

STORAGE NAME: h0421.grr

DATE: April 10, 2000

**HOUSE OF REPRESENTATIVES
AS FURTHER REVISED BY THE COMMITTEE ON
GOVERNMENTAL RULES & REGULATIONS
ANALYSIS**

BILL #: HB 421

RELATING TO: Florida Indemnification & Community Revitalization Trust Fund

SPONSOR(S): Representative Stansel and others

TIED BILL(S): CS/HB 419

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

- (1) AGRICULTURE YEAS 8 NAYS 0
 - (2) COMMUNITY COLLEGES & CAREER PREP W/D
 - (3) GOVERNMENTAL RULES & REGULATIONS
 - (4) GENERAL APPROPRIATIONS
 - (5)
-

I. SUMMARY:

HB 421 creates the Florida Indemnification and Community Revitalization Trust Fund as a repository for funds as provided for in CS/HB 419, relating to tobacco production relief. At the end of any fiscal year, any balance remaining in the trust fund shall be available for carrying out the fund's purposes. Any unencumbered balance remaining after the last authorized annual distribution has been made, as provided in CS/HB 419, shall revert to the Department of Banking and Finance Tobacco Settlement Clearing Trust Fund.

Unless terminated sooner, the trust fund will terminate on November 4, 2004. Prior to its termination, the fund shall be reviewed as provided in s. 215.3206(1) and (2), F.S.

As HB 421 only creates the trust fund, the bill has no fiscal impact on state and local government.

The act takes effect on November 4, 2000, if CS/HB 419 or similar legislation is adopted in the same session.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|------------------------------|-----------------------------|---|
| 1. <u>Less Government</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

Pursuant to Article III, Section 19(f), Florida Constitution, no trust fund of the State of Florida or any public body may be created by law without a three-fifths vote of the membership of each house of the legislature. Additionally, the bill creating the trust fund must be separate from any related substantive bill. HB 421 is tied to CS/HB 419 relating to tobacco production relief.

C. EFFECT OF PROPOSED CHANGES:

This bill creates the Florida Indemnification and Community Revitalization Trust Fund. The bill is tied to adoption of CS/HB 419 providing assistance to persons and communities negatively affected by federal tobacco quota reductions and the resulting loss in income. The trust fund is a repository and distribution point for funds specified in CS/HB 419.

D. SECTION-BY-SECTION ANALYSIS:

Please see C. Effect of Proposed Changes

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

Please see Fiscal Comments section.

2. Expenditures:

Please see Fiscal Comments section.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

Please see Fiscal Comments section.

2. Expenditures:

Please see Fiscal Comments section.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Please see Fiscal Comments section.

D. FISCAL COMMENTS:

This legislation has no fiscal impact on state agencies or state funds, on local governments as a whole, or on the private sector. The bill simply creates the Florida Indemnification and Community Revitalization Trust Fund.

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

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to spend funds or to take action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority that municipalities or counties have to raise revenue in the aggregate.

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

This bill does not reduce any state tax shared with counties or municipalities.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

N/A

B. RULE-MAKING AUTHORITY:

N/A

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DATE: April 10, 2000

PAGE 4

C. OTHER COMMENTS:

N/A

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None.

VII. SIGNATURES:

COMMITTEE ON AGRICULTURE:

Prepared by:

Susan D. Reese

Staff Director:

Susan D. Reese

AS FURTHER REVISED BY THE COMMITTEE ON GOVERNMENTAL RULES & REGULATIONS:

Prepared by:

Shari Z. Whittier

Staff Director:

David M. Greenbaum