

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the General Government Appropriations Committee

BILL: SB 2126

INTRODUCER: Senator Alexander

SUBJECT: Department of Environmental Protection Water Sustainability Trust Fund

DATE: March 13, 2008 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Kynoch/Matthews</u>	<u>DeLoach</u>	<u>GA</u>	<u>Favorable</u>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

Section 19(f), Art. III of the State Constitution requires that all newly created agency trust funds terminate no later than four years after the initial creation unless re-created. This bill re-creates the Water Protection and Sustainability Program Trust Fund within the Department of Environmental Protection without modification. Re-creation is effective beginning July 1, 2009, which is the current termination date of the fund. The changes extend the life of the trust fund.

This bill repeals section 403.891(3), Florida Statutes.

II. Present Situation:

Section 19(f), Art. III of the State Constitution requires that all newly created agency trust funds terminate no later than four years after the initial creation unless re-created. Section 403.891, F.S., creates the Water Protection and Sustainability Program Trust Fund within the Department of Environmental Protection. The purpose of the trust fund is to receive documentary stamp tax revenues as authorized in s. 201.15(1)(d)2., F.S., funds from other sources provided for in law and the General Appropriations Act, and funds received by the department. The fund serves as a repository of revenues to support appropriations for alternative water supply, the total maximum daily load program, and the Disadvantaged Small Community Wastewater Grant Program to implement the provisions of the Water Sustainability and Protection Program created in s. 403.890, F.S. Fiscal Year 2007-2008 appropriations and anticipated receipts for this fund are \$80 million.

Currently, the trust fund is set to terminate on July 1, 2009, pursuant to s. 19(f), Art. III of the State Constitution.

III. Effect of Proposed Changes:

This bill re-creates the trust fund without modification.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

This bill has no fiscal impact on state agencies or state funds, on local governments as a whole or on the private sector. It simply re-creates, without modification, an existing state trust fund and continues the current use of the fund.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

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