

**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** HB 1859 (PCB AP 04-17) State Executive Aircraft Pool

**SPONSOR(S):** Appropriations; Brummer

**TIED BILLS:** **IDEN./SIM. BILLS:**

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<b>REFERENCE</b>	<b>ACTION</b>	<b>ANALYST</b>	<b>STAFF DIRECTOR</b>
1) <u>Appropriations</u>	<u>32 Y, 0 N</u>	<u>Belcher</u>	<u>Baker</u>
2) _____	_____	_____	_____
3) _____	_____	_____	_____
4) _____	_____	_____	_____
5) _____	_____	_____	_____

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**SUMMARY ANALYSIS**

HB 1859 codifies in statute the current practice of requiring user fees to provide full cost recovery for the Executive Aircraft Pool in the Department of Management Services. The authority for the current practice has been included in the General Appropriations Act implementing bill for the past several years.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. DOES THE BILL:

- |                                      |                              |                             |   |
|--------------------------------------|------------------------------|-----------------------------|---|
| 1. Reduce government?                | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. Lower taxes?                      | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. Expand individual freedom?        | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. Increase personal responsibility? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. Empower families?                 | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

#### B. EFFECT OF PROPOSED CHANGES:

The Department of Management Services (DMS) operates three passenger aircrafts to provide on-demand executive air transportation for the Governor, Lt. Governor, House Speaker, Senate President, Cabinet Officers, Chief Justice of the Supreme Court, and other state officials. Other state employees are provided service based on space availability. Cost-recovery for the Executive Aircraft Pool is provided through fees charged to the agencies that use the service. Section 287.161, Florida Statutes, currently states that the charge cannot exceed the vehicle-mileage allowance and that the fee charged is to fund fuel, maintenance, or other costs. However, for the past several years the General Appropriations Act implementing bill has overridden the statute and, DMS charges the agencies a user fee, to include total direct and indirect costs to operate the aircraft pool, assessed on each agency's prior year use of the pool.

The bill allows DMS to set a fee that exceeds the vehicle mileage allowance and to include all direct and indirect costs of the service in the fee calculation. This will authorize DMS to set a fee at full-cost recovery and eliminate the need for recurring language to implement the General Appropriations Act.

#### C. SECTION DIRECTORY:

Section 1. Amends s. 287.161, Florida Statutes, relating to the charge for transportation in the executive aircraft pool.

Section 2. Provides an effective date.

### II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

#### A. FISCAL IMPACT ON STATE GOVERNMENT:

##### 1. Revenues:

None.

##### 2. Expenditures:

None.

**B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues:

None.

2. Expenditures:

None.

**C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

None.

**D. FISCAL COMMENTS:**

This bill codifies current practice as mandated by the General Appropriations Act implementing bill; therefore, this bill does not have a fiscal impact.

**III. COMMENTS**

**A. CONSTITUTIONAL ISSUES:**

1. Applicability of Municipality/County Mandates Provision:

This bill does not require counties or municipalities to spend money.

2. Other:

**B. RULE-MAKING AUTHORITY:**

None.

**C. DRAFTING ISSUES OR OTHER COMMENTS:**

None.

**IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES**