

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
1		.	
2		.	
3		.	
4		.	

ORIGINAL STAMP BELOW

11 Representative(s) Dockery and Johnson offered the following:

Amendment (with title amendment)

14 Remove everything after the enacting clause

16 and insert:

17 Section 1. (1) The following trust funds administered
18 by the following agencies are terminated:

19 (a) Within the Department of Agriculture and Consumer
20 Services:

21 1. Effective July 1, 2003, the Market Trade Show Trust
22 Fund, FLAIR number 42-2-466. All current balances remaining
23 in, and all revenues of, the Market Trade Show Trust Fund
24 terminated by this act shall be transferred to the Florida
25 Agricultural Promotion Trust Fund in the Department of
26 Agriculture and Consumer Services.

27 2. Effective July 1, 2002, the Working Capital Trust
28 Fund, FLAIR number 42-2-792.

29 3. Effective July 1, 2003, the Conservation and
30 Recreation Lands Program Trust Fund, FLAIR number 42-2-931.

31 All current balances remaining in, and all revenues of, the

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 Conservation and Recreation Lands Program Trust Fund
2 terminated by this act shall be transferred to the Incidental
3 Trust Fund in the Department of Agriculture and Consumer
4 Services.
5 (b) Within the Department of Management Services:
6 1. Effective July 1, 2002, the Motor Vehicle Operating
7 Trust Fund, FLAIR number 72-2-486. All current balances
8 remaining in, and all revenues of, the Motor Vehicle Operating
9 Trust Fund terminated by this act shall be transferred to the
10 Grants and Donations Trust Fund in the Department of
11 Management Services.
12 2. Effective July 1, 2002, the Social Security
13 Contribution Trust Fund, FLAIR number 72-2-638.
14 3. Effective July 1, 2002, the State Employee Child
15 Care Revolving Trust Fund, FLAIR number 72-2-670.
16 (c) Within the Department of Revenue, effective July
17 1, 2002, the Drug Enforcement Trust Fund, FLAIR number
18 73-2-171.
19 (d) Within the Fish and Wildlife Conservation
20 Commission, effective July 1, 2003, the Conservation and
21 Recreation Lands Program Trust Fund, FLAIR number 77-2-931.
22 All current balances remaining in, and all revenues of, the
23 Conservation and Recreation Lands Program Trust Fund
24 terminated by this act shall be transferred to the Fish and
25 Wildlife Conservation Trust Fund in the Fish and Wildlife
26 Conservation Commission.
27 (e) Within the Executive Office of the Governor:
28 1. Effective July 1, 2002, the Black Contractors Bond
29 Trust Fund, FLAIR number 31-2-056.
30 2. Effective July 1, 2002, the Florida Investment
31 Incentive Trust Fund, FLAIR number 31-2-293.

1 3. Effective July 1, 2003, the Brownfield Property
2 Ownership Clearance Assistance Revolving Loan Trust Fund,
3 FLAIR number 31-2-595. All current balances remaining in, and
4 all revenues of, the Brownfield Property Ownership Clearance
5 Assistance Revolving Loan Trust Fund terminated by this act
6 shall be transferred to the Economic Development Trust Fund in
7 the Executive Office of the Governor.

8 (f) Within the Department of State:

9 1. Effective July 1, 2002, the Library Construction
10 Trust Fund, FLAIR number 45-2-447.

11 2. Effective July 1, 2003, the Public Access Data
12 Systems Trust Fund, FLAIR number 45-2-542.

13 (g) Within the Department of Transportation, effective
14 July 1, 2002, the Turnpike Controlled Access Trust Fund, FLAIR
15 number 55-2-334.

16 (h) Within the Agency for Workforce Innovation,
17 effective July 1, 2003, the Special Employment Security
18 Administration Trust Fund, FLAIR number 75-2-648.

19 (i) Within the Department of Highway Safety and Motor
20 Vehicles, effective July 1, 2003, the Civil Fines Clearing
21 Trust Fund, FLAIR number 76-2-094.

22 (2) Unless otherwise provided, all current balances
23 remaining in, and all revenues of, the trust funds terminated
24 by this act shall be transferred to the General Revenue Fund.

25 (3) For each trust fund and fund account terminated by
26 this act, the agency that administers the trust fund or fund
27 account shall pay any outstanding debts or obligations of the
28 terminated fund or account as soon as practicable, and the
29 Comptroller shall close out and remove the terminated fund or
30 account from the various state accounting systems using
31 generally accepted accounting principles concerning warrants

1 outstanding, assets, and liabilities.

2 (4) This section shall take effect upon this act
3 becoming a law.

4 Section 2. The following trust funds within the Fish
5 and Wildlife Conservation Commission are renamed:

6 (1) The Land Acquisition Trust Fund, FLAIR number
7 77-2-423, is renamed the Habitat Protection Trust Fund.

8 (2) The State Game Trust Fund, FLAIR number 77-2-672,
9 is renamed the Fish and Wildlife Conservation Trust Fund.

10 Section 3. Effective upon this act becoming a law, the
11 Legislature finds that the following trust funds administered
12 by the following agencies are exempt from termination pursuant
13 to Section 19(f), Article III of the State Constitution:

14 (1) Within the Executive Office of the Governor, the
15 Trust Funds Trust Fund, FLAIR number 31-2-732.

16 (2) Within the Department of Transportation:

17 (a) The Central Florida Beltway Trust Fund, FLAIR
18 number 55-2-074.

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

21 (c) The Turnpike Renewal and Replacement Trust Fund,
22 FLAIR number 55-2-324.

23 (d) The Turnpike General Reserve Trust Fund, FLAIR
24 number 55-2-326.

25 (e) The Turnpike Construction Trust Fund, FLAIR number
26 55-2-340.

27 (f) The Jacksonville Transportation Authority Project
28 Construction Trust Fund, FLAIR number 55-2-413.

29 (g) The Jefferson County Project Construction Trust
30 Fund, FLAIR number 55-2-418.

31 (h) The State Transportation Trust Fund, FLAIR number

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

- 1 55-2-540.
- 2 (i) The Right-of-Way Acquisition and Bridge
- 3 Construction Trust Fund, FLAIR number 55-2-586.
- 4 (3) Within the Department of Management Services:
- 5 (a) The Florida Retirement System Trust Fund, FLAIR
- 6 number 72-2-309.
- 7 (b) The Florida Facilities Pool Clearing Trust Fund,
- 8 FLAIR number 72-2-313.
- 9 (c) The Florida Retirement System Preservation of
- 10 Benefits Plan Trust Fund, FLAIR number 72-2-345.
- 11 (d) The Institute of Food and Agricultural Sciences
- 12 Supplemental Retirement Trust Fund, FLAIR number 72-2-379.
- 13 (e) The Senior Management Service Optional Annuity
- 14 Program Trust Fund, FLAIR number 72-2-515.
- 15 (f) The Optional Retirement Program Trust Fund, FLAIR
- 16 number 72-2-517.
- 17 (g) The Police and Firefighters' Premium Tax Trust
- 18 Fund, FLAIR number 72-2-532.
- 19 (h) The State Employees' Life Insurance Trust Fund,
- 20 FLAIR number 72-2-667.
- 21 (i) The State Employees' Health Insurance Trust Fund,
- 22 FLAIR number 72-2-668.
- 23 (j) The State Employees' Disability Insurance Trust
- 24 Fund, FLAIR number 72-2-671.
- 25 (k) The State Employees' Savings Bonds Trust Fund,
- 26 FLAIR number 72-2-674.
- 27 (4) Within the Department of Highway Safety and Motor
- 28 Vehicles:
- 29 (a) The International Registration Clearing Trust
- 30 Fund, FLAIR number 76-2-410.
- 31 (b) The License Tax Collection Trust Fund, FLAIR

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 number 76-2-452.

2 (c) The Motor Vehicle License Clearing Trust Fund,
3 FLAIR number 76-2-488.

4 (d) The Security Deposits Trust Fund, FLAIR number
5 76-2-625.

6 Section 4. Section 571.26, Florida Statutes, is
7 renumbered as section 570.536, Florida Statutes, and amended
8 to read:

9 570.536 ~~571.26~~ Florida Agricultural Promotion
10 ~~Promotional Campaign~~ Trust Fund.--There is hereby created the
11 Florida Agricultural Promotion ~~Promotional Campaign~~ Trust Fund
12 within the Department of Agriculture and Consumer Services to
13 receive and disburse moneys collected for the promotion of
14 Florida agricultural products ~~all moneys related to the~~
15 ~~Florida Agricultural Promotional Campaign.~~ Moneys deposited
16 ~~in the trust fund shall be appropriated for the sole purpose~~
17 ~~of implementing the Florida Agricultural Promotional Campaign.~~

18 Section 5. Subsection (2) of section 571.25, Florida
19 Statutes, is amended to read:

20 571.25 Registration and fees.--

21 (2) The department is hereby authorized to establish
22 by rule, registration and renewal fees sufficient to cover the
23 cost of administering the Florida Agricultural Promotional
24 Campaign, including all personnel costs. Fees shall be
25 deposited in the Florida Agricultural Promotion ~~Promotional~~
26 ~~Campaign~~ Trust Fund.

27 Section 6. Subsection (20) of section 570.07, Florida
28 Statutes, is amended to read:

29 570.07 Department of Agriculture and Consumer
30 Services; functions, powers, and duties.--The department shall
31 have and exercise the following functions, powers, and duties:

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 (20)(a) To stimulate, encourage, and foster the
2 production and consumption of agricultural and agricultural
3 business products;

4 (b) To conduct activities that may foster a better
5 understanding and more efficient cooperation among producers,
6 dealers, buyers, food editors, and the consuming public in the
7 promotion and marketing of Florida's agricultural and
8 agricultural business products; and

9 (c) To sponsor trade breakfasts, luncheons, and
10 dinners and distribute promotional materials and favors in
11 connection with meetings, conferences, and conventions of
12 dealers, buyers, food editors, and merchandising executives
13 that will assist in the promotion and marketing of Florida's
14 agricultural and agricultural business products to the
15 consuming public.

16
17 The department is authorized to receive and expend donations
18 contributed by private persons for the purpose of covering
19 costs associated with the above described activities. All
20 donations shall be deposited into the Florida Agricultural
21 Promotion Trust Fund provided for in s. 570.536.

22 Section 7. Section 570.207, Florida Statutes, is
23 repealed.

24 Section 8. Subsection (12) of section 570.71, Florida
25 Statutes, is amended to read:

26 570.71 Conservation easements and agreements.--

27 (12) The department is authorized to use funds from
28 the following sources to implement this act:

29 (a) State funds;

30 (b) Federal funds;

31 (c) Other governmental entities;

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

- 1 (d) Nongovernmental organizations; or
- 2 (e) Private individuals.

3

4 Any such funds provided shall be deposited into the Incidental
 5 ~~Conservation and Recreation Lands Program~~ Trust Fund within
 6 the Department of Agriculture and Consumer Services and used
 7 for the purposes of this act.

8 Section 9. Section 589.37, Florida Statutes, is
 9 created to read:

10 589.37 Incidental Trust Fund of the Department of
 11 Agriculture and Consumer Services.--The purposes of the
 12 Incidental Trust Fund within the Department of Agriculture and
 13 Consumer Services are:

14 (1) To provide for the management of conservation and
 15 recreation lands by the department.

16 (a) Funds for the purpose of this subsection may be
 17 appropriated to the trust fund from the Conservation and
 18 Recreation Lands Trust Fund in the Department of Environmental
 19 Protection, as created by s. 259.032(2), or from such other
 20 sources as the Legislature may determine.

21 (b) Notwithstanding the provisions of s. 216.301 and
 22 pursuant to s. 216.351, any balance in the trust fund at the
 23 end of any fiscal year shall remain in the trust fund at the
 24 end of the year and shall be available for carrying out the
 25 purpose of this subsection.

26 (2) To provide for use by the Division of Forestry for
 27 forestry management and protection, as provided in this
 28 chapter and chapter 590.

29 Section 10. Effective July 1, 2002, sections 122.351
 30 and 650.06, Florida Statutes, are repealed.

31 Section 11. Effective July 1, 2002, paragraph (e) of

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 subsection (3) of section 121.011, Florida Statutes, is
2 amended to read:

3 121.011 Florida Retirement System.--

4 (3) PRESERVATION OF RIGHTS.--

5 (e) Any member of the Florida Retirement System or any
6 member of an existing system under this chapter on July 1,
7 1975, who is not retired and who is, has been, or shall be,
8 suspended and reinstated without compensation shall receive
9 retirement service credit for the period of time from the date
10 of suspension to the date of reinstatement, provided:

11 1. The creditable service claimed for the period of
12 suspension does not exceed 24 months;

13 2. The member returns to active employment and remains
14 on the employer's payroll for at least 1 calendar month; and

15 3. The member pays into the Retirement System Trust
16 Fund the total required employer contributions plus the total
17 employee contributions, if applicable, based on the member's
18 monthly compensation in effect for the pay period immediately
19 preceding the period of suspension, prorated for the said
20 period of suspension, plus interest thereon at a rate of 4
21 percent per annum compounded annually until July 1, 1975, and
22 6.5 percent interest thereafter until paid. If permitted by
23 federal law, the member may pay to the Internal Revenue
24 Service into the Social Security Trust Fund the total cost, if
25 any, of providing social security coverage for the period of
26 suspension if any social security payments have been made by
27 the employer for the benefit of the member during such period.
28 Should there be any conflict as to payment for social security
29 coverage, the payment for retirement service credit shall be
30 made and retirement service credit granted regardless of such
31 conflict.

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 Section 12. Effective July 1, 2002, subsection (1) of
2 section 121.031, Florida Statutes, is amended to read:

3 121.031 Administration of system; appropriation;
4 oaths; actuarial studies; public records.--

5 (1) The Department of Management Services has the
6 authority to adopt rules pursuant to ss. 120.536(1) and 120.54
7 to implement the provisions of law conferring duties upon the
8 department and to adopt rules as are necessary for the
9 effective and efficient administration of this system. The
10 funds to pay the expenses for administration of the system are
11 hereby appropriated from the interest earned on investments
12 made for the Retirement System Trust Fund ~~and social security~~
13 ~~trust funds~~ and the assessments allowed under chapter 650.

14 Section 13. Effective July 1, 2002, subsection (5) of
15 section 121.071, Florida Statutes, is amended to read:

16 121.071 Contributions.--Contributions to the system
17 shall be made as follows:

18 (5) Contributions made in accordance with subsections
19 (1), (2), (3), and (4) shall be paid by the employer into the
20 system trust funds in accordance with rules adopted by the
21 administrator pursuant to chapter 120. Such contributions are
22 due and payable no later than the 25th day of the month
23 immediately following the month during which the payroll
24 period ended. The department may, by rule, establish a
25 different due date, which shall supersede the date specified
26 herein; however, such due date may not be established earlier
27 than the 20th day of the month immediately following the month
28 during which the payroll period ended. Effective January 1,
29 1984, contributions made in accordance with subsection (3)
30 shall be paid by the employer into the system trust fund in
31 accordance with rules adopted by the administrator pursuant to

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 chapter 120. For any payroll period ending any day of the
2 month before the 16th day of the month, such contributions are
3 due and payable no later than the 20th day of the month; and,
4 for any payroll periods ending any day of the month after the
5 15th day of the month, such contributions are due and payable
6 no later than the 5th day of the next month. Contributions
7 received in the offices of the department after the prescribed
8 date shall be considered delinquent unless, in the opinion of
9 the department, exceptional circumstances beyond an employer's
10 control prevented remittance by the prescribed due date
11 notwithstanding such employer's good faith efforts to effect
12 delivery; and, with respect to retirement contributions due
13 under subsections (1) and (4), each employer shall be assessed
14 a delinquent fee of 1 percent of the contributions due for
15 each calendar month or part thereof that the contributions are
16 delinquent. Such a waiver of the delinquency fee by the
17 department may be granted an employer only one time each
18 fiscal year. ~~Delinquent social security contributions shall be~~
19 ~~assessed a delinquent fee as authorized by s. 650.05(4). The~~
20 ~~delinquent fee assessable for an employer's first delinquency~~
21 ~~after July 1, 1984, shall be as specified in s. 650.05(4),~~
22 ~~and, beginning with the second delinquency in any fiscal year~~
23 ~~by the employer subsequent to July 1, 1984, all subsequent~~
24 ~~delinquency fees shall be assessed against the employer at~~
25 ~~twice the applicable percentage rate specified in s.~~
26 ~~650.05(4).~~

27 Section 14. Effective July 1, 2002, subsection (1) of
28 section 121.141, Florida Statutes, is amended to read:

29 121.141 Appropriation.--

30 (1) There is hereby annually appropriated from the
31 System Trust Fund ~~or the Social Security Trust Fund~~ a

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 sufficient amount to make such payments as are provided in
2 part I of this chapter.

3 Section 15. Effective July 1, 2002, section 122.26,
4 Florida Statutes, is amended to read:

5 122.26 Funds.--There shall be paid into the State and
6 County Officers and Employees' Retirement Trust Fund, provided
7 in former s. 122.17, contributions by members of division B
8 for benefits payable to members under this system, and all
9 amounts appropriated for such purpose by the state. ~~There is~~
10 ~~hereby created in the State Treasury a fund to be known as the~~
11 ~~Social Security Contribution Trust Fund, into which shall be~~
12 ~~deposited contributions required of members for social~~
13 ~~security coverage, and such amounts as may be appropriated by~~
14 ~~the state for that purpose.~~

15 Section 16. Effective July 1, 2002, subsection (2) of
16 section 122.27, Florida Statutes, is amended to read:

17 122.27 Contributions.--From and after the date of the
18 execution of the agreement, the officer or board paying the
19 salary of a member of division B shall withhold the following
20 from such salary:

21 (2) The percentage of such salary which shall
22 constitute the contribution of the member required for social
23 security coverage as now or hereafter fixed by relevant
24 federal statutes. The officer or board so withholding such
25 percentage of salary shall submit ~~deposit~~ the same without
26 delay to the Internal Revenue Fund as directed by the Social
27 Security Administration in the Social Security Contribution
28 ~~Trust Fund.~~

29 Section 17. Effective July 1, 2002, section 122.30,
30 Florida Statutes, is amended to read:

31 122.30 Appropriations.--

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 ~~(1) There is hereby annually appropriated from the~~
2 ~~intangible tax fund of the state to the department as the~~
3 ~~state agency designated in chapter 650, a sum not to exceed~~
4 ~~\$10,000 to defray the expenses of such agency in connection~~
5 ~~with its continuing duties in relation to the social security~~
6 ~~coverage provided by this law.~~

7 ~~(2) If under the agreement social security coverage is~~
8 ~~retroactively applicable to members of division B, there is~~
9 ~~appropriated out of the State and County Officers and~~
10 ~~Employees' Retirement Trust Fund and into the Social Security~~
11 ~~Contribution Trust Fund the amount required by applicable~~
12 ~~federal laws and regulations to be paid with respect to~~
13 ~~periods prior to date of execution of the agreement.~~

14 ~~(1)(3)~~ There is appropriated a sufficient amount out
15 of the State and County Officers and Employees' Retirement
16 Trust Fund to the administrator to make payments to members of
17 division B as provided by law.

18 ~~(4) There is appropriated out of the Social Security~~
19 ~~Contribution Trust Fund for payment into the contribution fund~~
20 ~~established by s. 650.06, from time to time, such amounts as~~
21 ~~may be required for the social security coverage of the~~
22 ~~members of division B.~~

23 ~~(2)(5)~~ In addition to amounts appropriated by other
24 provisions of this chapter or other laws to defray the cost of
25 administration of this system, there is hereby appropriated
26 out of the Intangible Tax Fund of the state for use of the
27 department in its administration of the two divisions of this
28 system, the sum of \$100,000, or so much thereof as may be
29 required for that purpose.

30 ~~(6) If in any fiscal year the amounts provided in this~~
31 ~~chapter to be paid into the State and County Officers and~~

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 ~~Employees' Retirement Trust Fund by the state for members in~~
2 ~~divisions A and B of this system, and the amount required to~~
3 ~~be paid by the state into the Social Security Contribution~~
4 ~~Trust Fund for the members in division B of this system, as~~
5 ~~herein provided, shall exceed the amount available for such~~
6 ~~purposes in the Intangible Tax Fund, until the date of~~
7 ~~adjournment of the first session of the Legislature subsequent~~
8 ~~to the occurring of such deficiency, there is appropriated~~
9 ~~from the General Revenue Fund of the state and payable into~~
10 ~~the State and County Officers and Employees' Retirement Trust~~
11 ~~Fund and the Social Security Contribution Trust Fund, or~~
12 ~~either of said latter funds, an amount equal to such~~
13 ~~deficiency.~~

14 ~~(7) There is hereby appropriated out of the State and~~
15 ~~County Officers and Employees' Retirement Trust Fund and into~~
16 ~~the Social Security Contribution Trust Fund the amount~~
17 ~~required by applicable federal laws and regulations to be paid~~
18 ~~with respect to 1956, 1957, 1958, and 1959 social security~~
19 ~~coverage of the members of this system who transfer from~~
20 ~~division A to division B thereof between July 1, 1959, and~~
21 ~~December 1, 1959, and of the deemed members of this system who~~
22 ~~became contributing members after December 31, 1957, and who,~~
23 ~~by December 1, 1959, qualify for retroactive social security~~
24 ~~coverage.~~

25 ~~(8) There is hereby appropriated out of the State and~~
26 ~~County Officers and Employees' Retirement Trust Fund and into~~
27 ~~the Social Security Contribution Trust Fund the amount~~
28 ~~required by federal laws and regulations with respect to~~
29 ~~social security coverage for years after 1955 of the members~~
30 ~~of this system who transfer from division A to division B in~~
31 ~~accordance with s. 122.24(3)(c) and qualify for retroactive~~

1 ~~social security coverage.~~

2 Section 18. Effective July 1, 2002, section 122.35,
3 Florida Statutes, is amended to read:

4 122.35 Funding.--

5 (1) Commencing July 1, 1967, for all state agencies
6 and commencing October 1, 1967, for all other agencies with
7 employees who are members under this chapter, former ss.
8 122.17 and 122.30(4) shall be of no further force and effect
9 and each officer or board paying salaries to members and
10 withholding contributions required of members under this
11 chapter for purposes of providing retirement benefits and
12 social security benefits to or on behalf of such members,
13 shall budget, set aside and pay over to account B of the
14 intangible tax trust fund, herein created, matching payments
15 in the following specified amounts:

16 (a)1. An amount equal to the amount of member
17 contributions paid to the State and County Officers and
18 Employees' Retirement Trust Fund as specified in ss. 122.03
19 and 122.27 but excluding any additional contributions required
20 of high hazard members under s. 122.34; and

21 2. Commencing January 1, 1993, an additional amount
22 equal to 3.99 percent of each installment of salary to
23 members; and

24 (b) An amount equal to the amount of member social
25 security contributions withheld, to be paid to the Internal
26 Revenue Service Social Security Contribution Trust Fund as
27 specified in s. 122.27.

28 (2) The monthly payments required by subsection (1)
29 shall be payable within 10 days after the first day of each
30 calendar month after July 1, 1967, for all state agencies and
31 October 1, 1967, for all other agencies. The state funds

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 required to be paid hereunder shall be provided and paid from
2 the sources as set forth in subsection ~~subsections~~ (3) and
3 ~~(4)~~.

4 (3) The appropriations provided each state agency each
5 fiscal year shall include sufficient amounts to pay the
6 matching contributions for social security and retirement as
7 required by this section and the matching contributions for
8 retirement required of state agencies under s. 238.11(1)(a).
9 No state agency, whether its funds are provided by state
10 appropriation or not, shall employ any person or maintain any
11 person on its payroll unless it has allotted for such person
12 sufficient funds to meet these required payments.

13 (4) Effective December 1, 1970, officer and employee
14 contributions and employer matching contributions required by
15 division A and division B of this chapter shall be paid as
16 required in accordance with s. 121.061 and procedures
17 established therefor.

18 (5) Effective January 1987, social security
19 contributions withheld on behalf of a member of division B of
20 this chapter, and employer matching social security
21 contributions paid on behalf of such member, shall be
22 submitted to the Internal Revenue Service as required by the
23 Social Security Administration.

24 ~~(4) Effective October 1, 1967, the proceeds of the~~
25 ~~intangible tax collections of the state remaining after the~~
26 ~~payment of administrative expenses, commissions which are~~
27 ~~applicable, and other costs incident to its collection shall~~
28 ~~be set aside into an account designated as account B of the~~
29 ~~Intangible Tax Trust Fund, which account shall also receive~~
30 ~~all of the matching payments for retirement and social~~
31 ~~security remitted by each officer or board as provided in~~

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 ~~subsection (1). The amounts received and deposited into~~
2 ~~account B of the Intangible Tax Trust Fund are appropriated~~
3 ~~and shall be used for the following purposes and paid out on~~
4 ~~the priority basis as shown below:~~

5 ~~(a) First, from the funds accumulated in account B~~
6 ~~there shall be transferred:~~

7 ~~1. To the Social Security Contribution Trust Fund, an~~
8 ~~amount equal to the social security contributions remitted by~~
9 ~~each officer or board to said fund as specified in s. 122.27.~~

10 ~~2. To the State and County Officers and Employees'~~
11 ~~Retirement Fund, an amount equal to the retirement~~
12 ~~contributions withheld from the salaries of members and~~
13 ~~remitted by each officer or board to said fund as required by~~
14 ~~ss. 122.03 and 122.27, but excluding any additional~~
15 ~~contributions required of high hazard members under s. 122.34;~~
16 ~~provided, however, that during the 1967-1969 biennium the~~
17 ~~amount transferred to said account shall not exceed the total~~
18 ~~amount received in account B from the various state and county~~
19 ~~agencies for retirement matching purposes.~~

20 ~~(b) After the retirement and social security~~
21 ~~contributions of all members have been matched as provided in~~
22 ~~paragraph (a), the balance remaining in account B of the~~
23 ~~Intangible Tax Trust Fund shall be distributed as follows:~~

24 ~~1. Each county shall receive each fiscal year ending~~
25 ~~June 30 an allocation in an amount equal to 55 percent of the~~
26 ~~total net intangible taxes collected and remitted to the~~
27 ~~Department of Revenue by the tax collector of the county~~
28 ~~during the prior fiscal year.~~

29 ~~a. Commencing October 1, 1967, and every October 1~~
30 ~~thereafter and continuing on the first day of each subsequent~~
31 ~~month through June 30 of each fiscal year each board of county~~

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 ~~commissions of the several counties of the state shall receive~~
2 ~~an allocation from account B of the Intangible Tax Trust Fund.~~
3 ~~This allocation shall not include the school boards of the~~
4 ~~several counties of the state. The amount of said monthly~~
5 ~~allocation shall be equal to the average amount required to be~~
6 ~~matched by the Intangible Tax Trust Fund for the corresponding~~
7 ~~months during the 1966-1967 fiscal year as computed by the~~
8 ~~Comptroller, or one-twelfth of the Comptroller's estimate of~~
9 ~~the county's allocation, whichever is smaller, and an~~
10 ~~adjustment to reconcile the monthly allocations with the~~
11 ~~actual amount to be received pursuant to this subparagraph,~~
12 ~~shall be made not later than 60 days after the end of the~~
13 ~~fiscal year.~~

14 ~~b. Each county, county agency and school board shall~~
15 ~~pay all matching cost for retirement and social security as~~
16 ~~required by this act and s. 238.11(1), notwithstanding the~~
17 ~~provisions of any other law.~~

18 ~~2. The balance remaining in account B of the~~
19 ~~Intangible Tax Trust Fund after the retirement and social~~
20 ~~security contributions have been matched and the allocations~~
21 ~~to each county have been paid as provided in this act, shall~~
22 ~~be paid over to the General Revenue Fund of the state.~~

23 ~~(c) The amounts allocated to the several counties from~~
24 ~~account B of the Intangible Tax Trust Fund shall be paid by~~
25 ~~the Department of Revenue to the respective boards of county~~
26 ~~commissioners who shall deposit same in the general fund of~~
27 ~~the county, and may expend them for any lawful county purpose.~~
28 ~~These amounts may be used to assist any county officer or~~
29 ~~agency within the county including school boards to make the~~
30 ~~matching payments for retirement and social security as~~
31 ~~required by law. Provided, however, should the income of any~~

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

~~1 constitutional fee officer in any year be insufficient to make
2 the matching payments required by this act, the boards of
3 county commissioners shall provide such fee officer sufficient
4 funds from the allocation received under this law to make
5 these required payments.~~

~~6 (d) Should any officer or board other than a state
7 officer or board fail to make the retirement and social
8 security contributions required herein, the Department of
9 Revenue shall deduct the amount owed by the officer or board
10 from the allocation accruing to the credit of the county
11 affected, or the Department of Revenue shall deduct the amount
12 owed from any other funds to be distributed by him or her to
13 the officer or board using the procedure he or she shall deem
14 most appropriate. The amounts so deducted shall remain in or
15 be transferred to account B of the Intangible Tax Trust Fund
16 for further distribution in accordance with this subsection.~~

~~17 (e) Should any officer or board other than a state
18 officer or board, for whom the tax collector collects taxes,
19 fail to make the retirement and social security contributions
20 required by this act, the tax collector, at the request of the
21 Department of Revenue and upon receipt of a certificate from
22 him or her showing the amount owed account B by the officer or
23 board, shall deduct the amount so certified from any taxes
24 collected for the officer or board and remit the amount to the
25 Department of Revenue for deposit in account B of the
26 Intangible Tax Trust Fund.~~

~~27 (f) The boards of county commissioners of each county
28 and the Department of Revenue, acting individually or jointly,
29 are hereby authorized to file and maintain action in the
30 courts of this state against any county agency to require it
31 to remit any retirement or social security matching payments~~

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 ~~due account B of the Intangible Tax Trust Fund under the~~
2 ~~provisions of this law.~~

3 Section 19. Effective July 1, 2002, subsections (1)
4 and (2) of section 650.04, Florida Statutes, are amended to
5 read:

6 650.04 Contributions by state employees.--

7 (1) Every employee of the state whose services are
8 covered by an agreement entered into under s. 650.03 shall be
9 required to pay for the period of such coverage, ~~into the~~
10 ~~Social Security Contribution Trust Fund established by s.~~
11 ~~650.06,~~ contributions, with respect to wages as defined in s.
12 650.02, equal to the amount of the employee tax which would be
13 imposed by the Federal Insurance Contributions Act if such
14 services constituted employment within the meaning of that
15 act. Such liability shall arise in consideration of the
16 employee's retention in the service of the state, or the
17 employee's entry upon such service, after the enactment of
18 this chapter.

19 (2) The contribution imposed by this section shall be
20 collected by deducting the amount of the contribution from
21 wages as and when paid, but failure to make such deduction
22 shall not relieve the employee from liability for such
23 contribution. Effective January 1987, such contributions
24 shall be submitted to the Internal Revenue Service as directed
25 by the Social Security Administration.

26 Section 20. Effective July 1, 2002, section 650.05,
27 Florida Statutes, is amended to read:

28 650.05 Plans for coverage of employees of political
29 subdivisions.--

30 (1) Each political subdivision of the state is hereby
31 authorized to submit for approval by the state agency a plan

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 for extending the benefits of Title II of the Social Security
2 Act, in conformity with the applicable provisions of such act,
3 to employees of such political subdivisions. Each such plan
4 and any amendment thereof shall be approved by the state
5 agency if it is found that such plan, or such plan as amended,
6 is in conformity with such requirements as are provided in
7 regulations of the state agency, except that no such plan
8 shall be approved unless:

9 (a) It is in conformity with the requirements of the
10 Social Security Act and with the agreement entered into under
11 s. 650.03;

12 (b) It provides that all services which constitute
13 employment as defined in s. 650.02 are performed in the employ
14 of the political subdivisions by employees thereof, shall be
15 covered by the plan, except such of those services set forth
16 in s. 650.02(2)(c) as the political subdivision specifically
17 elects to exclude;

18 (c) It specifies the source or sources from which the
19 funds necessary to make the payments required by paragraph
20 (3)(a) ~~and by subsection (4)~~ are expected to be derived and
21 contains reasonable assurance that such sources will be
22 adequate for such purpose;

23 (d) It provides for such methods of administration of
24 the plan by the political subdivision as are found by the
25 state agency to be necessary for the proper and efficient
26 administration of the plan;

27 (e) It provides that the political subdivision will
28 make such reports, in such form and containing such
29 information, as the state agency may from time to time
30 require, and comply with such provisions as the state agency
31 or the Secretary of Health, Education, and Welfare may from

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 time to time find necessary to assure the correctness and
2 verification of such reports; and

3 (f) It authorizes the state agency to terminate the
4 plan in its entirety, in the discretion of the state agency,
5 if it finds that there has been a failure to comply
6 substantially with any provisions contained in such plan, such
7 termination to take effect at the expiration of such notice
8 and on such conditions as may be provided by regulations of
9 the state agency and may be consistent with the provisions of
10 the Social Security Act.

11 (2) The state agency shall not finally refuse to
12 approve a plan submitted by a political subdivision under
13 subsection (1), and shall not terminate an approved plan,
14 without reasonable notice and opportunity for hearing to the
15 political subdivision affected thereby. Any final decision of
16 the state agency shall be subject to proper judicial review.

17 (3)(a) Each political subdivision as to which a plan
18 has been approved under this section shall pay to the Internal
19 Revenue Service ~~into the Social Security Contribution Trust~~
20 ~~Fund~~, with respect to wages (as defined in s. 650.02), at such
21 time or times as the Social Security Administration ~~state~~
22 ~~agency~~ may ~~by regulation~~ prescribe, contributions in the
23 amounts and at the rates specified in the applicable agreement
24 entered into by the state agency under s. 650.03.

25 (b) Each political subdivision required to make
26 payments under paragraph (a) is authorized, in consideration
27 of the employee's retention in, or entry upon, employment
28 after enactment of this chapter, to impose upon each of its
29 employees, as to services which are covered by an approved
30 plan, a contribution with respect to his or her wages as
31 defined in s. 650.02 not exceeding the amount of the employee

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 tax which would be imposed by the Federal Insurance
2 Contributions Act if such services constituted employment
3 within the meaning of that act, and to deduct the amount of
4 such contribution from his or her wages as and when paid.
5 Contributions so collected shall be paid to the Internal
6 Revenue Service into the Social Security Contribution Trust
7 Fund in partial discharge of the liability of such political
8 subdivision or instrumentality under paragraph (a). Failure
9 to deduct such contribution shall not relieve the employee or
10 employer of liability therefor.

11 ~~(4) Delinquent payments due under paragraph (3)(a)~~
12 ~~may, with interest of 1 percent for each calendar month or~~
13 ~~part thereof past the due date, be recovered by action in a~~
14 ~~court of competent jurisdiction against the political~~
15 ~~subdivision liable therefor or shall, at the request of the~~
16 ~~state agency, be deducted from any other moneys payable to~~
17 ~~such subdivision by any department or agency of the state.~~

18 ~~(5) Each political subdivision as to which a plan has~~
19 ~~been approved shall be liable to the state agency for a~~
20 ~~proportionate part of the cost of administering this chapter.~~
21 ~~Such proportionate cost shall be computed and paid in~~
22 ~~accordance with such regulations relating thereto as may be~~
23 ~~adopted by the state agency and shall be deposited in the~~
24 ~~Social Security Administration Trust Fund; and, if any such~~
25 ~~payment is not made when due, the amount thereof, with~~
26 ~~interest of 0.5 percent for each calendar month or part~~
27 ~~thereof past the due date, shall, upon request of the state~~
28 ~~agency, be deducted from any other moneys payable to such~~
29 ~~political subdivision by any officer, department, or agency of~~
30 ~~the state, and forthwith paid to the state agency.~~

31 ~~Withdrawals from the Social Security Administration Trust Fund~~

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 ~~shall be made solely for the payment of costs of administering~~
2 ~~this chapter, and any balance in excess of the amount~~
3 ~~necessary for administering this chapter shall be transferred~~
4 ~~to the state retirement system trust funds established~~
5 ~~pursuant to chapter 121 to make up the actuarial deficit in~~
6 ~~any of the state retirement systems consolidated thereunder,~~
7 ~~and the necessary amounts are hereby appropriated from said~~
8 ~~funds for these purposes.~~

9 (4)(6)(a) Notwithstanding any other provision of this
10 chapter, effective January 1, 1972, all state political
11 subdivisions receiving financial aid that provide social
12 security coverage for their employees pursuant to the
13 provisions of this chapter and the provisions of the various
14 retirement systems as authorized by law shall, in addition to
15 other purposes, utilize all grants-in-aid and other revenue
16 received from the state to pay the employer's share of social
17 security cost.

18 (b) The grants-in-aid and other revenue referred to in
19 paragraph (a) specifically include, but are not limited to,
20 minimum foundation program grants to public school districts
21 and community colleges; gasoline, motor fuel, intangible,
22 cigarette, racing, and insurance premium taxes distributed to
23 political subdivisions; and amounts specifically appropriated
24 as grants-in-aid for mental health, mental retardation, and
25 mosquito control programs.

26 Section 21. Effective July 1, 2002, subsection (7) of
27 section 110.151, Florida Statutes, is repealed.

28 Section 22. Section 372.127, Florida Statutes, is
29 repealed.

30 Section 23. Section 372.074, Florida Statutes, is
31 amended to read:

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 372.074 ~~Fish and Wildlife~~ Habitat Protection

2 Program.--

3 (1)(a) There is established within the Fish and
4 Wildlife Conservation Commission the ~~Fish and Wildlife~~ Habitat
5 Protection Program for the purpose of acquiring, assisting
6 other agencies or local governments in acquiring, or managing
7 lands important to the conservation of fish and wildlife.

8 (b) The Fish and Wildlife Conservation Commission or
9 its designee shall manage such lands for the primary purpose
10 of maintaining and enhancing their habitat value for fish and
11 wildlife. Other uses may be allowed that are not contrary to
12 this purpose.

13 (c) Where acquisition pursuant to this section will
14 result in state ownership of land, title shall be vested in
15 the Board of Trustees of the Internal Improvement Trust Fund
16 as required in chapter 259 ~~253~~. Land acquisition pursuant to
17 this section shall be voluntary, negotiated acquisition and,
18 where title is to be vested in the Board of Trustees of the
19 Internal Improvement Trust Fund, is subject to the acquisition
20 procedures of s. 259.041 ~~253.025~~.

21 (d) Acquisition costs shall include purchase prices
22 and costs and fees associated with title work, surveys, and
23 appraisals required to complete an acquisition.

24 (2) Moneys which may be deposited into the Habitat
25 Protection ~~Land Acquisition~~ Trust Fund for the purposes of
26 this section may include, but not be limited to, donations,
27 grants, ~~development-of-regional-impact~~ wildlife mitigation
28 revenues ~~contributions~~, or legislative appropriations.
29 Florida Forever ~~Preservation 2000~~ acquisition moneys and
30 Conservation and Recreation Lands management moneys shall not
31 be deposited into this fund.

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 (3) Notwithstanding the provisions of s. 216.301 and
2 pursuant to s. 216.351, any balance in the Habitat Protection
3 Trust Fund at the end of any fiscal year shall remain in the
4 trust fund at the end of the year and shall be available for
5 carrying out the purposes of the trust fund. A portion of the
6 balance designated for land management shall be held in
7 reserve as a principal investment for the purpose of
8 generating interest. Such interest earnings shall be
9 available for the purpose of supporting long-term management
10 of lands purchased pursuant to this section.

11 Section 24. Section 372.09, Florida Statutes, is
12 amended to read:

13 372.09 Fish and Wildlife Conservation ~~State Game~~ Trust
14 Fund.--

15 (1) The purpose of the Fish and Wildlife Conservation
16 Trust Fund is to support the general activities and
17 responsibilities of the Fish and Wildlife Conservation
18 Commission, including, but not limited to, fish and wildlife
19 research and management, law enforcement, land management,
20 lake restoration, and administration of public hunting,
21 fishing, and boating recreational activities.

22 (2) Funds to be credited to the trust fund shall
23 consist of revenues provided to support the general activities
24 and responsibilities of the commission. Such revenues may
25 include license and permit fees; contracts and grants;
26 fisheries and wildlife conservation, research, and management
27 revenues; law enforcement revenues; land management revenues;
28 lake restoration revenues; boating activities revenues;
29 program fees, donations, administrative fees, and transfers;
30 and other funds provided by law.~~The funds resulting from the~~
31 ~~operation of the commission and from the administration of the~~

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 ~~laws and regulations pertaining to birds, game, fur-bearing~~
2 ~~animals, freshwater fish, reptiles, and amphibians, together~~
3 ~~with any other funds specifically provided for such purposes~~
4 ~~shall constitute the State Game Trust Fund and shall be used~~
5 ~~by the commission as it shall deem fit in carrying out the~~
6 ~~provisions hereof and for no other purposes. The commission~~
7 ~~may not obligate itself beyond the current resources of the~~
8 ~~State Game Trust Fund unless specifically so authorized by the~~
9 ~~legislature.~~

10 Section 25. Subsections (5) and (7) of section 201.15,
11 Florida Statutes, are amended to read:

12 201.15 Distribution of taxes collected.--All taxes
13 collected under this chapter shall be distributed as follows
14 and shall be subject to the service charge imposed in s.
15 215.20(1), except that such service charge shall not be levied
16 against any portion of taxes pledged to debt service on bonds
17 to the extent that the amount of the service charge is
18 required to pay any amounts relating to the bonds:

19 (5) Four and two-tenths percent of the remaining taxes
20 collected under this chapter shall be paid into the State
21 Treasury to the credit of the Conservation and Recreation
22 Lands Trust Fund to carry out the purposes set forth in s.
23 259.032. Nine and one-half percent of the amount credited to
24 the Conservation and Recreation Lands Trust Fund pursuant to
25 this subsection shall be transferred to the Fish and Wildlife
26 Conservation State Game Trust Fund and used for land
27 management activities.

28 (7) One-half of one percent of the remaining taxes
29 collected under this chapter shall be paid into the State
30 Treasury to the credit of the Fish and Wildlife Conservation
31 State Game Trust Fund to be used exclusively for the purpose

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 of implementing the Lake Restoration 2020 Program.

2 Section 26. Paragraph (b) of subsection (1) of section
3 206.606, Florida Statutes, is amended to read:

4 206.606 Distribution of certain proceeds.--

5 (1) Moneys collected pursuant to ss. 206.41(1)(g) and
6 206.87(1)(e) shall be deposited in the Fuel Tax Collection
7 Trust Fund. Such moneys, after deducting the service charges
8 imposed by s. 215.20, the refunds granted pursuant to s.
9 206.41, and the administrative costs incurred by the
10 department in collecting, administering, enforcing, and
11 distributing the tax, which administrative costs may not
12 exceed 2 percent of collections, shall be distributed monthly
13 to the State Transportation Trust Fund, except that:

14 (b) \$2.5 million shall be transferred to the Fish and
15 Wildlife Conservation ~~State Game~~ Trust Fund in the Fish and
16 Wildlife Conservation Commission in each fiscal year and used
17 for recreational boating activities, and freshwater fisheries
18 management and research. The transfers must be made in equal
19 monthly amounts beginning on July 1 of each fiscal year. The
20 commission shall annually determine where unmet needs exist
21 for boating-related activities, and may fund such activities
22 in counties where, due to the number of vessel registrations,
23 sufficient financial resources are unavailable.

24 1. A minimum of \$1.25 million shall be used to fund
25 local projects to provide recreational channel marking, public
26 launching facilities, aquatic plant control, and other local
27 boating related activities. In funding the projects, the
28 commission shall give priority consideration as follows:

29 a. Unmet needs in counties with populations of 100,000
30 or less.

31 b. Unmet needs in coastal counties with a high level

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 of boating related activities from individuals residing in
2 other counties.

3 2. The remaining \$1.25 million may be used for
4 recreational boating activities and freshwater fisheries
5 management and research.

6 3. The commission is authorized to adopt rules
7 pursuant to ss. 120.536(1) and 120.54 to implement a Florida
8 Boating Improvement Program similar to the program
9 administered by the Department of Environmental Protection and
10 established in rules 62D-5.031 - 62D-5.036, Florida
11 Administrative Code, to determine projects eligible for
12 funding under this subsection.

13
14 On February 1 of each year, the commission shall file an
15 annual report with the President of the Senate and the Speaker
16 of the House of Representatives outlining the status of its
17 Florida Boating Improvement Program, including the projects
18 funded, and a list of counties whose needs are unmet due to
19 insufficient financial resources from vessel registration
20 fees.

21 Section 27. Paragraph (o) of subsection (4) of section
22 215.20, Florida Statutes, is amended to read:

23 215.20 Certain income and certain trust funds to
24 contribute to the General Revenue Fund.--

25 (4) The income of a revenue nature deposited in the
26 following described trust funds, by whatever name designated,
27 is that from which the deductions authorized by subsection (3)
28 shall be made:

29 (o) The Fish and Wildlife Conservation ~~State Game~~
30 Trust Fund established by s. 372.09.

31

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 The enumeration of the foregoing moneys or trust funds shall
 2 not prohibit the applicability thereto of s. 215.24 should the
 3 Governor determine that for the reasons mentioned in s. 215.24
 4 the money or trust funds should be exempt herefrom, as it is
 5 the purpose of this law to exempt income from its force and
 6 effect when, by the operation of this law, federal matching
 7 funds or contributions or private grants to any trust fund
 8 would be lost to the state.

9 Section 28. Paragraph (b) of subsection (18) of
 10 section 320.08058, Florida Statutes, is amended to read:

11 320.08058 Specialty license plates.--

12 (18) LARGEMOUTH BASS LICENSE PLATES.--

13 (b) The annual use fees shall be distributed to the
 14 Fish and Wildlife Conservation State Game Trust Fund and used
 15 by the Fish and Wildlife Conservation Commission to fund
 16 current conservation programs that maintain current levels of
 17 protection and management of this state's fish and wildlife
 18 resources, including providing hunting, fishing, and
 19 nonconsumptive wildlife opportunities.

20 Section 29. Paragraph (c) of subsection (5) of section
 21 327.35215, Florida Statutes, is amended to read:

22 327.35215 Penalty for failure to submit to test.--

23 (5) Moneys collected by the clerk of the court
 24 pursuant to this section shall be disposed of in the following
 25 manner:

26 (c) If the arresting officer was employed or appointed
 27 by the Fish and Wildlife Conservation Commission as a wildlife
 28 enforcement officer or a freshwater fisheries enforcement
 29 officer, the money shall be deposited into the Fish and
 30 Wildlife Conservation State Game Trust Fund.

31 Section 30. Paragraphs (b) and (c) of subsection (6)

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 of section 372.0222, Florida Statutes, are amended to read:

2 372.0222 Private publication agreements; advertising;
3 costs of production.--

4 (6) The commission shall provide services and
5 information designed to inform Floridians and visitors about
6 Florida's unique and diverse fish, game, and wildlife, and
7 make it available by means of commonly used media. For the
8 accomplishment of those purposes, the commission may make
9 expenditures to:

10 (b) Charge and collect a reasonable fee for
11 researching or compiling information or other services which,
12 in its judgment, should not be free to those requesting the
13 information, research, handling, material, publication, or
14 other services. Any amounts of money received by the
15 commission from such sources shall be restored to the
16 appropriations of the commission, and any unexpended funds
17 shall be deposited into the Fish and Wildlife Conservation
18 ~~State Game~~ Trust Fund and made available to the commission for
19 use in performing its duties, powers, and purposes.

20 (c) Charge and collect registration fees at
21 conferences, seminars, and other meetings conducted in
22 furtherance of the duties, powers, and purposes of the
23 commission. Any funds collected under this paragraph which
24 remain unexpended after the expenses of the conference,
25 seminar, or meeting have been paid shall be deposited into the
26 Fish and Wildlife Conservation ~~State Game~~ Trust Fund and made
27 available to the commission for use in performing its duties,
28 powers, and purposes.

29 Section 31. Section 372.03, Florida Statutes, is
30 amended to read:

31 372.03 Headquarters of commission.--The Fish and

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 Wildlife Conservation Commission is located at the state
2 capital, and, when suitable adequate office space cannot be
3 provided in the State Capitol Building, or other buildings
4 owned by the state, the commission may rent or lease suitable
5 office space in Tallahassee. Said commission may also rent or
6 lease suitable and adequate space in other cities and towns of
7 the state for branch or division offices and headquarters and
8 storerooms for equipment and supplies, as the business of the
9 commission may require or necessitate, payment for said rented
10 or leased premises to be made from the Fish and Wildlife
11 Conservation State Game Trust Fund.

12 Section 32. Section 372.7015, Florida Statutes, as
13 amended by section 14 of chapter 2001-122, Laws of Florida, is
14 amended to read:

15 372.7015 Illegal killing, taking, possessing, or
16 selling wildlife or game; fines; disposition of fines.--In
17 addition to any other penalty provided by law, any person who
18 violates the criminal provisions of this chapter and rules
19 adopted pursuant to this chapter by illegally killing, taking,
20 possessing, or selling game or fur-bearing animals as defined
21 in s. 372.001(3) or (4) in or out of season while violating
22 chapter 810 shall pay a fine of \$250 for each such violation,
23 plus court costs and any restitution ordered by the court. All
24 fines collected under this section shall be remitted by the
25 clerk of the court to the Department of Revenue to be
26 deposited into the Fish and Wildlife Conservation Commission's
27 Fish and Wildlife Conservation State Game Trust Fund.

28 Section 33. Section 372.73, Florida Statutes, is
29 amended to read:

30 372.73 Confiscation and disposition of illegally taken
31 game.--All game and freshwater fish seized under the authority

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 of this chapter shall, upon conviction of the offender or
2 sooner if the court so orders, be forfeited and given to some
3 hospital or charitable institution and receipt therefor sent
4 to the Fish and Wildlife Conservation Commission. All furs or
5 hides or fur-bearing animals seized under the authority of
6 this chapter shall, upon conviction of the offender, be
7 forfeited and sent to the commission, which shall sell the
8 same and deposit the proceeds of such sale to the credit of
9 the Fish and Wildlife Conservation State Game Trust Fund or
10 into the commission's Federal Law Enforcement Trust Fund as
11 provided in s. 372.107, as applicable. If any such hides or
12 furs are seized and the offender is unknown, the court shall
13 order such hides or furs sent to the Fish and Wildlife
14 Conservation Commission, which shall sell such hides and furs
15 and deposit the proceeds of such sale to the credit of the
16 Fish and Wildlife Conservation State Game Trust Fund or into
17 the commission's Federal Law Enforcement Trust Fund as
18 provided in s. 372.107, as applicable.

19 Section 34. Subsection (3) of section 372.9901,
20 Florida Statutes, is amended to read:

21 372.9901 Seizure of illegal hunting devices;
22 disposition; appraisal; forfeiture.--

23 (3) Upon conviction of the violator, the property, if
24 owned by the person convicted, shall be forfeited to the state
25 under the procedure set forth in ss. 372.312-372.318, where
26 not inconsistent with this section. All amounts received from
27 the sale or other disposition of the property shall be paid
28 into the Fish and Wildlife Conservation State Game Trust Fund
29 or into the commission's Federal Law Enforcement Trust Fund as
30 provided in s. 372.107, as applicable. If the property is not
31 sold or converted, it shall be delivered to the director of

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 the Fish and Wildlife Conservation Commission.

2 Section 35. Subsection (3) of section 372.9904,
3 Florida Statutes, is amended to read:

4 372.9904 Seizure of illegal transportation devices;
5 disposition; appraisal; forfeiture.--

6 (3) Upon conviction of the violator, the property, if
7 owned by the person convicted, shall be forfeited to the state
8 under the procedure set forth in ss. 372.312-372.318, when not
9 inconsistent with this section. All amounts received from the
10 sale or other disposition of the property shall be paid into
11 the Fish and Wildlife Conservation ~~State Game~~ Trust Fund or
12 into the commission's Federal Law Enforcement Trust Fund as
13 provided in s. 372.107, as applicable. If the property is not
14 sold or converted, it shall be delivered to the director of
15 the Fish and Wildlife Conservation Commission.

16 Section 36. Section 372.9906, Florida Statutes, is
17 amended to read:

18 372.9906 Wildlife Law Enforcement Program; creation;
19 purposes.--There is established within the Fish and Wildlife
20 Conservation Commission the Wildlife Law Enforcement Program.
21 The commission may establish and operate law enforcement
22 programs that relate to the conservation, enhancement, and
23 regulation of wildlife and freshwater aquatic resources of the
24 state and to conduct programs to educate the public about the
25 enforcement of laws and regulations relating to the wildlife
26 and freshwater aquatic resources of the state. Moneys that
27 accrue to the program by law and moneys donated to the program
28 must be deposited into the Fish and Wildlife Conservation
29 ~~State Game~~ Trust Fund.

30 Section 37. Subsection (2) of section 375.313, Florida
31 Statutes, is amended to read:

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 375.313 Commission powers and duties.--The commission
2 shall:

3 (2) Collect any registration fees imposed by s.
4 375.315 and deposit said fees in the Fish and Wildlife
5 Conservation State Game Trust Fund. The revenue resulting
6 from said registration shall be expended for the funding and
7 administration of ss. 375.311-375.315.

8 Section 38. Paragraph (e) of subsection (5) of section
9 932.7055, Florida Statutes, is amended to read:

10 932.7055 Disposition of liens and forfeited
11 property.--

12 (5) If the seizing agency is a state agency, all
13 remaining proceeds shall be deposited into the General Revenue
14 Fund. However, if the seizing agency is:

15 (e) The Fish and Wildlife Conservation Commission, the
16 proceeds accrued pursuant to the provisions of the Florida
17 Contraband Forfeiture Act shall be deposited into the Fish and
18 Wildlife Conservation State Game Trust Fund as provided in ss.
19 372.73, 372.9901, and 372.9904, into the Marine Resources
20 Conservation Trust Fund as provided in s. 370.061, or into the
21 commission's Federal Law Enforcement Trust Fund as provided in
22 s. 372.107, as applicable.

23 Section 39. Effective July 1, 2002, sections 288.711
24 and 288.712, Florida Statutes, are repealed.

25 Section 40. Effective July 1, 2002, subsection (2) of
26 section 288.713, Florida Statutes, is amended to read:

27 288.713 Capital participation instruments.--

28 (2) The board may authorize counties and
29 municipalities to issue bonds to finance loan pools ~~developed~~
30 ~~under s. 288.712~~ repayable solely from revenues derived from
31 the underlying loans and any payments from an insurer or

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 guarantor of the loans. The board shall have the power and
2 authority to authorize the issuance of the bonds in the manner
3 granted by ss. 215.57-215.83, except the following provisions
4 shall control:

5 (a) The bonds may be sold at either public or private
6 sale.

7 (b) All bonds issued under authority of this act shall
8 state on the face thereof that the bonds are payable, both as
9 to principal and interest, solely out of the revenues pledged,
10 including any insurance or guaranties as to revenues, and do
11 not constitute an obligation, either general or special, of
12 the state or of any local government.

13 (c) Any pledge of earnings, revenues, or other moneys
14 made by a local government shall be valid and binding from the
15 time the pledge is made. The earnings, revenues, or other
16 moneys so pledged and thereafter received by the agency shall
17 immediately be subject to the lien of that pledge without any
18 physical delivery thereof or further act. The lien of the
19 pledge shall be valid and binding as against the local
20 government irrespective of whether the parties have notice
21 thereof. Neither the resolution nor any other instrument by
22 which a pledge is created need be recorded or filed pursuant
23 to the Uniform Commercial Code.

24 Section 41. Section 376.875, Florida Statutes, is
25 amended to read:

26 376.875 Brownfield Property Ownership Clearance
27 Assistance Program ~~Revolving Loan Trust Fund~~.--

28 (1) There is created the Brownfield Property Ownership
29 Clearance Assistance Program within ~~Revolving Loan Trust Fund~~
30 ~~to be administered by~~ the Office of Tourism, Trade, and
31 Economic Development in the Executive Office of the Governor

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 for the purposes of funding, within the limits of specific
2 appropriations, for low-interest loans for the purchase of
3 outstanding, unresolved contractor liens, tax certificates, or
4 other liens or claims on brownfield sites designated as part
5 of a brownfield area by a local government under s. 376.80.
6 The loans may be used for a negotiated settlement of legally
7 recognized liens or claims at a value less than their face
8 value taking into account the overall feasibility of
9 redevelopment of the brownfield area. The principal and
10 interest of all loans under the program shall be deposited in
11 the Economic Development Trust Fund.

12 ~~(2) The trust fund must be used for the deposit of all~~
13 ~~moneys appropriated by the Legislature to fund this revolving~~
14 ~~loan program. All moneys in the fund that are not needed on an~~
15 ~~immediate basis for loans must be invested under s. 215.49.~~
16 ~~The principal and interest of all loans repaid and investment~~
17 ~~earnings must be deposited into the fund.~~

18 ~~(2)(3)~~ The Office of Tourism, Trade, and Economic
19 Development may make loans to local governments, community
20 redevelopment agencies created under s. 163.356 or s. 163.357,
21 or persons or nonprofit corporations responsible for
22 brownfield site rehabilitation designated under s. 376.80, for
23 the purposes described in subsection (1).

24 ~~(3)(4)~~ The terms of loans made under this section may
25 not exceed 5 years. The interest rate on loans may be no
26 greater than that paid on the last bonds sold under s. 14,
27 Art. VII of the State Constitution. A loan to any brownfield
28 area may be no more than 25 percent of the total funds
29 available for making loans during that fiscal year.

30 ~~(4)(5)~~ The Office of Tourism, Trade, and Economic
31 Development may adopt rules necessary to specify the

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 application process and timing, determination of the overall
2 economic feasibility of individual loan applications, and
3 other aspects of carrying out the purposes of this section.

4 Section 42. Paragraph (f) of subsection (2) of section
5 14.2015, Florida Statutes, is amended to read:

6 14.2015 Office of Tourism, Trade, and Economic
7 Development; creation; powers and duties.--

8 (2) The purpose of the Office of Tourism, Trade, and
9 Economic Development is to assist the Governor in working with
10 the Legislature, state agencies, business leaders, and
11 economic development professionals to formulate and implement
12 coherent and consistent policies and strategies designed to
13 provide economic opportunities for all Floridians. To
14 accomplish such purposes, the Office of Tourism, Trade, and
15 Economic Development shall:

16 (f)1. Administer the Florida Enterprise Zone Act under
17 ss. 290.001-290.016, the community contribution tax credit
18 program under ss. 220.183 and 624.5105, the tax refund program
19 for qualified target industry businesses under s. 288.106, the
20 tax-refund program for qualified defense contractors under s.
21 288.1045, contracts for transportation projects under s.
22 288.063, the sports franchise facility program under s.
23 288.1162, the professional golf hall of fame facility program
24 under s. 288.1168, the expedited permitting process under s.
25 403.973, the Rural Community Development Revolving Loan Fund
26 under s. 288.065, the Regional Rural Development Grants
27 Program under s. 288.018, the Certified Capital Company Act
28 under s. 288.99, the Florida State Rural Development Council,
29 the Rural Economic Development Initiative, and other programs
30 that are specifically assigned to the office by law, by the
31 appropriations process, or by the Governor. Notwithstanding

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 any other provisions of law, the office may expend interest
 2 earned from the investment of program funds deposited in the
 3 Economic Development Trust Fund, the Grants and Donations
 4 Trust Fund, ~~the Brownfield Property Ownership Clearance~~
 5 ~~Assistance Revolving Loan Trust Fund~~, and the Economic
 6 Development Transportation Trust Fund to contract for the
 7 administration of the programs, or portions of the programs,
 8 enumerated in this paragraph or assigned to the office by law,
 9 by the appropriations process, or by the Governor. Such
 10 expenditures shall be subject to review under chapter 216.

11 2. The office may enter into contracts in connection
 12 with the fulfillment of its duties concerning the Florida
 13 First Business Bond Pool under chapter 159, tax incentives
 14 under chapters 212 and 220, tax incentives under the Certified
 15 Capital Company Act in chapter 288, foreign offices under
 16 chapter 288, the Enterprise Zone program under chapter 290,
 17 the Seaport Employment Training program under chapter 311, the
 18 Florida Professional Sports Team License Plates under chapter
 19 320, Spaceport Florida under chapter 331, Expedited Permitting
 20 under chapter 403, and in carrying out other functions that
 21 are specifically assigned to the office by law, by the
 22 appropriations process, or by the Governor.

23 Section 43. Subsection (5) of section 15.09, Florida
 24 Statutes, is repealed.

25 Section 44. Section 443.211, Florida Statutes, is
 26 amended to read:

27 443.211 Employment Security Administration Trust Fund;
 28 appropriation; reimbursement.--

29 (1) EMPLOYMENT SECURITY ADMINISTRATION TRUST
 30 FUND.--There is created in the State Treasury a special fund
 31 to be known as the "Employment Security Administration Trust

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 Fund." All moneys that are deposited into this fund remain
2 continuously available to the division for expenditure in
3 accordance with the provisions of this chapter and do not
4 lapse at any time and may not be transferred to any other
5 fund. All moneys in this fund which are received from the
6 Federal Government or any agency thereof or which are
7 appropriated by this state for the purposes described in ss.
8 443.171 and 443.181, except money received under s.
9 443.191(5)(c), must be expended solely for the purposes and in
10 the amounts found necessary by the authorized cooperating
11 federal agencies for the proper and efficient administration
12 of this chapter. The fund shall consist of all moneys
13 appropriated by this state; all moneys received from the
14 United States or any agency thereof; all moneys received from
15 any other source for such purpose; any moneys received from
16 any agency of the United States or any other state as
17 compensation for services or facilities supplied to such
18 agency; any amounts received pursuant to any surety bond or
19 insurance policy or from other sources for losses sustained by
20 the Employment Security Administration Trust Fund or by reason
21 of damage to equipment or supplies purchased from moneys in
22 such fund; and any proceeds realized from the sale or
23 disposition of any such equipment or supplies which may no
24 longer be necessary for the proper administration of this
25 chapter. Notwithstanding any provision of this section, all
26 money requisitioned and deposited in this fund under s.
27 443.191(5)(c) remains part of the Unemployment Compensation
28 Trust Fund and must be used only in accordance with the
29 conditions specified in s. 443.191(5). All moneys in this
30 fund must be deposited, administered, and disbursed in the
31 same manner and under the same conditions and requirements as

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 is provided by law for other special funds in the State
2 Treasury. Such moneys must be secured by the depositary in
3 which they are held to the same extent and in the same manner
4 as required by the general depositary law of the state, and
5 collateral pledged must be maintained in a separate custody
6 account. All payments from the Employment Security
7 Administration Trust Fund must be approved by the division or
8 by a duly authorized agent and must be made by the Treasurer
9 upon warrants issued by the Comptroller. Any balances in this
10 fund do not lapse at any time and must remain continuously
11 available to the division for expenditure consistent with this
12 chapter.

13 ~~(2) SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST~~
14 ~~FUND.--There is created in the State Treasury a special fund,~~
15 ~~to be known as the "Special Employment Security Administration~~
16 ~~Trust Fund," into which shall be deposited or transferred all~~
17 ~~interest on contributions, penalties, and fines or fees~~
18 ~~collected under this chapter. Interest on contributions,~~
19 ~~penalties, and fines or fees deposited during any calendar~~
20 ~~quarter in the clearing account in the Unemployment~~
21 ~~Compensation Trust Fund shall, as soon as practicable after~~
22 ~~the close of such calendar quarter and upon certification of~~
23 ~~the division, be transferred to the Special Employment~~
24 ~~Security Administration Trust Fund. However, there shall be~~
25 ~~withheld from any such transfer the amount certified by the~~
26 ~~division to be required under this chapter to pay refunds of~~
27 ~~interest on contributions, penalties, and fines or fees~~
28 ~~collected and erroneously deposited into the clearing account~~
29 ~~in the Unemployment Compensation Trust Fund. Such amounts of~~
30 ~~interest and penalties so certified for transfer shall be~~
31 ~~deemed to have been erroneously deposited in the clearing~~

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 ~~account, and the transfer thereof to the Special Employment~~
2 ~~Security Administration Trust Fund shall be deemed to be a~~
3 ~~refund of such erroneous deposits. All moneys in this fund~~
4 ~~shall be deposited, administered, and disbursed in the same~~
5 ~~manner and under the same conditions and requirements as are~~
6 ~~provided by law for other special funds in the State Treasury.~~
7 ~~These moneys shall not be expended or be available for~~
8 ~~expenditure in any manner which would permit their~~
9 ~~substitution for, or permit a corresponding reduction in,~~
10 ~~federal funds which would, in the absence of these moneys, be~~
11 ~~available to finance expenditures for the administration of~~
12 ~~the Unemployment Compensation Law. But nothing in this~~
13 ~~section shall prevent these moneys from being used as a~~
14 ~~revolving fund to cover expenditures, necessary and proper~~
15 ~~under the law, for which federal funds have been duly~~
16 ~~requested but not yet received, subject to the charging of~~
17 ~~such expenditures against such funds when received. The~~
18 ~~moneys in this fund, with the approval of the Executive Office~~
19 ~~of the Governor, shall be used by the Division of Unemployment~~
20 ~~Compensation and the Agency for Workforce Innovation for the~~
21 ~~payment of costs of administration which are found not to have~~
22 ~~been properly and validly chargeable against funds obtained~~
23 ~~from federal sources. All moneys in the Special Employment~~
24 ~~Security Administration Trust Fund shall be continuously~~
25 ~~available to the division for expenditure in accordance with~~
26 ~~the provisions of this chapter and shall not lapse at any~~
27 ~~time. All payments from the Special Employment Security~~
28 ~~Administration Trust Fund shall be approved by the division or~~
29 ~~by a duly authorized agent thereof and shall be made by the~~
30 ~~Treasurer upon warrants issued by the Comptroller. The moneys~~
31 ~~in this fund are hereby specifically made available to~~

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 ~~replace, as contemplated by subsection (3), expenditures from~~
2 ~~the Employment Security Administration Trust Fund, established~~
3 ~~by subsection (1), which have been found by the Bureau of~~
4 ~~Employment Security, or other authorized federal agency or~~
5 ~~authority, because of any action or contingency, to have been~~
6 ~~lost or improperly expended. The Treasurer shall be liable on~~
7 ~~her or his official bond for the faithful performance of her~~
8 ~~or his duties in connection with the Special Employment~~
9 ~~Security Administration Trust Fund.~~

10 (2)(3) REIMBURSEMENT OF FUND.--If any moneys received
11 from the Bureau of Employment Security under Title III of the
12 Social Security Act, any unencumbered balances in the
13 Employment Security Administration Trust Fund, any moneys
14 granted to this state pursuant to the provisions of the
15 Wagner-Peyser Act, or any moneys made available by this state
16 or its political subdivisions and matched by such moneys
17 granted to this state pursuant to the provisions of the
18 Wagner-Peyser Act, after reasonable notice and opportunity for
19 hearing, are found by the Bureau of Employment Security,
20 because of any action or contingency, to have been lost or
21 been expended for purposes other than, or in amounts in excess
22 of, those found necessary by the Bureau of Employment Security
23 for the proper administration of this chapter, it is the
24 policy of this state that such moneys shall be replaced by
25 moneys appropriated for such purposes from the general funds
26 of this state to the Employment Security Administration Trust
27 Fund for expenditure as provided in subsection (1). Upon
28 receipt of notice of such a finding by the Bureau of
29 Employment Security, the division shall promptly report the
30 amount required for such replacement to the Governor; and the
31 Governor shall, at the earliest opportunity, submit to the

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 Legislature a request for the appropriation of such amount.
 2 This subsection shall not be construed to relieve this state
 3 of its obligation with respect to funds received prior to July
 4 1, 1941, pursuant to the provisions of Title III of the Social
 5 Security Act.

6 ~~(4) EXEMPTION OF FUND FROM CERTAIN LAWS.--The Special~~
 7 ~~Employment Security Administration Trust Fund provided for in~~
 8 ~~subsection (2) is exempt from the application of any laws of~~
 9 ~~the Legislature of 1949, other than this subsection, and~~
 10 ~~specifically from the application of or effect by the~~
 11 ~~continuing appropriations law.~~

12 (3)(5) AGENCY FOR WORKFORCE INNOVATION AUTHORITY AND
 13 RESPONSIBILITY.--In connection with its duties under s.
 14 443.181, the Agency for Workforce Innovation shall have
 15 several authority and responsibility for deposit, requisition,
 16 expenditure, approval of payment, reimbursement, and reporting
 17 in regard to the trust fund funds established by this section.

18 Section 45. Subsection (4) of section 215.20, Florida
 19 Statutes, is amended to read:

20 215.20 Certain income and certain trust funds to
 21 contribute to the General Revenue Fund.--

22 (4) The income of a revenue nature deposited in the
 23 following described trust funds, by whatever name designated,
 24 is that from which the deductions authorized by subsection (3)
 25 shall be made:

26 (a) The Fuel Tax Collection Trust Fund created by s.
 27 206.875.

28 (b) All income derived from outdoor advertising and
 29 overweight violations which is deposited in the State
 30 Transportation Trust Fund created by s. 206.46.

31 (c) All taxes levied on motor fuels other than

- 1 gasoline levied pursuant to the provisions of s. 206.87(1)(a).
2 (d) The State Alternative Fuel User Fee Clearing Trust
3 Fund established pursuant to s. 206.879(1).
4 (e) The Local Alternative Fuel User Fee Clearing Trust
5 Fund established pursuant to s. 206.879(2).
6 (f) The Cigarette Tax Collection Trust Fund created by
7 s. 210.20.
8 (g) The Nonmandatory Land Reclamation Trust Fund
9 established pursuant to s. 211.3103.
10 (h) The Phosphate Research Trust Fund established
11 pursuant to s. 211.3103.
12 (i) The Land Reclamation Trust Fund established
13 pursuant to s. 211.32(1)(f).
14 (j) The Educational Certification and Service Trust
15 Fund created by s. 231.30.
16 (k) The trust funds administered by the Division of
17 Historical Resources of the Department of State.
18 (l) The Marine Resources Conservation Trust Fund
19 created by s. 370.0608, with the exception of those fees
20 collected for recreational saltwater fishing licenses as
21 provided in s. 370.0605.
22 (m) The Local Option Fuel Tax Trust Fund created
23 pursuant to s. 336.025.
24 (n) The Florida Public Service Regulatory Trust Fund
25 established pursuant to s. 350.113.
26 (o) The State Game Trust Fund established by s.
27 372.09.
28 (p) The Special Disability Trust Fund created by s.
29 440.49.
30 (q) The Workers' Compensation Administration Trust
31 Fund created by s. 440.50(1)(a).

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 (r) The Employment Security Administration Trust Fund
2 created by s. 443.211(1).

3 ~~(s) The Special Employment Security Administration~~
4 ~~Trust Fund created by s. 443.211(2).~~

5 (s)~~(t)~~ The Professional Regulation Trust Fund
6 established pursuant to s. 455.219.

7 (t)~~(u)~~ The Speech-Language Pathology and Audiology
8 Trust Fund.

9 (u)~~(v)~~ The Division of Licensing Trust Fund
10 established pursuant to s. 493.6117.

11 (v)~~(w)~~ The Division of Florida Land Sales,
12 Condominiums, and Mobile Homes Trust Fund established pursuant
13 to s. 498.019.

14 (w)~~(x)~~ The trust fund of the Division of Hotels and
15 Restaurants, as defined in s. 509.072, with the exception of
16 those fees collected for the purpose of funding of the
17 hospitality education program as stated in s. 509.302.

18 (x)~~(y)~~ The trust funds administered by the Division of
19 Pari-mutuel Wagering and the Florida Quarter Horse Racing
20 Promotion Trust Fund.

21 (y)~~(z)~~ The General Inspection Trust Fund and
22 subsidiary accounts thereof, unless a different percentage is
23 authorized by s. 570.20.

24 (z)~~(aa)~~ The Florida Citrus Advertising Trust Fund
25 created by s. 601.15(7), including transfers from any
26 subsidiary accounts thereof, unless a different percentage is
27 authorized in that section.

28 (aa)~~(bb)~~ The Agents and Solicitors County Tax Trust
29 Fund created by s. 624.506.

30 (bb)~~(cc)~~ The Insurance Commissioner's Regulatory Trust
31 Fund created by s. 624.523.

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 (cc)~~(dd)~~ The Financial Institutions' Regulatory Trust
2 Fund established pursuant to s. 655.049.

3 (dd)~~(ee)~~ The Crimes Compensation Trust Fund
4 established pursuant to s. 960.21.

5 (ee)~~(ff)~~ The Records Management Trust Fund established
6 pursuant to s. 257.375.

7 (ff)~~(gg)~~ The Alcoholic Beverage and Tobacco Trust Fund
8 established pursuant to s. 561.025.

9 (gg)~~(hh)~~ The Health Care Trust Fund established
10 pursuant to s. 408.16.

11 (hh)~~(ii)~~ The Police and Firefighters' Premium Tax
12 Trust Fund established within the Department of Management
13 Services.

14
15 The enumeration of the foregoing moneys or trust funds shall
16 not prohibit the applicability thereto of s. 215.24 should the
17 Governor determine that for the reasons mentioned in s. 215.24
18 the money or trust funds should be exempt herefrom, as it is
19 the purpose of this law to exempt income from its force and
20 effect when, by the operation of this law, federal matching
21 funds or contributions or private grants to any trust fund
22 would be lost to the state.

23 Section 46. Paragraphs (a) and (b) of subsection (1)
24 and subsection (6) of section 443.141, Florida Statutes, are
25 amended to read:

26 443.141 Collection of contributions.--

27 (1) PAST DUE CONTRIBUTIONS.--

28 (a) Interest.--Contributions unpaid on the date on
29 which they are due and payable shall bear interest at the rate
30 of 1 percent per month from and after such date until payment
31 plus accrued interest is received by the division, unless the

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 division finds that the employing unit has or had good reason
2 for failure to pay contributions when due. Interest collected
3 pursuant to this subsection shall be paid into the General
4 Revenue ~~Special Employment Security Administration Trust~~ Fund.

5 (b) Penalty for delinquent reports.--

6 1. Any employing unit which fails to file any reports
7 required by the division in the administration of this
8 chapter, in accordance with rules adopted by the division,
9 shall pay to the division with respect to each such report the
10 sum of \$25 for each 30 days or fraction thereof that such
11 employing unit is delinquent, unless the division finds that
12 such employing unit has or had good reason for failure to file
13 such report or reports.

14 2. Sums collected as penalties under the provisions of
15 subparagraph 1. shall be deposited by the division in the
16 General Revenue ~~Special Employment Security Administration~~
17 ~~Trust~~ Fund.

18 3. A waiver of penalty and interest for delinquent
19 reports may be authorized where impositions of interest or a
20 penalty would be inequitable.

21 (6) REFUNDS.--If, not later than 4 years after the
22 date of payment of any amount as contributions, interest, or
23 penalties, an employing unit that has paid such contributions,
24 interest, or penalties makes application for an adjustment
25 thereof in connection with subsequent contribution payments,
26 or for a refund thereof because such adjustment cannot be
27 made, and the division determines that such contributions,
28 interest, or penalties or any portion thereof was erroneously
29 collected, the division shall allow such employing unit to
30 make an adjustment thereof without interest in connection with
31 subsequent contribution payment by it, or if such adjustment

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 cannot be made, the division shall refund said amount, without
2 interest, from the fund. For like cause, and within the same
3 period, adjustment or refund may be made on the division's own
4 initiative. However, nothing in this chapter shall be
5 construed to authorize a refund of contributions which were
6 properly paid in accordance with the provisions of this
7 chapter at the time of such payment, except as required by s.
8 443.036(21)(n)5.; further, refunds under this subsection and
9 under s. 443.036(21)(n)5. may be paid from either the clearing
10 account or the benefit account of the Unemployment
11 Compensation Trust Fund ~~and from the Special Employment~~
12 ~~Security Administration Trust Fund with respect to interest or~~
13 ~~penalties which have been previously paid into such fund, the~~
14 provisions of s. 443.191(2) to the contrary notwithstanding.

15 Section 47. Section 443.215, Florida Statutes, is
16 created to read:

17 443.215 Interest on contributions, penalties, and
18 finances or fees.--All interest on contributions, penalties, and
19 finances or fees collected under this chapter shall be deposited
20 or transferred into the General Revenue Fund. Interest on
21 contributions, penalties, and fines or fees deposited during
22 any calendar quarter in the clearing account of the
23 Unemployment Compensation Trust Fund shall, as soon as
24 practicable after the close of such calendar quarter and upon
25 certification of the division, be transferred to the General
26 Revenue Fund. However, there shall be withheld from any such
27 transfer the amount certified by the division to be required
28 under this chapter to pay refunds of interest on
29 contributions, penalties, and fines or fees collected and
30 erroneously deposited in the Unemployment Compensation Trust
31 Fund.

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 Section 48. Effective July 1, 2002, subsections (9)
2 and (10) of section 201.15, Florida Statutes, are amended to
3 read:

4 201.15 Distribution of taxes collected.--All taxes
5 collected under this chapter shall be distributed as follows
6 and shall be subject to the service charge imposed in s.
7 215.20(1), except that such service charge shall not be levied
8 against any portion of taxes pledged to debt service on bonds
9 to the extent that the amount of the service charge is
10 required to pay any amounts relating to the bonds:

11 (9) Seven and fifty-three hundredths percent of the
12 remaining taxes collected under this chapter shall be paid
13 into the State Treasury to the credit of the State Housing
14 Trust Fund and shall be used as follows:

15 (a) Half of that amount shall be used for the purposes
16 for which the State Housing Trust Fund was created and exists
17 by law.

18 (b) Half of that amount shall be paid into the State
19 Treasury to the credit of the Local Government Housing Trust
20 Fund and shall be used for the purposes for which the Local
21 Government Housing Trust Fund was created and exists by law.

22
23 Any annual increase in distributions in this subsection
24 retained by the Florida Housing Finance Corporation shall be
25 limited to the Consumer Price Index for the previous calendar
26 year for All Urban Consumers, U.S. City Average, All Items, or
27 successor reports as reported by the United States Department
28 of Labor, Bureau of Labor Statistics. Any amount above such
29 limitation shall be transferred by the Florida Housing Finance
30 Corporation to the General Revenue Fund, except that the
31 transfer shall not be made in any year in which the annual

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 distribution retained by the Florida Housing Finance
2 Corporation does not exceed the annual distribution for each
3 of the 2 prior years. Further, the distribution of funds to
4 the General Revenue Fund shall be subordinated to the debt
5 service and claims obligations required by s. 420.5092(6)(a)
6 and (b).

7 (10) Eight and sixty-six hundredths percent of the
8 remaining taxes collected under this chapter shall be paid
9 into the State Treasury to the credit of the State Housing
10 Trust Fund and shall be used as follows:

11 (a) Twelve and one-half percent of that amount shall
12 be deposited into the State Housing Trust Fund and be expended
13 by the Department of Community Affairs and by the Florida
14 Housing Finance Corporation for the purposes for which the
15 State Housing Trust Fund was created and exists by law.

16 (b) Eighty-seven and one-half percent of that amount
17 shall be distributed to the Local Government Housing Trust
18 Fund and shall be used for the purposes for which the Local
19 Government Housing Trust Fund was created and exists by law.
20 Funds from this category may also be used to provide for state
21 and local services to assist the homeless.

22
23 Any annual increase in distributions in this subsection
24 retained by the Florida Housing Finance Corporation shall be
25 limited to the Consumer Price Index for the previous calendar
26 year for All Urban Consumers, U.S. City Average, All Items, or
27 successor reports as reported by the United States Department
28 of Labor, Bureau of Labor Statistics. Any amount above such
29 limitation shall be transferred by the Florida Housing Finance
30 Corporation to the General Revenue Fund, except that the
31 transfer shall not be made in any year in which the annual

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 distribution retained by the Florida Housing Finance
2 Corporation does not exceed the annual distribution for each
3 of the 2 prior years. Further, the distribution of funds to
4 the General Revenue Fund shall be subordinated to the debt
5 service and claims obligations required by s. 420.5092(6)(a)
6 and (b).

7 Section 49. Effective July 1, 2002, subsection (4) is
8 added to section 607.1901, Florida Statutes, to read:

9 607.1901 Corporations Trust Fund creation; transfer of
10 funds.--

11 (4) In fiscal years in which the Legislature or the
12 Governor and Cabinet, pursuant to s. 216.221, reduce the
13 current year budget as a result of a projected deficit in
14 General Revenue Fund receipts, the total transfers for the
15 current year to trust funds of the Department of State
16 pursuant to this section are hereby reduced in the same
17 percentage that General Revenue Fund appropriations to the
18 agencies in the general government section of the General
19 Appropriations Act are reduced.

20 Section 50. Effective July 1, 2002, paragraph (a) of
21 subsection (1) of section 252.373, Florida Statutes, is
22 amended to read:

23 252.373 Allocation of funds; rules.--

24 (1)(a) Funds appropriated from the Emergency
25 Management, Preparedness, and Assistance Trust Fund shall be
26 allocated by the Department of Community Affairs as follows:

27 1. Sixty percent to implement and administer state and
28 local emergency management programs, including training, of
29 which 20 percent shall be used by the division and 80 percent
30 shall be allocated to local emergency management agencies and
31 programs. Of this 80 percent, at least 80 percent shall be

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 allocated to counties.

2 2. Twenty percent to provide for state relief
3 assistance for nonfederally declared disasters, including but
4 not limited to grants and below-interest-rate loans to
5 businesses for uninsured losses resulting from a disaster. If
6 any funds are unencumbered on May 1 of a fiscal year, the
7 department shall use such funds in that fiscal year for the
8 state portion of the match requirements for federally approved
9 Hazard Mitigation Grant Program projects.

10 3. Twenty percent for grants and loans to state or
11 regional agencies, local governments, and private
12 organizations to implement projects that will further state
13 and local emergency management objectives. These projects
14 must include, but need not be limited to, projects that will
15 promote public education on disaster preparedness and recovery
16 issues, enhance coordination of relief efforts of statewide
17 private sector organizations, and improve the training and
18 operations capabilities of agencies assigned lead or support
19 responsibilities in the state comprehensive emergency
20 management plan, including the State Fire Marshal's Office for
21 coordinating the Florida fire services. The division shall
22 establish criteria and procedures for competitive allocation
23 of these funds by rule. No more than 5 percent of any award
24 made pursuant to this subparagraph may be used for
25 administrative expenses. This competitive criteria must give
26 priority consideration to hurricane evacuation shelter
27 retrofit projects.

28 Section 51. Effective July 1, 2002, paragraph (b) of
29 subsection (9) of section 320.08058, Florida Statutes, is
30 amended to read:

31 320.08058 Specialty license plates.--

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 (9) FLORIDA PROFESSIONAL SPORTS TEAM LICENSE PLATES.--

2 (b) The license plate annual use fees are to be
3 annually distributed as follows:

4 1. Fifty-five percent of the proceeds from the Florida
5 Professional Sports Team plate must be deposited into the
6 Professional Sports Development Trust Fund within the Office
7 of Tourism, Trade, and Economic Development. These funds must
8 be used solely to attract and support major and regional
9 sports events and sports-related business expansions in this
10 state. As used in this subparagraph, the term "major sports
11 events" means, but is not limited to, championship or all-star
12 contests of Major League Baseball, the National Basketball
13 Association, the National Football League, the National Hockey
14 League, the men's and women's National Collegiate Athletic
15 Association Final Four basketball championship, or a
16 horseracing or dogracing Breeders' Cup. Funding for
17 sports-related business expansion programs and initiatives
18 shall be limited to \$300,000 per fiscal year. All funds must
19 be used to support and promote major and regional sports
20 ~~sporting~~ events and sports-related business expansions, and
21 the uses must be approved by the Florida Sports Foundation.

22 2. The remaining proceeds of the Florida Professional
23 Sports Team license plate must be allocated to the Florida
24 Sports Foundation, a direct-support organization of the Office
25 of Tourism, Trade, and Economic Development. These funds must
26 be deposited into the Professional Sports Development Trust
27 Fund within the Office of Tourism, Trade, and Economic
28 Development. These funds must be used by the Florida Sports
29 Foundation to promote the economic development of the sports
30 industry; to distribute licensing and royalty fees to
31 participating professional sports teams; to institute a grant

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 program for communities bidding on minor sports ~~sporting~~
2 events that create an economic impact for the state; to
3 distribute funds to Florida-based charities designated by the
4 Florida Sports Foundation and the participating professional
5 sports teams; and to fulfill the sports promotion
6 responsibilities of the Office of Tourism, Trade, and Economic
7 Development.

8 3. The Florida Sports Foundation shall provide an
9 annual financial audit in accordance with s. 215.981 of its
10 financial accounts and records by an independent certified
11 public accountant pursuant to the contract established by the
12 Office of Tourism, Trade, and Economic Development as
13 specified in s. 288.1229(5). The auditor shall submit the
14 audit report to the Office of Tourism, Trade, and Economic
15 Development for review and approval. If the audit report is
16 approved, the office shall certify the audit report to the
17 Auditor General for review.

18 Section 52. (1) The Office of Tourism, Trade, and
19 Economic Development shall transfer the unexpended balance of
20 the Economic Development Transportation Trust Fund to the
21 Department of Transportation no later than July 30, 2002. The
22 Department of Transportation shall establish transfer
23 authority to return such funds to the Office of Tourism,
24 Trade, and Economic Development. The Department of
25 Transportation shall not return funds to the Office of
26 Tourism, Trade, and Economic Development until the Office of
27 Tourism, Trade, and Economic Development certifies that the
28 transfer of funds is required to fulfill project commitments.
29 The Department of Transportation may utilize any interest and
30 temporarily use any balance of such funds for ongoing
31 Department of Transportation expenditures until the transfer

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 of funds is necessary to the Office of Tourism, Trade, and
2 Economic Development.

3 (2) This section shall take effect upon this act
4 becoming a law.

5 Section 53. Effective July 1, 2002, subsection (11) is
6 added to section 288.063, Florida Statutes, to read:

7 288.063 Contracts for transportation projects.--

8 (11) The Department of Transportation shall not
9 transfer funds appropriated from the State Transportation
10 Trust Fund to the Office of Tourism, Trade, and Economic
11 Development until the Office of Tourism, Trade, and Economic
12 Development certifies that the transfer of funds is required
13 to fulfill project commitments. The Department of
14 Transportation may utilize any interest and temporarily use
15 any balance of such funds for ongoing Department of
16 Transportation expenditures until the transfer of funds is
17 necessary to the Office of Tourism, Trade, and Economic
18 Development.

19 Section 54. Except as otherwise provided herein, this
20 act shall take effect July 1, 2003.

21
22

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

24 And the title is amended as follows:
25 remove everything before the enacting clause
26
27 and insert:

28 A bill to be entitled
29 An act relating to trust funds; terminating or
30 exempting from termination specified trust
31 funds administered by state general government,

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 transportation, and economic development
2 agencies; providing for disposition of balances
3 in and revenues of the terminated trust funds;
4 renaming certain trust funds; renumbering and
5 amending s. 571.26, F.S.; renaming the Florida
6 Agricultural Promotional Campaign Trust Fund as
7 the Florida Agricultural Promotion Trust Fund
8 and revising its purpose; amending s. 571.25,
9 F.S.; conforming terminology; amending s.
10 570.07, F.S.; providing for deposit of certain
11 donations into the Florida Agricultural
12 Promotion Trust Fund; repealing s. 570.207,
13 F.S., relating to the Conservation and
14 Recreation Lands Program Trust Fund of the
15 Department of Agriculture and Consumer
16 Services; amending s. 570.71, F.S.; providing
17 for deposit of funds for conservation easements
18 and agreements into the Incidental Trust Fund
19 of the Department of Agriculture and Consumer
20 Services instead; creating s. 589.37, F.S.;
21 providing purposes of the Incidental Trust Fund
22 of the Department of Agriculture and Consumer
23 Services; providing for annual carryforward of
24 any trust fund balance; repealing s. 650.06,
25 F.S., relating to the Social Security
26 Contribution Trust Fund; amending ss. 121.011,
27 121.031, 121.071, 121.141, 122.26, 122.27,
28 122.30, 122.35, 650.04, and 650.05, F.S., to
29 conform; providing for payment of social
30 security contributions to the Internal Revenue
31 Service instead; repealing s. 122.351, F.S.,

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 relating to funding by local agencies, to
2 conform; repealing s. 110.151(7), F.S.,
3 relating to the State Employee Child Care
4 Revolving Trust Fund; repealing s. 372.127,
5 F.S., relating to the Conservation and
6 Recreation Lands Program Trust Fund of the Fish
7 and Wildlife Conservation Commission; amending
8 s. 372.074, F.S.; renaming the Fish and
9 Wildlife Habitat Program as the Habitat
10 Protection Program; renaming the Land
11 Acquisition Trust Fund of the Fish and Wildlife
12 Conservation Commission as the Habitat
13 Protection Trust Fund and revising its funding
14 sources; providing for annual carryforward of
15 any trust fund balance; amending s. 372.09,
16 F.S.; renaming the State Game Trust Fund as the
17 Fish and Wildlife Conservation Trust Fund and
18 revising its sources of funds and purposes;
19 amending ss. 201.15, 206.606, 215.20,
20 320.08058, 327.35215, 372.0222, 372.03,
21 372.7015, 372.73, 372.9901, 372.9904, 372.9906,
22 375.313, and 932.7055, F.S.; conforming
23 terminology; repealing s. 288.711, F.S.,
24 relating to the Florida Investment Incentive
25 Trust Fund; repealing s. 288.712, F.S.,
26 relating to the Black Contractors Bond Trust
27 Fund; amending s. 288.713, F.S.; removing a
28 reference to conform; amending s. 376.875,
29 F.S.; revising the Brownfield Property
30 Ownership Clearance Assistance Program to
31 eliminate its revolving loan trust fund and to

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 provide for deposit of the principal and
2 interest of all loans under the program in
3 another trust fund; amending s. 14.2015, F.S.;
4 removing a reference to conform; repealing s.
5 15.09(5), F.S., relating to the Public Access
6 Data Systems Trust Fund; amending s. 443.211,
7 F.S., to delete provisions relating to the
8 Special Employment Security Administration
9 Trust Fund; amending s. 215.20, F.S.; removing
10 a reference to conform; amending s. 443.141,
11 F.S.; providing for deposit of past due
12 contributions in the General Revenue Fund
13 instead; removing a reference to conform;
14 creating s. 443.215, F.S.; providing for
15 deposit or transfer of interest on
16 contributions, penalties, and fines or fees
17 collected under the Unemployment Compensation
18 Law in the General Revenue Fund; providing an
19 exception; amending s. 201.15, F.S.; providing
20 for deposit of certain proceeds of the excise
21 tax on documents into the General Revenue Fund
22 by the Florida Housing Finance Corporation
23 under certain circumstances; amending s.
24 607.1901, F.S.; providing requirements for
25 reductions in transfers from the Corporations
26 Trust Fund of the Department of State in fiscal
27 years of budget reduction due to a projected
28 deficit in general revenue; amending s.
29 252.373, F.S.; providing for use of certain
30 funds of the Emergency Management,
31 Preparedness, and Assistance Trust Fund as

dhs-21

Bill No. CS for SB 914

Amendment No. ____ (for drafter's use only)

1 state match for federally approved Hazard
2 Mitigation Grant Program projects; amending s.
3 320.08058, F.S.; providing additional uses for
4 funds in the Professional Sports Development
5 Trust Fund; requiring transfer of the
6 unexpended balance of the Economic Development
7 Transportation Trust Fund to the Department of
8 Transportation; providing restrictions on the
9 transfer of such funds back to the Office of
10 Tourism, Trade, and Economic Development;
11 amending s. 288.063, F.S.; providing
12 restrictions on the transfer of funds
13 appropriated from the State Transportation
14 Trust Fund to the Office of Tourism, Trade, and
15 Economic Development for economic development
16 transportation projects; providing effective
17 dates.

18
19
20
21
22
23
24
25
26
27
28
29
30
31