

Amendment No. \_\_\_\_ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

Representative(s) Sembler offered the following:

**Amendment (with title amendment)**

Remove from the bill: Everything after the enacting clause and insert in lieu thereof:

Section 1. (1) The following trust funds within the following departments are terminated:

(a) Within the Department of Agriculture and Consumer Services, the Hurricane Andrew Disaster Relief Trust Fund, FLAIR number 42-2-200.

(b) Within the Department of Environmental Protection:

1. The Hurricane Andrew Disaster Relief Trust Fund, FLAIR number 37-2-200.

2. The Hurricane Andrew Recovery and Rebuilding Trust Fund, FLAIR number 37-2-205.

3. The Youth Conservation Corps Trust Fund, FLAIR number 37-2-803.

4. The Cross Florida Barge Canal Trust Fund, FLAIR number 37-2-888. The remaining balance and revenues in this fund shall be deposited in the Land Acquisition Trust Fund,

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1 FLAIR number 37-2-423.

2 (c) Within the Department of Insurance:

3 1. The Fire College Trust Fund, FLAIR number 46-2-288.

4 The remaining balance and revenues in this fund shall be  
5 deposited in the Insurance Commissioner's Regulatory Trust  
6 Fund, FLAIR number 46-2-393.

7 2. The Home Equity Conversion Mortgage Guaranty Fund,  
8 FLAIR number 46-2-369. The remaining balance and revenues in  
9 this fund shall be deposited in the Treasurer's Administrative  
10 and Investment Trust Fund, FLAIR number 46-2-725.

11 (d) Within the Department of Revenue:

12 1. The Child Support Depository Trust Fund, FLAIR  
13 number 73-2-080.

14 2. The Child Support Trust Fund, FLAIR number  
15 73-2-084.

16 3. The Minerals Trust Fund, FLAIR number 73-2-484.

17 (2) Unless otherwise provided, all current balances  
18 remaining in, and all revenues of, the trust funds terminated  
19 by this act shall be transferred to the General Revenue Fund.

20 (3) For each trust fund terminated by this act, the  
21 agency or branch that administers the trust fund shall pay any  
22 outstanding debts and obligations of the terminated fund as  
23 soon as practicable, and the Comptroller shall close out and  
24 remove the terminated fund from the various state accounting  
25 systems using generally accepted accounting principles  
26 concerning warrants outstanding, assets, and liabilities.

27 Section 2. The Legislature finds that the following  
28 trust funds are exempt from termination pursuant to Section  
29 19(f), Article III of the State Constitution:

30 (1) Within the Department of Agriculture and Consumer  
31 Services, the Florida Preservation 2000 Trust Fund, FLAIR

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- 1 number 42-2-332.
- 2       (2) Within the Department of Banking and Finance:
- 3       (a) The Child Support Clearing Trust Fund, FLAIR
- 4 number 44-2-081.
- 5       (b) The Collections Internal Revenue Clearing Trust
- 6 Fund, FLAIR number 44-2-101.
- 7       (c) The Consolidated Miscellaneous Deductions Clearing
- 8 Trust Fund, FLAIR number 44-2-139.
- 9       (d) The Electronic Funds Transfer Clearing Trust Fund,
- 10 FLAIR number 44-2-188.
- 11       (e) The Employee Refund Clearing Trust Fund, FLAIR
- 12 number 44-2-194.
- 13       (f) The Federal Tax Levy Clearing Trust Fund, FLAIR
- 14 number 44-2-274.
- 15       (g) The Florida Retirement Clearing Trust Fund, FLAIR
- 16 number 44-2-323.
- 17       (h) The Hospital Insurance Tax Clearing Trust Fund,
- 18 FLAIR number 44-2-370.
- 19       (i) The Social Security Clearing Trust Fund, FLAIR
- 20 number 44-2-643.
- 21       (3) Within the Department of Environmental Protection:
- 22       (a) The Florida Preservation 2000 Trust Fund, FLAIR
- 23 number 37-2-332.
- 24       (b) The Land Acquisition Trust Fund, FLAIR number
- 25 37-2-423.
- 26       (c) The Project Construction Trust Fund, FLAIR number
- 27 37-2-549.
- 28       (4) Within the Department of Insurance:
- 29       (a) The Agents and Solicitors County Tax Trust Fund,
- 30 FLAIR number 46-2-024.
- 31       (b) The Government Employees Deferred Compensation

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- 1 Trust Fund, FLAIR number 46-2-155.
- 2       (c) The State Treasurer Escrow Trust Fund, FLAIR
- 3 number 46-2-622.
- 4       (d) The Treasury Cash Deposit Trust Fund, FLAIR number
- 5 46-2-720.
- 6       (e) The Treasurer Investment Trust Fund, FLAIR number
- 7 46-2-728.
- 8       (5) Within the Department of Revenue:
- 9           (a) The Additional Court Costs Clearing Trust Fund,
- 10 FLAIR number 73-2-013.
- 11           (b) The Apalachicola Bay Oyster Surcharge Clearing
- 12 Trust Fund, FLAIR number 73-2-028.
- 13           (c) The Child Support Clearing Trust Fund, FLAIR
- 14 number 73-2-081.
- 15           (d) The Convention Development Tax Clearing Trust
- 16 Fund, FLAIR number 73-2-132.
- 17           (e) The Revenue Sharing Trust Fund for Counties, FLAIR
- 18 number 73-2-144.
- 19           (f) The Documentary Stamp Tax Clearing Trust Fund,
- 20 FLAIR number 73-2-166.
- 21           (g) The Revenue-Fuel Tax Refund Payments Trust Fund,
- 22 FLAIR number 73-2-317.
- 23           (h) The Fuel Tax Collection Trust Fund, FLAIR number
- 24 73-2-319.
- 25           (i) The Local Option Fuel Tax Trust Fund, FLAIR number
- 26 73-2-448.
- 27           (j) The Local Alternative Fuel User Fee Clearing Trust
- 28 Fund, FLAIR number 73-2-449.
- 29           (k) The Local Government Half-cent Sales Tax Clearing
- 30 Trust Fund, FLAIR number 73-2-455.
- 31           (l) The Discretionary Sales Surtax Clearing Trust

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- 1 Fund, FLAIR number 73-2-459.
- 2       (m) The Local Option Tourist Development Trust Fund,
- 3 FLAIR number 73-2-460.
- 4       (n) The Mail Order Sales Tax Clearing Trust Fund,
- 5 FLAIR number 73-2-465.
- 6       (o) The Motor Vehicle Warranty Trust Fund, FLAIR
- 7 number 73-2-492.
- 8       (p) The Municipal Financial Assistance Trust Fund,
- 9 FLAIR number 73-2-493.
- 10       (q) The Motor Vehicle Rental Surcharge Clearing Trust
- 11 Fund, FLAIR number 73-2-494.
- 12       (r) The Revenue Sharing Trust Fund for Municipalities,
- 13 FLAIR number 73-2-501.
- 14       (s) The Oil and Gas Tax Trust Fund, FLAIR number
- 15 73-2-508.
- 16       (t) The Pollutant Tax Clearing Trust Fund, FLAIR
- 17 number 73-2-544.
- 18       (u) The Railroad and Private Car Tax Collection
- 19 Clearing Trust Fund, FLAIR number 73-2-571.
- 20       (v) The Sales Tax Security Deposit Trust Fund, FLAIR
- 21 number 73-2-607.
- 22       (w) The Secondhand Dealer and Secondary Metals
- 23 Recycler Clearing Trust Fund, FLAIR number 73-2-617.
- 24       (x) The State Alternative Fuel User Fee Clearing Trust
- 25 Fund, FLAIR number 73-2-618.
- 26       (y) The Highway Safety-Admin. Div. Security Deposits
- 27 Trust Fund, FLAIR number 73-2-625.
- 28       (z) The Severance Tax Solid Mineral Trust Fund, FLAIR
- 29 number 73-2-636.
- 30       (aa) The Solid Waste Management Clearing Trust Fund,
- 31 FLAIR number 73-2-645.

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1           (bb) The Department of Revenue Premium Tax Clearing  
2 Trust Fund, FLAIR number 73-2-733.

3           (cc) The Ninth-cent Fuel Tax Trust Fund, FLAIR number  
4 73-2-777.

5           Section 3. (1) The following trust funds are renamed:

6           (a) Within the Department of Banking and Finance:

7           1. The Abandoned Property Trust Fund, FLAIR number  
8 44-2-007, is renamed the Unclaimed Property Trust Fund.

9           2. The National Forest Trust Fund, FLAIR number  
10 44-2-307, is renamed the Federal Use of State Lands Trust  
11 Fund.

12           (b) Within the Department of Environmental Protection:

13           1. The Aquatic Plant Control Trust Fund, FLAIR number  
14 37-2-030, is renamed the Invasive Plant Control Trust Fund.

15           2. The Sewage Treatment Revolving Loan Fund, FLAIR  
16 number 37-2-661, is renamed the Wastewater Treatment and  
17 Stormwater Management Revolving Trust Fund.

18           (2) This section shall take effect July 1, 1999.

19           Section 4. Effective upon this act becoming a law,  
20 section 3 of chapter 95-114, section 3 of chapter 95-115,  
21 section 2 of chapter 95-249, and section 3 of chapter 95-371,  
22 Laws of Florida, are repealed.

23           Section 5. Section 11.2423, Florida Statutes, is  
24 amended to read:

25           11.2423 Laws or statutes not repealed.--

26           (1) No special or local statute, or statute, local,  
27 limited or special in its nature, shall be repealed by the  
28 Florida Statutes, now or hereafter adopted, and, for the  
29 purpose of this saving from repeal any statute of the  
30 following classes shall be taken to be included in such  
31 exception, namely:

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- 1 (a) Any statutes for or concerning only a certain
- 2 county or certain designated counties.
- 3 (b) Any statute for, or concerning or operative in
- 4 only a portion of the state.
- 5 (c) Any statute for or concerning only a certain
- 6 municipal corporation.
- 7 (d) Any statute for or concerning only a designated
- 8 individual corporation or corporations.
- 9 (e) Any statute incorporating a designated individual
- 10 corporation, or making a grant thereto.
- 11 (f) Any statute of such limited or local application
- 12 as makes its inclusion in a general statute impracticable or
- 13 undesirable.
- 14 (g) Road designation laws.
- 15 (h) Severability section in any law.
- 16 (i) Any act of the Legislature declaring a trust fund
- 17 to be exempt from termination pursuant to s. 19(f), Art. III
- 18 of the State Constitution.

19 (2) The foregoing enumeration of classes of statutes  
20 not repealed shall not be construed to imply a repeal of other  
21 statutes which are local, limited or special in their nature.

22 Section 6. Subsection (3) of section 253.781, Florida  
23 Statutes, is amended to read:

24 253.781 Retention of state-owned lands along former  
25 Cross Florida Barge Canal route; creation of Cross Florida  
26 Greenways State Recreation and Conservation Area; authorizing  
27 transfer to the Federal Government for inclusion in Ocala  
28 National Forest.--

29 (3) The Board of Trustees of the Internal Improvement  
30 Trust Fund may acquire by purchase, exchange of other state  
31 lands, or the exercise of the power of eminent domain the fee

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1 title to lands acquired in less-than-fee title and to  
2 privately owned lands that break the continuity of publicly  
3 owned lands within the original canal corridor as specified in  
4 the University Planning Team Greenway Management Plan along  
5 the canal route, using canal authority assets transferred to  
6 the department ~~or~~using state, local, or federal funds  
7 dedicated to acquiring lands for conservation and recreation  
8 ~~or using funds from the Cross Florida Barge Canal Trust Fund.~~  
9 The Legislature finds that such exercise of the power of  
10 eminent domain to accomplish the purposes of this section is  
11 necessary and for a public purpose. Such power of eminent  
12 domain must be exercised pursuant to chapter 73.

13 Section 7. Section 253.7824, Florida Statutes, is  
14 amended to read:

15 253.7824 Sale of products; proceeds.--The department  
16 may authorize the removal and sale of products from the land  
17 where environmentally appropriate, the proceeds from which  
18 shall be deposited in the Land Acquisition ~~Cross Florida Barge~~  
19 ~~Canal~~ Trust Fund.

20 Section 8. Subsection (1) of section 253.7829, Florida  
21 Statutes, is amended to read:

22 253.7829 Management plan for retention or disposition  
23 of former Cross Florida Barge Canal lands; authority to manage  
24 lands until disposition.--

25 (1) It is declared to be in the public interest that  
26 the department shall do and is hereby authorized to do any and  
27 all things and incur and pay from ~~the Cross Florida Barge~~  
28 ~~Canal Trust Fund or from~~ the canal authority assets, for the  
29 public purposes described herein, any and all expenses  
30 necessary, convenient, and proper to:

31 (a) Develop a management plan for the retention or



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1 disposition of lands acquired for the Cross Florida Barge  
2 Canal to be submitted to the Governor and Cabinet no later  
3 than 2 years after the date of enactment of the Cross Florida  
4 Barge Canal deauthorization act, which plan shall reflect a  
5 consideration of alternatives for disposition as provided in  
6 this section of all lands in fee or less than fee owned by the  
7 Board of Trustees of the Internal Improvement Trust Fund,  
8 including those lands previously owned by the canal authority  
9 and the United States Army Corps of Engineers, and lands to be  
10 transferred to the state by the United States Army Corps of  
11 Engineers. The management plan shall establish a plan for  
12 delineating the specific boundaries of the Cross Florida  
13 Greenways State Recreation and Conservation Area. The  
14 Legislature intends that such boundaries include, at a  
15 minimum, a 300-yard-wide corridor, except where the original  
16 corridor is a lesser width or except in areas where bridges  
17 and roads cross the canal corridor, on former canal lands  
18 within the original canal corridor extending from the St.  
19 Johns River to the Gulf of Mexico, including all of the  
20 Oklawaha River Valley and Rodman Reservoir, and all canal  
21 works in all areas whether completed and in use or not, but  
22 excluding all parts of Lake Rousseau. Such boundaries may  
23 include other former canal lands according to the following  
24 criteria:

- 25           1. The proximity of the lands to former canal corridor  
26 lands.
- 27           2. The environmental sensitivity or importance of the  
28 lands or its characteristics as a unique or significant  
29 wildlife habitat.
- 30           3. The proximity of the lands to existing state or  
31 federal land which is maintained, at least in part, as natural

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1 wildlife habitat, so that the addition of the parcel would  
2 function as a wildlife corridor, or as additional habitat.

3 4. The potential of the lands to be developed as  
4 outdoor recreation lands.

5  
6 Commercially valuable parcels, including those parcels near  
7 road crossings, within the canal corridor which do not meet  
8 the criteria of subparagraphs 1.-4. and other former canal  
9 lands which are not included within the boundaries of the  
10 Cross Florida Greenways State Recreation and Conservation Area  
11 under the criteria of subparagraphs 1.-4., may be disposed of  
12 as surplus lands pursuant to s. 253.783(2)(a)-(d). Such  
13 alternatives for disposition will include retention by the  
14 state or any agency thereof for the specific public purposes  
15 outlined in this paragraph or by the counties or adjacent  
16 municipalities for recreational or conservation purposes, and  
17 a declaration of lands not to be retained as surplus lands to  
18 be disposed of pursuant to s. 253.783(2)(a)-(d). The  
19 management plan shall also address any remedial measures  
20 necessary to correct any environmental or economic damage  
21 caused by works constructed as a part of or as a result of the  
22 Cross Florida Barge Canal.

23 (b) Operate and maintain existing lands and interests  
24 in lands, appurtenances, structures, and facilities. Operation  
25 and maintenance of water control structures may be delegated  
26 by the department to the St. Johns River Water Management  
27 District or the Southwest Florida Water Management District,  
28 as necessary. Rights-of-way necessary for the construction and  
29 maintenance of electric transmission lines may be authorized.

30 Section 9. Subsection (2) of section 253.783, Florida  
31 Statutes, is amended to read:

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1           253.783 Additional powers and duties of the  
2 department; disposition of surplus lands; payments to  
3 counties.--

4           (2) It is declared to be in the public interest that  
5 the department shall do and is hereby authorized to do any and  
6 all things and incur and pay ~~from the Cross Florida Barge~~  
7 ~~Canal Trust Fund~~, for the public purposes described herein,  
8 any and all expenses necessary, convenient, and proper to:

9           (a) Offer any land declared to be surplus, at current  
10 appraised value, to the counties in which the surplus land  
11 lies, for acquisition for specific public purposes. Any  
12 county, at its option, may elect to acquire any lands so  
13 offered without monetary payment. The fair market value of  
14 any parcels so transferred shall be subtracted from the  
15 county's reimbursement under paragraph (e). These offers will  
16 be made within 3 calendar months after the date the management  
17 plan is adopted and will be valid for 180 days after the date  
18 of the offer.

19           (b) Extend the second right of refusal, at current  
20 appraised value, to the original owner from whom the Canal  
21 Authority of the State of Florida or the United States Army  
22 Corps of Engineers acquired the land or the original owner's  
23 heirs. These offers shall be made by public advertisement in  
24 not fewer than three newspapers of general circulation within  
25 the area of the canal route, one of which shall be a newspaper  
26 in the county in which the lands declared to be surplus are  
27 located. The public advertisements shall be run for a period  
28 of 14 days. These offers will be valid for 30 days after the  
29 expiration date of any offers made under paragraph (a), or 30  
30 days after the date publication begins, whichever is later.

31           (c) Extend the third right of refusal, at current

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1 appraised value, to any person having a leasehold interest in  
2 the land from the canal authority. These offers shall be  
3 advertised as provided in paragraph (b) and will be valid for  
4 30 days after the expiration date of the offers made under  
5 paragraph (b), or 30 days after the date publication begins,  
6 whichever is later.

7 (d) Offer surplus lands not purchased or transferred  
8 under paragraphs (a)-(c) to the highest bidder at public sale.  
9 Such surplus lands and the public sale shall be described and  
10 advertised in a newspaper of general circulation within the  
11 county in which the lands are located not less than 14  
12 calendar days prior to the date on which the public sale is to  
13 be held. The current appraised value of such surplus lands  
14 will be the minimum acceptable bid.

15 (e) Refund to the counties of the Cross Florida Canal  
16 Navigation District moneys pursuant to this paragraph ~~from the~~  
17 ~~funds remaining in the Cross Florida Barge Canal Trust Fund~~  
18 from the funds derived from the conveyance of lands of the  
19 project to the Federal Government or any agency thereof,  
20 pursuant to s. 253.781, and from the sales of surplus lands  
21 pursuant to this section. Following federal deauthorization of  
22 the project, such refunds shall consist of the \$9,340,720  
23 principal in ad valorem taxes contributed by the counties and  
24 the interest which had accrued on that amount from the time of  
25 payment to June 30, 1985. In no event shall the counties be  
26 paid less than the aggregate sum of \$32 million in cash or the  
27 appraised values of the surplus lands. Such refunds shall be  
28 in proportion to the ad valorem tax share paid to the Cross  
29 Florida Canal Navigation District by the respective counties.  
30 Should ~~the remaining funds in the Cross Florida Barge Canal~~  
31 ~~Trust Fund and~~ the funds derived from the conveyance of lands

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1 of the project to the Federal Government for payment or from  
2 the sale of surplus land be inadequate to pay the total of the  
3 principal plus interest, first priority shall be given to  
4 repaying the principal and second priority shall be given to  
5 repaying the interest. Interest to be refunded to the counties  
6 shall be compounded annually at the following rates:  
7 1937-1950, 4 percent; 1951-1960, 5 percent; 1961-1970, 6  
8 percent; 1971-1975, 7 percent; 1976-June 30, 1985, 8 percent.  
9 In computing interest, amounts already repaid to the counties  
10 shall not be subject to further assessments of interest. Any  
11 partial repayments provided to the counties under this act  
12 shall be considered as contributing to the total repayment  
13 owed to the counties. Should the funds generated by conveyance  
14 to the Federal Government and sales of surplus lands be more  
15 than sufficient to repay said counties in accordance with this  
16 section, such excess funds may be used for the maintenance of  
17 the greenways corridor.

18 (f) Carry out the purposes of this act.

19 Section 10. Section 624.516, Florida Statutes, is  
20 amended to read:

21 624.516 State Fire Marshal regulatory assessment and  
22 surcharge; deposit and use of funds.--

23 (1) The regulatory assessment imposed under s.  
24 624.515(1) and the surcharge imposed under s. 624.515(2) shall  
25 be deposited by the Department of Revenue, when received and  
26 audited, into the Insurance Commissioner's Regulatory Trust  
27 Fund. ~~The surcharge imposed under s. 624.515(2) shall be~~  
28 ~~deposited by the Department of Revenue, when received and~~  
29 ~~audited, into the Fire College Trust Fund.~~

30 (2) The moneys ~~so~~ received and deposited in the funds,  
31 as provided in subsection (1), are hereby appropriated for use

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1 by the State Treasurer as ex officio State Fire Marshal,  
2 hereinafter referred to as "State Fire Marshal," to defray the  
3 expenses of the State Fire Marshal in the discharge of her or  
4 his administrative and regulatory powers and duties as  
5 prescribed by law, including the maintaining of offices and  
6 necessary supplies therefor, essential equipment and other  
7 materials, salaries and expenses of required personnel, and  
8 all other legitimate expenses relating to the discharge of the  
9 administrative and regulatory powers and duties imposed in and  
10 charged to her or him under such laws.

11 (3) If, at the end of any fiscal year, a balance of  
12 funds remains in the Insurance Commissioner's Regulatory Trust  
13 Fund ~~or the Fire College Trust Fund, respectively,~~ such  
14 balance shall not revert to the general fund of the state, but  
15 shall be retained in the Insurance Commissioner's Regulatory  
16 Trust Fund ~~or the Fire College Trust Fund~~ to be used for the  
17 purposes for which the moneys are same is appropriated as set  
18 forth in subsection (2) above.

19 Section 11. Subsections (1), (2), (3), (9), and (10)  
20 of section 633.445, Florida Statutes, are amended to read:

21 633.445 State Fire Marshal Scholarship Grant  
22 Program.--

23 (1) All payments, gifts, or grants received pursuant  
24 to this section shall be deposited in the State Treasury to  
25 the credit of the Insurance Commissioner's Regulatory Fire  
26 ~~College~~ Trust Fund for the State Fire Marshal Scholarship  
27 Grant Program. Such funds shall provide, from grants to the  
28 state from moneys raised from public and private sources,  
29 scholarships for qualified applicants to the Florida State  
30 Fire College as created by s. 633.43.

31 (2) The Comptroller shall authorize expenditures from

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1 the Insurance Commissioner's Regulatory ~~Fire College~~ Trust  
2 Fund upon receipt of vouchers approved by the State Fire  
3 Marshal. All moneys collected from public and private sources  
4 pursuant to this section shall be deposited into the trust  
5 fund. Any balance in the trust fund at the end of any fiscal  
6 year shall remain therein and shall be available for carrying  
7 out the purposes of the fund in the ensuing year.

8 (3) All funds deposited into the Insurance  
9 Commissioner's Regulatory ~~Fire College~~ Trust Fund shall be  
10 invested pursuant to ~~the provisions of~~ s. 18.125. Interest  
11 income accruing to moneys so invested shall increase the total  
12 funds available for the purposes for which the trust fund is  
13 created.

14 (9) After selection and approval of an applicant for a  
15 grant by the council, payment in the applicant's name for  
16 scholarship funds shall be transmitted from the Insurance  
17 Commissioner's Regulatory ~~Fire College~~ Trust Fund by the  
18 Comptroller upon receipt of vouchers authorized by the State  
19 Fire Marshal. If a recipient terminates her or his enrollment  
20 during the course of her or his curriculum at the State Fire  
21 College, unless excused by the council and allowed to resume  
22 training at a later time, any unused portion of the  
23 scholarship funds shall be refunded to the trust fund. A  
24 recipient who terminates her or his enrollment is not liable  
25 for any portion of a scholarship.

26 (10) The council may accept payments, gifts, and  
27 grants of money from any federal agency, private agency,  
28 county, city, town, corporation, partnership, or individual  
29 for deposit in the Insurance Commissioner's Regulatory ~~Fire~~  
30 ~~College~~ Trust Fund to implement this section and for  
31 authorized expenses incurred by the council in performing its

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1 duties.

2 Section 12. Paragraph (r) of subsection (1) of section  
3 633.45, Florida Statutes, is repealed.

4 Section 13. Section 633.46, Florida Statutes, is  
5 amended to read:

6 633.46 Fees.--The division may fix and collect  
7 admission fees and other fees which it deems necessary to be  
8 charged for training given. All fees so collected shall be  
9 deposited in the Insurance Commissioner's Regulatory Fire  
10 College Trust Fund.

11 Section 14. Section 633.461, Florida Statutes, is  
12 amended to read:

13 633.461 Insurance Commissioner's Regulatory Fire  
14 College Trust Fund.--The funds received from the Insurance  
15 Commissioner's Regulatory Fire College Trust Fund shall be  
16 used ~~utilized~~ by the staff of the Florida State Fire College  
17 to provide all necessary services, training, equipment, and  
18 supplies to carry out the college's responsibilities,  
19 including, but not limited to, the State Fire Marshal  
20 Scholarship Grant Program and the procurement of training  
21 films, videotapes, audiovisual equipment, and other useful  
22 information on fire, firefighting, and fire prevention,  
23 including public fire service information packages.

24 Section 15. Subsection (2) of section 633.50, Florida  
25 Statutes, is amended to read:

26 633.50 Division powers and duties; Florida State Fire  
27 College.--

28 (2) Funds generated by the formula per full-time  
29 equivalent student may not exceed the level of state funding  
30 per full-time equivalent student generated through the Florida  
31 Education Finance Program or the State Community College



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1 Program Fund for students enrolled in comparable education  
2 programs provided by public school districts and community  
3 colleges. Funds appropriated for education and operational  
4 costs shall be deposited in the Insurance Commissioner's  
5 Regulatory ~~Fire College~~ Trust Fund to be used solely for  
6 purposes specified in s. 633.461 and may not be transferred to  
7 any other budget entity for purposes other than education.

8 Section 16. Section 697.203, Florida Statutes, is  
9 repealed.

10 Section 17. Section 697.205, Florida Statutes, is  
11 amended to read:

12 697.205 Recoveries from the trust fund.--

13 (1)(a) Any person is eligible to seek recovery from  
14 the Treasurer's Administrative and Investment Trust ~~Home~~  
15 Equity Conversion Mortgage Guaranty Fund if:

16 1. Such person was the mortgagee of a home equity  
17 conversion mortgage which was foreclosed upon termination, and  
18 the proceeds from the foreclosure sale were insufficient to  
19 repay the full loan amount due;

20 2. Such person has caused to be issued a writ of  
21 execution upon a decree rendered pursuant to chapter 702, and  
22 the officer executing the writ has made a return showing that  
23 no real or personal property of the judgment debtor can be  
24 found which is liable to be levied upon in satisfaction of the  
25 decree or that the amount realized on the sale of the judgment  
26 debtor's property pursuant to such execution was insufficient  
27 to satisfy the judgment;

28 3. Such person has made all searches and inquiries  
29 which are reasonable to ascertain whether the judgment debtor  
30 possesses real or personal property or other assets subject to  
31 being sold or applied in satisfaction of the judgment, and

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1 such person through her or his search has discovered no  
2 property or assets or has discovered property and assets and  
3 taken all necessary action and proceedings for the application  
4 of such property and assets in satisfaction of the judgment  
5 but the amounts thereby realized were insufficient to satisfy  
6 the judgment;

7 4. Such person has applied any amounts recovered from  
8 the judgment debtor, or from any other source, to the  
9 deficiency decree; or

10 5. The mortgage on which recovery is sought was  
11 insured pursuant to s. 697.204 prior to July 1, 1993.

12 (b) Any person who meets all of the conditions  
13 prescribed in subsection (1) may apply to the department for  
14 payment to be made to such person from the Treasurer's  
15 Administrative and Investment Trust ~~Home Equity Conversion~~  
16 ~~Mortgage Guaranty~~ Fund in an amount equal to the unsatisfied  
17 portion of such person's deficiency decree. ~~In no event shall~~  
18 Such amount may not exceed the difference between the amount  
19 of the proceeds from a foreclosure sale and the loan amount  
20 due, including principal and interest.

21 (c) Upon receipt by the mortgagee of the payment from  
22 the Treasurer's Administrative and Investment Trust ~~Home~~  
23 ~~Equity Conversion Mortgage Guaranty~~ Fund, the mortgagee shall  
24 assign to the department any additional right, title, and  
25 interest in the judgment, to the extent of such payment.

26 (2)

27 (a) ~~If in the event that~~ a search is made by the  
28 mortgagee to determine all of the debtor's real and personal  
29 property which may be applied towards payment of the debt and  
30 it is determined that foreclosure of the home equity  
31 conversion mortgage would not result in recovering any

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1 significant additional assets of the debtor which may be used  
2 to satisfy the mortgage, the mortgagee may still be able to  
3 recover from the fund without having to foreclose, provided  
4 that such mortgage was insured pursuant to s. 697.204 prior to  
5 July 1, 1993.

6 ~~1. Such recovery shall be provided for by rule~~  
7 ~~promulgated pursuant to s. 697.203; shall be conditioned on~~  
8 ~~the mortgagee acquiring the mortgaged property by deed; and~~  
9 ~~shall be based on a reasonable appraised value of the~~  
10 ~~property. The rules promulgated for such recovery shall~~  
11 ~~include provisions for requiring the mortgagee to determine~~  
12 ~~the total assets of the debtor; provisions for determining~~  
13 ~~whether foreclosure would result in recovering any additional~~  
14 ~~assets of the debtor which may be used to satisfy the~~  
15 ~~mortgage; and provisions for determining what constitutes a~~  
16 ~~reasonable appraised value of the property.~~

17 ~~2. The maximum recovery to be allowed by this section~~  
18 ~~shall be the difference between the loan amount due, including~~  
19 ~~principal and interest, and the appraised value of the~~  
20 ~~property.~~

21 (b) Any person who meets all of the conditions set by  
22 rule for recovery under this subsection may apply to the  
23 department for payment to be made to such person from the  
24 Treasurer's Administrative and Investment Trust Home Equity  
25 Conversion Mortgage Guaranty Fund in an amount equal to the  
26 maximum recovery as provided herein.

27 Section 18. Section 61.182, Florida Statutes, is  
28 repealed.

29 Section 19. Effective July 1, 1999, paragraph (a) of  
30 subsection (1) of section 206.606, Florida Statutes, 1998  
31 Supplement, as amended by chapters 98-114, 96-321, 95-417, and

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1 94-146, Laws of Florida, is amended to read:

2 206.606 Distribution of certain proceeds.--

3 (1) Moneys collected pursuant to ss. 206.41(1)(g) and  
4 206.87(1)(e) shall be deposited in the Fuel Tax Collection  
5 Trust Fund. Such moneys, after deducting the service charges  
6 imposed by s. 215.20, the refunds granted pursuant to s.  
7 206.41, and the administrative costs incurred by the  
8 department in collecting, administering, enforcing, and  
9 distributing the tax, which administrative costs may not  
10 exceed 2 percent of collections, shall be distributed monthly  
11 to the State Transportation Trust Fund, except that:

12 (a) \$7.55 million shall be transferred to the  
13 Department of Environmental Protection in each fiscal year.  
14 The transfers must be made in equal monthly amounts beginning  
15 on July 1 of each fiscal year. \$1.25 million of the amount  
16 transferred shall be deposited annually in the Marine  
17 Resources Conservation Trust Fund and must be used by the  
18 department to fund special projects to provide recreational  
19 channel marking, public launching facilities, and other  
20 boating-related activities. The department shall annually  
21 determine where unmet needs exist for boating-related  
22 activities, and may fund such activities in counties where,  
23 due to the number of vessel registrations, insufficient  
24 financial resources are available to meet total water resource  
25 needs. The remaining proceeds of the annual transfer shall be  
26 deposited in the Invasive Aquatic Plant Control Trust Fund and  
27 must be used for aquatic plant management, including  
28 nonchemical control of aquatic weeds, research into  
29 nonchemical controls, and enforcement activities. Beginning  
30 in fiscal year 1993-1994, the department shall allocate at  
31 least \$1 million of such funds to the eradication of

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1 melaleuca.

2 Section 20. Effective July 1, 1999, paragraphs (c) and  
3 (e) of subsection (1) of section 327.28, Florida Statutes, are  
4 amended to read:

5 327.28 Marine Resources Conservation Trust Fund;  
6 vessel registration funds; appropriation and distribution.--

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

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

22 (e) Forty percent of the registration fees from  
23 commercial vessels shall be transferred to the Invasive  
24 ~~Aquatic~~ Plant Control Trust Fund for aquatic plant research  
25 and control.

26 Section 21. Effective July 1, 1999, section 369.252,  
27 Florida Statutes, is amended to read:

28 369.252 Invasive exotic plant control on public  
29 lands.--The department shall establish a program to:

30 (1) Achieve eradication or maintenance control of  
31 invasive exotic plants on public lands when the scientific

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1 data indicate that they are detrimental to the state's natural  
2 environment or when the Commissioner of Agriculture finds that  
3 such plants or specific populations thereof are a threat to  
4 the agricultural productivity of the state;

5 (2) Assist state and local government agencies in the  
6 development and implementation of coordinated management plans  
7 for the eradication or maintenance control of invasive exotic  
8 plant species on public lands;

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

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

19 Section 22. Effective July 1, 1999, section 215.551,  
20 Florida Statutes, is amended to read:

21 215.551 Federal Use of State Lands ~~National Forest~~  
22 Trust Fund; county distribution.--

23 (1) The Comptroller may make distribution of the  
24 Federal Use of State Lands ~~National Forest~~ Trust Fund, when so  
25 requested by the counties in interest, of such amounts as may  
26 be accumulated in that fund.

27 (2) The Comptroller shall ascertain, from the records  
28 of the General Land Office or other departments in Washington,  
29 D.C., the number of acres of land situated in the several  
30 counties in which the Apalachicola, Choctawhatchee, Ocala, and  
31 Osceola Forest Reserves are located, the number of acres of

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1 land of such forest reserve embraced in each of the counties  
2 in each of the reserves, and, also, the amount of money  
3 received by the United States Government from each of the  
4 reserves, respectively. The Comptroller shall apportion the  
5 money on hand to each county in each reserve, respectively and  
6 separately; such distribution shall be based upon the number  
7 of acres of land embraced in the Apalachicola Forest,  
8 Choctawhatchee Forest, Ocala Forest, and Osceola Forest,  
9 respectively, in each county and shall be further based upon  
10 the amount collected by the United States from each of such  
11 forests, so that such distribution, when made, will include  
12 for each county the amount due each county, based upon the  
13 receipts for the particular forest and the acreage in the  
14 particular county in which such forest is located. The  
15 Comptroller shall issue two warrants on the Treasurer in each  
16 case, the sum of which shall be the amount due each of such  
17 counties from the fund. One warrant shall be payable to the  
18 county for the county general road fund, and one warrant, of  
19 equal amount, shall be payable to such county's district  
20 school board for the district school fund.

21 (3) In the event that actual figures of receipts from  
22 different reserves cannot be obtained by counties, so as to  
23 fully comply with subsections (1) and (2), the Comptroller may  
24 adjust the matter according to the United States statutes, or  
25 as may appear to him or her to be just and fair, and with the  
26 approval of all counties in interest.

27 (4) The moneys that may be received and credited to  
28 the Federal Use of State Lands ~~National Forest~~ Trust Fund are  
29 appropriated for the payment of the warrants of the  
30 Comptroller drawn on the Treasurer in pursuance of this  
31 section.

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1           Section 23. Effective July 1, 1999, paragraph (a) of  
2 subsection (9) and subsection (10) of section 403.1835,  
3 Florida Statutes, 1998 Supplement, are amended to read:

4           403.1835 Sewage treatment facilities revolving loan  
5 program.--

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

8           (a) A nonlapsing trust fund with revolving loan  
9 provisions to be known as the "Wastewater Sewage Treatment and  
10 Stormwater Management Revolving Loan Trust Fund" is hereby  
11 established in the State Treasury to be used as a revolving  
12 fund by the department to carry out the purpose of this  
13 section. Any funds therein which are not needed on an  
14 immediate basis for loans may be invested pursuant to s.  
15 215.49. The cost of administering the program shall be paid  
16 from federal funds, from reasonable service fees that may be  
17 imposed upon loans, and from proceeds from the sale of loans  
18 as permitted by federal law so as to enhance program  
19 perpetuity. Grants awarded by the Federal Government, state  
20 matching funds, and investment earnings thereon shall be  
21 deposited into the fund. Proceeds from the sale of loans must  
22 be deposited into the fund. All moneys available in the fund,  
23 including investment earnings, are hereby designated to carry  
24 out the purpose of this section. The principal and interest  
25 payments of all loans held by the fund shall be deposited into  
26 this fund.

27           (10) Because the Legislature has experienced revenue  
28 shortfalls in recent years and has been unable to provide  
29 enough funds to fully match available federal funds to help  
30 capitalize the Wastewater Sewage Treatment and Stormwater  
31 Management Revolving Loan Trust Fund, it is necessary for



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1 innovative approaches to be considered to help capitalize the  
2 revolving loan fund. The department shall evaluate potential  
3 innovative approaches that can generate funds to match  
4 available federal funds. The department may adopt approaches  
5 that will help ensure the continuing viability of the  
6 Wastewater Sewage Treatment and Stormwater Management  
7 Revolving Loan Trust Fund. The department shall consider,  
8 among other possible alternatives, the option of implementing  
9 by rule a program to allow local governments to offer funds  
10 voluntarily to the state for use as a match to available  
11 federal funds to capitalize the Wastewater state sewage  
12 Treatment and Stormwater Management Revolving Loan Trust Fund.

13 Section 24. Effective July 1, 1999, section 403.1836,  
14 Florida Statutes, is amended to read:

15 403.1836 Wastewater Sewage Treatment and Stormwater  
16 Management Revolving Loan Trust Fund; stormwater management  
17 system construction.--~~Each Beginning in~~ fiscal year ~~1998-1999~~,  
18 the Department of Environmental Protection shall make  
19 available up to 10 percent of the annual revenue received in  
20 the Wastewater Sewage Treatment and Stormwater Management  
21 Revolving Loan Trust Fund for loans to local governmental  
22 agencies for constructing stormwater management systems  
23 authorized pursuant to s. 403.1835. During this period of  
24 time, if the department does not receive requests for projects  
25 to use the funds available for stormwater management systems,  
26 such funds shall be used for constructing sewage treatment  
27 facilities and other activities authorized by s. 403.1835.

28 Section 25. Except as otherwise provided herein, this  
29 act shall take effect July 1, 2000.

30  
31

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

2 And the title is amended as follows:

3 remove from the title of the bill: everything before the  
4 enacting clause

5

6 and insert in lieu thereof:

7 A bill to be entitled

8 An act relating to trust funds; terminating  
9 specified trust funds within the Department of  
10 Agriculture and Consumer Services, Department  
11 of Environmental Protection, Department of  
12 Insurance, and Department of Revenue; providing  
13 for disposition of balances in and revenues of  
14 such trust funds; prescribing procedures for  
15 the termination of such trust funds; declaring  
16 the findings of the Legislature that specified  
17 trust funds within the Department of  
18 Agriculture and Consumer Services, Department  
19 of Banking and Finance, Department of  
20 Environmental Protection, Department of  
21 Insurance, and Department of Revenue are exempt  
22 from the termination requirements of s. 19(f),  
23 Art. III of the State Constitution; renaming  
24 specified trust funds within the Department of  
25 Banking and Finance and the Department of  
26 Environmental Protection; repealing s. 3, ch.  
27 95-114, s. 3, ch. 95-115, s. 2, ch. 95-249, and  
28 s. 3, ch. 95-371, Laws of Florida; abrogating  
29 provisions relating to the termination of  
30 certain trust funds that are exempt from  
31 termination; amending s. 11.2423, F.S.;

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1 providing that acts declaring trust funds  
2 exempt from constitutional termination  
3 requirements are not repealed by the adoption  
4 of the Florida Statutes; amending ss. 253.781,  
5 253.7824, 253.7829, and 253.783, F.S.; removing  
6 reference to the Cross Florida Barge Canal  
7 Trust Fund; providing for deposit of certain  
8 proceeds in the Land Acquisition Trust Fund;  
9 amending ss. 624.516, 633.445, 633.46, 633.461,  
10 and 633.50, F.S., and repealing s.  
11 633.45(1)(r), F.S., relating to the Fire  
12 College Trust Fund, to abolish the trust fund  
13 and transfer its balance and responsibilities  
14 to the Insurance Commissioner's Regulatory  
15 Trust Fund; repealing s. 697.203, F.S.,  
16 relating to the Home Equity Conversion Mortgage  
17 Guaranty Fund, and amending s. 697.205, F.S.,  
18 to abolish the fund and transfer its balance  
19 and responsibilities to the Treasurer's  
20 Administrative and Investment Trust Fund;  
21 deleting obsolete provisions; repealing s.  
22 61.182, F.S., relating to the Child Support  
23 Depository Trust Fund, to abolish the trust  
24 fund; amending ss. 206.606, 327.28, and  
25 369.252, F.S.; renaming the Aquatic Plant  
26 Control Trust Fund; amending s. 215.551, F.S.;  
27 renaming the National Forest Trust Fund;  
28 amending ss. 403.1835 and 403.1836, F.S.;  
29 renaming the Sewage Treatment Revolving Loan  
30 Fund; providing effective dates.  
31