



ECONOMIC DEVELOPMENT & COMMUNITY AFFAIRS POLICY COUNCIL

Meeting Packet

**Wednesday, February 3, 2010
10:00 A.M. – NOON
404 HOB**

LARRY CRETUL
Speaker

DAVE MURZIN
Chair

Council Meeting Notice
HOUSE OF REPRESENTATIVES

Economic Development & Community Affairs Policy Council

Start Date and Time: Wednesday, February 03, 2010 10:00 am

End Date and Time: Wednesday, February 03, 2010 12:00 pm

Location: 404 HOB

Duration: 2.00 hrs

Consideration of the following bill(s):

HB 53 License Plates by Lopez-Cantera, Ray
CS/HB 63 Road Designations by Transportation & Economic Development Appropriations Committee,
McBurney

Workshop on Unemployment Compensation

NOTICE FINALIZED on 01/27/2010 15:16 by ADEYEMO.MARTHA

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 53 License Plates

SPONSOR(S): Lopez-Cantera

TIED BILLS: IDEN./SIM. BILLS: SB 304

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1)	Roads, Bridges & Ports Policy Committee	12 Y, 0 N	Brown	Miller
2)	Economic Development & Community Affairs Policy Council		Brown <i>RUB</i>	Tinker <i>TBST</i>
3)				
4)				
5)				

SUMMARY ANALYSIS

HB 53 provides for the creation of a "St. Johns River" specialty license plate. The annual use fee of \$25 per tag shall be distributed to the St. Johns River Alliance, Inc. to support activities contributing to education, outreach, and springs conservation. Up to 10 percent of the revenue may be used for promotion, marketing, and administrative costs.

Specialty license plates must be specifically authorized pursuant to s. 320.08053, F.S. This statute establishes requirements that organizations must meet to create a new specialty license plate, including a scientific survey performed by an independent sampling firm indicating that 30,000 motor vehicle owners would purchase the proposed plate at the increased cost, long and short term marketing plans addressing revenues and expenditures, and a \$60,000 application fee, among other requirements. Current statutes authorize more than 100 specialty license plates.

The fiscal impact of this bill is approximately \$60,000 to the Department of Highway Safety and Motor Vehicles (DHSMV) for implementation of the new specialty license plate. The fiscal impact will be offset by the application fee of \$60,000 paid to the DHSMV by the sponsoring organization.

The St. Johns River Alliance, Inc., has been approved by DHSMV and the Auditor General to pursue legislation for the "St Johns River" specialty license plate, and is not affected by the 2008 legislation limiting future specialty plates.

This act 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.
- 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

Currently, specialty license plates are available to any owner or lessee of a motor vehicle who is willing to pay an annual use fee for the privilege. Annual use fees ranging from \$15 to \$25, paid in addition to required license taxes and service fees, are distributed to an organization or organizations in support of a particular cause or charity signified in the plate's design and designated in statute. The Legislature may create a specialty license plate under its own initiative, or it can do so at the request of an organization. Under s. 320.08053, F.S., an organization may seek Legislative authorization for a new specialty license plate by meeting a number of requirements.

An organization is first required to submit to the DHSMV the following:

- a request for the plate describing it in general terms;
- the results of a professional, independent, and scientific sample survey of Florida residents indicating that 30,000 vehicle owners intend to purchase the plate at the increased cost;
- an application fee of \$60,000 defraying the DHSMV's cost for reviewing the application, developing the new plate, and providing for the manufacture and distribution of the first run of plates; and
- a marketing strategy for the plate and a financial analysis of anticipated revenues and planned expenditures.

These requirements must be satisfied at least 90 days prior to the convening of the regular session of the Legislature. Once the requirements are met, the DHSMV notifies the committees of the House of Representatives and Senate with jurisdiction over the issue, and the organization is free to find sponsors and pursue Legislative action.

In 2008 the Legislature passed SB 1992, which included a moratorium on the issuance of specialty plates by DHSMV.¹ The moratorium is effective from October 1, 2008 to July 1, 2011, but contains an exception "for [any] specialty license plate proposal which has submitted a letter of intent to the Department of Highway Safety and Motor Vehicles prior to May 2, 2008."²

¹ S. 45, 2008-176, Laws of Florida

² *Id.*

Effect of Proposed Changes

The bill amends ss. 320.08056 and 320.08058, F.S., to authorize DHSMV to develop and issue a "St. Johns River" license plate upon payment of the appropriate license taxes and a \$25 special use fee.

Annual use fees collected from the sale of this license plate shall be distributed to the St. Johns River Alliance, Inc. They will administer the fees and use the proceeds as follows:

- the total amount used for administrative costs, promotion, and marketing costs may not exceed 10 percent;
- at least 30 percent of the fees shall be available for competitive grants for targeted community-based or county-based research or projects for which state funding is limited or not currently available;
- the remaining 50 percent shall be directed toward community outreach and access programs;
- any remaining funds shall be used to support activities contributing to education, outreach, and springs conservation.

The fiscal impact incurred by DHSMV as a result of this bill is approximately \$60,000. This impact is offset by the \$60,000 application fee St. Johns River Alliance, Inc. is required to pay as part of the application process. Revenue generated from the sale of this license plate is based on public interest and cannot be predicted.

The DHSMV has notified the Legislature that the St Johns River Alliance, Inc. has met the initial application and statutory requirements to pursue legislation for the "St Johns River" specialty license plate. In conformity with s. 320.08053(1)(b), F.S., the Auditor General has issued a report validating the Alliance's survey.³ This report also found that the "St Johns River" plate falls within the exception from the moratorium on new specialty license plates created by the 2008 Legislature, as the Alliance submitted their materials before May 2, 2008.⁴

B. SECTION DIRECTORY:

- Section 1 Amends s. 320.08056(4), F.S., providing for a \$25 annual use fee for the "St. Johns River" license plate.
- Section 2 Amends s. 320.08058(69), F.S., creating the "St. Johns River" specialty license plate; providing for plate design; and providing for the distribution and uses of the annual use fees.
- Section 3 Provides an Effective Date of July 1, 2010.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:
See fiscal comments below.
2. Expenditures:
See fiscal comments below.

³ Report No. 2009-129, Auditor General, February 2009.

⁴ *Id.*

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Persons who elect to purchase the specialty license plate will be required to pay an annual use fee of \$25 in addition to applicable taxes and administrative charges. It is impossible to determine how many people will purchase the plates because the sale of this license plate will be based on public interest. Therefore, the aggregate impact to the private sector cannot be determined.

D. FISCAL COMMENTS:

Implementation of HB 53 will cost the DHSMV approximately \$60,000 in contract programming, development labor, and product purchasing costs for the creation of the "St. Johns River" license plate. This fiscal impact is offset by the statutory application fee of \$60,000, which has been submitted to the DHSMV by the St. Johns River Alliance, Inc., for the creation of this specialty license plate. If the specialty license plate is not approved by the Legislature, the application fee shall be refunded.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because the bill does not appear to: require counties or cities to spend funds or take 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:

N/A

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

None

1 A bill to be entitled
 2 An act relating to license plates; amending ss. 320.08056
 3 and 320.08058, F.S.; creating the St. Johns River license
 4 plate; establishing an annual use fee for the plate;
 5 providing for the distribution of use fees received from
 6 the sale of such plates; providing an effective date.

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

9
 10 Section 1. Paragraph (rrr) is added to subsection (4) of
 11 section 320.08056, Florida Statutes, to read:

12 320.08056 Specialty license plates.--

13 (4) The following license plate annual use fees shall be
 14 collected for the appropriate specialty license plates:

15 (rrr) St. Johns River license plate, \$25.

16 Section 2. Subsection (70) is added to section 320.08058,
 17 Florida Statutes, to read:

18 320.08058 Specialty license plates.--

19 (70) ST. JOHNS RIVER LICENSE PLATES.--

20 (a) The department shall develop a St. Johns River license
 21 plate as provided in this section. The St. Johns River license
 22 plates must bear the colors and design approved by the
 23 department. The word "Florida" must appear at the top of the
 24 plate, and the words "St. Johns River" must appear at the bottom
 25 of the plate.

26 (b) The requirements of s. 320.08053 must be met prior to
 27 the issuance of the plate. Thereafter, the license plate annual
 28 use fees shall be distributed to the St. Johns River Alliance,

29 Inc., a 501(c)(3) nonprofit organization, which shall administer
 30 the fees as follows:

31 1. The St. Johns River Alliance, Inc., shall retain the
 32 first \$60,000 of the annual use fees as direct reimbursement for
 33 administrative costs, startup costs, and costs incurred in the
 34 development and approval process. Thereafter, up to 10 percent
 35 of the annual use fee revenue may be used for administrative
 36 costs directly associated with education programs, conservation,
 37 research, and grant administration of the organization and up to
 38 10 percent may be used for promotion and marketing of the
 39 specialty license plate.

40 2. At least 30 percent of the fees shall be available for
 41 competitive grants for targeted community-based or county-based
 42 research or projects for which state funding is limited or not
 43 currently available. The remaining 50 percent shall be directed
 44 toward community outreach and access programs. The competitive
 45 grants shall be administered and approved by the board of
 46 directors of the St. Johns River Alliance, Inc. A grant advisory
 47 committee shall be composed of six members chosen by the St.
 48 Johns River Alliance board members.

49 3. Any remaining funds shall be distributed with the
 50 approval of and accountability to the board of directors of the
 51 St. Johns River Alliance, Inc., and shall be used to support
 52 activities contributing to education, outreach, and springs
 53 conservation.

54 Section 3. This act shall take effect October 1, 2010.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 63 Road Designations

SPONSOR(S): McBurney and others

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

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1)	Roads, Bridges & Ports Policy Committee	12 Y, 0 N	Johnson	Miller
2)	Transportation & Economic Development Appropriations Committee	12 Y, 0 N, As CS	Fennell	Creamer
3)	Economic Development & Community Affairs Policy Council		Johnson <i>SAS</i>	Tinker <i>TBT</i>
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 116 between Jane Street and State Road 101/Mayport Road in Duval County as the "James E. 'Jim' King, Jr. Parkway."

The bill also directs the Department of Transportation (DOT) to erect suitable markers designating the "James E. 'Jim' King, Jr. Parkway."

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 designates the portion of State Road 116 between Jane Street and State Road 101/Mayport Road in Duval County as the "James E. 'Jim' King Jr., Parkway."

The bill also directs DOT to erect suitable markers designating the "James E. 'Jim' King Jr., Parkway."

The bill takes effect on July 1, 2010.

B. SECTION DIRECTORY:

Section 1 Designates the "James E. 'Jim' King, Jr., Parkway;" 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:

None

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

On January 12, 2010, the Transportation and Economic Development Appropriations Committee adopted one amendment and reported the bill favorably.

- Amendment 1 clarifies the section of road to be designated as "that portion of State Road 116 between Jane Street and State Road 101/Mayport Road" in Duval County.

1 A bill to be entitled
 2 An act relating to road designations; designating James E.
 3 "Jim" King, Jr., Parkway in Duval County; directing the
 4 Department of Transportation to erect suitable markers;
 5 providing an effective date.

6
 7 Be It Enacted by the Legislature of the State of Florida:

8
 9 Section 1. James E. "Jim" King, Jr., Parkway designated;
 10 Department of Transportation to erect suitable markers.-

11 (1) That portion of State Road 116 between Jane Street and
 12 State Road 101/Mayport Road in Duval County is designated as
 13 "James E. 'Jim' King, Jr., Parkway."

14 (2) The Department of Transportation is directed to erect
 15 suitable markers designating James E. "Jim" King, Jr., Parkway
 16 as described in subsection (1).

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

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.

Bill No. 63

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: Economic Development &
2 Community Affairs Policy Council
3 Representative(s) McBurney offered the following:
4

5 **Amendment (with directory and title amendments)**

6 After line 16 insert:

7 Section 2. Don Davis Memorial Interchange designated;
8 Department of Transportation to erect suitable markers.-

9 (1) The intersection at State Road 9A and State Road 202
10 in Duval County is designated as "Don Davis Memorial
11 Interchange."

12 (2) The Department of Transportation is directed to erect
13 suitable markers designating Don Davis Memorial Interchange as
14 described in subsection (1).
15

