

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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Representative Kosmas offered the following:

Amendment to Amendment (453207) (with directory and title amendments)

Remove line(s) 18-337, and insert:

1. The Coconut Grove Playhouse Trust Fund, FLAIR number 45-2-097.

2. The Public Access Data Systems Trust Fund, FLAIR number 45-2-542.

(b) Within the Department of Transportation, the Turnpike Controlled Access Trust Fund, FLAIR number 55-2-334.

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

(3) For each trust fund terminated by this act, the agency that administers the trust fund shall pay any outstanding debts and obligations of the terminated fund as soon as practicable,

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28 and the Chief Financial Officer shall close out and remove the
29 terminated fund from the various state accounting systems using
30 generally accepted accounting principles concerning warrants
31 outstanding, assets, and liabilities.

32 Section 2. Section 15.09, Florida Statutes, is amended to
33 read:

34 15.09 Fees.--

35 (1) The fees, except as provided by law, to be collected
36 by the Department of State, are:

37 (a) For searching of papers or records, \$3.50, except that
38 there shall be no charge for telephone requests for general
39 corporate information, including the corporation's status, names
40 of officers and directors, address of principal place of
41 business, and name and address of resident agent.

42 (b) For providing a certificate with seal, \$8.75; however,
43 no fee shall be charged for providing a certificate with seal to
44 any officer appointed to an office requiring Senate
45 confirmation.

46 (c) For furnishing statistical information and for copying
47 any document not mentioned, \$1 per page or fraction thereof.

48 (2) The department may in its discretion establish a
49 reasonable fee for filing or copying any document or instrument
50 not mentioned herein or provided for in other laws.

51 (3) All fees arising from certificates of election or
52 appointment to office and from commissions to officers shall be
53 paid to the Treasurer for deposit in the General Revenue Fund.

54 (4) All funds collected by the Division of Corporations of
55 the department shall be deposited in the Corporations Trust
56 Fund.

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57 ~~(5)(a) There is created within the Department of State a~~
58 ~~Public Access Data Systems Trust Fund, which shall be used by~~
59 ~~the department to purchase information systems and equipment~~
60 ~~that provide greater public accessibility to the information and~~
61 ~~records maintained by it. Notwithstanding any other provision of~~
62 ~~law, the Divisions of Licensing, Elections, and Corporations of~~
63 ~~the department shall transfer each fiscal year to the Public~~
64 ~~Access Data Systems Trust Fund from their respective trust~~
65 ~~funds:~~

66 ~~1. An amount equal to 2 percent of all revenues received~~
67 ~~for the processing of documents, filings, or information~~
68 ~~requests.~~

69 ~~2. All public access network revenues collected pursuant~~
70 ~~to s. 15.16 or s. 119.085.~~

71 ~~(b) Funds from the Public Access Data Systems Trust Fund~~
72 ~~may be appropriated for the operations of the department.~~

73 Section 3. Subsection (1) of section 215.22, Florida
74 Statutes, as amended by section 63 of chapter 2002-402, Laws of
75 Florida, is amended to read:

76 215.22 Certain income and certain trust funds exempt.--

77 (1) The following income of a revenue nature or the
78 following trust funds shall be exempt from the deduction
79 required by s. 215.20(1):

80 (a) Student financial aid or prepaid tuition receipts.

81 (b) Trust funds administered by the Department of the
82 Lottery.

83 (c) Departmental administrative assessments for
84 administrative divisions.

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85 (d) Funds charged by a state agency for services provided
86 to another state agency, by a state agency for services provided
87 to the judicial branch, or by the judicial branch for services
88 provided to a state agency.

89 (e) State, agency, or political subdivision investments by
90 the Chief Financial Officer ~~Treasurer~~.

91 (f) Retirement or employee benefit funds.

92 (g) Self-insurance programs administered by the Chief
93 Financial Officer ~~Treasurer~~.

94 (h) Funds held for the payment of citrus canker
95 eradication and compensation.

96 (i) Medicaid, Medicare, or third-party receipts for client
97 custodial care.

98 (j) Bond proceeds or revenues dedicated for bond
99 repayment, except for the Documentary Stamp Clearing Trust Fund
100 administered by the Department of Revenue.

101 (k) Trust funds administered by the Department of
102 Education.

103 (l) Trust funds administered by the Department of
104 Transportation.

105 (m) Trust funds administered by the Department of
106 Agriculture and Consumer Services.

107 (n) The Motor Vehicle License Clearing Trust Fund.

108 (o) The Solid Waste Management Trust Fund.

109 ~~(p) The Coconut Grove Playhouse Trust Fund.~~

110 (p)~~(q)~~ The Communications Working Capital Trust Fund of
111 the Department of Management Services.

112 (q)~~(r)~~ The Camp Blanding Management Trust Fund.

113 (r)~~(s)~~ The Indigent Criminal Defense Trust Fund.

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114 ~~(s)(t)~~ That portion of the Highway Safety Operating Trust
115 Fund funded by the motorcycle safety education fee collected
116 pursuant to s. 320.08(1)(c).

117 ~~(t)(u)~~ The Save the Manatee Trust Fund.

118 ~~(u)(v)~~ Tobacco Settlement Trust Funds administered by any
119 agency.

120 ~~(v)(w)~~ The Save Our Everglades Trust Fund.

121 ~~(w)(x)~~ The Florida Center for Nursing Trust Fund.

122 Section 4. Subsection (12) of section 320.08058, Florida
123 Statutes, is amended to read:

124 320.08058 Specialty license plates.--

125 (12) FLORIDA ARTS LICENSE PLATES.--

126 (a) The Department of Highway Safety and Motor Vehicles
127 shall develop a Florida arts license plate as provided in this
128 section. In small letters, the word "Florida" must appear at the
129 top of the plate, and the word "Art" or "Arts" or a combination
130 of words including the word "Art" or "Arts" may appear at the
131 bottom of the plate.

132 (b) The license plate annual use fees are to be ~~annually~~
133 distributed ~~as follows~~:

134 ~~1. All fees collected must be forwarded~~ quarterly to the
135 single arts council officially designated by the county in
136 direct proportion to the amounts of fees collected in each
137 county. If there is no county arts council, fees collected must
138 be forwarded to such other agency in the county as the highest
139 ranking county administrative official designates, to be applied
140 by the arts council or agency to support arts organizations,
141 arts programs, and arts activities within the county ~~Division of~~
142 ~~Cultural Affairs of the Department of State, together with a~~

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143 ~~report setting forth the amount of such fees collected in each~~
144 ~~county, and must be deposited into the Florida Fine Arts Trust~~
145 ~~Fund.~~

146 ~~2. The Division of Cultural Affairs shall distribute the~~
147 ~~fees forwarded to it by the department to the counties in the~~
148 ~~amounts set forth in the report required under subparagraph 1.,~~
149 ~~in each case to the county arts council for such county or, if~~
150 ~~there is none, to such other agency in the county as the~~
151 ~~division designates, to be applied by the council or agency to~~
152 ~~support art organizations, programs, and activities within the~~
153 ~~county.~~

154 ~~(c) The Division of Cultural Affairs shall have the~~
155 ~~authority to administer this subsection under rules established~~
156 ~~by the Division of Cultural Affairs. The agency may adopt only~~
157 ~~rules that implement, interpret, or make specific the particular~~
158 ~~powers and duties granted by this subsection.~~

159 Section 5. A project that is ranked but not funded for the
160 fiscal year 2003-2004 grant cycle under the Department of
161 State's Historical Facilities Special Category Fixed Capital
162 Outlay Grants Program, Cultural Facilities Fixed Capital Outlay
163 Grants Program, Regional Cultural Facilities Grants Program, or
164 Library Construction Fixed Capital Outlay Grants Program shall,
165 if it continues to meet applicable criteria for the grant
166 program for which it is ranked, maintain its relative ranking
167 for the fiscal year 2004-2005 grant cycle and shall receive
168 priority ranking over new projects applying for the fiscal year
169 2004-2005 grant cycle.

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

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172 Remove line(s) 353-382, and insert:
173 15.09, F.S.; deleting a provision that created and provided uses
174 of the Public Access Data Systems Trust Fund, to conform;
175 amending s. 215.22, F.S.; deleting a reference to the Coconut
176 Grove Playhouse Trust Fund, to conform; updating references to
177 the Treasurer; amending s. 320.08058, F.S.; changing the
178 distribution of proceeds of the Florida arts license plate
179 annual use fees; directing maintenance of priority rankings for
180 certain Department of State grant programs for fiscal year 2004-
181 2005 grant cycles; providing