

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

BILL: SB 2018

SPONSOR: Senator Kirkpatrick

SUBJECT: License Plates

DATE: March 22, 1999

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Caridi</u>	<u>Meyer</u>	<u>TR</u>	<u>Favorable</u>
2.	_____	_____	<u>NR</u>	_____
3.	_____	_____	<u>FR</u>	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

## I. Summary:

This bill directs the Department of Highway Safety and Motor Vehicles (DHSMV) to develop a Florida Wildflower specialty license plate. Such plates would be available upon payment of appropriate license taxes, and an annual use fee of \$15. The \$15 annual use fee shall be distributed to the Wildflower Account established by Keep Florida Beautiful, Inc., created by s. 403.4131. A maximum of 10 percent of the proceeds from the sale of the plates may be used for administrative costs. The remaining proceeds will be used to establish native Florida wildflower research programs, wildflower educational programs, and wildflower grant programs to municipal, county, and community-based groups in Florida.

This bill creates within Keep Florida Beautiful, Inc., a Wildflower Advisory Council, consisting of a maximum of nine representative members from specified entities. The council will direct and oversee the expenditure of the Wildflower Account by developing procedures of operation, research contracts, educational programs, and wildflower planting grants for plants, grasses and wildflowers native to Florida. The council will also make the final determination of what constitutes acceptable species of plantings.

This bill substantially amends the following sections of the Florida Statutes: 320.08056, 320.08058, and 403.4131.

## II. Present Situation:

Florida Wildflower specialty license plates are not authorized by current law.

Section 320.08053, F.S., establishes requirements that organizations or agencies must meet in order to create a new specialty license plate. This section was amended by the 1998 Legislature to require the following information be submitted to DHSMV prior to requesting legislative approval for a specialty plate:

- 1) A \$60,000 application fee.
- 2) The results of a scientific sample survey indicating that at least 15,000 motor vehicle owners intend to purchase the proposed specialty license plate at the increased cost.
- 3) A marketing plan and financial analysis of anticipated revenues and expenditures.

This section also contains a grandfather provision to allow organizations that were in the process of preparing an application prior to new requirements becoming effective on July 1, 1998, to meet the requirements that were in effect prior to the change. Applicants meeting the grandfather requirements have submitted the following information to DHSMV:

- 1) 10,000 signatures from prospective buyers.
- 2) A marketing plan and financial analysis of anticipated revenues and expenditures.
- 3) An application fee not to exceed \$30,000 to defray DHSMV's costs for reviewing the application and developing the specialty license plate.

### **III. Effect of Proposed Changes:**

Specialty license plates for the support of native Florida grasses, plants and wildflowers would be available upon payment of appropriate license taxes and an annual use fee of \$15. The annual fee would be distributed to the Wildflower Account established by the Keep Florida Beautiful, Inc. Up to 10 percent of the fees may be used for administrative costs. The remaining portion would be used to establish native Florida wildflower research programs, wildflower educational programs, and wildflower grant programs to municipal, county, and community-based groups in this state.

Within Keep Florida Beautiful, Inc., is created a Wildflower Advisory Council which shall direct and oversee the Wildflower Account, develop procedures of operation, and make the final determination of acceptable species of wildflowers and other plantings to be supported by the programs it sponsors. These programs include research contracts, educational programs, and wildflower planting grants for Florida native wildflowers, plants, and grasses.

The Wildflower Advisory Council will consist of a maximum of 9 members from the following entities:

- ▶ One representative from the University of Florida Institute of Food and Agricultural Sciences.
- ▶ One representative from the Florida Department of Transportation.
- ▶ One representative from the Florida Department of Environmental Protection.
- ▶ One representative from the Florida League of Cities.
- ▶ One representative from the Florida Association of Counties.
- ▶ Other members may include representatives from The Florida Federation of Garden Clubs, Inc., Think Beauty Foundation, the Florida Chapter of the American Society of Landscape Architects, Inc., and the Master Gardener's Program.

The department is beginning to implement a new computer system referred to as the FRVIS 2000. This system will have to be programmed to issue the plates and forms at a cost of \$7000. Necessary programming modifications for distribution of the Florida Wildflower specialty license plate can not be completed until the FRVIS 2000 software is implemented, which may be later than the date the act is to take effect.

#### **IV. Constitutional Issues:**

##### **A. Municipality/County Mandates Restrictions:**

None.

##### **B. Public Records/Open Meetings Issues:**

None.

##### **C. Trust Funds Restrictions:**

Article III, section 19(f)(1) of the Florida Constitution provides that no trust fund of the state or other public body may be created by law without three-fifths vote of the membership of each house of the Legislature in a separate bill for that purpose only.

#### **V. Economic Impact and Fiscal Note:**

##### **A. Tax/Fee Issues:**

The department would receive the annual proceeds of a \$2 processing fee imposed on the issuance of the Florida Wildflower specialty license plate. The amount of such proceeds cannot be determined because the number of specialty plates that will be purchased is unknown.

##### **B. Private Sector Impact:**

Persons who apply for the Florida Wildflower specialty license plate would have to pay the \$15 annual use fee. The proceeds distributed to the Wildflower Account may be used to support research, educational, and grant programs for municipal, county and community-based groups interested in promoting plants, grasses and wildflowers native to Florida.

##### **C. Government Sector Impact:**

In the first year, the department would receive the \$30,000 application fee to defray the administrative costs of reviewing and developing the license plate. The cost of the initial minimum purchase of plates is \$22,500 (10,000 plates at \$2.25 each). This cost would be incurred each year except the first year in which the department would also incur the \$7000 programming cost for a total expenditure of \$29,500.

The department would annually retain the first proceeds derived from the annual use fees collected in an amount sufficient to defray the department's costs directly related to the Florida Wildflower license plate.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Amendments:**

None.

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

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