



---

# **Transportation & Economic Development Appropriations Subcommittee**

**Wednesday, January 25, 2012  
11:00 AM - 1:30 PM  
Reed Hall (102 HOB)**

**Meeting Packet**

**Dean Cannon  
Speaker**

**Mike Horner  
Chair**



# **The Florida House of Representatives**

## **Appropriations Committee**

### **Transportation & Economic Development Appropriations Subcommittee**

**Dean Cannon**  
**Speaker**

**Mike Horner**  
**Chair**

**January 25, 2012**

#### **AGENDA**

**11:00 AM – 1:30 PM**

**Reed Hall**

- I. Call to Order/Roll Call**
- II. Consideration of Bills**  
**PCB TEDAS 12-01 Trust Funds/Termination/DOT**
- III. Chair's Budget Proposal for FY 2012-13**
- IV. Adjourn**

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		Miller <i>BM</i>	Davis <i>CD</i>

**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.

---

<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**

6

1                                    A bill to be entitled  
 2            An act relating to trust funds; terminating specified  
 3            trust funds within the Department of Transportation;  
 4            providing for the disposition of balances in and  
 5            revenues of such trust funds; prescribing procedures  
 6            for the termination of such trust funds; repealing s.  
 7            339.082, F.S., which creates the Federal Law  
 8            Enforcement Trust Fund within the department and  
 9            prescribes sources of funds; repealing s.  
 10           932.7055(6)(k), F.S., relating to the deposit of  
 11           proceeds accrued pursuant to the Florida Contraband  
 12           Forfeiture Act, to conform; providing an effective  
 13           date.

14  
 15    Be It Enacted by the Legislature of the State of Florida:

16  
 17            Section 1. (1) The following trust funds within the  
 18            Department of Transportation are terminated:

19            (a) The Everglades Parkway Construction Trust Fund, FLAIR  
 20            number 55-2-199.

21            (b) The Jacksonville Transportation Authority Project  
 22            Construction Trust Fund, FLAIR number 55-2-413.

23            (2) All current balances remaining in, and all revenues  
 24            of, the trust funds terminated by subsection (1) shall be  
 25            transferred to the State Transportation Trust Fund.

26            (3) For each trust fund terminated by this section, the  
 27            Department of Transportation shall pay any outstanding debts and  
 28            obligations of the terminated fund as soon as practicable, and

PCB TEDAS 12-01

ORIGINAL

2012

29 the Chief Financial Officer shall close out and remove the  
 30 terminated funds from the various state accounting systems using  
 31 generally accepted accounting principles concerning warrants  
 32 outstanding, assets, and liabilities.

33 Section 2. (1) The Federal Law Enforcement Trust Fund  
 34 within the Department of Transportation, FLAIR number 55-2-719,  
 35 is terminated.

36 (2) All current balances remaining in, and all revenues  
 37 of, the trust fund shall be transferred to the Federal Law  
 38 Enforcement Trust Fund in the Department of Highway of Safety  
 39 and Motor Vehicles.

40 (3) The Department of Transportation shall pay any  
 41 outstanding debts and obligations of the terminated trust fund  
 42 as soon as practicable, and the Chief Financial Officer shall  
 43 close out and remove the terminated trust fund from the various  
 44 state accounting systems using generally accepted accounting  
 45 principles concerning warrants outstanding, assets, and  
 46 liabilities.

47 Section 3. Section 339.082, Florida Statutes, is repealed.

48 Section 4. Paragraph (k) of subsection (6) of section  
 49 932.7055, Florida Statutes, is repealed.

50 Section 5. This act shall take effect July 1, 2012.