

# 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 818

SPONSOR: Senator Carlton

SUBJECT: Terminating/Exempting Specific Trust Funds within the Department of Education

DATE: February 5, 2003      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bryant	Newman	AED	Favorable
2.			AP	
3.				
4.				
5.				
6.				

**I. Summary:**

Article III, Section 19(f) of the Florida Constitution requires the recreation of all agency trust funds every 4 years. The Legislature has placed executive branch agency funds on a staggered review cycle to facilitate the review and recreation. The Department of Education’s funds, including the universities, are scheduled to terminate on November 4, 2004, unless specific action is taken for re-creation or finding of exemption. The Education Appropriations Committee has reviewed all education trust funds pursuant to the provisions of s. 215.3206, Florida Statutes. This bill terminates two trust funds within the Department of Education, Division of Colleges and Universities, and transfers current balances to the General Revenue Fund, unless otherwise specified.

In addition, this bill identifies seven trust funds within the Department of Education and thirteen trust funds within the Department of Education, Division of Colleges and Universities that have been determined to be exempt from the automatic termination provisions of Article III, Section 19(f) of the State Constitution.

This bill also renames three trust funds.

**II. Present Situation:**

Facilities Construction Administrative Trust Fund, FLAIR number 49-2-222:

This trust fund was formerly used for funding Board of Regents educational facilities staff in the Department of Education. Now all Department of Education educational

facilities staff are consolidated in one Office of Educational Facilities under the State Board of Education and this trust fund is no longer needed.

University of South Florida Medical Center Student Fee Trust Fund, FLAIR number 49-2-406:

In 2001-02 this trust fund had “0” revenues and “0” balance on 6-30-02. The Department of Education, Division of Colleges and Universities recommends this trust fund be terminated. It is largely duplicative of the Education and General Student and Other Fees Trust Fund, FLAIR number 49-2-164 which is recommended to be recreated for 4 additional years.

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

This bill terminates the following trust funds within the Department of Education.

- Facilities Construction Administration Trust Fund, FLAIR number 49-2-222
- University of South Florida Medical Center Student Fee Trust Fund, FLAIR number 49-2-406

This bill identifies seven trust funds within the Department of Education and thirteen trust funds within the Division of Colleges and Universities that have been determined to be exempt from the automatic termination provisions of Article III, Section 19f of the State Constitution. The following trust funds have been determined to be exempt from automatic termination:

#### **Department of Education**

- Lottery Capital Outlay and Debt Service Trust Fund, FLAIR number 48-2-004
- Capital Improvement Fee Trust Fund, FLAIR number 40-2-071
- Construction Trust Fund, Florida School for the Deaf and the Blind, FLAIR number 48-2-137
- Educational Enhancement Trust Fund, FLAIR number 48-2-178
- State School Trust Fund, FLAIR number 48-2-543
- Public Education Capital Outlay and Debt Service Trust Fund, FLAIR number 48-2-555
- School District and Community College District Capital Outlay and Debt Service Trust Fund, FLAIR number 48-2-612

#### **Division of Colleges and Universities**

- Ancillary Facilities Construction Trust Fund, FLAIR number 49-2-026
- Division of Universities Building Fee Trust Fund, FLAIR number 49-2-064
- Capital Improvement Fee Trust Fund, FLAIR number 49-2-071
- State University System Construction Trust Fund, FLAIR number 49-2-137
- Education – Contracts, Grants, and Donations Trust Fund, FLAIR number 49-2-153
- Educational Enhancement Trust Fund, FLAIR number 49-2-178

- Engineering Industrial Experiment Station Trust Fund, FLAIR number 49-2-186
- University of Florida Agricultural Experiment Station Federal Grant Trust Fund, FLAIR number 49-2-207
- University of Florida Agricultural Extension Services Federal Grant Trust Fund, FLAIR number 49-2-216
- Auxiliary General Trust Fund, FLAIR number 49-2-330
- Sponsored Research Trust Fund, FLAIR number 49-2-655
- Uniform Payroll Trust Fund, FLAIR number 49-2-766
- Developmental Research School Trust Fund, FLAIR number 49-2-999

The following trust funds are renamed:

- Construction Trust Fund, Florida School for the Deaf and the Blind, FLAIR number 48-2-137, is renamed Construction Trust Fund
- State University System Construction Trust Fund, FLAIR number 49-2-137, is renamed Construction Trust Fund
- Board of Regents Operations and Maintenance Trust Fund, FLAIR number 49-2-516, is renamed Operations and Maintenance Trust Fund

#### **IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. Other Constitutional Issues:

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

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

**C. Government Sector Impact:**

This legislation 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. 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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