

STORAGE NAME: h4711z.ted
DATE: August 6, 1998

****FINAL ACTION****
****SEE FINAL ACTION STATUS SECTION****

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
TRANSPORTATION & ECONOMIC DEVELOPMENT APPROPRIATIONS
FINAL BILL RESEARCH & ECONOMIC IMPACT STATEMENT**

BILL #: HB 4711

RELATING TO: Trust Funds Exempt from Termination

SPONSOR(S): TRANSPORTATION & ECONOMIC DEVELOPMENT APPROPRIATIONS

COMPANION BILL(S):

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) TRANSPORTATION & ECONOMIC DEV. APPROPRIATIONS YEAS 11 NAYS 0
- (2)
- (3)
- (4)
- (5)

I. FINAL ACTION STATUS:

HB 4711 passed the House on April 23, 1998; in the Senate was referred to the Ways and Means Committee. Died in Senate Ways and Means on May 1, 1998. Refer to HB 3469 (similar/compare bill), Chapter Law 98-241.

II. SUMMARY:

This bill lists those five trust funds that have been determined to be exempt from the automatic termination provisions of Article III, Section 19(f) of the State Constitution. It includes only trust funds administered by the Department of Highway Safety & Motor Vehicles whose trust funds are under review in the 1998 regular legislative session.

III. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

Article III, Section 19(f) of the State Constitution, adopted and effective on November 4, 1992, provides that no trust fund may have a life span of more than four years. During the 1993, 1994, 1995, and 1996 legislative sessions, all state trust funds were reviewed and re-created, terminated, or determined to be exempt. All re-created trust funds will be subject to automatic termination again on November 4, 2000. The 1998-99 Budget Instructions require the Governor to submit his recommendations for trust funds within the Department of Transportation and the Department of Highway Safety and Motor Vehicles budget recommendations.

B. EFFECT OF PROPOSED CHANGES:

This bill identifies five of the trust funds reviewed for the 1998 session to be exempt from the automatic termination provisions of Article III, Section 19(f) of the State Constitution.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

N/A

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

N/A

(3) any entitlement to a government service or benefit?

N/A

b. If an agency or program is eliminated or reduced:

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

N/A

(2) what is the cost of such responsibility at the new level/agency?

N/A

(3) how is the new agency accountable to the people governed?

N/A

2. Lower Taxes:

a. Does the bill increase anyone's taxes?

N/A

b. Does the bill require or authorize an increase in any fees?

N/A

c. Does the bill reduce total taxes, both rates and revenues?

N/A

d. Does the bill reduce total fees, both rates and revenues?

N/A

e. Does the bill authorize any fee or tax increase by any local government?

N/A

3. Personal Responsibility:

a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

N/A

b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

N/A

4. Individual Freedom:

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- a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

N/A

- b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

N/A

5. Family Empowerment:

- a. If the bill purports to provide services to families or children:

- (1) Who evaluates the family's needs?

N/A

- (2) Who makes the decisions?

N/A

- (3) Are private alternatives permitted?

N/A

- (4) Are families required to participate in a program?

N/A

- (5) Are families penalized for not participating in a program?

N/A

- b. Does the bill directly affect the legal rights and obligations between family members?

N/A

- c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

(1) parents and guardians?

N/A

(2) service providers?

N/A

(3) government employees/agencies?

N/A

D. STATUTE(S) AFFECTED:

N/A

E. SECTION-BY-SECTION RESEARCH:

Section 1 identifies five trust funds within the Department of Highway Safety & Motor Vehicles that are exempt from Constitutional review. They are:

- (1) The Motor Vehicle License Clearing Trust Fund, Account Number 762488
- (2) The License Tax Collection Trust Fund, Account Number 762452
- (3) The International Registration Clearing Trust Fund, Account Number 762410.
- (4) The Security Deposits Trust Fund, Account Number 762625.
- (5) The Civil Fines Clearing Trust Fund, Account Number 762094.

Section 2 provides for the effective date.

IV. FISCAL RESEARCH & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

N/A

2. Recurring Effects:

N/A

3. Long Run Effects Other Than Normal Growth:

N/A

4. Total Revenues and Expenditures:

N/A

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

N/A

2. Recurring Effects:

N/A

3. Long Run Effects Other Than Normal Growth:

N/A

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

N/A

2. Direct Private Sector Benefits:

N/A

3. Effects on Competition, Private Enterprise and Employment Markets:

N/A

D. FISCAL COMMENTS:

N/A

V. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

N/A

B. REDUCTION OF REVENUE RAISING AUTHORITY:

N/A

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C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

N/A

VI. COMMENTS:

N/A

VII. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VIII. SIGNATURES:

COMMITTEE ON TRANSPORTATION & ECONOMIC DEVELOPMENT
APPROPRIATIONS:

Prepared by:

Legislative Research Director:

Barry G. Brooks

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**FINAL RESEARCH PREPARED BY COMMITTEE ON TRANSPORTATION & ECONOMIC
DEVELOPMENT APPROPRIATIONS:**

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