

**SB 200** by **Gardiner**; Transportation Revenue Bond Trust Fund/Department of Transportation

**SB 202** by **Gardiner**; Transportation Governmental Bond Trust Fund/Department of Transportation

**SB 204** by **Gardiner**; Termination of Trust Funds within the Department of Transportation

**SB 206** by **Gardiner**; Federal Grants Trust Fund/Department of State

**SB 208** by **Gardiner**; Federal Grants Trust Fund/Department of Economic Opportunity

**SB 210** by **Gardiner**; Clearing Funds Trust Fund/Department of State

**SB 212** by **Hays**; Fish and Wildlife Conservation Commission Trust Funds

**SB 214** by **Hays**; Florida Forever Program Trust Fund/Department of Environmental Protection

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**SB 216** by **Hays**; Federal Grants Trust Fund/Department of Management Services

**SB 218** by **Hays**; Mortgage Guaranty Trust Fund/Office of Financial Regulation

**SB 220** by **Bradley**; Capital Collateral Regional Counsel Trust Fund/Justice Administrative Commission

**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**

**APPROPRIATIONS**  
**Senator Negron, Chair**  
**Senator Benacquisto, Vice Chair**

**MEETING DATE:** Thursday, January 24, 2013

**TIME:** 2:00 —4:00 p.m.

**PLACE:** *Pat Thomas Committee Room, 412 Knott Building*

**MEMBERS:** Senator Negron, Chair; Senator Benacquisto, Vice Chair; Senators Bean, Bradley, Galvano, Gardiner, Grimsley, Hays, Hukill, Latvala, Margolis, Montford, Richter, Ring, Smith, Sobel, and Thrasher

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	<b>SB 200</b> Gardiner	Transportation Revenue Bond Trust Fund/Department of Transportation; Re-creating the Transportation Revenue Bond Trust Fund within the Department of Transportation without modification; abrogating provisions relating to the termination of the trust fund to conform, etc.	Favorable Yea 15 Nays 0
AP	01/24/2013 Favorable		
2	<b>SB 202</b> Gardiner	Transportation Governmental Bond Trust Fund/Department of Transportation; Re-creating the Transportation Governmental Bond Trust Fund within the Department of Transportation without modification; abrogating provisions relating to the termination of the trust fund, to conform, etc.	Favorable Yea 15 Nays 0
AP	01/24/2013 Favorable		
3	<b>SB 204</b> Gardiner	Termination of Trust Funds within the Department of Transportation; Terminating the Everglades Parkway Construction Trust Fund, the Jacksonville Transportation Authority Project Construction Trust Fund, and the Federal Law Enforcement Trust Fund within the Department of Transportation; providing for the transfer of any balances or revenues in the trust funds; requiring that the department pay outstanding debts or obligations of the trust funds; requiring that the Chief Financial Officer close out and remove the terminated funds from the state accounting systems, etc.	Favorable Yea 15 Nays 0
AP	01/24/2013 Favorable		
4	<b>SB 206</b> Gardiner	Federal Grants Trust Fund/Department of State; Re-creating the Federal Grants Trust Fund within the Department of State without modification; abrogating provisions relating to the termination of the trust fund, to conform, etc.	Favorable Yea 15 Nays 0
AP	01/24/2013 Favorable		

**COMMITTEE MEETING EXPANDED AGENDA**

Appropriations

Thursday, January 24, 2013, 2:00 —4:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
5	<b>SB 208</b> Gardiner	Federal Grants Trust Fund/Department of Economic Opportunity; Re-creating the Federal Grants Trust Fund within the Department of Economic Opportunity without modification; abrogating provisions relating to the termination of the trust fund to conform, etc.	Favorable Yea 15 Nays 0
		AP      01/24/2013 Favorable	
6	<b>SB 210</b> Gardiner	Clearing Funds Trust Fund/Department of State; Re-creating the Clearing Funds Trust Fund within the Department of State without modification; abrogating provisions relating to the termination of the trust fund, to conform, etc.	Favorable Yea 15 Nays 0
		AP      01/24/2013 Favorable	
7	<b>SB 212</b> Hays	Fish and Wildlife Conservation Commission Trust Funds; Providing that the Fish and Wildlife Conservation Commission may return certain cash balances transferred for cash flow needs when they are no longer needed for that purpose; deleting a restriction on an expenditure from the Lifetime Fish and Wildlife Trust Fund; renaming the Fish and Wildlife Habitat Program as the Land Acquisition Trust Fund; providing for the administration and funding of the Save the Manatee Trust Fund; providing for the administration and funding of the Invasive Plant Control Trust Fund, etc.	Favorable Yea 15 Nays 0
		AP      01/24/2013 Favorable	
8	<b>SB 214</b> Hays	Florida Forever Program Trust Fund/Department of Environmental Protection; Terminating the Florida Forever Program Trust Fund within the Department of Environmental Protection; providing for the disposition of balances in and revenues of the trust fund; prescribing procedures for the termination of the trust fund; repealing provisions relating to the Florida Forever Program Trust Fund within the Department of Environmental Protection; revising the designation of revenues from the disposal of lands in the Preservation 2000 program, etc.	Fav/CS Yea 15 Nays 0
		AP      01/24/2013 Fav/CS	
9	<b>SB 216</b> Hays	Federal Grants Trust Fund/Department of Management Services; Re-creating the Federal Grants Trust Fund within the Department of Management Services without modification; abrogating provisions relating to the termination of the trust fund, to conform, etc.	Favorable Yea 15 Nays 0
		AP      01/24/2013 Favorable	

**COMMITTEE MEETING EXPANDED AGENDA**

Appropriations

Thursday, January 24, 2013, 2:00 —4:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
10	<b>SB 218</b> Hays	Mortgage Guaranty Trust Fund/Office of Financial Regulation; Re-creating the Mortgage Guaranty Trust Fund within the Office of Financial Regulation without modification; abrogating provisions relating to the termination of the trust fund, to conform, etc.	Favorable Yea 15 Nays 0
		AP      01/24/2013 Favorable	
11	<b>SB 220</b> Bradley	Capital Collateral Regional Counsel Trust Fund/Justice Administrative Commission; Re-creating the Capital Collateral Regional Counsel Trust Fund within the Justice Administrative Commission without modification; abrogating provisions relating to the scheduled termination of the trust fund, to conform, etc.	Favorable Yea 15 Nays 0
		AP      01/24/2013 Favorable	
12	Summary of State Debt Write-offs for Fiscal Year 2011-2012		Discussed
13	Presentation on the Debt Affordability Report		Presented
14	Presentation on State Contracting		Presented

Other Related Meeting Documents

**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.)

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Prepared By: The Professional Staff of the Committee on Appropriations

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BILL: SB 200

INTRODUCER: Senator Gardiner

SUBJECT: Transportation Revenue Bond Trust Fund/Department of Transportation

DATE: January 24, 2013 REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Carey	Hansen	AP	<b>Favorable</b>
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____

### **I. Summary:**

SB 200 re-creates, without modification, the Transportation Revenue Bond Trust Fund within the Department of Transportation. The bill is effective July 1, 2013, and has no fiscal impact on state or local funds.

This bill repeals section 339.0815(4), Florida Statutes.

### **II. Present Situation:**

Article III, s. 19(f) of the Florida Constitution requires the termination of all state trust funds within four years of their initial creation, unless the trust fund is exempted by the constitution or operation of law.

The Transportation Revenue Bond Trust Fund within the Department of Transportation is scheduled to be terminated on July 1, 2014. The trust fund was created in accordance with s. 339.081(2), F.S., to comply with bond documents which specify that revenue bond proceeds be segregated from other funds. The purpose of the trust fund is to finance non-system transportation projects secured by revenue producing facilities located in the county or counties of the project.

### **III. Effect of Proposed Changes:**

The Transportation Revenue Bond Trust Fund within the Department of Transportation is re-created without modification. Section 339.0815, F.S., which terminates the trust fund on July 1, 2014, is repealed.

**IV. Constitutional Issues:**

## A. Municipality/County Mandates Restrictions:

None.

## B. Public Records/Open Meetings Issues:

None.

## C. Trust Funds Restrictions:

Pursuant to Art. III, s. 19(f)(1) of the Florida Constitution, a bill that re-creates a trust fund must pass by a three-fifths vote of the membership of each house in a separate bill for that purpose only.

**V. Fiscal Impact Statement:**

## A. Tax/Fee Issues:

None.

## B. Private Sector Impact:

None.

## C. Government Sector Impact:

This bill has no fiscal impact on state agencies or state funds, on local governments as a whole or on the private sector. It simply re-creates, without modification, an existing state trust fund and continues the current use of the fund.

**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:**

None.

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

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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 Appropriations Committee

BILL: SB 202

INTRODUCER: Senator Gardiner

SUBJECT: Transportation Governmental Bond Trust Fund

DATE: January 24, 2013 REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Carey	Hansen	AP	<b>Favorable</b>
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____

**I. Summary:**

SB 202 re-creates, without modification, the Transportation Governmental Bond Trust Fund, within the Department of Transportation. The bill is effective July 1, 2013, and has no fiscal impact on state or local funds.

This bill repeals section 339.0816(3), Florida Statutes.

**II. Present Situation:**

Article III, s. 19(f) of the Florida Constitution requires the termination of all state trust funds within four years of their initial creation, unless the trust fund is exempted by the constitution or operation of law.

The Transportation Governmental Bond Trust Fund within the Department of Transportation is scheduled to be terminated on July 1, 2014. The trust fund was created in accordance with s. 339.0816, F.S., to comply with bond documents, which specify that revenue bond proceeds be segregated from other funds. The purpose of the trust fund is for the deposit and management of funds received from proceeds upon the issuance of Fixed Guideway and Grant Anticipation Revenue Vehicles (GARVEE) bonds authorized in ss. 216.615 and 216.616, F.S.

**III. Effect of Proposed Changes:**

The Transportation Governmental Bond Trust Fund within the Department of Transportation is re-created without modification. Section 339.0816(3), which terminates the fund on July 1, 2014, is repealed.

**IV. Constitutional Issues:**

## A. Municipality/County Mandates Restrictions:

None.

## B. Public Records/Open Meetings Issues:

None.

## C. Trust Funds Restrictions:

Pursuant to Art. III, s. 19(f)(1) of the Florida Constitution, a bill that re-creates a trust fund must pass by a three-fifths vote of the membership of each house in a separate bill for that purpose only.

**V. Fiscal Impact Statement:**

## A. Tax/Fee Issues:

None.

## B. Private Sector Impact:

None.

## C. Government Sector Impact:

This bill has no fiscal impact on state agencies or state funds, on local governments as a whole or on the private sector. It simply re-creates an existing state trust and continues the current use of the fund.

**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:**

None.

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

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**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 Committee on Appropriations

BILL: SB 204

INTRODUCER: Senator Gardiner

SUBJECT: Transportation Revenue Bond Trust Fund/Department of Transportation

DATE: January 24, 2013 REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Carey	Hansen	AP	<b>Favorable</b>
2.			
3.			
4.			
5.			
6.			

## **I. Summary:**

SB 204 terminates three trust funds within the Department of Transportation: the Everglades Parkway Construction Trust Fund; the Jacksonville Transportation Authority Project Trust Fund; and the Federal Law Enforcement Trust Fund. The bill is effective July 1, 2013, and has no fiscal impact on state or local funds.

This bill repeals sections 339.082 and 932.7055(6)(j), Florida Statutes, and section 2(2)(b) and (f) of chapter 2004-235, Laws of Florida.

## **II. Present Situation:**

Legislative review of each trust fund is required at least once every four years, by s. 215.3208, F.S. The review schedule is included in the legislative budget instructions developed in accordance with s. 216.023, F.S. The review indicated three trust funds within the Department of Transportation are inactive.

The Everglades Parkway Construction Trust Fund within the Department of Transportation was originally used to hold bond proceeds and interest earned on investment of bond proceeds from revenue bonds issued for the Everglades Parkway.<sup>1</sup> The trust fund has no funds and no future receipts are anticipated.

The Jacksonville Transportation Authority Project Construction Trust Fund within the Department of Transportation was originally used to hold bond proceeds and interest earned on

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<sup>1</sup> Ch. 97-125, L.O.F.

investment of bond proceeds from revenue bonds issued for the Jacksonville Transportation Authority.<sup>2</sup> The trust fund has no funds and no future receipts are anticipated.

The Federal Law Enforcement Trust Fund within the Department of Transportation was originally used to receive revenues received as a result of federal criminal, administrative, or civil forfeiture proceedings, or civil forfeiture proceedings and revenues received from federal asset-sharing programs.<sup>3</sup> During the 2011 Regular Session, the Office of Motor Carrier Compliance (office) was transferred from the Department of Transportation to the Department of Highway Safety and Motor Vehicles, together with the appropriations for the office.<sup>4</sup> The Department of Transportation no longer has any law enforcement responsibilities. The trust fund has no funds and no future receipts are anticipated.

### **III. Effect of Proposed Changes:**

The Everglades Parkway Construction Trust Fund, the Jacksonville Transportation Authority Project Construction Trust Fund, and the Federal Law Enforcement Trust Fund, within the Department of Transportation, are terminated. Sections 339.082 and 932.7055(6)(j), F.S., and s. 2(2)(b) and (f) of chapter 2004-235, Laws of Florida, are repealed.

### **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.

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<sup>2</sup> Section 349.016, F.S.

<sup>3</sup> Section 339.082, F.S.

<sup>4</sup> Ch. 2011-66, L.O.F.

**C. Government Sector Impact:**

This bill has no fiscal impact on state agencies or state funds, on local governments as a whole, or on the private sector. It simply terminates existing state trust funds that are currently inactive within the Department of Transportation.

**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:**

None.

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

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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 Committee on Appropriations

BILL: SB 206

INTRODUCER: Senator Gardiner

SUBJECT: Federal Grants Trust Fund/Department of State

DATE: January 24, 2013 REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Pingree	Hansen	AP	<b>Favorable</b>
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____

**I. Summary:**

SB 206 re-creates, without modification, the Federal Grants Trust Fund within the Department of State. The bill is effective July 1, 2013, and has no fiscal impact on state or local funds.

This bill repeals section 20.105(3), Florida Statutes.

**II. Present Situation:**

Article III, s. 19(f) of the Florida Constitution requires the termination of all state trust funds within four years of their initial creation, unless the trust fund is exempted by the constitution or operation of law.

The Federal Grants Trust Fund within the Department of State, which was created July 1, 2010, by ch. 2010-17, L.O.F., is scheduled to be terminated on July 1, 2014. Pursuant to s. 215.32(2)(b)2.g., F.S., a federal grants trust fund is a depository for funds that must be used for allowable activities funded by restricted program revenues from federal sources, including interest earnings and cash advances from other trust funds.

For Fiscal Year 2012-2013, the Legislature appropriated \$21.8 million from the Federal Grants Trust Fund within the Department of State for various operating categories such as Salaries and Benefits, Expenses, and Other Personal Services, and for various special categories used for elections grants, library grants, historic preservations grants, and cultural and museum grants.

**III. Effect of Proposed Changes:**

The Federal Grants Trust Fund within the Department of State is re-created without modification. Section 20.105(3), F.S., which terminates the trust fund on July 1, 2014, is repealed.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

Pursuant to Art. III, s. 19(f)(1) of the Florida Constitution, a bill that re-creates a trust fund must pass by a three-fifths vote of the membership of each house in a separate bill for that purpose only.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

This bill has no fiscal impact on state agencies or state funds, on local governments as a whole, or on the private sector. It simply re-creates, without modification, an existing state trust fund and continues the current use of the fund.

**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:**

None.

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

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**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 Committee on Appropriations

BILL: SB 208

INTRODUCER: Senator Gardiner

SUBJECT: Federal Grants Trust Fund/Department of Economic Opportunity

DATE: January 24, 2013 REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Pingree	Hansen	AP	<b>Favorable</b>
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____

**I. Summary:**

SB 208 re-creates, without modification, the Federal Grants Trust Fund within the Department of Economic Opportunity. The bill is effective July 1, 2013, and has no fiscal impact on state or local funds.

This bill repeals section 20.181(3), Florida Statutes.

**II. Present Situation:**

Article III, s. 19(f) of the Florida Constitution requires the termination of all state trust funds within four years of their initial creation, unless the trust fund is exempted by the constitution or operation of law.

The Federal Grants Trust Fund within the Department of Economic Opportunity, which was created July 1, 2010, by ch. 2010-21, L.O.F., is scheduled to be terminated on July 1, 2014. Pursuant to s. 215.32(2)(b)2.g., F.S., a federal grants trust fund is a depository for funds that must be used for allowable activities funded by restricted program revenues from federal sources, including interest earnings and cash advances from other trust funds.

For Fiscal Year 2012-2013, the Legislature appropriated \$148.7 million from the Federal Grants Trust Fund within the Department of Economic Opportunity for various operating categories such as Salaries and Benefits, Expenses, and Other Personal Services, and for various special categories used for community planning grants and housing and community development grants.

**III. Effect of Proposed Changes:**

The Federal Grants Trust Fund within the Department of Economic Opportunity is re-created without modification. Section 20.181(3), F.S., which terminates the trust fund on July 1, 2014, is repealed.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

Pursuant to Art. III, s. 19(f)(1), of the Florida Constitution, the bill that re-creates the Federal Grants Trust Fund must pass by a three-fifths vote of the membership of each house of the Legislature in a separate bill for that purpose only.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

This bill has no fiscal impact on state agencies or state funds, on local governments as a whole, or on the private sector. It simply re-creates an existing state trust fund without changing the current use of the fund.

**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:**

None.

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

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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 Appropriations Committee

BILL: SB 210

INTRODUCER: Senator Gardiner

SUBJECT: Clearing Funds Trust Fund/Department of State

DATE: January 22, 2013 REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Pingree	Hansen	AP	<b>Pre-meeting</b>
2.			
3.			
4.			
5.			
6.			

**I. Summary:**

SB 210 re-creates, without modification, the Clearing Funds Trust Fund within the Department of State. The bill is effective July 1, 2013, and has no fiscal impact on state or local funds.

This bill repeals section 20.104(3), Florida Statutes.

**II. Present Situation:**

Article III, s. 19(f) of the Florida Constitution requires the termination of all state trust funds within four years of their initial creation, unless the trust fund is exempted by the constitution or operation of law.

The Clearing Funds Trust Fund within the Department of State, which was created July 1, 2010, by ch. 2010-16, L.O.F., is scheduled to be terminated on July 1, 2014. Pursuant to s. 215.32(2)(b)2.f., F.S., a clearing funds trust fund is used as a depository for funds to account for collections pending distribution to lawful recipients. Funds deposited in this trust fund in the Department of State consist of candidate filing fees, notary surcharges, campaign finance contributions, elections assessments, and cable franchise fees.

**III. Effect of Proposed Changes:**

The Clearing Funds Trust Fund within the Department of State is re-created without modification. Section 20.104(3), F.S., which terminates the trust fund on July 1, 2014, is repealed.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

Pursuant to Art. III, s. 19(f)(1), of the Florida Constitution, the bill that re-creates the Clearing Funds Trust Fund in the Department of State must pass by a three-fifths vote of the membership of each house of the Legislature in a separate bill for that purpose only.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

This bill has no fiscal impact on state agencies or state funds, on local governments as a whole, or on the private sector. It simply re-creates an existing state trust fund without changing the current use of the fund.

**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:**

None.

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

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/24/2013

Meeting Date

Topic Clearing TF Bill Number 210  
*(if applicable)*

Name BRIAN PITTS Amendment Barcode \_\_\_\_\_  
*(if applicable)*

Job Title TRUSTEE

Address 1119 NEWTON AVNUE SOUTH Phone 727-897-9291

Street

SAINT PETERSBURG

FLORIDA

33705

City

State

Zip

E-mail JUSTICE2JESUS@YAHOO.COM

Speaking:  For  Against  Information

Representing JUSTICE-2-JESUS

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

***This form is part of the public record for this meeting.***

S-001 (10/20/11)

**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 Committee on Appropriations

BILL: **SB 212**

INTRODUCER: Senator Hays

SUBJECT: Fish and Wildlife Conservation Commission Trust Funds

DATE: January 24, 2013 REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. DeLoach	Hansen	AP	<b>Favorable</b>
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____

## **I. Summary:**

SB 212: (1) codifies in chapter 379, Florida Statutes, the Land Acquisition Trust Fund, the Invasive Plant Control Trust Fund, and the Save the Manatee Trust Fund, within the Fish and Wildlife Commission (commission); (2) authorizes repayment of cash transfers to the Federal Grants Trust Fund from other trust funds when the cash advances are no longer needed for cash flow purposes; (3) provides a less complex distribution of the interest earnings from the Lifetime Fishing and Wildlife Trust Fund (LFWTF) to the State Game Trust Fund and the Marine Resources Conservation Trust Fund; (4) deletes the requirement that the commission use an actuarial determination to allocate LWFTF interest income; and (5) deletes a requirement for the separate treatment of LFWTF interest income associated with the sale of lifetime licenses to persons under 16 years of age. The bill is effective July 1, 2013.

The bill has no fiscal impact on local governments or the private sector. There will be an increased distribution of interest earnings from the LFWTF proportionally to the State Game Trust Fund and the Marine Resources Conservation Trust Fund of approximately \$50,000 annually for fish and wildlife conservation programs.

This bill creates sections 379.213 and 379.214, Florida Statutes.

This bill amends the following sections of the Florida Statutes: 379.204, 379.207 and 379.212.

## **II. Present Situation:**

Legislative review of each trust fund is required at least once every four years, by s. 215.3208, F.S. The review schedule is included in the legislative budget instructions developed

in accordance with s. 216.023, F.S. The trust funds within the Fish and Wildlife Conservation Commission are scheduled for review this year.

All of the commission's trust funds are established in ch. 379, F.S., except for the Land Acquisition Trust Fund, the Invasive Plant Control Trust Fund, and the Save the Manatee Trust Fund. These trust funds were previously created and re-created pursuant to the Florida Constitution, but have never been codified in Florida Statute.

The *Land Acquisition Trust Fund* was re-created effective July 1, 2005, in ch. 2005-10, L.O.F., to purchase lands for public hunting, fishing, and other outdoor recreation, as well as to lease, manage, and protect these lands. Revenue sources for this fund may include donations, grants, and development-of-regional-impact wildlife mitigation contributions.<sup>1</sup> For Fiscal Year 2012-2013, the Legislature appropriated \$3.7 million from the Land Acquisition Trust Fund within the commission.

The *Invasive Plant Control Trust Fund* was re-created effective July 1, 2004, within the Department of Environmental Protection, to achieve eradication or maintenance control of invasive exotic plants on public lands. The program was transferred to the commission in ch. 2008-150, L.O.F., and the trust fund was transferred to the commission in ch. 2009-65, L.O.F. Revenue sources include distributions from the documentary stamp tax, motor fuel taxes, and recreational and commercial vessel registration fees. For Fiscal Year 2012-2013, the Legislature appropriated \$27.8 million from the Invasive Plant Control Trust Fund within the commission.

The *Save the Manatee Trust Fund* was re-created effective July 1, 2005, in ch. 2005-14, L.O.F., to fund the research of manatees and other marine mammals, as well as aiding in their protection and preventing the endangerment of other species of marine mammals. Revenue sources include donations and distributions from vessel registration fees and manatee license plate fees.<sup>2</sup> For Fiscal Year 2012-2013, the Legislature appropriated \$3.5 million from the Save the Manatee Trust Fund within the commission.

The *Federal Grants Trust Fund* was created<sup>3</sup> in s. 379.204, F.S., for use as a depository for funds to be used for allowable grant activities funded by restricted program revenues. Revenue sources consist of grants and funding from the federal government, interest earnings, and cash advances originating from hunting and fishing license fees from other trust funds. The cash advances support the trust fund until the Commission receives reimbursement from the federal government. The repayment of the cash transfers is not addressed in statute.

For Fiscal Year 2012-2013, the Legislature appropriated \$78.5 million from the Federal Grants Trust Fund within the commission.

The *Lifetime Fish and Wildlife Trust Fund* (LFWTF) was created<sup>4</sup> to support state fish and wildlife conservation programs using interest earnings from the proceeds from the sale of

<sup>1</sup> Sections 259.10521, 259.032, 375.0418, and 379.212, F.S.

<sup>2</sup> Sections 320.08058, 328.72, and 328.76, F.S.

<sup>3</sup> Ch. 2008-247, L.O.F.

<sup>4</sup> Ch. 91-78, L.O.F.

lifetime freshwater fishing licenses, saltwater fishing licenses, resident hunting licenses, and resident sportsman's licenses. The law specifies that only interest earnings accruing to the LFWTF may be expended and that no expenditure or disbursement is to be made from the principal of the LFWTF. The law also requires the commission to determine actuarially, on an annual basis, the amount of interest earned on the proceeds from the sales of lifetime licenses that may be disbursed. The law further specifies that interest income associated with the sale of licenses to persons under 16 years of age not to be expended or disbursed for any purpose until those licensees attain the age of 16 years.

The Auditor General conducted an operational audit of the commission's Office of Licensing and Permitting,<sup>5</sup> and found deficiencies in the procedures used to calculate the interest earnings available for expenditure from the LFWTF pursuant to law. The interest earnings which could have been disbursed were not calculated actuarially (the report indicated that the need for an actuarial determination of the amount of interest that could be distributed annually was unclear). In addition, the interest earned on the proceeds from lifetime licenses sold to persons under 16 years of age was not expended or disbursed after the licensees attained the age of 16 years, as required by law, and the amount of interest earnings associated with license fees paid by those licensees who had attained the age of 16 years could not be readily determined. The Auditor General recommended that the Legislature revise s. 379.207, F.S., to remove or clarify the requirement that the commission use an actuarial determination to allocate interest income, and to remove the separate treatment of interest income derived from the sale of lifetime licenses to persons under 16 years of age.

As of June 30, 2012, the principle balance of the LFWTF was \$11.8 million. The total interest earned during the 2011-2012 fiscal year was \$248,536, of which \$51,159 was retained as principle associated with license holders who are under 16 years of age.

### **III. Effect of Proposed Changes:**

To be consistent with the other trust funds within by the commission, the bill codifies in ch. 379, F.S., the Land Acquisition Trust Fund, the Invasive Plant Control Trust Fund, and the Save the Manatee Trust Fund.

Additionally, the bill amends s. 379.204, F.S., to authorize the repayment of transfers to the Federal Grants Trust Fund from other trust funds when the cash advances are no longer needed for cash flow purposes. This will permit adjustment of the amount needed to support contract and grant activities as those needs change over time.

Finally, the bill amends s. 379.207, F.S., to delete the requirement that the commission use an actuarial determination to allocate interest income from the Lifetime Fish and Wildlife Trust Fund, and removes requirement for the separate treatment of the interest income associated with the sale of lifetime licenses to persons under 16 years of age. These changes will increase the distribution of interest earnings from the LFWTF proportionally to the State Game Trust Fund and the Marine Resources Conservation Trust Fund, to support fish and wildlife conservation programs.

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<sup>5</sup> Auditor General Operational Audit, Report No. 2011-188, May 2011

**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 simplified interest distribution process for the LFWTF contained in the bill will allow the commission to increase the distribution by approximately \$50,000 to support fish and wildlife conservation programs. This additional distribution will not significantly impact the principle amount of the LFWTF which will be available to earn interest. Otherwise, this bill has no fiscal impact on state agencies or state funds, on local governments as a whole, or on the private sector.

**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:**

None.

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

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/24/201

Meeting Date

Topic Fish & Wild TF

Bill Number 212  
(if applicable)

Name BRIAN PITTS

Amendment Barcode \_\_\_\_\_  
(if applicable)

Job Title TRUSTEE

Address 1119 NEWTON AVNUE SOUTH  
Street

SAINT PETERSBURG      FLORIDA      33705  
City                              State                              Zip

Phone 727-897-9291

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Speaking:  For     Against     Information

Representing JUSTICE-2-JESUS

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

*This form is part of the public record for this meeting.*

S-001 (10/20/11)

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.)

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Prepared By: The Professional Staff of the Committee on Appropriations

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BILL: CS/SB 214

INTRODUCER: Appropriations Committee and Senator Hays

SUBJECT: Florida Forever Trust Fund/Department of Environmental Protection

DATE: January 24, 2013

REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Howard	Hansen	AP	<b>Fav/CS</b>
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____

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**I. Summary:**

CS/SB 214 terminates the Florida Forever Program Trust Fund within the Department of Environmental Protection (DEP). The trust fund is scheduled for termination on July 1, 2014. After all outstanding debts and obligations of the trust fund are paid, any remaining cash balance, outstanding appropriations and revenues are transferred to the Florida Forever Trust Fund.

Additionally, the Florida Forever Trust Fund is designated as the depository for revenue from the disposition of lands purchased under the Florida Preservation 2000 Act.

The bill is effective July 1, 2013, and has no fiscal impact.

This bill amends section 259.101, Florida Statutes.

The bill repeals section 380.5115, Florida Statutes.

**II. Present Situation:**

**The Florida Forever Program Trust Fund**

Article III, s. 19(f) of the Florida Constitution requires the termination of all state trust funds within four years of their initial creation, unless the trust fund is exempted by the constitution or operation of law. The Florida Forever Program Trust Fund within the Department of Environmental Protection is scheduled to be terminated on July 1, 2014.

The DEP has two similarly named trust funds: the Florida Forever Program Trust Fund and the Florida Forever Trust Fund.

The Florida Forever Program Trust Fund was created and subsequently re-created<sup>1</sup> within the Department of Community Affairs (DCA). The fund was used by the Florida Communities Trust to provide grants to local governments or nonprofit environmental organizations for the acquisition of community-based projects, urban open spaces, parks, and greenways to implement local governmental comprehensive plans,<sup>2</sup> as well as the acquisition of land and capital improvement expenditures necessary to implement the Stan Mayfield Working Waterfronts Program<sup>3</sup>. Revenue sources include cash payments or bond proceeds.<sup>4</sup>

The Florida Forever Program Trust Fund, along with all powers, duties, function, records, office, personnel, associated support positions, property, pending issues, existing contracts, administrative authority and rules, unexpended balances of appropriations and allocation of the Florida Communities Trust, was transferred from the DCA to the DEP in ch. 2011-14, L.O.F., concurrent with the dissolution of the DCA. Future revenue was redirected to the Florida Forever Trust Fund.

The Florida Forever Program Trust Fund is scheduled for termination on July 1, 2014. As required by s. 215.3206(2), F.S., any remaining cash balance will be transferred to the General Revenue Fund.

### **Florida Preservation 2000**

In 1990, the Legislature created the Florida Preservation 2000 Program, along with the Florida Preservation 2000 Trust Fund,<sup>5</sup> as a 10-year program for the purpose of acquiring lands for conservation and recreation and the provision of open space within urban areas. Revenue sources include bond proceeds and the sale of surplus lands.<sup>6</sup>

The 1999 Legislature created the Florida Forever Program as the successor program to the Florida Preservation 2000 Program.<sup>7</sup> All remaining Florida Preservation 2000 bonds will mature on July 1, 2013. Currently, proceeds from any sale of surplus lands purchased under the Florida Preservation 2000 Program would be deposited into the Florida Preservation 2000 Trust Fund.

### **III. Effect of Proposed Changes:**

The Florida Forever Program Trust Fund is terminated. Section 380.115, F.S., is repealed. All cash balances, outstanding appropriations and revenues of the Florida Forever Program Trust Fund are transferred to the Florida Forever Trust Fund. The bill requires that the DEP pay any outstanding debts and obligations of the Florida Forever Program Trust Fund and that the Chief

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<sup>1</sup> Section 259.105(3)(c), F.S.

<sup>2</sup> Section 259.105(3)(c), F.S.

<sup>3</sup> Section 259.105(3)(j), F.S.

<sup>4</sup> Section 259.105(3), F.S.

<sup>5</sup> Ch. 90-217, Laws of Florida.

<sup>6</sup> Section 375.045, F.S.

<sup>7</sup> Ch. 99-247, L.O.F.

Financial Officer close out and remove the terminated trust fund from the various state accounting systems.

Section 259.101, F.S., is amended to require that the Florida Forever Trust Fund be the depository of revenue from the disposition of lands originally purchased under the Florida Preservation 2000 Act.

**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 remaining fixed capital outlay obligation of the Florida Forever Program Trust Fund is \$21.6 million. Because the bill transfers all current balances, outstanding appropriations and all revenues of the Florida Forever Program Trust Fund, the bill has no fiscal impact on state agencies or state funds, on local governments as a whole, or on the private sector.

**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.)

The committee substitute adds the transfer of all outstanding appropriations from the Florida Forever Program Trust Fund to the Florida Forever Trust Fund in addition to the original language that transfers all current balances and all revenues.

B. **Amendments:**

None.

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

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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/25/2013	.	
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	.	
	.	

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The Committee on Appropriations (Hays) recommended the following:

1                   **Senate Amendment (with title amendment)**

2

3                   Delete lines 20 - 21

4 and insert:

5                   (2) All current balances remaining in, all revenues of, and  
6                   all outstanding appropriations of, the trust fund shall be  
7                   transferred to the Florida Forever Trust

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

9 And the title is amended as follows:

10                  Delete lines 5 - 6

11 and insert:



13        the disposition of balances in, revenues of, and all  
14        outstanding appropriations of the trust fund;  
15        prescribing procedures for the termination

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.)

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Prepared By: The Professional Staff of the Committee on Appropriations

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BILL: SB 216

INTRODUCER: Senator Hays

SUBJECT: Federal Grants Trust Fund/Department of Management Services

DATE: January 24, 2013 REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Betta	Hansen	AP	<b>Favorable</b>
2.			
3.			
4.			
5.			
6.			

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**I. Summary:**

SB 216 recreates, without modification, the Federal Grants Trust Fund within the Department of Management Services. The bill is effective July 1, 2013, and has no fiscal impact on state or local funds.

This bill repeals section 20.221(3), Florida Statutes.

**II. Present Situation:**

Article III, s. 19(f) of the Florida Constitution requires the termination of all state trust funds within four years of their initial creation, unless the trust fund is exempted by the constitution or operation of law.

The Federal Grants Trust Fund within the Department of Management Services, which was created July 1, 2010, by ch. 2010-12, L.O.F., is scheduled to be terminated on July 1, 2014. The trust fund was established as a depository for funds to be used for allowable grant activities funded by restricted program revenues from federal sources, including interest earnings and cash advances from other trust funds.

For Fiscal Year 2012-2013, the Legislature appropriated \$3.4 million from the Federal Grants Trust Fund within the Department of Management Services for broadband services and enhanced 911 routing equipment and services.

**III. Effect of Proposed Changes:**

The Federal Grants Trust Fund within the Department of Management Services is re-created without modification. Section 20.221(3), F.S., which terminates the trust fund on July 1, 2014, is repealed.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

Pursuant to Art. III, s. 19(f)(1) of the Florida Constitution, a bill that re-creates a trust fund must pass by a three-fifths vote of the membership of each house in a separate bill for that purpose only.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

This bill has no fiscal impact on state agencies or state funds, on local governments as a whole, or on the private sector. It simply re-creates, without modification, an existing state trust fund and continues the current use of the fund.

**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:**

None.

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

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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.)

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Prepared By: The Professional Staff of the Committee on Appropriations

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BILL: SB 218

INTRODUCER: Senator Hays

SUBJECT: Mortgage Guaranty Trust Fund/Office of Financial Regulation

DATE: January 24, 2013 REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Davis	Hansen	AP	<b>Favorable</b>
2.			
3.			
4.			
5.			
6.			

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**I. Summary:**

SB 218 re-creates, without modification, the Mortgage Guaranty Trust Fund within the Office of Financial Regulation. The bill is effective July 1, 2013, and has no fiscal impact on state or local funds.

This bill repeals section 494.00173(4), Florida Statutes.

**II. Present Situation:**

Article III, s. 19(f) of the Florida Constitution requires the termination of all state trust funds within four years of their initial creation, unless the trust fund is exempted by the constitution or operation of law.

The Mortgage Guaranty Trust Fund within the Office of Financial Regulation is scheduled to be terminated on July 1, 2014. The trust fund was created for the purpose of compensating persons who have suffered monetary damages due to a violation of ch. 494, F.S., by a licensed loan originator, mortgage broker, or mortgage lender. Funding for the trust fund was authorized by the 2009 Legislature in s. 494.00172, F.S., and consists of an annual license fee on loan originators, mortgage brokers, and mortgage lenders.

**III. Effect of Proposed Changes:**

The Mortgage Guaranty Trust Fund within the Office of Financial Regulation is re-created without modification. Section 494.00173(4), F.S., which terminates the trust fund on July 1, 2014, is repealed.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

Pursuant to Art. III, s. 19(f)(1) of the Florida Constitution, a bill that re-creates a trust fund must pass by a three-fifths vote of the membership of each house in a separate bill for that purpose only.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

This bill has no fiscal impact on state agencies or state funds, on local governments as a whole, or on the private sector. It simply re-creates, without modification, an existing state trust fund and continues the current use of the fund.

**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:**

None.

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

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**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 Committee on Appropriations

BILL: **SB 220**

INTRODUCER: Senator Bradley

SUBJECT: Capital Collateral Regional Counsel Trust Fund/Justice Administrative Commission

DATE: January 24, 2013 REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Harkness	Hansen	AP	<b>Favorable</b>
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____

**I. Summary:**

SB 220 re-creates, without modification, the Capital Collateral Regional Counsel Trust Fund within the Justice Administrative Commission. The bill is effective July 1, 2013, and has no fiscal impact on state or local funds.

This bill repeals section 27.715(2), Florida Statutes.

**II. Present Situation:**

Article III, s. 19(f) of the Florida Constitution requires the termination of all state trust funds within four years of their initial creation, unless the trust fund is exempted by the constitution or operation of law.

The Capital Collateral Regional Trust Fund within the Justice Administrative Commission is scheduled to be terminated on July 1, 2013. Funds credited to this trust fund consist of reimbursements received from the federal government for legal representation in federal capital post-conviction proceedings.<sup>1</sup> Capital Collateral Regional Counsel attorneys provide representation to any person convicted and sentenced to death in Florida who is without counsel due to indigency. These attorneys are eligible to receive reimbursement at an hourly rate from the federal government for case-related expenses (e.g., preparation of legal briefs) incurred when they represent their clients in federal court.

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<sup>1</sup> 18 U.S.C. s. 3006A.

For Fiscal Year 2012-2013, the Legislature appropriated \$400,000 from this trust fund. The trust fund is estimated to receive \$424,438 during Fiscal Year 2012-2013 and the fund balance is estimated to be \$960,467 on June 30, 2013.

**III. Effect of Proposed Changes:**

The Capital Collateral Regional Counsel Trust Fund is re-created without modification. Section 27.715(2), F.S., which terminates the trust fund on July 1, 2013, is repealed.

**IV. Constitutional Issues:**

**A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

Pursuant to Art. III, s. 19(f)(1) of the Florida Constitution, a bill that re-creates a trust fund must pass by a three-fifths vote of the membership of each house in a separate bill for that purpose only.

**V. Fiscal Impact Statement:**

**A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

This bill has no fiscal impact on state agencies or state funds, on local governments as a whole or on the private sector. It simply re-creates, without modification, an existing state trust fund and continues the current use of the fund.

**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:**

None.

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

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## THE FLORIDA SENATE

## APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/24/2013

Meeting Date

Topic Cap Coll TFBill Number 220  
(if applicable)Name BRIAN PITTSAmendment Barcode \_\_\_\_\_  
(if applicable)Job Title TRUSTEEAddress 1119 NEWTON AVNUE SOUTHPhone 727-897-9291

Street

SAINT PETERSBURGFLORIDA33705

City

State

Zip

E-mail JUSTICE2JESUS@YAHOO.COMSpeaking:  For  Against  InformationRepresenting JUSTICE-2-JESUSAppearing at request of Chair:  Yes  NoLobbyist registered with Legislature:  Yes  No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

***This form is part of the public record for this meeting.***

S-001 (10/20/11)

**Annual Debt Collection Summary**  
**Write-Off Breakdown for FY 2011-2012**

<b>REVENUES</b>						
OLO	Agency Name	Amount	Total Annual Revenue / Expenditure Related to Write-Off Amount	% Total Written Off	Comments	
730000	REVENUE	36,668,746	33,898,000,000	0.11%	All write off amounts are tax related. Amounts arise from liabilities from multiple years ranging from 1995-96 to 2011-12. Total collections for state fiscal year 2011-12 were \$33.9B. Therefore, these write offs, which are applicable to a 15 year span of time, equate to just over one-tenth of one percent of the total collections for FY 2011-12.	
800000	JUVENILE JUSTICE	17,076,154	6,300,000	271%	100% of these uncollectable funds are from DJJ's cost of care requirement, which was implemented in 2004. DJJ charges a family \$5 per day each day for each juvenile in their residential program. DJJ currently has 23,000 outstanding cases ranging over multiple years. If the debt is not collected in 4 years it is written-off. The department billed \$6.3 million for cost-of-care services in FY 2011-12 and only collected \$1.2 million.	
790000	BUSINESS AND PROFESSIONAL REGULATION	14,034,765	2,101,181,014	0.67%	The write-off amounts are related to uncollected professional and business license fees, fines and debit memos over multiple fiscal years. \$6.7 million of the \$14 million write off were from prior years leaving the balance of \$7.3 million applicable to FY11-12. The \$2.1 billion reflects all revenues received during FY 11-12.	
550000	TRANSPORTATION	2,405,257	613,400,000	0.39%	The amount written-off is related to uncollected toll transactions, damage claims, not-sufficient funds returned checks, outdoor advertising fees, and right of way acquisition. The department contracts with a collection agent who has deemed these accounts uncollectable. Of the \$2.4 million written off, \$1.8 million was related to toll revenues and \$.561k to damage claims, not-sufficient funds returned checks, outdoor advertising fees, and right of way.	
370000	ENVIRONMENTAL PROTECTION	2,207,473	30,341,375	7%	The written-off amount reflects multiple fiscal years from various regulatory fees, fines, and penalties. The total annual revenue represents only those specific revenue streams related to the write-off amount for FY 11-12.	
360000	LOTTERY	1,375,140	4,457,553,508	0.03%	The write-off amount reflects uncollected ticket sales over multiple fiscal years. (FY 2008-09 through FY 2011-12 with the majority from FY 2009/10). Total revenue reflects FY 11-12 ticket sales.	

**Annual Debt Collection Summary**  
**Write-Off Breakdown for FY 2011-2012**

<b>REVENUES</b>						
OLO	Agency Name	Amount	Total Annual Revenue / Expenditure Related to Write-Off Amount	% Total Written Off	Comments	
640000	HEALTH	1,212,243	863,455,405	0.14%	Pursuant to s. 402.33(5), F.S., the majority of write-offs are from clients that receive personal health services at a county health department as payment is not required as a prerequisite to treatment or care. The remaining write-offs come from the Division of Medical Quality Assurance and are due to uncollected fines that are paid in accordance with the department's medical practitioner and facility licensing activities.	
430000	FINANCIAL SERVICES/OFR	1,193,892	7,942,128	15%	The write-off amount represents multiple fiscal years (FY 2000-01 through FY 2009-10). The majority are fines and penalties against mortgage corporations, check cashing services, and securities dealers. The \$1.19 million write-off consists mainly of a \$1 million fine from FY 2001-02. Removing the \$1 million fine as an outlier would result in a % written off of 2.4%. The total annual revenue related to the write-off amount represents fines and penalties received for only FY 11-12.	
110000	LEGISLATURE	796,689	77,500	N/A	The Ethics Commission annually receives fine revenue of approximately \$77.5k from automatic financial disclosure fines. The amount written-off is related to automatic financial disclosure fees and is not attributable to complaint-related penalties. These amounts were written-off due to the statute of limitations expiring and possibly date back as far 2001. A small amount are for reason such as bankruptcies, people moving out of the country, etc. The proposed ethics bill contains provisions to extend the statute of limitations from 4 to 20 years and grants the Commission the ability to use liens and garnishments to collect fines.	
720000	MANAGEMENT SERVICES	410,799	120,248,790	0.34%	The write-off amount spans multiple fiscal years. The majority of the write-off amount is related to communications services (SUNCOM) receivables and retirement contribution late fees. The total revenue of \$120.2 million reflects FY 11-12 SUNCOM and retirement contribution late fees.	
220000	STATE COURTS	24,337			This amount is uncollectable court fees due to bad checks.	
710000	LAW ENFORCEMENT	6,769	67,775,912	0.01%	The majority of the write-offs are related to background checks for Firearms Purchase Program dealers or insufficient checks received for Criminal History Record checks. Collections are often unsuccessful because the business is dissolved or the individual cannot be located.	
450000	STATE	2,765	1,916,365	0.1%	The amount written-off includes: \$1,305.75 of returned checks for notary public certification fees (out of a total of \$1,830,024 collected); a \$1,103.78 fine for failure to timely file a campaign report (out of a total of \$33,423 collected); and \$356.25 for service of process fees (out of a total of \$52,918 collected). All of the debts are still being pursued by a debt collection agency.	

**Annual Debt Collection Summary**  
**Write-Off Breakdown for FY 2011-2012**

<b>REVENUES</b>					
OLO	Agency Name	Amount	Total Annual Revenue / Expenditure Related to Write-Off Amount	% Total Written Off	Comments
610000	PUBLIC SERVICE COMMISSION	1,800	6,594,939	0.03%	The write-off amount results from the bankruptcy of two telecommunications companies and their associated telecommunication certificate assessments including penalties during FY 11-12. The \$6.5 million represents telecommunications revenue received for FY 11-12.
729800	SOUTHWOOD SHARED RESOURCE CENTER	1,582	23,614,081	0.01%	The \$23.6 million reflects the total amount the data center billed in 2011-12. This write-off is from the amount of \$2,306 that was originally over due from agencies relating to licenses. This item is internal to the state budget since it includes transfers between agencies.
<b>Total Revenues:</b>		<b>77,418,409</b>	<b>42,198,401,017</b>	<b>0.18%</b>	

**Annual Debt Collection Summary**  
**Write-Off Breakdown for FY 2011-2012**

**EXPENDITURES**

OLO	Agency Name	Amount	Total Annual Revenue / Expenditure Related to Write-Off Amount	% Total Written Off	Comments
400000	ECONOMIC OPPORTUNITY	30,690,035	2,330,071,872	1.3%	The amount written-off is unemployment compensation overpayments made during Fiscal Years 2006-07, 2007-08, and 2008-09 that had exceeded the statute of limitations for collection. According to information provided by DEO, the annual average of total benefits paid during these fiscal years was \$2,330,071,872. The department is in the process of joining the federal government's Treasury Offset Program which should result in enhanced collections to the state.
680000	HEALTHCARE ADMINISTRATION	13,873,413	914,353,017	1.52%	The majority of the write-offs are related to Medicaid overpayments that could not be collected. Agency staff have attempted to contact the providers by phone and mailed collection notices. If a provider is filing for claim reimbursements a lien may be placed to recoup the funds. If the provider has left the Medicaid program the Agency will investigate to see if the non-active providers are affiliated with active providers. Some of the reasons that collections are unsuccessful include providers being incarcerated; providers have filed bankruptcy; providers are deceased; the business is dissolved; and unable to locate the provider.
600000	CHILDREN & FAMILIES	3,927,855	166,500,000	2.4%	Most of the write-offs involve the cost of Medicaid services or TANF Cash Assistance payments provided to individuals that no longer qualify for assistance. In 80% of the cases the recipient became deceased. The other cases represent accounts that have no activity for at least 3 years and collection was actively pursued. For TANF cash assistance, the write-off is 0.8% of annual TANF payments. The other programs: the USDA distributes approximately \$5 billion of food stamp (SNAPS) payments annually to Florida citizens. AHCA is responsible for payments to health care providers for Medicaid-eligible individuals. DCF attempts to collect from individuals the cost of services provided or payments received while ineligible. Therefore, the collection rate for these programs cannot be accurately determined.
480000	EDUCATION	98,894	403,757	NA	These are uncollectible balances from some student loans which have a service obligation (usually teaching) leading to loan forgiveness. The write off is needed in these cases the service obligation has not been met and the student loan office (OSFA) has not been able to collect unpaid amounts for an extended period of time. These loans are no longer made, and the balance represents all outstanding loans from the period 1973-2001. At this stage amounts are not continuing to be pursued by a collector.

**Annual Debt Collection Summary**  
**Write-Off Breakdown for FY 2011-2012**

**EXPENDITURES**

OLO	Agency Name	Amount	Total Annual Revenue / Expenditure Related to Write-Off Amount	% Total Written Off	Comments
620000	MILITARY AFFAIRS	767	1,743,495	0.04%	These uncollected balances are due from National Guard Members who have received tuition assistance for higher education who either did not complete the course or did not fulfill their recruitment agreement. Members receiving tuition systems must satisfactorily complete the course work or are obligated to repay the amount received for those courses. In FY 11-12, \$1.7 million was expended for tuition assistance to National Guard members. One case was written off due medical conditions that prohibited the student from completing the course work.
	<b>Total Expenditures:</b>	<b>48,590,964</b>	<b>3,413,072,141</b>	<b>1.42%</b>	
	<b>Total Revenues &amp; Expenditures</b>	<b>126,009,373</b>	<b>45,611,473,159</b>	<b>0.28%</b>	

*Source: Section 17.20(4), F.S., reports submitted by the state agencies for the fiscal year ended June 30, 2012.*

*State of Florida*

**2012**

**Debt Affordability**

**Report**

*Presentation to*  
***Senate Committee on Appropriations***

*January 2013*

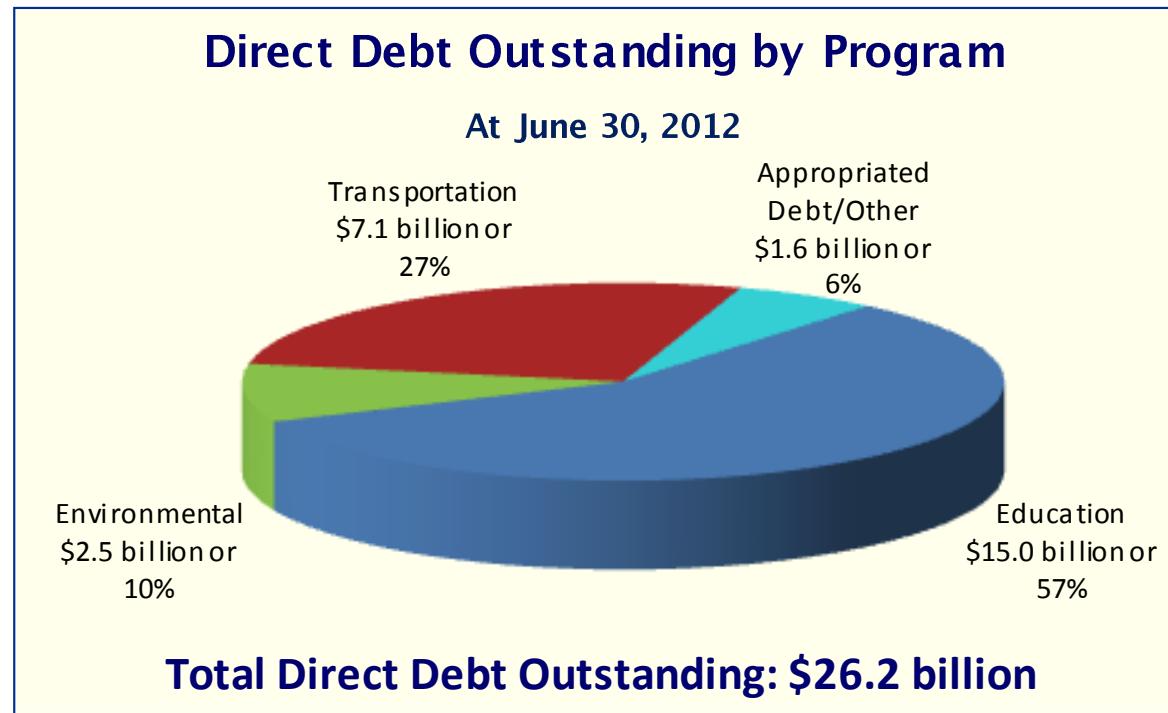


# Debt Affordability Analysis

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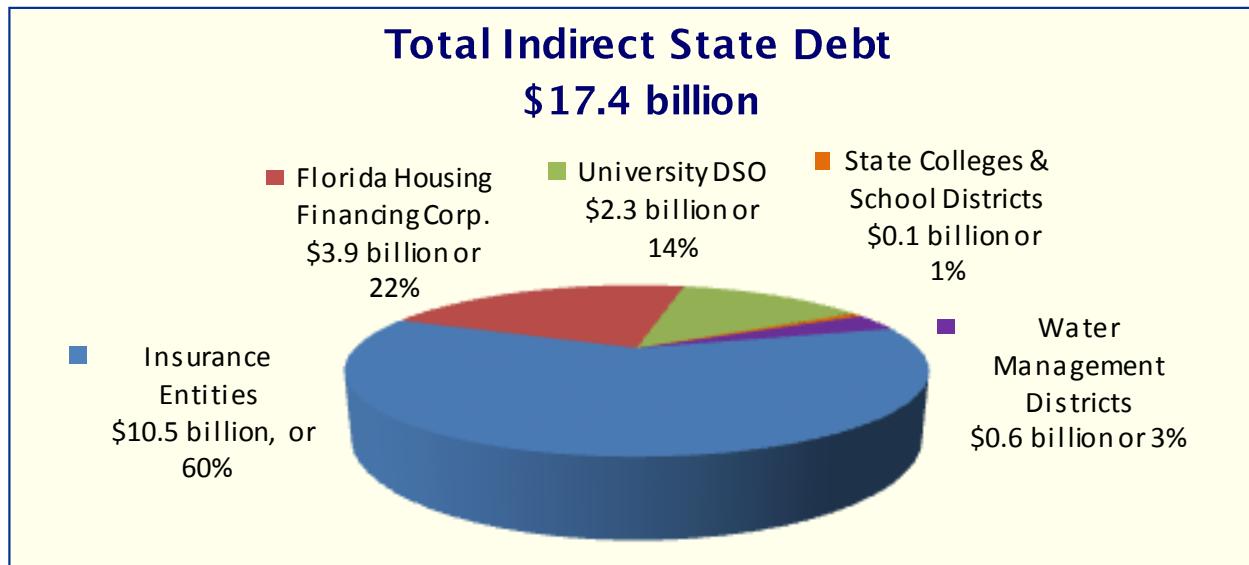
- Purpose of debt affordability analysis is to provide a framework for measuring, monitoring and managing the State's debt
- Provides information to assist Legislature in formulating capital spending plans
- Analytical approach to evaluating the State's debt position
- Financial model used to evaluate debt burden – the “benchmark debt ratio” – based on two variables:
  - 1) Annual debt service requirements
  - 2) State revenues available to pay debt service
- Designated benchmark debt ratio – 6% target, 7% cap
- Model provides framework for evaluating long-term impact of bonding

# Direct Debt Outstanding



- Total outstanding direct debt at June 30, 2012 was \$26.2 billion (net tax-supported debt was \$21.6 billion and self-supporting debt was \$4.6 billion)
- Largest infrastructure investment for school construction of \$15.0 billion (57%)
- Next largest for transportation debt (primarily toll facilities and long term P3 obligations) of \$7.1 billion (27%)
- Third largest for acquiring land for conservation of \$2.5 billion (10%)

# Indirect Debt

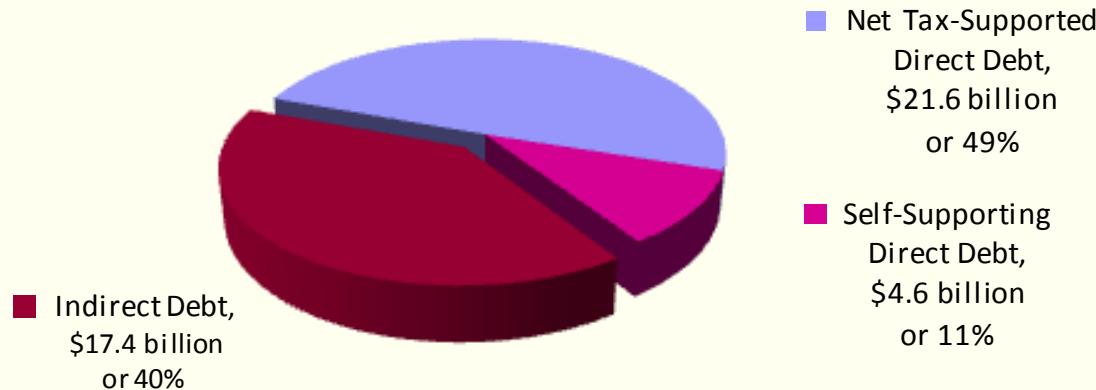


- Indirect debt is not included in benchmark debt ratio
- Indirect debt is not secured by traditional State revenues or is an obligation of a legal entity separate from the State
- Insurance entities account for \$10.5 billion or 60% of the indirect debt
  - Citizens Property Insurance Corporation, \$5.7 billion
  - Florida Hurricane Catastrophe (CAT) Fund Financing Corporation, \$4.8 billion
- Majority of Citizens and CAT Fund debt for liquidity financings, \$8.6 billion
- Post-event debt secured by assessments, \$1.9 billion
- Increased exposure of Citizens and CAT Fund poses potential future debt burden payable from assessments

# Direct and Indirect Debt Combined

## Direct and Indirect Debt Combined

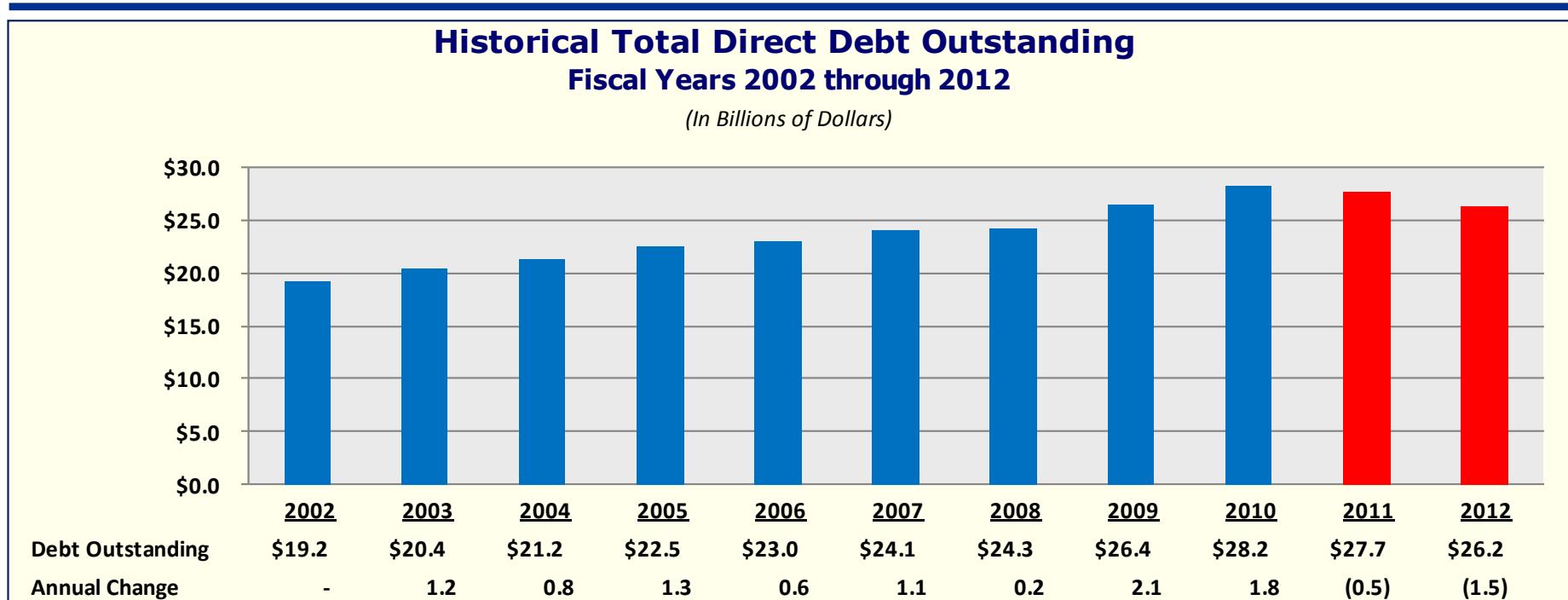
(In Billions of Dollars)



**Combined Direct and Indirect Debt: \$43.7 billion**

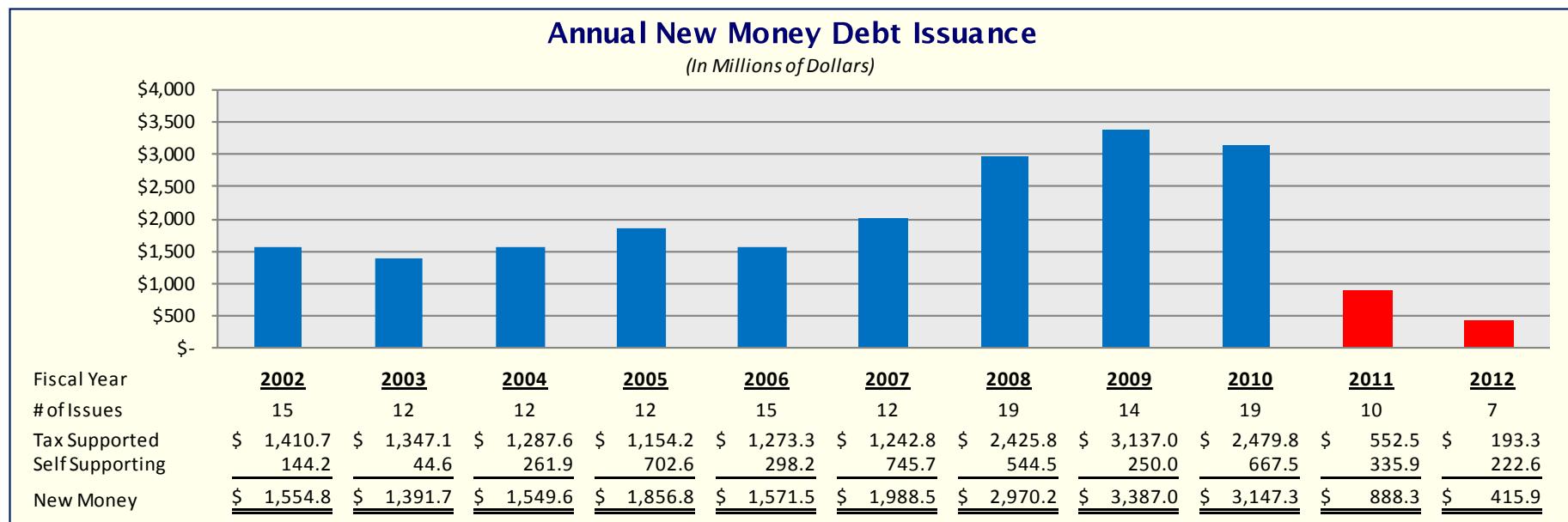
- Combined direct and indirect debt totaled \$43.7 billion at June 30, 2012, the same as the prior year's \$43.7 billion
- Direct debt comprises 60% of the total and indirect debt represents 40% of the combined debt
- While not direct debt of the State, potential future hurricane costs and insurance entity assessments are included in the analysis of the State's full, faith and credit ratings

# Direct Debt Outstanding



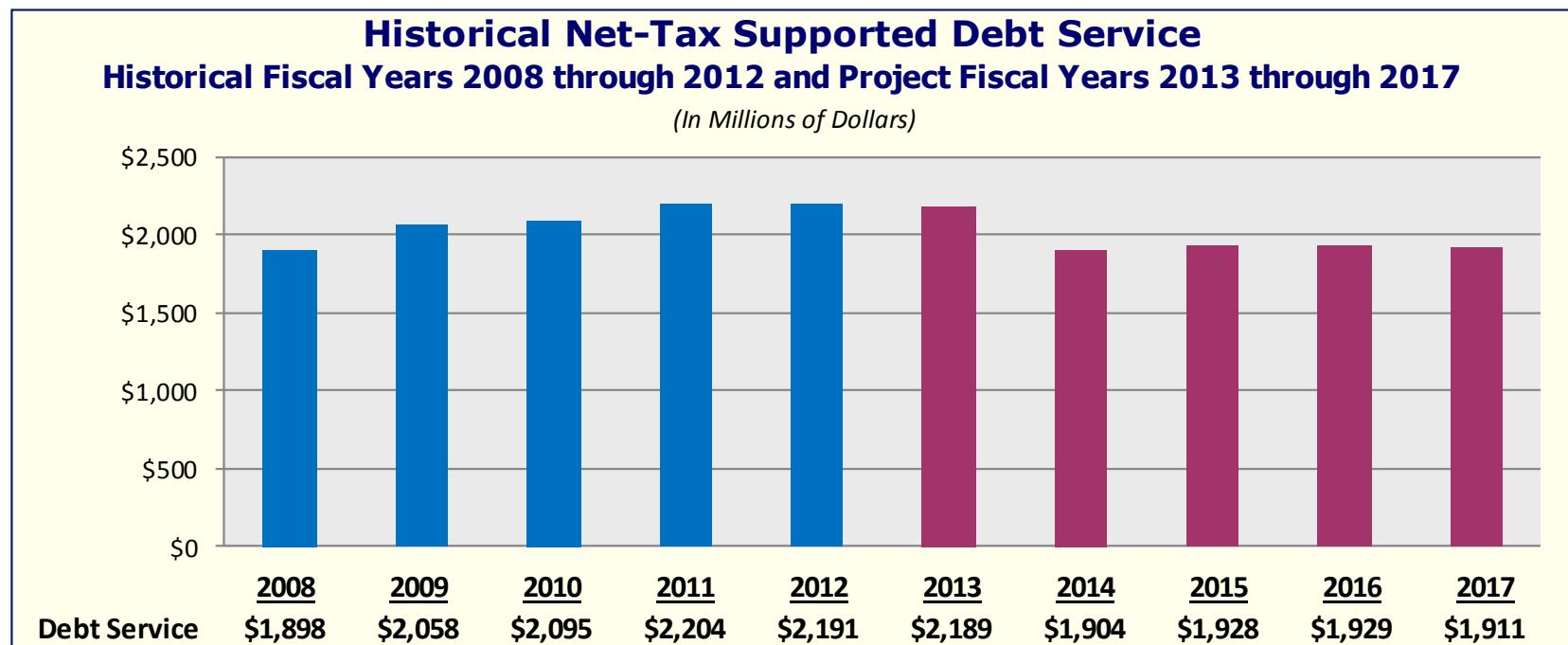
- Over the eight years between 2002 and 2010 direct debt outstanding increased \$9.0 billion from \$19.2 billion to \$28.2 billion
- Average annual increase in debt of approximately \$1.1 billion per year over that eight year period
- Total direct debt outstanding has decreased by \$2.0 billion over the last two fiscal years: \$500 million in 2011 and \$1.5 billion in 2012
- Reduction primarily resulted from principal amortizations on existing debt exceeding new debt issuance

# History of Annual Debt Issuance



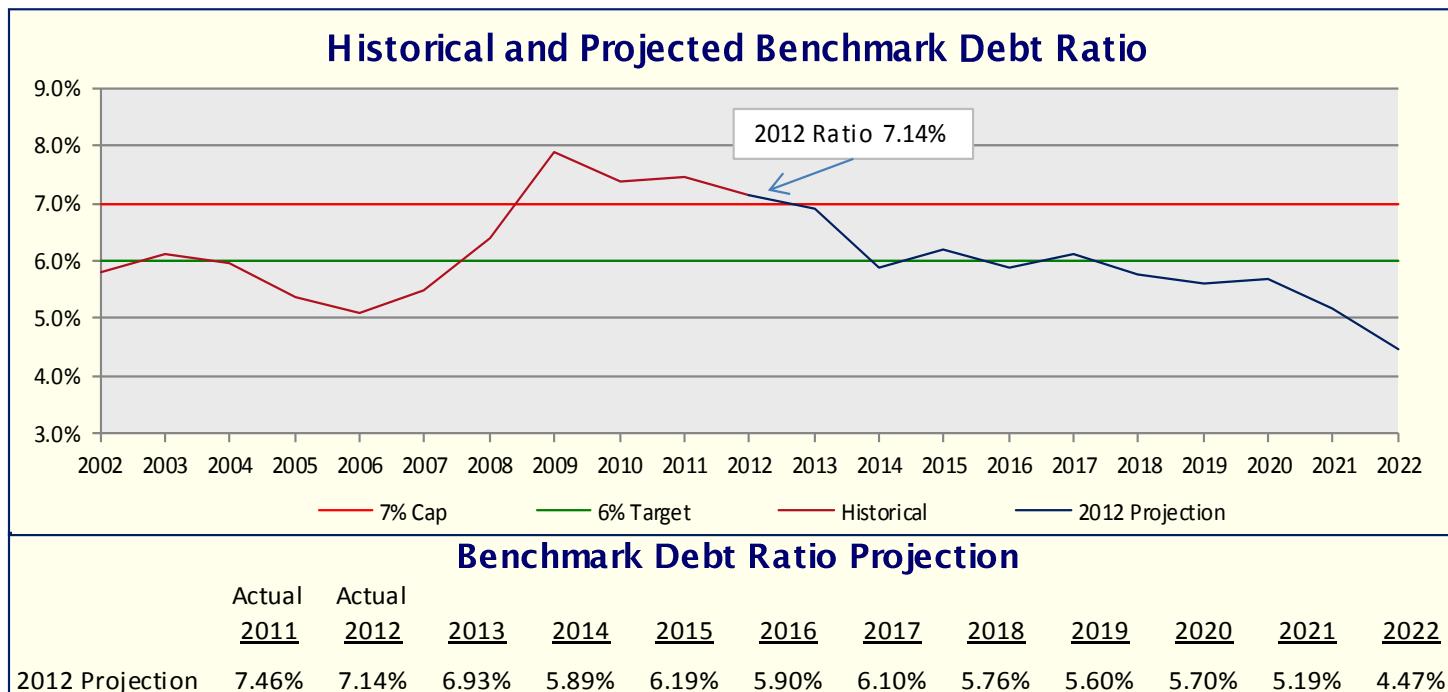
- New money debt issuance averaged \$2.0 billion per year over the past ten years
- Dramatic decline in new money bond issuance in each of the last two fiscal years
- Only \$416 million in new money issuance in Fiscal Year 2012, significantly less than average annual issuance over the last ten years
- Use of alternative financing techniques, e.g. Public Private Partnerships (P3s) for transportation and expanded university bonding may significantly increase future debt issuance

# Growth in Annual Debt Service



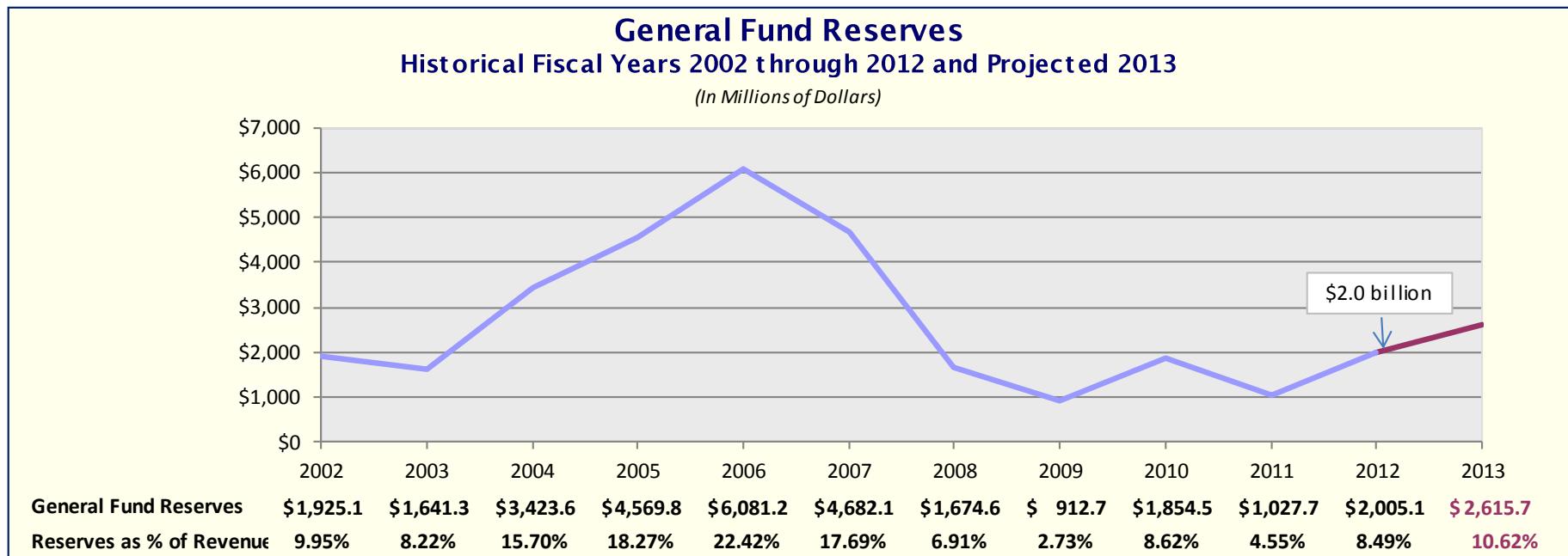
- Annual debt service payments for net tax-supported debt has increased more than 60% over the last 10 years, increasing from \$1.4 billion in 2002 to \$2.2 billion in 2012
- Annual debt service requirements remained flat from the prior year at approximately \$2.2 billion
- Annual debt service is expected to decline in 2014 primarily due to the retirement of the Preservation 2000 bonds but still represents a significant recurring commitment of approximately \$1.9 billion annually

# Benchmark Debt Ratio



- Benchmark debt ratio is debt service as percentage of available revenues
- Significant increase in benchmark debt ratio from 2006 – 2009 due to dramatic revenue declines
- Benchmark debt ratio improved to 7.14% for Fiscal Year 2012 predominately due to increased revenue collections available to pay debt service
- Benchmark debt ratio is projected to improve in Fiscal Year 2013 falling under the 7% Cap for the first time since 2008
- Benchmark debt ratio also expected to improve significantly in Fiscal Year 2014 due to final payment on Preservation 2000 bonds

# General Fund Reserves



- General Fund reserves include unspent general revenues and funds held in the Budget Stabilization Fund
- General Fund reserves accumulated from 2003 through 2006 to an unprecedented high of \$6.1 billion or 22.5% of general revenues
- In 2007, 2008, and 2009, reserves were used to help balance the budget
- Fiscal Year 2012 ended with General Fund reserves of \$2.0 billion or 8.5% of general revenues, exceeding the 5% considered minimally adequate by rating agency guidelines
- General Fund reserves are projected to increase to \$2.6 billion or 10.6% of projected general revenues at the end of Fiscal Year 2013
- Adequate reserves are critical to maintaining the State's credit rating and providing financial flexibility to respond to financial contingencies

# Florida's Credit Ratings

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- Credit ratings are integral in the municipal bond market and are one factor that affects the interest rate on State debt offerings
- Factors analyzed in assigning State's credit ratings
  - Governance Framework
  - Financial Management
  - Budgetary Performance
  - Debt/Liability Profile
  - Economy
- State ratings remained unchanged over the past year
- Florida is one of only nine states that have a “AAA” rating from both Fitch and Standard & Poor’s

State of Florida General Obligation Credit Ratings		
	<u>Rating</u>	<u>Outlook</u>
Standard & Poor's	AAA	Stable
Fitch Ratings	AAA	Negative
Moody's Investors Service	Aa1	Stable

# Florida's Credit Ratings

---

- The rating agencies have identified the following credit strengths and challenges:

## Strengths:

- Conservative budget and financial management
- Significant progress in restoring structural budget balance
- Strong/satisfactory reserves
- Moderate debt burden with clear guidelines
- Relatively well-funded pension system
- Large, service based economy that benefits from a low cost of living and favorable climate

## Challenges:

- Housing market that remains challenged by high foreclosures and price depreciation
- Maintenance of structural budget balance in the face of muted revenue growth
- Maintaining adequate reserves
- Potential budget pressure caused by Federal government spending cuts
- Mitigation of fiscal and economic risks associated with hurricane events and insurance entity debt obligations
- Pension liabilities and management of the long term funded status of the pension system has become increasingly important to the rating agencies credit analytics
- Material reduction in reserves caused by unexpected fiscal developments could cause a downgrade
- State ratings remain vulnerable and rating agencies will be carefully monitoring future economic and budgetary developments

# Conclusions

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- **At June 30, 2012, State direct debt of \$26.2 billion, \$2.0 billion less than Fiscal Year 2010**
- Reduction in total debt reverses a long term trend and primarily due to principal amortizations exceeding new-money issuance in 2012
- Indirect debt and obligations related to P3s are significant factors in the State's overall debt profile
- Recurring annual debt service requirements on existing obligations are \$2.2 billion
- Benchmark debt ratio of 7.14% has improved and should continue downward trend but remains in excess of 7% policy cap
- General Fund reserves at June 30, 2012 of \$2.0 billion are up from 2011 and projected to increase to \$2.6 billion during Fiscal Year 2013
- Pension liabilities and management of the long term funded status of the pension system has become increasingly important to the rating agencies credit analytics
- State ratings are very strong (AAA, AAA, Aa1) but are vulnerable to lagging economic recovery, budgetary challenges and unexpected fiscal developments causing a material reduction in reserves

THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

01/24/13

*Meeting Date*

Topic Debt Affordability Report Bill Number TAB 13  
*(if applicable)*

Name Ben Watkins Amendment Barcode \_\_\_\_\_  
*(if applicable)*

Job Title Director, FL Div. of Bond Finance

Address 1801 Hermitage Blvd., Suite 200 Phone 850 488 4782  
*Street*

Tallahassee FL 32308 E-mail ben.watkins@sbafla.com  
*City* *State* *Zip*

Speaking:  For  Against  Information

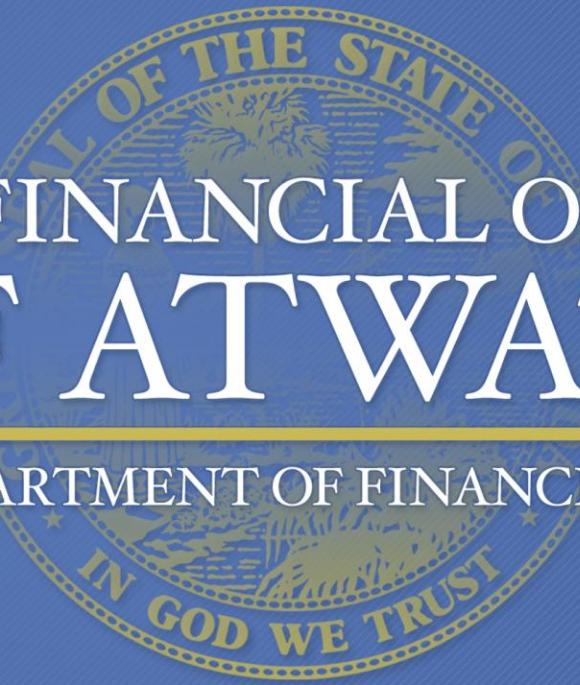
Representing Florida Division of Bond Finance

Appearing at request of Chair:  Yes  No Lobbyist registered with Legislature:  Yes  No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

***This form is part of the public record for this meeting.***

S-001 (10/20/11)



# CHIEF FINANCIAL OFFICER JEFF ATWATER

FLORIDA DEPARTMENT OF FINANCIAL SERVICES

## Overview of Procurement and Contracting *for the* Senate Appropriations Committee

January 24, 2013

# Nuts & Bolts of State Purchasing & Contracting

Procurement is the process of purchasing goods or services. The Department of Management Services' Division of State Purchasing establishes purchasing rules and negotiates contracts and purchasing agreements that leverage the state's buying power—known as State Term Contracts (STC's). DMS oversees state agencies' purchasing of commodities and contractual services. Agencies use the following methods of procurement:

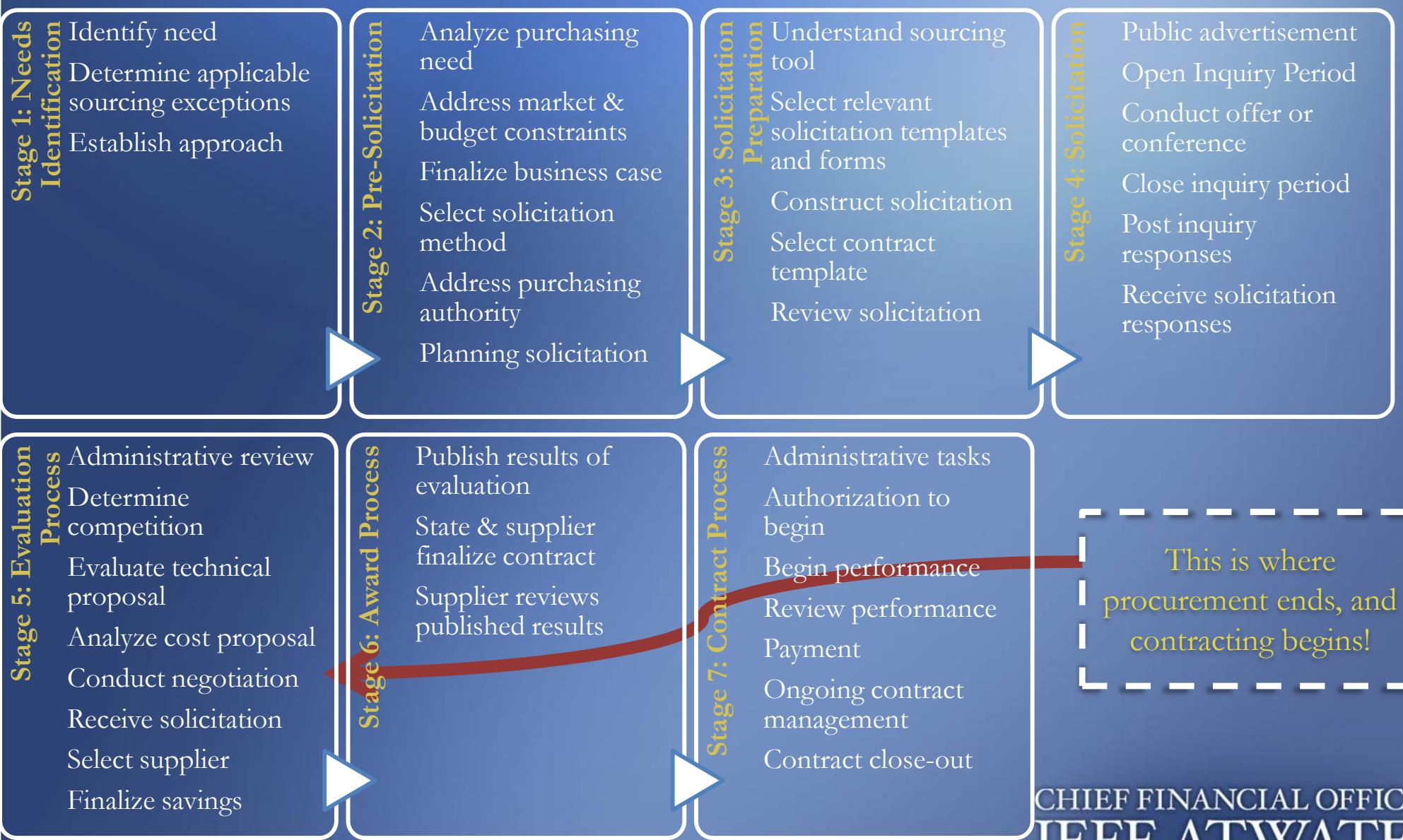
- **Single source contracts**: used when an agency determines that only one vendor is available to provide a commodity or service at the time of purchase. These must be approved by DMS if the total cost exceeds \$195,000.
- **Invitations to bid**: used when an agency determines that standard services or goods will meet needs, wide competition is available and the vendor's experience will not greatly influence the agency's results.
- **Requests for proposals**: used when the procurement requirements allow for consideration of various solutions and the agency believes more than two or three vendors exist who can provide the required good or services.
- **Invitations to negotiate**: used when the negotiations are determined to be necessary to obtain the best value and involve a request for high complexity, customized, mission-critical services, by an agency dealing with a limited number of vendors.

Contracting is the act of committing to writing the terms of the purchase agreement prior to delivery/rendering of goods or services.

CHIEF FINANCIAL OFFICER  
**JEFF ATWATER**  
FLORIDA DEPARTMENT OF FINANCIAL SERVICES

# DMS' Seven Stage Sourcing Methodology

State agencies perform the procurement process according to rules and policies set by DMS.



# Contracts Versus Grants

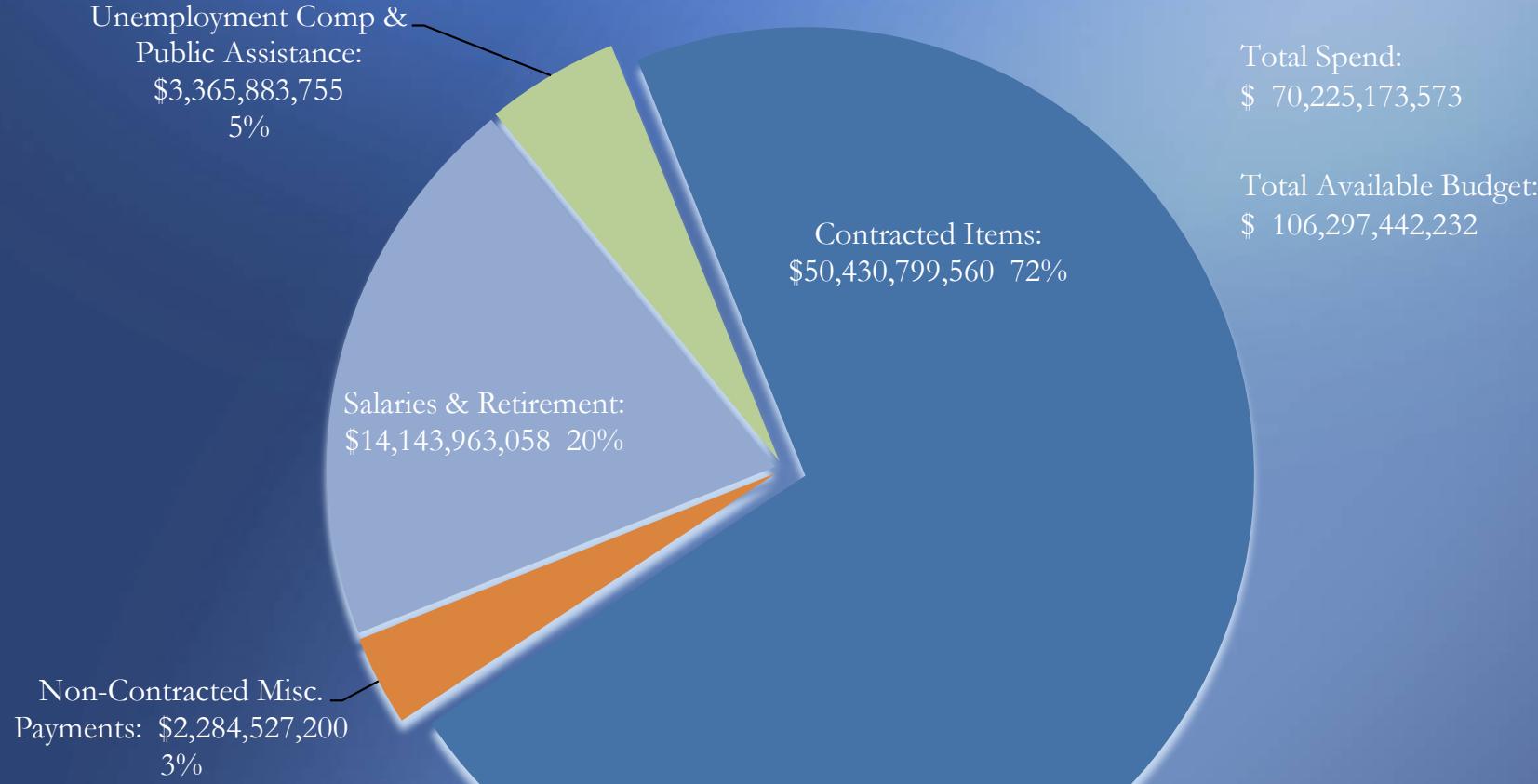
Agreements involving state or federal financial assistance—also known as “grants”—are awarded in most cases based on an application and selection process. The grant’s eligibility requirements dictate what entities may be awarded the grant agreement.

In addition to the traditional vendor contract’s terms and conditions, grant agreements must include the following terms:

- Single Audit Act - grantee must maintain records for the past five years and allow access for audit purposes if expenditures exceed \$500,000
- Cost Requirements – grantee must account for each grant funding source separately and only allowable costs per the grant may be billed to the State
- Close out report – grant manager must perform a review of all costs and provide a “close-out” report at the end of a grant. Unexpended funds or disallowed costs billed to the State must be returned unless specifically authorized.
- Sub-grant agreements – all sub-grant agreements must contain the same terms and conditions as the original agreement, including the ability for State and Federal Agencies to audit their records.

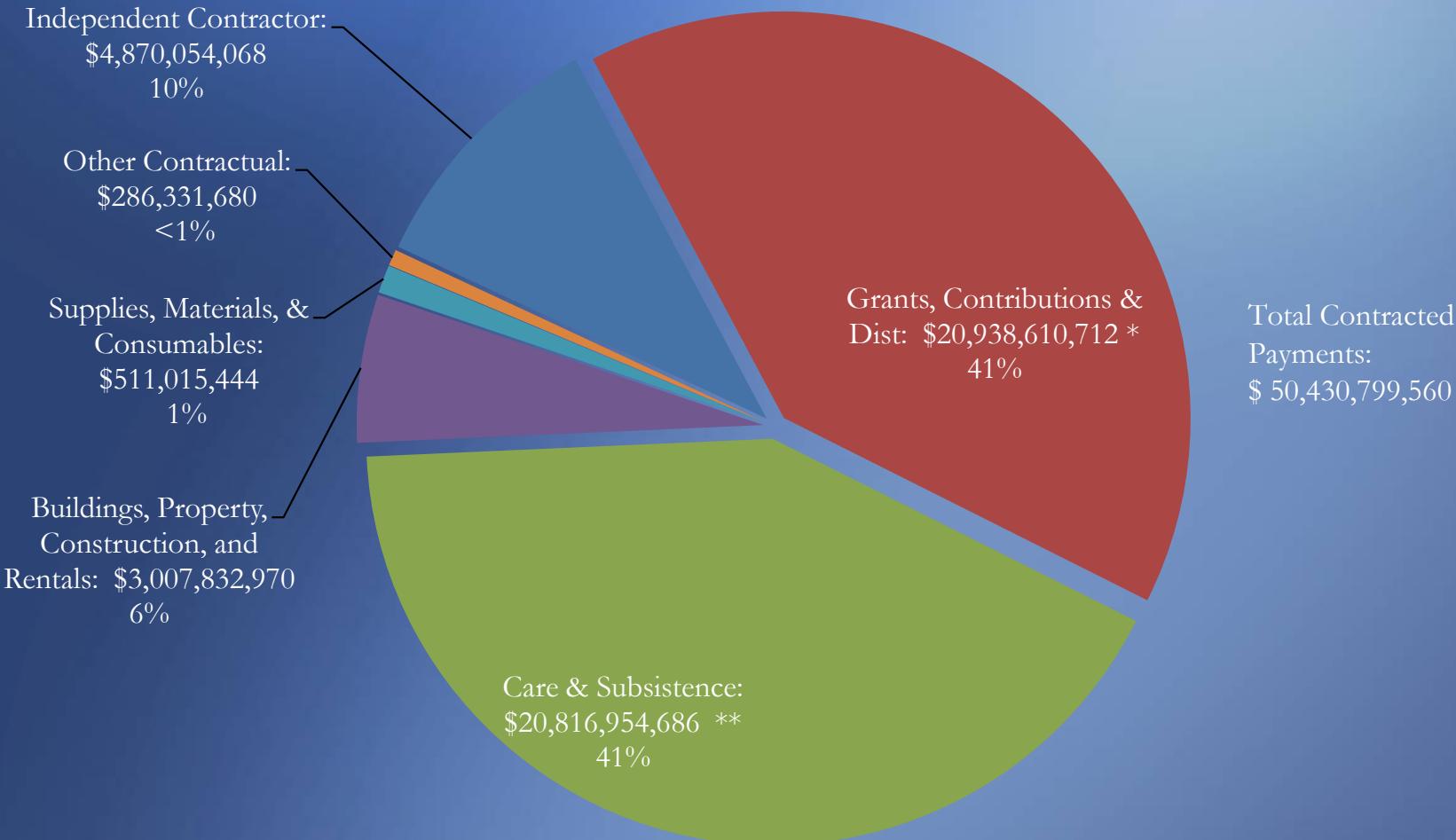
The Department of Financial Services, under the leadership of the Chief Financial Officer, processes all payments, settles the state’s accounts, and performs audits of contracts (governed by Chapter 287, F.S.) and grants (governed by Chapter 215, F.S.).

# Total State Spend for Fiscal Year 2011-2012



CHIEF FINANCIAL OFFICER  
**JEFF ATWATER**  
FLORIDA DEPARTMENT OF FINANCIAL SERVICES

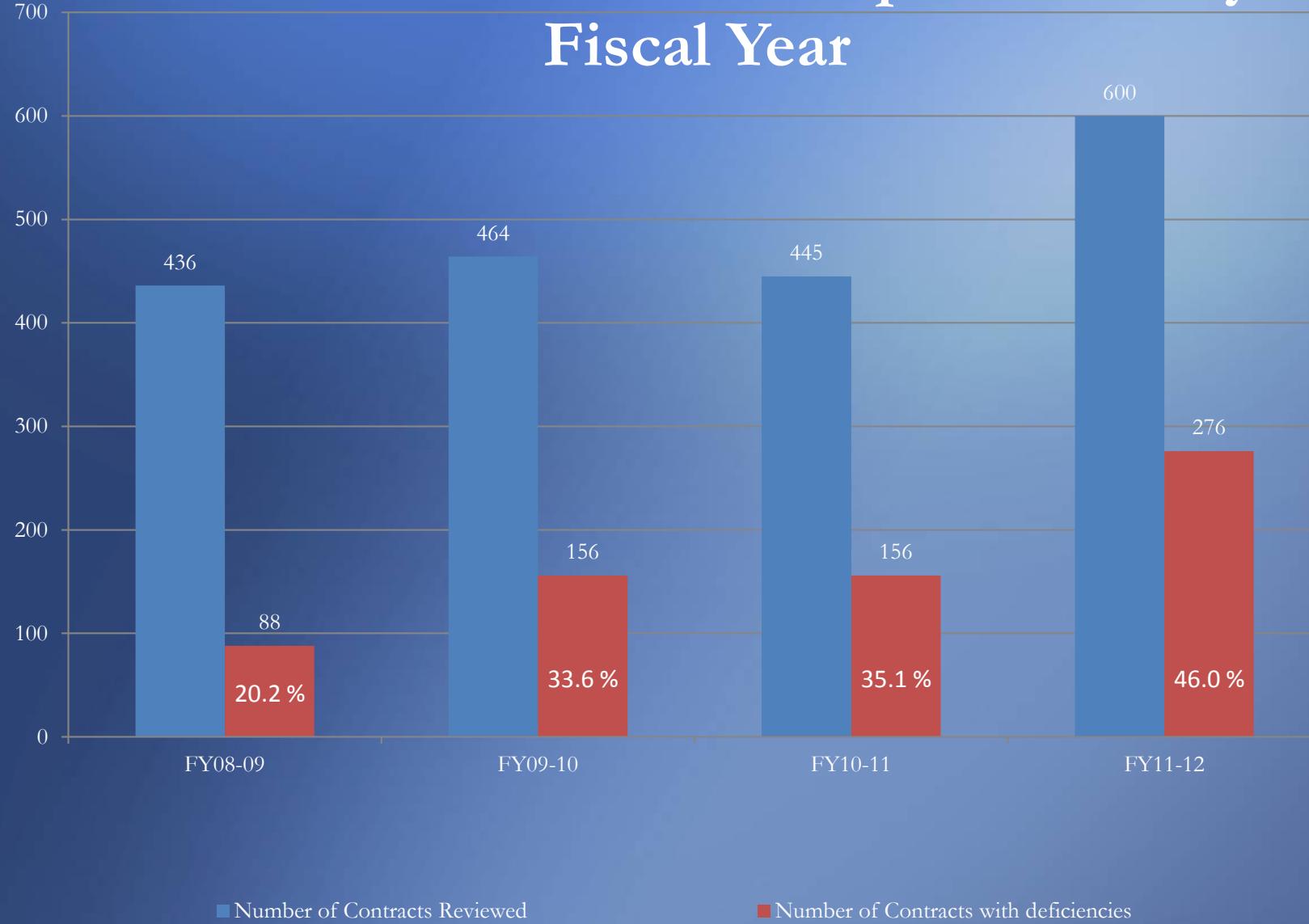
# Breakdown of Contracted Spending for Fiscal Year 2011-2012



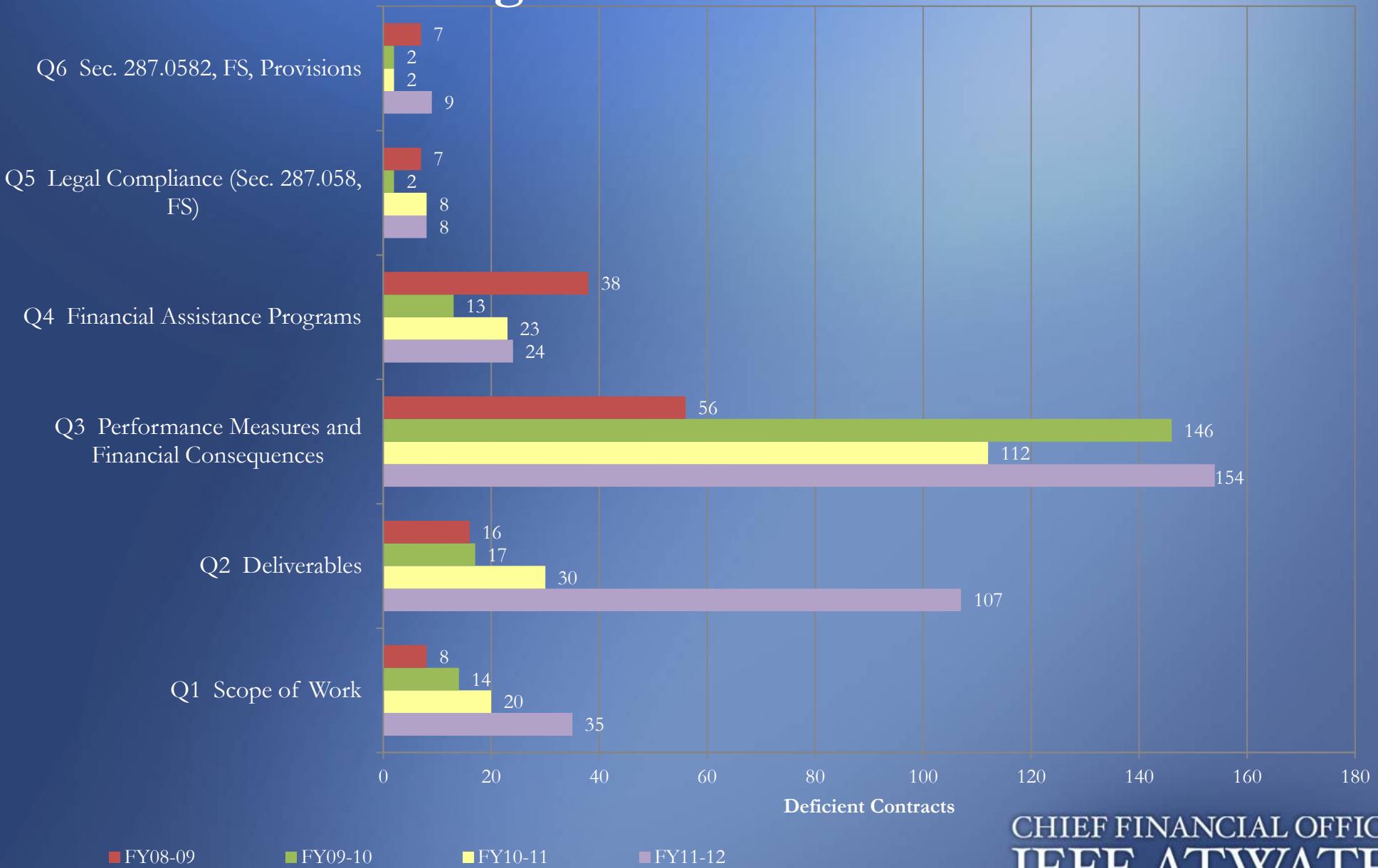
\*Includes Florida Education Finance Program (FEFP) payments totaling \$8,450,819,771

\*\*Includes Medicaid payments totaling \$19,237,349,075

# Contract / Grant Reviews performed by Fiscal Year



# Error Types for Contracts/Grants Reviewed FY 2008-09 through FY 2011-12



# Florida Accountability Contract Tracking System: a publicly accessible website to search state contracts and grants.



The screenshot shows the homepage of the myfloridacfo.com website. At the top, there is a navigation bar with links for Home, News, Contact Us, About the Agency, Meet the CFO, and Español. Below the navigation bar is a banner featuring a group of people on a stage and the text "Welcome to the DFS 2012 Day of Productivity". To the right of the banner is a quote: "Keeping your money in your pocket, where it belongs." and the official seal of the Chief Financial Officer, Jeff Atwater. Below the banner, there is a section titled "2011 RULE REVIEW" with a "GO" button. The main content area is divided into several sections: "CFO'S INITIATIVES" (with links to Transparency Florida, Finances & Economy, and Fraud & Consumer Protection), "FIND A SERVICE" (with links to Citizen Resources, Consumer Protection, Business & Professional, Government Accounting, and State Employees), "DOLLARS & SENSE" (with links to Transparency Florida, Florida's Unclaimed Property, Florida's Bottom Line, Your Money Matters, Insurance Fraud, and Holocaust Survivor Fee Waiver Program), "STAY CONNECTED" (with links to Follow Jeff Atwater and Members of the Public Invited), and "PRESS RELEASES". At the bottom of the page, there is a footer with links to transparency/default.aspx and "Join us for the CEO's".



State Contract  
Search: FACTS

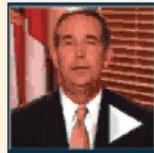
JEFF ATWATER



FLORIDA'S CHIEF FINANCIAL OFFICER

## TRANSPARENCY FLORIDA

*An Open Door to Florida's Finances*



Transparency ensures accountability, and Floridians have a right to see how every penny of the money they send to their government is spent. This website allows Floridians to scrutinize state budgets, payments and contracts and hold their government accountable for how every dollar is spent.

### CFO'S INITIATIVES

Transparency Florida

Finances & Economy

Fraud & Consumer Protection

### FIND A SERVICE

[Home](#) > Transparency Florida



State Budget



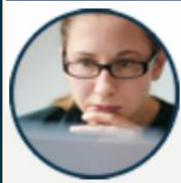
Where State  
Dollars Go: Your  
Money Matters



State Contract  
Search: FACTS



State Contract  
Audits



State Contract  
Audits

# Questions?

Office of Legislative Affairs  
850.413.2863  
[LegAffairs@myfloridacfo.com](mailto:LegAffairs@myfloridacfo.com)

CHIEF FINANCIAL OFFICER  
**JEFF ATWATER**  
FLORIDA DEPARTMENT OF FINANCIAL SERVICES

THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1.24.2013

Meeting Date

Topic State Contracting

Bill Number TAB 14  
(if applicable)

Name CHRISTINA SMITH

Amendment Barcode \_\_\_\_\_  
(if applicable)

Job Title Director, Accounting & Auditing

Phone 850-413-3043

Address Dept. of Financial Svcs

Street

200 E. GAINES ST TALL

State

Zip

Speaking:  For  Against  Information

Representing CFO JEFF ATWATER

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

***This form is part of the public record for this meeting.***

S-001 (10/20/11)

# CourtSmart Tag Report

Room: KN 412

Case:

Type:

Caption: Senate Appropriations Committee

Judge:

Started: 1/24/2013 2:03:58 PM

Ends: 1/24/2013 3:39:26 PM

Length: 01:35:29

2:04:02 PM Senator Negron (Chair)  
2:04:12 PM Roll call  
2:04:45 PM Sen. Negron  
2:05:14 PM S 200  
2:05:24 PM Sen. Margolis  
2:05:39 PM Roll call  
2:06:45 PM Sen. Negron  
2:06:50 PM S 202  
2:06:58 PM Sen. Margolis  
2:07:11 PM Roll call  
2:07:51 PM S 204  
2:07:53 PM Sen. Margolis  
2:08:21 PM Roll call  
2:08:56 PM S 206  
2:09:01 PM Sen. Margolis  
2:09:12 PM Roll call  
2:09:53 PM Sen. Margolis  
2:10:10 PM S 208  
2:10:26 PM Sen. Margolis  
2:10:38 PM Sen. Negron  
2:10:46 PM Roll call  
2:11:19 PM S 210  
2:11:25 PM Sen. Margolis  
2:11:40 PM Brian Pitts, Trustee, Justice-2-Jesus  
2:14:04 PM Sen. Negron  
2:14:10 PM Sen. Margolis  
2:14:37 PM Sen. Negron  
2:14:43 PM Roll call  
2:15:13 PM Sen. Negron  
2:15:19 PM S 212  
2:15:25 PM Sen. Hays  
2:16:18 PM Sen. Negron  
2:16:28 PM B. Pitts  
2:17:46 PM Sen. Negron  
2:17:53 PM Roll call  
2:18:29 PM Sen. Richter  
2:18:42 PM Sen. Negron  
2:18:53 PM Am. 653590  
2:20:25 PM Sen. Hays  
2:20:30 PM ---  
2:20:48 PM Sen. Negron  
2:21:01 PM ---  
2:21:14 PM Roll call  
2:21:49 PM S 216  
2:21:54 PM Sen. Hays  
2:22:14 PM Sen. Negron  
2:22:20 PM Roll call  
2:22:59 PM Sen. Negron  
2:23:05 PM S 218  
2:23:08 PM Sen. Hays  
2:23:43 PM Roll call  
2:24:18 PM Sen. Negron

**2:24:24 PM** S 220  
**2:24:27 PM** Sen. Bradley  
**2:24:45 PM** B. Pitts  
**2:27:31 PM** Sen. Negron  
**2:27:39 PM** Sen. Bean  
**2:27:50 PM** Sen. Bradley  
**2:28:03 PM** Sen. Benacquisto  
**2:28:12 PM** Sen. Bradley  
**2:28:40 PM** Sen. Negron  
**2:28:47 PM** Sen. Hays  
**2:28:57 PM** Sen. Bradley  
**2:29:28 PM** Sen. Hays  
**2:29:37 PM** Sen. Smith  
**2:29:48 PM** Sen. Bradley  
**2:30:22 PM** Sen. Negron  
**2:30:38 PM** Roll call  
**2:31:08 PM** Sen. Negron  
**2:31:16 PM** TAB 12 - Summary of State Debt Write-offs for Fiscal Year 2011-2012  
**2:31:25 PM** Sen. Negron  
**2:31:30 PM** TAB 13 - Presentation on the Debt Affordability Report  
**2:31:45 PM** Ben Watkins, Director, Div. of Bond Finance  
**2:32:22 PM** Sen. Negron  
**2:32:32 PM** B. Watkins  
**2:44:09 PM** Sen. Negron  
**2:44:14 PM** B. Watkins  
**2:46:01 PM** Sen. Negron  
**2:46:04 PM** Sen. Hays  
**2:46:35 PM** B. Watkins  
**2:46:39 PM** Sen. Margolis  
**2:46:44 PM** B. Watkins  
**2:48:38 PM** Sen. Negron  
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**2:49:38 PM** Sen. Negron  
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**2:50:45 PM** Sen. Negron  
**2:51:57 PM** B. Watkins  
**2:52:35 PM** Sen. Thrasher  
**2:52:48 PM** B. Watkins  
**2:53:52 PM** Sen. Thrasher  
**2:54:06 PM** B. Watkins  
**2:54:23 PM** Sen. Thrasher  
**2:54:41 PM** B. Watkins  
**2:54:45 PM** Sen. Hays  
**2:55:45 PM** B. Watkins  
**2:56:41 PM** Sen. Negron  
**2:57:16 PM** B. Watkins  
**2:58:54 PM** Sen. Bradley  
**2:59:57 PM** B. Watkins  
**3:00:30 PM** Sen. Montford  
**3:01:20 PM** B. Watkins  
**3:02:08 PM** Sen. Montford  
**3:02:24 PM** B. Watkins  
**3:03:26 PM** --  
**3:03:36 PM** Sen. Negron  
**3:03:42 PM** TAB 14 - Presentation on State Contracting  
**3:04:24 PM** Christina Smith, Director of Accounting and Auditing, Dept. of Financial Services  
**3:23:59 PM** Sen. Negron  
**3:24:03 PM** Sen. Margolis  
**3:24:22 PM** C. Smith  
**3:25:29 PM** Sen. Margolis  
**3:25:50 PM** C. Smith  
**3:26:21 PM** Sen. Negron

3:26:45 PM	C. Smith
3:27:37 PM	Sen. Negron
3:28:22 PM	C. Smith
3:29:12 PM	Sen. Thrasher
3:30:06 PM	C. Smith
3:30:50 PM	Sen. Margolis
3:31:15 PM	Sen. Negron
3:31:36 PM	Sen. Sobel
3:31:52 PM	C. Smith
3:32:20 PM	Sen. Margolis
3:32:30 PM	C. Smith
3:32:53 PM	Sen. Benaquisto
3:33:37 PM	C. Smith
3:34:08 PM	Sen. Negron
3:34:59 PM	C. Smith
3:35:15 PM	Sen. Negron
3:35:57 PM	C. Smith
3:36:04 PM	Sen. Negron
3:36:27 PM	C. Smith
3:36:55 PM	Sen. Richter
3:37:42 PM	C. Smith
3:38:14 PM	Sen. Negron
3:38:43 PM	Sen. Latvala
3:38:50 PM	Sen. Negron
3:39:26 PM	--



# THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

SENATOR DENISE GRIMSLEY  
21st District

COMMITTEES:  
Appropriations Subcommittee on Health  
and Human Services, *Chair*  
Agriculture  
Appropriations  
Appropriations Subcommittee on Criminal and  
Civil Justice  
Children, Families, and Elder Affairs  
Environmental Preservation and Conservation  
Health Policy

SELECT COMMITTEE:  
Select Committee on Patient Protection  
and Affordable Care Act

January 16, 2013

The Honorable Don Gaetz, President  
Florida Senate  
409, The Capitol  
404 South Monroe Street  
Tallahassee, FL 32399-1100

*Denise*  
1/23/13

President Gaetz,

I am writing to request permission to be excused from the Appropriations Committee meeting to be held on Thursday, January 24, 2013. I have a prior obligation back in the district that I need to attend. Thank you for your consideration.

Sincerely,

*Denise Grimsley*

Denise Grimsley  
District 21

Cc: The Honorable Joe Negron, Chair  
Appropriations Committee

Debbie Brown, Secretary of the Senate

SENATE APPROPRIATIONS  
RECEIVED

13 JAN 22 PM 4:31

SENT TO: CHASIN, JAMES  
STAFF DR. STAFF

REPLY TO:

- 205 South Commerce Avenue, Suite A, Sebring, Florida 33870
- 212 East Stuart Avenue, Lake Wales, Florida 33853
- 306 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5021

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

DON GAETZ  
President of the Senate

GARRETT RICHTER  
President Pro Tempore



# THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

**SENATOR ANDY GARDINER**  
13th District

**COMMITTEES:**  
Appropriations Subcommittee on Transportation,  
Tourism, and Economic Development, *Chair*  
Appropriations  
Appropriations Subcommittee on Finance and Tax  
Environmental Preservation and Conservation  
Ethics and Elections  
Gaming  
Judiciary  
Military Affairs, Space, and Domestic Security  
Rules

**JOINT COMMITTEE:**  
Joint Legislative Budget Commission

January 23, 2013

1/23/13  
*AG:gh*

The Honorable Joseph Negron, Chair  
Committee on Appropriations  
412 Senate Office Building  
404 South Monroe Street  
Tallahassee, FL 32399

Dear Chair Negron:

I am writing to respectfully request that I be excused from the Committee on Appropriations meeting scheduled for Thursday, January 24. I have a prior commitment and will not be able to attend.

If you have any questions regarding this request, please do not hesitate to call my office. Thank you for your time and consideration of this matter.

Sincerely,

*Andy Gardiner*  
Senator Andy Gardiner

AG:gh

Cc: Mike Hansen, Staff Director  
Alicia Weiss, Administrative Assistant

**REPLY TO:**

- 1013 East Michigan Street, Orlando, Florida 32806 (407) 428-5800
- 420 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5013

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**DON GAETZ**  
President of the Senate

**GARRETT RICHTER**  
President Pro Tempore