

By the Committee on Fiscal Policy

301-175A-99

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A bill to be entitled
An act re-creating the Aquatic Plant Control Trust Fund of the Department of Environmental Protection and renaming the trust fund; carrying forward current balances and continuing current sources and uses thereof; amending ss. 206.606, 327.28, 369.252, F.S.; conforming provisions to the change in name; providing an effective date.

WHEREAS, the Legislature wishes to extend the life of the Aquatic Plant Control Trust Fund, which is otherwise scheduled to be terminated pursuant to constitutional mandate, and

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

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

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

Section 1. (1) The Aquatic Plant Control Trust Fund within the Department of Environmental Protection, FLAIR number 32-2-030 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 "Invasive Plant Control Trust Fund."

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

4 Section 2. Paragraph (a) of subsection (1) of section
5 206.606, Florida Statutes, 1998 Supplement, is amended to
6 read:

7 206.606 Distribution of certain proceeds.--

8 (1) Moneys collected pursuant to ss. 206.41(1)(g) and
9 206.87(1)(e) shall be deposited in the Fuel Tax Collection
10 Trust Fund. Such moneys, after deducting the service charges
11 imposed by s. 215.20, the refunds granted pursuant to s.
12 206.41, and the administrative costs incurred by the
13 department in collecting, administering, enforcing, and
14 distributing the tax, which administrative costs may not
15 exceed 2 percent of collections, shall be distributed monthly
16 to the State Transportation Trust Fund, except that:

17 (a) \$7.55 million shall be transferred to the
18 Department of Environmental Protection in each fiscal year.
19 The transfers must be made in equal monthly amounts beginning
20 on July 1 of each fiscal year. \$1.25 million of the amount
21 transferred shall be deposited annually in the Marine
22 Resources Conservation Trust Fund and must be used by the
23 department to fund special projects to provide recreational
24 channel marking, public launching facilities, and other
25 boating-related activities. The department shall annually
26 determine where unmet needs exist for boating-related
27 activities, and may fund such activities in counties where,
28 due to the number of vessel registrations, insufficient
29 financial resources are available to meet total water resource
30 needs. The remaining proceeds of the annual transfer shall be
31 deposited in the Invasive Aquatic Plant Control Trust Fund and

1 must be used for aquatic plant management, including
2 nonchemical control of aquatic weeds, research into
3 nonchemical controls, and enforcement activities. Beginning
4 in fiscal year 1993-1994, the department shall allocate at
5 least \$1 million of such funds to the eradication of
6 melaleuca.

7 Section 3. Paragraphs (c) and (e) of subsection (1) of
8 section 327.28, Florida Statutes, are amended to read:

9 327.28 Marine Resources Conservation Trust Fund;
10 vessel registration funds; appropriation and distribution.--

11 (1) Except as otherwise specified and less any
12 administrative costs, all funds collected from the
13 registration of vessels through the Department of Highway
14 Safety and Motor Vehicles and the tax collectors of the state
15 shall be deposited in the Marine Resources Conservation Trust
16 Fund for recreational channel marking; public launching
17 facilities; law enforcement and quality control programs;
18 aquatic weed control; manatee protection, recovery, rescue,
19 rehabilitation, and release; and marine mammal protection and
20 recovery. The funds collected pursuant to s. 327.25(1) shall
21 be transferred as follows:

22 (c) Two dollars from each noncommercial vessel
23 registration fee, except that for class A-1 vessels, shall be
24 transferred to the Invasive Aquatic Plant Control Trust Fund
25 for aquatic weed research and control.

26 (e) Forty percent of the registration fees from
27 commercial vessels shall be transferred to the Invasive
28 ~~Aquatic~~ Plant Control Trust Fund for aquatic plant research
29 and control.

30 Section 4. Section 369.252, Florida Statutes, is
31 amended to read:

1 369.252 Invasive exotic plant control on public
2 lands.--The department shall establish a program to:

3 (1) Achieve eradication or maintenance control of
4 invasive exotic plants on public lands when the scientific
5 data indicate that they are detrimental to the state's natural
6 environment or when the Commissioner of Agriculture finds that
7 such plants or specific populations thereof are a threat to
8 the agricultural productivity of the state;

9 (2) Assist state and local government agencies in the
10 development and implementation of coordinated management plans
11 for the eradication or maintenance control of invasive exotic
12 plant species on public lands;

13 (3) Contract, or enter into agreements, with entities
14 in the State University System or other governmental or
15 private sector entities for research concerning control
16 agents; production and growth of biological control agents;
17 and development of workable methods for the eradication or
18 maintenance control of invasive exotic plants on public lands;
19 and

20 (4) Use funds in the Invasive Aquatic Plant Control
21 Trust Fund as authorized by the Legislature for carrying out
22 activities under this section on public lands.

23 Section 5. This act shall take effect November 4,
24 2000.

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27 SENATE SUMMARY

28 Recreates the Aquatic Plant Control Trust Fund within the
29 Department of Environmental Protection and renames the
30 trust fund the "Invasive Plant Control Trust Fund."
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