

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Community Affairs Committee

BILL: SB 1920

INTRODUCER: Senator Wise

SUBJECT: Florida Endowment for Vocational Rehabilitation

DATE: March 16, 2010 REVISED: 3/23/10

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Wolfgang	Yeatman	CA	Fav/1 amendment
2.			ED	
3.			GO	
4.			FT	
5.			WPSC	
6.				

Please see Section VIII. for Additional Information:

- | | | |
|------------------------------|-------------------------------------|---|
| A. COMMITTEE SUBSTITUTE..... | <input type="checkbox"/> | Statement of Substantial Changes |
| B. AMENDMENTS..... | <input type="checkbox"/> | Technical amendments were recommended |
| | <input checked="" type="checkbox"/> | Amendments were recommended |
| | <input type="checkbox"/> | Significant amendments were recommended |

I. Summary:

The bill removes the State Board of Administration’s role in managing the funds for the Florida Endowment for Vocational Rehabilitation. The bill includes the requirements of ss. 318.18(3)(f) and 318.21, F.S., in s. 413.615(4), F.S. Specifically, that certain civil penalties be remitted into the Department of Revenue on a monthly basis and deposited in the endowment fund.

This bill substantially amends section 413.615 of the Florida Statutes.

II. Present Situation:

The Florida Endowment for Vocational Rehabilitation

Created by the Florida Legislature in 1990,¹ the Florida Endowment Foundation for Vocational Rehabilitation, parent organization of The Able Trust, is a non-profit public/private partnership with a goal of assisting Floridians with disabilities in achieving employment. The Trust receives its funding from a perpetual endowment, grants, gifts and support from the public and corporate sectors. The Trust supports non-profit vocational rehabilitation programs throughout Florida with

¹ Section 413.615, F.S.

fund-raising, grant-making and public awareness of disability issues. The Able Trust supports a diversity of projects, including on-the-job coaching, supported employment, job skills-training, job development, employer outreach, Americans with Disabilities Act facility compliance, skills evaluation and programs leading to employment. The positive impact of The Able Trust's grant awards has been felt by non-profit agencies serving people with various disabilities, community colleges and individuals with documented disabilities.²

Civil Penalties for Traffic Infractions

Civil penalties imposed under Chapter 318, F.S., for traffic infractions are collected by the clerk of the court and distributed pursuant to s. 318.21, F.S. Section 318.21(1) and (2), F.S., specifies that the following amounts of all civil penalties imposed under Chapter 318, F.S., and collected by the clerk of court are to be remitted monthly to the Department of Revenue for deposit as follows:

- \$1 from every civil penalty goes to the Child Welfare Training Trust Fund.
- \$1 from every civil penalty goes to the Juvenile Justice Training Trust Fund.
- Of the remaining civil penalties:
 - 20.6 percent goes to general revenue, except that the first \$300,000 shall be deposited into the Grants and Donations Trust Fund in the Justice Administrative Commission;
 - 7.2 percent goes to the Emergency Medical Services Trust Fund;
 - 5.1 percent goes to the Additional Court Cost Clearing Trust Fund;
 - 8.2 percent goes to the Brain and Spinal Cord Injury Rehabilitation Trust Fund;
 - 2 percent goes to the endowment fund of the Florida Endowment Foundation for Vocational Rehabilitation.

Section 318.18(3)(f), F.S., imposes an additional fine of up to \$250 if a violation of a traffic regulation to assist mobility-impaired persons³ results in an injury to the pedestrian or damage to the property of the pedestrian. Section 318.21(5), F.S., requires the additional fine to be distributed as follows:

- 60 percent is remitted to the Department of Revenue for deposit in the Florida Endowment Foundation for Vocational Rehabilitation.
- 40 percent is distributed as provided in ss. 318.21(1) and (2), F.S.

The State Board of Administration

The State Board of Administration is composed of the Governor as chair, the Chief Financial Officer, and the Attorney General. The board must invest all the funds in the System Trust Fund, as defined in a specified provision,⁴ and all other funds specifically required by law to be invested by the Board pursuant to the specified statutory provisions to the fullest extent that is consistent with the cash requirements, trust agreement, and investment objectives of the fund.⁵ The State Board of Administration is currently charged with investing and reinvesting moneys of the endowment fund in accordance with the provisions of ss. 215.44 and 215.53, F.S. Moneys in the endowment in excess of the endowment fund principal, or such lesser amount as may be requested in writing by the foundation, shall be annually transmitted to the foundation and are

² See The Able Trust, About the Able Trust, *available at* <http://www.abletrust.org/about/>.

³ Section 316.1303, F.S.

⁴ Section 215.444(2), F.S.

⁵ Section 768.28, F.S.

deposited in the foundation's operating account. The board shall use the moneys in the operating account, by whatever means, to provide for:

- Planning, research, and policy development for issues related to the employment and training of disabled citizens, and publication and dissemination of such information as may serve the objectives of this section.
- Promotion of initiatives for disabled citizens.
- Funding of programs which engage in, contract for, foster, finance, or aid in job training and counseling for disabled citizens or research, education, demonstration, or other activities related thereto.
- Funding of programs which engage in, contract for, foster, finance, or aid in activities designed to advance better public understanding and appreciation of the field of vocational rehabilitation.
- Funding of programs, property, or facilities which aid, strengthen, and extend in any proper and useful manner the objectives, work, services, and physical facilities of the division, in accordance with the purposes of this section.

III. Effect of Proposed Changes:

Section 1 amends s. 413.615, F.S., to remove the requirement that the State Board of Administration invest and reinvest moneys in the endowment fund of the Florida Endowment for Vocational Rehabilitation and the statement that moneys in the endowment in excess of the endowment fund principal, or such lesser amount as may be requested in writing by the foundation, shall be annually transmitted to the foundation and are deposited in the foundation's operating account. The bill includes the requirements of ss. 318.18(3)(f) and 318.21, F.S., in s. 413.615(4), F.S. Specifically, that certain civil penalties be remitted into the Department of Revenue on a monthly basis and deposited in the endowment fund. The provisions for distribution of these civil penalties and fines are consistent with current law.

Section 2 provides an effective date.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The State Board of Administration will no longer be charged with dealing with the funds for the Florida Endowment for Vocational Rehabilitation. The fiscal impact of stopping their role in investing and reinvesting these funds is indeterminate.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:A. Committee Substitute – Statement of Substantial Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

Barcode 644184 by Community Affairs Committee on March 23, 2010:
Specifies that all funds currently held by the SBA for the endowment fund shall be submitted back to the endowment fund within a reasonable time.