximately \$1.2M. This issue was recommended by the Agency to replace a funding request for an additional \$1.2M
25	5200640	Convert Contract Staff To State Staff - Add	17.00				1,718,422	1,718,422	

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26	5400290	Restore Nonrecurring School Readiness Funding				2,500,000		2,500,000	This issue provide NR State Trust Funds to restore School Readiness funding to the current year level.
27	5600050	Restore Nonrecurring Voluntary Pre-Kindergarten Education Funding					38,017,534	38,017,534	This issue provides recurring trust fund budget authority for the Voluntary Prekindergarten (VPK) program to restore non-recurring budget authority. The 2009 General Appropriations Act provided \$38,017,534 of non-recurring trust fund budget authority for the VPK program.
28	5600100	Increase For Projected VPK Enrollment				40,996,217		40,996,217	This issue provides recurring trust fund budget authority for the Voluntary Prekindergarten (VPK) program to meet the estimated enrollment growth for FY 2010-11. The July 30, 2009 VPK estimating conference projected an enrollment increase above base funding of approximately 8,439 children for FY 2010-11.
29	33V2040	Revised Program Ratio-VPK				(57,700,826)			Reductions to align to Pre-K through 12 appropriations.
30	33V2050	Administrative Reductions-VPK				(1,168,619)			
31	58020C0	Design And Implementation Of The Early Learning Information System (ELIS)				2,000,000	9,000,000	11,000,000	This issue provides \$9,000,000 of non-recurring American Recovery and Reinvestment Act (ARRA) budget authority and \$2,000,000 of non-recurring Special Employment Security Administration Trust Fund budget authority to continue the development of the Early Learning Information System (ELIS).

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32	990M000	Maintenance And Repair					1,180,512	1,180,512	This issue proposes to utilize Reed Act funds to install energy efficient heating, ventilation, and air conditioning systems. Funds will also be used to repair and maintain parking lots and upgrade security systems.
33	Total	AGENCY/WORKFORCE INNOVATN	1,575.00	143,442,510	0	328,605,050	1,037,147,179	1,568,064,184	
34									
35		COMMUNITY AFFAIRS,DEPT OF							
36	1100000	STARTUP (RECURRING LAW AND POLICY)	346.00	5,799,934		24,722,269	60,594,672	91,116,875	
37	1800440	Transfer The Florida Communities Trust Program To The Office Of The Secretary - Deduct	(16.00)			(1,235,458)		(1,235,458)	The Department requests to transfer 16 positions, salary rate, and budget authority for the Florida Communities Trust program back to the Office of the Secretary from the Division of Housing and Community Development.
38	1800450	Transfer The Florida Communities Trust Program To The Office Of The Secretary - Add	16.00			1,235,458		1,235,458	The Florida Communities Trust (FCT) program was created primarily as a growth management tool within the Office of the Secretary to assist local governments in the implementation of their comprehensive plans.
39	1800910	Division Of Emergency Management Budget Restructure - Increase	136.00			40,146,377	419,229,307	459,375,684	Technical Agency Realignments.
40	1800920	Division Of Emergency Management Budget Restructure - Decrease	(136.00)			(40,147,875)	(418,244,809)	(458,392,684)	
41	1800930	Transfer Commission On Community Service From Housing And Community Development To Division Of Emergency Management - Deduct				(300,000)		(300,000)	
42	1800940	Transfer Commission On Community Service From Housing And Community Development To Division Of Emergency Management - Add				300,000		300,000	
43	2503080	Direct Billing For Administrative Hearings		63,219				63,219	Statewide Issue
44	3004000	Adjustments To Base Budget In The Division Of Emergency Management (DEM)				690,396	567,858	1,258,254	This issue provides budget authority to adjust the Division of Emergency Management's base budget across all categories and sub-budget entities in order to accurately reflect recurring appropriations and appropriate funding sources.

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45	3004010	Adjustment To Base Budget In The Division Of Emergency Management (DEM) - Deduct				(996,238)	(130,271)	(1,126,509)	Additionally, the realignment of the Division's base budget within the existing sub-budget entities will provide the basis for the consolidation of the five sub-budget entities into a single entity, as detailed in budget issues 1800910 and 1800920..
46	3305200	Make Recurring Funding Nonrecurring - Deduct		(270,001)				(270,001)	This issue proposes to eliminate recurring General Revenue funding for expenses and contracted services and provide non-recurring General Revenue funding for these categories.
47	3305210	Make Recurring Funding Nonrecurring - Add		270,001	270,001			270,001	
48	33B9010	Reduction Of Funding Century Commission				(116,000)		(116,000)	This is a recommended reduction due to a decline and prioritization of documentary stamp taxes and review of agency core mission. The Commission is a standing body that is charged with developing 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.
49	33B9020	Reduction Of Funding For Building Codes - Other Personal Services				(210,000)		(210,000)	This issue would reduce OPS funding for the Building Code Commission due to a decline in building permit surcharges. The remaining budget authority is \$1.18 million.
50	33B9050	Reduction Of Funding For Front Porch Staff	(1.00)	(45,000)				(45,000)	Eliminates the 1 FTE remaining in the program. No pass-through grant funding was provided by the Legislature in 2009-10.
51	33V0150	Eliminate Unfunded Budget Authority In The Small Cities Community Block Grant Trust Fund					(3,056)	(3,056)	This issue eliminates unfunded budget authority.
52	33V2330	Non-Recurring Reduction To Technical Planning And Assistance Due To Documentary Stamp Shortfall				(873,920)		(873,920)	This issue eliminates unfunded budget authority due to declining documentary stamp tax revenues. There will be \$206,074 remaining in the budget based on the estimated revenues.

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53	40S0010	Smart Grid Grant From The Governor's Energy Office					620,000	620,000	This issue proposes budget authority to utilize a federal subgrant from the Governor's Energy Office in order to implement a program to train and test our energy continuation plan in the event of an emergency.
54	40S0100	Energy Code Training And Compliance Measurement American Recovery Reinvestment Act (ARRA)					893,000	893,000	The Division of Housing and Community Development requests \$893,000 of Other Personnel Services (OPS) in non-recurring budget authority in the Grants and Donations Trust Fund for projects required by the American Recovery and Reinvestment Act (ARRA) for states to obtain State Energy Programs stimulus funds. States are required to adapt energy efficiency standards for buildings that meet or exceed federal benchmarks and must train industry on the standards and measure compliance.
55	4100300	Legal Advertising Cost Required By Chapter 163, Florida Statutes		226,181	226,181			226,181	This issue provides non-recurring General Revenue needed to publish Notices of Intent to find comprehensive plan amendments in compliance or not in compliance.
56	4700100	Continuation Of Legal Expenses		129,730	129,730			129,730	This issue provides non-recurring General Revenue for legal expenses associated with Monroe County law suites that allege property was taken based on certain environmental and land use restrictions that are partly attributable to the Area of Critical State Concern (ACSC) designation.
57	4800000	Regional Planning Councils		2,500,000	2,500,000			2,500,000	This issue provides non-recurring General Revenue to continue funding the Regional Planning Councils to assist the Department of Community Affairs with multiple planning and technical assistance functions. This maintains current year funding level.

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58	550B020	National Flood Insurance Program Community Assistance Program					80,024	80,024	This issue provides budget authority for the Community Assistance Program (CAP) provided for by the Federal Emergency Management Agency (FEMA), Department of Homeland Security.
59	5504050	Flood Mitigation Assistance Program-Appropriation Category Change (Increase)					1,819,775	1,819,775	This issue provides non-recurring budget authority for the Flood Mitigation Assistance Program (FMAP) provided for by the Federal Emergency Management Agency (FEMA), Department of Homeland Security.
60	5900200	Severe Repetitive Loss Pilot Program					3,902,632	3,902,632	This issue provides non-recurring trust fund budget authority for the Severe Repetitive Loss Program. The U.S. Department of Homeland Security, Federal Emergency Management Agency (FEMA) implemented the Severe Repetitive Loss Program in Federal Fiscal Year 2007 at a level of \$40 million nationally.
61	5901680	Emergency Management Performance Grant Funding Increase					7,554,231	7,554,231	This issue provides budget authority for Emergency Management Performance Grant (EMPG) funding increases provided by the Federal Emergency Management Agency (FEMA), Department of Homeland Security.

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62	5901750	Federal Declared Disaster Funding				17,850,251	383,808,362	401,658,613	This issue provide budget authority to continue funding for various open federally declared disaster programs affecting counties throughout the State of Florida. In order to expend federal disaster funds provided by the Federal Emergency Management Agency (FEMA) in the Department of Homeland Security, the Division of Emergency Management (DEM) is requesting authority in the U.S. Contributions Trust Fund in the amount of \$236,738,832. Additionally, in order for the Division to continue to provide approved state matching funds and to cover disaster related state costs not provided under federal programs for these events, DEM is requesting authority in the Grants and Donations Trust Fund in the amount of \$9,785,402
63	5901790	Post-Disaster Redevelopment Planning				33,000		33,000	This issue provides budget authority for an anticipated grant award from the Florida Department of Environmental Protection to be used in surveying communities to determine which have prepared post-disaster redevelopment plans, assessing the effectiveness of these plans in guiding redevelopment activities and mitigating risk, and developing standards and a best practices guide for use by local governments in preparing post-disaster redevelopment plans.
64	5901860	Pre-Disaster Mitigation Program					3,770,000	3,770,000	This issue provides budget authority for federal pass-through and administration to continue the Pre-Disaster Mitigation Grant Program (PDM). PDM is a federal program that is designed to provide assistance to states and communities for activities that reduce the state's overall vulnerability to disasters and disaster-related loss of life and property.
65	5901870	Repetitive Flood Claims Program					1,780,723	1,780,723	This issue provides budget authority for the non-recurring Repetitive Flood Claims Program (RFCP) provided for by the Federal Emergency Management Agency (FEMA), Department of Homeland Security.

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66	5901990	Residential Construction Mitigation Program				6,892,389		6,892,389	This issue provides budget authority in order to expend Florida Hurricane Catastrophe funds for the Residential Construction Mitigation Program (RCMP). The RCMP provides resources for the hardening of residential structures to reduce wind borne property damage associated with natural disasters.
67	5902130	Interoperable Data Communications Systems					3,707,554	3,707,554	This issue provides budget authority for the Interoperable Emergency Communications Grant Program (IECGP). The Interoperable Emergency Communications Grant Program is formula based program intended to enhance public safety communications interoperability relating to voice, data or video signal.
68	5903000	Emergency Management Initiatives				160,952	5,440	166,392	This issue provides funding for the State Logistics Response Center to increase storage capacity, improve technology to manage and track resources and enhance the methods in which inventory is maintained before, during and after a disaster.
69	5903030	Disaster Recovery Staffing - Make Nonrecurring				56,908	374,549	431,457	This issue extends six time-limited FTEs for the Florida Recovery Office through 6/30/2011.
70	6200010	Civil Legal Assistance		1,000,000	1,000,000			1,000,000	This issue provides State assistance for free or low-cost legal services to low-income persons. This maintains current year funding level.
71	6300010	Increase Federal Grant Award - Low Income Home Energy Assistance Program					98,400,000	98,400,000	This issue provides budget authority for the Low-Income Home Energy Assistance Program (LIHEAP) Block Grant to obligate federal funds that have been approved through a continuing resolution. These funds have been released to help low-income and poverty families cope with high energy costs due to escalating gas and fuel costs now and through the upcoming winter months.

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72	6302020	Grant Funding From The National Oceanic And Atmospheric Administration-Waterfronts Florida Program				210,000		210,000	This issue continues the \$200,000 award level from Fiscal Year 2009-2010 and provides for a \$10,000 increase to that level of award from the Department of Environmental Protection's Florida Coastal Management Program to implement and enhance the Waterfronts Florida Partnership Program. The program addresses the physical and economic decline of traditional, working waterfronts by providing technical assistance and training to designated communities.
73	990G000	Grants And Aids - Fixed Capital Outlay				3,000,000	106,306,850	109,306,850	This issue provides trust fund authority to utilize Florida Hurricane Catastrophe funds for hurricane shelter retrofits and federal weatherization dollars to improve the energy efficiency of homes of low-income individuals, small cities community development block grants to improve conditions in blighted communities, and disaster recovery funding to assist communities recovering from federally declared disasters.
74	Total	COMMUNITY AFFAIRS,DEPT OF	345.00	9,674,064	4,125,912	51,418,509	675,036,841	736,129,414	
75									
76		FLORIDA HOUSING FINANCE CORPORATION							
77	1100000	STARTUP (RECURRING LAW AND POLICY)				123,010,000		123,010,000	
78	33V2400	Additional Reduction To Sadowski Affordable Housing Programs				(42,730,000)		(42,730,000)	This issue eliminates budget authority due to a sweep of documentary stamp tax revenues from Housing trust funds to General Revenue.
79	33V2500	Additional Reduction In State Housing Initiative Partnership				(80,280,000)		(80,280,000)	
80	6507800	Down Payment Assistance				37,500,000		37,500,000	This issue provides trust fund authority for down payment assistance programs.
81	Total	FLORIDA HOUSING FINANCE CORPORATION	0.00	0	0	37,500,000	0	37,500,000	
82									
83		GOVERNOR, EXECUTIVE OFFICE (OTTED)							
84	1100000	STARTUP (RECURRING LAW AND POLICY)	21.00	980,049		26,853,703		27,833,752	

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85	3305500	Trust Fund Reduction Due To Decline In Rental Car Surcharge Revenues				(1,252,916)		(1,252,916)	Eliminates unfunded budget authority due to a decline in the rental car surcharge. \$667k from VISIT FLORIDA and \$586k from EFl.
86	4500050	Economic Development Tools		17,125,600	17,125,600	4,281,400		21,407,000	This issue provides funding and budget authority for Economic Development incentives programs. Economic Development incentives are provided to encourage new businesses in targeted industries to locate to Florida and existing Florida businesses in targeted industries to expand in the state and create high quality, high wage jobs. This maintains current year funding level.
87	4500090	Economic Development Program Accountability Monitoring		250,000		300,000		550,000	This issue requests funding for contract monitoring related to economic development incentives. This maintains current year funding level.
88	4505190	Office Of Film And Entertainment Operations		453,296				453,296	This issue provides funding for the Office of Film and Entertainment operating expenses. This maintains current year funding level.
89	4600340	International Export Assistance		3,000,000	3,000,000			3,000,000	This issue provides non-recurring General Revenue to the Florida Export Finance Corporation for a revolving loan program to assist Florida companies finance the export of goods. Current issues with private finance markets are making it difficult for export companies to obtain funding.
90	4700040	Small Business Development Center		500,000	500,000			500,000	This issue provides operational assistance to the Florida Small Business Development Center Network to continue to assist small businesses grow and prosper.

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91	4700140	Grants And Aids - Enterprise Florida Program		6,200,000	6,200,000			6,200,000	This issue provides funding and budget authority for Enterprise Florida (EF). EF is the economic development organization for the State of Florida. EF will focus on its core mission and its three objectives: Outreach to target businesses and promotion of Florida's business climate; recruitment of new businesses and retention of existing Florida businesses; and strengthening Florida businesses by increasing their export sales. The goal of these objectives is to increase jobs and strengthen the economic climate of Florida. This maintains current year funding level.
92	4700160	Grants And Aids - Florida Commission On Tourism		4,250,000	4,250,000			4,250,000	This issue request funding and budget authority for Visit Florida. Visit Florida is responsible for marketing the State to in-state and out-of-state travelers as the premier vacation destination in the world. There is currently approximately \$17.7M in the base budget, this would fund Visit Florida at \$22M for FY 2010-11. This maintains current year funding level.
93	4700170	Grants And Aids - Professional Sports Development		200,000	200,000			200,000	This issue provides funding and budget authority for the Sunshine State Games. There is currently \$2.5M in the base budget for the Florida Sports Foundations operations and grant program. This would fund the Sport's Foundation at \$2.7M for FY 2010-11. This maintains current year funding level.
94	4700190	Film And Entertainment		10,800,000	10,800,000			10,800,000	This issue provides funding and budget authority for the Office of Film and Entertainment to utilize resources to promote and market Florida as a world-class production center in film, television, and digital media, and develop and implement special programs that support the development and advancement of the state's film, television and digital media industries and workers. This maintains current year funding level.

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95	4700200	Grants And Aids - Brownfield Redevelopment Projects		1,984,000	1,984,000	496,000		2,480,000	This issue provides funding and budget authority for Brownfield redevelopment projects. These projects serve communities that are seeking to redevelop certain distressed areas in such a way that the quality of life is enhanced as a result of the Brownfield redevelopment. Brownfield redevelopment also assists the businesses in the Brownfield area whose job creating and capital investment is being 'incentivized'. This maintains current year funding level.
96	4700210	Grants And Aids - Military Base Protection		150,000	150,000			150,000	This issue provides funding and budget authority for Military Base Protection. The funds in this issue will be utilized by the Office of Tourism, Trade, and Economic Development for the purpose of strengthening Florida's position for retaining and expanding Department of Defense facilities by evaluating current facilities and their community interfaces for safety and effectiveness and providing resources to strengthen mission capabilities of the facilities. This maintains current year funding level.
97	4700220	Grants And Aids - Black Business Investment Board		2,750,000	2,750,000			2,750,000	This issue provides funding and budget authority for the Florida Black Business Investment Board (BBIB). BBIB serves to create and expand minority businesses in the State through the creation of minority entrepreneurship; providing debt and equity financing; and assisting in the creation of franchise businesses. Chapter 2007-157, Laws of Florida, provided that the OTTED shall administer the Black Business Loan Program. This maintains current year funding level.

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2	D3A Issue	D3A Issue Title	FTE	GENERAL REVENUE	NR GEN REVENUE	STATE TFs	FEDERAL TFs	ALL FUNDS	Comments
98	4700240	Rural Community Development		400,000	400,000	900,000		1,300,000	This issue provides funding and budget authority for the Rural Community Development program. The Office of Tourism, Trade, and Economic Development provides loans to rural communities for projects that maintain or develop their economic base and increase employment opportunities for community residents. Grants provide assistance to regional economic development and tourism development organizations that serve rural communities. This maintains current year funding level.
99	4700260	Quick Action Closing Fund		12,000,000	12,000,000			12,000,000	This issue provides funding and budget authority for the Quick Action Closing Fund (QAC). QAC enables the state to respond quickly, and with flexibility, to address competitive disadvantages and capture economic opportunities of significant local, regional, or statewide importance, that would otherwise be lost. The Governor, in consultation with the President of the Senate and Speaker of the House, may utilize the fund in order to "close the gap" between the State of Florida and our competition for projects vital to the state or local economy. The current year funding level is \$13.5M.
100	4700300	Grants And Aids - International Advocacy		800,000	800,000			800,000	This issue provides funding and budget authority for International Advocacy. The Office of Tourism, Trade, and Economic Development oversees a host of programs that facilitate and promote international relations to ensure Florida's place in the global economy. The State of Florida establishes and maintains international relations in an effort to provide for a stronger and more diversified state economy to benefit all Floridians. This maintains current year funding level.

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101	4700320	Grants And Aids - Hispanic Business Initiative		200,000	200,000			200,000	This issue provides funding and budget authority for Hispanic Business Initiatives. Hispanic-owned small businesses play a role in enhancing and impacting the economic growth and prosperity of our State. As an economic development organization, the Hispanic Business Initiative Fund (HBIF) provides technical assistance and training to small businesses in the Hispanic community. This maintains current year funding level.
102	4701230	Grants And Aids - Space Florida		3,839,943	3,839,943			3,839,943	This issue provides funding and budget authority for Space Florida. Space Florida develops and implements strategies to accelerate space-related economic growth and development. Space Florida also assists aerospace and aviation companies to receive the necessary financing to grow and prosper within the State. This maintains current year funding level.
103	990G000	Grants And Aids - Fixed Capital Outlay		1,700,000	1,700,000	20,000,000		21,700,000	This issue funds economic development rural, defense and transportation infrastructure programs. The projects will enhance the economic climate in rural and defense-dependent communities and provide for needed road improvements directly tied to a relocation or expansion of a business. This maintains current year funding level.
104	Total	GOVERNOR, EXECUTIVE OFFICE (OTTED)	21.00	67,582,888	65,899,543	51,578,187	0	119,161,075	
105									

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106		HIWAY SAFETY/MTR VEH, DEPT							
107	1100000	STARTUP (RECURRING LAW AND POLICY)	4,584.00			375,384,602	6,797,594	382,182,196	
108	160S030	Adjustment to Current Year Estimated Expenditures Back Out FSI 3 - Federal Funds					(882,388)	(882,388)	Technical - this issue relocates estimated expenditures to properly realign program funding with the correct funding source identifier.
109	160S040	Adjustment to Current Year Estimated Expenditures Add Back FSI 1 State Funds/Nonmatch				882,388		882,388	
110	1609070	Adjustment to Current Year Estimated Expenditures Reduce Funding for Outsourcing of Mailroom Services	(22.00)			(416,500)		(416,500)	This issue requests continuation of agency budget amendment 2009-10 (EOG B0423) which placed 22 full time equivalent positions in reserve and transferred \$416,500 in appropriation, approved budget and release to the Contracted Services category, Administrative Services Program, Highway Safety Operating Trust Fund, for outsourcing of mailroom services effective February 1, 2010. Also see annualization issues 2601010 and 2601020.
111	1609080	Adjustment to Current Year Estimated Expenditures Add Back Funding for Outsourcing of Mailroom Services				416,500		416,500	
112	1800070	Intra-Agency Reorganizations Transfer Office of Identity Theft Positions from Licenses, Titles and Regulations Program to the Florida Highway Patrol Program	(8.00)			(357,908)		(357,908)	This issue requests the transfer of eight positions to the Florida Highway Patrol Program, Highway Safety budget entity, from the Licenses, Titles and Regulations Program, Driver Licensure budget entity to align investigation functions within the department. This request transfers positions to centralize this function within the Florida Highway Patrol Program for more effective use of resources.
113	1800080	Intra-Agency Reorganizations Transfer Office of Identity Theft Positions to the Florida Highway Patrol Program from Licenses, Titles and Regulations Program	8.00			357,908		357,908	
114	1800130	Transfer Crash Records from Administrative Services Program to Licenses, Titles and Regulations Program, Driver Licensure Service	(15.00)			(763,984)	(253,966)	(1,017,950)	This issue requests the transfer of 15 positions and funding to the Licenses, Titles and Regulations Program, Driver Licensure service from the Administrative Services Program, Executive Direction and Support Services to align records functions within the department. The positions and funding are dedicated to records retention, maintaining crash records, fatal crash monitoring and fatality analysis reporting.
115	1800140	Transfer Crash Records to Licenses, Titles and Regulations Program, Driver Licensure Service from Administrative Services Program	15.00			763,984	253,966	1,017,950	

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116	1800170	Transfer Positions from Administrative Services Program to the Florida Highway Patrol	(11.00)			(11)		(11)	This issue requests the transfer of 11 vacant positions from the Administrative Services Program, Executive Direction and Support Services budget entity to the Florida Highway Patrol (FHP) Program, Highway Safety budget entity, to enable the FHP to maximize sworn personnel resources. FHP currently utilizes sworn personnel to manage evidence at the Troop level. The transfer of these positions will allow the patrol to establish unsworn evidence and property manager positions resulting in more sworn personnel enforcement on Florida's roads.
117	1800180	Transfer Positions to the Florida Highway Patrol from Administrative Services Program	11.00			11		11	
118	1800270	Transfer Positions from the Vehicle and Vessel Title and Registration Services Service to the Driver Licensure Service	(17.00)			(859,293)		(859,293)	This issue requests a transfer of 17 position and funding from the Division of Motor Vehicles to the Division of Driver Licenses for the help desk consolidation. In conjunction with the Department's effort to merge the Division of Driver Licenses and the Division of Motor Vehicles into the Division of Motorist Services, the Department is consolidating its Driver Licenses help desk and the Motor Vehicles Tax Collectors help desk.
119	1800280	Transfer Positions to the Driver Licensure Service from the Vehicle and Vessel Title and Registration Services Service	17.00			859,293		859,293	
120	2000540	Transfer Position from Motorist Financial Responsibility Compliance to the Problem Driver Service for the Ignition Interlock Program	(1.00)			(45,345)		(45,345)	This issue requests the transfer of one position within the Licenses, Titles and Regulations program for more efficient use of the position based on a reassessment of needs.
121	2000550	Transfer Position to the Problem Driver Service from the Motorist Financial Responsibility Compliance for the Ignition Interlock Program	1.00			45,345		45,345	
122	2000560	Transfer Position from Driver Licensure to the Identification and Control of Problem Drivers Service	(1.00)			(35,114)		(35,114)	This issue requests the transfer of one position within the Licenses, Titles and Regulations program for more efficient use of the position based on a reassessment of needs.
123	2000570	Transfer Position to the Identification & Control of Problem Drivers Service from Driver Licensure Service	1.00			35,114		35,114	

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124	2401040	Additional Trooper Equipment For The Florida Highway Patrol				1,201,505		1,201,505	This issue provides funding and budget authority in the Federal Law Enforcement Trust Fund and the Law Enforcement Trust Fund for the purchase of equipment to enhance Florida Highway Patrol operations by purchasing Personal Protective Equipment (PPE) Kits - PPE kits, designed to protect from chemical and biological agent exposure, are issued to new recruit Troopers upon graduation from the Academy. Funding is required to replace damaged, used, or expired personal protective equipment.
125	2503080	Direct Billing For Administrative Hearings				71,812		71,812	Statewide Issue
126	2601010	Annualize Funding Reduction for Outsourcing of Mailroom Services				(583,100)		(583,100)	Agency budget amendment 2009-10 (EOG B0423) placed 22 full time equivalent positions in reserve and transferred \$416,500 in appropriation, approved budget and release to the Contracted Services category, Administrative Services Program, Highway Safety Operating Trust Fund, for outsourcing of mailroom services effective February 1, 2010. This issue requests the annualization of the transfer of appropriation, approved budget and release for outsourcing of mailroom services. Also see budget issues 1609070 and 1609080.
127	2601020	Annualize Funding Increase for Outsourcing of Mailroom Services				583,100		583,100	
128	3000130	Provide Funding For The Supporting Electronic Crash Reporting By Local Agencies Grant					50,000	50,000	This provides funding in the Other Personal Services category to implement the Supporting Electronic Crash Reporting by Local Agencies grant. This project will be funded by a federal grant through the Florida Department of Transportation.
129	3000680	Provide Funding For The E-Citation Preparation Standards Grant					195,000	195,000	This issue provides funding to implement the E-Citation Preparation Standards grant. This project will be funded by a federal grant through the Florida Department of Transportation.
130	3002100	Purchase Of Driver Licenses				920,991		920,991	This issue provides funding and budget authority from the Highway Safety Operating Trust Fund for the purchase of driver licenses. The issue includes the cost of card stock and equipment refresh.

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131	3002600	Federal Real ID Act Planning				627,095		627,095	This issue addresses hardware maintenance for mission critical servers that support major online transaction processing applications in the field that provide driver license duplication and renewal, motor vehicle and vessel titling and registration, law enforcement driver license and motor vehicle inquiries, as well as the bulk of the Departmental data services.
132	3007530	Continue The Improvement Of Florida Commercial Drivers License (CDL) Records System Grant					720,000	720,000	This issue provides continuation funding to complete implementation of the Improvement of Florida Commercial Drivers License (CDL) Records System Grant.
133	3007550	Continue The 2008 Real Identification Demonstration Grant Program					1,997,884	1,997,884	This issue provides funding to complete the 2008 Real ID Demonstration Grant program. The grant funding has been used to supplement Real ID implementation projects and to develop a national level, data exchange portal.
134	3007560	Continue The 2009 Real Identification Compliance Grant Program					1,171,442	1,171,442	This issue provides funding to continue implementation efforts for the three year project, 2009 Real ID Compliance Grant Program in fiscal year 2010-11. The funding for the grant, which has an end term of June 30, 2012, has been used to supplement Real ID implementation projects to improve issuance processes and associated security features.
135	3007900	Provide Continuation Funding For The Performance And Registration Information Systems Management Grant (Prism)					372,330	372,330	This issue requests \$372,330 to continue funding for the Performance and Registration Information Systems Management program grant. The Performance and Registration Information Systems Management program (PRISM) is a federal initiative designed to encourage proper reporting and improved safety performance of motor carriers by encompassing the safety and fitness record of a motor carrier into the registration process prior to issuing license plates.
136	3008100	Delete Funding For Geographical Information System				(99,000)		(99,000)	This issue eliminates unnecessary funding for the Geographical Information System as the Department is pursuing other alternatives.

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137	33B0250	Reduce Operation Of Motor Vehicles Funding, Florida Highway Patrol Program				(600,000)		(600,000)	This issue reduces funding provided for the Operation of Motor Vehicles with assumption that price per gallon of gas will be less than \$2.88 before tax adjustments..
138	33B1120	Florida Highway Patrol Victim Of Crime Act Program	(4.00)			(73,909)	(92,986)	(166,895)	This issue eliminates 4 FTE and funding for the Victims of Crime Act (VOCA). The VOCA provides assistance to victims that are traumatized or at least confused as to how to handle the emotional, financial, legal, and situational problems that arise when they become victims. These functions can be absorbed at the local level at the scene of the crime.
139	33B1200	Eliminate Community Service Officer Program	(28.00)			(1,386,841)		(1,386,841)	This issue eliminates the Community Service Officer Program. This program utilizes non-sworn civilian officers who are trained to respond to certain traffic crashes and assist disabled motorists.
140	33B1350	Reduce Florida Highway Patrol State Overtime Action Response Program, Lieutenants And Captains				(675,000)		(675,000)	This issue reduces funding for Statewide Overtime Action Response (SOAR). SOAR is an overtime program designed to augment visibility of law enforcement and aggressive enforcement. Excluded classes of Captains and Lieutenants are authorized to work SOAR details for a maximum of eight hours per week and are compensated as Other Personal Services (OPS) at a rate of \$40.00 per hour.
141	33B2650	Close Lake City Driver License Office (D01), Columbia County	(5.00)			(190,545)		(190,545)	These issues propose outsourcing Drivers License Offices to local Tax Collectors. All new service locations will be in the near vicinity of the existing state offices.
142	33B2660	Close Cape Coral Driver License Office (N02), Lee County	(11.00)			(485,699)		(485,699)	
143	33B2670	Close Orange Park Driver License Office (E09), Clay County	(7.00)			(298,781)		(298,781)	
144	33B3360	Close The North Melbourne Driver License Office (H05), Brevard County	(7.00)			(314,043)		(314,043)	
145	33B3380	Close The Lake Wales Driver License Office (L03), Polk County	(7.00)			(95,373)		(95,373)	
146	33B3410	Close The Port St. Joe Driver License Office (B03), Gulf County	0.00			0		0	
147	33B3740	Close The Clewiston Driver License Office (N05), Hendry County	(3.00)			(122,144)		(122,144)	
148	33B3750	Close The Palatka Driver License Office (F06), Putnam County	(4.00)			(162,837)		(162,837)	
149	33B3720	Close The Fort Walton Beach Driver Licenses Office (A07) In Okaloosa County	(9.00)			(323,833)		(323,833)	

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150	33V0505	Eliminate Vacant Positions	(20.00)			(727,346)		(727,346)	This issue eliminates 20 vacant positions and the associated salaries and benefits budget authority.
151	33V5230	Reduce Excess Salary Budget				(2,004,396)	(2,360)	(2,006,756)	This issue reduces excess overtime budget and excess funding in the Salaries and Benefits category.
152	33V6230	Reduce Purchase Of License Plates Funding				(1,600,000)		(1,600,000)	This issue reduces excess License Plate funding associated with the decrease in plate purchases.
153	3301140	Eliminate Funding for Crash Records Short Form	(1.00)			(106,642)		(106,642)	REQUIRES CONFORMING BILL This issue proposes to eliminate the requirement to forward short form crash reports to the department. Adopting this proposal will result in the elimination of one position and a savings of \$106,642.
154	3304100	Nonrecurring Reduction to Recurring Expenditures to Fund Feasibility Study				(500,000)		(500,000)	These issues request a \$500,000 non-recurring reallocation of appropriations to acquire services to develop a strategic technical architecture and feasibility study in order to modernize the Department's legacy Motor Vehicle and Driver License systems.
155	36241C0	Nonrecurring Funding for Replacing Outdated Legacy Information Technology Systems				500,000		500,000	
156	3400400	Fund Shift To Highway Safety Operating Trust Fund				140,000		140,000	Fund Shift-Technical
157	3400410	Fund Shift From Gas Tax Collection Trust Fund				(140,000)		(140,000)	
158	36334C0	Florida Highway Patrol Regional Communication Center Telephone Systems Enhancements					1,354,103	1,354,103	This issue provides funding to replace communication systems in the Regional Communications Centers. This issue includes two parts, \$554,703 to replace three phone systems and \$799,400 to replace the Computer Aided Dispatch (CAD) and Mobile Data Terminal (MDT) infrastructure hardware.
159	3900100	Settlement Payment - United States Department Of Justice Vs The Department Of Highway Safety And Motor Vehicles				1,514,915		1,514,915	This issue provides funding for payment of a penalty imposed by the United States Attorney General. In United States of America v. The State of Florida and Florida Department of Highway Safety and Motor Vehicles it was decided that Florida disclosed personal information from motor vehicle records in a manner that violated the Driver's Privacy and Protection Act.

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160	4700020	Continue Funding For Rapid Id Grant					550,029	550,029	This issue provides funding from a federal grant within FDLE to continue the Rapid ID Fingerprint Scanner grant that was awarded during Fiscal Year 2009-2010. In Fiscal Year 2009-2010 the Florida Highway Patrol was awarded \$749,984 in domestic security grant funding for implementation of the Rapid Identification (ID) Fingerprint Scanner Program by the Florida Department of Law Enforcement.
161	Total	HIWAY SAFETY/MTR.VEH, DEPT	4,456.00	0	0	371,336,919	12,230,648	383,567,567	
162									
163		MILITARY AFFAIRS, DEPT OF							
164	1100000	STARTUP (RECURRING LAW AND POLICY)	340.00	15,785,771		1,477,880	36,806,081	54,069,732	
165	24010C0	Information Technology Infrastructure Replacement				18,400	132,350	150,750	This issue provides funding and budget authority to replace Information Technology software applications and hardware necessary to interface with federal, state, and local agencies, including Sheriffs' Offices and the State Fire Marshal. This nonrecurring funding will enable the department to upgrade personal computers to laptop computers, and replace two graphical information systems (GIS) workstations and laminator computer systems.
166	2401000	Replacement Equipment					100,000	100,000	This issue provides budget authority for non-recurring federal funds to replace air compressors, HVAC (heating, ventilation, and air conditioning), and chiller systems at 19 Statewide Facility Maintenance Shops and two Army Aviation Support Facilities. These federal funds are associated with a Federal Cooperative Agreement maintained with the U.S. Department of Defense that directly supports the Florida National Guard.

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167	2402000	Additional Equipment					210,300	210,300	This issue provides budget authority for non-recurring federal funds to purchase mowers, utility vehicles, all terrain vehicles (ATVs), chain saws, and bush hogs that are used to maintain areas surrounding airfields. These federal funds are associated with a Federal Cooperative Agreement maintained with the U.S. Department of Defense that directly supports the Florida National Guard. The issue provides \$50,800 in authority to purchase equipment that supports the Youth Challenge Agreement. And an additional \$30,000 to purchase a transport bed in support of the Wild Land Fire Protection Program. This program consists of cutting fire breaks, executing controlled burns and fighting full-up forest fires.
168	2402010	Additional Equipment - Camp Blanding					320,000	320,000	This issue provides budget authority for non-recurring federal funds to purchase a dump truck and front-end loader for the Camp Blanding Joint Training Center. These federal funds are associated with a Federal Cooperative Agreement maintained with the U.S. Department of Defense that directly supports the Florida National Guard.
169	2402050	Additional Equipment - Motor Vehicle For Camp Blanding					109,000	109,000	This issue provides budget authority for non-recurring federal funds to purchase a utility and maintenance vehicle and a farm tractor for the Camp Blanding Joint Training Center. The current utility and maintenance vehicle surpassed state guidelines for replacement in Fiscal Year 2008-09. These federal funds are associated with a Federal Cooperative Agreement maintained with the U.S. Department of Defense that directly supports the Florida National Guard.
170	2503080	Direct Billing For Administrative Hearings				4,730		4,730	Statewide Issue
171	3000120	Salaries Adjustment for Funding Source Identifier - Deduct		(487,976)				(487,976)	
172	3000130	Salaries Adjustment for Funding Source Identifier - Add		487,976				487,976	Fund Shift-Technical

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173	3000310	Federal/State Cooperative Agreement Support	11.00				599,738	599,738	This issue provides recurring budget authority for federal funds and eleven Full Time positions to perform maintenance and repairs at the Camp Blanding Joint Training Center. Increased use of the facilities at Camp Blanding has created a need for additional staff. These positions are federally funded and associated with a Federal Cooperative Agreement maintained with the U.S. Department of Defense that directly supports the Florida National Guard.
174	3000470	Increase Legal Service Fees		50,000	50,000			50,000	This issue provides funding and budget authority for legal expenses. The department does not have a full time state position for an attorney. All state legal work has to be contracted.
175	33B0350	Acquisition / Motor Vehicles		(40,000)		(113,678)		(153,678)	Agency Efficiencies.
176	33B0440	Maintenance & Operations		(78,000)		(13,450)		(91,450)	
177	33B3000	Other Personal Services		(54,533)		(18,172)		(72,705)	
178	33B6000	Operating Capital Outlay		(65,464)				(65,464)	
179	33B7770	Contracted Services		(126,173)		(13,450)		(139,623)	
180	33N0100	Maintenance & Operations - Restore as Non-Recurring		78,000	78,000	13,450		91,450	Restore recurring operating reductions with non-recurring funding.
181	33N0200	Other Personal Services - Restore as Non-Recurring		54,533	54,533	18,172		72,705	
182	33N0300	Operating Capital Outlay - Restore as Non-Recurring		65,464	65,464			65,464	
183	33N0500	Reduce Recurring Funding For National Guard Tuition Assistance Program And Restore As Non-Recurring - Deduct		(1,781,900)				(1,781,900)	This issue reduces recurring funding for the National Guard Tuition Assistance Program and restores the funding with non-recurring General Revenue.
184	33N0600	Reduce Recurring Funding For National Guard Tuition Assistance Program And Restore As Non-Recurring - Add		1,781,900	1,781,900			1,781,900	
185	33V0700	Reduce Operational Expense					(145,000)	(145,000)	Agency Efficiencies.
186	4200500	Forward March Program				1,250,000		1,250,000	This issue provides budget authority for non-recurring State Trust funds to be transferred from the Agency for Workforce Innovation to fund the Forward March Program.
187	4200600	About Face Program				750,000		750,000	This issue provides budget authority for non-recurring State Trust Funds to be transferred from the Agency for Workforce Innovation to fund the About Face Program.
188	4500000	Worker Compensation For State Active Duty		290,429	290,429			290,429	This issue provides funding and budget authority to reimburse the Department of Financial Services' Division of Risk Management for workers compensation payments made to members of the Florida National Guard who were injured or disabled while on state active duty.

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189	5200100	Realign Budget Authority Between Categories - Add		346,290			100,000	446,290	Fund Shift-Technical
190	5200200	Realign Budget Authority Between Categories - Deduct		(346,290)			(100,000)	(446,290)	
191	990S000	Special Purpose					1,743,000	1,743,000	This issue provides budget authority for federal funds for the design of an Urban Assault Course and a Combined Arms Collective Training Facility to be constructed at Camp Blanding Joint Training Center (CBJTC). The facility at CBJTC would meet the Squad and Team level urban training requirements of more than 50,000 military personnel from all branches of the Active Duty, Reserve and National Guard.
192	Total	MILITARY AFFAIRS, DEPT OF	351.00	15,960,027	2,320,326	3,373,882	39,875,469	59,209,378	
193									
194		STATE, DEPT OF							
195	1100000	STARTUP (RECURRING LAW AND POLICY)	439.00	33,388,847		8,517,802	19,662,172	61,568,821	
196	1800740	Cultural Affairs - Executive Direction - Deduct	(39.00)	(3,100,289)	(1,860,000)	(1,496,594)	(903,864)	(5,500,747)	Technical Agency Realignments.
197	1800820	Cultural Affairs - Executive Direction - Add	39.00	3,100,289	1,860,000	1,496,594	903,864	5,500,747	
198	2001010	Transfer From Expenses To Contracted Services For Maintenance Of Electronic Rulemaking System - Deduct				(150,000)		(150,000)	
199	2001020	Transfer From Expenses To Contracted Services For Maintenance Of Electronic Rulemaking System - Add				150,000		150,000	
200	2001030	Convert Other Personal Services To Full Time Equivalent For Sound Archivist - Deduct					(49,880)	(49,880)	
201	2001040	Convert Other Personal Services To Full Time Equivalent For Sound Archivist - Add	1.00				49,880	49,880	
202	2503080	Direct Billing For Administrative Hearings		(2,090)				(2,090)	Statewide Issue
203	3000110	Temporary Assistance For Peak Workload In Elections					300,000	300,000	This issue provides budget authority in the Grants and Donations Trust Fund funding to hire temporary employees to assist the Bureau of Voter Registration Services (BVRS). BVRS was established in 2005 to meet the requirements of the federal Help America Vote Act of 2002 (HAVA). There are two programmatic sections within the Bureau. The Voter Services Section processes incoming voter registrations, out-of-state cancellations, cancellations from other states, and assists in the processing of HSMV verifications.

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2	D3A Issue	D3A Issue Title	FTE	GENERAL REVENUE	NR GEN REVENUE	STATE TFs	FEDERAL TFs	ALL FUNDS	Comments
204	3003130	Management Of Archaeological Resources Of Carl Land	2.00			262,601		262,601	This issue provides budget authority in the Grants and Donations Trust Fund funding for 2 positions and operational expenses and contractual services related to the new Visitor Center at Mission San Luis which opened in December 2009.
205	33B0230	Eliminate Source Document Microfilming Services	(3.00)			(130,000)		(130,000)	Agency Efficiency.
206	33B0290	Eliminate Aid To Local Governments - Library Grants		(8,461,950)				(8,461,950)	<p>This issue would eliminate recurring funding for Library Grants provided to the Local Governments. The FY 2009-10 GAA funds these grants from GR at \$21.4M (8.5M Recurring and \$12.9 NR). During the TED Committee conference, this funding was eliminated by the House but restored as a BUMP issue to become part of the FY 2009-10 GAA.</p> <p>The Department of State indicated during the 2009 Legislative Session that these funds are used by local libraries as a supplement to their operating budgets for new equipment, books, and other materials.</p> <p>Due to the fact these funds are currently used as matching funds, this reduction does jeopardize about \$8.4M in federal funds. General Revenue funds provide match for and Maintenance of Effort for the federal Library Services and Technology Act fund of which the majority is used to provide funding for salaries and benefits (\$1.5M), assistance for state and local library projects (\$6.1M), and other expenses, OPS, OCO and contracted services.</p>
207	33N0100	Redirect Recurring Appropriation for Library Grants to Nonrecurring		500,000	500,000			500,000	Provide nonrecurring funds for State Aid to Libraries.
208	4600100	Additional State Match For Help America Vote Act (Hava)		296,456	296,456			296,456	This issue provides non-recurring General Revenue funding that will be transferred to the Help America Vote Act (HAVA) Trust Fund (Grants and Donations Trust Fund) to be used for the improvement of Federal elections as provided for in the Help America Vote Act of 2002.

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1			Chair's FINAL Proposal- FY 2010-11						
2	D3A Issue	D3A Issue Title	FTE	GENERAL REVENUE	NR GEN REVENUE	STATE TFs	FEDERAL TFs	ALL FUNDS	Comments
209	4800100	Department Wide Litigation Expenses		500,000	500,000			500,000	This issue provides non-recurring General Revenue funding for litigation expenses in order to acquire legal representation for lawsuits related to the elections' process.
210	4900100	Cultural and Museum Grants		1,500,000	1,500,000			1,500,000	This issue provides non-recurring General Revenue funding to provide general program support grants up to \$150,000 for non-profit, tax-exempt Florida corporations including, but not limited to, history museums, science museums, youth & children's museums, art museums, state service organizations, performing art centers, orchestras, dance companies, and theater groups; local or state government entities; school districts; community colleges; colleges and universities that have cultural program activities in any of the arts and cultural disciplines. The current year level is \$2.5M.
211	4900400	Florida Humanities Council		360,000	360,000			360,000	This issue provides \$150,000 non-recurring General Revenue funding to the Florida Humanities Council to provide Floridians the opportunity to explore the heritage, traditions, and stories of the state. The Council is the affiliate of the National Endowment for the Humanities. This issue also provides \$210,000 non-recurring General Revenue to the Council for planning related to the Florida Quincentennial celebration.
212	5600000	G/A-Library Cooperatives		1,000,000	1,000,000			1,000,000	This issue provides non-recurring General Revenue funding for Multi-County Libraries.
213	7300300	Conservation Preservation Of Archival Materials					100,000	100,000	This issue provides budget authority in the Grants and Donations Trust Fund for the conservation and preservation of archival objects.

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1			Chair's FINAL Proposal- FY 2010-11						
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214	7300500	Maintenance For Electronic Publications Program				150,000		150,000	This issue provides recurring budget authority in the Records Management Trust Fund for system maintenance; system upgrade, application improvement, and application upgrade services for the Department's Electronic Rulemaking System. System maintenance and upgrade services ensure that the system will be functional in the long run.
215	7400000	Historic Preservation Grants		650,000	650,000			650,000	This issue provides non-recurring General Revenue funding. This will provide funding for Historic Preservation Small Matching Grants. These grants preserve Florida's historical and archaeological resources through restoration and rehabilitation of historic buildings and structures, as well as through survey and evaluation of historic and archaeological resources.
216	9400100	Reimbursements To Counties For Special Elections		1,542,293	1,542,293			1,542,293	This issue provides General Revenue funding for the reimbursement to counties for the costs of special elections. Section 100.102, F.S., requires the state to reimburse counties for the cost of special elections to fill vacancies in legislative office. A number of counties conducting special elections in 2007, 2008, and 2009 have not yet been reimbursed.
217	9700100	Advertising Proposed Constitutional Amendments		600,000	600,000			600,000	This issue provides non-recurring General Revenue funding for the advertisement of Constitutional Amendments.

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1			Chair's FINAL Proposal- FY 2010-11						
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218	990M000	Maintenance and Repair				1,579,358		1,579,358	This issue provides non-recurring State Trust funds to maintain and repair "The Grove". On March 1, 1985, former Governor LeRoy Collins and his wife Mary Call Darby Collins conveyed in fee simple to the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida 10.33 acres of land located in Tallahassee, Leon County, including the Call/Collins House, commonly known as "The Grove."
219	990S000	Fixed Capital Outlay-Historic Museum Permanent Exhibit				1,000,000		1,000,000	This issue funds the Exploration and Colonial Exhibit related to the 500 Year Anniversary of Florida. This issue is funded from the Grants and Donations Trust Fund.
220	Total	STATE, DEPT OF	439.00	31,873,556	6,948,749	8,800,403	20,062,172	63,315,489	
221									
222		TRANSPORTATION, DEPT OF							
223	1100000	STARTUP (RECURRING LAW AND POLICY)	7,426.00			828,706,315	75,896,677	904,602,992	
224	99A0000	STARTUP - RECURRING DEBT SERVICE (FCO)				178,398,682		178,398,682	
225	1604010	Reapprove Position Reduction Reallocation - Deduct Side	(17.00)						
226	1604020	Reapprove Position Reduction Reallocation - Add Side	17.00						
227	160S010	Correct Fund Source Identifier - Deduct				(16,678,834)	(4,079,198)	(20,758,032)	
228	160S020	Correct Fund Source Identifier - Add Back				3,113,705	17,644,327	20,758,032	
229	1805010	Realign Existing Positions - Deduct Side	(30.00)			(2,224,271)		(2,224,271)	
230	1805020	Realign Existing Positions - Add Side	30.00			2,224,271		2,224,271	
231	1805030	Realign Existing Positions Between Budget Entities - Deduct Side	(6.00)			(328,114)		(328,114)	
232	1805040	Realign Existing Positions Between Budget Entities - Add Side	6.00			328,114		328,114	
233	1808010	Establish Rail Enterprise - Add	1.00			176,126		176,126	Technical Agency Realignments.

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234	1808020	Establish Rail Enterprise - Deduct	(1.00)			(176,126)		(176,126)	
235	2001100	Realign Base Within Entity - Deduct				(2,537,315)		(2,537,315)	
236	20011C0	Estimated Expenditure Realignment - Technology - Deduct				(700,050)		(700,050)	
237	2001200	Realign Base Within Entity - Add				2,537,315		2,537,315	
238	20012C0	Estimated Expenditure Realignment - Technology - Add				700,050		700,050	
239	2001300	Realign Base Between Budget Entities - Deduct				(269,130)		(269,130)	
240	2001400	Realign Base Between Budget Entities - Add				269,130		269,130	
241	2401120	Replacement Of Safety Equipment				1,942,104		1,942,104	This issue provides budget authority in the STTF to replace truck mounted under bridge inspection machines used for the statewide bridge inspection program. In FY 2009/10, budget was requested and appropriated to purchase 3 bridge inspection machines. In FY 2010/11, budget is requested to purchase an additional 3 bridge inspection machines. This is the final year of a 2 year plan to replace a total of 6 machines.
242	2401140	Replacement Of Traffic Counters				271,000		271,000	This issue provides budget authority in the STTF to replace continuous traffic counters and weigh in motion units that are at the end of their useful life and are no longer cost effective to repair. This is a recurring request that will enable the replacement of all the Department's traffic counters and weigh-in-motion units over a ten-year period.

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1			Chair's FINAL Proposal- FY 2010-11						
2	D3A Issue	D3A Issue Title	FTE	GENERAL REVENUE	NR GEN REVENUE	STATE TFs	FEDERAL TFs	ALL FUNDS	Comments
243	2401170	Replacement Equipment For Materials And Testing Laboratories				453,500		453,500	This issue provides budget authority in the STTF to replace testing equipment and host vehicles for the State Materials Laboratory in Gainesville. The equipment being replaced is outdated, obsolete, or is no longer functional. This specialized equipment is needed to ensure roads are constructed in a manner that meets contract specifications and is safe for travel.
244	2503080	Direct Billing For Administrative Hearings				(22,992)		(22,992)	Statewide Issue
245	3003050	Support For New Weigh In Motion Facilities	11.00			869,455		869,455	This issue provides 11 positions and related budget to open, operate, and maintain the southbound location at the newly constructed Commercial Motor Carrier Weigh Facility on Interstate 95 (I-95) in Martin County. The facility will have both northbound and southbound sites that will be operational 24 hours a day/365 days a year. Staffing is requested to include 8 Weigh Inspectors, 2 Law Enforcement Officers and 1 Law Enforcement Sergeant.
246	3007000	Intelligent Transportation Systems Support				34,530		34,530	This issue provides expenses budget for the Treasure Coast Incident Management Support Facility in District Four and the Regional Transportation Management Center (RTMC) in District Six.
247	33B1200	Reduce Expenses Base				(3,000,000)		(3,000,000)	Agency Efficiencies.
248	33B1600	Reduce Other Personal Services Base				(750,000)		(750,000)	
249	33B1900	Reduce Operating Capital Outlay Base				(350,001)		(350,001)	
250	33B2000	Reduce Acquisition Of Motor Vehicles Base				(3,000,000)		(3,000,000)	
251	33B2100	Reduce Contracted Services Base				(1,750,000)		(1,750,000)	
252	33B2900	Reduce Highway Beautification Grants Base				(500,000)		(500,000)	Eliminates recurring trust fund authority for highway beautification due to the elimination of the transfer from DEP.
253	3370000	Reduce Grants And Aid -Transportation Disadvantaged				(2,473,909)		(2,473,909)	This issue eliminates unfunded budget authority.
254	5507920	Credit Card Fees				197,000		197,000	This issue provides expense budget to cover costs associated with fees charged by the vendor responsible for collecting payments made by credit card for citations issued to companies and/or individuals.

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1			Chair's FINAL Proposal- FY 2010-11						
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255	6005000	Motor Carrier Contraband Interdiction Program					51,575	51,575	This issue provides budget to expend Federal Funds to purchase equipment used by drug interdiction teams to combat the transport of illegal drugs.
256	6009A90	Motor Carrier Safety Assistance Program	6.00				11,162,269	11,162,269	This issue provides budget to fund a Federal Motor Carrier Safety Assistance Program (MCSAP) grant for FY 2010/11. The Department has received this grant annually since FY 1995/96 but treats it as a non-recurring issue because the amount and required categories may vary from year to year. Also, budget is requested for five law enforcement officers and one law enforcement sergeant to perform aggressive Hazardous Materials Enforcement Operations in conjunction with 5 of the Department's 14 deepwater ports (Panama City, Jacksonville, Titusville, Tampa, Miami).
257	990E000	Environmental Projects				1,445,000		1,445,000	This issue provides budget to continue funding Environmental Site Restoration work to clean up contaminated soil and groundwater at various Department facilities statewide to restore those sites to an environmentally uncontaminated, clean and safe condition. Failure to perform the needed cleanup will result in violation of the Federal Resource Conservation and Recovery Act.
258	990T000	Transportation Work Program				2,098,903,316	2,198,698,671	4,297,601,987	Provides for the first year of the 5-Year Work Program. Based on WP Budget-Preliminary Tentative submitted 2-11-10. This issue reflects a \$1.5B reduction in State Trust Funded Commitments due to the Transfer of cash to General Revenue and the Reinstatement of the General Revenue Service Charge on exempt STTF revenues.
259	Total	TRANSPORTATION, DEPT OF	7,443.00	0	0	3,085,808,871	2,299,374,321	5,385,183,192	
260	Grand Total		14,630.00	268,533,045	79,294,530	3,941,001,179	4,083,726,630	8,352,130,299	

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271	TRUST FUND TRANSFERS TO GENERAL REVENUE								
272	Agency	Trust Fund Description	Amount	Comments					
273									
274	DOT	State Transportation Trust Fund	278,000,000.00	This transfer to General Revenue as a stand alone issue negatively impacts \$300M in project commitments in FY 2010-11 and \$200M in FY 2011-12 that would be deferred for two years.					
275	DCA	Emergency Management & Preparedness Trust Fund	2,000,000.00	Excess cash. No impact to Agency.					
276	DCA	Grants and Donations Trust Fund	12,000,000.00	Excess cash. No impact to Agency.					
277	DCA	State Housing Trust Fund	25,921,198.00	This issue transfers the total amount of estimated revenues deposited into the Housing Trust Funds for FY 2010-11, except for \$37.5M provided for Down Payment Assistance to the Florida Housing Corporation.					
278	DCA	Local Government Housing Trust Fund	148,388,802.00						
279									
280		TOTAL	466,310,000.00						
281									
282		ALLOCATION	466,310,000.00						
283									
284									
285	TRUST FUND REDIRECTS TO GENERAL REVENUE								
286	Agency	Description	Amount	Comments					
287									
288	DOT	Reinstate the GR Service Charge on STTF Revenues	148,100,000.00	This issue reinstates the GR Service Charge on certain revenues exempt. The estimated increase to GR is \$148.1M in FY 2010-11 and increases as revenues increase throughout the 5 year work program period.					
289				This transfer to General Revenue as a stand alone issue negatively impacts \$1B in project commitments in FY 2010-11 that would be deferred for one to three years.					
290		TOTAL	148,100,000.00						
291									
292		ALLOCATION	148,100,000.00						