



816910

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/13/2012	.	
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The Committee on Higher Education (Siplin) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. The Educational Excellence Endowment Enhancement Fund is created within and shall be administered by the Department of Education's direct-support organization established in s. 1001.24, Florida Statutes. The purpose of the endowment enhancement fund is to support education programs and activities from the interest generated by the endowment. The direct-support organization shall deposit revenues received from gaming taxes and fees and other grants, gifts, and bequests of



816910

13 money into the endowment enhancement fund. The direct-support
14 organization shall invest the funds and shall use only the
15 interest accrued on the investment of the funds for the purposes
16 provided in this section.

17 Section 2. The Juvenile Justice Education and Training
18 Endowment Fund is created within and shall be administered by
19 the direct-support organization established in s. 985.672,
20 Florida Statutes. The purpose of the endowment fund is to
21 enhance education programs and activities related to employment
22 by providing programs for job certification, trade and college
23 programs, and community reentry training. The direct-support
24 organization shall deposit revenues received from gaming taxes
25 and fees and other grants, gifts, and bequests of money into the
26 endowment fund. The direct-support organization shall invest the
27 funds and shall use only the interest accrued on the investment
28 of the funds for the purposes provided in this section.

29 Section 3. Subsection (2) of section 24.121, Florida
30 Statutes, is amended to read:

31 24.121 Allocation of revenues and expenditure of funds for
32 public education.—

33 (2) Each fiscal year, variable percentages of the gross
34 revenue from the sale of online and instant lottery tickets as
35 determined by the department consistent with subsection (1), and
36 other earned revenue, excluding application processing fees,
37 shall be deposited in the Educational Enhancement Trust Fund,
38 which is ~~hereby~~ created in the State Treasury to be administered
39 by the Department of Education. The Department of Education
40 shall transfer 1.5 percent of the funds deposited in the
41 Educational Enhancement Trust Fund to the Department of



42 Education's direct-support organization established in s.
43 1001.24, and that amount shall be used to fund the Educational
44 Excellence Endowment Enhancement Fund. The Department of
45 Education shall also transfer 0.5 percent of the funds deposited
46 in the Educational Enhancement Trust Fund to the direct-support
47 organization established in s. 985.672, and that amount shall be
48 used to fund the Juvenile Justice Education and Training
49 Endowment Fund. The Department of the Lottery shall transfer
50 moneys to the Educational Enhancement Trust Fund at least once
51 each quarter. Funds in the Educational Enhancement Trust Fund
52 shall be used to the benefit of public education in accordance
53 with the provisions of this act. Notwithstanding any other
54 provision of law, lottery revenues transferred to the
55 Educational Enhancement Trust Fund shall be reserved as needed
56 and used to meet the requirements of the documents authorizing
57 the bonds issued by the state pursuant to s. 1013.68, s.
58 1013.70, or s. 1013.737 or distributed to school districts for
59 the Classrooms First Program as provided in s. 1013.68. Such
60 lottery revenues are hereby pledged to the payment of debt
61 service on bonds issued by the state pursuant to s. 1013.68, s.
62 1013.70, or s. 1013.737. Debt service payable on bonds issued by
63 the state pursuant to s. 1013.68, s. 1013.70, or s. 1013.737
64 shall be payable from, and is secured by a first lien on, the
65 first lottery revenues transferred to the Educational
66 Enhancement Trust Fund in each fiscal year. Amounts
67 distributable to school districts that request the issuance of
68 bonds pursuant to s. 1013.68(3) are hereby pledged to such bonds
69 pursuant to s. 11(d), Art. VII of the State Constitution.

70 Section 4. Subsection (9) of section 285.710, Florida



816910

71 Statutes, is amended to read:

72 285.710 Compact authorization.—

73 (9) The moneys paid by the Tribe to the state for the
74 benefit of exclusivity under the compact ratified by this
75 section shall be deposited into the General Revenue Fund. The
76 moneys shall be distributed as follows:

77 (a) One and one-half percent shall be transferred to the
78 Department of Education's direct-support organization
79 established in s. 1001.24 and used to fund the Educational
80 Excellence Endowment Enhancement Fund.

81 (b) One-half percent shall be transferred to the direct-
82 support organization established in s. 985.672 and used to fund
83 the Juvenile Justice Education and Training Endowment Fund.

84 (c) Three percent of the amount paid by the Tribe to the
85 state shall be designated as the local government share and
86 shall be distributed as provided in subsections (10) and (11).

87 Section 5. Paragraph (b) of subsection (2) of section
88 551.106, Florida Statutes, is amended to read:

89 551.106 License fee; tax rate; penalties.—

90 (2) TAX ON SLOT MACHINE REVENUES.—

91 (b) The slot machine revenue tax imposed by this section
92 shall be paid to the division for deposit into the Pari-mutuel
93 Wagering Trust Fund for immediate transfer by the Chief
94 Financial Officer for deposit as follows:

95 1. Ninety-eight percent of the funds shall be deposited
96 into the Educational Enhancement Trust Fund of the Department of
97 Education. Any interest earnings on the tax revenues shall also
98 be transferred to the Educational Enhancement Trust Fund.

99 2. One and one-half percent of the funds shall be



816910

100 transferred to the Department of Education's direct-support
101 organization established in s. 1001.24 and used to fund the
102 Educational Excellence Endowment Enhancement Fund.

103 3. One-half percent of the funds shall be transferred to
104 the direct-support organization established in s. 985.672 and
105 used to fund the Juvenile Justice Education and Training
106 Endowment Fund.

107 Section 6. Paragraph (c) of subsection (13) of section
108 849.086, Florida Statutes, is amended to read:

109 849.086 Cardrooms authorized.—

110 (13) TAXES AND OTHER PAYMENTS.—

111 (c) Payment of the admission tax and gross receipts tax
112 imposed by this section shall be paid to the division. The
113 division shall deposit these sums with the Chief Financial
114 Officer, 49 percent of which shall be ~~one-half being~~ credited to
115 the Pari-mutuel Wagering Trust Fund, 49 percent of which shall
116 be and one-half being credited to the General Revenue Fund, 1.5
117 percent of which shall be transferred to the Department of
118 Education's direct-support organization established in s.
119 1001.24 and used to fund the Educational Excellence Endowment
120 Enhancement Fund, and 0.5 percent of which shall be transferred
121 to the direct-support organization established in s. 985.672 and
122 used to fund the Juvenile Justice Education and Training
123 Endowment Fund. The cardroom licensee shall remit to the
124 division payment for the admission tax, the gross receipts tax,
125 and the licensee fees. The ~~Such~~ payments shall be remitted to
126 the division on the fifth day of each calendar month for taxes
127 and fees imposed for the preceding month's cardroom activities.
128 Licensees shall file a report under oath by the fifth day of



816910

129 each calendar month for all taxes remitted during the preceding
130 calendar month. The ~~Such~~ report shall, under oath, indicate the
131 total of all admissions, the cardroom activities for the
132 preceding calendar month, and ~~such~~ other information as may be
133 prescribed by the division.

134 Section 7. This act shall take effect July 1, 2012.

135

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

137 And the title is amended as follows:

138 Delete everything before the enacting clause
139 and insert:

140

A bill to be entitled

141

An act relating to educational enhancement; creating
142 the Educational Excellence Endowment Enhancement Fund
143 within the Department of Education's direct-support
144 organization; requiring that the direct-support
145 organization administer the endowment enhancement
146 fund; providing purposes; requiring that the direct-
147 support organization deposit revenues from gaming
148 taxes and fees and other grants, gifts, and bequests
149 of money into the endowment enhancement fund;
150 requiring that the direct-support organization invest
151 the funds and use only the interest accrued; creating
152 the Juvenile Justice Education and Training Endowment
153 Fund within the direct-support organization for the
154 Department of Juvenile Justice; requiring that the
155 direct-support organization administer the endowment
156 fund; providing purposes; requiring that the direct-
157 support organization deposit revenues from gaming



816910

158 taxes and fees and other grants, gifts, and bequests
159 of money into the endowment fund; requiring that the
160 direct-support organization invest the funds and use
161 only the interest accrued; amending s. 24.121, F.S.;
162 revising provisions relating to the allocation of
163 revenues and the expenditure of funds deposited into
164 the Educational Enhancement Trust Fund; requiring that
165 the Department of Education transfer a specified
166 percentage of the funds to the Department of
167 Education's direct-support organization and the
168 direct-support organization for the Department of
169 Juvenile Justice for the purpose of funding the
170 Educational Excellence Endowment Enhancement Fund and
171 the Juvenile Justice Education and Training Endowment
172 Fund; amending s. 285.710, F.S.; revising provisions
173 relating to the Gaming Compact between the Seminole
174 Tribe of Florida and the state; requiring that a
175 specified percentage of the moneys paid by the Tribe
176 be transferred from the General Revenue Fund to the
177 Department of Education's direct-support organization
178 and the direct-support organization for the Department
179 of Juvenile Justice for the purpose of funding the
180 Educational Excellence Endowment Enhancement Fund and
181 the Juvenile Justice Education and Training Endowment
182 Fund; amending s. 551.106, F.S.; revising provisions
183 relating to the deposit and distribution of the slot
184 machine revenue tax; requiring that the Chief
185 Financial Officer transfer a specified percentage of
186 the funds collected from the Pari-mutuel Wagering



816910

187 Trust Fund to the Department of Education's direct-
188 support organization and the direct-support
189 organization for the Department of Juvenile Justice
190 for the purpose of funding the Educational Excellence
191 Endowment Enhancement Fund and the Juvenile Justice
192 Education and Training Endowment Fund; amending s.
193 849.086, F.S.; revising provisions relating to the
194 taxes imposed on cardrooms; requiring that the Chief
195 Financial Officer transfer a specified percentage of
196 the funds to the Department of Education's direct-
197 support organization and the direct-support
198 organization for the Department of Juvenile Justice
199 for the purpose of funding the Educational Excellence
200 Endowment Enhancement Fund and the Juvenile Justice
201 Education and Training Endowment Fund; providing an
202 effective date.

203
204 WHEREAS, the Legislature finds that if an endowment fund
205 had been created in which 2 percent of all lottery revenues
206 generated from 1987 to 2011 were placed, the present value of
207 the endowment fund would be worth over \$320 million, and

208 WHEREAS, the Legislature intends to establish endowment
209 funds within the Department of Education's direct-support
210 organization and the direct-support organization for the
211 Department of Juvenile Justice for the purpose of providing
212 additional financial support to enhance public education, and

213 WHEREAS, the Legislature intends for the state's gaming
214 revenue and gifts and bequests from corporations, private
215 foundations, and individuals to be deposited into the endowment



816910

216 funds and invested for the purpose of generating interest, and
217 WHEREAS, only the interest from the endowment funds may be
218 used to support education program enhancements and activities
219 related to employment and obtaining additional education
220 opportunities, such as job certifications, college degrees, and
221 reentry activities, NOW, THEREFORE,