

Bill No. CS for SB 1378

Amendment No.     

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Childers moved the following amendment:

**Senate Amendment (with title amendment)**

On page 28, between lines 15 and 16,

insert:

Section 16. Section 215.656, Florida Statutes, is created to read:

215.656 Bonds for law enforcement radio information system.--

(1) The issuance of bonds to finance or refinance the cost of the acquisition, construction, and equipping of a law enforcement radio information system is hereby authorized by the Division of Bond Finance on behalf of and in the name of the Department of Management Services.

(2) Bonds issued pursuant to this section shall be payable solely from annual rents paid by the Departments of Transportation, Business and Professional Regulation, Agriculture and Consumer Services, Highway Safety and Motor Vehicles, Law Enforcement, Environmental Protection, Corrections, Insurance, and Management Services, and by the

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1 Game and Fresh Water Fish Commission, the State University  
2 System, and other agencies that use the law enforcement radio  
3 information system to the Department of Management Services  
4 for use of the system, subject to annual appropriation by the  
5 Legislature. The bonds shall not constitute a general  
6 obligation of the state or a pledge of the full faith and  
7 credit of the taxing power of the state.

8 (3) Bonds issued pursuant to this section shall have a  
9 term not to exceed 15 years.

10 (4) The Department of Management Services shall  
11 request the Division of Bond Finance to issue the bonds  
12 authorized by this section pursuant to the State Bond Act.

13 (5) The proceeds from the sale of bonds issued  
14 pursuant to this section shall be deposited into the State  
15 Agency Law Enforcement Radio System Trust Fund.

16 (6) The law enforcement radio information system to be  
17 financed or refinanced with the proceeds of the bonds issued  
18 under this section is designated as a state fixed capital  
19 outlay project for purposes of s. 11(d), Art. VII of the State  
20 Constitution and the specific projects to be financed or  
21 refinanced shall be determined by the Department of Management  
22 Services. Each phase of the law enforcement radio information  
23 system including towers, shelters, equipment, and related  
24 facilities, to be financed or refinanced with the proceeds of  
25 bonds issued pursuant to this section is hereby approved as  
26 required by s. 11(e), Art. VII of the State Constitution.

27 (7) Bonds issued pursuant to this section shall be  
28 validated in the manner provided by chapter 75. The complaint  
29 for such validation shall be filed in the Circuit Court for  
30 Leon County, the notice required to be published by s. 75.06  
31 shall be published in Leon County, and the complaint and order

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1 of the Circuit Court shall be served only on the State  
 2 Attorney for the Second Judicial Circuit. The validation of  
 3 at least the first bonds issued pursuant to this section shall  
 4 be appealed to the Supreme Court, to be handled on an  
 5 expedited basis.

6 (8) The state does hereby covenant with holders of  
 7 such bonds issued under this section that it will not repeal  
 8 or impair or amend these provisions in any manner which will  
 9 materially adversely affect the rights of such holders so long  
 10 as bonds authorized by this section are outstanding.

11 Section 17. Section 320.0802, Florida Statutes, is  
 12 amended to read:

13 320.0802 Surcharge on license tax.--~~During the period~~  
 14 ~~January 1, 1989, through December 31, 2003,~~There is hereby  
 15 levied and imposed on each license tax imposed under s.  
 16 320.08, except those set forth in s. 320.08(11), a surcharge  
 17 in the amount of \$1, which shall be collected in the same  
 18 manner as the license tax and deposited into the State Agency  
 19 Law Enforcement Radio System Trust Fund of the Department of  
 20 Management Services. ~~However, the surcharge shall be~~  
 21 ~~terminated on midnight December 31, 1994, unless the pilot~~  
 22 ~~project established in s. 282.1095 is deemed successful by the~~  
 23 ~~joint task force with the concurrence of the Governor and~~  
 24 ~~Cabinet as the head of the Department of General Services.~~

25 Section 18. Subsection (9) of section 327.25, Florida  
 26 Statutes, is amended to read:

27 327.25 Classification; registration; fees and charges;  
 28 surcharge; disposition of fees; fines; marine turtle  
 29 stickers.--

30 (9) SURCHARGE.--In addition, ~~during the period January~~  
 31 ~~1, 1989, through December 31, 2003,~~there is hereby levied and

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1 imposed on each vessel registration fee imposed under  
2 subsection (1) a surcharge in the amount of \$1, which shall be  
3 collected in the same manner as the fee and deposited into the  
4 State Agency Law Enforcement Radio System Trust Fund of the  
5 Department of Management Services. ~~However, the surcharge~~  
6 ~~shall be terminated on midnight December 31, 1994, unless the~~  
7 ~~pilot project established in s. 282.1095 is deemed successful~~  
8 ~~by the joint task force with the concurrence of the Governor~~  
9 ~~and Cabinet as the head of the Department of Management~~  
10 ~~Services.~~

11 Section 19. Subsections (1), (3), and (4) of section  
12 282.1095, Florida Statutes, are amended to read:

13 282.1095 State agency law enforcement radio system.--

14 (1) For the purpose of acquiring and implementing a  
15 statewide radio communications system to serve law enforcement  
16 units of state agencies, and to serve local law enforcement  
17 agencies through a mutual aid channel, the Joint Task Force on  
18 State Agency Law Enforcement Communications is established in  
19 the Department of Management Services and the State Agency Law  
20 Enforcement Radio System Trust Fund is established in the  
21 Department of Management Services ~~from July 1, 1988, through~~  
22 ~~December 31, 2003~~. The trust fund shall be funded from  
23 surcharges collected under ss. 320.0802 and 327.25.

24 (3) Moneys in the trust fund may be used by the joint  
25 task force to acquire by competitive procurement the  
26 equipment; software; and engineering, administrative, and  
27 maintenance services it needs to construct, operate, and  
28 maintain the statewide radio system. Moneys in the trust fund  
29 collected as a result of the surcharges set forth in ss.  
30 320.0802 and 327.25 shall be used to help fund the costs of  
31 the system. Upon completion of the system, moneys in the

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1 trust fund may also be used by the joint task force to provide  
2 for payment of the recurring maintenance costs of the system.  
3 ~~During statewide implementation, moneys in the trust fund may~~  
4 ~~be used by the joint task force to maintain and enhance, over~~  
5 ~~and above existing agency budgets, existing radio equipment~~  
6 ~~systems of the state agencies represented by the task force~~  
7 ~~members, up to a maximum of 10 percent per year per agency, of~~  
8 ~~the existing radio equipment inventory until the existing~~  
9 ~~radio equipment can be replaced pursuant to implementation of~~  
10 ~~the statewide radio communications system.~~

11 (4)(a) The joint task force, shall establish policies,  
12 procedures, and standards which shall be incorporated into a  
13 comprehensive management plan for the use and operation of the  
14 statewide radio communications system.

15 (b) The joint task force shall have the authority to  
16 permit other state agencies to use the communications system,  
17 under terms and conditions established by the joint task  
18 force.

19 (c) Annually, the Departments of Transportation,  
20 Business and Professional Regulation, Agriculture and Consumer  
21 Services, Highway Safety and Motor Vehicles, Law Enforcement,  
22 Environmental Protection, Corrections, Insurance, and  
23 Management Services, and by the Game and Fresh Water Fish  
24 Commission, the State University System, and other agencies  
25 that use the law enforcement radio information system shall  
26 pay, from their respective expense budgets, rent to the  
27 Department of Management Services for use of the system based  
28 on each agency's proportionate use of the system, as  
29 determined by the joint task force.

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1 ===== T I T L E   A M E N D M E N T =====

2 And the title is amended as follows:

3           On page 3, line 13, after the semicolon

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5 insert:

6           creating s. 215.656, F.S.; providing for the  
7           issuance of bonds to finance or refinance the  
8           acquisition, construction, and equipping of a  
9           law enforcement radio information system;  
10          amending s. 320.0802, F.S.; extending the time  
11          period on the surcharge on a license tax for  
12          the acquisition, construction, and equipping of  
13          a law enforcement radio information system;  
14          amending s. 327.25, F.S.; extending the time  
15          period on the surcharge on vessel registration  
16          for the acquisition, construction, and  
17          equipping of a law enforcement radio  
18          information system; amending s. 282.1095, F.S.;  
19          deleting a limit on the State Agency Law  
20          Enforcement Radio System Trust Fund; repealing  
21          use of the fund for certain existing radio  
22          systems; requiring state agencies to pay  
23          certain rent for use of the system as  
24          determined by the Joint Task Force on State  
25          Agency Law Enforcement Communications;

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