### HOUSE OF REPRESENTATIVES TRUST FUND CREATION STAFF ANALYSIS

BILL #:HB 1775PCB FC 05-26Grants and Donations Trust FundSPONSOR(S):Fiscal CouncilTIED BILLS:IDEN./SIM. BILLS:SB 1402

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
Orig. Comm.: Fiscal Council	22 Y, 0 N	Jensen-Friedman	Kelly
1)			
2)			
3)			
4)			
5)			

#### I. SUMMARY

The bill creates the Grants and Donations Trust Fund within the Fish and Wildlife Conservation Commission (FWCC) effective July 1, 2005. The trust fund is established to be used for allowable grant and donor agreement activities funded by restricted contractual revenue. Funds credited to the Grants and Donations Trust Fund will consist of grants and donations from private and public nonfederal sources, interest earnings, and cash advances from other trust funds.

This bill creates section 372.103, Florida Statutes.

## **II. SUBSTANTIVE ANALYSIS**

#### A. PRESENT SITUATION:

Article III, Section 19(f) of the Florida Constitution requires that trust funds pass with a 3/5 vote in each house and be in a separate bill for the sole purpose of creating that trust fund. The constitution also requires that all agency trust funds terminate every four years unless recreated.

Florida Statutes 215.3208 (1) provides that, in order to implement Article III, Section 19(f) of the Florida Constitution, a schedule for review of trust funds be included in the legislative budget instructions developed pursuant to Florida Statutes 216.023. The trust funds in FWCC are scheduled for review this year.

In order to meet accounting standards established by the Government Accounting Standards Board (GASB), section 215.32, Florida Statutes was amended last session to require that agencies have certain trust funds for day-to-day operations. One of these required trust funds is a grants and donations trust fund. The FWCC currently does not have a grants and donations trust fund. With its scheduled review of trust funds, the agency has requested and the Governor has recommended the creation of this trust fund to comply with section 215.32, F.S.

B. EFFECT OF PROPOSED CHANGES:

The creation of this trust fund will allow the FWCC to receive funds from grants and donations from private and public non-federal sources, interest earnings, and cash advances from other trust funds. The Commission will use this trust fund as a depository for funds to be used for allowable grant and donor agreement activities funded by restricted contractual revenue.

The trust fund will terminate in four years, on July 1, 2009, pursuant to Article III, Section 19(f)(2).

## **III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

# **IV. COMMENTS**

# V. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES