

By Senator Clary

309-998-02

1 A bill to be entitled
2 An act relating to trust funds; creating the
3 Emergency Response Trust Fund within the
4 Department of Military Affairs; providing
5 sources of funds; providing for the use of
6 funds; providing an exemption from certain
7 service charges; providing for an annual
8 carryforward of funds; providing for future
9 legislative review and termination or
10 re-creation of the trust fund; providing a
11 contingent effective date.

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13 Be It Enacted by the Legislature of the State of Florida:

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15 Section 1. Emergency Response Trust Fund.--16 (1) The Emergency Response Trust Fund is created
17 within the Department of Military Affairs.18 (2) Funds to be credited to the trust fund shall
19 consist of reimbursements from the Federal Emergency
20 Management Agency for the costs of activating the Florida
21 National Guard and transfers of state funds approved by budget
22 amendments processed as provided in chapter 216, Florida
23 Statutes. Such funds shall be used to pay all operational
24 costs incurred by the Florida National Guard when called to
25 active duty.26 (3)(a) The trust fund is exempt from the service
27 charges imposed by section 215.20, Florida Statutes.28 (b) Notwithstanding section 216.301, Florida Statutes,
29 and pursuant to section 216.351, Florida Statutes, any balance
30 in the trust fund at the end of the fiscal year shall remain

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1 in the trust fund and shall be available for carrying out the
2 purposes of the trust fund.

3 (4) In accordance with Section 19(f)(2) of Article III
4 of the State Constitution, the Emergency Response Trust Fund
5 shall, unless terminated sooner, be terminated on July 1,
6 2006. Before its scheduled termination, the trust fund shall
7 be reviewed as provided in section 215.3206(1) and (2),
8 Florida Statutes.

9 Section 2. This act shall take effect July 1, 2002,
10 but it shall not take effect unless it is enacted by at least
11 a three-fifths vote of the membership of each house of the
12 Legislature.

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15 SENATE SUMMARY

16 Creates the Emergency Response Trust Fund within the
17 Department of Military Affairs. Provides for sources of
18 funds. Provides for moneys in the trust fund to be used
19 to pay operational costs incurred by the Florida National
20 Guard when called to active duty. Provides for an annual
21 carryforward of funds. Provides for future review and
22 termination or re-creation of the trust fund.

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