SENATE AMENDMENT

Bill No. HB 1353

Amendment No. ___

CHAMBER ACTION

Senate | House

. . . . . .

Senator Casas moved the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. (1) The Sewage Treatment Revolving Loan Fund within the Department of Environmental Protection, FLAIR number 37-2-661, which was created by section 403.1835, Florida Statutes, and which is to be terminated pursuant to Section 19(f), Article III of the State Constitution on November 4, 2000, is re-created and renamed the Wastewater Treatment and Stormwater Management Revolving Loan Trust Fund.

(2) All current balances of the fund are carried forward, and all current sources and uses of the fund are continued.

Section 2. Paragraph (a) of subsection (9) and subsection (10) of section 403.1835, Florida Statutes, 1998 Supplement, are amended to read:

403.1835 Sewage treatment facilities revolving loan program.--

(9) Funds for the loans and grants authorized under this section must be managed as follows:

(a) A nonlapsing trust fund with revolving loan provisions to be known as the "Wastewater ~~Sewage~~ Treatment and Stormwater Management Revolving Loan Trust Fund" is ~~hereby~~ established in the State Treasury to be used as a revolving fund by the department to carry out the purpose of this section. Any funds therein which are not needed on an immediate basis for loans may be invested pursuant to s. 215.49. The cost of administering the program shall be paid from federal funds, from reasonable service fees that may be imposed upon loans, and from proceeds from the sale of loans as permitted by federal law so as to enhance program perpetuity. Grants awarded by the Federal Government, state matching funds, and investment earnings thereon shall be deposited into the fund. Proceeds from the sale of loans must be deposited into the fund. All moneys available in the fund, including investment earnings, are hereby designated to carry out the purpose of this section. The principal and interest payments of all loans held by the fund shall be deposited into this fund.

(10) Because the Legislature has experienced revenue shortfalls in recent years and has been unable to provide enough funds to fully match available federal funds to help capitalize the Wastewater ~~Sewage~~ Treatment and Stormwater Management Revolving Loan Trust Fund, it is necessary for innovative approaches to be considered to help capitalize the revolving loan fund. The department shall evaluate potential innovative approaches that can generate funds to match available federal funds. The department may adopt approaches that will help ensure the continuing viability of the

Wastewater ~~Sewage~~ Treatment and Stormwater Management Revolving Loan Trust Fund. The department shall consider, among other possible alternatives, the option of implementing by rule a program to allow local governments to offer funds voluntarily to the state for use as a match to available federal funds to capitalize the state sewage treatment revolving loan fund.

Section 3. Section 403.1836, Florida Statutes, is amended to read:

403.1836 Wastewater ~~Sewage~~ Treatment and Stormwater Management Revolving Loan Trust Fund; stormwater management system construction.--Each ~~Beginning in~~ fiscal year ~~1998-1999~~, the Department of Environmental Protection shall make available up to 10 percent of the annual revenue received in the Wastewater ~~Sewage~~ Treatment and Stormwater Management Revolving Loan Trust Fund for loans to local governmental agencies for constructing stormwater management systems authorized pursuant to s. 403.1835. During this period of time, if the department does not receive requests for projects to use the funds available for stormwater management systems, such funds shall be used for constructing sewage treatment facilities and other activities authorized by s. 403.1835.

Section 4. This act shall take effect November 4, 2000.

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

And the title is amended as follows:

Delete everything before the enacting clause

and insert:

Bill No. HB 1353

Amendment No. ___

A bill to be entitled

An act relating to the re-creation of the Sewage Treatment Revolving Loan Fund without modification; re-creating and renaming the fund; carrying forward current balances and continuing current sources and uses thereof; amending ss. 403.1835, 403.1836, F.S., to conform; providing an effective date.

WHEREAS, the Legislature wishes to extend the life of the Sewage Treatment Revolving Loan Fund, which is otherwise scheduled to be terminated pursuant to constitutional mandate, and

WHEREAS, the Legislature has reviewed the fund before its scheduled termination date and has found that it continues to meet an important public purpose, and

WHEREAS, the Legislature has found that existing public policy concerning the fund sets adequate parameters for its use, NOW, THEREFORE,