

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

BILL: CS/SB 1282

SPONSOR: Natural Resources Committee and Senator Meek

SUBJECT: Wildflowers

DATE: March 5, 2002 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Branning	Voigt	NR	Favorable/CS
2.	_____	_____	GO	_____
3.	_____	_____	CA	_____
4.	_____	_____	AGG	_____
5.	_____	_____	AP	_____
6.	_____	_____	_____	_____

I. Summary:

This bill creates the Wildflower Council within the Florida Wildflower Foundation. Specifies membership and duties. Provides that the proceeds generated by the Wildflower License Plate be distributed to the Wildflower Account in the Florida Wildflower Foundation, Inc., instead of the Wildflower Account in Keep Florida Beautiful, Inc. Deletes the Wildflower Advisory Council and Wildflower Account established within Keep Florida Beautiful, Inc. Provides for transfer of unencumbered balances from the Wildflower Account in Keep Florida Beautiful, Inc. to the Wildflower Account in the Florida Wildflower Foundation, Inc.

This bill amends ss. 320.08058 and 403.4131, F.S.

II. Present Situation:

Pursuant to ch. 320, F.S., there are over 50 specialized motor vehicle license plates available in the state of Florida. Some of these license plates are available to anyone who wishes to purchase one and pay the additional fees associated with that license plate. Others are only available to select persons who may have special qualifications. Such license plates include those issued to members of Congress or the State Legislature, and those license plates issued to former prisoners of war, Purple Heart Recipients, and Medal of Honor winners.

In 1999, the Legislature authorized the issuance of a Florida Wildflower License Plate. Section 320.08058, F.S., provides that the annual use fees shall be distributed to the Wildflower Account established by Keep Florida Beautiful, Inc. The proceeds must be used to establish native Florida wildflower research programs, wildflower educational programs, and wildflower grant programs to municipal, county, and community-based groups in the state. A maximum of

10 percent of the proceeds from the sale of Florida Wildflower License Plates may be used for administrative costs.

Section 403.4131, F.S., creates within Keep Florida Beautiful, Inc., the Wildflower Advisory Council with the power to oversee the expenditure of the Wildflower Account. The council would consist of a maximum of nine members. Members of the council must include a representative from the University of Florida Institute of Food and Agricultural Sciences, the Florida Department of Transportation, the Department of Environmental Protection, the Florida League of Cities, and the Florida Association of Counties. Other members may include representatives from the Florida Federation of Garden Clubs, Inc., Think Beauty Foundation, the Florida Chapter of the American Society of Landscape Architects, Inc., and a representative of the Master Gardener's Program.

Many specialty license plates revenues are directed to citizen support organizations or specific nonprofit foundations. Other specialty license plates revenues are deposited in a trust fund in a state agency or to a state university.

The following specialty license plates revenues, or a portion thereof, are deposited to the benefit of a nonprofit foundation:

- Challenger License Plate — 50 percent of the annual user fee is distributed to the Astronauts Memorial Foundation, Inc.
- Florida Special Olympics License Plate — The first \$5 million collected annually must be forwarded to the private nonprofit corporation described in s. 393.002, F.S. (Developmental Disabilities Council)
- Florida Professional Sports Team License Plate — 45 percent of the proceeds of the annual use fee allocated to the Florida Sports Foundation, a direct-support organization of the Office of Tourism, Trade, and Economic Development.
- Police Athletic League License Plate — The annual use fees are distributed to the Florida Police Athletic League, Inc.
- Keep Kids Drug-Free License Plate — The annual use fees are distributed to the Keep Kids Drug-Free Foundation, Inc.
- Conserve Wildlife License Plate — The proceeds of the annual use fees are forwarded to the Wildlife Foundation of Florida, Inc., a citizen support organization to the Fish and Wildlife Conservation Commission.
- United State Marine Corps License Plate — After the first \$50,000 collected annually, the fees are deposited into the Marine Corps Scholarship Foundation, Inc.

Other specialty license plates, such as the Florida United States Olympic Committee License Plate and the Florida Agriculture License Plate provide that the proceeds of the use fee be forwarded to direct support organizations.

Recently, there has been some dissatisfaction among the members of the Wildflower Advisory Council with the administration of the wildflower program by Keep Florida Beautiful, Inc., and its administration of the Wildflower Account expenditures. Suggestions have been made to move the administration and oversight of the annual Wildflower License Plate revenues to a special foundation created for this purpose.

III. Effect of Proposed Changes:

This bill creates within the Florida Wildflower Foundation, Inc., the Wildflower Council consisting of a maximum of 11 members to direct and oversee the expenditure of the Wildflower Account. The council shall include a representative from the University of Florida Institute of Food and Agricultural Sciences, the Department of Transportation, the Department of Environmental Protection, the Florida League of Cities, and the Florida Association of Counties. Other members may include representatives from the Florida Federation of Garden Clubs, Inc., the Think Beauty Foundation, The Florida chapter of the American Society of Landscape Architects, Inc., the Master Gardener's Program, the American Orchid Society, and two members of the Florida Wildflower Foundation, Inc.

The Wildflower Council shall develop procedures of operation, research contracts, educational programs, and wildflower planting grants for Florida native wildflowers, plants, and grasses. The council shall also make the final determination as to what constitutes acceptable species of wildflowers and other plantings supported by these programs.

Section 320.08058, F.S., is amended to move the Wildflower Account from Keep Florida Beautiful, Inc. to the Florida Wildflower Foundation, Inc. The authority to use a maximum of 10 percent of the proceeds from the sale of Florida Wildflower License Plates for administrative purposes is deleted.

Section 403.4131, F.S., is amended to delete the Wildflower Advisory Council from Keep Florida Beautiful, Inc.

The bill further provides that any unencumbered balance of funds deposited into the Wildflower Account of the Wildflower Advisory Council, Keep Florida Beautiful, Inc., shall be transferred to the Wildflower Account of the Wildflower Council within the Florida Wildflower Foundation, Inc.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Administration of the wildflower program in Florida and control over the expenditures of the proceeds from the use fee for the Wildflower License Plate would be transferred from the Wildflower Advisory Council in Keep Florida Beautiful, Inc. to the Wildflower Council within the Florida Wildflower Foundation, Inc. Some feel that this will give more independence and flexibility for the expenditure of the revenues produced by the Wildflower License Plate for wildflower programs in Florida.

Keep Florida Beautiful, Inc. opposes moving this program from its organization. A spokesman for Keep Florida Beautiful, Inc., has indicated that there has been a recent change in the leadership of Keep Florida Beautiful, Inc. and as a result a renewed commitment to developing the full potential of the wildflower program in Florida.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.