

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** PCB TEDAS 12-01 Trust Funds/Termination/DOT

**SPONSOR(S):** Transportation & Economic Development Appropriations Subcommittee

**TIED BILLS:** **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Transportation & Economic Development Appropriations Subcommittee	12 Y, 0 N	Miller	Davis

### SUMMARY ANALYSIS

This bill provides for the termination of the Everglades Parkway Construction Trust Fund, the Jacksonville Transportation Authority Project Construction Trust Fund, and the Federal Law Enforcement Trust Fund within the Department of Transportation.

The Everglades Parkway Construction Trust Fund was originally used to hold bond proceeds and interest earned on investments of the bond proceeds from revenue bond issues for the Everglades Parkway. There is currently no remaining cash balance or anticipated future receipts for this fund.

The Jacksonville Transportation Authority Project Construction Trust Fund was originally used to hold bond proceeds and interest earned on investments of the bond proceeds from revenue bond issues for the Jacksonville Transportation Authority. There is currently no remaining cash balance or anticipated future receipts for this fund.

The Federal Law Enforcement Trust Fund was originally used to hold revenues received as a result of federal criminal, administrative, or civil forfeiture proceedings, or civil forfeiture proceedings and revenues received from federal asset-sharing programs. There is currently a residual cash balance of approximately \$540,000, but no recurring appropriations nor anticipated future receipts for this fund.

The bill has no fiscal impact.

The bill is effective July 1, 2012.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### **Present Situation**

Legislative review of trust funds is required at least once every four years pursuant to section 215.3208, Florida Statutes. The schedule for review is included in the legislative budget instructions developed pursuant to the requirements of section 216.023, Florida Statutes. A trust fund analysis indicated the need to terminate three trust funds within the Department of Transportation.

The Everglades Parkway Construction Trust Fund, FLAIR number 55-2-199, was originally used to hold bond proceeds and interest earned on investments of the bond proceeds from revenue bond issues for the Everglades Parkway.<sup>1</sup> There is currently no remaining cash balance or anticipated future receipts for this fund; the fund is inactive.

The Jacksonville Transportation Authority Project Construction Trust Fund, FLAIR number 55-2-413, was originally used to hold bond proceeds and interest earned on investments of the bond proceeds from revenue bond issues for the Jacksonville Transportation Authority.<sup>2</sup> There is currently no remaining cash balance or anticipated future receipts for this fund; the fund is inactive.

The Federal Law Enforcement Trust Fund, FLAIR number 55-2-719, was originally used to hold revenues received as a result of federal criminal, administrative, or civil forfeiture proceedings, or civil forfeiture proceedings and revenues received from federal asset-sharing programs.<sup>3</sup> During the 2011 legislative session, the Office of Motor Carrier Compliance was transferred from the Department of Transportation to the Department of Highway Safety and Motor Vehicles, as well as appropriations funding the office.<sup>4</sup> The Department of Transportation no longer has any law enforcement responsibilities. There is currently a residual cash balance of approximately \$540,000, but no recurring appropriations nor anticipated future receipts for this fund.

The Department of Transportation has concurred with the termination of these trust funds.

##### **Effect of Proposed Changes**

This bill terminates the Everglades Parkway Construction Trust Fund and the Jacksonville Transportation Authority Project Construction Trust Fund within the Department of Transportation. The current remaining balance and any proceeds thereof will be transferred to the State Transportation Trust Fund within the Department of Transportation.

This bill also terminates the Federal Law Enforcement Trust Fund within the Department of Transportation. The current remaining balance and any proceeds thereof will be transferred to the Federal Law Enforcement Trust Fund within the Department of Highway Safety and Motor Vehicles.

#### B. SECTION DIRECTORY:

Section 1. Terminates the Everglades Parkway Construction Trust Fund and the Jacksonville Transportation Authority Project Construction Trust Fund within the Department of Transportation.

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<sup>1</sup> Ch. 97-125, §2, Laws of Fla.

<sup>2</sup> §349.061, Fla. Stat. (2011).

<sup>3</sup> §339.082, Fla. Stat. (2011).

<sup>4</sup> Ch. 2011-66, Laws of Fla.

- Section 2. Terminates the Federal Law Enforcement Trust Fund within the Department of Transportation.
- Section 3. Repeals section 339.082, Florida Statutes.
- Section 4. Repeals paragraph (k) of subsection (6) of section 932.7055, Florida Statutes.
- Section 5. Provides an effective date of July 1, 2012.

## 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:

None

### B. RULE-MAKING AUTHORITY:

None

### C. DRAFTING ISSUES OR OTHER COMMENTS:

#### IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES