

The Florida Senate
PROFESSIONAL STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

Prepared By: Transportation and Economic Development Appropriations Committee

BILL: CS/SB 1142

INTRODUCER: Transportation and Economic Development Appropriations Committee and Senator Fasano

SUBJECT: Implementing the 2007-2008 General Appropriations Act

DATE: March 28, 2007 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Noble	Noble	TA	Fav/CS
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

The Committee Substitute for Senate Bill 1142 provides statutory authority necessary to implement and execute the General Appropriations Act for the 2007-2008 fiscal year. Such statutory changes are temporary and either expire on July 1, 2008, or revert to the original language at that time.

This bill substantially amends, creates, or repeals the following sections of the Florida Statutes s. 320.08058, s. 252.37, s. 253.034, and s. 311.22, Florida Statutes.

II. Present Situation:

In the past, substantive language was included in proviso or in separate sections of the General Appropriations Act to clarify how funds contained in the act were to be expended. However, decisions such as Brown v. Firestone, 382 So. 2d 654 (Fla. 1980), and Graham v. Firestone, Circuit Court of the Second Judicial Circuit, #82-1703, Leon County Florida, 1982, have found such proviso language in the annual General Appropriations Act to be unconstitutional and void.

III. Effect of Proposed Changes:

Section 1 provides legislative intent.

Section 2 amends s. 320.08058, F.S., to implement Specific Appropriation 2761, allowing proceeds from the Professional Sports Development Trust Fund to be used for operational

expenses of the Florida Sports Foundation and financial support of the Sunshine State Games. (Repeated from the 2006-2007 Implementing Bill, ch. 2007-25, L.O.F.)

Section 3 amends s. 253.034, F.S., to implement section 10 of the 2007-2008 General Appropriations Act, authorizing the funds from the sale of property by the Department of Highway Safety and Motor Vehicles in Palm Beach County to be deposited into the Highway Safety Operating Trust Fund. (Repeated from the 2006-2007 Implementing Bill, ch. 2006-25, L.O.F.)

Section 4 amends s. 311.22, F.S., to implement Specific Appropriation 2132, to reduce the required match for state funds for dredging projects in counties with populations below 300,000 that meet current statutory requirements from 50 percent to no less than 25 percent. (Repeated from the 2006-2007 Implementing Bill, ch. 2006-25, L.O.F., but with different amounts specified.)

Section 5 amends ss.252.37 (5) (b), F.S., to implement Specific Appropriation 1621AD, to extend the time period for local governments to submit an application to the Executive Office of the Governor requesting a waiver of local match for public assistance projects resulting from Hurricanes Charley, Frances, Ivan, and Jeanne.

Section 6 declares legislative determination that the authorization and issuance of debt for the 2007-2008 fiscal year is in the best interest of the state and should be implemented. (Repeated from the 2006-2007 Implementing Bill, ch. 2006-25, L.O.F.)

Section 7 specifies that no section will take effect if the appropriations and proviso to which it relates are vetoed. (Repeated from the 2005-2006 Implementing Bill, ch. 2005-71, L.O.F.)

Section 8 provides that a permanent change made by another law to any of the same statutes amended by this bill takes precedence over the provision in this bill. (Repeated from the 2006-2007 Implementing Bill, ch. 2006-25, L.O.F.)

Section 9 provides a severability clause.

Section 10 provides a contingent effective date.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. Other Constitutional Issues:

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

C. Government Sector Impact:

Although the provisions of this bill allow specific budget decisions to be effective, actual funding changes are made in the General Appropriations Act.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Summary of Amendments:

None.

This Senate Professional Staff Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
