

Committee on Appropriations

SB 2516-A — Implementation of the Water and Land Conservation Constitutional Amendment

by Senator Lee

The bill:

- Implements Art. X, s. 28, State Constitution. The constitutional amendment requires that 33 percent of documentary stamp tax revenue be distributed into the Land Acquisition Trust Fund (LATF) within the Department of Environmental Protection (DEP) and prohibits funds from the LATF from being used for other than specified purposes provided in the amendment. In addition, the amendment prohibits the comingling of the LATF with the General Revenue Fund.
- Restructures trust funds to implement the constitutional requirement that documentary stamp taxes directed for environmental purposes must not be comingled with the General Revenue Fund. The bill also ensures that the documentary stamp taxes are not comingled with other revenue sources and can be tracked from distribution into the LATF to appropriations within the General Appropriations Act. The bill terminates certain trust funds currently receiving documentary stamp tax revenue intended for expenditure on environmental programs and redirects those moneys and moneys from other sources deposited into those terminated trust funds to other appropriate trust funds. The terminated trust funds include within the:
 - Department of Environmental Protection the:
 - Florida Communities Trust Fund;
 - Conservation and Recreation Lands (CARL) Trust Fund;
 - Ecosystem Management and Restoration Trust Fund;
 - Florida Preservation 2000 Trust Fund; and
 - Water Management Lands Trust Fund.
 - Department of Agriculture and Consumer Protection the:
 - Conservation and Recreation Lands (CARL) Trust Fund.
 - Fish and Wildlife Conservation Commission the:
 - Conservation and Recreation Lands (CARL) Trust Fund.
- Revises the statutory distributions of revenues derived from the documentary stamp tax to satisfy the water and land conservation constitutional amendment. The bill:
 - Requires the LATF to receive 33 percent of net revenues from the documentary stamp tax.
 - Requires payment of debt service for Florida Forever and Everglades bonds from the LATF.
 - Repeals the existing distributions of documentary stamp taxes to terminated trust funds that serve environmental purposes other than the distribution to the LATF.
 - Removes the existing documentary stamp tax distribution for payments in lieu of taxes to local governments.
 - Maintains the existing effective percentage distributions to the State Transportation Trust Fund and the Department of Economic Opportunity's Grants and Donations Trust Fund, while reducing the actual distribution to these trust funds.

- Increases the percentage distributions to the State Housing Trust Fund so that the same dollar amounts are distributed to that trust fund as would have been distributed under current law.
- Maintains the percentage distribution from the State Housing Trust Fund to the Local Government Housing Trust Fund.
- Specifies that funds in any LATF must be invested separately with the interest deposited into the General Revenue Fund.
- Revises the Land Acquisition Trust Fund within the DEP and the FWC to comply with the constitutional amendment.
- Revises all environmental bonding provisions to comply with the constitutional amendment and repeals all obsolete bonding provisions.
- Redirects the phosphate rock severance tax distribution from the CARL Trust Fund to the State Park Trust Fund within the DEP.
- Specifies that all Land Acquisition Trust Fund balances as of June 30, 2015, in the Fish and Wildlife Conservation Commission are transferred to the Grants and Donations Trust Fund effective when the bill becomes law.
- Removes language that funds shall be made available from the CARL Trust Fund within the DEP for payment in lieu of taxes to qualifying counties and local governments; however, the bill adds language that the Legislature may appropriate funds annually for the payment in lieu of taxes.
- Removes obsolete language and cross references.
- Corrects cross references and conforms provisions to changes made by the act.

If approved by the Governor, these provisions are effective on July 1, 2015, except as otherwise expressly provided.

Vote: Senate 37-0; House 93-20