

**SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT**

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

**BILL:** SB 2240

**SPONSOR:** Senator Diaz-Balart

**SUBJECT:** Lake Belt Mitigation Trust Fund

**DATE:** March 18, 1999                      **REVISED:** 3/22/99        \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Green</u>	<u>Voigt</u>	<u>NR</u>	<u>Fav/3 amendments</u>
2.	_____	_____	<u>CA</u>	_____
3.	_____	_____	<u>FR</u>	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

**I. Summary:**

The bill specifies that a mitigation fee collected pursuant to s. 373.41492, F.S., which SB 2238 would create, shall be deposited into the Lake Belt Mitigation Trust Fund. Provides an effective date contingent upon adoption of SB 2238 or similar legislation in the same legislative session.

The bill amends s. 373.41495, Florida Statutes, 1998 Supplement.

**II. Present Situation:**

The Lake Belt Area, an 89-square mile area located between the Everglades and Miami-Dade County’s urbanized areas, provides more than half of the state’s rock, sand, and cement for construction projects. Senate Bill 2238 would create s. 373.41492, F.S., to provide for a Miami-Dade County Lake Belt Mitigation Plan. SB 2238 also provides for a mitigation fee of 5 cents per ton of limerock or sand sold from within the Lake Belt Area. Proceeds of this mitigation fee, less the Department of Revenue’s administrative costs not to exceed three percent, shall be used exclusively for conducting mitigation activities that offset the loss of wetlands’ values and functions resulting from mining in the Lake Belt Area. The Lake Belt Mitigation Trust Fund, established in s. 373.41495, F.S., 1998 Supplement, which is amended in this bill (SB 2240), is to be the repository for this mitigation fee.

**III. Effect of Proposed Changes:**

The bill amends s. 373.41495, F.S., 1998 Supplement, which creates the Lake Belt Mitigation Trust Fund. Contingent upon adoption of SB 2238 or similar legislation, the Lake Belt Mitigation Trust Fund is to be the repository for the mitigation fee collected under s. 373.41492, F.S.

The bill takes effect on July 1, 1999, but it shall not be effective unless SB 2238 or similar legislation is adopted in the same legislative session or an extension thereof.

**IV. Constitutional Issues:**

## A. Municipality/County Mandates Restrictions:

None.

## B. Public Records/Open Meetings Issues:

None.

## C. Trust Funds Restrictions:

None.

**V. Economic Impact and Fiscal Note:**

## A. Tax/Fee Issues:

None.

## B. Private Sector Impact:

None.

## C. Government Sector Impact:

The South Florida Water Management District shall administer the Lake Belt Mitigation Trust Fund pursuant to s. 373.41495, F.S., 1998 Supplement.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Amendments:**

#1 by Natural Resources:

Technical amendment to delete the words “reenacted and” because the section is only being amended.

#2 by Natural Resources:

Technical amendment to insert SB 2238 as the bill that must become law for this bill to be effective.

#3 by Natural Resources:

Technical title amendment to show s. 373.41495, F.S., 1998 Supplement, is being amended rather than created.

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This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.

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