

STORAGE NAME: h1077.gga.doc
DATE: February 11, 2002

**HOUSE OF REPRESENTATIVES
AS REVISED BY THE COMMITTEE ON
GENERAL GOVERNMENT APPROPRIATIONS
ANALYSIS**

BILL #: HB 1077
RELATING TO: Trust Funds
SPONSOR(S): Representative(s) Dockery
TIED BILL(S): HB 1075

ORIGINATING COMMITTEE(S)/COUNCIL(S)/COMMITTEE(S) OF REFERENCE:

- (1) NATURAL RESOURCES & ENVIRONMENTAL PROTECTION YEAS 12 NAYS 0
 - (2) GENERAL GOVERNMENT APPROPRIATIONS
 - (3) FISCAL POLICY & RESOURCES
 - (4) COUNCIL FOR READY INFRASTRUCTURE
 - (5)
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I. SUMMARY:

This bill creates the Rural Lands Program Trust Fund to receive Rural Lands Protection Bonds proceeds and to pay debt service on those bonds. The trust fund will be administered by the Department of Agriculture and Consumer Services.

This bill does have a fiscal impact.

The bill provides this act will become law on July 1, 2002, contingent on HB 1075, or similar legislation becoming law.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|------------------------------|-----------------------------|---|
| 1. <u>Less Government</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

Pursuant to s. 19, Article III of the State Constitution, no trust fund of the State of Florida or other public body may be created by law without a three-fifths vote of the membership of each house of the legislature in a separate bill for the purpose of creating a trust fund only.

C. EFFECT OF PROPOSED CHANGES:

This bill creates the Rural Lands Program Trust Fund. The Rural Lands Program Trust Fund will be used by the Department of Agriculture and Consumer Services as a depository for funds pursuant to s. 201.15(1)(c), F.S., to pay debt service on bonds for rural land protection. (see HB 1075). Proceeds from the sale of these bonds are to be distributed into the Conservation and Recreation Lands Program Trust Fund to implement the Rural and Family Lands Protection Act pursuant to 570.71(12), F.S..

The bill further provides that any balance in the trust fund at the end of a fiscal year shall remain in the trust fund and will be available for carrying out the trust fund purposes. Also, in accordance with s. 19(f)(2), Article III of the State Constitution the bill terminates the trust fund on July 1, 2006, unless terminated sooner. Prior to the trust funds termination it shall be reviewed as provided in ss. 215.3206(1) and (2), F.S.

D. SECTION-BY-SECTION ANALYSIS:

Section 1: Creates the Rural Lands Program Trust Fund within the Department of Agriculture and Consumer Services; provides purpose and uses of the fund; provides termination by July 1, 2006, and provides for review as provided in ss. 215.3206(1) and (2), Florida Statutes.

Section: Provides an effective date of July 1, 2002, contingent upon the adoption of HB 1075 related to rural land protection.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to expend funds or to take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce the percentage of state tax shared with counties and municipalities.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

N/A

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B. RULE-MAKING AUTHORITY:

N/A

C. OTHER COMMENTS:

N/A

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VII. SIGNATURES:

COMMITTEE ON NATURAL RESOURCES & ENVIRONMENTAL PROTECTION:

Prepared by:

Staff Director:

Kim Fedele

Wayne Kiger

AS REVISED BY THE COMMITTEE ON GENERAL GOVERNMENT APPROPRIATIONS:

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