

By the Committee on Natural Resources; and Senator King

312-2100-02

1                                   A bill to be entitled  
2           An act relating to the distribution of motor  
3           and other fuel taxes; amending s. 206.606,  
4           F.S.; requiring that sales tax revenues  
5           generated by the sale of motor and other fuels  
6           be transferred to the State Game Trust Fund;  
7           specifying the purposes for which the  
8           transferred revenues may be used; amending s.  
9           206.608, F.S.; requiring that sales tax  
10          revenues generated by the sale of motor and  
11          other fuels be transferred to the Marine  
12          Resource Conservation Trust Fund and to the  
13          State Game Trust Fund; specifying the purposes  
14          for which the transferred revenues may be used;  
15          providing an effective date.

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17 Be It Enacted by the Legislature of the State of Florida:

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19           Section 1. Subsection (1) of section 206.606, Florida  
20 Statutes, is amended to read:

21           206.606 Distribution of certain proceeds.--  
22           (1) Moneys collected pursuant to ss. 206.41(1)(g) and  
23 206.87(1)(e) shall be deposited in the Fuel Tax Collection  
24 Trust Fund. Such moneys, after deducting the service charges  
25 imposed by s. 215.20, the refunds granted pursuant to s.  
26 206.41, and the administrative costs incurred by the  
27 department in collecting, administering, enforcing, and  
28 distributing the tax, which administrative costs may not  
29 exceed 2 percent of collections, shall be distributed monthly  
30 to the State Transportation Trust Fund, except that:

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1           (a) \$6.30 million shall be transferred to the  
2 Department of Environmental Protection in each fiscal year and  
3 deposited in the Invasive Plant Control Trust Fund to be used  
4 for aquatic plant management, including nonchemical control of  
5 aquatic weeds, research into nonchemical controls, and  
6 enforcement activities. Beginning in fiscal year 1993-1994,  
7 the department shall allocate at least \$1 million of such  
8 funds to the eradication of melaleuca.

9           (b) \$2.5 million shall be transferred to the State  
10 Game Trust Fund in the Fish and Wildlife Conservation  
11 Commission in each fiscal year and used for recreational  
12 boating activities, and freshwater fisheries management and  
13 research. The transfers must be made in equal monthly amounts  
14 beginning on July 1 of each fiscal year. The commission shall  
15 annually determine where unmet needs exist for boating-related  
16 activities, and may fund such activities in counties where,  
17 due to the number of vessel registrations, sufficient  
18 financial resources are unavailable.

19           1. A minimum of \$1.25 million shall be used to fund  
20 local projects to provide recreational channel marking, public  
21 launching facilities, aquatic plant control, and other local  
22 boating related activities. In funding the projects, the  
23 commission shall give priority consideration as follows:

24           a. Unmet needs in counties with populations of 100,000  
25 or less.

26           b. Unmet needs in coastal counties with a high level  
27 of boating related activities from individuals residing in  
28 other counties.

29           2. The remaining \$1.25 million may be used for  
30 recreational boating activities and freshwater fisheries  
31 management and research.

1           3. The commission is authorized to adopt rules  
2 pursuant to ss. 120.536(1) and 120.54 to implement a Florida  
3 Boating Improvement Program similar to the program  
4 administered by the Department of Environmental Protection and  
5 established in rules 62D-5.031 - 62D-5.036, Florida  
6 Administrative Code, to determine projects eligible for  
7 funding under this subsection.

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9 On February 1 of each year, the commission shall file an  
10 annual report with the President of the Senate and the Speaker  
11 of the House of Representatives outlining the status of its  
12 Florida Boating Improvement Program, including the projects  
13 funded, and a list of counties whose needs are unmet due to  
14 insufficient financial resources from vessel registration  
15 fees.

16           (c) 0.65 percent of moneys collected pursuant to s.  
17 206.41(1)(g) shall be transferred to the Agricultural  
18 Emergency Eradication Trust Fund.

19           (d) Beginning in fiscal year 2007-2008 and continuing  
20 in each fiscal year thereafter, \$3.2 million shall be  
21 transferred to the State Game Trust Fund to fund activities of  
22 the Fish and Wildlife Conservation Commission, including  
23 coastal law enforcement efforts, recreational boating  
24 activities, and public boat launching facilities, and to fund  
25 local projects related to boating.

26           Section 2. Present subsection (3) of section 206.608,  
27 Florida Statutes, is redesignated as subsection (2), and a new  
28 subsection (2) is added to that section, to read:

29           206.608 State Comprehensive Enhanced Transportation  
30 System Tax; deposit of proceeds; distribution.--Moneys  
31 received pursuant to ss. 206.41(1)(f) and 206.87(1)(d) shall

1 be deposited in the Fuel Tax Collection Trust Fund, and, after  
2 deducting the service charge imposed in chapter 215 and  
3 administrative costs incurred by the department in collecting,  
4 administering, enforcing, and distributing the tax, which  
5 administrative costs may not exceed 2 percent of collections,  
6 shall be distributed as follows:

7 (2) Beginning in fiscal year 2002-2003 and continuing  
8 through fiscal year 2006-2007, \$1 million annually shall be  
9 transferred to the Marine Resource Conservation Trust Fund to  
10 fund law enforcement efforts of the Fish and Wildlife  
11 Conservation Commission. Beginning in fiscal year 2007-2008  
12 and continuing in each fiscal year thereafter, \$6.8 million  
13 shall be transferred to the State Game Trust Fund to fund  
14 activities of the Fish and Wildlife Conservation Commission,  
15 including coastal law enforcement efforts, recreational  
16 boating activities, and public boat launching facilities, and  
17 to fund local projects related to boating activities.

18 Section 3. This act shall take effect July 1, 2002.  
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1                   STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
2                   COMMITTEE SUBSTITUTE FOR  
3                   Senate Bill 2090

4 The committee substitute deletes the bill's original  
5 provisions and provides the following reallocated funding from  
6 motor fuel tax receipts that would otherwise be deposited into  
7 the State Transportation Trust Fund.

8 --       Beginning in FY 2002-2003 and continuing through FY  
9       2006-2007, \$1 million annually will be transferred to  
10       the Marine Resources Conservation Trust Fund to fund law  
11       enforcement efforts of the FWC.

12 --       Beginning in FY 2007-2008 and continuing in each fiscal  
13       year thereafter, \$3.2 million will be transferred to the  
14       State Game Trust Fund to fund activities of the FWC,  
15       including coastal law enforcement efforts, recreational  
16       boating activities, and public boat launching  
17       facilities, as well as to fund local projects related to  
18       boating.

19 --       Beginning in FY 2007-2008 and continuing in each fiscal  
20       year thereafter, \$6.8 million in receipts from the State  
21       Comprehensive Enhanced Transportation System Tax will be  
22       transferred to the State Game Trust Fund to fund  
23       activities of the FWC, including coastal law enforcement  
24       efforts, recreational boating activities, and public  
25       boat launching facilities, as well as to fund local  
26       projects related to boating activities.

27 The effective date of the bill has been changed from July 1,  
28 2007 to July 1, 2002.  
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