

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

BILL: SB 850

SPONSOR: Senator Clary

SUBJECT: Nonmandatory Land Reclamation Trust Fund

DATE: February 5, 2003 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>DeLoach</u>	<u>Hayes</u>	<u>AGG</u>	<u>Favorable</u>
2.	<u> </u>	<u> </u>	<u>AP</u>	<u> </u>
3.	<u> </u>	<u> </u>	<u> </u>	<u> </u>
4.	<u> </u>	<u> </u>	<u> </u>	<u> </u>
5.	<u> </u>	<u> </u>	<u> </u>	<u> </u>
6.	<u> </u>	<u> </u>	<u> </u>	<u> </u>

I. Summary:

This legislation re-creates the Nonmandatory Land Reclamation Trust Fund without modification, effective November 4, 2004. The Nonmandatory Land Reclamation Trust Fund, FLAIR #37-2-506, is administered by the Department of Environmental Protection. This fund was last re-created effective November 4, 2000, by Chapter 99-99, Laws of Florida.

II. Present Situation:

Section 378.033 creates the trust fund. Sections 211.31 and 211.3103, F.S., provide revenue sources for the fund. Sections 376.86, 378.034, 378.035, 378.036, and 403.4154, F.S., provide for the use of the fund. This trust fund purpose is reclamation of lands disturbed by phosphate mining that were not subject to mandatory reclamation and the abatement of an imminent hazard related to phosphate mining. Historically, the major source of revenue for the trust fund was an excise tax on the severance of phosphate, which has sunset. The current sources of revenue for the fund include permits and licenses from the phosphogypsum program and interest earnings. According to LAS/PBS data, receipts to this fund for FY 2001-2002 were \$9.3 million.

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. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

This legislation 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. Amendments:

None.