

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 Transportation and Economic Development Appropriations Committee

BILL: CS/SB 1642

INTRODUCER: Transportation and Economic Development Appropriations Committee and Senator Fasano

SUBJECT: Emergency Response Trust Fund within the Department of Military Affairs

DATE: March 3, 2010 **REVISED:** _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Belcher	Noble	TA	Fav/CS
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

Please see Section VIII. for Additional Information:

A. COMMITTEE SUBSTITUTE..... Statement of Substantial Changes

B. AMENDMENTS..... Technical amendments were recommended

Amendments were recommended

Significant amendments were recommended

I. Summary:

The bill continues the Emergency Response Trust Fund, FLAIR number 62-2-087, which is administered by the Department of Military Affairs.

The bill has an effective date of July 1, 2010.

This bill repeals section 250.175(2)(b) of the Florida Statutes.

II. Present Situation:

The Emergency Response Trust Fund was re-created pursuant to chapter 2007-9, Laws of Florida.

The revenue sources for this trust fund are Federal Emergency Management Agency (FEMA) reimbursements and transfers of state funds when approved by budget amendments processed pursuant to chapter 216, F.S. The trust fund is used to pay all operational costs incurred by the

Florida National Guard when called to active duty. The Emergency Response Trust Fund is used by the Department of Military Affairs.

On July 1, 2009, the trust fund had an unreserved cash balance of \$1,404,302. During the current fiscal year (FY 2009-10), \$30,752 in operating budget has been appropriated from the fund and no cash has been received into the fund. During Fiscal Year 2008-09, \$1,202,023 was disbursed from the fund and \$326,410 in cash was deposited into the fund.

III. Effect of Proposed Changes:

This legislation continues the Emergency Response Trust Fund within the Department of Military Affairs without changes. It also repeals section 250(2)(b) which mandates termination of the trust fund on July 1, 2011.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

Article III, section 19(f)(1), of the Florida Constitution, provides no trust fund of the state or other public body may be created without three-fifths vote of the membership of each house of the Legislature in a separate bill for that purpose only.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

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.)

CS by the Transportation and Economic Development Appropriations Committee on March 3, 2010:

The CS differs from the bill as filed in the following way:

- Provides that the act shall not take effect unless it is enacted by a three-fifths vote of the membership of each house of the Legislature.

- B. **Amendments:**

None.

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