

STORAGE NAME: h0765.ca

DATE: March 7, 1997

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
COMMUNITY AFFAIRS
BILL ANALYSIS & ECONOMIC IMPACT STATEMENT**

BILL #: HB 765

RELATING TO: Military Affairs (Billeting Operations at Camp Blanding Training Site)

SPONSOR(S): Representative Wiles

STATUTE(S) AFFECTED: Section 250.40, F.S.

COMPANION BILL(S): SB 1086 (i)

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) COMMUNITY AFFAIRS
- (2) FINANCE AND TAXATION
- (3) GENERAL GOVERNMENT APPROPRIATIONS
- (4)
- (5)

I. SUMMARY:

This bill allows moneys generated by the billeting operation at Camp Blanding Training Site to be deposited in the Armory Board Trust Fund.

This bill has no fiscal impact.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

Federal regulation prescribed by National Guard Regulation (NGR) 37-109, Financial Administration, Transient Housing Management of 1 October 1992, requires that state-approved billeting funds be maintained in a separate bank account. However, the regulation goes on to state: "funds should be accounted for in accordance with respective state policy and guidance." The regulations require that the billeting operation be self-sustaining. That is, rental charges must be sufficient to cover all expenses. Any additional funds may be used to improve the quarters.

Section 18.101(1), Florida Statutes, requires that all moneys collected by State agencies shall, except as otherwise provided by law, be deposited in the State Treasury. In addition, sections 215.31 and 215.32, Florida Statutes, provide that State moneys, unless otherwise provided by law, shall be deposited in the State Treasury and accounted for by the Treasurer and the Florida Department of Banking and Finance.

Operational Audit Report No. 12813 by the State of Florida Auditor General, reveals the Department of Military Affairs (DMA)/Florida National Guard (FNG) did not record Camp Blanding billeting operation revenues and expenditures in the State Automated Management Accounting Subsystem. In addition, the DMA had not obtained appropriate authorization to maintain moneys collected in the conduct of billeting operations in a local bank account outside the State Treasury.

The DMA agreed to pursue legislative authorization to maintain a separate billeting bank account. The Armory Board Trust Fund is authorized by section 932.7055.(5)(j), Florida Statutes. The trust fund receives moneys derived from the rental of armories and other facilities, fines imposed by general, special or summary court martials and federal funds derived from federal forfeiture sharing.

B. EFFECT OF PROPOSED CHANGES:

This bill allows moneys generated by the billeting operation at Camp Blanding Training Site to be deposited in the Armory Board Trust Fund.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

Not applicable.

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

(3) any entitlement to a government service or benefit?

b. If an agency or program is eliminated or reduced:

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

(2) what is the cost of such responsibility at the new level/agency?

(3) how is the new agency accountable to the people governed?

2. Lower Taxes:

Not applicable.

a. Does the bill increase anyone's taxes?

b. Does the bill require or authorize an increase in any fees?

c. Does the bill reduce total taxes, both rates and revenues?

d. Does the bill reduce total fees, both rates and revenues?

e. Does the bill authorize any fee or tax increase by any local government?

3. Personal Responsibility:

Not applicable.

a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

- b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

4. Individual Freedom:

Not applicable.

- a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?
- b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

5. Family Empowerment:

Not applicable.

- a. If the bill purports to provide services to families or children:
 - (1) Who evaluates the family's needs?
 - (2) Who makes the decisions?
 - (3) Are private alternatives permitted?
 - (4) Are families required to participate in a program?
 - (5) Are families penalized for not participating in a program?
- b. Does the bill directly affect the legal rights and obligations between family members?
- c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

(1) parents and guardians?

(2) service providers?

(3) government employees/agencies?

D. SECTION-BY-SECTION ANALYSIS:

Section 1 -- Amends section 250.40, Florida Statutes, to allow moneys collected by the DMA from the billeting operations at Camp Blanding Training Site to be deposited in the Armory Board Trust Fund.

Section 2 -- Provides an effective date of July 1, 1997.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

4. Total Revenues and Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

None.

2. Direct Private Sector Benefits:

None.

3. Effects on Competition, Private Enterprise and Employment Markets:

None.

D. FISCAL COMMENTS:

Camp Blanding billeting operations for the 1994-95 fiscal year and the 1995-96 fiscal year, through February, 1996, had receipts totaling \$213,878 and \$161,937 and expenditures totaling \$148,948 and \$102,923, respectively.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not effect the ability of cities or counties to expend money.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not effect the ability of cities or counties to raise revenues.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce cities or counties shared state funds.

V. COMMENTS:

The DMA comments that the goal of the legislation is to maintain the integrity of the fund by meeting both the federal requirements and state requirements.

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VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None.

VII. SIGNATURES:

COMMITTEE ON COMMUNITY AFFAIRS:

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