Agriculture & Environment Appropriations Committee

Wednesday, November 9, 2005

3:30 p.m.

306 House Office Building

Allan Bense
Speaker

Stan Mayfield
Chair

Florida House of Representatives

Fiscal Council
Agriculture & Environment Appropriations Committee

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Agenda for
Date: November 9, 2005
Location: 306 House Office Building, Tallahassee, FL
Time: 3:30 p.m.

I. Call to Order

II. Roll Call

III. Presentation on Conservation and Historical Land Acquisition and Management
- Eva Armstrong, Director, Division of State Lands, Department of Environmental Protection

IV. Discussion of Citrus Marketing Assessments and Strategies
- Dan Gunter, Executive Director, Department of Citrus
- Dr. Ron Ward, University of Florida

V. Discussion of Inland Protection Trust Fund Usage
- Dale Patchett, Handex of Florida, Inc.
- David Mica, Florida Petroleum Council
- James E. Smith, Florida Petroleum Marketers and Convenience Store Association

VI. Adjournment

221 The Capitol, 402 South Monroe Street, Tallahassee, Florida 32399-1300 (850) 488-6204

INLAND PROTECTION TRUST FUND
Department of Environmental Protection

Fund Description

LASPBS FUND NUMBER:	2212
FLAIR FUND NUMBER:	20 - 2 - 212001
Authorization:	Section 376.3071, Florida Statutes
Other Statutory References:	Sections 206.9935, 206.9945, 207.026, 376.11, 376.303, 376.307, 376.3072 and 376.86, Florida Statutes
Expiration Date:	November 4, 2008 Recreated pursuant to Chapter 2004-105 Laws of Florida
Revenue Source:	Initial registration fee (376.303, F.S.) annual renewal registration fee for every in-ground or stationary above-ground petroleum storage tank (376.303 & 376.3072, F.S.) having a capacity of 550 or more gallons. Excise taxes on petroleum products pollutants in accordance with 206.9935 and 206.9945, F.S., interest earnings when needed not to exceed $10 million to be transferred from the Coastal Protection Trust Fund, pursuant to F.S. 376.11 and interest earnings on the investment (376.307, 376.3071, F.S.) of idle cash.
Purpose of Fund:	Fund will enable response without delay to incidents of inland contamination related to the storage of petroleum products to protect the public and minimize environmental damage. To investigate and assess contaminated sites, restore or replace potable water supplies, cleanup and rehabilitate contaminated sites, maintain and monitor contaminated sites and supervise storage tank compliance verification program. To maintain the state's obligations for payment of debt service to the Inland Protection Finance Corporation for bonds obtained for the defeasances of backlog of reimbursement claims. Transfer of interest earnings to the Water Quality Assurance Trust Fund to be made at the discretion of the department, pursuant to F.S. 376.3071.
Primary Budget Entity:	Division of Waste Management
Other Budget Entities:	Division of Administrative Services District Offices Division of Water Resource Management Division of Law Enforcement
Other State Agencies:	Department of Health
Full Time Equivalent Positions (FTE):	This trust fund supports **159.0** FTE. **3.0** in the Division of Administrative Services and Executive Offices **47.0** in the District Offices **93.0** in the Division of Waste Management **16.0** in the Division of Law Enforcement

DEPARTMENT OF ENVIRONMENTAL PROTECTION
INLAND PROTECTION TRUST FUND (20-2-212001)
FUND STATUS AS OF SEPTEMBER 30, 2005

		PROJECTED BASED ON LEGISLATIVE APPROPRIATIONS 06/30/2006	PROJECTED BASED ON LEGISLATIVE BUDGET REQUEST 06/30/2007	PROJECTED BASED ON CONTINUATION OF LBR 06/30/2008
BEGINNING AVAILABLE FUND BALANCE		$ 29,844,974.52	$ 35,498,664.78	$ 38,958,820.78
FUND BALANCE RESERVED- ENCUMBRANCES - FCO		119,319,824.85	-	-
FUND BALANCE RESERVE - BROWNFIELD AREAS LOAN GUARANTEE PROGRAI		5,000,000.00	-	-
BEGINNING TOTAL FUND BALANCE		**154,164,799.37**	**35,498,664.78**	**38,958,820.78**
LESS: FUND BALANCE RESERVE - BROWNFIELD AREAS LOAN GUARANTEE PI		**(5,000,000.00) 8**	**-**	**-**
FUND BALANCE RESERVED FOR LONG TERM RECEIVABLES		**-**		
REVENUES:				
FEES AND CHARGES		33,558.32	-	-
INTEREST EARNINGS ON INVESTMENTS		5,000,000.00	5,000,000.00	5,500,000.00
LICENSES AND PERMITS - STORAGE TANK REGISTRATION FEES (376.303 F.S.)		1,200,000.00	1,200,000.00	1,200,000.00
OTHER LICENSES AND PERMITS		1,000,000.00	1,000,000.00	1,000,000.00
REFUNDS - PRIOR YEAR WARRANT CANCELLATIONS - MISC. FEES		90,336.94	-	-
TRANSFER/DOR POLLUTANT TAXES [206.9935 F.S.]		216,269,000.00 6	221,243,000.00 6	226,332,000.00 6
TRANSFER/HIGHWAY SAFETY/POLLUTANT TAXES [206.9935 & 207.026 F.S.]		2,664,000.00 6	2,774,000.00 6	2,875,000.00 6
TOTAL REVENUE		**226,256,895.26**	**231,217,000.00**	**236,907,000.00**
TOTAL AVAILABLE		**375,421,694.63**	**266,715,664.78**	**275,865,820.78**
EXPENDITURES/ENCUMBRANCES:				
OPERATING:				
SALARY	010000	8,771,260.00	8,828,125.00	9,048,828.00
OTHER PERSONAL SERVICES	030000	133,780.00	194,685.00	194,685.00
EXPENSE	040000	1,876,931.00	1,816,026.00	1,816,026.00
OPERATING CAPITAL OUTLAY	060000	39,715.00	39,715.00	39,715.00
ACQUISITION OF MOTOR VEHICLES	100014	420,000.00	-	-
STORAGE TANK COMPLIANCE VERIFICATION	100029	10,000,000.00	10,000,000.00	10,000,000.00
OPERATION AND MAINTENANCE	102275	247,846.00	247,846.00	247,846.00
OVERTIME	102331	50,400.00	50,400.00	50,400.00
RISK MANAGEMENT INSURANCE	103241	433,886.00	433,886.00	433,886.00
SALARY INCENTIVE	103290	31,490.00	31,490.00	31,490.00
TRANSFER-DOH/UNDERGROUND PETRO ENVIR RESPONSE ACT	103946	1,285,197.00	1,285,197.00	1,285,197.00
LOCAL GOVERNMENT CLEANUP CONTRACTS	104138	10,000,000.00	10,000,000.00	10,000,000.00
TRANSFER-DMS/HR SERVICES/STW CONTRACT	107040	63,191.00	63,191.00	63,191.00
TANK CLEANUP:				
UNDERGROUND STORAGE TANK CLEANUP/ADM SVCS	104132	357,407.00	357,407.00	357,407.00
UNDERGROUND STORAGE TANK CLEANUP/PRIVATE WATER	104132	300,000.00	300,000.00	300,000.00
UNDERGROUND STORAGE TANK CLEANUP/WASTE	104132	11,197,668.00	11,197,668.00	11,197,668.00
UNDERGROUND STORAGE TANK CLEANUP/LAW ENFORCEMENT	104132	284,759.00	284,759.00	284,759.00
TOTAL UNDEGROUND STORGE TANK CLEANUP		**12,139,834.00**	**12,139,834.00**	**12,139,834.00**
PETROLEUM CLEANUP AUDITS	104163	430,980.00	430,980.00	430,980.00
TOTAL TANK CLEANUP		**12,570,814.00**	**12,570,814.00**	**12,570,814.00**
TOTAL OPERATING		**45,924,510.00**	**45,561,375.00**	**45,782,078.00**
CERTIFIED FORWARD FIXED CAPITAL OUTLAY:				
CLEANUP OF STATE/LANDS	082474 03	39,869.12	-	-
UNDERGROUND STORAGE TANK CLEANUP/PRE-APPROVAL	087888 04	9,481,597.86	-	-
CLEANUP OF STATE/LANDS	082474 05	1,328,292.10	-	-
UNDERGROUND STORAGE TANK CLEANUP/PRE-APPROVAL	087888 05	108,470,065.77	-	-
TOTAL CERT FORWARD FIXED CAPITAL OUTLAY		**119,319,824.85**	**-**	**-**
FIXED CAPITAL OUTLAY:				
CLEANUP OF STATE/LANDS	082474	2,500,000.00	2,500,000.00	2,500,000.00
UNDERGROUND STORAGE TANK CLEANUP/PRE-APPROVAL	087888	161,000,000.00	171,000,000.00	171,000,000.00
TOTAL FIXED CAPITAL OUTLAY		**163,500,000.00**	**173,500,000.00**	**173,500,000.00**
NON OPERATING:				
TRANSFER - WORKING CAPITAL TF	180222	2,198,539.00	2,678,713.00	2,678,713.00
TRANSFER - WATER QUALITY ASSURANCE TF	181070	5,500,000.00	2,000,000.00	2,000,000.00
TRANSFER - ADMINISTRATIVE TF	185080	1,350,165.00	1,423,077.00	1,423,077.00
TRANSFER - ENVIRONMENTAL LAB TF - WASTE	185083	1,356,791.00	1,395,384.00	1,395,384.00
TRANSFER - ENVIRONMENTAL LAB TF - LAW ENFORCEMENT	185083	-	207,421.00	207,421.00
REFUNDS	2200XX	625.00	-	-
TRANSFER DFS/ASSESSMENT ON INVESTMENTS	310018	190,000.00	190,000.00	209,000.00
SERVICE CHARGE TO GR (7.3%)	310322	514,134.00	511,730.00	546,843.00
RESERVE FOR RENT ADJUSTMENT		68,441.00	68,441.00	68,441.00
RESERVE FOR PAY PACKAGE		-	220,703.00 4	226,221.00 4
TOTAL NON OPERATING		**11,178,695.00**	**8,695,469.00**	**8,755,100.00**
TOTAL EXPENDITURES/ENCUMBRANCES		**339,923,029.85**	**227,756,844.00**	**228,037,178.00**
ENDING AVAILABLE FUND BALANCE (3)(7)(9)(10)(11)		**$ 35,498,664.78**	**$ 38,958,820.78**	**$ 47,828,642.78**

DEPARTMENT OF ENVIRONMENTAL PROTECTION
INLAND PROTECTION TRUST FUND (20-2-212001)
FUND STATUS AS OF SEPTEMBER 30, 2005

NOTES:

1) REVERSIONS FOR FISCAL YEAR 2005/2006
PROJECTED COLUMN HAS BEEN REDUCED BY REVERSIONS.

	FCO REVERSIONS 06/30/2006
TOTAL REVERSIONS	-

2) INCLUDES INTEREST THROUGH AUGUST 2005.

3) THE ENDING AVAILABLE FUND BALANCE INCLUDES **$622,288.80** IN CURRENT RECEIVABLES.

4) RESERVE FOR PAY PACKAGE CALCULATED AT 2.5% OF SALARIES FOR FY 2006/2007 AND FY 2007/2008.

5) ACTUAL REVENUE FOR SELECTED ITEMS:

JULY	2005
AUGUST	2005
SEPTEMBER	2005
OCTOBER	2005
NOVEMBER	2005
DECEMBER	2005
JANUARY	2006
FEBRUARY	2006
MARCH	2006
APRIL	2006
MAY	2006
JUNE	2006
TOTAL	

6) POLLUTANT TAX REVENUE ESTIMATES ARE BASED ON FUEL CONSUMPTION ESTIMATES AND SPECIAL FUEL USE TAX AND FEES ESTIM
TRANSPORTATION REVENUE ESTIMATING CONFERENCE.

7) THE INLAND PROTECTION FINANCING CORPORATION HAD A BALANCE AT
SEPTEMBER 30, 2005 OF $10,705,167.53, WHICH IS BEING HELD BY THE STATE -
BOARD OF ADMINISTRATION. IF THESE FUNDS ARE NOT USED TO PAY FOR
FUTURE REIMBURSEMENT CLAIMS, THE BALANCE WILL BE RETURNED TO DEP -
AND WILL RESULT IN AN INCREASE IN THE UNOBLIGATED BALANCE OF THE
INLAND PROTECTION TRUST FUND. -
THERE ARE $9,695,713 IN PENDING LEGAL PETITIONS.

8) PER 2004 LEGISLATION [F.S. 376.86] - $5 MILLION OF THE BALANCE OF THE INLAND PROTECTION TRUST FUND IS RESERVED FOR THE I
THERE WAS ONE LOAN GUARANTEED IN JUNE 2002, WHICH HAS BEEN CLOSED. AS OF 9/30/2005 THERE ARE 3 KNOWN POTENTIAL AP

9) THE FY 2006/2007 ENDING AVAILABLE FUND BALANCE HAS NOT BEEN REDUCED BY THE 5% AGENCY LEGISLATIVE BUDGET REQUEST F

10) IN ACCORDANCE WITH CHAPTER 206.9935 - THE FOLLOWING IS TO BE CONSIDERED:

11) THE UNOBLIGATED BALANCE OF THE INLAND PROTECTION TRUST FUND (IPTF) AS IT RELATES TO DETERMINATION OF THE APPLICAB
RESERVATIONS OF FUND BALANCE.
THE UNOBLIGATED BALANCE OF THE IPTF IS BASED UPON THE CURRENT UNRESERVED FUND BALANCE, PROJECTED REVENUES, AL
FUNDING FOR THE DEPARTMENT'S BASE BUDGET FOR THE SUBSEQUENT FISCAL YEAR. DETERMINATION OF THE UNOBLIGATED BAL
SUBSEQUENT TO THE ANNUAL LEGISLATIVE APPROPRIATIONS BECOMING LAW AND THE CLOSING OF THE FISCAL YEAR IN THE ACC

CALCULATION OF UNOBLIGATED BALANCE

UNRESERVED FUND BALANCE	
PLUS: PROJECTED REVENUES FY 2005/06	
PLUS: PROJECTED REVENUES FY 2006/07	
PLUS: PROJECTED REVENUES FY 2007/08	
LESS: LEGISLATIVE APPROPRIATIONS	
LESS: BASE BUDGET	
STATUTORY UNOBLIGATED BALANCE	