

1                                   A bill to be entitled  
 2           An act relating to trust funds; terminating and re-  
 3           creating the Emergency Response Trust Fund within the  
 4           Department of Military Affairs without modification;  
 5           carrying forward current balances and continuing current  
 6           sources and uses thereof; reenacting and amending s.  
 7           250.175(2), F.S.; revising the future termination date of  
 8           the trust fund; providing an effective date.

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 10           WHEREAS, the Legislature wishes to extend the life of the  
 11           Emergency Response Trust Fund within the Department of Military  
 12           Affairs, which was re-created by chapter 2003-251, Laws of  
 13           Florida, effective November 4, 2004, and which is otherwise  
 14           scheduled to be terminated pursuant to constitutional mandate,  
 15           and

16           WHEREAS, the Legislature has reviewed the trust fund before  
 17           its scheduled termination date and has found that it continues  
 18           to meet an important public purpose, and

19           WHEREAS, the Legislature has found that existing public  
 20           policy concerning the trust fund sets adequate parameters for  
 21           its use, NOW, THEREFORE,

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

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 25           Section 1. (1) The Emergency Response Trust Fund within  
 26           the Department of Military Affairs, FLAIR number 62-2-087, which  
 27           was re-created by chapter 2003-251, Laws of Florida, and is to  
 28           be terminated pursuant to s. 19(f), Art. III of the State

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29 Constitution prior to November 4, 2008, is terminated on July 1,  
30 2007, and re-created.

31 (2) All current balances of the trust fund are carried  
32 forward, and all current sources and uses of the trust fund are  
33 continued.

34 Section 2. Subsection (2) of section 250.175, Florida  
35 Statutes, is reenacted and amended to read:

36 250.175 Trust funds; authorization; name; purpose.--

37 (2) (a) The Emergency Response Trust Fund is created within  
38 the Department of Military Affairs. Reimbursements from the  
39 Federal Emergency Management Agency for the costs of activating  
40 the Florida National Guard and transfers of state funds approved  
41 by budget amendments processed under chapter 216 shall be  
42 deposited into the trust fund. The trust fund shall be used to  
43 pay all operational costs incurred by the Florida National Guard  
44 when called to active duty.

45 (b) In accordance with s. 19(f)(2), Art. III of the State  
46 Constitution, the Emergency Response Trust Fund shall, unless  
47 terminated sooner, be terminated on July 1, 2011 ~~2006~~. Before  
48 its scheduled termination, the trust fund shall be reviewed as  
49 provided in s. 215.3206(1) and (2).

50 (c) Notwithstanding s. 216.301 and pursuant to s. 216.351,  
51 any balance in the trust fund at the end of any fiscal year  
52 shall remain in the trust fund and is available for carrying out  
53 the purposes of the trust fund. The trust fund is exempt from  
54 the service charges imposed by s. 215.20.

55 Section 3. This act shall take effect July 1, 2007.