

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

BILL: SB 934

SPONSOR: Webster

SUBJECT: Exempt or Terminated Trust Funds Administered by Transportation and Economic Development Agencies

DATE: February 12, 2003 REVISED: 2/20/03 _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|----------|----------------|-----------|-----------------|
| 1. | Mannelli | Kelly | ATD | Fav/1 amendment |
| 2. | _____ | _____ | AP | _____ |
| 3. | _____ | _____ | _____ | _____ |
| 4. | _____ | _____ | _____ | _____ |
| 5. | _____ | _____ | _____ | _____ |
| 6. | _____ | _____ | _____ | _____ |

I. Summary:

This bill lists several trust funds in the Executive Office of the Governor, the Department of Transportation, and the Department of Highway Safety and Motor Vehicles as exempt from the termination requirements of s. 19(f), Art. III of the State Constitution. It also terminates the Turnpike Controlled Access Trust Fund, FLAIR number 55-2-334, within the Department of Transportation, effective July 1, 2003.

II. Present Situation:

The following trust funds are currently exempt from the termination requirements of s. 19(f), Art. III of the State Constitution:

- Executive Office of the Governor
 - ✓ Administered Funds Trust Fund

- Department of Transportation
 - ✓ Central Florida Beltway Trust Fund
 - ✓ Everglades Parkway Construction Trust Fund
 - ✓ Turnpike Renewal and Replacement Trust Fund
 - ✓ Turnpike General Reserve Trust Fund
 - ✓ Turnpike Bond Construction Trust Fund
 - ✓ Jacksonville Transportation Authority Trust Fund
 - ✓ Jefferson County 1992 Project Trust Fund
 - ✓ State Transportation (Primary) Trust Fund

- ✓ Right-of-Way Acquisition and Bridge Construction Trust Fund
- Department of Highway Safety and Motor Vehicles
 - ✓ International Registration Clearing Trust fund
 - ✓ License Tax Collection Trust Fund
 - ✓ Motor Vehicle License Clearing Trust Fund
 - ✓ Security Deposits Trust Fund

The Turnpike Controlled Access Trust Fund is no longer used and was requested for termination by the agency. The trust fund was created in 1991 to account for the \$425 million transferred from the State Transportation Trust Fund to pay for the initial stages of the Turnpike's expansion program; all projects have been completed.

According to the Executive Office of the Governor, the Black Contractors Bond Trust Fund has not been utilized in several years; it was requested for termination by the agency. The trust fund was originally established to assist black businesses in obtaining surety bonds and other credit instruments.

According to the Executive Office of the Governor, the Florida Investment Incentive Trust Fund has not been utilized in several years; it was requested for termination by the agency. The trust fund was originally established for investments or loans to encourage the private sector to capitalize and assist black businesses.

III. **Effect of Proposed Changes:**

This bill would terminate the Turnpike Controlled Access Trust Fund since it is no longer used and continue the exemption of the following trust funds:

- Executive Office of the Governor
 - ✓ Administered Funds Trust Fund
- Department of Transportation
 - ✓ Central Florida Beltway Trust Fund
 - ✓ Everglades Parkway Construction Trust Fund
 - ✓ Turnpike Renewal and Replacement Trust Fund
 - ✓ Turnpike General Reserve Trust Fund
 - ✓ Turnpike Bond Construction Trust Fund
 - ✓ Jacksonville Transportation Authority Trust Fund
 - ✓ Jefferson County 1992 Project Trust Fund
 - ✓ State Transportation (Primary) Trust Fund
 - ✓ Right-of-Way Acquisition and Bridge Construction Trust Fund
- Department of Highway Safety and Motor Vehicles
 - ✓ International Registration Clearing Trust fund
 - ✓ License Tax Collection Trust Fund
 - ✓ Motor Vehicle License Clearing Trust Fund

- ✓ Security Deposits Trust Fund

Additionally, this bill would exempt the Black Contractors Bond Trust Fund and the Florida Investment Incentive Trust Fund from the termination requirements of s. 19(f), Art. III of the State Constitution.

IV. Constitutional Issues:

- A. Municipality/County Mandates Restrictions:

None.

- B. Public Records/Open Meetings Issues:

None.

- C. Trust Funds Restrictions:

None.

- D. Other Constitutional Issues:

V. Economic Impact and Fiscal Note:

- A. Tax/Fee Issues:

None.

- B. Private Sector Impact:

None.

- C. Government Sector Impact:

Current state operations will be unaffected by the exemption of the enumerated trust funds or by the termination of the Turnpike Controlled Access Trust Fund. The remaining cash balance in the Turnpike Controlled Access Trust Fund will be transferred to the General Revenue Fund.

VI. Technical Deficiencies:

The bill exempts the Black Contractors Bond and the Florida Investment Incentive Trust Funds, even though they do not meet exemption criteria and are essentially unused funds. This appears to be a bill drafting error, which will necessitate an amendment.

VII. Related Issues:

None.

VIII. Amendments:

#1 – Deletes provisions in the bill that would have exempted the Black Contractors Bond Trust Fund and the Florida Investment Incentive Trust Fund from the termination requirements of s. 19(f), Art. III of the State Constitution.

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