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16 quantity of Florida's water supply and water resources for the
17 public and the environment.

18 (2) The Legislature also recognizes the entire Green Swamp
19 area, which encompasses approximately 560,000 acres, is located
20 in a regionally significant high recharge area of the Floridan
21 Aquifer system, and it helps protect coastal communities from
22 saltwater intrusion.

23 (3) The Legislature finds the Green Swamp area or Polk
24 County make up the headwaters or portions of the headwaters of
25 six major river systems in the state, which are the Alafia,
26 Hillsborough, Kissimmee, Ocklawaha, Peace, and Withlacoochee
27 Rivers. In addition, due to the area's unique topography and
28 geology in which it receives no other water inputs other than
29 rainfall, the area is essential in maintaining the
30 potentiometric head of the Floridan Aquifer system that directly
31 influences the aquifer's productivity for water supply.

32 (4) The Legislature also finds that the Green Swamp area
33 and the surrounding areas are economically, environmentally, and
34 socially defined by some of the most important and vulnerable
35 water resources in the state.

36 (5) The Legislature recognizes that the Central Florida
37 Water Initiative Guiding Document dated January 30, 2015, and
38 the Southern Water Use Caution Area Recovery Strategy dated
39 March 2006 recognized the fact that the surface water and
40 groundwater resources in the heartland counties of Hardee,

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41 Highlands, and Polk are integral to the health, public safety,
42 and economic future of those regions.

43 (6) The Legislature declares that there is an important
44 state interest in partnering with regional water supply
45 authorities and local governments, in accordance with s.
46 373.705, to protect the water resources of the headwaters of the
47 Alafia, Hillsborough, Kissimmee, Ocklawaha, Peace, and
48 Withlacoochee Rivers and the surrounding areas. The Legislature
49 further declares that priority funding consideration must be
50 given to solutions to manage the water resources of these
51 headwaters and the local Floridan Aquifer system in the most
52 efficient, cost effective, and environmentally beneficial way.

53 Section 3. Section 373.463, Florida Statutes, is created
54 to read:

55 373.463 Heartland headwaters annual report.-

56 (1) The Polk Regional Water Cooperative, in coordination
57 with all of its member county and municipal governments, shall
58 prepare a comprehensive annual report for water resource
59 projects identified for priority state funding within its
60 members' jurisdictions. The report must include, at a minimum:

61 (a) A list of projects identified by the cooperative for
62 priority state funding for each of the following categories. A
63 project may be listed in more than one category.

64 1. Drinking water supply.

65 2. Wastewater.

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66 3. Stormwater and flood control.

67 4. Environmental restoration.

68 5. Conservation.

69 (b) A priority ranking for each listed project that will
70 be ready to proceed in the upcoming fiscal year within each
71 category.

72 (c) The estimated cost of each listed project.

73 (d) The estimated completion date of each listed project.

74 (e) The source and amount of financial assistance to be
75 provided by the cooperative, the member county or municipal
76 governments, or other entity for each listed project.

77 (2) The cooperative shall coordinate with the appropriate
78 water management district to ensure that the report is included
79 in the consolidated water management district annual report
80 required by s. 373.036(7).

81 Section 4. Paragraph (d) of subsection (2) of section
82 212.055, Florida Statutes, is amended to read:

83 212.055 Discretionary sales surtaxes; legislative intent;
84 authorization and use of proceeds.—It is the legislative intent
85 that any authorization for imposition of a discretionary sales
86 surtax shall be published in the Florida Statutes as a
87 subsection of this section, irrespective of the duration of the
88 levy. Each enactment shall specify the types of counties
89 authorized to levy; the rate or rates which may be imposed; the
90 maximum length of time the surtax may be imposed, if any; the

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91 procedure which must be followed to secure voter approval, if
92 required; the purpose for which the proceeds may be expended;
93 and such other requirements as the Legislature may provide.
94 Taxable transactions and administrative procedures shall be as
95 provided in s. 212.054.

96 (2) LOCAL GOVERNMENT INFRASTRUCTURE SURTAX.—

97 (d)1. The proceeds of the surtax authorized by this
98 subsection and any accrued interest shall be expended:

99 a. By the school district;~~7~~

100 b. By the county for use within the county and
101 municipalities within the county, or, in the case of a
102 negotiated joint county agreement, within another county; ~~or~~

103 c. By an entity created under s. 373.713, whose purpose is
104 to develop, recover, store, and supply water, if the county is a
105 member of that entity,

106
107 to finance, plan, and construct infrastructure; to acquire any
108 interest in land for public recreation, conservation, or
109 protection of natural resources or to prevent or satisfy private
110 property rights claims resulting from limitations imposed by the
111 designation of an area of critical state concern; to provide
112 loans, grants, or rebates to residential or commercial property
113 owners who make energy efficiency improvements to their
114 residential or commercial property, if a local government
115 ordinance authorizing such use is approved by referendum; or to

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116 finance the closure of county-owned or municipally owned solid
117 waste landfills that have been closed or are required to be
118 closed by order of the Department of Environmental Protection.
119 Any use of the proceeds or interest for purposes of landfill
120 closure before July 1, 1993, is ratified. The proceeds and any
121 interest may not be used for the operational expenses of
122 infrastructure, except that a county that has a population of
123 fewer than 75,000 and that is required to close a landfill may
124 use the proceeds or interest for long-term maintenance costs
125 associated with landfill closure. Counties, as defined in s.
126 125.011, and charter counties may, in addition, use the proceeds
127 or interest to retire or service indebtedness incurred for bonds
128 issued before July 1, 1987, for infrastructure purposes, and for
129 bonds subsequently issued to refund such bonds. Any use of the
130 proceeds or interest for purposes of retiring or servicing
131 indebtedness incurred for refunding bonds before July 1, 1999,
132 is ratified.

133 ~~2.1.~~ For the purposes of this paragraph, the term
134 "infrastructure" means:

135 a. Any fixed capital expenditure or fixed capital outlay
136 associated with the construction, reconstruction, or improvement
137 of public facilities that have a life expectancy of 5 or more
138 years, any related land acquisition, land improvement, design,
139 and engineering costs, and all other professional and related
140 costs required to bring the public facilities into service. For

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141 purposes of this sub-subparagraph, the term "public facilities"
142 means facilities as defined in s. 163.3164(38), s. 163.3221(13),
143 or s. 189.012(5), regardless of whether the facilities are owned
144 by the local taxing authority or another governmental entity.

145 b. A fire department vehicle, an emergency medical service
146 vehicle, a sheriff's office vehicle, a police department
147 vehicle, or any other vehicle, and the equipment necessary to
148 outfit the vehicle for its official use or equipment that has a
149 life expectancy of at least 5 years.

150 c. Any expenditure for the construction, lease, or
151 maintenance of, or provision of utilities or security for,
152 facilities, as defined in s. 29.008.

153 d. Any fixed capital expenditure or fixed capital outlay
154 associated with the improvement of private facilities that have
155 a life expectancy of 5 or more years and that the owner agrees
156 to make available for use on a temporary basis as needed by a
157 local government as a public emergency shelter or a staging area
158 for emergency response equipment during an emergency officially
159 declared by the state or by the local government under s.
160 252.38. Such improvements are limited to those necessary to
161 comply with current standards for public emergency evacuation
162 shelters. The owner must enter into a written contract with the
163 local government providing the improvement funding to make the
164 private facility available to the public for purposes of
165 emergency shelter at no cost to the local government for a

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166 minimum of 10 years after completion of the improvement, with
167 the provision that the obligation will transfer to any
168 subsequent owner until the end of the minimum period.

169 e. Any land acquisition expenditure for a residential
170 housing project in which at least 30 percent of the units are
171 affordable to individuals or families whose total annual
172 household income does not exceed 120 percent of the area median
173 income adjusted for household size, if the land is owned by a
174 local government or by a special district that enters into a
175 written agreement with the local government to provide such
176 housing. The local government or special district may enter into
177 a ground lease with a public or private person or entity for
178 nominal or other consideration for the construction of the
179 residential housing project on land acquired pursuant to this
180 sub-subparagraph.

181 ~~3.2.~~ For the purposes of this paragraph, the term "energy
182 efficiency improvement" means any energy conservation and
183 efficiency improvement that reduces consumption through
184 conservation or a more efficient use of electricity, natural
185 gas, propane, or other forms of energy on the property,
186 including, but not limited to, air sealing; installation of
187 insulation; installation of energy-efficient heating, cooling,
188 or ventilation systems; installation of solar panels; building
189 modifications to increase the use of daylight or shade;
190 replacement of windows; installation of energy controls or

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191 energy recovery systems; installation of electric vehicle
192 charging equipment; installation of systems for natural gas fuel
193 as defined in s. 206.9951; and installation of efficient
194 lighting equipment.

195 ~~4.3.~~ Notwithstanding any other provision of this
196 subsection, a local government infrastructure surtax imposed or
197 extended after July 1, 1998, may allocate up to 15 percent of
198 the surtax proceeds for deposit into a trust fund within the
199 county's accounts created for the purpose of funding economic
200 development projects having a general public purpose of
201 improving local economies, including the funding of operational
202 costs and incentives related to economic development. The ballot
203 statement must indicate the intention to make an allocation
204 under the authority of this subparagraph.

205 Section 5. This act shall take effect July 1, 2017.

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T I T L E A M E N D M E N T

209 Remove everything before the enacting clause and insert:
210 An act relating to water protection and sustainability; creating
211 the "Heartland Headwaters Protection and Sustainability Act";
212 creating s. 373.462, F.S.; providing legislative findings and
213 intent; creating s. 373.463, F.S.; requiring the Polk Regional
214 Water Cooperative to prepare an annual report concerning water
215 resource projects within a specified area; specifying

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216 requirements for such report; requiring the inclusion of such
217 report in the appropriate consolidated water management district
218 annual report; amending s. 212.055, F.S.; authorizing certain
219 entities to expend proceeds of local government infrastructure
220 surtaxes for certain purposes; providing an effective date.