

1                                   A bill to be entitled  
 2           An act relating to the Water Protection and Sustainability  
 3           Program Trust Fund; amending s. 201.15, F.S.; revising the  
 4           distribution of excise taxes on documents credited to the  
 5           Water Protection and Sustainability Program Trust Fund  
 6           within the Department of Environmental Protection;  
 7           amending s. 403.890, F.S.; revising the distribution of  
 8           funds within the Water Protection and Sustainability  
 9           Program Trust Fund by the department; reenacting ss.  
 10          403.891(1) and 403.8911(1) F.S., relating to the creation  
 11          and purpose of the Water Protection and Sustainability  
 12          Program Trust Fund and annual appropriations therefrom, to  
 13          incorporate the amendments made to s. 201.15, F.S., in  
 14          references thereto; providing an effective date.

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

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 18           Section 1. Paragraph (d) of subsection (1) of section  
 19           201.15, Florida Statutes, is amended to read:

20           201.15 Distribution of taxes collected.--All taxes  
 21           collected under this chapter shall be distributed as follows and  
 22           shall be subject to the service charge imposed in s. 215.20(1),  
 23           except that such service charge shall not be levied against any  
 24           portion of taxes pledged to debt service on bonds to the extent  
 25           that the amount of the service charge is required to pay any  
 26           amounts relating to the bonds:

27 (1) Sixty-two and sixty-three hundredths percent of the  
28 remaining taxes collected under this chapter shall be used for  
29 the following purposes:

30 (d) The remainder of the moneys distributed under this  
31 subsection, after the required payments under paragraphs (a),  
32 (b), and (c), shall be paid into the State Treasury to the  
33 credit of:

34 1. The State Transportation Trust Fund in the Department  
35 of Transportation in the amount of \$541.75 million in each  
36 fiscal year, to be paid in quarterly installments and used for  
37 the following specified purposes, notwithstanding any other law  
38 to the contrary:

39 a. For the purposes of capital funding for the New Starts  
40 Transit Program, authorized by Title 49, U.S.C. s. 5309 and  
41 specified in s. 341.051, 10 percent of these funds;

42 b. For the purposes of the Small County Outreach Program  
43 specified in s. 339.2818, 5 percent of these funds;

44 c. For the purposes of the Strategic Intermodal System  
45 specified in ss. 339.61, 339.62, 339.63, and 339.64, 75 percent  
46 of these funds after allocating for the New Starts Transit  
47 Program described in sub-subparagraph a. and the Small County  
48 Outreach Program described in sub-subparagraph b.; and

49 d. For the purposes of the Transportation Regional  
50 Incentive Program specified in s. 339.2819, 25 percent of these  
51 funds after allocating for the New Starts Transit Program  
52 described in sub-subparagraph a. and the Small County Outreach  
53 Program described in sub-subparagraph b.

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54           2. The Water Protection and Sustainability Program Trust  
55 Fund in the Department of Environmental Protection in the amount  
56 of \$70 ~~\$100~~ million in each fiscal year, to be paid in quarterly  
57 installments and used as required by s. 403.890.

58           3. The Public Education Capital Outlay and Debt Service  
59 Trust Fund in the Department of Education in the amount of \$105  
60 million in each fiscal year, to be paid in monthly installments  
61 with \$75 million used to fund the Classrooms for Kids Program  
62 created in s. 1013.735, and \$30 million to be used to fund the  
63 High Growth County District Capital Outlay Assistance Grant  
64 Program created in s. 1013.738. If required, new facilities  
65 constructed under the Classrooms for Kids Program must meet the  
66 requirements of s. 1013.372.

67           4. The Grants and Donations Trust Fund in the Department  
68 of Community Affairs in the amount of \$3.25 million in each  
69 fiscal year to be paid in monthly installments, with \$3 million  
70 to be used to fund technical assistance to local governments and  
71 school boards on the requirements and implementation of this act  
72 and \$250,000 to be used to fund the Century Commission  
73 established in s. 163.3247.

74  
75 Moneys distributed pursuant to this paragraph may not be pledged  
76 for debt service unless such pledge is approved by referendum of  
77 the voters.

78           Section 2. Subsection (1) of section 403.890, Florida  
79 Statutes, are amended to read:

80           403.890 Water Protection and Sustainability Program;  
81 intent; goals; purposes.--

82 (1) Effective July 1, 2006, revenues transferred from the  
83 Department of Revenue pursuant to s. 201.15(1)(d)2. shall be  
84 deposited into the Water Protection and Sustainability Program  
85 Trust Fund in the Department of Environmental Protection. These  
86 revenues and any other additional revenues deposited into or  
87 appropriated to the Water Protection and Sustainability Trust  
88 Fund shall be distributed by the Department of Environmental  
89 Protection in the following manner:

90 (a) Thirty million dollars ~~Sixty percent~~ to the Department  
91 of Environmental Protection for the implementation of an  
92 alternative water supply program as provided in s. 373.1961.

93 (b) Twenty million dollars ~~percent~~ for the implementation  
94 of best management practices and capital project expenditures  
95 necessary for the implementation of the goals of the total  
96 maximum daily loads program established in s. 403.067. Of these  
97 funds, 85 percent shall be transferred to the credit of the  
98 Department of Environmental Protection Water Quality Assurance  
99 Trust Fund to address water quality impacts associated with  
100 nonagricultural nonpoint sources. Fifteen percent of these funds  
101 shall be transferred to the Department of Agriculture and  
102 Consumer Services General Inspection Trust Fund to address water  
103 quality impacts associated with agricultural nonpoint sources.  
104 These funds shall be used for research, development,  
105 demonstration, and implementation of the total maximum daily  
106 load program under s. 403.067, suitable best management  
107 practices or other measures used to achieve water quality  
108 standards in surface waters and water segments identified  
109 pursuant to s. 303(d) of the Clean Water Act, Pub. L. No. 92-

110 500, 33 U.S.C. ss. 1251 et seq. Implementation of best  
 111 management practices and other measures may include cost-share  
 112 grants, technical assistance, implementation tracking, and  
 113 conservation leases or other agreements for water quality  
 114 improvement. The Department of Environmental Protection and the  
 115 Department of Agriculture and Consumer Services may adopt rules  
 116 governing the distribution of funds for implementation of  
 117 capital projects, best management practices, and other measures.  
 118 These funds shall not be used to abrogate the financial  
 119 responsibility of those point and nonpoint sources that have  
 120 contributed to the degradation of water or land areas. Increased  
 121 priority shall be given by the department and the water  
 122 management district governing boards to those projects that have  
 123 secured a cost-sharing agreement allocating responsibility for  
 124 the cleanup of point and nonpoint sources.

125 (c) Ten million dollars ~~percent~~ shall be disbursed for the  
 126 purposes of funding projects pursuant to ss. 373.451-373.459 or  
 127 surface water restoration activities in water-management-  
 128 district-designated priority water bodies. The Secretary of  
 129 Environmental Protection shall ensure that each water management  
 130 district receives the following percentage of funds annually:

- 131 1. Thirty-five percent to the South Florida Water  
 132 Management District;
- 133 2. Twenty-five percent to the Southwest Florida Water  
 134 Management District;
- 135 3. Twenty-five percent to the St. Johns River Water  
 136 Management District;

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137 4. Seven and one-half percent to the Suwannee River Water  
138 Management District; and

139 5. Seven and one-half percent to the Northwest Florida  
140 Water Management District.

141 (d) Ten million dollars ~~percent~~ to the Department of  
142 Environmental Protection for the Disadvantaged Small Community  
143 Wastewater Grant Program as provided in s. 403.1838.

144 (e) Beginning June 30, 2007, and every 24 months  
145 thereafter, the Department of Environmental Protection shall  
146 request the return of all unencumbered funds distributed  
147 pursuant to this section. These funds shall be deposited into  
148 the Water Protection and Sustainability Program Trust Fund and  
149 redistributed pursuant to the provisions of this section.

150 Section 3. For the purpose of incorporating the amendment  
151 made by this act to section 201.15, Florida Statutes, in a  
152 reference thereto, subsection (1) of section 403.891, Florida  
153 Statutes, is reenacted to read:

154 403.891 Water Protection and Sustainability Program Trust  
155 Fund of the Department of Environmental Protection.--

156 (1) The Water Protection and Sustainability Program Trust  
157 Fund is created within the Department of Environmental  
158 Protection. The purpose of the trust fund is to receive funds  
159 pursuant to s. 201.15(1)(d)2., funds from other sources provided  
160 for in law and the General Appropriations Act, and funds  
161 received by the department in order to implement the provisions  
162 of the Water Sustainability and Protection Program created in s.  
163 403.890.

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164 Section 4. For the purpose of incorporating the amendment  
165 made by this act to section 201.15, Florida Statutes, in a  
166 reference thereto, subsection (1) of section 403.8911, Florida  
167 Statutes, is reenacted to read:

168 403.8911 Annual appropriation from the Water Protection  
169 and Sustainability Trust Fund.--

170 (1) Funds paid into the Water Protection and  
171 Sustainability Trust Fund pursuant to s. 201.15(1)(d) are hereby  
172 annually appropriated for expenditure for the purposes for which  
173 the Water Protection and Sustainability Trust Fund is  
174 established.

175 Section 5. This act shall take effect July 1, 2007.