

1 A bill to be entitled
2 An act relating to the Department of Environmental
3 Protection; amending s. 20.25501, F.S.; providing for
4 the administration and funding of the Administrative
5 Trust Fund, the Environmental Laboratory Trust Fund,
6 and the Working Capital Trust Fund; creating s.
7 376.41, F.S.; providing for the administration and
8 funding of the Minerals Trust Fund; creating s.
9 403.0874, F.S.; providing for the administration and
10 funding of the Air Pollution Control Trust Fund;
11 amending s. 403.1832, F.S.; removing provisions
12 authorizing the department to enter into certain
13 contracts and agreements for pollution control
14 projects relating to clean air and water and to use
15 federal funds for various environmental and natural
16 resource program purposes; providing for the deposit
17 of restricted contractual revenue from private and
18 public nonfederal sources to be used for grant or
19 donor agreement activities; authorizing the department
20 to transfer outstanding appropriations supported by
21 federal grants to the Federal Grants Trust Fund;
22 amending s. 403.709, F.S.; revising the percentage of
23 funds distributed from the Solid Waste Management
24 Trust Fund to the Department of Agriculture and
25 Consumer Services for mosquito control and to the
26 department for the solid waste management grant

27 program; reenacting s. 403.7095(3), F.S., relating to
 28 the distribution of funds for small-county
 29 consolidated grants and waste tire grants pursuant to
 30 the solid waste management grant program, to
 31 incorporate the amendments made by the act to s.
 32 403.709, F.S., in a reference thereto; providing an
 33 effective date.

34

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

36

37 Section 1. Section 20.25501, Florida Statutes, is amended
 38 to read:

39 20.25501 ~~Federal Grants Trust Fund~~; Department of
 40 Environmental Protection; trust funds. The following trust funds
 41 shall be administered by the Department of Environmental
 42 Protection:

43 (1) The Administrative Trust Fund.

44 (a) The trust fund is established for use as a depository
 45 for funds to be used for management activities that are
 46 departmental in nature and is funded by assessments against
 47 trust funds.

48 (b) Notwithstanding s. 216.301 and pursuant to s. 216.351,
 49 any balance in the trust fund at the end of the fiscal year
 50 shall remain in the trust fund and shall be available for
 51 carrying out the purpose of the trust fund.

52 (2) The Environmental Laboratory Trust Fund.

53 (a) The trust fund is established for use as a depository
 54 for funds to be used for the operations of the department's
 55 environmental laboratory program and is funded by program
 56 revenues and assessments against trust funds.

57 (b) Notwithstanding s. 216.301 and pursuant to s. 216.351,
 58 any balance in the trust fund at the end of the fiscal year
 59 shall remain in the trust fund and shall be available for
 60 carrying out the purpose of the trust fund.

61 ~~(3)(1) The Federal Grants Trust Fund is created within the~~
 62 ~~Department of Environmental Protection.~~

63 ~~(a)(2)~~ (a) The trust fund is established for use as a
 64 depository for funds to be used for allowable grant activities
 65 funded by restricted program revenues from federal sources.
 66 Moneys to be credited to the trust fund shall consist of grants
 67 and funding from the Federal Government, interest earnings, and
 68 cash advances from other trust funds.

69 (b) Funds shall be expended only pursuant to legislative
 70 appropriation or an approved amendment to the department's
 71 operating budget pursuant to ~~the provisions of~~ chapter 216.

72 (4) The Working Capital Trust Fund.

73 (a) The trust fund is established for use as a depository
 74 for funds to be used for the operation of the department's
 75 information technology services and is funded by assessments
 76 against trust funds.

77 (b) Notwithstanding s. 216.301 and pursuant to s. 216.351,
 78 any balance in the trust fund at the end of the fiscal year

79 shall remain in the trust fund and shall be available for
 80 carrying out the purpose of the trust fund.

81 Section 2. Section 376.41, Florida Statutes, is created to
 82 read:

83 376.41 Minerals Trust Fund.—

84 (1) The Minerals Trust Fund is established in and
 85 administered by the Department of Environmental Protection.

86 (2) Funds to be credited to and uses of the trust fund
 87 shall be administered in accordance with ss. 211.06, 211.31,
 88 211.3103, 376.11, 376.40, 377.24, 377.2408, 377.2425, 377.247,
 89 and 377.41.

90 (3) Notwithstanding s. 216.301 and pursuant to s. 216.351,
 91 any balance in the trust fund at the end of the fiscal year
 92 shall remain in the trust fund and shall be available for
 93 carrying out the purposes of the trust fund.

94 Section 3. Section 403.0874, Florida Statutes, is created
 95 to read:

96 403.0874 Air Pollution Control Trust Fund.—

97 (1) The Air Pollution Control Trust Fund is established in
 98 and administered by the Department of Environmental Protection.

99 (2) Funds to be credited to and uses of the trust fund
 100 shall be administered in accordance with ss. 320.03, 376.60,
 101 403.0872, and 403.0873.

102 (3) Notwithstanding s. 216.301 and pursuant to s. 216.351,
 103 any balance in the trust fund at the end of the fiscal year
 104 shall remain in the trust fund and shall be available for

105 carrying out the purposes of the trust fund.

106 Section 4. Section 403.1832, Florida Statutes, is amended
 107 to read:

108 403.1832 ~~Department to accept federal aid;~~ Grants and
 109 Donations Trust Fund.—

110 ~~(1) The department is designated as the administrative~~
 111 ~~agency of the state to apply for and accept any funds or other~~
 112 ~~aid and to cooperate and enter into contracts and agreements~~
 113 ~~with the Federal Government relating to the planning, design,~~
 114 ~~construction, operation, maintenance, and enforcement activities~~
 115 ~~of the program to provide clean air and water and pollution~~
 116 ~~abatement of the air and waters of the state, including solid~~
 117 ~~waste management, hazardous waste management, and ecosystem~~
 118 ~~management and restoration, or to any other related~~
 119 ~~environmental purposes authorized by the Congress of the United~~
 120 ~~States. The department may, in the name of the state, make such~~
 121 ~~applications, sign such documents, give such assurances, and do~~
 122 ~~such other things as are necessary to obtain such aid from or~~
 123 ~~cooperate with the United States Government or any agency~~
 124 ~~thereof. The department may consent to enter into contracts and~~
 125 ~~agreements and cooperate with any other state agency, local~~
 126 ~~governmental agency, person, or other state when it is necessary~~
 127 ~~to carry out the provisions of this section.~~

128 (1)(2) The Grants and Donations Trust Fund is ~~to be~~
 129 administered by the Department of Environmental Protection. The
 130 fund is intended to serve as the depository for federal grants

131 and funds to be used for allowable grant or donor agreement
132 activities funded by restricted contractual revenue from private
133 and public nonfederal sources received by the department and to
134 ~~assist in tracking and monitoring the use of federal funds that~~
135 ~~are not otherwise deposited directly into a separate trust fund.~~
136 ~~The Grants and Donations Trust Fund is intended to be a broad-~~
137 ~~based fund from which moneys can be used for various~~
138 ~~environmental and natural resource program purposes for which~~
139 ~~the federal funds were intended. Funds may be expended for~~
140 ~~purposes including, but not limited to:~~

- 141 ~~(a) Water quality improvement.~~
- 142 ~~(b) Management of solid and hazardous wastes.~~
- 143 ~~(c) Stormwater management.~~
- 144 ~~(d) Air quality improvement and management.~~
- 145 ~~(e) Wetland protection and management.~~
- 146 ~~(f) Marine research.~~
- 147 ~~(g) Marine habitat restoration and management.~~
- 148 ~~(h) Aquatic weed control.~~
- 149 ~~(i) Environmental regulatory compliance and enforcement.~~
- 150 ~~(j) Local or state recreational projects.~~

151 (2) Notwithstanding s. 216.301 and pursuant to s. 216.351,
152 any balance in the trust fund at the end of the fiscal year
153 shall remain in the trust fund and shall be available for
154 carrying out the purposes of the trust fund.

155 (3) The department may transfer all outstanding
156 appropriations supported by federal grants to the Federal Grants

157 Trust Fund. This subsection expires July 1, 2016.

158 Section 5. Paragraphs (c), (e), and (f) of subsection (1)
159 of section 403.709, Florida Statutes, are amended to read:

160 403.709 Solid Waste Management Trust Fund; use of waste
161 tire fees.—There is created the Solid Waste Management Trust
162 Fund, to be administered by the department.

163 (1) From the annual revenues deposited in the trust fund,
164 unless otherwise specified in the General Appropriations Act:

165 (c) Up to 14 ~~11~~ percent shall be used for funding to
166 supplement any other funds provided to the Department of
167 Agriculture and Consumer Services for mosquito control. This
168 distribution shall be annually transferred to the General
169 Inspection Trust Fund in the Department of Agriculture and
170 Consumer Services to be used for mosquito control, especially
171 control of West Nile Virus.

172 (e) Up to 37 ~~A minimum of 40~~ percent shall be used for
173 funding a solid waste management grant program pursuant to s.
174 403.7095 for activities relating to recycling and waste
175 reduction, including waste tires requiring final disposal.

176 ~~(f) For the 2013-2014 fiscal year only, moneys in the~~
177 ~~Solid Waste Management Trust Fund may be transferred to the Save~~
178 ~~Our Everglades Trust Fund for Everglades restoration pursuant to~~
179 ~~s. 216.181(12). This paragraph expires July 1, 2014.~~

180 Section 6. For the purpose of incorporating the amendment
181 made by this act to section 403.709, Florida Statutes, in a
182 reference thereto, subsection (3) of section 403.7095, Florida

HB 7087

2015

183 Statutes, is reenacted to read:

184 403.7095 Solid waste management grant program.—

185 (3) From the funds made available pursuant to s.

186 403.709(1)(e) for the grant program created by this section, the
187 following distributions shall be made:

188 (a) Up to 50 percent for the program described in
189 subsection (1); and

190 (b) Up to 50 percent for the program described in
191 subsection (2).

192 Section 7. This act shall take effect July 1, 2015.