

# 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: SB 2502

SPONSOR: Appropriations Committee

SUBJECT: Implementing General Appropriations for FY 2003-04

DATE: April 2, 2003

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

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Lezcano</u>	<u>Coburn</u>	<u>AP</u>	<u>Withdrawn</u>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

## I. Summary:

This bill provides statutory authority necessary to implement and execute the General Appropriations Act for the 2003-2004 fiscal year. Such statutory changes are temporary and either expire on July 1, 2004 or revert to the original language prior to the change. The bill also includes legislative adoption, by reference to a document filed with the Secretary of the Senate, of performance measure and standards for specific programs of the agencies in the budget.

This bill substantially amends, creates, or repeals the following sections of the Florida Statutes: ss. 430.204, 430.205, 216.292, 295.182, 561.121, 409.1671, 287.057, 216.181, 16.555(3), 985.4075, 216.262(4), 287.161, 110.116, 110.2035, 110.12315, 110.1239, 112.061, 121.71, 468.404, 252.373, 402.3017, 411.01, 288.063, 320.08058, and 339.08, F.S. The bill amends Chapter 2002-402, L.O.F., to extend changes made therein to ss. 215.20, 215.22, 18.10, 18.125, 14.2015, 240.4075, 385.207, 860.158, and 938.01, F.S. The bill re-enacts s. 215.32(2)(b), F.S.

## II. Present Situation:

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

### General Revenue Service Charge

Section 215.20, F.S., imposes a service charge on all trust fund revenues of an income nature. State accounting records indicate that the service charges collected and deposited in the General

Revenue Fund during fiscal year 2000-2001 totaled \$361 million. Prior to July 1, 2002, s. 215.20, F.S., imposed a 7 percent service charge on funds except those listed in s. 215.22, F.S., which exempted 14 trust funds, 11 types of receipts to any trust fund, and all trust funds in 3 entire departments. It also provided for 0.3 percent to be assessed on the income of a list, which included 32 trust funds, parts of 2 others, and the trust funds of 2 divisions in specific agencies. Sections 215.20 and 215.22, F.S., were amended by Chapter 2002-402, L.O.F., for the 2002-2003 fiscal year, to apply the service charge more uniformly. The change increased the service charge to 7.3 percent from 7 percent for 90 trust funds, assessed a 3 percent service charge on 11 trust funds, and imposed a service charge of 7.3 percent on 4 trust funds. This resulted in an estimated increase to the service charge receipts of \$2,130,167 million during the 2002-2003 fiscal year and an estimated increase of \$2,840,223 million on an annualized basis (if the amendments were continued). Section 215.24, F.S., provides that those trust funds which receive federal contributions or private grants that are received as a result of a state matching effort may be exempted from the assessment of the service charge under authority provided to the Governor.

### **Treasurer's Duties Regarding Deposits and Investments of State Money**

Prior to July 1, 2002, s. 18.10, F.S., required the Treasurer to deposit and invest the moneys of the state as fully as possible, consistent with the cash requirements of the state. It provided that all earnings were to be credited to the General Revenue Fund, except as provided in s. 18.125(3), F.S. Section 18.125, F.S., provided additional authority to the Treasurer to invest all General Revenue Funds, all trust funds, and all agency funds of each state agency. Subsection (3) provided a process for agencies to transfer trust fund moneys not needed for immediate operations to the Treasurer's Administrative and Investment Trust Fund. The interest earned was transferred to the respective trust funds, not to the General Revenue Fund.

During the 2000-2001 fiscal year, interest earned by the State Treasurer, according to records of the State Treasurer, was \$781 million. Of this amount, \$294 million was credited to the General Revenue Fund and \$487 million was credited pro rata to trust funds. For the 2001-2002 fiscal year, interest credited to trust funds was \$417 million; for the first 6 months of 2002-2003, it was \$156 million. Sections 18.10 and 18.125, F.S., were amended for the 2002-2003 fiscal year to limit the trust funds that can retain interest earnings rather than depositing such earnings into the General Revenue Fund. This amendment resulted in an estimated \$25 million being credited to the General Revenue Fund in the 2002-2003 fiscal year.

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

Each change below expires July 1, 2004.

**Section 1.** This section provides legislative intent.

**Section 2.** In order to implement Specific Appropriations 7 through 11, 123 through 128, and 130, state universities are allowed to use the state accounting system without providing funds to the Department of Financial Services. All funds appropriated to each state university for the 2003-2004 fiscal year will be distributed according to an operating budget approved by the

university board of trustees. Each university board of trustees is required to include certain trust fund revenues within its operating budget, including funds supported by student and other fees and funds within the Contracts, Grants, and Donations, Auxiliary Enterprises, and Sponsored Research budget entities. Each university board of trustees is given control of its operating budget. The Chief Financial Officer shall record and transfer appropriations to university accounts.

**Section 3.** Amends s. 430.204, F.S., to implement Specific Appropriations 426 through 441. The Department of Elderly Affairs will fund more than one community care service system through the area agency on aging in each county as defined in s. 125.011(1), F.S.; its purpose is to prevent unnecessary institutionalization of functionally impaired elderly persons.

**Section 4.** Amends s. 430.205, F.S., to implement Specific Appropriations 426 through 441. The Department of Elderly Affairs will fund more than one community care service system through the area agency on aging in each county as defined in s. 125.011(1). The purpose of such systems is to provide case management and in-home services thus delaying more costly institutional care for elderly persons.

**Section 5.** Amends s. 216.292, F.S., to implement Specific Appropriations 271, 274, 275 and 276. The Department of Children and Family Services is authorized to transfer funds within the family safety program between specified appropriation categories without limitation. Notice of proposed transfers must be provided to the Executive Office of the Governor and the chairs of the legislative appropriations committee at least 5 working days before implementation.

**Section 6.** Amends s. 295.182, F.S., to implement Specific Appropriation 620. The Florida World War II Veterans Memorial Matching Trust Fund is allowed to accept contributions from public bodies as defined in s. 1.01(8), F.S.

**Section 7.** Amends s. 561.121, F.S., to implement Specific Appropriations 353 and 357. Funds in the Children and Adolescent Substance Abuse Trust Fund are authorized to be used to fund adult substance abuse services.

**Section 8.** Amends s. 409.1671, F.S., to implement Specific Appropriations 265 through 277. The Department of Children and Family Services can combine the current community-based care lead agency contracts for Sarasota/Manatee and DeSoto counties into one contract.

**Section 9.** In order to implement Specific Appropriations 410 through 419, the Department of Children and Family Services is authorized to issue a request for proposals for the finance, design, construction and operation of a replacement facility for the South Florida Evaluation and Treatment Center in Miami, Florida. The total cost, including debt service, may not exceed the operating budget of the existing institution for the 2002-2003 fiscal year.

**Section 10.** Amends s. 216.181, F.S., to implement Specific Appropriations 1118 through 1201. The Department of Law Enforcement is permitted to transfer up to 20 FTE and associated budget and 10% of the initial approved salary rate between budget entities; requires the same funding source to be used throughout transfers.

**Section 11.** In order to implement Specific Appropriation 1103, the Correctional Privatization Commission is authorized to make expenditures to defray costs incurred by a municipality or county for privatized facilities.

**Section 12.** Amends s. 16.555, F.S., to implement Specific Appropriation 1218. The Crime Stoppers Trust Fund may be used for Department of Legal Affairs salary and benefits and expenses.

**Section 13.** Amends s. 985.4075, F.S., to implement Specific Appropriations 1045 through 1117. Funds provided in operating appropriations categories in Department of Juvenile Justice may not be expended for fixed capital outlay.

**Section 14.** Amends s. 216.262, F.S., to implement Specific Appropriations 643 through 739, and 775 through 789. The Executive Office of the Governor is allowed to request additional positions for the Department of Corrections, if the Criminal Justice Estimating Conference projects a certain increase in the inmate population and the additional positions are approved by the Legislative Budget Commission.

**Section 15.** Amends s. 287.161, F.S., to implement Specific Appropriations 2592 through 2598. The Department of Management Services will continue to charge an executive aircraft user fee and deposit such fees in the Bureau of Aircraft Trust Fund to cover costs incurred in the operation of the aircraft management activities.

**Section 16.** Amends s. 110.116, F.S., to implement Specific Appropriation 2636. The Department of Management Services is authorized to contract with a vendor to provide the personnel information system for state agencies and assist such agencies in maintaining records.

**Section 17.** Amends s. 110.2035, F.S., to implement appropriations of funds in the salaries and benefits categories of the General Appropriations Act. The Department of Management Services is directed to maintain the job classification and broadband pay system implemented in the 2002-2003 fiscal year for the Career Service, Selected Exempt Service and Senior Management Service.

**Section 18.** In order to implement appropriations of funds in the salaries and benefits categories of the General Appropriations Act, the amendment of section 110.2035, F.S., by s. 43 of Chapter 2002-402, L.O.F., is extended to July 1, 2004. That amendment directs the Department of Management Services to implement and maintain a new job classification and broadband pay system for the Career Service, Selected Exempt Service and Senior Management Service.

**Section 19.** Amends s. 110.12315, F.S., to implement Section 8 of the General Appropriations Act. The scheduled expiration of the prescription drug co-payment schedule is extended to July 1, 2004.

**Section 20.** Amends s. 110.1239, F.S., to implement Section 8 of the General Appropriations Act. The authority of the Department of Management Services to determine premium levels necessary to fund the state employees' health insurance program is extended to July 1, 2004.

**Section 21.** Amends s. 112.061, F.S., to implement Sections 2 through 7 of the General Appropriations Act. Class C state travel is exempt from reimbursement.

**Section 22.** Amends s. 121.71, F.S., to implement appropriations of funds in salaries and benefits categories in the General Appropriations Act. The expiration date for recognition of excess actuarial assets for the blended rate of retirement contributions is extended to July 1, 2004.

**Section 23.** Amends s. 468.404, F.S., to implement Specific Appropriations 2132 through 2155. Talent agency fees are required to equal costs of appropriated regulations.

**Section 24.** Amends s. 252.373, F.S., to implement Specific Appropriation 1430. The unencumbered balance of the Emergency Management, Preparedness, and Assistance Trust Fund may continue to be used to improve and increase the number of disaster shelters and improve local disaster preparedness during the 2003-2004 fiscal year. Also certain unspent funds may be transferred to the Grants and Donations Trust Fund for the state portion of the match requirements for federally approved Hazard Mitigation Grant Program projects.

**Section 25.** Amends s. 402.3017, F.S., to implement proviso language in Specific Appropriation 2014. The Agency for Workforce Innovation is allowed to continue to administer the Teacher Education and Compensation Helps (TEACH) Scholarship Program.

**Section 26.** Amends s. 411.01, F.S., to implement Specific Appropriation 2014. The priority for placement in the school readiness program will continue to be for children from families receiving temporary cash assistance and subject to federal work requirements.

**Section 27.** Amends s. 288.063, F.S., to implement Specific Appropriation 2315M. Funds appropriated for certain transportation projects approved by the Office of Tourism, Trade, and Economic Development are subject to the reversion requirements of s. 216.301, F.S., for the 2003-2004 fiscal year.

**Section 28.** Amends s. 320.08058, F.S., to implement Specific Appropriation 2315D. Proceeds from the Professional Sports Development Trust Fund may be used for operational expenses of the Florida Sports Foundation and financial support of the Sunshine State Games.

**Section 29.** Amends s. 339.08, F.S., to implement Section 20 of the General Appropriations Act. \$200 million may be transferred by the 2003-2004 General Appropriations Act from the State Transportation Trust Fund to the General Revenue Fund. This reduces the total amount transferred from calculation requirements of s. 206.46(3), F.S., relating to public transportation, and s. 206.606(2), F.S., relating to public transit and rail capital projects.

**Section 30.** In order to implement Specific Appropriations 265, 1096, 1390A, and 2909, the amendment to s. 215.20, F.S., relating to statutory appropriation of the General Revenue Service charge, by ss. 60-61 of Chapter 2002-402, L.O.F., is extended to July 1, 2004, thus increasing the statutory appropriation of the General Revenue service charge and increasing such charge for the following 90 trust funds from 7% to 7.3%.

## Agency for Health Care Administration:

- Florida Organ and Tissue Donor Education and Procurement Trust Fund
- Resident Protection Trust Fund

## Department of Financial Services:

- Administrative Trust Fund
- Anti-Fraud Trust Fund
- Mortgage Brokerage Guaranty Trust Fund
- Regulatory Trust Fund

## Department of Business and Professional Regulation:

- Administrative Trust Fund
- Division of Florida Land Sales, Condominiums, and Mobile Homes Trust Fund

## Department of Children and Families:

- Administrative Trust Fund
- Child Welfare Training Trust Fund
- Children and Adolescents Substance Abuse Trust Fund
- Domestic Violence Trust Fund
- Grants and Donations Trust Fund
- Operations and Maintenance Trust Fund

## Department of Elder Affairs:

- Administrative Trust Fund
- Federal Grants Trust Fund
- Grants and Donations Trust Fund
- Operations and Maintenance Trust Fund

## Department of Environmental Protection:

- Administrative Trust Fund
- Air Pollution Control Trust Fund
- Environmental Laboratory Trust Fund
- Florida Coastal Protection Trust Fund
- Conservation & Recreation Lands Trust Fund
- Ecosystem Management & Restoration Trust Fund
- Inland Protection Trust
- Forfeited Property Trust Fund
- Grants and Donations Trust Fund
- Internal Improvement Trust
- Land Acquisition Trust Fund
- Minerals Trust Fund
- Florida Permit Fee Trust Fund
- State Park Trust Fund
- Water Quality Assurance Trust Fund
- Working Capital Trust Fund

## Fish and Wildlife Conservation Commission:

- Land Acquisition Trust Fund
- Florida Panther Research and Management
- Marine Resources Conservation Trust Fund
- Conservation and Recreation Lands Program Trust Fund

## Department of Health:

- Administrative Trust Fund
- Donations Trust Fund
- Florida Drug, Device, and Cosmetic Trust Fund
- Emergency Medical Services Trust Fund
- Epilepsy Services Trust Fund
- Grants and Donations Trust Fund
- Medical Quality Assurance Trust Fund
- Brain and Spinal Cord Injury Program Trust Fund
- Nursing Student Loan Forgiveness Trust Fund
- Planning and Evaluation Trust Fund
- Radiation Protection Trust Fund

## Department of Highway Safety and Motor Vehicles:

- DUI Programs Coordination Trust Fund

## Department of Management Services:

- Administrative Trust Fund
- Architects Incidental Trust
- Bureau Of Aircraft Trust Fund
- Grants and Donations Trust Fund
- Motor Vehicle Operating Trust Fund
- Public Employees Relations Commission Trust Fund
- State Personnel System Trust Fund
- Supervision Trust Fund
- Working Capital Trust Fund

## Division of Administrative Hearings:

- Administrative Trust Fund

## Department of Revenue:

- Additional Court Cost Clearing Trust Fund
- Administrative Trust Fund
- Apalachicola Bay Oyster Surcharge Clearing Trust Fund
- Certification Program Trust Fund
- Motor Vehicle Warranty Trust Fund
- Motor Vehicle Rental Surcharge Clearing Trust Fund
- Oil and Gas Tax Trust Fund
- Secondhand Dealer and Secondary Metals Recycler Clearing Trust Fund
- Severance Tax Solid Mineral Trust Fund

Department of Veterans' Affairs:  
 Grants and Donations Trust Fund  
 Operations and Maintenance Trust Fund  
 State Home For Veterans Trust Fund

For the following trust funds in the following agencies, the General Revenue service charge is increased from 0% to 3%.

Department of Agriculture and Consumer Services:  
 Administrative Trust Fund  
 Agricultural Law Enforcement Trust Fund  
 Contracts and Grant Trust Fund  
 Agricultural Emergency Trust Fund  
 Incidental Trust Fund  
 Market Trade Show Trust Fund  
 Relocation and Construction Trust Fund  
 Florida Saltwater Products Trust Fund  
 Viticulture Trust Fund  
 Florida Agricultural Promotion Campaign Trust Fund

Fish and Wildlife Conservation Commission:  
 The Save the Manatee Trust Fund

For the following trust funds in the following agencies, the General Revenue service charge is increased from 0% to 7.3%.

Department of Agriculture and Consumer Services:  
 Conservation and Recreation Lands Program Trust Fund

Department of Community Affairs:  
 Operating Trust Fund

Justice Administrative Commission:  
 Indigent Criminal Defense Trust Fund

Department of Management Services:  
 Florida Facilities Pool Working Capital Trust Fund

The following fund is removed from the list of funds subject to the 0.3 percent service charge:  
 Speech-Language Pathology and Audiology Trust Fund.<sup>1</sup>

**Section 31.** In order to implement Specific Appropriations 265, 1096, 1390A, and 2909, the amendment to subsection (1) of section 215.22, F.S., relating to trust funds exempt from the

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<sup>1</sup> The Speech-Language Pathology and Audiology Trust Fund was last used in the 1993-94 General Appropriations Act. It is not listed as an active fund in the Comptroller's annual trust fund report. Since the adoption of the 4-year trust fund limitation in section 19(f) of Article III of the State Constitution in 1992, the Speech-Language Pathology and Audiology Trust Fund has never been re-created. Presumably, it has been terminated pursuant to the constitutional requirement.



statutory appropriation of the General Revenue service charge, by ss. 62-63 of Chapter 2002-402, L.O.F., is extended to July 1, 2004. The funds of the Department of Agriculture and Consumer Services that are exempt are limited to the following funds:

- Citrus Inspection Trust Fund
- Florida Forever Program Trust Fund
- Florida Preservation 2000 Trust Fund
- Market Improvements Working Capital Trust Fund
- Pest Control Trust Fund
- Plant Industry Trust Fund

Removes the exemption for the following fund within the Justice Administration Commission:  
Indigent Criminal Defense Trust Fund

Requires the Governor to consult with the Legislative Budget Commission before granting additional exemptions.

**Section 32.** In order to implement Specific Appropriations 265, 1096 and 2909, the amendment to s. 18.10, F.S., related to appropriations of interest earned on certain trust fund balances to the General Revenue Fund (correcting a cross reference), by ss. 64-65 of Chapter 2002-402, L.O.F., is extended to July 1, 2004.

**Section 33.** In order to implement the Specific Appropriations 265, 1096 and 2909, the amendment to s. 18.125, F.S., which limits trust funds that can retain interest earned rather than depositing such interest into the General Revenue Fund, by ss. 66-67 of Chapter 2002-402, L.O.F., is extended to July 1, 2004. For the following 78 trust funds in the following agencies, the provisions of s. 18.125, F.S., requiring the transfer of money between the trust funds and the Treasurer, and allowing the funds to retain interest earnings, do not apply:

Agency for Health Care Administration:

- Health Care Trust Fund
- Florida Organ and Tissue Donor Education and Procurement Trust Fund
- Resident Protection Trust Fund
- Public Medical Assistance Trust Fund

Department of Children and Families:

- Administrative Trust Fund
- Child Welfare Training Trust Fund
- Children and Adolescents Substance Abuse Trust Fund
- Domestic Violence Trust Fund
- Federal Grants Trust Fund
- Grants and Donations Trust Fund
- Operations and Maintenance Trust Fund

Department of Community Affairs:

- Operating Trust Fund

## Department of Corrections:

- Criminal Justice Standards and Training Trust Fund
- Correctional Work Program Trust Fund
- Florida Agricultural Exposition Trust Fund
- Grants and Donations Trust Fund
- Operating Trust Fund
- Inmate Welfare Trust Fund
- Sales Of Goods And Services Trust Fund
- Privately Operated Institutions Inmate Welfare Trust Fund

## Department of Elder Affairs:

- Administrative Trust Fund
- Grants and Donations Trust Fund
- Operations and Maintenance Trust Fund

## Executive Office of the Governor:

- Economic Development Trust Fund
- Economic Development Transportation Trust Fund

## Department of Health:

- Administrative Trust Fund
- County Health Department Trust Fund
- Donations Trust Fund
- Drug, Device, and Cosmetic Trust Fund
- Emergency Medical Services Trust Fund
- Epilepsy Services Trust Fund
- Medical Quality Assurance Trust Fund
- Brain and Spinal Cord Injury Trust Fund
- Nursing Student Loan Forgiveness Trust Fund
- Planning and Evaluation Trust Fund
- Radiation Protection Trust Fund

## Department of Highway Safety and Motor Vehicles:

- DUI Programs Coordination Trust
- Security Deposits Trust Fund

## Justice Administrative Commission:

- Capital Collateral Representative Trust Fund
- Child Support Trust Fund
- Civil RICO Trust Fund
- Consumer Fraud Trust Fund
- Forfeiture and Investigative Support Trust Fund
- Grants and Donations Trust Fund
- Indigent Criminal Defense Trust Fund

## Department of Juvenile Justice:

- Administrative Trust Fund

Grants and Donations Trust Fund  
Juvenile Crime Prevention and Early Intervention Trust Fund  
Juvenile Justice Training Trust Fund  
Social Services Block Grant Trust Fund

Department of Labor and Employment Security:  
Administrative Trust Fund

Department of Law Enforcement:  
Criminal Justice Standards and Training Trust Fund  
Forfeiture and Investigative Support Trust Fund  
Grants and Donations Trust Fund  
Operating Trust Fund  
Revolving Trust Fund  
Federal Law Enforcement Trust Fund

Department of Legal Affairs:  
Administrative Trust Fund  
Florida Motor Vehicle Theft  
Consumer Fraud Trust Fund  
Crimes Compensation Trust Fund  
Crime Stoppers Trust Fund  
Florida Crime Prevention Training Institute Revolving Trust Fund  
Grants and Donations Trust Fund  
Legal Services Trust Fund  
Legal Affairs Revolving Trust Fund  
Motor Vehicle Warranty Trust Fund  
Elections Commission Trust Fund  
Revolving Escrow Trust Fund

Florida Public Service Commission:  
Florida Public Service Regulatory Trust Fund

Department of State:  
Grants and Donations Trust Fund  
Records Management Trust Fund

Department of Veterans' Affairs:  
Operations and Maintenance Trust Fund  
State Home For Veterans Trust Fund

State Court System:  
County Article V Trust Fund  
Court Education Trust Fund  
Mediation and Arbitration Trust Fund  
Grants and Donations Trust Fund  
Family Courts Trust Fund

**Section 34.** In order to implement Specific Appropriations 2909, the amendment to s. 14.2015, F.S., removing references relating to the interest earned by the Economic Development Trust Fund and the Economic Development Transportation Trust Fund within the Executive Office of the Governor, by ss. 68-69 of Chapter 2002-402, L.O.F., is extended to July 1, 2004.

**Section 35.** In order to implement Specific Appropriation 265, the amendment to s. 240.4075, F.S., removing references relating to the interest earned by the Nursing Student Loan Forgiveness Trust Fund within the Department of Health, by ss. 70-71 of Chapter 2002-402, L.O.F., is extended to July 1, 2004.

**Section 36.** In order to implement Specific Appropriation 265, the amendment to s. 385.207, F.S., which removes references relating to the interest earned by the Epilepsy Services Trust Fund within the Department of Health, by ss. 72-73 of Chapter 2002-402, L.O.F., is extended to July 1, 2004.

**Section 37.** In order to implement Specific Appropriation 1096, the amendment to s. 860.158, F.S., which removes references relating to the interest earned by the Florida Motor Vehicle Theft Prevention Trust Fund within the Department of Legal Affairs, by ss. 74-75 of Chapter 2002-402, L.O.F., is extended to July 1, 2004.

**Section 38.** In order to implement Specific Appropriation 1096, the amendment to s. 938.01, F.S., removing references relating to the interest earned by the Criminal Justice Standards and Training Trust Fund and the Operating Trust Fund within the Department of Law Enforcement, by ss. 76-77 of Chapter 2002-402, L.O.F., is extended to July 1, 2004.

**Section 39.** In order to implement Section 21 of the 2003-2004 General Appropriations Act, paragraph (b) of subsection (2) of section 215.32, F.S., which allows trust fund moneys to be transferred to the Budget Stabilization Fund or the Working Capital Fund, is re-enacted.

**Section 40.** Specifies that no section will take effect if the appropriations and proviso to which it relates are vetoed.

**Section 41.** Provides for a permanent change made by another law to any of the same statutes amended by this bill to take precedence over the provision in this bill.

**Section 42.** Provides that standards and performance measures, filed with the Secretary of the Senate and dated March 21, 2003, are incorporated by reference and will be applied to programs for the 2003-2004 fiscal year.

**Section 43.** Provides a severability clause.

**Section 44.** Provides an effective date.

**IV. Constitutional Issues:**

## A. Municipality/County Mandates Restrictions:

None.

## B. Public Records/Open Meetings Issues:

None.

## C. Trust Funds Restrictions:

None.

## D. Other Constitutional Issues:

None.

**V. Economic Impact and Fiscal Note:**

## A. Tax/Fee Issues:

None.

## B. Private Sector Impact:

None.

## C. Government Sector Impact:

**General Revenue Service Charge**

The Estimating Conference has not estimated the changes to the General Revenue service charge proposed in the bill this year. Based on last year's estimate these changes will continue to result in higher General Revenue receipts and less revenue in trust funds during 2003-2004 fiscal year. The 2002 conference estimated an increase in 2003-2004 of \$2,840,223 in appropriations to the General Revenue Fund.

**Trust Fund Interest Earnings**

For the 2002-2003 fiscal year, the Estimating Conference estimated increased interest accruing to the General Revenue Fund of \$25.5 million. Based on that estimate, the annualized amount for 2003-2004 would be \$27.8 million. No new estimate has been made for the 2003-2004 fiscal year; however, it is reasonable to expect a somewhat lower amount because of intervening decreases in interest rates.

**Contingencies**

The following amounts from General Revenue appropriations in the General Appropriations Bill are contingent upon the passage of this bill:

\$950,000 in Specific Appropriation 265.

\$5.9 million in Specific Appropriation 1096.

\$1 million in Specific Appropriation 1390A.

\$2,344,946 in Specific Appropriation 2909.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Amendments:**

None.

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This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.

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