

The Florida Senate
PROFESSIONAL STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Communications and Public Utilities Committee

BILL: CS/SB 2026

INTRODUCER: Communications and Public Utilities & Senator Bennett

SUBJECT: Florida Alternative Electric Energy Trust Fund

DATE: April 18, 2007

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Wiehle	Caldwell	CU	Fav/CS
2.			EP	
3.			GO	
4.			GA	
5.				
6.				

I. Summary:

The bill creates the Florida Alternative Energy Center Trust Fund, to be administered by the Office of Tourism, Trade, and Economic Development, and to be used to provide funding for the Florida Alternative Energy Center in fulfilling its statutory duties.

The bill creates and unnumbered section of the Florida Statutes.

II. Present Situation:

Section 19(f) of Article III of the state constitution provides for trust funds. No trust fund may be created without a three-fifths vote of the membership of each house of the legislature in a separate bill for that purpose only. State trust funds must terminate not more than four years after the effective date of the act authorizing the initial creation of the trust fund. The Legislature may, by law, set a shorter time period for which any trust fund is authorized.

Section 215.3207, F.S., provides for the creation of trust funds. A trust fund may be created by law only by the Legislature and only if passed by a three-fifths vote of the membership of each house in a separate bill for that purpose only. Except for trust funds being re-created by the Legislature, each trust fund must be created by statutory language that specifies at least the following:

- The name of the trust fund.
- The agency or branch of state government responsible for administering the trust fund.
- The requirements or purposes that the trust fund is established to meet.

- The sources of moneys to be credited to the trust fund or specific sources of receipts to be deposited in the trust fund.

III. Effect of Proposed Changes:

The bill creates the Florida Alternative Energy Center Trust Fund within, and to be administered by, the Office of Tourism, Trade, and Economic Development. The money to be deposited into the fund include those collected from sources designated by law, federal moneys made available for alternative energy uses, donations, or moneys appropriated from the General Revenue Fund. The purpose of the trust fund is to provide funding for the Florida Alternative Energy Center in fulfilling its statutory duties.

Any balance in the trust fund at the end of any fiscal year is to remain in the trust fund at the end of the fiscal year and to be available for carrying out the purposes of the trust fund.

In accordance with Section 19(f)(2), Article III of the State Constitution, the trust fund must, unless terminated sooner, be terminated on July 1, 2011. Before its scheduled termination, the trust fund must be reviewed as provided in s. 215.3206(1) and (2), Florida Statutes.

The bill takes effect on the same date as Senate Bill 996 or similar legislation takes effect, if such legislation is enacted in the same legislative session, or an extension thereof, and becomes law, but this act shall not take effect unless it is enacted by a three-fifths vote of the membership of each house of the Legislature.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

The bill creates a trust fund, and contains no provisions not related to that purpose. It provides the name of the trust fund, the agency or branch of state government responsible for administering the trust fund, the requirements or purposes that the trust fund is established to meet, and the sources of moneys to be credited to the trust fund. The bill must be passed by a three-fifths vote of the membership of each house.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None

VI. Technical Deficiencies:

None.

VII. Related Issues:

This bill is linked to CS/CS/SB 996.

This Senate Professional Staff Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

VIII. Summary of Amendments:

None.

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