

**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** PCB ANR 10-07 Relating to trust fund review

**SPONSOR(S):** Agriculture & Natural Resources Policy Committee

**TIED BILLS:** **IDEN./SIM. BILLS:**

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	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
Orig. Comm.:	Agriculture & Natural Resources Policy Committee	13 Y, 0 N	Kliner	Reese
1)	_____	_____	_____	_____
2)	_____	_____	_____	_____
3)	_____	_____	_____	_____
4)	_____	_____	_____	_____
5)	_____	_____	_____	_____

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**SUMMARY ANALYSIS**

The Water Protection and Sustainability Program (s. 403.890, F.S.) was established in 2005 to support water-related programs such as Total Maximum Daily Loads, Surface Water Improvement Management and Disadvantaged Small Community Wastewater Grants. When available, the program also included funding for alternative water supply development projects such as desalination, reuse and reservoirs.

Subsection (4) of s. 403.890, F.S., contains obsolete language relating to the Legislature, prior to the end of the 2008 Regular Session, reviewing the distribution of funds under the Water Protection and Sustainability Program to determine if revisions to the funding formula are required. Reference to this Legislative review and reference to the discretion to conduct interim studies on this issue are removed from Florida Statutes by this bill.

The bill has no fiscal impact.

## HOUSE PRINCIPLES

Members are encouraged to evaluate proposed legislation in light of the following guiding principles of the House of Representatives

- Balance the state budget.
- Create a legal and regulatory environment that fosters economic growth and job creation.
- Lower the tax burden on families and businesses.
- Reverse or restrain the growth of government.
- Promote public safety.
- Promote educational accountability, excellence, and choice.
- Foster respect for the family and for innocent human life.
- Protect Florida's natural beauty.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### Current Situation

The Water Protection and Sustainability Program (s. 403.890, F.S.) was established in 2005 to support water-related programs such as Total Maximum Daily Loads, Surface Water Improvement Management and Disadvantaged Small Community Wastewater Grants. When available, the program also included funding for alternative water supply development projects such as desalination, reuse and reservoirs. Subsection (4) of this section provides a distribution schedule from the Water Protection and Sustainability Program Trust Fund to various governmental entities for certain fiscal years.

Subsection (4) of s. 403.890, F.S., contains obsolete language relating to the Legislature, prior to the end of the 2008 Regular Session, reviewing the distribution of funds under the Water Protection and Sustainability Program to determine if revisions to the funding formula are required. In addition, at the discretion of the President of the Senate and the Speaker of the House of Representatives, the appropriate substantive committees of the Legislature may conduct an interim project to review the Water Protection and Sustainability Program and the funding formula and make written recommendations to the Legislature proposing necessary changes, if any.

##### Effect of Proposed Changes

Reference to this Legislative review and reference to the discretion to conduct interim studies on this issue are removed from Florida Statutes.

#### B. SECTION DIRECTORY:

Section 1. amends subsection (4) of s. 403.890, F.S., to remove obsolete language.

Section 2. provides an effective date of July 1, 2010.

### II. 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

**III. COMMENTS**

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not appear to require counties or municipalities to take an action requiring the expenditure of funds, does not appear to reduce the authority that counties or municipalities have to raise revenue in the aggregate, and does not appear to reduce the percentage of state tax shared with counties or municipalities.

2. Other: None noted.

B. RULE-MAKING AUTHORITY: None

C. DRAFTING ISSUES OR OTHER COMMENTS: None

**IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES**