The Florida Senate

COMMITTEE MEETING EXPANDED AGENDA

ENVIRONMENTAL PRESERVATION AND CONSERVATION Senator Dean, Chair Senator Simpson, Vice Chair

MEETING DATE: Wednesday, January 7, 2015

TIME:

3:30 —5:30 p.m.

Mallory Horne Committee Room, 37 Senate Office Building PLACE:

MEMBERS: Senator Dean, Chair; Senator Simpson, Vice Chair; Senators Altman, Evers, Hays, Simmons, Smith,

and Soto

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	Presentation by staff on the Florida Wate Florida Constitution	Presented	
	Other Related Meeting Documents		

Water and Land Conservation Amendment

Florida Senate January 7, 2015

Text of the Constitutional Amendment

Art. X, Section 28:

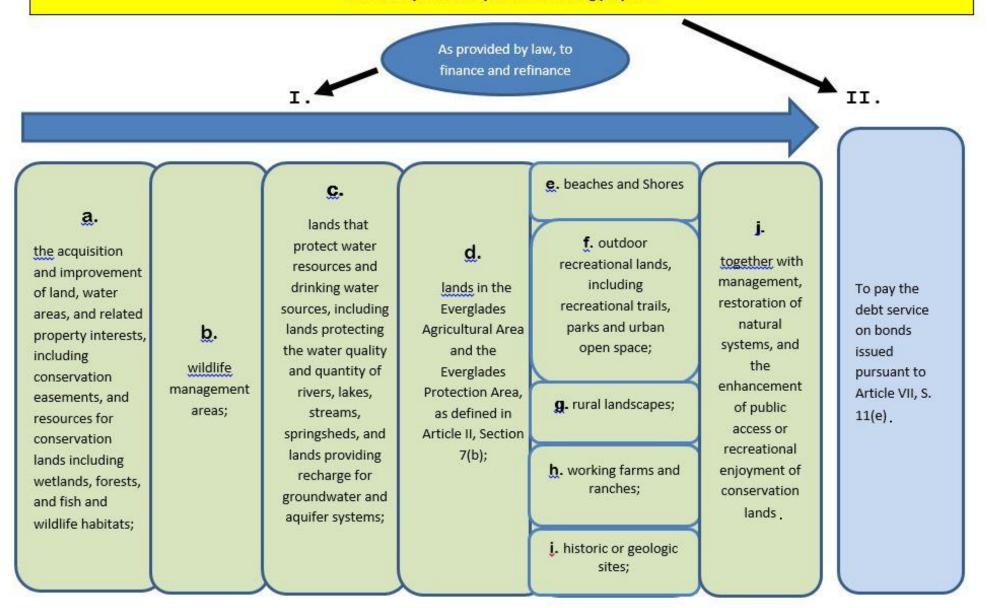
Land Acquisition Trust Fund.—

- (a) Effective on July 1 of the year following passage of this amendment by the voters, and for a period of 20 years after that effective date, the Land Acquisition Trust Fund shall receive no less than 33 percent of net revenues derived from the existing excise tax on documents, as defined in the statutes in effect on January 1, 2012, as amended from time to time, or any successor or replacement tax, after the Department of Revenue first deducts a service charge to pay the costs of the collection and enforcement of the excise tax on documents.
- (b) Funds in the Land Acquisition Trust Fund shall be expended only for the following purposes: (1) As provided by law, to finance or refinance: the acquisition and improvement of land, water areas, and related property interests, including conservation easements, and resources for conservation lands including wetlands, forests, and fish and wildlife habitat; wildlife management areas; lands that protect water resources and drinking water sources, including lands protecting the water quality and quantity of rivers, lakes, streams, springsheds, and lands providing recharge for groundwater and aquifer systems; lands in the Everglades Agricultural Area and the Everglades Protection Area, as defined in Article II, Section 7(b); beaches and shores; outdoor recreation lands, including recreational trails, parks, and urban open space; rural landscapes; working farms and ranches; historic or geologic sites; together with management, restoration of natural systems, and the enhancement of public access or recreational enjoyment of conservation lands.
- (2) To pay the debt service on bonds issued pursuant to Article VII, Section 11(e).
- (c) The moneys deposited into the Land Acquisition Trust Fund, as defined by the statutes in effect on January 1, 2012, shall not be or become commingled with the general revenue fund of the state.
- **Amendment 1 passed by 74.96%

FLORIDA LAND ACQUISITION TRUST FUND

Receives a minimum 33% of Net Revenues* from Documentary Stamp Tax

Shall be expended only for the following purposes



^{*}Net Revenues means total documentary stamp tax collections less Department of Revenue administrative costs.

Other Key Provisions

Effective July 1, 2015

 Distributions to the LATF required for 20 Years (July 1, 2035)

 Prohibits commingling of moneys with General Revenue

20 Year Documentary Stamp Tax Forecast and LATF Distributions (\$ millions)

Total Collections
Net Collections
Required Distribution to LATF

1	757.7	809.5	854.4	·	913.1	·	972.6	·	·	1,091.0
	2,296.1	2,453.1	2,589.2	2,681.8	2,767.0	2,857.5	2,947.3	3,057.0	3,178.8	3,306.2
	2,305.9	2,462.9	2,599.0	2,691.6	2,776.8	2,867.3	2,957.1	3,066.8	3,188.6	3,316.0
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25

Total Collections
Net Collections
Required Distribution to LATF
to LATI

	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	2034-35
	3,435.8	3,560.0	3,688.6	3,821.9	3,960.0	4,103.1	4,251.4	4,405.0	4,564.2	4,729.1
	3,426.0	3,550.2	3,678.8	3,812.1	3,950.2	4,093.3	4,241.6	4,395.2	4,554.4	4,719.3
1	1,130.6	1,171.6	1,214.0	1,258.0	1,303.6	1,350.8	1,399.7	1,450.4	1,503.0	1,557.4

Total Estimated LATF Distributions - \$22,623.2

Section 201.15, F.S., Distributions of Documentary Stamp Tax Revenues* (\$ millions)

Total Collections - \$2,305.9

DOR Administrative Costs (\$9.8)

GR Service Charge (\$184.5)

Net Available for Distribution - \$2,111.6

GR, Debt Service, and Misc. (63.31%) \$1,336.9

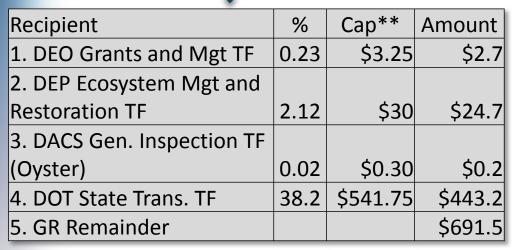




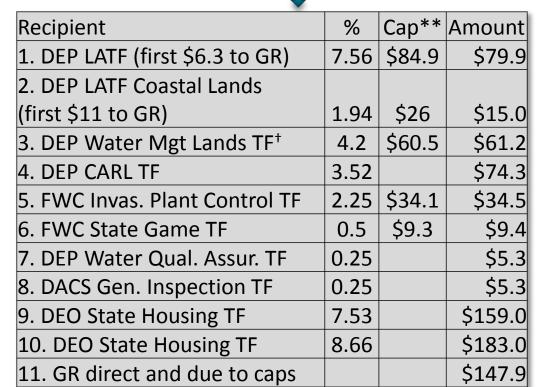
Other Distributions (36.69%) \$774.7



Environmental Debt Service (\$173.3)



^{*}Based on FY 2015-16 estimates



^{**}There is some allowance for caps for Other Distributions to increase based on increases in doc stamp tax collections †DEP Water Mgt Lands distributes \$8m to GR per s. 373.59, F.S. and \$4.3m for Keys Wastewater debt service

FY 2015-16 Statutory Distributions by General Category (\$ millions)

Total General Revenue from Documentary Stam	np Tax \$1,036.2	44.9%
Total Environmental Purposes*		20.4%
Total Transportation Purposes	\$369.5	16.0%
Total Economic Development Purposes	\$152.7	6.6%
Total Affordable Housing	\$266.9	11.6%
	\$2,295.51	99.5%†

Constitutionally required distribution to the LATF in FY 2015-16

\$757.7

^{*}Does not include amounts transferred to GR from the Water Mgt Lands TF
†Percentages based on total Documentary Stamp Tax collections. Percentages total less than 100% due to rounding and exclusion of DOR administrative costs.

Next Steps for Implementation

1. Restructure S. 201.15, F.S., to comply with constitutional requirements

- 2. Restructure trust funds and distributions
 - a. Provide for accountability
 - b. Increase transparency
 - c. Comply with prohibition on commingling

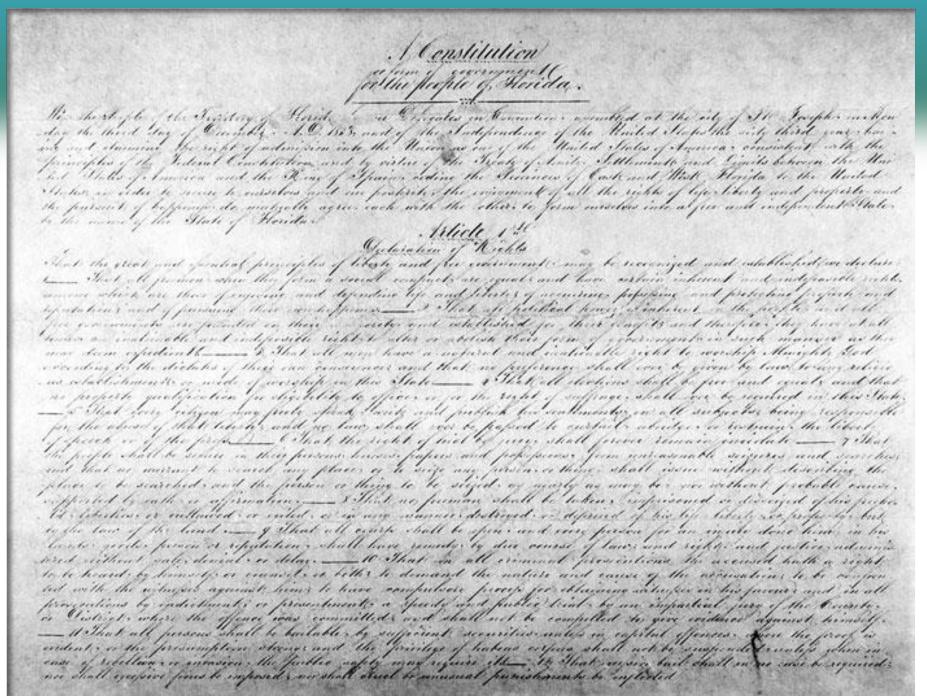
Public Input and Participation

New button on flsenate.gov:



- Submit written comments to the committee from anywhere
- 2. Monitor committee records and activity
- 3. Links to relevant documents

Questions...





THE FLORIDA SENATE SENATOR ANDY GARDINER

President

January 7, 2015

The Honorable Greg Evers State Senator, District 2 308 Senate Office Building 404 South Monroe Street Tallahassee, FL 32399-1100

Dear Senator Evers:

Pursuant to Senate Rule 1.5, it is my pleasure to appoint you to serve as a member of the Senate Committee on Environmental Preservation and Conservation effective immediately.

Thank you for your service to the Florida Senate.

Sincerely,

Andy Gardiner

President

C: Senator Charlie Dean, Chair, Committee on Environmental Preservation and Conservation Pepper Uchino, Staff Director, Committee on Environmental Preservation and Conservation Debbie Brown, Secretary of the Senate John Phelps, Staff Director, Senate Committee on Rules

For Immediate Release

January 7, 2015

Contact: Katie Betta

(850) 487-5229

Senate Committee on Environmental Preservation & Conservation Launches Website to Take Public Comment on Amendment 1 Implementation

Tallahassee—Senator Charlie Dean (R-Inverness), Chair of the Senate Committee on Environmental Preservation and Conservation, today announced the creation of a webpage dedicated to collecting public comment on the implementation of Amendment 1, Water and Land Conservation, passed by Florida voters in November 2014.

"Florida's environment impacts every single resident and visitor to our state, so we want to be certain that we hear from Floridians with specific ideas for how to implement this constitutional amendment," said Chair Dean. "This webpage gives all interested citizens the opportunity to play a meaningful role in the legislative process."

In November 2014, Florida voters approved an amendment to the state constitution which requires one third of documentary stamp revenue to be placed into the Land Acquisition Trust Fund and spent on a variety of environmental programs and initiatives. Senate President Andy Gardiner (R-Orlando) has tasked the Senate Committee on Environmental Preservation and Conservation with drafting legislation to implement this new amendment.

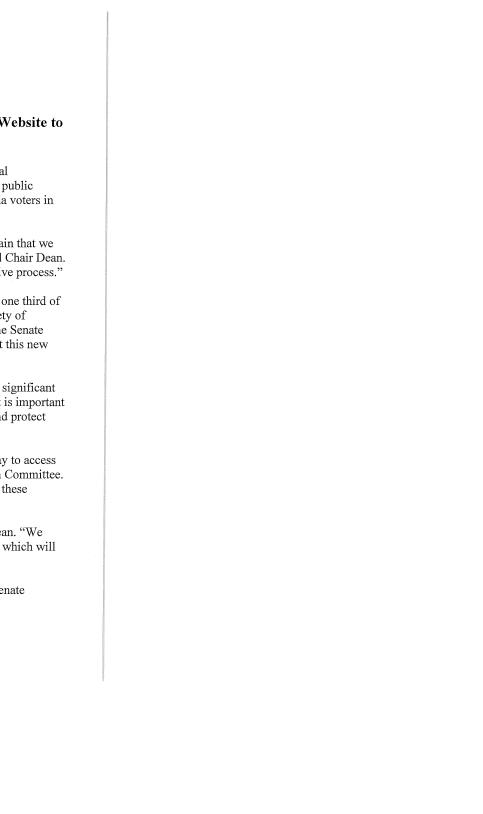
"Implementing this amendment is a historic responsibility and a tremendous opportunity to make a significant impact on the future of water and natural resources policy in our state," said President Gardiner. "It is important for all interested Floridians to make their voices heard on existing and new programs to improve and protect Florida's environment."

The Water and Land Conservation page within the Senate website provides constituents an easy way to access information and provide feedback to members of the Environmental Preservation and Conservation Committee. Over the next few months, the committee will conduct a number of meetings to discuss and review these comments as they prepare legislation for the 2015 Session.

"We will preserve all comments and maintain them as part of our committee record," said Chair Dean. "We plan to provide frequent updates and hope interested Floridians will sign up for the Senate Tracker, which will allow them to stay informed about the ongoing work of our committee."

To view the Water and Land Conservation webpage, please click <u>here</u>. To sign up for the Florida Senate Tracker, please click <u>here</u>.

1





Amendment 1 Sponsor Committee

Water and Land Conservation Amendment (850) 629-4656 • emailus@floridawaterlandlegacy.org www.FloridaWaterLandLegacy.org

Recommendation by the Sponsors of the Florida Water and Land Conservation Amendment for FY 16 Appropriations of Doc Stamps from Amendment 1

, and the second	\$ From Amendment 1	Statutory References
TOTAL *	\$662.0	
Debt Service **	\$177.0	201.15, 215.618, 215.619
Beach Management	\$20.0	201.15(1)(c)(3)
Everglades, Estuaries, and Northern Everglades	\$150.0	373.470, 373.4595
Florida Forever	\$150.0	259.105
DEP/WMD/FCT Springs Trails	\$110.0 \$30.0 \$10.0	
Springs	\$50.0	373.451
Land Management	\$90.0	373.59
Rural Family Lands	\$25.0	570.71

Recommendations on Springs and other Wastewater Issues:

- 1. The total need to address Springs issues is \$380 million
- 2. Set policy to prioritize use of Clean Water State Revolving Fund (\$50 million)
- 3. Use state appropriations to insure local wastewater and stormwater bonds to incentivize local revenue (\$200 million)
- Expand wastewater infrastructure in springsheds to facilitate economic growth (\$50 million, Department of Economic Opportunity)

^{*} Based on August 2014 revenue estimates

^{**} Florida Forever and Everglades

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date	——————————————————————————————————————
A A	Bill Number (if applicable)
Topic Imendment	Amendment Barcode (if applicable)
Name Enc Draper	-
Job Title	_
Address 308 N Mmoe	Phone F50 999 1028
Tallalassoe, F. 32301 City State Zip	Email edraper a adulou, m
Speaking: For Against Information Waive Speaking: (The Chair	peaking: In Support Against air will read this information into the record.)
Representing Amendment / Coaltin a f	John Fl.
Appearing at request of Chair: Yes No Lobbyist regist	tered with Legislature: Yes No
While it is a Senate tradition to encourage public testimony, time may not permit all meeting. Those who do speak may be asked to limit their remarks so that as many	persons wishing to speak to be heard at this persons as possible can be heard.
This form is part of the public record for this meeting.	S-001 (10/14/14)

APPEARANCE RECORD

Deliver BOTH copies of this form to the Senator or Senate Professional Staff of	onducting the meeting)
Meeting Date	Bill Number (if applicable)
Topic Amendment I Implementation	Amendment Barcode (if applicable)
Name_Junt Bown w	
Job Title Director of Ligitlative Poling & Hinte	-gi 65
	hone 800-257-9406
Street Tall+h435cc Pl 32303 E	mail Janel - Boursau e
	king: In Support Against ill read this information into the record.)
Representing The Nature CONSCIVANCY	
Appearing at request of Chair: Yes No Lobbyist registere	d with Legislature: Yes No
While it is a Senate tradition to encourage public testimony, time may not permit all permeeting. Those who do speak may be asked to limit their remarks so that as many per-	- •
This form is part of the public record for this meeting.	S-001 (10/14/14)

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senato	r or Senate Professional Staff conducting the meeting)
Meeting Date	Bill Number (if applicable)
Topic AMENDMENT /	Amendment Barcode (if applicable)
Name DAVID CULLEN	
Address 1674 Volversity Pro- Street Street State	14 296 Phone 941-323.2404 Extra Email Cullenases Day
Speaking: For Against Information	Waive Speaking: In Support Against (The Chair will read this information into the record.)
Representing TIERRE	125 FLARISA
Appearing at request of Chair: Yes No	Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

APPEARANCE RECORD

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Meeting Date	Bill Number (if applicable)
Topic Amendment 1	Amendment Barcode (if applicable)
Name Merrillee Malwitz-Jipson	
Job Title President, Our Santa Fe River	
Address Zo7o Sw CR 138	Phone <u>352-222-8893</u>
Fort White FL 320 City State Zi	38 Email Merrilleeart@our Santa
	Waive Speaking: In Support Against Tive (The Chair will read this information into the record.)
Representing Over Santa Fe River	
Appearing at request of Chair: Yes You Lobbyi	st registered with Legislature: Yes No
While it is a Senate tradition to encourage public testimony, time may not meeting. Those who do speak may be asked to limit their remarks so that	
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Meeting Date	Bill Number (if applicable)
Topic Kemberent/	Amendment Barcode (if applicable)
Name DEBBIE HARROSON RUN	mseeges
Job Title Registation Liaison	
Address 542 Bully Comb	Phone 224-5494
Street La Moles sel Ki	3230/ Email/wvfadVocacy
City	zip amoil. cm
Speaking: For Against Information	Waive Speaking: In Support Against (The Chair will read this information into the record.)
Representing Joseph Louise	of Women Voters
Appearing at request of Chair: Yes	Lobbyist registered with Legislature: Yes No

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S-001 (10/14/14)

CourtSmart Tag Report

Type: Judge: Room: LL 37 Case: Caption: Senate Environmental Preservation Committee

4:45:09 PM 4:45:28 PM

Meeting Adjourned

Started: 1/7/2015 3:35:14 PM	
Ends: 1/7/2015 4:45:40 PM Length: 01:10:27	
	_ ,, _ ,,
3:35:16 PM	Roll Call
3:35:59 PM	Opening Comments by the chair
3:39:40 PM	Pepper Uchino Staff Director of Committee
3:41:06 PM	Presentation on Water and Land Conservation Amendment
3:41:57 PM	Art. X, Section 28
3:54:26 PM	Questions
3:54:55 PM	Senator Soto with a Question
3:55:23 PM	Pepper Responding
3:55:58 PM	Senator Soto with follow-up
3:56:09 PM	Pepper responding
3:56:38 PM	Senator Dean
3:58:01 PM	Senator Soto with follow-up
3:58:38 PM	Senator Dean
4:00:02 PM	Senator Altman with Question
4:01:08 PM	Pepper Responding
4:01:37 PM	Senator Altman with Follow-up
4:02:04 PM	Pepper Responding
4:02:21 PM	Senator Dean
4:03:02 PM	Senator Hays with Question
4:03:31 PM	Pepper Responding
4:03:49 PM	Senator Hays with Follow-up
4:04:46 PM 4:05:21 PM	Senator Dean Responding Senator Evers with Question
4:08:02 PM	Senator Simmons
4:14:27 PM	Senator Soto Responding
4:15:25 PM	Senator Altman Responding
4:16:14 PM	Senator Dean
4:17:38 PM	Eric Draper, Representing Amendment 1 Coalition, Audubon FL
4:26:51 PM	Senator Simpson with Question
4:28:24 PM	Eric Draper Responding
4:29:32 PM	Senator Dean Responding
4:29:53 PM	Senator Hays
4:32:49 PM	Senator Evers
4:33:26 PM	Eric Draper Responding
4:33:46 PM	Senator Dean Responding
4:33:57 PM	Senator Soto with Question
4:35:20 PM	Senator Dean
4:35:34 PM	Janet Bowman, Representing Nature conservancy
4:37:54 PM	David Cullen, Representing Sierra club Florida
4:39:03 PM	Merrillee Malwitz-Jipson, Representing Our Santa Fe River
4:42:51 PM	Senator Dean responding
4:43:23 PM	Debbie Harrison Rumberger, Representing Florida League of Women Voters
4:45:09 PM	Closing comments
4.45.20 DM	Mosting Adjourned