

# 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 746  
 SPONSOR: Senator Clary  
 SUBJECT: Water Quality Assurance  
 DATE: February 6, 2004      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>Withdrawn: Favorable</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 Water Quality Assurance Trust Fund without modification, effective November 4, 2004. The Water Quality Assurance Trust Fund, FLAIR #37-2-780, is administered by the Department of Environmental Protection. This fund was last re-created effective November 4, 2000, by Chapter 99-102, Laws of Florida.

**II. Present Situation:**

Section 376.307, F.S., creates the Water Quality Assurance Trust Fund, and sections 206.9935, 376.303, 376.30781, 376.309, 376.323, and 403.860, F.S., provide revenue sources. Sections 403.1655, 403.726, 403.7264, and 403.871, F.S., provide for uses of the trust fund. The fund is used to respond to incidents of contamination that pose a serious danger to the quality of groundwater and surface water resources. Activities include monitoring, maintenance, cleanup, and restoration of contaminated sites. Major sources of revenue for the fund include an excise tax on pollutants, battery taxes, dry cleaning fees and taxes, and permits and fees. According to LAS/PBS data, receipts to this fund for FY 2002-2003 were \$43.8 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.