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CHAMBER ACTION

Senate

House

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5/1/2008 2:16 PM

1 The Conference Committee on CS for SB 1882 recommended the
2 following **amendment**:

3
4 **Conference Committee Amendment (with title amendment)**

5 Delete everything after the enacting clause
6 and insert:

7 Section 1. Subsection (1) of section 161.05301, Florida
8 Statutes, is amended to read:

9 161.05301 Beach erosion control project staffing.--

10 (1) There are hereby appropriated to the Department of
11 Environmental Protection six positions and \$449,918 for fiscal
12 year 1998-1999 from the Ecosystem Management and Restoration
13 Trust Fund from revenues provided ~~by this act~~ pursuant to s.
14 201.15 ~~201.15(11)~~. These positions and funding are provided to
15 assist local project sponsors, and shall be used to facilitate
16 and promote enhanced beach erosion control project
17 administration. Such staffing resources shall be directed toward



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18 more efficient contract development and oversight, promoting
19 cost-sharing strategies and regional coordination or projects
20 among local governments, providing assistance to local
21 governments to ensure timely permit review, and improving billing
22 review and disbursement processes.

23 Section 2. Subsection (3) of section 161.091, Florida
24 Statutes, is amended to read:

25 161.091 Beach management; funding; repair and maintenance
26 strategy.--

27 (3) In accordance with the intent expressed in s. 161.088
28 and the legislative finding that erosion of the beaches of this
29 state is detrimental to tourism, the state's major industry,
30 further exposes the state's highly developed coastline to severe
31 storm damage, and threatens beach-related jobs, which, if not
32 stopped, may ~~could~~ significantly reduce state sales tax revenues,
33 funds deposited into the State Treasury to the credit of the
34 Ecosystem Management and Restoration Trust Fund, in the annual
35 amounts provided in s. 201.15 ~~201.15(11)~~, shall be used, for a
36 period of not less than 15 years, to fund the development,
37 implementation, and administration of the state's beach
38 management plan, as provided in ss. 161.091-161.212, prior to the
39 use of such funds deposited pursuant to s. 201.15 ~~201.15(11)~~ in
40 that trust fund for any other purpose.

41 Section 3. Section 201.15, Florida Statutes, as amended by
42 section 43 of chapter 2007-73 and section 1 of chapter 2007-335,
43 Laws of Florida, is amended to read:

44 201.15 Distribution of taxes collected.--All taxes
45 collected under this chapter are ~~shall be distributed as follows~~
46 ~~and shall be~~ subject to the service charge imposed in s.
47 215.20(1). Prior to distribution under this section, the



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48 Department of Revenue shall deduct amounts necessary to pay the
49 costs of the collection and enforcement of the tax levied by this
50 chapter. ~~except that~~ Such costs and the service charge may shall
51 not be levied against any portion of taxes pledged to debt
52 service on bonds to the extent that the costs and amount of the
53 service charge are is required to pay any amounts relating to the
54 bonds. All taxes remaining after deduction of costs and the
55 service charge shall be distributed as follows:

56 (1) Sixty-three and thirty-one ~~Sixty-two and sixty-three~~
57 hundredths percent of the remaining taxes collected under this
58 chapter shall be used for the following purposes:

59 (a) Amounts ~~as shall be~~ necessary to pay the debt service
60 on, or fund debt service reserve funds, rebate obligations, or
61 other amounts payable with respect to Preservation 2000 bonds
62 issued pursuant to s. 375.051 and Florida Forever bonds issued
63 pursuant to s. 215.618, shall be paid into the State Treasury to
64 the credit of the Land Acquisition Trust Fund to be used for such
65 purposes. The amount transferred to the Land Acquisition Trust
66 Fund may shall not exceed \$300 million in fiscal year 1999-2000
67 and thereafter for Preservation 2000 bonds and bonds issued to
68 refund Preservation 2000 bonds, and \$300 million in fiscal year
69 2000-2001 and thereafter for Florida Forever bonds. The annual
70 amount transferred to the Land Acquisition Trust Fund for Florida
71 Forever bonds may shall not exceed \$30 million in the first
72 fiscal year in which bonds are issued. The limitation on the
73 amount transferred shall be increased by an additional \$30
74 million in each subsequent fiscal year, but may shall not exceed
75 a total of \$300 million in any fiscal year for all bonds issued.
76 It is the intent of the Legislature that all bonds issued to fund
77 the Florida Forever Act be retired by December 31, 2030. Except



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78 | for bonds issued to refund previously issued bonds, no series of
79 | bonds may be issued pursuant to this paragraph unless such bonds
80 | are approved and the debt service for the remainder of the fiscal
81 | year in which the bonds are issued is specifically appropriated
82 | in the General Appropriations Act. For purposes of refunding
83 | Preservation 2000 bonds, amounts designated within this section
84 | for Preservation 2000 and Florida Forever bonds may be
85 | transferred between the two programs to the extent provided for
86 | in the documents authorizing the issuance of the bonds. The
87 | Preservation 2000 bonds and Florida Forever bonds shall be
88 | equally and ratably secured by moneys distributable to the Land
89 | Acquisition Trust Fund pursuant to this section, except to the
90 | extent specifically provided otherwise by the documents
91 | authorizing the issuance of the bonds. No moneys transferred to
92 | the Land Acquisition Trust Fund pursuant to this paragraph, or
93 | earnings thereon, shall be used or made available to pay debt
94 | service on the Save Our Coast revenue bonds.

95 | (b) Moneys shall be paid into the State Treasury to the
96 | credit of the Save Our Everglades Trust Fund in amounts necessary
97 | to pay debt service, provide reserves, and pay rebate obligations
98 | and other amounts due with respect to bonds issued under s.
99 | 215.619. Taxes distributed under paragraph (a) and this paragraph
100 | must be collectively distributed on a pro rata basis when the
101 | available moneys under this subsection are not sufficient to
102 | cover the amounts required under paragraph (a) and this
103 | paragraph.

104 | ~~(c) The remainder of the moneys distributed under this~~
105 | ~~subsection, after the required payments under paragraphs (a) and~~
106 | ~~(b), shall be paid into the State Treasury to the credit of the~~
107 | ~~Land Acquisition Trust Fund and may be used for any purpose for~~



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108 ~~which funds deposited in the Land Acquisition Trust Fund may~~
109 ~~lawfully be used. Payments made under this paragraph shall~~
110 ~~continue until the cumulative amount credited to the Land~~
111 ~~Acquisition Trust Fund for the fiscal year under this paragraph~~
112 ~~and paragraph (2) (b) equals 70 percent of the current official~~
113 ~~forecast for distributions of taxes collected under this chapter~~
114 ~~pursuant to subsection (2). As used in this paragraph, the term~~
115 ~~"current official forecast" means the most recent forecast as~~
116 ~~determined by the Revenue Estimating Conference. If the current~~
117 ~~official forecast for a fiscal year changes after payments under~~
118 ~~this paragraph have ended during that fiscal year, no further~~
119 ~~payments are required during the fiscal year.~~

120 ~~(c) (d)~~ The remainder of the moneys distributed under this
121 subsection, after the required payments under paragraphs (a) and
122 ~~(b), and (e)~~, shall be paid into the State Treasury to the credit
123 of:

124 1. The State Transportation Trust Fund in the Department of
125 Transportation in the amount of the lesser of 38.2 percent of the
126 remainder or \$541.75 million in each fiscal year, to be ~~paid in~~
127 ~~quarterly installments~~ and used for the following specified
128 purposes, notwithstanding any other law to the contrary:

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

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

134 c. For the purposes of the Strategic Intermodal System
135 specified in ss. 339.61, 339.62, 339.63, and 339.64, 75 percent
136 of these funds after allocating for the New Starts Transit



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137 Program described in sub-subparagraph a. and the Small County
138 Outreach Program described in sub-subparagraph b.; and

139 d. For the purposes of the Transportation Regional
140 Incentive Program specified in s. 339.2819, 25 percent of these
141 funds after allocating for the New Starts Transit Program
142 described in sub-subparagraph a. and the Small County Outreach
143 Program described in sub-subparagraph b.

144 2. ~~For the 2007-2008 fiscal year and each fiscal year~~
145 ~~thereafter,~~ The Water Protection and Sustainability Program Trust
146 Fund in the Department of Environmental Protection in the amount
147 of the lesser of 5.64 percent of the remainder or \$80 million in
148 each fiscal year, to be paid in quarterly installments and used
149 as required by s. 403.890.

150 3. The Grants and Donations Trust Fund in the Department of
151 Community Affairs in the amount of the lesser of .23 percent of
152 the remainder or \$3.25 million in each fiscal year to be paid in
153 monthly installments, with 92 percent \$3 million to be used to
154 fund technical assistance to local governments and school boards
155 on the requirements and implementation of this act and \$250,000
156 the remaining amount to be used to fund the Century Commission
157 established in s. 163.3247.

158 4. The Ecosystem Management and Restoration Trust Fund in
159 the amount of the lesser of 2.12 percent of the remainder or \$30
160 million in each fiscal year, to be used for the preservation and
161 repair of the state's beaches as provided in ss. 161.091-161.212.

162 5. The Marine Resources Conservation Trust Fund in the
163 amount of the lesser of .14 percent of the remainder or \$2
164 million in each fiscal year, to be used for marine mammal care as
165 provided in s. 370.0603(3).



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166 6. General Inspection Trust Fund in the amount of the
167 lesser of .02 percent of the remainder or \$300,000 in each fiscal
168 year to be used to fund oyster management and restoration
169 programs as provided in s. 370.07(3).

170
171 Moneys distributed pursuant to this paragraph may not be pledged
172 for debt service unless such pledge is approved by referendum of
173 the voters.

174 ~~(d)(e)~~ The remainder of the moneys distributed under this
175 subsection, after the required payments under paragraphs (a),
176 (b), and (c), ~~and (d)~~ shall be paid into the State Treasury to
177 the credit of the General Revenue Fund to be used and expended
178 for the purposes for which the General Revenue Fund was created
179 and exists by law ~~or to the Ecosystem Management and Restoration~~
180 ~~Trust Fund, the Marine Resources Conservation Trust Fund, or the~~
181 ~~General Inspection Trust Fund as provided in subsection (11).~~

182 (2) The lesser of 7.56 ~~seven and fifty-six hundredths~~
183 percent of the remaining taxes collected under this chapter or
184 \$84.9 million in each fiscal year shall be ~~used for the following~~
185 ~~purposes:~~

186 ~~(a) Beginning in the month following the final payment for~~
187 ~~a fiscal year under paragraph (1)(c), available moneys shall be~~
188 ~~paid into the State Treasury to the credit of the General Revenue~~
189 ~~Fund to be used and expended for the purposes for which the~~
190 ~~General Revenue Fund was created and exists by law or to the~~
191 ~~Ecosystem Management and Restoration Trust Fund, the Marine~~
192 ~~Resources Conservation Trust Fund, or the General Inspection~~
193 ~~Trust Fund as provided in subsection (11). Payments made under~~
194 ~~this paragraph shall continue until the cumulative amount~~
195 ~~credited to the General Revenue Fund for the fiscal year under~~



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196 ~~this paragraph equals the cumulative payments made under~~
197 ~~paragraph (1) (c) for the same fiscal year.~~

198 ~~(b) The remainder of the moneys distributed under this~~
199 ~~subsection shall be~~ paid into the State Treasury to the credit of
200 the Land Acquisition Trust Fund. Sums deposited in the fund
201 pursuant to this subsection may be used for any purpose for which
202 funds deposited in the Land Acquisition Trust Fund may lawfully
203 be used.

204 (3) The lesser of 1.94 ~~one and ninety-four hundredths~~
205 percent of the remaining taxes collected under this chapter or
206 \$26 million in each fiscal year shall be paid into the State
207 Treasury to the credit of the Land Acquisition Trust Fund. Moneys
208 deposited in the trust fund pursuant to this section shall be
209 used to acquire coastal lands or to pay debt service on bonds
210 issued to acquire coastal lands and to develop and manage lands
211 acquired with moneys from the Land Acquisition Trust Fund.

212 (4) The lesser of 4.2 ~~four and two-tenths~~ percent of the
213 remaining taxes collected under this chapter or \$60.5 million in
214 each fiscal year shall be paid into the State Treasury to the
215 credit of the Water Management Lands Trust Fund. Sums deposited
216 in that fund may be used for any purpose authorized in s. 373.59.

217 (5) (a) For the 2007-2008 fiscal year, 3.96 percent of the
218 remaining taxes collected under this chapter shall be paid into
219 the State Treasury to the credit of the Conservation and
220 Recreation Lands Trust Fund to carry out the purposes set forth
221 in s. 259.032. Ten and five-hundredths percent of the amount
222 credited to the Conservation and Recreation Lands Trust Fund
223 pursuant to this subsection shall be transferred to the State
224 Game Trust Fund and used for land management activities.



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225 (b) Beginning July 1, 2008, 3.52 percent of the remaining
226 taxes collected under this chapter shall be paid into the State
227 Treasury to the credit of the Conservation and Recreation Lands
228 Trust Fund to carry out the purposes set forth in s. 259.032.
229 Eleven and fifteen hundredths percent of the amount credited to
230 the Conservation and Recreation Lands Trust Fund pursuant to this
231 subsection shall be transferred to the State Game Trust Fund and
232 used for land management activities.

233 (6) The lesser of 2.28 ~~two and twenty-eight hundredths~~
234 percent of the remaining taxes collected under this chapter or
235 \$34.1 million in each fiscal year shall be paid into the State
236 Treasury to the credit of the Invasive Plant Control Trust Fund
237 to carry out the purposes set forth in ss. 369.22 and 369.252.

238 (7) The lesser of .5 ~~one-half of one~~ percent of the
239 remaining taxes collected under this chapter or \$9.3 million in
240 each fiscal year shall be paid into the State Treasury to the
241 credit of the State Game Trust Fund to be used exclusively for
242 the purpose of implementing the Lake Restoration 2020 Program.

243 (8) One-half of one percent of the remaining taxes
244 collected under this chapter shall be paid into the State
245 Treasury and divided equally to the credit of the Department of
246 Environmental Protection Water Quality Assurance Trust Fund to
247 address water quality impacts associated with nonagricultural
248 nonpoint sources and to the credit of the Department of
249 Agriculture and Consumer Services General Inspection Trust Fund
250 to address water quality impacts associated with agricultural
251 nonpoint sources, respectively. These funds shall be used for
252 research, development, demonstration, and implementation of
253 suitable best management practices or other measures used to
254 achieve water quality standards in surface waters and water



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255 segments identified pursuant to ss. 303(d) of the Clean Water
256 Act, Pub. L. No. 92-500, 33 U.S.C. ss. 1251 et seq.
257 Implementation of best management practices and other measures
258 may include cost-share grants, technical assistance,
259 implementation tracking, and conservation leases or other
260 agreements for water quality improvement. The Department of
261 Environmental Protection and the Department of Agriculture and
262 Consumer Services may adopt rules governing the distribution of
263 funds for implementation of best management practices. The
264 unobligated balance of funds received from the distribution of
265 taxes collected under this chapter to address water quality
266 impacts associated with nonagricultural nonpoint sources will be
267 excluded when calculating the unobligated balance of the Water
268 Quality Assurance Trust Fund as it relates to the determination
269 of the applicable excise tax rate.

270 (9) The lesser of 7.53 ~~seven and fifty-three hundredths~~
271 percent of the remaining taxes collected under this chapter or
272 \$107 million in each fiscal year shall be paid into the State
273 Treasury to the credit of the State Housing Trust Fund and shall
274 be used as follows:

275 (a) Half of that amount shall be used for the purposes for
276 which the State Housing Trust Fund was created and exists by law.

277 (b) Half of that amount shall be paid into the State
278 Treasury to the credit of the Local Government Housing Trust Fund
279 and shall be used for the purposes for which the Local Government
280 Housing Trust Fund was created and exists by law.

281 (10) The lesser of 8.66 ~~eight and sixty-six hundredths~~
282 percent of the remaining taxes collected under this chapter or
283 \$136 million in each fiscal year shall be paid into the State



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284 Treasury to the credit of the State Housing Trust Fund and shall
285 be used as follows:

286 (a) Twelve and one-half percent of that amount shall be
287 deposited into the State Housing Trust Fund and be expended by
288 the Department of Community Affairs and by the Florida Housing
289 Finance Corporation for the purposes for which the State Housing
290 Trust Fund was created and exists by law.

291 (b) Eighty-seven and one-half percent of that amount shall
292 be distributed to the Local Government Housing Trust Fund and
293 shall be used for the purposes for which the Local Government
294 Housing Trust Fund was created and exists by law. Funds from this
295 category may also be used to provide for state and local services
296 to assist the homeless.

297 ~~(11) From the moneys specified in paragraphs (1)(c) and~~
298 ~~(2)(a) and prior to deposit of any moneys into the General~~
299 ~~Revenue Fund, \$30 million shall be paid into the State Treasury~~
300 ~~to the credit of the Ecosystem Management and Restoration Trust~~
301 ~~Fund in fiscal year 2000-2001 and each fiscal year thereafter, to~~
302 ~~be used for the preservation and repair of the state's beaches as~~
303 ~~provided in ss. 161.091-161.212, \$2 million shall be paid into~~
304 ~~the State Treasury to the credit of the Marine Resources~~
305 ~~Conservation Trust Fund to be used for marine mammal care as~~
306 ~~provided in s. 370.0603(3), and \$300,000 shall be paid into the~~
307 ~~State Treasury to the credit of the General Inspection Trust Fund~~
308 ~~in fiscal year 2006-2007 and each fiscal year thereafter, to be~~
309 ~~used to fund oyster management and restoration programs as~~
310 ~~provided in s. 370.07(3).~~

311 ~~(12) The Department of Revenue may use the payments~~
312 ~~credited to trust funds pursuant to paragraphs (1)(c) and (2)(b)~~
313 ~~and subsections (3), (4), (5), (6), (7), (8), (9), and (10) to~~



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314 ~~pay the costs of the collection and enforcement of the tax levied~~
315 ~~by this chapter. The percentage of such costs which may be~~
316 ~~assessed against a trust fund is a ratio, the numerator of which~~
317 ~~is payments credited to that trust fund under this section and~~
318 ~~the denominator of which is the sum of payments made under~~
319 ~~paragraphs (1)(c) and (2)(b) and subsections (3), (4), (5), (6),~~
320 ~~(7), (8), (9), and (10).~~

321 ~~(11)-(13)~~ The distribution of proceeds deposited into the
322 Water Management Lands Trust Fund and the Conservation and
323 Recreation Lands Trust Fund, pursuant to subsections (4) and (5),
324 ~~may shall~~ not be used for land acquisition but may be used for
325 preacquisition costs associated with land purchases. The
326 Legislature intends that the Florida Forever program supplant the
327 acquisition programs formerly authorized under ss. 259.032 and
328 373.59.

329 ~~(12)-(14)~~ Amounts distributed pursuant to subsections (5),
330 (6), (7), and (8) are subject to the payment of debt service on
331 outstanding Conservation and Recreation Lands revenue bonds.

332 ~~(13)-(15)~~ Beginning July 1, 2008, in each fiscal year that
333 the remaining taxes collected under this chapter exceed ~~such~~
334 collections in the prior fiscal year, the stated maximum dollar
335 amounts provided in subsections (2), (4), (6), (7), (9), and (10)
336 shall each be increased by an amount equal to 10 percent of the
337 increase in the remaining taxes collected under this chapter
338 multiplied by the applicable percentage provided in those
339 subsections.

340 ~~(14)-(16)~~ If the payment requirements in any year for bonds
341 outstanding on July 1, 2007, or bonds issued to refund such
342 bonds, exceed the limitations of this section, distributions to
343 the trust fund from which the bond payments are made shall be



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344 increased to the lesser of the amount needed to pay bond
345 obligations or the limit of the applicable percentage
346 distribution provided in subsections (1)-(10) ~~(1)-(12)~~.

347 (15)~~(17)~~ Distributions to the State Housing Trust Fund
348 pursuant to subsections (9) and (10) shall be sufficient to cover
349 amounts required to be transferred to the Florida Affordable
350 Housing Guarantee Program's annual debt service reserve and
351 guarantee fund pursuant to s. 420.5092(6)(a) and (b) up to but
352 not exceeding the amount required to be transferred to such
353 reserve and fund based on the percentage distribution of
354 documentary stamp tax revenues to the State Housing Trust Fund
355 which is in effect in the 2004-2005 fiscal year.

356 (16)~~(18)~~ The remaining taxes collected under this chapter,
357 after the distributions provided in the preceding subsections,
358 shall be paid into the State Treasury to the credit of the
359 General Revenue Fund.

360 Section 4. Section 215.211, Florida Statutes, is amended to
361 read:

362 215.211 Service charge; elimination or reduction for
363 specified proceeds.--

364 (1) Notwithstanding the provisions of s. 215.20(1) and (3),
365 the service charge provided in s. 215.20(1) and (3), which is
366 deducted from the proceeds of the taxes distributed under ss.
367 206.606(1), 207.026, 212.0501(6), and 319.32(5), shall be
368 eliminated beginning July 1, 2000.

369 (2) Notwithstanding the provisions of s. 215.20(1) and (3),
370 the service charge provided in s. 215.20(1) and (3), which is
371 deducted from the proceeds of the taxes distributed under ss.
372 206.608 and 320.072(4), shall be eliminated beginning July 1,
373 2001.



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374 (3) Notwithstanding the provisions of s. 215.20(1), the
375 service charge provided in s. 215.20(1) may not, ~~which is~~
376 ~~deducted from the proceeds of the local option fuel tax~~
377 ~~distributed under s. 336.025, shall be reduced as follows:~~

378 ~~(a) For the period July 1, 2005, through June 30, 2006, the~~
379 ~~rate of the service charge shall be 3.5 percent.~~

380 ~~(b) Beginning July 1, 2006, and thereafter, no service~~
381 ~~charge shall be deducted from the proceeds of the local option~~
382 ~~fuel tax distributed under s. 336.025(1)(a).~~

383 (4) From the revenues derived from s. 336.025(1)(a), an
384 amount equal to 7 percent of those revenues ~~The increased~~
385 ~~revenues derived from this subsection~~ shall be deposited in the
386 State Transportation Trust Fund and used to fund the County
387 Incentive Grant Program and the Small County Outreach Program. Up
388 to 20 percent of such funds shall be used for the purpose of
389 implementing the Small County Outreach Program as provided in
390 this act. Notwithstanding any other laws to the contrary, the
391 requirements of ss. 339.135, 339.155, and 339.175 shall not apply
392 to these funds and programs.

393 Section 5. Subsection (6) of section 339.2818, Florida
394 Statutes, is amended to read:

395 339.2818 Small County Outreach Program.--

396 (6) Funds paid into the State Transportation Trust Fund
397 pursuant to s. 201.15 ~~201.15(1)(d)~~ for the purposes of the Small
398 County Outreach Program are hereby annually appropriated for
399 expenditure to support the Small County Outreach Program.

400 Section 6. Subsection (5) of section 339.2819, Florida
401 Statutes, is amended to read:

402 339.2819 Transportation Regional Incentive Program.--



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403 (5) Funds paid into the State Transportation Trust Fund
404 pursuant to s. 201.15 ~~201.15(1)(d)~~ for the purposes of the
405 Transportation Regional Incentive Program are hereby annually
406 appropriated for expenditure to support that program.

407 Section 7. Subsection (10) of section 339.55, Florida
408 Statutes, is amended to read:

409 339.55 State-funded infrastructure bank.--

410 (10) Funds paid into the State Transportation Trust Fund
411 pursuant to s. 201.15(1)(c) ~~201.15(1)(d)~~ for the purposes of the
412 State Infrastructure Bank are hereby annually appropriated for
413 expenditure to support that program.

414 Section 8. Subsection (3) of section 339.61, Florida
415 Statutes, is amended to read:

416 339.61 Florida Strategic Intermodal System; legislative
417 findings, declaration, and intent.--

418 (3) Funds paid into the State Transportation Trust Fund
419 pursuant to s. 201.15 ~~201.15(1)(d)~~ for the purposes of the
420 Florida Strategic Intermodal System are hereby annually
421 appropriated for expenditure to support that program.

422 Section 9. Subsection (6) of section 341.051, Florida
423 Statutes, is amended to read:

424 341.051 Administration and financing of public transit and
425 intercity bus service programs and projects.--

426 (6) ANNUAL APPROPRIATION.--Funds paid into the State
427 Transportation Trust Fund pursuant to s. 201.15 ~~201.15(1)(d)~~ for
428 the New Starts Transit Program are hereby annually appropriated
429 for expenditure to support the New Starts Transit Program.

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431 For purposes of this section, the term "net operating costs"
432 means all operating costs of a project less any federal funds,
433 fares, or other sources of income to the project.

434 Section 10. Subsection (3) of section 370.0603, Florida
435 Statutes, is amended to read:

436 370.0603 Marine Resources Conservation Trust Fund;
437 purposes.--

438 (3) Funds provided to the Marine Resources Conservation
439 Trust Fund from taxes distributed under s. 201.15 ~~201.15(11)~~
440 shall be used for the following purposes:

441 (a) To reimburse the cost of activities authorized pursuant
442 to the Fish and Wildlife Service of the United States Department
443 of the Interior. The ~~Such~~ facilities must be involved in the
444 actual rescue and full-time acute care veterinarian-based
445 rehabilitation of manatees. The cost of activities includes, but
446 is not limited to, costs associated with expansion, capital
447 outlay, repair, maintenance, and operation related to the rescue,
448 treatment, stabilization, maintenance, release, and monitoring of
449 manatees. Moneys distributed through the contractual agreement to
450 each facility for manatee rehabilitation must be proportionate to
451 the number of manatees under acute care rehabilitation; the
452 number of maintenance days medically necessary in the facility;
453 and the number released during the previous fiscal year. The
454 commission may set a cap on the total amount reimbursed per
455 manatee per year.

456 (b) For training on the care, treatment, and rehabilitation
457 of marine mammals at the Whitney Laboratory and the College of
458 Veterinary Medicine at the University of Florida.

459 (c) For program administration costs of the agency.



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460 (d) Funds not distributed in any 1 fiscal year must be
461 carried over for distribution in subsequent years.

462 Section 11. Subsection (3) of section 370.07, Florida
463 Statutes, is amended to read:

464 370.07 Wholesale and retail saltwater products dealers;
465 regulation.--

466 (3) OYSTER MANAGEMENT AND RESTORATION PROGRAMS.--The
467 Department of Agriculture and Consumer Services shall use or
468 distribute funds paid into the State Treasury to the credit of
469 the General Inspection Trust Fund pursuant to s. 201.15
470 ~~201.15(11)~~, less reasonable costs of administration, to fund the
471 following oyster management and restoration programs in
472 Apalachicola Bay and other oyster harvest areas in the state:

473 (a) The relaying and transplanting of live oysters.

474 (b) Shell planting to construct or rehabilitate oyster
475 bars.

476 (c) Education programs for licensed oyster harvesters on
477 oyster biology, aquaculture, boating and water safety,
478 sanitation, resource conservation, small business management, and
479 other relevant subjects.

480 (d) Research directed toward the enhancement of oyster
481 production in the bay and the water management needs of the bay.

482 Section 12. Subsection (1) of section 403.890, Florida
483 Statutes, as amended by section 2 of chapter 2007-335, Laws of
484 Florida, is amended to read:

485 403.890 Water Protection and Sustainability Program;
486 intent; goals; purposes.--

487 (1) Effective July 1, 2006, revenues transferred from the
488 Department of Revenue pursuant to s. 201.15(1)(c)2.

489 ~~201.15(1)(d)2.~~ shall be deposited into the Water Protection and



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490 Sustainability Program Trust Fund in the Department of
491 Environmental Protection. These revenues and any other additional
492 revenues deposited into or appropriated to the Water Protection
493 and Sustainability Program Trust Fund shall be distributed by the
494 Department of Environmental Protection in the following manner:

495 (a) Sixty percent to the Department of Environmental
496 Protection for the implementation of an alternative water supply
497 program as provided in s. 373.1961.

498 (b) Twenty percent for the implementation of best
499 management practices and capital project expenditures necessary
500 for the implementation of the goals of the total maximum daily
501 load program established in s. 403.067. Of these funds, 85
502 percent shall be transferred to the credit of the Department of
503 Environmental Protection Water Quality Assurance Trust Fund to
504 address water quality impacts associated with nonagricultural
505 nonpoint sources. Fifteen percent of these funds shall be
506 transferred to the Department of Agriculture and Consumer
507 Services General Inspection Trust Fund to address water quality
508 impacts associated with agricultural nonpoint sources. These
509 funds shall be used for research, development, demonstration, and
510 implementation of the total maximum daily load program under s.
511 403.067, suitable best management practices or other measures
512 used to achieve water quality standards in surface waters and
513 water segments identified pursuant to s. 303(d) of the Clean
514 Water Act, Pub. L. No. 92-500, 33 U.S.C. ss. 1251 et seq.
515 Implementation of best management practices and other measures
516 may include cost-share grants, technical assistance,
517 implementation tracking, and conservation leases or other
518 agreements for water quality improvement. The Department of
519 Environmental Protection and the Department of Agriculture and



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520 Consumer Services may adopt rules governing the distribution of
521 funds for implementation of capital projects, best management
522 practices, and other measures. These funds shall not be used to
523 abrogate the financial responsibility of those point and nonpoint
524 sources that have contributed to the degradation of water or land
525 areas. Increased priority shall be given by the department and
526 the water management district governing boards to those projects
527 that have secured a cost-sharing agreement allocating
528 responsibility for the cleanup of point and nonpoint sources.

529 (c) Ten percent shall be disbursed for the purposes of
530 funding projects pursuant to ss. 373.451-373.459 or surface water
531 restoration activities in water-management-district-designated
532 priority water bodies. The Secretary of Environmental Protection
533 shall ensure that each water management district receives the
534 following percentage of funds annually:

535 1. Thirty-five percent to the South Florida Water
536 Management District;

537 2. Twenty-five percent to the Southwest Florida Water
538 Management District;

539 3. Twenty-five percent to the St. Johns River Water
540 Management District;

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

543 5. Seven and one-half percent to the Northwest Florida
544 Water Management District.

545 (d) Ten percent to the Department of Environmental
546 Protection for the Disadvantaged Small Community Wastewater Grant
547 Program as provided in s. 403.1838.

548 Section 13. Subsection (1) of section 403.891, Florida
549 Statutes, is amended to read:



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550 403.891 Water Protection and Sustainability Program Trust
551 Fund of the Department of Environmental Protection.--

552 (1) The Water Protection and Sustainability Program Trust
553 Fund is created within the Department of Environmental
554 Protection. The purpose of the trust fund is to receive funds
555 pursuant to s. 201.15(1)(c)2. ~~201.15(1)(d)2.~~, funds from other
556 sources provided for in law and the General Appropriations Act,
557 and funds received by the department in order to implement the
558 provisions of the Water Sustainability and Protection Program
559 created in s. 403.890.

560 Section 14. Subsection (1) of section 403.8911, Florida
561 Statutes, is amended to read:

562 403.8911 Annual appropriation from the Water Protection and
563 Sustainability Trust Fund.--

564 (1) Funds paid into the Water Protection and Sustainability
565 Trust Fund pursuant to s. 201.15 ~~201.15(1)(d)~~ are hereby annually
566 appropriated for expenditure for the purposes for which the Water
567 Protection and Sustainability Trust Fund is established.

568 Section 15. Subsections (1) and (2) of section 1013.63,
569 Florida Statutes, are amended to read:

570 1013.63 University Concurrency Trust Fund.--

571 (1) The University Concurrency Trust Fund is created within
572 the Department of Education.

573 (2) The trust fund may be funded each fiscal year as
574 provided in the General Appropriations Act. ~~Notwithstanding any~~
575 ~~other provision of law, the general revenue service charge~~
576 ~~deducted pursuant to s. 215.20 on revenues raised by any local~~
577 ~~option motor fuel tax levied pursuant to s. 336.025(1)(b), as~~
578 ~~created by chapter 93-206, Laws of Florida, shall be deposited in~~
579 ~~the University Concurrency Trust Fund, which is administered by~~



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580 ~~the State Board of Education.~~ Moneys in such trust fund shall be
581 for the purpose of funding university offsite improvements
582 required to meet concurrency standards adopted under part II of
583 chapter 163. In addition, in any year in which campus master
584 plans are updated pursuant to s. 1013.30, but no more frequently
585 than once every 5 years, up to 25 percent of the balance in the
586 trust fund for that year may be used to defray the costs incurred
587 in updating those campus master plans.

588 Section 16. This act shall take effect July 1, 2008.

589
590 ===== T I T L E A M E N D M E N T =====

591 And the title is amended as follows:

592 Delete everything before the enacting clause
593 and insert:

594 A bill to be entitled
595 An act relating to the distribution of excise taxes;
596 amending s. 201.15, F.S.; revising provisions relating to
597 the distribution of the excise tax on documents;
598 authorizing the Department of Revenue to retain amounts
599 necessary to pay certain costs; revising the amount of
600 moneys distributed to certain trust funds for certain
601 purposes; amending s. 215.211, F.S.; revising provisions
602 relating to the elimination or reduction of the service
603 charge on the local option fuel tax and the amount of
604 deposited in the State Transportation Trust Fund; amending
605 s. 1013.63, F.S.; revising provisions for funding the
606 University Concurrency Trust Fund within the Department of
607 Education; amending ss. 161.05301, 161.091, 339.2818,
608 339.2819, 339.55, 339.61, 341.051, 370.0603, 370.07,



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609 | 403.890, 403.891, and 403.8911, F.S.; conforming cross-
610 | references; providing an effective date.