

STORAGE NAME: h2209.ed

DATE: April 12, 1999

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
EDUCATION APPROPRIATIONS
ANALYSIS**

BILL #: HB 2209 (PCB ED 99-45)

RELATING TO: University of South Florida Health Support Trust Fund

SPONSOR(S): Committee on Education Appropriations

COMPANION BILL(S):

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

(1) EDUCATION APPROPRIATIONS YEAS 12 NAYS 0

(2)

(3)

(4)

(5)

I. SUMMARY:

This bill creates the University of South Florida Health Support Trust Fund, to be administered by the State University System. This new fund is needed to account for funds received from cigarette tax revenues paid to the Board of Directors of the H. Lee Moffitt Cancer Center and Research Institute as provided in chapter 98-286, Laws of Florida, and from the Tobacco Settlement Trust Fund as provided in chapter 98-307, Laws of Florida.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

This bill creates the University of South Florida Health Support Trust Fund to be administered by the State University System. This new fund is needed to account for funds received from cigarette tax revenues paid to the Board of Directors of the H. Lee Moffitt Cancer Center and Research Institute as provided in Chapter 98-286, LOF, and from Tobacco Settlement Trust Fund as provided in Chapter 98-307, LOF. Currently, these revenues are being deposited into the student fee trust fund; this fund segregates the revenues from the cigarette tax and from the Tobacco Settlement Trust Fund so they are not comingled with student fees.

B. EFFECT OF PROPOSED CHANGES:

This bill creates a new trust fund - the University of South Florida Health Support Trust Fund administered by the State University System - to account for the spending of moneys received from cigarette tax revenues and the Tobacco Settlement Trust Fund.

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?

No.

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

No.

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

No.

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?

No.

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

No.

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

No.

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

No.

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

No.

3. Personal Responsibility:

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

No.

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

No.

4. Individual Freedom:

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

No.

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

No.

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:

Section 240.5125, Florida Statutes.

E. SECTION-BY-SECTION ANALYSIS:

Section 1. Establishes the University of South Florida Health Support Trust Fund to be administered by the State University System and determines the source of funds and the appropriate use of the fund.

Section 2. Establishes an effective date.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

4. Total Revenues and Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

None.

2. Direct Private Sector Benefits:

None.

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

None.

D. FISCAL COMMENTS:

This fund allows the collection of cigarette tax revenues and the Tobacco Settlement Trust Fund moneys to be tracked over time.

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

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to spend funds or to take any actions requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority of counties or municipalities to raise revenues in the aggregate, as such authority existed on February 1, 1989.

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

This bill does not reduce the percentage of a state tax shared with counties and municipalities as an aggregate on February 1, 1989.

V. COMMENTS:

On April 9, 1999 the Education Appropriations Committee considered PCB ED 99-45 and passed it unanimously.

STORAGE NAME: h2209.ed

DATE: April 12, 1999

PAGE 6

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VII. SIGNATURES:

COMMITTEE ON EDUCATION APPROPRIATIONS:

Prepared by:

Staff Director:

Ruth Storm Feiock

John Newman